

Draft

**BOARD OF COMMISSIONERS**  
**REGULAR MEETING**     February 11, 2008

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

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

**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, February 11, 2008 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**

Commissioner Robertson gave the invocation and Tyler Crouch, student at East Alexander Middle School, led the Pledge of Allegiance to the Flag.

**COMMISSIONER'S REPORT**

Commissioner Hammer discussed a recent article from the Raleigh News & Observer which mentioned that dozens of people had suggested the dredging of Falls Lake since it was down over 8 feet; however, the Army Corps of Engineers, the group that runs Falls Lake, stated that "excavating the lake would first require a million dollar environmental study of the proposal's impact on wildlife, water quality, and flows in the Neuse River, which would require congressional authorization." Commissioner Hammer stated that there had also been local discussions about the dredging of Lake Hickory but he pointed out that the state was more concerned about wildlife and water flows than clean drinking water for human beings.

Commissioner Bolick stated that Forgiven Ministry recently hosted a camp at the Alexander County jail that allowed children to spend the day with their fathers. Lt. Brown from the Alexander Correctional Institution was the speaker for the day. Commissioner Bolick noted that their hope was that these children would make different choices than their fathers had.

David Icenhour, Economic Development Director, announced that Alexander County had been selected as a 2008 participant in the 21<sup>st</sup> Century Communities Program along with Clay, Camden, Nash, and Scotland Counties. He explained that the program assisted counties in planning for future economic activities by assessing the local economy, addressing areas of concern, identifying infrastructure needs, etc. Participation in the program also gives counties preferred status for many grants. Mr. Icenhour informed the Board that Alexander County had applied for participation in the program for the past 3 years.

Chairman Yoder urged citizens to attend two public meetings including a NC Department of Transportation forum on February 13, 2008 from 4:00-7:00 PM at the CVCC / Alexander Center to receive the public's views and opinions on transportation needs for the next 25 years. The Alexander County Comprehensive Plan Committee will be accepting public comment on the future growth and needs of the county on February 21, 2008 from 5:30-7:30 PM also at CVCC.

## **ADOPTION OF AGENDA**

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

## **STATE OF THE COUNTY MESSAGE**

Chairman Yoder gave the following State of the County Message:

I appreciate the opportunity to continue the tradition of presenting the State of the County message to the citizens of Alexander County. The State of the County continues to be good. This is mainly due to many very dedicated volunteers, hard working and professional County staff, along with the diligence and outstanding leadership from my fellow County Commissioners.

We are proud of the relationship we have with the Alexander County Board of Education. The Alexander County School System continues to be focused on every student achieving at the highest level. The "No Child Left Behind" federal legislation, which required schools to make Adequate Yearly Progress, was very successful in our school system as 7 of our 10 schools made Adequate Yearly Progress.

The school system has many caring teachers and others who are working very hard to support learning. Alexander County Schools rank as one of the top systems in the state in several areas dealing with teachers, which is one of the keys to a great school system.

- Our school system is the only one in the state of North Carolina to have 100% of our teachers Highly Qualified, as defined by the “No Child Left Behind” legislation for the past two years.
- Our school system ranked 16<sup>th</sup> out of 115 systems with a teacher turnover rate of 8.54%. The state average is 12.31%.
- Our school system is 10<sup>th</sup> in the state in the percent of National Board Certified Teachers.

Alexander County Schools was ranked first in the Unifour in all three of these categories.

The school system is close to completing an expansion and renovation project at Hiddenite Elementary School. The project consists of doubling the size of the cafeteria and renovating the existing section as well as adding 14 rooms for classes, Exceptional Children’s Program, ESL, and offices for guidance and the school nurse.

Over \$37 million in new construction has been completed consisting of 232,000 square feet.

The auditorium has been a very successful partnership between the Alexander County Schools and the Alexander County Government. The auditorium hosted over 200 events with over 57,000 people in attendance last year.

We are very proud of our school system and feel it is very helpful with our Economic Development Program to have a strong educational system.

In 2007, the Alexander County Economic Development Corporation, a federally recognized non-profit corporation, took on a more visible role in economic development. Its board of directors was restructured, resulting in a five-member board consisting primarily of existing industry representatives. The EDC operates as a stand-alone organization with staff provided by the County. Funding for the EDC is a combination of public and private funds.

