

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING September 11, 2023

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

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

STAFF: Ben Faulkenberry, County Attorney
 Shane Fox, County Manager
 Jamie Starnes, Clerk to the Board

The Alexander County Board of Commissioners held a regular meeting on Monday, September 11, 2023 in Room 103 of the CVCC / Alexander Center in Taylorsville, North Carolina.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

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

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

Vice-Chairman Lail presented a Key to the County to Brenda Price who has cared for 200 Alexander County foster children since 1982.

COMMISSIONER'S REPORT

Commissioner Yoder discussed the NCACC Annual Conference held in late August that he attended along with Shane Fox, County Manager, as well as the first meeting of the new Daughters of the American Revolution Alexander County Chapter. In addition, he encouraged the public to support Sarah Davis, an Alexander County native, who will be performing with the Extraordinaires on September 30th at Courthouse Park.

Commissioner Herman thanked the fire departments for the service they provide to the taxpayers as well as their efforts to obtain grants to purchase equipment.

Vice-Chairman Lail thanked Mr. Fox and County staff for their efforts towards upgrading Bethlehem Park with long-term goals in mind. He also conveyed his appreciation to those serving on the Parent Advisory Committee to help determine solutions to address the loss of federal funds for next year's School System budget.

Chairman Pennell mentioned that he had asked Mr. Fox and staff to investigate the recreational and park needs in the eastern section of the county to prepare for expected growth bleeding over from Iredell County.

ADOPTION OF AGENDA

Chairman Pennell requested the addition of a fee approval during the Public Health Report of the Consolidated Human Services Board Meeting that was received by the State after the agenda was published.

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

PUBLIC COMMENT PERIOD

Phil Brown expressed concerns with increased boat traffic in the Rink Dam channel on Lake Hickory since the SandBar Marina & Grill opened. Due to safety issues and many near accidents, he asked the County to work with the NC Wildlife Commission to extend the existing No Wake Zone farther out toward the mouth of the channel to slow down boat traffic and allow wakes to dissipate before reaching the cove.

MITCHELL GOLD + BOB WILLIAMS CLOSING UPDATE

Shane Fox, County Manager, discussed the August 26, 2023 closure of Mitchell Gold + Bob Williams that resulted in 533 Alexander County citizens losing their jobs and health insurance coverage. In response, the County partnered with CVCC, WPCOG, and NCWorks to assist MG+BW employees with filing for unemployment benefits, resume development, etc. and a Career & Resource Fair has been organized for tomorrow at East Taylorsville Baptist Church with 40 employers attending.

Staff has spoken with NC Senator Eddie Settle, NC Governor Roy Cooper, and a representative from U.S. Senator Thom Tillis' office regarding possible state and federal funds and resources to assist with retooling/retraining opportunities. Prior to the MG+BW closing, Alexander County's unemployment rate was only 3.1%, the lowest in the Unifour.

Chairman Pennell pointed out that several other local companies provided goods and services to MG+BW and would also be impacted by this closing.

PUBLIC HEARING: HISTORIC PRESERVATION PLAN

Lee Sharpe, Alexander County Historic Preservation Commission Vice-Chairman, presented the Historic Preservation Plan, a 74-page document that will provide a framework for the development of the County's first formal preservation program. The plan will serve as a guide for proactive preservation decision making for the next 5 years, recommending actions for integrating historic preservation into policies and regulatory activities.

He explained the benefits of preserving historic resources such as promoting sustainability through reuse of facilities and structures, reducing landfill waste by not demolishing buildings, protecting natural resources, and establishing economic benefits through job creation and increased property values in historic districts. After review, Mr. Sharpe requested approval of the Historic Preservation Plan and recommended it also be incorporated in the updated Alexander County Comprehensive Plan.

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

Commissioner Yoder made a motion to approve the Alexander County Historic Preservation Plan. Commissioner Herman seconded the motion, which passed unanimously.

PUBLIC HEARING: REZONING 23-09 – JOSH LAIL & CO.

Brian Burgess, Director of Planning & Development, presented Rezoning Case 23-09 submitted by Josh Lail, on behalf of Josh Lail & Co., who requested rezoning of 3 parcels located on Heritage Farm Road from R-20 (Residential) to R-SF (Residential Single Family) due to allowable density and lot dimensional standards. The size of these parcels is approx. 6 acres, which are currently vacant.

After reviewing aerials of the property and criteria to be considered when conducting rezoning cases, Mr. Burgess reported that the Future Land Use Plan classified these properties as residential in nature and the request is consistent with the Comprehensive Plan. The Planning Board held a public hearing on July 13, 2023 to consider this petition and unanimously recommended approval. Staff received one inquiring; a neighbor asking the purpose of the road sign.

