

Draft

**BOARD OF COMMISSIONERS**  
**REGULAR MEETING** July 23, 2007

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

**PRESENT:** W. Darrell Robertson, Chairman  
Wes Bolick, Vice-Chairman  
William L. Hammer  
Harold M. Odom

**ABSENT:** Larry G. Yoder

**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, July 23, 2007 in the Catawba Valley Community College / Alexander Center Multipurpose Room, Taylorsville, North Carolina.

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Rev. Rick Safriet, Poplar Springs Baptist Church, gave the invocation and also led the Pledge of Allegiance to the Flag.

**\*\*\*SPECIAL RECOGNITIONS\*\*\***

Chairman Robertson recognized several Red Cross volunteers that were recently awarded at the Catawba Valley Chapter of the American Red Cross' 90<sup>th</sup> Annual Meeting. They were as follows:

Jim and Betty Jackson of the Vashti community received the Alexander Branch Outstanding Award of Services for Disaster Services.

Brittany Greene of the Ellendale community was presented the Catawba Valley Chapter's Youth Volunteer of the Year for her work in the formation of a new youth club in Alexander County.

Leo Collins of the Wittenburg community was named the Catawba Valley Chapter's Volunteer of the Year for being instrumental in the organization of blood drives and community events in Alexander County.

Chairman Robertson congratulated these individuals on their accomplishments and awards.

## **COMMISSIONER'S REPORT**

Commissioner Hammer stated that he and Rick French, County Manager, attended the NACo Annual Conference in Richmond, VA last week. He mentioned that there was much discussion held about energy conservation, alternative fuels, wind mill farms, etc. and he pointed out that a county in California was placing solar panels on buildings to conserve energy.

Chairman Robertson stated that Commissioner Hammer had been appointed to the NACo Agriculture and Rural Affairs Steering Committee, Commissioner Yoder to the Justice and Public Safety Steering Committee, and County Manager Rick French to the Environmental, Energy, and Land Use Steering Committee.

## **ADOPTION OF AGENDA**

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

## **EXISTING INDUSTRY RECOGNITION PROGRAM**

Jason Williams, Existing Industry Specialist, informed the Board that Hancock & Moore began operations in 1981 and was the 2<sup>nd</sup> largest industrial employer in Alexander County. He introduced Jimmy Moore, Executive Vice-President of Hancock & Moore.

Mr. Moore stated that Hancock & Moore had 500 employees at 3 plants including the Taylorsville, Teague Town Road, and Rink Dam Road locations that produced high-end leather, motion, and fabric furniture. He explained that Hancock & Moore was continually increasing its production each year and had not been forced to lay off any employees. He pointed out that all furniture was built with the finest quality of lumber and manufactured with non-allergenic, fire retardant cushioning and hand-tufted buttons. He also mentioned that Hancock & Moore had been instrumental in getting water, sewer, and gas in the area.

Mr. Moore discussed the need for a new bridge connecting Alexander and Catawba Counties and stated that he supported the new YMCA facility.

The Board thanked Mr. Moore for providing an update and they wished him success in the future.

**PUBLIC HEARING: N.C. DEPARTMENT OF TRANSPORTATION 2007-2008  
SECONDARY ROAD CONSTRUCTION PROGRAM**

Patrick Norman, Division 12 District 2 Engineer, presented the 2007-2008 Secondary Road Construction Program for Alexander County. He also introduced Reuben Chandler, Division 12 Maintenance Engineer, and Cole Gurley, Alexander County Maintenance Engineer.

Mr. Norman discussed the 2007-2008 Secondary Road Construction Program allocations, which included the following information:

**\* FY 2007-2008 Anticipated Allocation**

Highway Fund (G.S. 136-44.5b) - \$542,223.22 for paved road improvements  
 Highway Fund (G.S. 136-44.5c) - \$234,543.78 for unpaved roads  
 Trust Fund - \$1,199,472.37 for unpaved roads  
 Total - \$1,976,239.37

**\* Rural Paving Priority**

Priority No.	SR No.	Length (Miles)	Road Name & Description	Est. Cost
Hold List	SR1336	1.57	Moore Mountain Road from NC 16 to Wilkes County line	\$1,134,016.15 (partial funding)