In 2007, the county’s annual average unemployment rate was 5.3 percent. The unemployment rate is the 53rd lowest of the 100 counties. Among the Unifour Counties of Alexander, Burke, Caldwell, and Catawba, the average unemployment rate for 2007 was 5.9 % and Alexander County’s 5.3 % unemployment rate was the Unifour’s lowest:

Alexander: 5.3 %  
 Catawba: 5.5 %  
 Burke: 5.9 %  
 Caldwell: 7 %

Local industries such as Craftmaster Furniture, Schneider Mills, Paladin Furniture, and Paragon Films created approximately 100 new jobs in 2007. As part of EDC’s assistance

to local industries, \$110,000 in grant and loan funds were obtained and a Manufacturing Council was established.

The Alexander County Manufacturing Council was created to offer an opportunity for local industry leaders to meet and discuss issues related to doing business in the county. Two meetings of the council were conducted with approximately 30 industry leaders present. The EDC provides lunch and schedules speakers for the meetings. Topics discussed have focused on employee training and recruitment of new employees. Future meetings will include speakers from local government, NC Department of Commerce, NC Legislature, and others.

During 2007, the EDC submitted 22 proposals for Alexander County sites in relation to companies considering relocation. This is the highest number of proposals submitted since the County Economic Development Department was established in 2004. Some of these proposals were requested as a result of working relationships with the Charlotte Regional Partnership and the NC Department of Commerce while others were the result of internal marketing efforts such as the EDC website. Of the 22 proposals, 11 resulted in companies visiting Alexander County. Of those 11 visits, two selected Alexander County. In addition, 7 proposals are still open with no decision having been made by the companies.

The Alexander County Economic Development Corporation website recorded visits from 23 different countries. The website, AlexanderEDC.org, provides information about local industries, industrial sites, county demographics, and company relocation information.

Planning has continued and an engineering contract was awarded in 2007 for the \$1.8 million water and sewer project which will provide sewer service to Craftmaster Furniture, Paladin Industries, Hiddenite Fire Department, and a limited number of sites in Hiddenite. The project also offers the possibility of sewer service for Hiddenite Elementary School. This project will result in the creation of approximately 80 new jobs.

Alexander County received approval from the State of North Carolina Division of Environmental Health – Public Supply Section for a \$3.6 million low interest loan to extend nearly 30 miles of water lines into the northeastern area of the county. This project will be a partnership between Alexander County and Energy United Water Corporation. In addition, Alexander County has applied to the North Carolina Rural Center for a \$500,000 grant that would extend more water lines into this area of the county. This will be the largest water project in the history of Alexander County. Construction should be underway in the spring of 2008.

Alexander County has applied to the Parks and Recreation Trust Fund (PARTF) for a \$500,000 grant to construct an aquatic center. The aquatic center will house a 10 lane indoor swimming pool, 2 racket ball courts, a multi-purpose room, showers and locker rooms as well as offices for the Alexander County Recreation Department who will

operate the facility. This aquatic center will be available to all citizens including the ACHS swim team, which will practice and hold meets in the facility.

In 2007, Alexander County joined 21 other local governments from McDowell County, NC to York County, SC in the "Protect the Catawba Coalition." The coalition formed in response to an inter-basin transfer petition filed by the Cities of Concord and Kannapolis and approved by the Environmental Management Commission to transfer millions of gallons of water from the Catawba River. The coalition lobbied local legislators to approve House Bill 820, amending legislation governing approval of inter-basin transfers. The coalition also filed suit requesting the courts to overturn the transfer allotment.

A committee of 12 county residents was formed in 2007 to draft recommendations for a new Comprehensive Land Use Plan. The plan will address guiding principles and practices for future land use decisions in the next 10 to 15 years and will include provisions for issues including transportation, economic development, utilities, historic preservation, and recreation among others. The draft proposal will be submitted to the County Commissioners for review in April 2008.

In 2007, County staff began a program intended to identify, inspect, and eradicate unsafe and hazardous structures throughout the county. The program addresses abandoned residential and commercial units that are in a state of disrepair. Staff is working with over 80 property owners in this effort.

The end of 2007 also marks the end to the three-year evaluation of ozone readings by the Environmental Protection Agency. For the third year in a row, the ozone monitor located on Highway 16 North calculated readings below national standard and the county is now in attainment with the ozone standards. This re-designation to attainment status should assist in economic development recruitment efforts.

Alexander County has taken great strides in improving animal care and adoption in the county. Over 46% of all dogs taken to the County Center were adopted or reclaimed as compared to 12% in 2006. There were 87 animal bites reported in 2007. Animal Control officers responded to 378 complaints in 2007 and 234 traps were set. A low cost spay/neuter program began in mid December and over \$11,000 in grants have also been received by this department. Alexander County citizens are encouraged to spay/neuter their pets.

