

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING October 11, 2021

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: Larry Yoder, Chairman
 Ronnie Reese, Vice-Chairman
 Kent Herman
 Josh Lail
 Marty Pennell

STAFF: Rick French, County Manager
 Jamie Starnes, Clerk to the Board

The Alexander County Board of Commissioners held a regular meeting on Monday, October 11, 2021 in Room 103 of the CVCC / Alexander Center in Taylorsville, North Carolina.

CALL TO ORDER

Chairman Yoder called the meeting to order at 6:00 PM.

INVOCATION & PLEDGE OF ALLEGIANCE

Vice-Chairman Reese gave the invocation and Young Marine Corporal Vince Sothoron led the Pledge of Allegiance to the Flag.

*****SPECIAL RECOGNITION*****

Chairman Yoder presented a Key to the County to Ryan Mayberry for his service as an Alexander County Commissioner from 2008-2020, pointing out the many projects that Mr. Mayberry was involved in during those 12 years. *(This presentation was postponed from last year due to the COVID-19 pandemic).*

COMMISSIONER'S REPORT

Chairman Yoder and members of the Board welcomed Commissioner Herman.

ADOPTION OF AGENDA

Commissioner Lail made a motion to adopt the agenda as presented. Vice-Chairman Reese seconded the motion, which passed unanimously.

PUBLIC COMMENT

No one spoke during the Public Comment Period.

PUBLIC HEARING: REZONING CASE 21-3 – PULLIN

Dustin Millsaps, WPCOG Community & Regional Planner, presented Rezoning Case 21-3 submitted by Daniel Pullin, Jr. who requested rezoning of property located on Lail Lane from R-20 (Residential) to RA-20 (Residential-Agriculture) to allow for placement of a manufactured home. The size of the property is one acre, which is currently vacant. Zoning districts within 100 feet include R-20 to the north, south, and west along with RA-20 to the east.

After reviewing aerials of the property, Mr. Millsaps reported that the requested rezoning aligned with the 2008 Comprehensive Plan, which mentions the splitting of parcels to make room for more housing in the area to increase the County's population. In addition, he stated that rezoning the subject property would create uniformity to Lail Lane as the majority of parcels are zoned RA-20 and include manufactured homes. Therefore, both staff and the Planning & Zoning Commission recommended approval of the rezoning request. In response to a question by Chairman Yoder, Mr. Millsaps stated that no opposition had been received.

After a motion by Chairman Yoder, second by Vice-Chairman Reese, and unanimous vote, the public hearing was called to order and comments requested. There being none, Commissioner Pennell made a motion to close the public hearing. Commissioner Lail seconded the motion, which passed unanimously.

Vice-Chairman Reese made a motion to approve Rezoning Case 21-3 based on recommendations from staff and the Planning & Zoning Commission that the rezoning request is consistent with the 2008 Comprehensive Plan and compatible with adjacent uses. Commissioner Lail seconded the motion, which passed unanimously.

PUBLIC HEARING: NUISANCE CASE #19745 – DAVIS

Cody Bowers, Code Enforcement Officer, presented Nuisance Case #19745 for property located at 999 Jenkins Moose Road owned by Virginia Davis. This case was originally handled by Josh Mitchell, Public Works Director, who sent a notice of violation by certified mail on January 30, 2021. Mr. Mitchell also left a citation door tag on the property on March 24, 2021 after a second inspection.

Upon assuming the case in August, Mr. Bowers conducted a third inspection on August 10, 2021 and sent another notice of violation by certified mail on August 11, 2021 related to trash and debris at the front and rear of the property. He reported speaking with Ms. Davis who claimed that a relative was occupying the home. After this conversation, it initially appeared that some progress was made but a further inspection determined that trash and other items had only been moved from the front yard to the side of the home. Ms. Davis was sent a public hearing notice on September 14, 2021.

Mr. Bowers provided a staff recommendation that this property be deemed a nuisance and orders of abatement be issued, pointing out that if the owner failed to abate the nuisance within the timeframe chosen by the Board, N.C.G.S. 160A-193 allowed the County to remove or remedy the nuisance with all costs incurred charged to the property owner.

After a motion by Vice-Chairman Reese, second by Commissioner Herman, and unanimous vote, Chairman Yoder called the public hearing to order and requested any comments. There being none, Commissioner Lail made a motion to close the public hearing. Vice-Chairman Reese seconded the motion, which passed unanimously.

Vice-Chairman Reese made a motion to deem the property located at 999 Jenkins Moose Road a nuisance and issue an order of abatement, allowing the property owner 30 days to comply. Commissioner Herman seconded the motion, which passed unanimously.