**\* Rural Paving Alternatives**

Priority No.	SR No.	Length (Miles)	Road Name & Description	Est. Cost
9F	SR1504	0.54	Lackey Road from SR1503 to SR1001	\$270,000.00
10F	SR1458	1.52	Ramie Mitchell Road from SR1460 to SR1001	\$760,000.00

**\* Paved Road Improvements**

SR No.	Project Description	Est. Cost
SR1656	Widen Adams Pond Lane to 22 feet, install and correct drainage, resurface 0.35 miles	\$350,000.00
SR1607	Widen Macedonia Church Road to 20 feet, resurface 0.95 miles from SR1608 to SR1605	\$192,223.22

**\* Various spot stabilization and secondary maintenance - \$150,000.00**

\* Funds reserved for surveying, right-of-way acquisition, road additions, contingencies, overdrafts, and paving entrances to certified fire departments, rescue squads, etc. - \$150,000.00

Mr. Norman stated that the Secondary Road Construction Program was evaluated every 4 years; however, he noted that the top 10 projects on each list was frozen and could not be removed until completed.

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

**Public Comment**

Ronald Madurski inquired about the paving status of Jake Reese Court. Mr. Norman replied that right-of-way must be donated by all residents before the project could begin and he noted that staff had not received right-of-way from one property owner. He explained that the property owner apparently lived out of state and had not responded to any correspondence. He stated that the neighbors would need to make contact with the property owner before any further progress could be made.

Larry Mecimore inquired about any efforts for the state to take over maintenance of Tadpole Lane. Reuben Chander stated that he would be giving a report on Tadpole Lane later in the meeting.

Jacqueline Teague stated that Smith Grove Church Road had two sharp curves that needed to be straightened. She also discussed the need for mowing and the trimming of trees along the road. Mr. Norman replied that staff was currently working on a contract for mowing and trimming for all dirt roads in the county which should begin sometime in the fall.

Mr. Norman stated that he would be willing to meet with these individuals to discuss and investigate these matters further.

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

Commissioner Hammer made a motion to approve the 2007-2008 Secondary Road Construction Program as presented. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

Mr. Chandler stated that he had received a letter requesting an update on several issues related to the N.C. Department of Transportation and road projects. He gave the following updates:

1. **Closings of railroad crossings in Hiddenite and Stony Point** – Mr. Chandler stated that this was an initiative from the N.C. Rail Division for safety improvements of railroads running parallel with Highway 90 in the Hiddenite and Stony Point area. He

explained that this was a 5-year project beginning in 2008 with a \$2 million budget. He pointed out that he did not have a list of crossings to be closed but he noted that he could get that to the Board at a later date.

2. **Traffic signal and turning lanes at the intersection of Highway 90 and Old Mountain Road in Hiddenite** – Mr. Chandler stated that this project had been fully funded and that the design for the project was currently being prepared. He mentioned that work would begin as soon as utility issues were resolved and lines were relocated, hopefully by October.
3. **Re-topping and striping in Bethlehem** – Mr. Chandler stated that Highway 127 from Richey Road to S&K Road would be resurfaced in 2008 and he noted that turning lanes were possible at Heritage Farm Road. He also mentioned the Old Charlotte Road, Midway Park Road, and Jolly Cemetery Road would be resurfaced this year and that Wildlife Road and Hubbard Road would be included in the 2008 Resurfacing Program.

Commissioner Bolick explained that some patching had been done about a year ago on Shiloh Church Road and other areas of Bethlehem; however, he noted that the striping had only recently been completed. He asked why the striping had taken so long to finish. Mr. Chandler replied that the traffic staff involved with the striping of roads did not answer directly to him so he could not answer that question. He suggested Commissioner Bolick address his concerns with Cole Gurley who would pass the concerns onto that specific department.