The fund balance of Alexander County's General Fund decreased for the second year in a row, down to 7.96% as of June 30, 2007. The County is working toward an intermediate goal of 12% and hopes to continue building the fund balance until it is acceptable to the Local Government Commission.

The County will borrow \$370,000 in February 2008 to purchase the building that houses the Bethlehem Branch Library. There are also two other projects on the horizon that will require the Local Government Commission's approval for the issuance of County debt. The first project is the construction of a jail facility at an estimated cost of at least

\$8,000,000. The second project is an aquatic center, which is expected to cost approximately \$3,000,000.

The County held a sales tax referendum on January 8, 2008 for the One-Quarter Cent County Sales and Use Tax that will assist us in funding a new or expanded jail and Sheriff's Office. The sales tax passed with 83.6% voting for the tax and 16.4% voting against. The new sales tax will become effective in Alexander County on April 1, 2008.

The North Carolina General Assembly passed a Medicaid relief bill that started on October 1, 2007. That was the day counties began to reap the benefits of the recently enacted state plan to phase out the county Medicaid share. The good news is that Medicaid is phased out over 3 years with 25% in 2007-2008, 50% in 2008-2009 and 100% in 2009-2010. This will save counties millions of dollars. The bad news is in exchange for Medicaid, the state will take one sales tax and part of another sales tax by changing the funding formula that will cost smaller counties millions of dollars. The change in the funding formula will cost Alexander County and Alexander County Schools over \$600,000 in 2009-2010. This action makes it more like a Medicaid swap than relief.

In 2007, the County hired an architect to design a new jail facility. Design and state approvals should be in place by 2009 and the County should be in position to construct a new facility. Superior Court Judge Michael Beale wrote the County a letter in late 2007 expressing concern and serving notice on the seriousness of the County jail problem. The Jail Committee met in December with Judge Beale and reviewed current plans. County Commissioners are committed to building a facility but don't want local taxpayers to pay the bill.

In 2007, Alexander County beefed up emergency services by adding 10 new paramedic positions, a new ambulance, and other items to increase emergency service to citizens in response to the local emergency room closing. The Alexander County Commissioners and the Town of Taylorsville have had numerous meetings with the owners of the facility. The hospital is not owned by the County or Town and there are a number of complex issues surrounding the property.

In closing, Alexander County will continue to feel growing pains in 2008. County officials will have a watchful eye on the General Assembly in the upcoming short session as the state budget discussions begin. Alexander County will stand firmly opposed to any mandates passed along to its citizens. The challenges are many and we look forward to the pursuit of fairness and equity to every taxpayer. Thank you to my fellow Commissioners and May God bless you.

**PUBLIC HEARING: CONDITIONAL USE PERMIT 08-1 -- DOROTHY WATKINS / HIDDENITE GEMS, INC.**

Sylvia Turnmire, Director of Planning & Development, presented Conditional Use Permit 08-1 submitted by Dorothy Watkins, owner of Hiddenite Gems, Inc. who requested conditional use approval to construct a 5,000 square foot education museum on property located at 424 Emerald Hollow Mine Drive. The size of the property is 37.34 acres and the current land use is a mine and educational. Ms. Turnmire stated that zoning within 100 feet of the property was RA-20 on all sides. There is single-family residential and agricultural property to the north, a manufactured home and agricultural property to the south, a mine and agricultural property to the east, as well as single-family site-built residential and singlewide manufactured homes to the west.

Ms. Turnmire stated that the applicant was proposing to construct a 5,000 square foot education museum on the subject property. The proposed structure was detailed as a 50 by 100 foot steel building on a concrete floor. She provided copies of the application, approved septic permit, and building illustrations for the Board's review. Ms. Turnmire explained that the site was currently accessed by a private one lane dirt road, Emerald Hollow Mine Drive. She also stated that she had located street access from the subject property to Sulphur Springs Road.

She informed the Board that the RA-20 zoning district permitted museums as a conditional use and she stated that the Board could choose to place conditions on the permit, if approved, to include street access or dimensional and landscaping requirements. Section 154.334(C) of the Alexander County Zoning Ordinance states that the County Commissioners may allow for the proper accommodation of the permit into the community of land uses which may be suitable only if such uses are designed for the site in a particular manner. Ms. Turnmire explained that, in granting a conditional use permit, the Board shall find that:

1. The application meets all of the regulations in the zoning district in which it is proposed.
2. The use for which the conditional use permit is sought will not adversely affect the health of safety of persons residing or working in the neighborhood of the proposed use.
3. Will not be detrimental to the public welfare or injurious to property or public improvements in the neighborhood.

