

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING April 25, 2005

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: William L. Hammer, Chairman
 W. Darrell Robertson, Vice-Chairman
 Wesley E. Bolick
 W. Norris Keever
 Larry Yoder

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

MEDIA: Gary Herman, The Taylorsville Times

The Alexander County Board of Commissioners held a regular meeting on Monday, April 25, 2005 in the Catawba Valley Community College / Alexander Center Multipurpose Room, Taylorsville, North Carolina.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

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

COMMISSIONER'S REPORT

Chairman Hammer stated that he attended a Carolina Land & Lakes RC & D Meeting in Hickory. He stated that discussion included the efforts to obtain a grant for the Rocky Face Educational Park. Chairman Hammer noted that a meeting would be scheduled soon with a representative from the Felton Foundation.

Chairman Hammer stated that he had attended a Transportation Meeting at the Western Piedmont Council of Governments (WPCOG) regarding road construction. Chairman Hammer explained that all road construction not already bid had been put on hold because there was no funding available in the N.C. Moving Ahead Program or anywhere else in the budget due to continually increasing prices in completing projects.

Chairman Hammer stated that he had also attended a County Transportation Meeting at the WPCOG. He pointed out that the group discussed the possibility of the Unifour combining into one transportation district. He noted that a study would be conducted to determine the feasibility of having only one district.

Chairman Hammer discussed the Alexander County Tabletop Exercise that took place on April 21, 2005 in the CVCC/Alexander Center Multipurpose Room. He explained that the EnviroSafe Team conducted a simulated disaster to which emergency personnel was to respond as if the disaster was real. Chairman Hammer stated that the purpose of the exercise was to identify any problem areas that could be improved to prepare personnel for an actual disaster.

Commissioner Keever read the following statement:

In the April 13th Edition of The Taylorsville Times, Representative Mark Hollo addressed two issues including the lottery and a local one-cent sales tax. I wish to talk about the tax issue and share some information about Alexander County's mandated expenditure growth and the lack of revenue growth. First, let me state that I recognize that Representative Hollo is a first-term representative and also a minority party representative in the N.C. General Assembly. The causes of the problems the County is dealing with occurred during the past 3 years before his arrival in Raleigh.

Representative Hollo stated in his Taylorsville Times article that he felt the one-cent sales tax imposed an unfair burden on low income residents and could possibly cause some merchants to lose business to neighboring counties. In my opinion, all taxes are a burden on low income residents but the state constitution requires all sales taxes and property taxes to be imposed equally on all citizens with some specified exceptions.

A one-cent sales tax would produce revenue of at least \$1.6 million. A one-cent property tax would produce revenue of approximately \$195,000. I do not like tax increases either, but, as County Commissioners, we are obligated to provide the funds for all programs mandated by the state and federal governments in addition to programs the counties have chosen to provide for the local citizens.

As stated in the N.C. State Constitution, the General Assembly is required to fund local operation expense money to each school system. The General Assembly fails to fulfill this responsibility. Alexander County is presently providing \$4.5 million dollars to our school system annual and the school system has stated that they need \$5 million annually just to pay all the local teachers and other obligations not being fully funded by the state.

N.C. is the last state now having to pick up a share of the Medicaid payments. This budget year, our share is \$1,775,000 and we have been advised to expect an increase of \$275,000 in the budget for 2005-2006. In addition to the above dollars for direct patient expenses, Alexander County has to carry half the burden of administering the program with the federal government. N.C. does not share in the expenses of overseeing the program. Medicaid alone accounts for approximately 55% of the budget of the

Department of Social Services in Alexander County and approximately 10 to 11 cents of our property taxes a now levied.

On April 18th the Board of Commissioners held a Water Needs work session. The outcome of that meeting showed that we have current needs to be dealt with over the next few years totaling \$12,959,850.

We are currently studying the need for the courthouse renovation and the requirements that deal with the overcrowding in our local jail. It is expected to take from \$6 million to as much as \$10 million for this renovation.

Nationwide, N.C. is listed as the 4th highest state when it comes to property tax levies. Alexander County is currently in the lower 10% for property taxes levied. N.C. provides 20 of the 28 services generally provided by counties.