Because he is the applicant, Vice-Chairman Lail requested the ability to recuse himself from consideration of this rezoning case. Therefore, Commissioner Yoder made a motion to allow. Commissioner Herman seconded the motion, which passed 4/1 (one abstention).

After a motion by Commissioner Yoder, second by Commissioner Reese, and 4/1 vote (one abstention), the public hearing was called to order and comments requested. There being none, Commissioner Herman made a motion to close the public hearing. Commissioner Yoder seconded the motion, which passed 4/1 (one abstention).

Commissioner Reese made a motion to approve Rezoning Case 23-09 based on its consistency with the Alexander County Comprehensive Plan and compatibility with adjacent uses. Commissioner Herman seconded the motion, which passed 4/1 (one abstention).

PUBLIC HEARING: REZONING 23-10 – CHAD & TALISHA LOGAN

Brian Burgess, Director of Planning & Development, presented Rezoning Case 23-10 submitted by Chad and Talisha Logan who requested rezoning of property located on Highway 90 East from H-C (Highway Commercial) to RA-20 (Residential-Agricultural) to allow for construction of a home; they operate a business on the neighboring parcel. The size of the property is approx. one acre, which is currently vacant.

After reviewing aerials of the property and criteria to be considered when conducting rezoning cases, Mr. Burgess reported that, although surrounded by several parcels zoned H-C, the Future Land Use Plan classified this property as residential in nature and the request is consistent with the Comprehensive Plan. The Planning Board held a public hearing on August 10, 2023 to consider this petition and unanimously recommended approval.

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

Vice-Chairman Lail made a motion to approve Rezoning Case 23-10 based on its consistency with the Alexander County Comprehensive Plan. Commissioner Herman seconded the motion, which passed unanimously.

PUBLIC HEARING: TEXT AMENDMENT 23-02 (B)

Brian Burgess, Director of Planning & Development, presented Text Amendment 23-02 (B) to various sections of the Alexander County Zoning Ordinance as part of staff's continued review of the County's land development ordinances. The proposed amendments, originally presented for consideration at the April 3, 2023 Commissioners' Meeting and discussed in detail at the August 8, 2023 Planning Retreat, were as follows:

- 154.101 – changes the section title to Standards of General Applicability and adds specific wording related to outdoor lighting requirements.

- 154.113 – adds language specifying the maximum amount of time a temporary sign can be placed before a permanent sign permit is required.
- 154.355 – gives staff authority to charge a fee of \$250 per day for violations that have gone unabated for more than 30 days and \$500 for more than 60 days to include temporary signs found in violation.
- 155 – creates a new chapter in the ordinance to address land use nuisances.

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

Commissioner Yoder made a motion to approve Text Amendment 23-02 (B). Commissioner Herman seconded the motion, which passed unanimously.

PUBLIC HEARING: TEXT AMENDMENT 23-03

Brian Burgess, Director of Planning & Development, presented Text Amendment 23-03 that included changes to sections of the Alexander County Zoning Ordinance as well as creation of a new Subdivision Ordinance as follows:

- 154.202.1 – adds rows to the table of permitted uses to allow for non-commercial docks, garages, and storage buildings located on residentially zoned lots with no principal structure and also clarifies that drinking establishments are only allowed in B-1, B-2, and H-C zoning districts.
- 154.347 – clarifies the need for a change of use permit for new uses in existing buildings.

For Sections 154.006 and 154.140.2 related to recreational vehicles as residences provided in agenda packets, staff has determined that the NC Office of the State Fire Marshal prohibits the use of RVs as residences unless RVIA standards are met, making the regulations suggested at the August 8th workshop unenforceable; therefore, Mr. Burgess recommended the entire section be removed from tonight's proposed text amendment.

Mr. Burgess also provided a new Alexander County Subdivision Ordinance, stating that the current one was outdated and unnecessary burdensome to landowners. An overall rewrite and consolidation of all 5 of our land development ordinances is in the works; however, due to unique issues with our current Subdivision Ordinance that should be addressed, he suggested approval of the new ordinance that will function as a stand-alone document for now, but will later be absorbed into the larger Land Development Code rewrite once completed. The new ordinance establishes types of subdivisions (minor, special, and major) along with road standards associated with each type, specifies the duties and powers of the various bodies that review subdivisions and outlines

the review process, and ensures compliance with NC statutes. Staff suggests the creation of a Technical Review Committee to review commercial, industrial, and major subdivision projects and assist developers through the approval process. New “Master & Development Plan” procedures will allow developers to get preliminary approvals for major projects without needing to fully engineer before approval.

