

**BOARD OF COMMISSIONERS**  
**REGULAR MEETING**     March 7, 2022

**ALEXANDER COUNTY**  
**STATE OF NORTH CAROLINA**

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

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

The Alexander County Board of Commissioners held a regular meeting on Monday, March 7, 2022 in Room 103 of the CVCC / Alexander Center in Taylorsville, North Carolina.

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Commissioner Yoder gave the invocation and Commissioner Herman led the Pledge of Allegiance to the Flag.

**COMMISSIONER'S REPORT**

Chairman Reese mentioned attending the ribbon cutting for Burkes Outlet on February 17<sup>th</sup> as well as a recent Fire Chiefs' Meeting.

Commissioner Yoder discussed the NACo Legislative Conference held in Washington, D.C. where he spoke with U.S. Senators Richard Burr and Thom Tillis as well as U.S. Representative Virginia Foxx.

**ADOPTION OF AGENDA**

Commissioner Yoder made a motion to adopt the agenda as presented. Commissioner Lail seconded the motion, which passed unanimously.

**PUBLIC COMMENT**

Diana Jimison expressed concerns that children, while not severely affected by COVID-19, have been forced to wear masks for the past two years and have suffered from isolation, psychological damage, and child abuse during quarantine. She stated that according to the CDC's top 15 causes of death in U.S. children for 2020, the number of deaths related to assault, murder, and suicide far exceeded those from COVID-19, also noting that the genetically modified COVID-19 vaccine had killed hundreds of teenagers. Ms. Jimison felt the 2020 Election year was a well-planned attack that many fell for and she encouraged anyone accepting money or bribes related to COVID-19 to seriously reconsider which side of history they want to be on. In closing, she discussed the recent court ruling against the FDA's request to wait 75 years to publically disclose all Pfizer BioNTech vaccine licensure documents and also provided a package insert to a COVID vaccine that should disclose ingredients, list potential side effects, etc. but only contained the printed words "Intentionally Left Blank."

Kelly Moore signed up to speak but was not present.

### **PUBLIC HEARING: CHILD SAFETY ZONES ORDINANCE**

Sheriff Chris Bowman informed the Board that his office was requesting approval of a Child Safety Zones Ordinance to prohibit registered sex offenders from loitering near school bus stops, which has recently taken place in the Drumstand community. He explained that N.C.G.S. 14-208.18 makes it a felony for a registered sex offender to be at or near schools, children's museums, child care centers, and nurseries as well as libraries, arcades, amusement parks, recreation parks, swimming pools, etc. when minors are present; however, provisions for school bus and activity bus stops are not addressed.

Detective Buddy McKinney gave a slide show presentation that included the following information:

- Specifics on the situation in the Drumstand community such as history of the registered sex offender, dates he was parked at the bus stop, confronted by parents and later law enforcement, and excuses he gave for being there.
- Goal of the proposed ordinance – to prevent a registered sex offender from taking advantage of a loophole in the State law that allows them to pose a danger to our children and to give law enforcement tools necessary to arrest them when loitering at or near bus stops.

Sheriff Bowman stated that if approved, specifics from this ordinance would be added to the acknowledgement packet that must be reviewed and signed by all registered sex offenders.

After a motion by Commissioner Yoder, second by Commissioner Herman, and unanimous vote, the public hearing was called to order and comments requested.

### **Public Comment**

Scott Newton informed the Board that he had personally observed the sex offender parking in view of and moving between bus stops over the past several weeks, noting that when confronted, he claims to be searching for cell service. Because related NC General Statutes do not specifically address bus stops, he explained that the only recourse for parents in this situation is to have their children listed publically as victims. He pointed out that registered sex offenders were proven predators and urged the Board to protect our children by approving this ordinance instead of waiting for Raleigh to pass another law named after a victim.

There being no further comments, Chairman Reese made a motion to close the public hearing. Commissioner Yoder seconded the motion, which passed unanimously.

Because ordinances imposing a criminal penalty cannot be approved at their first reading, the Board discussed scheduling a special called meeting in March to approve the Child Safety Zones Ordinance instead of waiting until the April Commissioners' Meeting. After discussion, Chairman Reese made a motion to hold a special called meeting on Monday, March 21, 2022. Commissioner Yoder seconded the motion, which passed unanimously.