I personally feel for reasons already stated that the sales tax is the most equitable tax levied on our citizens and if the choice were available to me, I would prefer to levy sales tax and eliminate property taxes; however, that option is not available.

As it now stands, to provide the necessary revenue to fund the school system, water, and law enforcement capital needs to equal the revenue from a one-cent sales tax, the Board of Commissioners would have to increase property taxes by 8 to 9 cents per \$100 valuation.

Commissioner Robertson addressed Representative Hollo's comment that a sales tax increase would create an unfair burden on low income citizens by stating that a property tax increase would create more of a burden on those same people. Commissioner Robertson also discussed the Medicaid issue and explained that N.Y. and N.C. were the only 2 states in the United States that passed the Medicaid costs onto counties until last week when N.Y. legislature voted to cap costs to their counties and phase the costs out over a 3-year period, leaving N.C. as the only state continuing to pass on Medicaid costs to counties. Commissioner Robertson noted that Alexander County's share of the Medicaid costs over the last 2 years would equal 3 cents on the property tax rate. He also stated that every board that he had served on had asked the General Assembly for a sales tax option to relieve the strain of property taxes on residents and he felt that it was not fair that property owners had to carry the full responsibility when sales taxes could be increased for everyone to pay. Commissioner Robertson stated that he hoped Representative Hollo would reconsider his position on approval of the sales tax increase requested.

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

Chairman Hammer recognized Russell Greene and Jason Williams, Fire Marshal / Emergency Management Office, for completion of the Principles of Emergency Management and New Coordinators Workshop. Completion of these classes will enable Mr. Greene and Mr. Williams to obtain their Level I Emergency Management Certification. Chairman Hammer also pointed out that both had been participating in the independent study courses offered by FEMA.

Mr. Greene and Mr. Williams both stated that the classes were very informative and allowed an opportunity to form some relationships with Emergency Management staff from across the State. Mr. Greene also spoke on the Tabletop Exercise and pointed out that the training was paid for with 2003 Homeland Security Funds.

Commissioner Robertson stated that Jennifer Herman, Finance Director, had graduated from the 2004-2005 County Administration Course of the School of Government, University of North Carolina at Chapel Hill. He stated that the course was approximately 140 hours in length. He explained that Ms. Herman was one of 33 officials who graduated the course this year and one of over 1,100 officials who had completed the course since it began in 1964.

The Board congratulated Mr. Greene, Mr. Williams, and Ms. Herman for their accomplishments.

ADOPTION OF AGENDA

Chairman Hammer requested the addition of a Resolution Requesting Grant Funding for a Satellite Library in the Bethlehem Community of Alexander County as Agenda Item #5B.

Commissioner Bolick made a motion to adopt the agenda as amended. Commissioner Keever seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC HEARING: REZONING CASE 05-2: FOX

Sylvia Turnmire, Director of Planning & Development, presented Rezoning Case 05-2, submitted by Tony Fox and Conrad Fox. The applicants requested rezoning of property located at the southwest corner of Highway 16 South and Friendship Church Road from RA-20 (Residential-Agricultural) to H-C (Highway-Commercial). The size of the property is 4.26 acres (2 tracts – 3.19 acres and 1.07 acre) and the existing land use is vacant. Ms. Turnmire stated that zoning within 100 feet of the property was N-B (Neighborhood Business) and R-20 (Residential) to the north, N-B to the south, and RA-20 to the east and west. There is a single-family site-built home and commercial offices to the north, a convenience store to the south, County government and an alternative school to the east, and a single-family site-built home to the west.

Ms. Turnmire stated that the applicants wished to rezone the property to allow for automobile and retail sales. She explained that the property was served by public water off of Friendship Church Road and an individual septic system. She also pointed out that the applicants would have to comply with landscaping requirements as set forth in Section 154.039 of the Zoning Ordinance before a Certificate of Occupancy could be issued.