4. **Widening of Highway 16 South below the hospital** – Mr. Chandler stated that Highway 16 South would be widened from Bojangles' to the hospital property (about 3 blocks) beginning on or around August 14, 2007. He pointed out that the last property had been condemned and that staff had been in contact with Duke Power regarding the relocation of utility lines.
5. **Brick and stone mailboxes** – Mr. Chandler stated that North Carolina General Statutes regulated brick or stone mailboxes in right-of-way as illegal; however, he noted that staff did not enforce the removal of the mailboxes unless a written complaint was received. He explained that once the complaint was received, staff investigated the entire road on which the mailbox noted in the complaint was located and then residents were asked to remove mailboxes found to be hazardous. Mr. Chandler stated that a refusal to remove a mailbox would be turned over to the Attorney General.
6. **Status of Little River Bridge** – Mr. Chandler stated that bids for this project would be opened on August 21, 2007 and that construction would begin near the end of September or first of October. He also noted that construction would probably not be completed until the fall of 2008.

7. **Turning lanes at Sugar Loaf Elementary School** – Mr. Chandler stated that Representative Ray Warren and Senator Steve Goss had designated funds to complete this project and that Mike Holder, Division 12 Engineer, was performing the process review. He pointed out that this project would begin in the fall after the school system relocated a current driveway.
8. **N.C. Moving Ahead Money** – Mr. Chandler stated that there was funding from the N.C. Moving Ahead Program for two more projects including the Highway 90 and Old Mountain Road traffic light / turning lanes and the widening of Highway 16 South.
9. **Problems with Highway 64 being so rough** – Mr. Chandler stated that some funding had been earmarked for 2008 to improve and help preserve Highway 64. He discussed the Pavement Preservation Program that began 3 years ago to preserve roads showing distress.
10. **Highway 127 bridge / additional bridge** – Mr. Chandler stated that an additional bridge connecting Alexander and Catawba Counties was included in the Transportation Improvement Plan but was currently unfunded. He explained that the project would have to be a priority set by the MPO to be completed. He also mentioned that Division 12 was in support of the project.

Commissioner Bolick pointed out that Connie Killian, Bethlehem Community Development Association, had been circulating petitions for an additional bridge. Ms. Killian discussed the tremendous impact the closing of the current 127 bridge earlier this year had on citizens traveling to work and school. She stated that petitions would be picked up in September and that a public hearing would be held in October.

Commissioner Bolick felt it would also be beneficial to widen Highway 127 past the bridge to a 4-lane to Richey Road or even Teague Town Road.

11. **Status of Tadpole Lane** – Mr. Chandler stated that staff had reviewed adding the unpaved portion of Tadpole Lane for state maintenance 3 times in the past; however, he noted that the road would have to be brought up to unpaved road standards before that could occur. He stated that he had a copy of a letter written to the petitioner on Tadpole Road that included an outline of what needed to be done to meet those standards.

Larry Mecimore stated that the residents of Tadpole Lane didn't want to pay for those upgrades and he asked if a smaller portion of Tadpole Lane could be brought into state maintenance instead of the entire unpaved portion. Mr. Chandler replied that staff would have to review the project but he noted that NCDOT was not supposed to provide funds to bring an unpaved road up to standard to be added to the state system. He did mention that staff would be willing to meet with Mr. Mecimore and the residents of Tadpole Lane.

Commissioner Bolick asked if it would be possible to change the turning signals at the intersection of Highway 64 and Liledoun Road to allow motorists to yield and make left-handed turns if there is no oncoming traffic. Mr. Chandler stated that he would pass that request onto the traffic department staff.

Chairman Robertson also gave a list of concerns generated by Commissioner Yoder to the NCDOT staff, which included:

1. Sulphur Springs Church Road at Hiddenite Elementary School and Church Road needs to be widened, curbed, and paved with asphalt to Sharpe Mill Road.
2. Old Mountain Road from Highway 64 and Highway 90 needs to be widened at least one foot for tractor trailers.
3. Highway 90 needs to be widened and curbed to the city limits at the Taylorsville Cemetery.
4. Highway 127 needs to be 3-lane to Richey Road.
5. The bridge on Jaycee Park Road needs to be replaced.

The Board thanked Mr. Chandler, Mr. Norman, and Mr. Gurley for attending the meeting and addressing these issues.

#### **PUBLIC HEARING: INDUSTRIAL DEVELOPMENT INCENTIVE GRANT**

David Icenhour, Economic Development Director, stated that Schneider Mills had applied for an Industrial Development Incentive Grant relating to the addition of manufacturing equipment resulting in a tax valuation increase of \$1,905,541. He also pointed out that Schneider Mills would create 17 new positions relating to this addition.