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

Vice-Chairman Lail made a motion to approve Text Amendment 23-03, removing all language related to RVs as residences (Sections 154.006 and 154.140.2). Commissioner Yoder seconded the motion, which passed unanimously.

PUBLIC HEARING: 5310 GRANT ENHANCEMENT FOR SENIORS & THE DISABLED

Thomas Mitchell, DSS Director, discussed the annual Federal Section 5310 Program Grant (Enhanced Mobility of Seniors and Individuals with Disabilities) for FY 2025 that will provide Alexander County seniors age 65 and older as well as disabled citizens with transportation services to medical appointments and other life sustaining activities, mainly through Greenway Public Transportation. The project budget totals \$194,592 and requires a 10% local match.

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

Commissioner Yoder made a motion to approve the 5310 Program Grant application for FY 2025 and the coinciding resolution. Commissioner Herman seconded the motion, which passed unanimously.

SCHOOL RESOURCE OFFICER PRESENTATION

Because of difficulty in filling school resource officer vacancies within Town limits, Aaron Wike, Town of Taylorsville Interim Manager, proposed a 3-year agreement with Sheriff Chad Pennell to provide two SROs – one at Taylorsville Elementary School and another split between Alexander Early College and the Student Success Center, with the Town reimbursing the Sheriff’s Office for 100% of actual costs not covered by the School System’s SRO grant (utilizing a 6-year amortized term for equipment and a 10-year amortized term for vehicles).

Sheriff Pennell advised that he was in favor of the partnership and would have SROs in place tomorrow morning if approved by the Board tonight; however, he was concerned with the

employment status of these officers at the end of the 3-year agreement and was opposed to them transferring over as Town employees if they did not choose to do so voluntarily.

Commissioner Yoder expressed the same concern as well as who picks up the cost of these officers during summer months when schools are closed or if the School System SRO grant was not renewed by the state.

Commissioner Herman felt there was no alternative but to allow Sheriff Pennell to provide the SROs, noting that the responsibility would ultimately fall back on the County since the Town of Taylorsville was located within the boundaries of Alexander County.

Chairman Pennell asked if the agreement would include a termination clause that would allow the Town to cancel at any time with adequate notice. Ben Faulkenberry, County Attorney, replied that a 60-day termination clause was standard for inter-local agreements but that contract specifics could be discussed further in Closed Session.

Mr. Wike clarified that the Town had no intention of terminating the agreement prior to its expiration unless there was a vacancy and the Town was then able to provide coverage at that point. In response to a question asked by Commissioner Reese, Mr. Wike also stated that if, at the end of the 3-year term, the Town chose not to extend the agreement, the officers filling the SRO positions would have the option to transfer over as Town employees.

Vice-Chairman Lail made a motion to discuss the proposed agreement for SROs in Closed Session with the intention of returning to Open Session for possible action. Commissioner Yoder seconded the motion, which passed unanimously.

RESCHEDULE OCTOBER BOCC MEETING

Due to a number of upcoming conflicts, County Manager Shane Fox asked the Board to reschedule the October 2nd Commissioners' Meeting to Monday, October 16, 2023 at 6:00 PM in Room 103 of the CVCC / Alexander Center.

Commissioner Herman made a motion to reschedule the October Meeting to October 16, 2023 as requested. Commissioner Reese seconded the motion, which passed unanimously.

BUDGET ORDINANCE AMENDMENTS #1, #3 - #6

Shane Fox, County Manager, reviewed the purpose of Budget Amendments #1 and #3 - #6 as follows:

Budget Amendment #1 – To increase the Detention Center budget for receipt of a federal grant to be used for COVID-19 mitigation in the County jail; no local match required.

Budget Amendment #3 – To increase the Sheriff’s Office budget to 1) use state funds from Unauthorized Substance Tax distributions to purchase technology and equipment and 2) to purchase a K-9 vest with donated funds. Fund balance is being used for both of these items because funding was received in last year’s budget.

Budget Amendment #4 – To increase the Health Department budget for 1) additional federal grant funds from the Special Supplemental Nutrition Program for WIC and 2) ARPA grant funds passed through the Cabarrus Health Alliance to Alexander County for the COVID-19 Public Health Workforce Grant.

Budget Amendment #5 – To increase the DSS budget for additional state allocation funding for one-time CIP, LIEAP, and LIHWAP supplemental payments to eligible citizens.

Budget Amendment #6 – To budget for the School System’s use of Repair & Renovation Lottery funds for media center carpet replacement at Hiddenite Elementary, Bethlehem Elementary, and East Alexander Middle Schools as well as carpet replacement at the ACHS Auditorium.