Ms. Turnmire stated that the Alexander County Zoning Ordinance identified H-C as a zoning district intended to provide suitable locations for those commercial activities which serve primarily the traveling public, including those which function independently of each other. She also noted that common uses allowed in H-C included but were not limited to retail stores,

automobile sales lots, and restaurants. However, Ms. Turnmire stated that all of the uses allowed in H-C should be considered, not only the use of which the applicants were applying.

Ms. Turnmire mentioned that the Alexander County Land Development Plan showed this property as being in a "Limited Transition Area" which is "to provide for development in areas that will have some services but that are only suitable for lower densities than those associated with the Urban Transition class and/or areas that are geographically remote from existing towns and municipalities. Areas meeting the intent of the Limited Transition classification will experience increased development necessitating some municipal services such as community water or sewage systems." She also stated that since one of the adjacent zoning districts (N-B) allowed retail and service uses, this case should not be considered as spot zoning.

Ms. Turnmire informed the Board that letters were sent to property owners within 100 feet of the subject property and she noted that a sign was also posted on the property. She stated that one phone call had been received by Planning & Development staff which was only a request for information on the case. She also stated that Conrad Fox was the only individual present during the Planning & Zoning Commission public hearing.

Ms. Turnmire stated that the Planning & Development staff recommended approval of the rezoning request. She also stated that following the April 7, 2005 meeting, the Planning & Zoning Commission also recommended approval of the request.

Chairman Hammer called the public hearing to order and requested any public comment. There being no public comment, Commissioner Keever made a motion to close the public hearing. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

Commissioner Keever made a motion to approve Rezoning Case 05-2. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

ALEXANDER COUNTY CLEAN AIR CAMPAIGN UPDATE

Sylvia Turnmire, Director of Planning & Development, stated that with the return of springtime, the N.C. Division of Air Quality (NCDAQ) began their ozone forecasting on April 30, 2005, which would continue until October 1, 2005. She also stated that the NCDAQ would also retrieve data from ozone monitors and would continue to collect data from the original monitor located at the Taylorsville Sewer Plant and from the new monitor placed at the County Maintenance Building.

Ms. Turnmire stated that in compliance with the Early Action Compact, counties and municipalities were required to adopt an Air Quality Action Plan and complete several educational initiatives. She pointed out that in response to this she had created a project called the "Alexander County Clean Air Campaign. Ms. Turnmire explained that she had contacted all of the registered daycares and other child care providers in the county, providing them with an opportunity to participate in the program since high ozone levels were especially dangerous to

the elderly and children with respiratory problems. She noted that she would be conducting a workshop on Thursday, April 28, 2005 from 6:30 PM to 8:30 PM for child care providers, including the school system summer camp teachers, that would focus on the medical effects of high ozone days and the steps that daycare directors and teachers could take to protect children from such high levels while they were in their care.

Ms. Turnmire also stated that she, in coordination with Economic Development Director David Icenhour, had contacted industry representatives to request their participation in the campaign. She mentioned that representatives were asked to choose if they wanted to be notified of high ozone days and if they would like ozone information to pass along to their employees. She informed the Board that so far, only one industry had declined to participate.

Ms. Turnmire also reported that the County had purchased flags that would be flown on high ozone days and she noted that Rick French, County Manager, was coordinating that effort with the school system.

Commissioner Kever inquired about the colors of the flags and what each color represented. Ms. Turnmire replied that the green flag was for normal conditions, the orange flag warned those with respiratory problems to stay indoors, the red flag warned healthy individuals to only be outdoor 30 minutes to an hour and all others to remain indoors, and the purple flag warned all individuals to remain indoors at all times.

Commissioner Robertson suggested making the Senior Center aware of the campaign to determine if any senior citizen groups were interested in participating. Ms. Turnmire stated that she would contact the Senior Center regarding the campaign.

The Board thanked Ms. Turnmire for her presentation.

Chairman Hammer recognized Ms. Turnmire on the completion of her Master's in Public Administration. He stated that Ms. Turnmire would graduate from Appalachian State University on May 7, 2005. The Board congratulated Ms. Turnmire for her hard work.