PUBLIC HEARING: NUISANCE CASE #10078 – FOX & MCCALL

Cody Bowers, Code Enforcement Officer, presented Nuisance Case #10078 for property located at 315 South Center Street owned by Peter Fox and Robin McCall, noting that Town Manager David Odom had contacted him about this specific site due to numerous complaints for many years. The first inspection was conducted on June 1, 2021 and a notice of violation was sent by certified mail on June 2, 2021 related to trash along fence lines and overgrown weeds providing a habitat for rodents, snakes, and vermin. The property owner left a voicemail message shortly after receiving the notice but staff was unable to make further contact.

During a second inspection on July 9, 2021, the violations found at the initial inspection had worsened; therefore, a second notice of violation was sent by certified mail the same day. A third inspection on September 6, 2021 revealed the nuisance remained unabated. Mr. Fox and Ms. McCall were sent a public hearing notice on September 8, 2021.

Mr. Bowers provided a staff recommendation that this property be deemed a nuisance and orders of abatement be issued, pointing out that if the owner failed to abate the nuisance within the timeframe chosen by the Board, N.C.G.S. 160A-193 allowed the County to remove or remedy the nuisance with all costs incurred charged to the property owner.

Bill Rogers, Chief Building Inspector, advised that, prior to the County's agreement with the Town to provide planning and zoning services, the Town of Taylorsville had ordered abatement of this

property and subsequently cleared the lot, hauled away debris, etc. He felt law enforcement may be needed, pointing out that prior arrests were made when the Town abated the property.

After a motion by Commissioner Lail, second by Commissioner Herman, and unanimous vote, Chairman Yoder called the public hearing to order and requested any comments. There being none, Vice-Chairman Reese made a motion to close the public hearing. Commissioner Herman seconded the motion, which passed unanimously.

Commissioner Pennell made a motion to deem the property located at 315 South Center Street a nuisance and issue an order of abatement, allowing the property owner 30 days to comply. Commissioner Lail seconded the motion, which passed unanimously.

PUBLIC HEARING: NUISANCE CASE #4173 – BOWMAN

Cody Bowers, Code Enforcement Officer, presented Nuisance Case #4173 for property located at 415 Greenlea Circle owned by Rachel Juanito Bowman. The first inspection was conducted on March 24, 2021 but because the property owner could not be located, staff did not issue a notice of violation related to overgrown weeds and shrubbery engulfing the home and providing a habitat for rodents, snakes, and vermin until June 8, 2021.

Upon a second inspection on July 8, 2021, it was determined that the home had further deteriorated and was beginning to collapse; therefore, pursuant to N.C.G.S. 160D-1119, the structure was declared unsafe and a placard was affixed to the property. A second notice of violation was sent on July 9, 2021 and further inspections have revealed the nuisance remains unabated. Ms. Bowman was sent a public hearing notice on September 8, 2021. It was noted that all documentation related to this case had been sent to 3 separate mailing address, all of which remain unclaimed.

Mr. Bowers provided a staff recommendation that this property be deemed a nuisance and orders of abatement be issued, pointing out that if the owner failed to abate the nuisance within the timeframe chosen by the Board, N.C.G.S. 160A-193 allowed the County to remove or remedy the nuisance with all costs incurred charged to the property owner.

Bill Rogers, Chief Building Inspector, requested more time on this particular case given the amount of work needed to clear the property as well as numerous organizations that staff will need to coordinate with (grading contractor, Duke Energy, rodent exterminator, etc.)

After a motion by Commissioner Pennell, second by Commissioner Vice-Chairman Reese, and unanimous vote, Chairman Yoder called the public hearing to order and requested any comments. There being none, Commissioner Pennell made a motion to close the public hearing. Commissioner Lail seconded the motion, which passed unanimously.

Commissioner Lail made a motion to deem the property located at 415 Greenlea Circle a nuisance and issue an order of abatement, allowing the property owner 60 days to comply. Commissioner Herman seconded the motion, which passed unanimously.

RED RIBBON WEEK PROCLAMATION

Young Marine Corporal Vince Sothoron with the Mecklenburg Young Marines, a youth organization that promotes a healthy, drug-free lifestyle as well as teamwork, leadership, and discipline, was present to promote Red Ribbon Week. He explained that Red Ribbon Week began after the 1985 death of Drug Enforcement Administration Special Agent Enrique “Kiki” Camarena who was murdered in Mexico by drug traffickers. Red Ribbon Week is celebrated each year during the last week of October to not only honor Agent Camarena, but to also bring awareness to the dangers of the sale and use of illegal drugs.

Chairman Yoder made a motion to approve the proclamation declaring October 23-31, 2021 as Red Ribbon Week in Alexander County. Commissioner Pennell seconded the motion, which passed unanimously.