## **TAYLORSVILLE COMPREHENSIVE MUNICIPAL STUDY**

Audrey Thomas, NC State Historic Preservation Office Survey Specialist, reviewed the Comprehensive Municipal Study for Taylorsville that identified significant properties to provide a better understanding of the area's heritage. A total of 176 individual buildings were surveyed and architectural styles were identified with the oldest being the Dr. William Hollar house and Poole house, both on Highway 90 and built in the 1870's.

She provided a photo slide show of several properties researched, noting that maps from the 1920's to present day showed the highest concentration of intact historical buildings in downtown Taylorsville. This led to a proposal for a downtown historic district consisting of 33 primary buildings that was sent to the National Registry Advisory Committee, who approved the proposal for addition to the State study list.

Ms. Thomas advised that being placed on the National Register did not place obligations or restrictions on private property owners but would result in eligibility for tax incentives and considerations during undertakings by state or federal government.

## **CERTIFIED LOCAL GOVERNMENT AGREEMENT**

Connie Kincaid, EDC Business Development Manager, announced that the National Park Service had accepted Alexander County into the Certified Local Government Program, a status held by approx. 60 cities and a dozen counties across NC. The primary benefits associated with this designation include the ability to apply for specially earmarked grants through the State Historic Preservation Fund as well as technical assistance and training.

Commissioner Yoder made a motion to approve the required Local Government Certification Agreement with the NCDNCR Office of Archives and History, State Historic Preservation Office. Commissioner Herman seconded the motion, which passed unanimously.

### **NC RAILROAD BUILD READY SITE GRANT AGREEMENT**

David Icenhour, Economic Development Director, reported that Alexander County was one of 6 counties selected to receive a Build Ready Site grant through the NC Railroad Corporation, a newly established program aimed at increasing the number of rail-served industrial sites. The \$500,000 grant will be used to grade a site in the Alexander Industrial Park large enough to accommodate a 50,000 sq.ft. min / 200,000 sq.ft. max building.

In addition, Alexander County EDC also received \$632,412 in grant funds from the GoldenLEAF Foundation that will be coupled with the NC Railroad funds for grading work.

Chairman Reese made a motion to approve the required grant agreement with NC Railroad. Vice-Chairman Pennell seconded the motion, which passed unanimously.

### **COURTHOUSE PARK & ROTARY STAGE PROPOSED RULES, FEES, & HOURS OF OPERATION / PROPOSED PARKS ORDINANCE**

Rick French, County Manager, presented draft park rules, hours of operation, and rental fees for Alexander County Courthouse Park and Rotary Performance Stage for initial review, noting that more detailed discussion would take place in April. Proposed rules are similar to those for current Alexander County park facilities and suggested hours are as follows:

Courthouse Park – Open 7 days/week

April 1 thru September 30 – 8:00 AM to 8:00 PM

October 1 thru October 31 – 8:00 AM to 7:00 PM

November 1 thru February 28 – 8:00 AM to 5:00 PM

March 1 thru March 31 – 8:00 AM to 7:00 PM

Splash Pad – Open 7 days/week

April 1 thru September 30 – 8:00 AM to 8:00 PM

October 1 thru March 31 – closed for the season

Daily rental fees for all local organizations will be waived; however, a \$150 per day fee for post-event cleaning and maintenance will be charged as well as a \$300 security (refundable at end of event if no damage occurs).

Mr. French also mentioned the need for an Alexander County Government Parks Ordinance to consolidate rules and regulations for all County-owned park facilities, a draft of which was also provided.

### **EMERGENCY WATERSHED PROTECTION STREAM DEBRIS REMOVAL BID**

Johnny Wear, WPCOG Assistant Community & Regional Planning Director, reviewed bids received to remove debris from 3 stream locations (Houser Farms off Sulphur Springs Road, Lackey Farm off Alspaugh Dam Road, and Jimmy Lambert property off Huckleberry Ridge Road) with EWP funds. He advised that Alexander County received \$79,500 for construction and \$11,925 for admin/technical assistance; however, initial bids were much higher than anticipated which led to a revision of bid specifications (wood debris must be chipped or burned) and the project put out to bid a second time.

He explained that the bid submitted by Enterprises G, Inc. for \$30,000 had been withdrawn due to a misunderstanding of project requirements; therefore, the lowest responsive, responsible bidder was Shawn Lackey Excavating, LLC in the amount of \$190,000. Once approved, staff plans to request additional EWP funding (\$110,500 more for construction and \$7,075 more for admin/technical assistance) as well as a 180-day extension for project completion.