Commissioner Yoder made a motion to approve Budget Amendments #1 and #3 - #6. Commissioner Herman seconded the motion, which passed unanimously.

BOARD / COMMITTEE APPOINTMENTS

Jamie Starnes, Clerk to the Board, requested the following appointments and reappointments:

Alexander County ABC Board – reappoint Judy Caywood for 3 years.

WPRTA Board – appoint Shane Fox and reappoint David Moose as alternate, both for 3 years.

Consolidated Human Services Advisory Committee – appoint Dr. Jonathan Goodnight, Dr. Robbie Sheffield, and Lauren Kiziah for two years.

Region E Aging Advisory Committee – reappoint Angela Johnson for two years.

Jury Commission – reappoint Dale Fox for two years.

Animal Control Advisory Board – appoint Shakira Ballin and reappoint Dr. Hannah Shaffer, Billie Walker, Jason Moore, Mike Deal, Garrett Davis, and Maggie Dahlstrom, all for two years.

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

CONSENT AGENDA

- A. Tax Abatements & Adjustments (\$14,734.71) and Tax Refunds (\$5,850.20) for July 10 – September 4, 2023.
- B. Minutes from the June 19, 2023 and July 17, 2023 Regular Meetings.
- C. Amended resolution to direct the expenditure of Opioid Settlement Funds and Budget Ordinance Amendment #2 to budget for the PORT Community Paramedic Program.
- D. Resolution approving the Water Shortage Response Plan for the Alexander County Water System PWS 01-02-020.
- E. July and August 2023 line item transfer report.
- F. Request from Sheriff Chad Pennell to surplus a Daniel Defense model DD5 308 caliber semi-auto rifle (Serial #DD5002085) with 9 magazines to be traded at Lyndon's Riverview Sports for other equipment purchases.
- G. Request from Sheriff Chad Pennell to surplus 39 old duty weapons; all Glock 45 9mm pistols to be traded at Craig's Firearms (Serial #'s BLAS652, BLAS655, BLAS656, BLAS657, BLAS658, BLAS660, BLAS662, BLAS663, BLAS664, BLAS665, BLAS666, BLAS667, BLAS669, BLAS670, BLAS671, BLAS672, BLAS673, BLAS674, BLAS675, BLAS676, BLAS677, BLAS678, BLAS679, BLAS680, BLAS681, BLAS682, BLAS683, BLAS684, BLAS685, BLAS686, BLAS687, BLAS688, BNNT943, BNNT944, BKEC381, BLPZ573, BLPZ574, BLAY882, and BTYB804).
- H. Updated Planning & Development Fee Schedule.
- I. Resolution to appoint Amy Bucknum as a Review Officer.
- J. Medium rescue contract with Vashti Volunteer Fire Department.
- K. Heavy rescue contract with Bethlehem Community Fire & Rescue, Inc.
- L. Proclamation declaring September 2023 as Preparedness Month.
- M. Inter-local contract for cooperative purchasing with HGACBuy.
- N. Amendment to Library Policy; Fines and Fees Section related to DVD envelopes.
- O. Request from Public Works to surplus a 1999 Ford Ranger (VIN #1FTYR1OV2XUA78776) with 99,187 miles, a 1992 CAT 615C Pan (VIN #X9XG00343) with approx. 5,000 hours, and a 1997 Ford F150 (VIN #1FTEF176XVKD59114) with 172,145 miles.

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

COUNTY MANAGER'S REPORT

Shane Fox, County Manager, reviewed the following:

- The Alexander County License Plate Agency received the NCDMV Commissioner's Recognition Award for excellence customer service. The agency was nominated by a customer from a neighboring county who experienced unfortunate issues at several other LPA offices.

- Spectrum was awarded a \$919,437 Completing Access to Broadband grant to expand broadband to 152 households throughout the county. The local match was only \$1 paid with ARPA funds.
- The Courthouse Committee will be meeting with architects later this week to hear results from the visioning / programming sessions held in early August that will determine initial space needs.
- The PORT Community Paramedic position has been filled by Shannon Childers, a 7-year employee with Alexander County EMS.