Mr. Icenhour informed the Board that the proposed Industrial Development Incentive Grant would consist of a payment to the company equal to a percentage of the property taxes paid by the company for the first 5 years after the completion of the capital investment with 80 percent being the highest percentage in the first full year following completion.

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

Commissioner Bolick made a motion to approve the Industrial Development Incentive Grant to Schneider Mills. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

## **PUBLIC HEARING: FY 2007-2008 RURAL OPERATING ASSISTANCE PROGRAM**

Patti Foster, Transportation Director, presented the 2007-2008 Rural Operating Assistance Program (ROAP) grant application for the Board's consideration. She stated that the grant would provide funding for the Elderly & Disabled Transportation Assistance Program (EDTAP), the Rural General Public (RGP), and the Work First / Employment Program.

Ms. Foster stated that the 2007-2008 grant application totaled \$118,440 for the period of July 1, 2007 through June 30, 2008 of which \$71,108 would be designated for EDTAP as well as \$37,246 for RGP and \$10,086 for Work First / Employment. She pointed out that \$26,575 in EDTAP Supplemental funds was available and that this was the first time these funds had been applied for by Alexander County. She also mentioned that a 10% match was required for the RGP allocation.

Chairman Robertson 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 Bolick seconded the motion. The Board voted unanimously in favor of the motion.

Commissioner Hammer made a motion to approve the 2007-2008 ROAP grant application as presented. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

## **PUBLIC HEARING: REZONING CASE 07-3 – BENGE**

Sylvia Turnmire, Director of Planning & Development, presented Rezoning Case 07-3 submitted by Harold Benge. The applicant requested rezoning of property located at 804 Paynes Dairy Road from RA-20 (Residential-Agricultural) to H-C (Highway Commercial) to allow for expansion of an existing carpet store and warehouse. The size of the property is 2.06 acres and the current land use is a retail carpet store. Ms. Turnmire stated that zoning within 100 feet of the property was RA-20 to the north, south, east, and west. Land uses within 100 feet of the property include single-family site-built to the north and agricultural to the south as well as both single-family site-built and agricultural to the east and west.

Ms. Turnmire stated that the subject property was obtained by the current owners in 1997 and that a building permit was issued in November 1997 for a 576 square foot storage building. Another building permit was issued in 2003 for a 576 square foot addition to the existing storage building. She reported that Harold's Carpet was located within these buildings and that the Tax Department records indicated no business listings for the applicants or the existing business. She also noted that Mr. Benge had informed staff that his N.C. tax ID number was issued in April 2001. Ms. Turnmire mentioned that the property was served by a private well and private septic system and that if the request was granted, all current landscaping and parking requirements would apply.



Ms. Turnmire explained that, because the property was completely surrounded by a zoning district that is completely different from the requested district, this was a “small scale rezoning” or spot zoning request which is “invalid or illegal unless there is a clear reasonable basis for treating the singled out property differently from adjacent land.” Ms. Turnmire noted that for any case involving spot zoning, the following questions must be addressed:

1. Did the zoning activity in the case constitute spot zoning as our courts have defined that term; and
2. If so, did the zoning authority make a clear showing of a reasonable basis for the zoning by determining the following 4 factors?:
  - a. The size of the tract;
  - b. The compatibility of the disputed zoning action with an existing comprehensive plan;
  - c. The benefits and detriments resulting from the zoning action for the petitioning property owner, neighbors, and surrounding community; and
  - d. The relationship between the uses envisioned under the new zoning and the current uses of adjacent land.