Commissioner Herman asked if the low bidder was a certified, licensed contractor. Pamela Bowman, SWCD Education Coordinator / Administrator, responded that because no streambank work or sediment removal would occur (only removal of woody debris), a contractor's license was not necessary. This has been confirmed by David Moose, Compliance & Procurement Specialist through McGill Associates engineers. Mr. Wear added that Shaun Lackey Excavating was insured and had worked with NCDOT on many projects.

Rick French, County Manager, mentioned that a budget amendment to allow McGill Associates to assist with this project would be presented later in the meeting.

Commissioner Herman made a motion to approve the bid submitted by Shaun Lackey Excavating, LLC for \$190,000 contingent on receipt of additional EWP funding. Commissioner Yoder seconded the motion, which passed unanimously.

## **BUDGET ORDINANCE AMENDMENTS #67 - #75**

Rick French, County Manager, reviewed the purpose of Budget Amendments #67 - #75 as follows:

Budget Amendment #67 – To increase the Finance budget for 1) travel costs associated with the return to in-person training courses for staff and 2) estimated bank service fees based on year-to-date experience.

Budget Amendment #68 – To increase the Sheriff's Office budget for 1) receipt of the required ABC Board 5% law enforcement profit distribution, 2) receipt of \$15,752 in insurance proceeds to replace a 2014 Dodge Charger that was totaled in December 2021, and 3) receipt of \$16,952 and \$3,950 in insurance proceeds to replace a 2016 Dodge Charger that was totaled in January 2022 and for equipment removal and re-installation.

Budget Amendment #69 – To increase the Sheriff’s Office budget to purchase protective vests, helmets, and shields with Federal grant funds that are passed through the NC Department of Public Safety, Governor’s Crime Commission.

Budget Amendment #70 – To budget for engineering services to prepare probable construction cost estimates for removal of accumulated brush and debris at multiple sites for the State’s Streamflow Rehabilitation Assistance Program (StRAP).

Budget Amendment #71 – To increase the Health Department WIC budget due to a State revision that increased the per participant rate as of 1/1/2022 and the Health Department COVID-19 budget due to a State revision to the ARPA COVID-19 School Health Team Workforce.

Budget Amendment #72 – To increase the Cooperative Extension budget for the Community Gardens grant.

Budget Amendment #73 – To increase the Senior Center budget due to a reallocation of Home and Community Care Block Grant funds and to budget for reimbursement from the School System for the elementary school resource officer.

Budget Amendment #74 – To increase the budget for the transfer of sales tax funds earmarked for the School System because the school debt service was paid off at the end of FY 2021.

Budget Amendment #75 – To adjust the budget for FY 2022 employee bonuses (\$1,000 for eligible full-time employees and \$500 for eligible part-time employees).

Commissioner Yoder made a motion to approve Budget Amendments #67 - #75. Commissioner Herman seconded the motion, which passed unanimously.

## **BOARD APPOINTMENTS & REAPPOINTMENTS**

Rick French, County Manager, requested the following appointments and reappointments:

Equalization & Review Board – appoint Gordon Knight and reappoint Doug Ramsey, David Odom, Linda Barnette, Donovan Douglas, and Alan Grant, all for one year.

Farmland Preservation VAD Board – appoint Bryant Chapman to serve the unexpired term of the late Tim Glass that expires in March 2024.

Council on Aging – appoint Barbara Gilmer for 3 years.

Commissioner Yoder made a motion to approve the appointments and reappointments. Commissioner Lail seconded the motion, which passed unanimously.

## **OTHER BUSINESS**

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

- A. The WPCOG Annual Meeting is scheduled for Thursday, March 31, 2022 at the Hickory Metro Convention Center.
- B. Dates for several upcoming events are as follows – Alexander County 24/12/6 Hour races on April 2-3, RockyFest on April 23, and Courthouse Park Dedication on May 15, 2022.

