

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING November 19, 2007

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: W. Darrell Robertson, Chairman
 Wes Bolick, Vice-Chairman
 William L. Hammer
 Harold M. Odom
 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, November 19, 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

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

*****SPECIAL RECOGNITIONS*****

The Board recognized members of the Central Alexander Fire Department for their recent purchase of a 1985 Emergency One Snorkel Aerial Truck. Chief Matt Jordan explained that the truck, which would have cost approximately \$850,000 if bought new, was purchased from a fire department in New Jersey for \$30,000. He gave some specifics about the truck and stated that it would be available to fight fires throughout the entire county, not just in the Taylorsville community.

Mickey Chapman, Assistant Chief, presented a cost savings report for fire protection equipment during the last 24 months. The slide show included savings charted from the purchase of self-

contained breathing apparatus, bottles, and trucks as well as matching grants for a total of a \$1,165,800 cost savings to the citizens of the county.

The Board thanked the members of the fire department for their willingness to volunteer.

COMMISSIONER'S REPORT

Commissioner Yoder stated that he attended the annual DSS Adoptive & Foster Parent Appreciation Banquet recently, which he noted was a wonderful experience. He conveyed his appreciation to the individuals that put the banquet together. He also commended the contribution of the adoptive and foster parents as well as the DSS staff.

ADOPTION OF AGENDA

Chairman Robertson requested the addition of Budget Amendment #18 under Agenda Item #8.

Commissioner Hammer made a motion to approve the agenda as amended. Commissioner Yoder seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC HEARING: REZONING CASE 07-9 – HAGER

Sylvia Turnmire, Director of Planning & Development, presented Rezoning Case 07-9 submitted by Jerry Hager. The applicant requested rezoning of property located at 4078 and 4120 NC Highway 90 East from RA-20 (Residential-Agricultural) to H-C (Highway Commercial) to allow for continued commercial use of both properties. The size of the properties is 2.295 and 4.5 acres and the current land use is a vacant commercial building and a legal non-conforming manufactured home sales lot. Ms. Turnmire stated that zoning within 100 feet of the property was L-I (Light Industrial) to the north and RA-20 to the south, east, and west. Land uses within 100 feet of the property include a vacant industrial building and railroad to the north, agricultural and vacant property to the south, a manufactured home to the east, and vacant property and single-family site built residential to the west.

She stated that current tax records indicated that the existing commercial building located on tract G7B-93 was constructed in 1946 and she noted that the applicant and members of the community had indicated that a commercial use had existed in the building since construction. The building located on tract G7B-92 was constructed in 1984 and has also been used for commercial use since that time. She pointed out that the properties had been zoned for residential use since the US Highway 64/90 Corridor Zoning adoption in 1997.

Ms. Turnmire stated that the property zoned L-I was located within 150 feet from the subject property. She also mentioned that all properties were served by public water and a private septic system. If approved, 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 an Urban Transition Area which has the purpose of "providing for future intensive urban development on lands that are suitable and that will be provided with the necessary urban services to support intense urban development. Areas meeting the intent of Urban Transition classification are presently being developed for urban purposes or will be developed in the next 5 to 10 years to accommodate anticipated urban growth."

She also pointed out that the 1995 Alexander County Thoroughfare Plan did not mention any expansions of NC Highway 90 East. The 2005 Annual Average Daily Traffic Count for a section of NC Highway 90 East near the subject property was 7,600 trips per day.

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 two calls regarding this request for information purposes and in support of the request 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 current uses are allowed within the Highway Commercial Zoning District.
2. The current land uses existed prior to the adoption of countywide zoning in 2001.
3. The property lies within an Urban Transition Area as indicated by the 1993 Land Development Plan.

She also pointed out that the Planning & Zoning Commission held a public hearing on October 4, 2007 to review the request and unanimously recommended approval based on the following:

1. The commercial use existed prior to the adoption of countywide zoning.
2. There is no perceived detriment to the adjoining owners or to the neighborhood because of the continuation of an existing use.
3. The property lies within an Urban Transition Area.

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 Yoder made a motion to close the public hearing. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

Commissioner Yoder made a motion to approve Rezoning Case 07-9 based on the fact that the commercial use is existed prior to the adoption of countywide zoning, there is no perceived detriment to the adjoining owners or to the neighborhood because of the continuation of an existing use, and the property lies within an Urban Transition Area. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

APPROVAL OF ROAD NAMES

Sylvia Turnmire, Director of Planning & Development, requested approval of the following road names:

<u>Road No.</u>	<u>Road Name</u>	<u>Road Location</u>
3705JT	Greenview Court	Off Hughes Boulevard
3840DB	Inheritance Drive	Off Piney Grove Road

She stated that all names met regulations as required and had been checked for duplication and sound indexing.

Commissioner Hammer made a motion to approve the road names as presented. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

DUKE ENERGY FERC RELICENSING WATER MANAGEMENT GROUP

Kevin Greer, Assistant Public Utilities Director, presented a slide show presentation regarding the Duke Energy FERC Relicensing Water Management Group. He stated that the Catawba-Wateree System consisted of two states, 14 counties, 30 cities, 13 hydro stations, and 11 reservoirs. He discussed Chapter 5 (Actions to Support Water User Needs) and Chapter 6 (Low Inflow Protocol) of the Water Supply Study as well as the Water Management Group provisions, bylaws, and annual project list.