Ms. Turnmire addressed staff comments in regard to these 4 factors to show a reasonable basis for zoning, which included:

**2a. The size of the tract:**

The size of the subject property is 2.06 acres. The sizes of surrounding properties are:

- West – approximately 7 acres
- North – 7.08 acres
- South – 160.27 acres
- East – 326.28 acres and 9.42 acres

**2b. The compatibility of the disputed zoning action with an existing comprehensive plan:**

1. Section 154.170 of the Alexander County Zoning Ordinance states that the H-C Highway Commercial District is to provide suitable locations for those commercial activities which serve primarily the traveling public, including those which function rather independently of each other.
2. Section 154.140 of the Alexander County Zoning Ordinances states that the RA-20 District is established as a district in which the principal use of the land is for low-density residential and agricultural purposes including single-family dwellings, two-family dwellings, individual manufactured homes, and related uses necessary for a sound neighborhood. The regulations for this district are designed to stabilize and

encourage a healthful environment for family life in areas where neither public nor community water or sewer facilities are available.

3. The subject property is not located in a designated area of the Land Development Plan.
4. The Alexander County Thoroughfare Plan does not mention any major thoroughfares in the vicinity of the subject property or any improvements to Paynes Dairy Road. The Annual Average Daily Traffic County for Paynes Dairy Road was 700 trips per day and nearby Millersville Road had 3,300 trips per day.

**2c. The benefits and detriments resulting from the zoning action for the petitioning property owner, neighbors, and surrounding community:**

The Board must determine what impact the rezoning will have upon the adjacent property owners and the surrounding community. The benefits of the rezoning should outweigh any potential inconvenience or harm to the community.

**2d. The relationship between the uses envisioned under the new zoning and the current uses of adjacent land:**

There is no commercially zoned property within one mile of the subject property. However, the County landfill, located approximately one mile away, is zoned for industrial uses. All immediate adjacent land is used for residential and agricultural purposes.

Common uses allowed in the H-C District include but are not limited to retail building material sales, hardware stores, and other retail uses. All of the uses allowed in the H-C District should be considered, not only the one for which the applicant is applying.

Ms. Turnmire stated that letters were sent by first class mail to the property owners within 100 feet of the parcel boundary, a sign was posted on the property, and an advertisement was placed in *The Taylorsville Times*. She noted that staff had received one call for information and that no one appeared in opposition to the request at the Planning & Zoning Commission Meeting.

Ms. Turnmire informed the Board that Planning & Development staff recommended approval of the rezoning request based on the following:

1. The existing use is allowed within the Highway-Commercial Zoning District.
2. The current land use existed prior to the adoption of countywide zoning in 2001.

She also pointed out that the Planning & Zoning Commission held public hearings on June 7, 2007 and July 12, 2007 to review the request and unanimously recommended approval based on the following:

1. The current land use was in existence prior to the adoption of countywide zoning in 2001.
2. The current land use is allowed in the Highway Commercial Zoning District.

Ms. Turnmire explained that based on the information provided, the Board must determine whether the rezoning request meets the guidelines set forth above. She also noted that Section 154.351(C)(1) of the Alexander County Zoning Ordinance required the Board to provide a statement describing whether the proposed amendment is consistent with the Alexander County Land Development Plan, the Alexander County Thoroughfare Plan, and if the proposed amendment is reasonable with regard to the public interest.

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

Commissioner Bolick made a motion to approve Rezoning Case 07-3 based on the fact that the current land use was in existence prior to the adoption of countywide zoning in 2001, the current land use is allowed in the Highway Commercial Zoning District, and the rezoning would not have any detrimental affect on the surrounding area. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

#### **PUBLIC HEARING: REZONING CASE 07-4 – ADAMS**

Sylvia Turnmire, Director of Planning & Development, presented Rezoning Case 07-4 submitted by Henry Adams. The applicant requested rezoning of property located at the northeast corner of Highway 16 North and Edd Burgess Road from RA-20 (Residential-Agricultural) to H-C (Highway Commercial) to allow for a gunsmith shop. The size of the property is one acre (parent tract is 12 acres) and the current land use is single-family site-built residential. Ms. Turnmire stated that zoning within 100 feet of the property was RA-20 and R-20 (Residential) to the north and west, RA-20 (County zoning) and R-2 (Taylorsville zoning) to the south, and RA-20 (County zoning) and H-I (Taylorsville zoning) to the east. Land uses within 100 feet of the property include single-family site-built residential and vacant property to the north, single-family site-built residential and singlewide manufactured homes to the south, abandoned single-family site-built residential and vacant property to the east, and single-family site-built residential, a doublewide manufactured home, and vacant property to the west.

