

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING August 14, 2006

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

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

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

MEDIA: Micah Henry, The Taylorsville Times

The Alexander County Board of Commissioners held a regular meeting on Monday, August 14, 2006 in the Catawba Valley Community College / Alexander Center Multipurpose Room, Taylorsville, North Carolina.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Todd Rauscher, Friendship Lutheran Church, gave the invocation and David Rauscher, son of Todd Rauscher, led the Pledge of Allegiance to the Flag.

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

The Board recognized the Alexander Cubs (10 and under) NSA Class "A" World Series Champions. He explained that the Cubs traveled to Columbus, Ohio in July to compete against 32 teams from around the nation and defeated several state champions including teams from Indiana, Texas, and Maryland. The team was given a plaque in recognition of their accomplishment.

COMMISSIONER'S REPORT

Commissioner Robertson discussed the public meeting held by the N.C. Department of Transportation last Thursday regarding the closing or improvement of several railroad crossings in the county. He pointed out that Icenhour Road in Hiddenite had been included in the list of closings and he noted that the NCDOT planned to install a traffic light there as well. Commissioner Robertson asked the Board to allow the County Manager to draft a letter to the NCDOT requesting that the Icenhour Road railroad crossing not be closed until the traffic light was installed and staff had an opportunity to evaluate the impact the traffic light would have on the intersection.

Commissioner Kever stated that the entrance to Trio in Hiddenite was located in a heavily congested area which created frequent accidents. He asked that the Board also request in the letter that the NCDOT investigate the possibility of eliminating or modifying the entrance to Trio from Highway 90.

Commissioner Robertson made a motion to allow the County Manager to draft a letter to include requests for Icenhour Road and the Trio entrance as discussed. Commissioner Kever seconded the motion. The Board voted unanimously in favor of the motion.

Chairman Yoder stated that Joy Bentley, wife of Sheriff Hayden Bentley, had passed away on Saturday, August 12, 2006. He noted that the Board's thought and prayers were with the family.

ADOPTION OF AGENDA

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

PUBLIC HEARING: SCHEDULE OF VALUES

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

Luther Stocks, Tax Administrator, stated that the Board would consider the Schedule of Values at the August 28, 2006 Commissioners' Meeting. He also noted that copies of the Schedule of Values were available for public inspection at the Tax Office and County Administration Office.

ECONOMIC DEVELOPMENT UPDATE ON FIBROWATT LLC

David Icenhour, Economic Development Director, announced that Alexander, Wilkes, and Surry Counties were possible sites for a Fibrowatt LLC facility that would combust poultry litter into energy. He pointed out that there would be 3 facilities built in North Carolina, one of which would be constructed in one of these 3 counties. Mr. Icenhour explained that the Fibrowatt

facility would cost approximately \$100 million to construct and would employ 30 full-time and 60 contracted employees as well as 200 employees during the 2-year construction period. He also stated that Fibrowatt planned to spend \$6 to \$8 million locally for fuel and operational costs. Mr. Icenhour informed the Board that there were currently 3 Fibrowatt facilities in operation in the United Kingdom and one under construction in Benson, Minnesota.

Mr. Icenhour introduced Kathy Bunton, Area Specialized Poultry Agent, who recently traveled to the United Kingdom to tour the Fibrowatt facilities. Ms. Bunton presented a slide show presentation of photos from her trip. She stated that she visited the Fibrowatt facilities in Thedford and Eye and she noted that these locations were very agricultural and rural like Alexander County. She explained that she spoke to several people on the street in Thedford, including the Mayor, about the facility that was only 5 miles away from the town and she reported that all comments were positive and many weren't even aware that the facility existed because there was no odor. Ms. Bunton discussed efforts taken to control odor and dust such as a grass burn, washing vehicles down with chemicals after each delivery, keeping all doors closed, etc. She also pointed out that the facilities were environmental friendly and that water and air quality was not an issue.

Ms. Bunton stated that the community seemed to be very positive about the plants being in the neighborhood. She thanked the Board for allowing her to visit the United Kingdom.

Commissioner Bolick asked how close homes were to these facilities. Ms. Bunton replied that there were homes located within one mile of the plants.

Mr. Icenhour expressed his thanks to Ms. Bunton for visiting these facilities with her expertise in poultry. He also stated that a possible decision for a site in the 3 counties was expected within 6 to 8 weeks.

PUBLIC COMMENT

There was no one present to speak during the Public Comment Period.

CONSIDERATION OF AGREEMENT FOR DESIGN ENGINEERING SERVICES FOR THE NORTHEAST WATER PROJECT

Rick French, County Manager, presented an agreement for engineering services with Chester West & Associates for design engineering services for the Northeast Water Project which would include Allen Road, Country Road, Johnny Wike Road, Jud Smith Road, Marlowe Road, Rocky Face Church Road, Rocky Springs Road, Sulphur Springs Road, York Institute Road, and Vashti Road. He also stated that this would include lines along Jolly Cemetery Road to Black Oak Ridge Road that would tie into the EnergyUnited system. Mr. French mentioned that the agreement would include preliminary engineering reports and environmental assessment reports.

Mr. French stated that County staff had worked hard to obtain grants and loans for the Northeast Water Project. He explained that there was a good chance the County would receive a loan for the \$3.3 million project at 2.2% interest; therefore, he requested the Board move forward with consideration of this agreement so that the designs would be completed when the project was ready to bid.