CHARTER / SPECTRUM RDOF PROGRAM & NTIA GRANT

Mike Tanck, Charter/Spectrum Director of Government Affairs, gave a slide show presentation that included the following information:

- Charter/Spectrum was awarded over one million locations nationwide and over 125,000 locations in North Carolina through the Rural Digital Opportunity Fund, an FCC program designed to expand broadband into rural areas with no access. Within a 6-year window, Charter plans to build fiber-to-the-home technology in 67 of NC’s 80 rural counties, providing standard service of 200 Mbps as well as phone and TV/video. A total of 2,032 addresses have been identified in Alexander County, mostly in the northwestern, northeastern, and southeastern sections.
- Charter/Spectrum recently partnered with Alexander County to submit an application for a National Telecommunications and Infrastructure grant targeting counties with populations of less than 50,000. Grant awards totaling \$288 million will be dispersed nationwide with no required financial commitment from the County. An additional 488 Alexander County locations have been identified and if awarded, Charter plans to build these areas in conjunction with the RDOF locations.
- Future partnership opportunities include County-funded projects, utilization of ARPA funds, and the GREAT Grant Program through the NCDIT Infrastructure Office.

In response to a question by Commissioner Herman related to the appropriate overhang height for Charter/Spectrum service cables, Mr. Tanck stated that 16-18 feet was average but noted that crews were happy to tie up cables with lag between poles.

WIRELESS BROADBAND EXPANSION PROJECT REPORT

David Moose, Compliance & Procurement Specialist, informed the Board that coverage in the northeastern section of the county was expanded in September 2021 through the installation of a new hub on Sulphur Springs Road. To date, 190 locations have been connected (55 customers at 50 Mbps and 116 customers considered underserved). He stated that Phase 2 was underway with one tower location identified and confirmed as usable to serve the eastern portion of the county. Negotiations are taking place for a second tower location (a multi-hub approach will be used in lieu of a tower if a lease is not obtained). Mr. Moose also provided an updated coverage map of likely serviceable areas throughout the county.

Nick Steward, Open Broadband Western NC Manager, advised that tower climbs to install equipment on the Linney's Mountain, Moore Mountain, and Ellendale tower sites were scheduled for November 6, 2021 and customers will be connected around November 30th. He also mentioned that Open Broadband's 200th install was scheduled for the late October.

Commissioner Pennell asked if Lackey Mountain had been considered as a possible tower site. Mr. Steward replied that he would investigate this location and provide an update during his next presentation.

HIDDENITE VOLUNTEER FIRE DEPARTMENT LIGHT RESCUE CONTRACT

Mark Earle, Fire Marshal / Assistant Emergency Management Coordinator, presented a proposed contract between Alexander County and the Hiddenite Volunteer Fire Department to provide light rescue services within the Hiddenite fire district. HVFD has completed necessary training, passed personnel/equipment inspections, and is certified through the NC Association of Rescue and EMS, Inc. In addition, the department has submitted an application to NC Emergency Management to be placed on the statewide call list for search team deployment.

He recommended approval of the contract, noting that this designation would allow HVFD to provide additional services to the community as well as be eligible for grant funding.

Vice-Chairman Reese made a motion to approve the contract with Hiddenite Volunteer Fire Department to provide light rescue services. Commissioner Herman seconded the motion, which passed unanimously.

COVID-19 UPDATE

Leeanne Whisnant, Consolidated Human Services Director, was happy to report a decline in positive COVID-19 cases with only 74 new cases in the past 7 days. The average for new daily cases is 7 (compared to 23 this time last month) and the current positivity rate is 8.6% (down from 15%). There are currently 9 hospitalized.

Concerning vaccinations, Ms. Whisnant stated that 42% of Alexander County citizens have received one dose and 39% are fully vaccinated. The Health Department is currently administering Pfizer boosters for certain groups (65+ and 18+ with underlying medical conditions) and third

doses are available for those who are immunocompromised. She added that the COVID-19 Task Force, consisting of several County department heads, public health staff, and School System representatives, had provided trends and statistics to the Board of Education who plan to meet this week to discuss the current mask mandate for students and staff.

Ms. Whisnant encouraged the public to get their flu vaccine, as many cases of influenza have already been reported. Drive-thru flu shot clinics are held every Friday from 1:00-3:00 PM.

MITCHELL GOLD + BOB WILLIAMS GAS LINE TRANSFER RESOLUTION

David Icenhour, Economic Development Director, explained that in 2015, Alexander County received a grant from the NC Department of Commerce Industrial Development Fund to install a natural gas pipeline to Mitchell Gold + Bob Williams. Grant specifics required the County to own the line, appurtenances, etc. for a period of 5 years and an approved construction agreement outlined that ownership of the line (including all easements, encroachments, rights-of-way, etc.) would be transferred to PSNC (now Dominion Energy NC) once the grant period ended.

He advised that it was not in the County's best interest to retain this line when considering maintenance and repair costs and he recommended ownership be transferred to Dominion Energy for the sum of \$1.