Ms. Turnmire stated that the subject property was obtained by the current property owners in 2005 and she noted that current Tax Department records indicated that the existing single-family residence was also constructed on the parent tract in 1961. She mentioned that the property was served by a private well and private septic system and that if the request was granted, all current landscaping and parking requirements would apply.

She informed the Board that the purpose of the H-C District, according to Section 154.170 of the Alexander County Zoning Ordinance, was to provide suitable locations for those commercial

activities which serve primarily the traveling public, including those which function rather independently of each other. Section 154.140 states that the RA-20 District is established as a district in which the principal use of the land is for low-density residential and agricultural purposes including single-family dwellings, two-family dwellings, individual manufactured homes, and related uses necessary for a sound neighborhood.

Ms. Turnmire stated that the 1993 Land Development Plan showed this property as being located in a Limited Transition Area which has the purpose "providing 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 pointed out that the 1995 Alexander County Thoroughfare Plan identified this section of Highway 16 North to be an Urban Thoroughfare and an Identified Future Need for upgrading the existing two-lane facility from the Catawba River to the Wilkes County line, a currently unfunded project. The 2005 Annual Average Daily Traffic Count was 8,800 vehicles per day on Highway 16 North just past the intersection with Highway 90 and 6,400 vehicles per day at the first intersection of Highway 16 North and Walker Foundry Road. There was no traffic count available for Edd Burgess Road.

Ms. Turnmire stated that letters were sent by first class mail to the property owners within 100 feet of the parcel boundary, a sign was posted on the property, and an advertisement was placed in *The Taylorsville Times*. She mentioned that staff had received one call from an adjoining property owner who asked if the gunsmith shop would affect her property value and she noted that no one spoke in opposition to the request at the Planning & Zoning Commission Meeting.

Ms. Turnmire informed the Board that Planning & Development staff recommended approval of the rezoning request based on the following:

1. The proposed use is allowed within the Highway Commercial Zoning District
2. The property fronts along a major thoroughfare.
3. A zoning district allowing more intense uses adjoins the subject property.

She also pointed out that the Planning & Zoning Commission held a public hearing on June 7, 2007 to review the request and unanimously recommended approval based on the following:

1. The property is located within a Limited Transition zone as defined by the Land Development Plan.
2. The property has frontage along a major thoroughfare.
3. A more intense use adjoined the subject property.

Ms. Turnmire explained that based on the information provided, the Board must determine whether the rezoning request meets the guidelines set forth above. She also noted that Section 154.351(C)(1) of the Alexander County Zoning Ordinance required the Board to provide a

statement describing whether the proposed amendment is consistent with the Alexander County Land Development Plan, the Alexander County Thoroughfare Plan, and if the proposed amendment is reasonable with regard to the public interest.

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

### **Public Comment**

Lana Davidson asked if the garage located at the end of Edd Burgess Road had ever been zoned. Ms. Turnmire replied that the garage would have been grandfathered in when countywide zoning was adopted in 2001. Ms. Davidson inquired about the zoning of Sigmon Motor Company located near the subject property and if it would affect the gunsmith shop. Ms. Turnmire replied that Sigmon Motor Company was zoned Highway Commercial.

Earl Howell discussed some problems with the secondary off Edd Burgess and asked if the establishment of the gunsmith shop would benefit them in any way or aid in getting some repairs made to the road. Ms. Turnmire clarified where the proposed gunsmith shop would be located and it was determined that there wouldn't be any benefit to the secondary road.

Katherine Rowe inquired as to where the access into the gunsmith shop would be located. Henry Adams, applicant, replied that he felt it would be safer for the access to be off Edd Burgess Road instead of Highway 16 North. Ms. Rowe also discussed the problems with the secondary road and noted that there had been several deaths due to a dangerous curve. She pointed out that she would be speaking to Patrick Norman, NCDOT, about the road.

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

Commissioner Hammer made a motion to approve Rezoning Case 07-4 based on the fact that the property is located within a Limited Transition Area as defined by the Land Development Plan, the property has frontage along a major thoroughfare, and a more intense use adjoins the subject property. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

### **UPDATE ON AIR QUALITY INITIATIVES**

Seth Harris, Building Development Coordinator, gave an update on the Alexander County Clean Air Campaign which included information pertaining to new ozone standards, the development of an air quality brochure, and the Alexander Asthma Coalition.