PUBLIC HEARING: FY 2005-2006 ROAP GRANT APPLICATION

Patti Foster, Transportation Director, presented the 2005-2006 Rural Operating Assistance Program (ROAP) grant application for the Board's consideration. Ms. Foster stated that the grant would provide funding for the Elderly Disabled Transportation Assistance Program (EDTAP) as well as for the Rural General Public (RGP) and the Work First / Employment Program.

Ms. Foster explained that the 2005-2006 grant application totaled \$88,354 for the period July 1, 2005 through June 30, 2006 of which \$41,229 would be designated for EDTAP as well as \$41,910 for RGP and \$5,215 for Work First / Employment. She also noted that a 10% match was required for the RGP allocation.

Chairman Hammer stated that Ms. Foster did an outstanding job running the Alexander County Transportation System. He explained that many other counties ran through their entire year's budget in 6 to 8 months and were forced to leave the vans sitting until the next year. Chairman Hammer stated that the Alexander County Transportation System was something to be proud of.

Chairman Hammer called the public hearing to order and requested any public comment. There being no public comment, Commissioner Robertson made a motion to close the public hearing. Commissioner Keever seconded the motion. The Board voted unanimously in favor of the motion.

Commissioner Keever made a motion to approve the 2005-2006 ROAP grant application as presented. Commissioner Yoder seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC HEARING: PURCHASE OF FORMER WITTENBURG FIRE DEPARTMENT

Chairman Hammer discussed the benefit of purchasing the former Wittenburg Fire Department. He stated that the purchase would aid the Wittenburg Fire Department in expanding their current facility. He also stated that the building would be useful for storage and he noted that there were 4 large bays that would accommodate several pieces of County equipment that was currently out in the weather. Chairman Hammer also mentioned that there was adequate space for many offices and training on the top floor of the building.

Chairman Hammer stated that the property was conveyed by Shields Jolly and his wife to the Wittenburg Fire Department on August 22, 1968. He also noted that another small portion of property was conveyed by Plato Fox and his wife to the Wittenburg Fire Department on July 7, 1987. Chairman Hammer stated that the property was donated by these individuals for which he was grateful.

Commissioner Yoder stated that he had been asked by a citizen why the County would spend tax dollars to purchase this property when it had been built with tax dollars. Rick French, County Manager, explained that the building was built in 1968, 13 years before the fire district tax was established in 1981. Mr. French noted that the fire department had been built entirely by donations.

Commissioner Yoder also stated that the citizen has asked if the County was setting precedence for other fire departments in the county by purchasing the former Wittenburg Fire Department. Mr. French replied that the County would certainly be interested in buildings owned by other fire departments; however, he noted that the building would have to meet the County's needs in order for a purchase to take place. Commissioner Robertson noted the close proximity of the former Wittenburg Fire Department to County offices located in the former Wittenburg Elementary School.

Chairman Hammer called the public hearing to order and requested any public comment.

Public Comment

Conrad Fox stated that there was never any tax dollars used to construct the former Wittenburg Fire Department. He stated that there was no cost for labor since it was built by volunteers and he noted that materials were purchased with donations.

There being no further public comment, Commissioner Bolick made a motion to close the public hearing. Commissioner Yoder seconded the motion. The Board voted unanimously in favor of the motion.

Commissioner Yoder made a motion to purchase the former Wittenburg Fire Department as discussed. Commissioner Kever seconded the motion. The Board voted unanimously in favor of the motion.

BUDGET ORDINANCE AMENDMENT #33

Rick French, County Manager, discussed the purpose of Budget Amendment #33, which included the following information:

Budget Amendment #33 – To budget for an economic development loan to The Mitchell Gold Company.

Commissioner Kever pointed out that the loan would come from funds accumulated from previous projects. Mr. French also noted that the loan would be paid back.

Commissioner Kever made a motion to approve Budget Amendment #33. Commissioner Kever seconded the motion. The Board voted unanimously in favor of the motion.

RESOLUTION REQUESTING GRANT FUNDING FOR A SATELLITE LIBRARY IN THE BETHLEHEM COMMUNITY OF ALEXANDER COUNTY

Chairman Hammer presented a Resolution Requesting Grant Funding for a Satellite Library in the Bethlehem Community of Alexander County. He explained that the County had leased a building on Bolick Lane in Bethlehem that could house the satellite library; however, he noted that funding was needed to renovate the building to house the satellite library.