Commissioner Pennell made a motion to transfer ownership of the Mitchell Gold + Bob William gas line to Dominion Energy for \$1 and allow the County Manager to execute any necessary documentation. Vice-Chairman Reese seconded the motion, which passed unanimously.

RESOLUTION REGARDING THE DESIGNATION OF AN OFFICIAL TO MAKE ABC PERMIT RECOMMENDATIONS TO THE NC ABC COMMISSION

Rick French, County Manger, presented a resolution designating the Chief Code Enforcement Officer as the County official to sign off on ABC permit applications before going to the NC ABC Commission for final approval.

Commissioner Lail made a motion to approve the resolution designating the Chief Code Enforcement Officer to sign off on ABC permit applications. Commissioner Herman seconded the motion, which passed unanimously.

COURTHOUSE PARK PHASE 2 BID AWARD

Rick French, County Manager, reported that one bid was received on September 9, 2021 for the Courthouse Park Phase 2 Project. Lail Builders, Inc., who is currently the contractor for Phase 1, submitted a bid of \$434,715 for the splash pad and picnic shelter; however, after negotiations, the construction budget was reduced by \$24,641; therefore, Mr. French recommended approving the final bid of \$410,074 submitted by Lail Builders.

Vice-Chairman Reese made a motion to approve the bid submitted by Lail Builders, Inc. in the amount of \$410,074 for the Courthouse Park Phase 2 Project. Commissioner Pennell seconded the motion, which passed unanimously.

Commissioner Lail reiterated that he is not affiliated with Lail Builders, Inc.

BUDGET ORDINANCE AMENDMENTS #23 - #27

Rick French, County Manager, reviewed the purpose of Budget Amendments #23 - #27 as follows:

Budget Amendment #23 –To increase the Health Department budget for Federal grant funds for the Bright Ideas Program.

Budget Amendment #24 – To decrease the Health Department budget for the mutual termination of Agreement Addendum Activity 466 – Advancing Equity Program.

Budget Amendment #25 – To increase the DSS budget for the Supplemental Chafee (LINKS) funding to make one-time supplemental payments to eligible young adults who are or were in foster care.

Budget Amendment #26 – To increase the Economic Development Office budget for industry incentive payments.

Budget Amendment #27 – To increase the Parks & Recreation budget for estimated costs to pay the School System for use of school facilities during recreation activities.

Vice-Chairman Reese made a motion to approve Budget Amendments #23 - #27. Commissioner Lail seconded the motion, which passed unanimously.

OTHER BUSINESS

Rick French, County Manager, discussed the following issues during Other Business:

- A. The Friends of the Library group is hosting a book sale on November 4-6, 2021 (9:00 AM to 5:00 PM) and November 7th (1:00 PM to 5:00 PM) at 135 Commercial Park Drive, across from the CVCC / Alexander Applied Technologies Center.
- B. Nine counties (Alamance, Caswell, Chatham, Franklin, Granville, Person, Rowan, Stokes, and Vance) formerly associated with Cardinal Innovations will be joining Vaya Health in early 2022. The Vaya service area will be broken into 4 regions, of which Alexander County will be placed in Region 3.

CONSENT AGENDA

- A. Tax Release Requests (\$1,858.79) and Tax Refunds (\$1,328.03) for September 9-30, 2021.
- B. Minutes from the September 20, 2021 Regular Meeting.
- C. Surplus the following:
 - 2000 Dodge Durango 4x4, VIN #1B4HS28Z9YF179494 with 229,181 miles.
 - 2000 Dodge Durango 4x4, VIN #1B4HS28Z7YF179493 with 151,556 miles.
 - 2010 Dodge Charger, VIN #2B3AA4CT6AH303698 with 170,213 miles.
 - 2013 Dodge Charger, VIN #2C3CDXAT8DH642328 with 144,279 miles.
 - 2000 Chevy Blazer, VIN #1GNNDT13W3Y2365875 with 142,528 miles.
 - 1965 refrigerated trailer, VIN #NCX340248.

Vice-Chairman Reese made a motion to approve the Consent Agenda. Commissioner Lail seconded the motion, which passed unanimously.

CLOSED SESSION – N.C.G.S. 143-318.11(a)(4, 5, & 6) ECONOMIC DEVELOPMENT, CONTRACTUAL, & PERSONNEL

Chairman Yoder made a motion to enter into Closed Session at 7:34 PM to discuss economic development, contractual matters, and personnel issues pursuant to N.C.G.S. 143-318.11(a)(4, 5, & 6). Commissioner Pennell seconded the motion, which passed unanimously.

ADJOURNMENT

There being no further business, Chairman Yoder made a motion to adjourn at 8:31 PM. Commissioner Lail seconded the motion, which passed unanimously.

Larry G. Yoder, Chairman

Jamie M. Starnes, Clerk to the Board