She also stated that the Board may designate such conditions in connection where, in its opinion, assure that the proposed use would conform to the requirements and spirit of the ordinance.

Ms. Turnmire stated that staff had received no calls in opposition to the conditional use permit and only one call from an individual who requested information. She reported that Planning & Development staff recommended approval of the conditional use permit.

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

### **Public Comment**

Shawn Bennett, representative for Dorothy Watkins, stated that he had been employed at Hiddenite Gems, Inc. for nine years and was currently the foreman. He mentioned that the museum would be an educational and tourism facility that would include classrooms for education tours, house Ms. Watkin's personal collection of gems, and provide year round field trips for students. Mr. Bennett had no objections to widening the road if needed.

Bonnie Canter, owner of Canter Lane and the adjacent mobile home park, stated that she had no objection to the proposed museum; however, she asked that those involved be considerate of the neighbors in regards to the stir up of dust.

Commissioner Hammer stated that he was concerned about emergency vehicle access to the proposed museum on Emerald Hollow Mine Drive. Russell Greene, Emergency Services Director, was present at the meeting and stated that he did not foresee an access problem for emergency vehicles, pointing out that school buses entered and exited the road on a regular basis.

Commissioner Odom felt expanding the current one lane road to a two-lane road may be necessary due to increased traffic to the museum.

Commissioner Robertson inquired about the hours of operation. Mr. Bennett replied that operating hours were 8:30 AM to 7:00 PM during summer months and 8:30 AM to 5:00 PM the remainder of the year. Commissioner Robertson stated that he didn't want the hours of operation to create a problem for the neighbors.

Chairman Yoder felt the NC Department of Transportation possibly needed to make a recommendation on the additional use due to increased traffic.

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

Commissioner Robertson made a motion to approve Conditional Use Permit 08-1 to construct an education museum with the following conditions:

1. An established set of operating hours be created to remain consistent with 8:30 AM to 7:00 PM during summer months and 8:30 AM to 5:00 PM during all other times as previously mentioned.
2. Owner is considerate of neighbors and takes measures to reduce the amount of dust created by construction of the facility and the increase in traffic from the facility once completed.

Chairman Yoder requested an amendment to Commissioner Robertson's motion to add a condition for NCDOT approval of the additional use and made a motion for the amendment. Commissioner Robertson accepted the amendment and seconded the motion. The Board voted unanimously in favor of the motion.

Commissioner Bolick seconded Commissioner Robertson's amended motion. The Board voted unanimously in favor of the motion.

**PUBLIC HEARING: NC HIGHWAY 127 CONCENTRATED NEEDS PROJECT CDBG #05-C-1404 CLOSEOUT**

Nancy Coley, WPCOG Community Development Administrator, stated that this public hearing was being held to receive citizens' comments before submitting the Closeout Performance Report for CDBG #05-C-1404 (NC Highway 127 Concentrated Needs Project).

She stated that the \$524,199 grant was used to construct public water lines on Highway 127 between the intersections with Willie McLeod Road. A total of 10,230 linear feet of water lines and hydrants were installed serving 37 households and 82 low or moderate income persons.

Ms. Coley stated that 5 homes were also rehabilitated with the grant funds that benefited 9 low or moderate income persons.

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

Commissioner Hammer made a motion to submit the closeout papers for the NC Highway 127 Concentrated Needs Project to the Division of Community Assistance, NC Department of Commerce. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

**PUBLIC COMMENT PERIOD**

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

**JAIL PROJECT UPDATE**

Rick French, County Manager, updated the Board on the Jail Project by reiterating that the ¼ cent sales tax had been approved by voters on January 8, 2008 and that the Board had approved a resolution to enact the sales tax at the last meeting. The sales tax will become effective in April and the County will begin receiving revenues from the tax in July.

Mr. French recommended that staff move forward with contacting Jack Hemphill, Jail Project Architect, in regard to beginning the project in July.

The Board agreed with Mr. French's recommendation. Commissioner Robertson discussed the importance of selecting a site for the jail project no later than June. Chairman Yoder requested a public hearing be held to allow the citizens of the county to voice their opinion on the site.

### **NORTHEAST WATER PROJECT UPDATE**

Benjie Thomas, West Consultants, gave an update on the Northeast Water Project, stating that the design work had been completed and permits received to begin the project. The County plans to fund the project with a low interest loan from the NC Public Water Supply and, if approved later this month, a \$500,000 Rural Center grant. He stated that a low bid was received from Wilkie Construction on November 8, 2007 and he pointed out that bids had come in much lower than expected which would allow the installation of approximately 4 more miles of water line.