CONSOLIDATED HUMAN SERVICES BOARD ACTIVITIES

At 7:22 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.
- Public Health Report – Billie Walker, Health Director, reviewed the following:
 - Current vacancies and staffing updates – the Health Department is fully staffed with the exception of the Environmental Health Specialist position that has been posted for approx. one year. Mallory Chapman completed the Field Epidemiology Certificate Program at UNC Chapel Hill; only 8 participants across the state were chosen.
 - Financial updates (Accred. 36.3 / 39.2) – an additional \$14,000 in federal grant funds was received for WIC breastfeeding peer counseling and the Health Department signed an MOA with Cabarras Health Alliance to receive a \$28,750 ARPA Workforce Grant.
 - Orientation / Annual Training of Advisory Board (Accred. 36.1-3) – on August 21st, new advisory board members participated in orientation and existing members participated in annual training.
 - Renovations – plans are being drawn for the covered entrance at the main building to protect clients from various weather situations. This will be paid with ELC COVID funds.
 - What's Coming – health education outreach efforts include a Back to School Bash, Hiddenite Celebration of the Arts, Senior Center Health Fair, Taylorsville Apple Festival, National Night Out, and the Alexander County Wellness Fair. In addition, the SUD Coalition is providing the CATCH MY Breath training to School System P.E. teachers and will be working closely with the new PORT Community Paramedic.

- 2023 Annual Communicable Disease Update - Emily Vick, RN / Communicable Disease Nurse, presented the Annual Communicable Disease Report, stating that the most prevalent communicable disease in Alexander County continues to be COVID-19 at 98%. Chlamydia, Gonorrhea, and Hepatitis A cases all decreased from the previous year. Ms. Vick provided a 5-year comparison of all reported communicable diseases, noting that the Health Department focused on education to prevent them and surveillance to help contain the spread. There have been no cases of Monkey Pox in Alexander County but testing is available and the vaccine can be procured. The flu vaccine is now available and Prevnar 20 (the new pneumonia vaccine) will soon be offered.
- Fee Approval (Accred. 33.5) – Commissioner Yoder made a motion to approve a \$5 increase for the flu vaccine as recommended by NCDHHS. Commissioner Herman seconded the motion, which passed unanimously.
- DSS Report – Thomas Mitchell, DSS Director, stated that 6 new employees had been hired since June and the current vacancy rate is 12% (10 vacancies remain). Employee engagement events continue each month and staff is participating in quarterly community shelter meetings. Other items discussed included:
 - HB 76 (Medicaid Expansion) – the “go live” date will be given once the NC budget bill is passed and sign into law. The State estimates approx. 3,000 new Medicaid cases in Alexander County,
 - Foster care / adoptions – there are currently 11 children eligible for adoption and 48 children in foster care. The Adoption Committee is meeting monthly and 19 adoptions have been completed in the last year. MAPP training will take place this fall.
 - Unit Spotlight / Child Support – Supervisor Andra Robinson gave specifics related to services provided by Child Support staff, caseload, and collections, reporting that \$1,722,235.69 in child support payments had been collected for the last fiscal year. Several notable actions include working with legislative officials on court date changes and utilization of a child support specific docket, targeted training, and improved case management.
 - News and events – DSS teamed up with NCWorks to assist the MG+BW employees and held a special celebration honoring Brenda Price. Alexander County has been selected as one of two trial counties for Vaya Health’s use of Foster Care Reinvestment Funds.
- Senior Center Report – Shane Fox, County Manager, reviewed classes and events held during the last quarter and thanked Pace at Home and Robin Lafon with T’ville Scoops for their sponsorship of the ice cream social. He announced that the Lee Masonic Lodge will host a Red Cross Blood Drive this Friday and a Medicare Open Enrollment Spooktacular

is scheduled for October 13, 2023. Medicare savings from January to July 2023 total \$254,517.

SPECIAL THANKS

Commissioner Yoder conveyed his appreciation to County Manager Shane Fox and Alexander County staff for their quick response to the MG+BW closing and assistance provided to those employees.

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

Commissioner Yoder made a motion to enter into Closed Session at 7:54 PM to discuss economic development, contractual matters, and personnel issues pursuant to N.C.G.S. 143-318.11(a)(4, 5, & 6). Commissioner Herman seconded the motion, which passed unanimously.

SCHOOL RESOURCE OFFICER AGREEMENT

Upon returning to Open Session, Vice-Chairman Lail made a motion to 1) approve a 3-year agreement with the Town of Taylorsville to provide two SROs – one at Taylorsville Elementary School and another split between Alexander Early College and the Student Success Center, with the Town reimbursing the Sheriff's Office for 100% of actual costs not covered by the School System's SRO grant and 2) give signatory authority to Shane Fox, County Manager, and Sheriff Chad Pennell once the agreement is approved by the Town Council. Commissioner Reese seconded the motion, which passed unanimously.

ADJOURNMENT

There being no further business, Vice-Chairman Lail made a motion to adjourn at 9:20 PM. Commissioner Yoder seconded the motion, which passed unanimously.

Marty A. Pennell, Chairman

Jamie M. Starnes, Clerk to the Board