Mr. Harris informed the Board that the EPA was proposing new ozone standards that would lower the .085 ppm to a range between .070 and .075 ppm. He explained that the N.C. Division of Air Quality models predicted that Alexander County would be classified as non-attainment in

2009 at a level of .075 and also that one-third of the state would receive the non-attainment designation at a level of .070. However, he pointed out that the final standard would not be decided until March 2008 and would not be enforced until 2010 because the Unifour area was not up for EPA evaluation until the end of 2007.

Mr. Harris discussed the new air quality brochure developed by the Unifour Air Quality Committee called "A Citizen's Guide to Reducing Air Pollution." He stated that the brochure defined ozone and PM 2.5 and identified measures that could be taken by an average citizen to reduce ozone levels. The brochure also explains what citizens, industries, and local governments are doing to address the problems of ozone and particulate matter. Mr. Harris noted that Alexander County made a contribution to make this project a reality.

Mr. Harris stated that the Alexander Asthma Coalition was formed in January 2007 to raise awareness and educate the public about asthma and included representatives from the Health, Recreation, and Planning Departments, nurses from local physician's offices, school nurses, and citizens. He informed the Board that the first goal achieved by the coalition was providing recreation coaches with asthma awareness clipboards that outlined signs and symptoms of an asthma attack. Future projects include providing ozone flags to all schools and providing incentives for smoke free restaurants.

## **PUBLIC COMMENT PERIOD**

The following was heard during the Public Comment Period:

### **Arbor Springs Neighborhood Concern**

James Zink, resident of Arbor Springs Subdivision, expressed concerns with the appearance of a home in his neighborhood. He explained that there were old tires, pipes, and trash surrounding the property along with a storage shed that had been unfinished for some time. He stated that this created a rodent, snake, and mosquito problem. He pointed out that Arbor Springs was a middle class development that included 46 homes with property values of \$140,000 and above and he noted that they were all well kept except for this particular one. He was concerned that this could cause property values to decrease and he felt that the county needed some regulations to enforce cleanup of such properties.

### **Request for Countywide Alcohol Sales**

Lana Davidson requested that the Board make a formal request to the Board of Elections to place a referendum on the ballot for the November 6, 2007 election for the countywide sale of malt beverages and wine seven days a week. She felt it was unfair that retailers in the city limits of Taylorsville and selected annexed areas were able to sell these items and the remainder of the county was not allowed. She also felt it was unfair and an act of honoring a certain religious belief to not allow sales on Sundays. Ms. Davidson stated that the exercising of citizen's rights had been manipulated by government as well as religion. Ms. Davidson did, however, state that she was opposed to liquor by the drink.

## **RESOLUTION CREATING THE WESTERN PIEDMONT REGIONAL TRANSIT AUTHORITY**

Rick French, County Manager, presented a Resolution Creating the Western Piedmont Regional Transit Authority which would regionalize transportation systems in the Unifour area. He stated that the authority would consist of Alexander, Burke, Caldwell, and Catawba Counties as well as the cities of Hickory, Newton, and Conover and he noted that the plan was scheduled to begin in July 2008. He explained that approval of the resolution was needed by all governing bodies involved to put the process into motion for implementation of the plan.

Chairman Robertson pointed out that this change would not affect the citizens of Alexander County and that trips would still be made as they are now. He stated that citizens would still call the same number and use the same process to schedule trips. He explained that this plan would simply create a better system for fuel efficiency and overall transportation efforts for everyone involved.

Commissioner Bolick asked if the Alexander County Transportation Department would still be able to take citizens into Statesville and other areas of Iredell County. Mr. French replied that the regional system would not affect those trips.