Commissioner Robertson pointed out that the resolution stated that the Board of Commissioners would provide \$25,000 towards the renovation, the Friends of the Library would raise \$25,000, and \$50,000 was requested in grant funding. He asked if the Board of Commissioners \$25,000 and the Friends of the Library's \$25,000 was contingent on the receipt of the \$50,000 in grant funding. Chairman Hammer stated that was correct.

Commissioner Bolick pointed out that was not his understanding. He felt the Board of Commissioners and the Friends of the Library would provide their parts either way. Chairman Hammer explained that other funding options would have to be discussed if the grant funding

was not received. He stated that there could possibly be some leftover funding in the Library budget that could be used if needed.

Commissioner Keever stated that he was not opposed to library service in Bethlehem; however, he felt that a bookmobile would provide the same services while making those services available in other communities as well. Commissioner Keever did not feel that renovating a building for a satellite library was the best approach.

Commissioner Robertson agreed with Commissioner Keever. He pointed out that citizens that spoke during the October 18, 2004 Commissioners Meeting stated that they wanted "library services" in the Bethlehem community and he felt a bookmobile would provide those services. Commissioner Robertson stated that a bookmobile would be a more efficient means of providing these services.

Chairman Hammer mentioned that the lease for the building was for another 4 years and he noted that the satellite library could be shut down if it was determined during that time period that those services were not feasible.

Commissioner Bolick made a motion to approve the Resolution Requesting Grant Funding for a Satellite Library in the Bethlehem Community of Alexander County. Commissioner Yoder seconded the motion. The Board voted 3 in favor of the motion (Commissioners Bolick, Hammer, and Yoder) and 2 against the motion (Commissioners Keever and Robertson). The motion carried.

OTHER BUSINESS

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

- A. The deadline for the N.C. Award for Outstanding Volunteer Service is May 31, 2005. The top 5 nominees need to be submitted on a nomination form, which can be obtained from Judy Feimster, Administrative Assistant, or Jamie Starnes, Clerk to the Board.
- B. County Leaders have been invited by Duke Power to attend a Community Leaders Appreciation Luncheon at Rock Barn on May 3, 2005. The meeting will begin at 9:00 AM and lunch will be served at 12:00 Noon.
- C. On May 11, 2005, the NCACC and NCSBA are sponsoring an Education and Economy Summit: The Challenges of Shared Responsibility. The joint conference will be held at the NCSBA Conference Center in Raleigh.
- D. The N.C. Cooperative Extension Service has invited County Commissioners to attend a meeting on Friday, May 20, 2005 at 12:00 Noon to hear an "Extension Report to the People." Lunch will be provided.

- E. The NCACC has scheduled 2 events for county officials for May 24-25, 2005 including a County Assembly Day (formerly known as the Legislative Briefing) and Legislative Reception that will be held on Wednesday, May 25th. A follow-up to the 2005 Essentials of County Government schools called Best Practices in County Budgeting Seminar will be held on May 24-25, 2005 in Raleigh.
- F. Mr. French requested the Board declare a 1992 Mitsubishi Montero as surplus so that it could be included in the school system surplus auction on April 28, 2005. The vehicle was seized by the Sheriff's Department a couple of years ago.

Commissioner Robertson made a motion to declare the 1992 Mitsubishi Montero as surplus. Commissioner Keever seconded the motion. The Board voted unanimously in favor of the motion.

CONSENT AGENDA

- A. Minutes from April 11, 2005 Regular Commissioners' Meeting.

Commissioner Keever made a motion to approve the Consent Agenda to include one correction to the April 11, 2005 minutes discussed previously with Jamie Starnes, Clerk to the Board. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

ADJOURNMENT

There being no further business, Commissioner Bolick made a motion to adjourn at 7:00 PM. Commissioner Keever seconded the motion. The Board voted unanimously in favor of the motion.

William L. Hammer, Chairman

Jamie M. Starnes, Clerk to the Board