Commissioner Robertson addressed several items in the agreements that he had concerns with including:

1. *Description of Engineer's Services – Item 5. Services during the bidding and construction phase, such as administration and inspections, are not included.*

Commissioner Robertson stated that the engineer would have to prepare a letter certifying the project; therefore, he felt that the engineer needed to be present during inspections enough to be able to issue the letter.

2. Commissioner Robertson requested a project budget be included as part of the agreement.
3. Commissioner Robertson requested a cost for each segment by road along with a timeframe for each item provided (preliminary and final documents).
4. *General Considerations – Item G. To the fullest extent permitted by law, Owner and Engineer (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by Engineer, whichever is greater.*

Commissioner Robertson felt that the engineer should not limit the amount of liability before the project was begun.

Mr. French stated that he would address these issues with Chester West & Associates so that a revised agreement could be drafted.

Commissioner Kever made a motion to approve the Agreement for Design Engineering Services with Chester West & Associates for the Northeast Water Project contingent upon acceptance of the stipulations pointed out by Commissioner Robertson. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

CONSIDERATION OF JOINT USE AGREEMENT BETWEEN ALEXANDER COUNTY AND THE BOARD OF EDUCATION FOR RECREATIONAL FACILITIES

Rick French, County Manager, discussed a joint use agreement between Alexander County and the Board of Education for the use of school facilities for County recreational purposes. Mr. French pointed out several items in the agreement including:

- There will be no facility usage fee charged for County-sponsored games and practice sessions held in school facilities for school-age children.
- The County will be responsible for the payment of any site supervision and clean-up costs for games and practice sessions for school-age children.
- The County assumes all personal and property liability for all County-sponsored activities at school facilities.
- The County will supply the Board of Education with a detailed report listing dates and hours of usage for each school prior to the fall, winter, and spring sports season.

Commissioner Bolick made a motion to approve the Joint Use Agreement between Alexander County and the Board of Education for Recreational Facilities. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

BOARD APPOINTMENTS & REAPPOINTMENTS

Commissioner Hammer requested Jean Lamberth be appointed to the Senior Center Advisory Board for a 2-year term. He also requested that Gerry Koning be appointed to the Senior Center Advisory Board to replace Gary Jennings whose term expired in August 2007.

Commissioner Hammer made a motion to approve the appointments. Commissioner Keever seconded the motion. The Board voted unanimously in favor of the motion.

BUDGET ORDINANCE AMENDMENT #5

Rick French, County Manager, discussed the purpose of Budget Amendment #5, which included the following information:

Budget Amendment #5 – To amend the budget for March of Dimes grant funds carried over from the prior year. To budget for the purchase of a PowerPoint projector with funds from a WIC mini-grant. To amend the budget for a reallocation of unspent Pan Flu Funds – Phase I from an initial allocation in the 2005-2006 fiscal year. To increase a budgeted reimbursement for Soil & Water from State Technical Assistance Funds. To amend the budget for a reallocation between Health Promotion and Medication Management grant funds for the Senior Center. To amend the budget for a reallocation of unspent 2005-2006 funds for the Senior Center. To increase the budget for technology purchases for the Department of Social Services.

Commissioner Bolick made a motion to approve Budget Amendment #5. Commissioner Keever seconded the motion. The Board voted unanimously in favor of the motion.

OTHER BUSINESS

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

- A. Interviews have been scheduled for the jail architect firms. Four firms will be interviewed on Friday, August 18, 2006.
- B. The Bethlehem Branch Library is ahead of schedule and under budget. The new Elections Office is scheduled for completion in October 2006. The dental office at the Health Department is 99% complete and plans are being made for a dedication ceremony in September. Mr. French also presented a slide show presentation with photos of each project.
- C. Several important dates to remember:
 - o August 22, 2006 – Opening Session at the ACHS Auditorium
 - o August 25, 2006 – First day of school
 - o September 7-10, 2006 – NCACC Annual Conference in Winston-Salem
 - o September 22 or 29, 2006 – Dental office dedication ceremony
 - o October 28, 2006 – Clean Alexander “Free” Day

CONSENT AGENDA

- A. Minutes from the July 24, 2006 Regular Commissioners’ Meeting.
- B. Tax Release Requests for July \$3,059.74 and Tax Refund Requests for June \$1,553.30. Correction to the Abatements & Adjustments Report (Releases) for June from \$6,413.18 to \$8,489.18.
- C. Request from DSS that the Work First Program in Alexander County remain a Standard Program.
- D. EMS bill.
- E. Records Retention and Disposition Schedules for County Management, Sheriff’s Department, Veterans Services, and Register of Deeds.

Commissioner Keever made a motion to approve the Consent Agenda. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

CLOSED SESSION – N.C.G.S. 143-318.11(a)(1, 4, 5, & 6) TO PREVENT DISCLOSURE OF CONFIDENTIAL INFORMATION, ECONOMIC DEVELOPMENT, CONTRACTUAL, & PERSONNEL

Chairman Yoder made a motion to enter into Closed Session at 6:58 PM to prevent the disclosure of confidential information and to discuss economic development, contractual matters, and personnel issues pursuant to N.C.G.S. 143-318.11(a)(1, 4, 5, & 6). Commissioner Hammer 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 7:15 PM. Commissioner Keever seconded the motion. The Board voted unanimously in favor of the motion.

Larry G. Yoder, Chairman

Jamie M. Starnes, Clerk to the Board