Commissioner Bolick made a motion to approve the Resolution Creating the Western Piedmont Regional Transit Authority. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

## **JOINT-USE AGREEMENT FOR THE FORMER WITTENBURG ELEMENTARY SCHOOL BUILDING**

Rick French, County Manager, presented a joint-use agreement between Alexander County and the Alexander County Board of Education regarding the use of the former Wittenburg Elementary School building located on Highway 16 South. He explained that the County used the gymnasium, 4 classrooms on the north hall for offices, and the outdoor recreational fields and would be responsible for all utilities, mowing, and general maintenance of those areas. He also stated that the lease was for 5-years, beginning July 1, 2007 and ending June 30, 2012.

Commissioner Hammer made a motion to approve the joint-use agreement for the former Wittenburg Elementary School building as presented. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

## **AGREEMENT WITH WPCOG FOR THE PROVISION OF GRANT MANAGEMENT ASSISTANCE – CRAFTMASTER FURNITURE PROJECT**

Rick French, County Manager, presented an agreement between Alexander County and the Western Piedmont Council of Governments for the provision of grant management assistance for

the Craftmaster Furniture Economic Development Project. He stated that the Craftmaster Furniture Economic Development Project had already been approved and that the agreement was a standard agreement approved for such projects to allow the WPCOG to manage the grant proceedings.

Commissioner Hammer made a motion to approve the agreement with the WPCOG for the provision of grant management assistance for the Craftmaster Furniture Economic Development Project. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

### **“FREE DAY” AT THE ALEXANDER COUNTY LANDFILL**

Rick French, County Manager, announced that the next Clean Alexander Day or “free day” at the Alexander County landfill and convenience sites would be held on Saturday, October 27, 2007. He stated that all Alexander County citizens would be allowed to dispose of their household trash and other items accepted at the landfill free of charge. He noted that operating hours would be set at a later date.

Commissioner Bolick made a motion to accept October 27, 2007 as the next Clean Alexander Day. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

### **HIDDENITE HALF-MARATHON REPORT**

Rick French, County Manager, stated that the Hiddenite Half-Marathon would be held on Saturday, September 22, 2007 in conjunction with the Hiddenite Celebration of the Arts. He discussed the course and mentioned that the race would begin at Pleasant Hill Baptist Church and finish at the Hiddenite Center’s Lucas Mansion.

He explained that the registration fee was \$35 if postmarked by September 4, 2007 and \$50 thereafter including race day; however, he noted that Alexander County residents would receive a \$10 discount. He also mentioned that registration was limited to 250 runners.

Mr. French stated that he and Andrew Jackson was serving as Co-Directors for the race.

### **BUDGET ORDINANCE AMENDMENTS #1 & #2**

Rick French, County Manager, discussed the purpose of Budget Amendments #1 and #2, which included the following information:

Budget Amendment #1 – To increase the budget for the Environmental Health Well Program. To budget for the purchase of a used truck for the Public Buildings



Department. To increase the Public Buildings Department budget for meals purchased for inmate labor.

Budget Amendment #2 – To budget for 55% of the annual maintenance contract for a voice recorder in 911 Communications.

Commissioner Hammer made a motion to approve Budget Amendments #1 and #2. Commissioner Bolick 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. The Senate approved a bill to phase out Medicaid costs to counties over the next 3 years and begin providing relief to counties in less than 3 months. The bill is now being reviewed by the House of Representatives. Governor Easley is in support of the Medicaid bill as well as approval of sales taxes for infrastructure.
- B. The proposed bill to add an additional \$2.50 tipping fee at county landfills has now dropped to a \$1.50 fee. There is much opposition to this bill.

Commissioner Odom made a motion to approve the County Manager's Report. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

## **CONSENT AGENDA**

- A. Minutes from the June 25, 2007 Regular Commissioners' Meeting and the June 29, 2007 Special Called Meeting.
- B. Tax Release Requests for June \$16,121.85 and Tax Refund Requests for June \$665.94.
- C. Alexander County Single Family Rehabilitation Program (SFR07) Procurement and Disbursement Policy.
- D. Expanded hours for the Bethlehem Branch Library approved by the Library Board of Trustees.

Commissioner Bolick made a motion to approve the Consent Agenda. Commissioner Hammer 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**

Commissioner Bolick made a motion to enter into Closed Session at 8:53 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 Odom made a motion to adjourn at 9:15 PM. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

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W. Darrell Robertson, Chairman

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Jamie M. Starnes, Clerk to the Board