## **CONSENT AGENDA**

- A. Tax Release Requests (\$2,650.28) and Tax Refunds (\$1,577.40) for February 1-28, 2022.
- B. Minutes from the February 7, 2022 Regular Meeting and February 21, 2022 Special Called Meeting.
- C. Records disposition request from Human Resources.
- D. FY 2022 Audit Contract with Martin Starnes & Associates.
- E. Revised Home and Community Care Block Grant SFY 2021-2022.
- F. Needs-Based Public School Capital Fund grant applications for Alexander County Schools (Sugar Loaf, Taylorsville, and Bethlehem Elementary; West Middle; and ACHS).

Commissioner Yoder made a motion to approve the Consent Agenda. Commissioner Herman seconded the motion, which passed unanimously.

## **CONSOLIDATED HUMAN SERVICES BOARD ACTIVITIES**

At 7:24 PM, the Board transitioned into the Consolidated Human Services Board Meeting and proceeded as follows:

- Public Comment – there was no one signed up to speak.
- Senior Center Report – Kristy Hunt, Senior Center Director, stated that although attendance was still down due to COVID-19, the Senior Center continues to provide a variety of activities. AARP is offering free tax services every Saturday and bingo and birthday lunches will resume this month. For the 2021 Medicare open enrollment, staff assisted seniors in saving \$628,036. While this is much less than usual, the savings per person significantly increased. Ms. Hunt announced that a Senior Celebration would be held on May 27, 2022 with entertainment provided by the Steely Pan Band.
- Public Health Report – Billie Walker, Assistant Health Director, reviewed the following:
  - COVID Update – the cumulative total for positive COVID-19 cases as of today was 10,359 with two hospitalized and 142 deaths. There have been 21 new positive cases over the past 7 days and 71 in the past 14 days. To date, 44% of Alexander

County citizens are fully vaccinated and 47% have received one dose. Our positivity rate is currently 4.8% compared to 3.9% statewide and the Health Department has administered 16,075 doses of the COVID-19 vaccine. Ms. Walker also provided comparison charts for 2020/2021 infections and deaths.

- Annual Policy Review & CHSB Training – as part of the accreditation process, the Board reviewed operating procedures as well as the Policy on Policies that included one change to the format for standing orders due to State requirements. No other policy revisions were needed. Ms. Walker advised that the annual review of the Consolidated Human Services Director job description and performance evaluation had been completed by the County Manager and was made available to the Board for review.

In addition, annual training was provided to the Board with quick links and related information included. The Board also evaluated the need for additional local rules and ordinances; however, none were identified.

- Bad Debt Write Off – due to COVID-19 and receipt of a grant, no write-offs are needed for the past 6 months.
- DSS Report – Leeanne Whisnant, Consolidated Human Services Director, reviewed the following:
  - REDA Medicaid Audit – an Accuracy Improvement Plan has been submitted to NCDHHS in response to two findings. Ten records must now be pulled and reviewed each month. After 3 consecutive months at 96.8% accuracy, the monthly monitoring will terminate.
  - LIHWAP/Other Crisis Programs – as of last month, \$29,284.91 of the \$50,101 allotted to Alexander County for the new Low Income Household Water Assistance Program has been utilized. Of the \$148,282 in available LIEAP funds, \$91,400 has been spent. Of the \$194,512 in available ARPA funds, \$71,000 has been spent.
  - Annual Child Fatality & Prevention Team Report – the Community Child Protection Team reviews child fatalities and promotes a community-wide approach to child abuse/neglect. Membership is State-mandated. Ms. Whisnant reported two child fatalities for Alexander County in 2021 related to neonatal birth defects.
  - Additional Comments – Ms. Whisnant reported that a new foster parents class began in January with 10 participants. There are currently 67 children in foster care and one adoption was processed in 2021; however, 4 more were just finalized. She also informed the Board that March is Social Worker Appreciation Month and April is Public Health Appreciation Month.



Rick French, County Manager, took the opportunity to thank Ms. Whisnant and Ms. Walker for their leadership and dedication during the COVID-19 pandemic as well as the many hours put in by staff.

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

Chairman Reese made a motion to enter into Closed Session at 7:45 PM to discuss economic development, contractual matters, and personnel issues pursuant to N.C.G.S. 143-318.11(a)(4, 5, & 6). Commissioner Yoder seconded the motion, which passed unanimously.

**ADJOURNMENT**

There being no further business, Chairman Reese made a motion to adjourn at 8:39 PM. Commissioner Herman seconded the motion, which passed unanimously.

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Ronnie L. Reese, Chairman

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Jamie M. Starnes, Clerk to the Board