He stated that construction would begin in early March and construction would take approximately one year for the original project and approximately 6 months for the additional lines. Mr. Thomas pointed out, however, that the area was very rocky which could increase the cost if the contractor had to excavate, creating the possibility that one road included in the plans would not receive a water line.

Rod Watts, EnergyUnited Water Corporation, conveyed his appreciation to the Board for the opportunity to assist with this project. He stated that this area of the county desperately needed water. He also discussed the possible need for a pump station in the area in the future.

Commissioner Robertson suggested the remaining funding from the low interest loan and the possible grant not be designated for the additional 4 miles of water line until the contractor had determined if any extra costs would be necessary for excavation of rock. He also suggested Rick French, County Manager, meet with Mr. Thomas and Mr. Watts to discuss which area needed water first as a starting point for the project.

Chairman Yoder thanked everyone involved with this project. Mr. French thanked the WPCOG for their assistance with the loan and grant applications.

### **HIDDENITE SEWER PROJECT UPDATE**

Rick French, County Manager, reported that bids received for this project were also well under what was expected. He stated that Neil Grading was the low bidder with a bid of \$894,618 and he noted that a few more items needed to be addressed before construction began including a possible pump station and the extension of the line to Hiddenite Elementary School.

Mr. French stated that he would provide a full update and recommendation at the next meeting.

### **WELLNESS PROGRAM UPDATE**

Rick French, County Manager, informed the Board that Kim Stine, Benefits Coordinator, began a Wellness Program for County employees in July 2007. He reviewed progress made since that time including the creation of a Wellness Committee, a health profile survey that identified nutrition, physical inactivity, and stress as the three most prevalent health risk factors for County employees, and the development of a Walking for Wellness Program, which includes 118 participants. Other activities sponsored by the Wellness Program include a Stillpoint Center discounts, Curves discounts, the Great American Smoke-Out, monthly health promotions, and a monthly newsletter. Mr. French discussed the quarterly Lunch & Learn sessions which have focused on stress management and healthy eating habits and he noted that a Weight Watchers groups consisting of 13 employees began in September. Eleven employees completed the program with a total weight loss of 99.8 pounds. He also mentioned that health screenings were performed in January 2008 with blood pressure checks and a full blood panel for cholesterol, blood sugar, and PSA tests for men.

### **BUDGET ORDINANCE AMENDMENT #35**

Rick French, County Manager, discussed the purpose of Budget Amendment #35, which included the following information:

Budget Amendment #35 – To increase the Social Services budget for additional allocations of Crisis Intervention grant funds.

Commissioner Hammer made a motion to approve Budget Amendment #35. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

### **OTHER BUSINESS**

The following issues were discussed during Other Business:

- A. The annual Chamber of Commerce Banquet is scheduled for Monday, February 18, 2008 at the Alexander Central High School. The President's Reception will begin at 5:30 PM and dinner will be served at 6:00 PM.
- B. The 2008 Commissioner's Choice Awards Banquet will be held on March 17, 2008 also at ACHS.
- C. A complaint was received from a citizen regarding smoking by employees in the courthouse. Mr. French stated that the current policy allowed for special smoking rooms in several County buildings; therefore, he suggested a new policy be considered to prohibit smoking inside all County buildings.

Commissioner Bolick made a motion to approve the drafting of a new smoking policy for the next meeting. Commissioner Hammer seconded the motion. The Board voted unanimously in favor of the motion.

- D. Chairman Yoder stated that staff received written notification from Brian Elliot on February 11, 2008 to formally withdraw his rezoning request originally presented to the Board on December 3, 2007.

Commissioner Hammer 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 January 28, 2008 Regular Commissioners' Meeting and the January 30, 2008 Legislative Luncheon.
- B. Tax Release Requests for January \$4,822.09 and Tax Refund Requests January \$5,934.67.
- C. NC Department of Transportation Division of Highways Abandonment Petition for a portion of SR1631 Stikeleather Road.

Commissioner Bolick made a motion to approve the Consent Agenda. Commissioner Odom 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 THE DISCLOSURE OF CONFIDENTIAL INFORMATION, ECONOMIC DEVELOPMENT, CONTRACTUAL, & PERSONNEL**

Chairman Yoder made a motion to enter into Closed Session at 7:23 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 Robertson 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 8:12 PM. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

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Larry G. Yoder, Chairman

Jamie M. Starnes, Clerk to the Board