Mr. Greer also discussed the drought situation noting that levels at Lake James was 9 feet below full pond and Lake Hickory levels were 5 ½ feet below full pond. He stated that Duke Energy was closely monitoring the situation and holding conference calls each week. Duke Energy predicts Stage 4 by mid December to mid January and "worst-case" by March 2008 if the area does not receive a considerable amount of rainfall. Mr. Greer stated that the City of Hickory

remained committed to providing customers with water and asked that customers adhere to the restrictions enforced to conserve as much water as possible.

Commissioner Bolick inquired about the cleaning of coves in Lake Hickory. Mr. Greer explained that the dredging of coves in Lake Hickory was in the 5-10 year comprehensive plan.

COMMISSIONERS TASK FORCE AGAINST CHILD ENDANGERMENT & SUBSTANCE ABUSE

Norris Keever, member of the Commissioners Task Force Against Child Endangerment & Substance Abuse, thanked the Board for appointing the task force which had developed the following objectives:

1. Create greater awareness of community.
2. Zero tolerance to domestic violence.
3. Establish a family court.

District Court Judge April Wood was present to discuss the process of establishing a family court and the benefits of doing so such as having one judge to hear each case. She also reviewed a list of items to be completed in the process including revising local juvenile court rules, reducing backlog, and tracking compliances.

Carl Williamson, CPS Programs Administrator, provided statistics relating to the number of domestic violence reports, services offered to victims, number of repeat victims, and responses by the Sheriff's Department. He informed the Board that the plan for 2007/2008 was to prepare information packets and brochures to distribute throughout the community about the domestic violence problem and services offered, plan a faith-based community rally, and organize a court-watch program.

Leeanne Whisnant, Health Director, stated that plans to create awareness to the community included an online resource guide that was continually being updated with a list of resources throughout Alexander County. She pointed out that there were currently 226 resources listed on the guide which could be accessed at www.acresources.org.

Karen Hoyle, DSS Director, announced that the task force received the 2007 Best Practice Award from the NC Association of County Directors of Social Services for best practice in community collaboration. She explained that this was a state-wide award given to only one county in this category.

The Board thanked the task force for their hard work and congratulated them on receiving the award.

ADOPTION OF THE 2008 COMMISSIONERS' MEETING SCHEDULE (JANUARY – JUNE 2008)

Chairman Robertson presented the first 6 months of the 2008 Commissioners' Meeting Schedule. He stated that staff had developed the schedule by working around specific conferences and conflicts; therefore, he noted that the meetings would not necessarily be held on the first and third Mondays. The schedule was as follows:

January 7, 2008	April 7, 2008
January 28, 2008	April 22, 2008
February 11, 2008	May 5, 2008
February 25, 2008	May 19, 2008
March 10, 2008	June 2, 2008
March 24, 2008	June 16, 2008

Commissioner Hammer made a motion to approve the first 6 months of the 2008 Commissioners' Meeting Schedule as presented. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

ADOPTION OF THE 2008 ALEXANDER COUNTY HOLIDAY SCHEDULE

Chairman Robertson presented the 2008 Alexander County Holiday Schedule as follows:

New Year's Day	Tuesday, January 1, 2008
Martin Luther King Jr.'s Birthday	Monday, January 21, 2008
Good Friday	Friday, March, 21, 2008
Memorial Day	Monday, May 26, 2008
Independence Day	Friday, July 4, 2008
Labor Day	Monday, September 1, 2008
Veteran's Day	Tuesday, November 11, 2008
Thanksgiving	Thursday & Friday, November 27 & 28, 2008
Christmas	Thursday & Friday, December 25 & 26, 2008

Commissioner Hammer made a motion to approve the 2008 Alexander County Holiday Schedule as presented. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

ANNOUNCEMENT OF NOVEMBER 26, 2007 MEETING

Chairman Robertson announced that the Board would be holding a special meeting on Monday, November 26, 2007 in the Bethlehem community to receive public comment regarding a petition by SMP Investments, Inc. to annex properties into the City of Hickory for beer and wine sales. He pointed out that the meeting would be held in the Bethlehem Elementary School cafeteria at 6:00 PM.

BUDGET ORDINANCE AMENDMENT #17 & #18

Rick French, County Manager, discussed the purpose of Budget Amendments #17 and #18, which included the following information:

Budget Amendment #17 – To increase the Senior Center budget for the purchase of a computer with SHIP grant funds.

Budget Amendment #18 – To increase the Recreation Department budget for grounds maintenance items including windscreens, fencing, and fence guards.

Commissioner Hammer made a motion to approve Budget Amendments #17 and #18. 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. Bids for the Northeast Water Project were opened on November 8, 2007. Eight bids were received and the low bidder was Wilkie Construction Company at \$2,529,902. The Rural Center grant and the agreement with EnergyUnited Water Corporation need to be resolved before the bid is awarded.
- B. The Farm City Week Banquet is scheduled for Tuesday, November 20, 2007 beginning at 6:30 PM at the Senior Center.

CONSENT AGENDA

- A. Minutes from the November 5, 2007 Regular Commissioners' Meeting.
- B. Tax Release Requests for October \$3,750.84 and Tax Refund Requests for October \$2,773.92.
- C. Waiver of EMS invoice for a volunteer fireman.
- D. Landfill account write-off.

Commissioner Hammer made a motion to adopt the Consent Agenda. Commissioner Bolick 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 Yoder made a motion to enter into Closed Session at 8:05 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 Bolick seconded the motion. The Board voted unanimously in favor of the motion.

ADJOURNMENT

There being no further business, Commissioner Hammer made a motion to adjourn at 9:30 PM. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

W. Darrell Robertson, Chairman

Jamie M. Starnes, Clerk to the Board