

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING September 14, 2009

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: W. Darrell Robertson, Chairman
 Wes Bolick, Vice-Chairman
 Ryan Mayberry
 Harold M. Odom
 Larry G. Yoder

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

MEDIA: Rick Gilbert, WACB Radio
 Micah Henry, The Taylorsville Times

The Alexander County Board of Commissioners held a regular meeting on Monday, September 14, 2009 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

Lee Branch, Recreation Department, gave the invocation and also led the Pledge of Allegiance to the Flag.

Mr. Branch stated that he had many responsibilities with the Recreation Department including working the fields, administrative duties, scheduling games and referees, etc. He informed the Board that other counties were impressed by our Recreation Department's standards, even though Alexander County had less manpower. Mr. Branch noted that he was very proud of the department and the opportunities it provided for the kids in the county.

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

The following recognitions took place:

Alexander Blue 10 & Under

The Board congratulated the Alexander Blue 10 & Under Girls Softball Team for winning the World Fastpitch Connection World Series in Myrtle Beach. Head Coach Frankie Keever gave some details from the game and introduced the players which included Chelsea Kryder, Katie Keever, Brinna Woods, Lydia Wheeler, Taylor Carrigan, Britney Kryder, Summer Childers, Courtney Gibson, Lacey Warren, Elizabeth Hager, and Bailey Harris.

Hiddenite Celebration

Dwaine Coley, Hiddenite Center Executive Director, was present to promote the 28th annual Hiddenite Celebration of the Arts scheduled for September 26, 2009. Celebration Week begins September 19th with a kickoff square dance, Josh Goforth and Laura Booth will perform at the schools on the 21st and for the senior's lunch on the 22nd, and Business After Hours will be held at the Lucas Mansion from 4:30-6:30 PM on the 24th for current and prospective Chamber of Commerce members. On Monday, September 28th, "I Love a Piano" the music of Ervin Berlin will be performed at the ACHS Auditorium. Mr. Coley also mentioned the Hiddenite Half-Marathon and 10K races sponsored by Alexander County to take place during the celebration. He stated that approximately 150 volunteers participated in the Hiddenite Celebration and he urged everyone to attend.

Industry Announcement

David Icenhour, Economic Development Director, announced that Caye Home Furnishings, LLC would be opening a furniture upholstery industry in the former Broyhill plant on Highway 90, creating 125 new jobs paying 110% of the average county wage. He also stated that Industrial Timber and NC Foam & Sales would be partnering with Caye and occupying space at the same location. Industrial Timber will create 17 new jobs and 20 jobs will be created by NC Foam & Sales. A blind job ad was featured in *The Taylorsville Times* which resulted in a total of 750 applications received by the Employment Security Commission.

Mr. Icenhour explained that a \$250,000 One NC Fund grant was received to aid in this project. The County also provided funding to the Economic Development Corporation to purchase 90 acres of the 118 acre tract of property, formerly occupied by Broyhill and adjacent to the Industrial Park, to market for future industries.

The Board thanked many for their contribution to this project including Mr. Icenhour and Jason Williams, Representative Ray Warren and Senator Steve Goss, and the news media.

ADOPTION OF AGENDA

Chairman Robertson requested the rescheduling of the September 28, 2009 Commissioners' Meeting be held during Other Business.

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

PUBLIC COMMENT

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

PUBLIC HEARING: WAKE ZONE PERMIT FOR LAKESIDE MARINA

Steve Bullins, NC Wildlife Officer, informed the Board that Mack McKinney requested a No Wake Zone at the Lakeside Marina on Lake Hickory, which requires a public hearing be held. He explained that a No Wake Zone helped enforce safety as well as kept docks and boats from being damaged by wakes. He also noted that Mr. McKinney would be responsible for purchasing and maintaining the buoys.

Commissioner Bolick asked how far back the buoys would be placed from the shore and who would install them. Mr. Bullins, who was filling in for Chad Starbuck, replied that he worked Lake Norman and could not accurately answer the question since the regulations differed from lake to lake.

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

Commissioner Yoder felt the Board should verify how many feet from shore the buoys would be placed as well as who would install them before a decision was made. Mr. Bullins suggested he step outside to contact Mr. Starbuck by phone. The Board agreed.

Commissioner Yoder made a motion to table the decision on the No Wake Zone Permit for Lakeside Marina until Mr. Bullins returned. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

Upon Mr. Bullins' return, Commissioner Yoder made a motion to reopen consideration of the No Wake Zone Permit. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

Mr. Bullins stated that after speaking with Mr. Starbuck, he learned that the buoys would be installed by Mr. McKinney at 150 feet from the shoreline. NC Wildlife will then inspect the buoys to determine proper installation.

Commissioner Bolick made a motion to approve the No Wake Zone Permit for Lakeside Marina. Commissioner Odom seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC HEARING: MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN 2009 UPDATE FOR ALEXANDER COUNTY / TOWN OF TAYLORSVILLE

Russell Greene, Emergency Services Director, reported that the Hazard Mitigation Task Force, after reviewing the existing Hazard Mitigation Plan as part of the 2009 update process, had determined that the goals established in 2004 still applied. Therefore, the task force recommended keeping the same goals which included:

1. Expansion of response forces.
2. Formation of a cooperative Hazard Mitigation Program.
3. Relocation of structure in flood plain.
4. Retrofit critical facilities to reduce collapse.
5. Duke Energy install visual and audible alarm.
6. Improve drainage in Muddy Creek (Town specific).

He explained that having the plan kept the County in compliance with the Disaster Mitigation Act of 2000 at the federal level and N.C.G.S. 166A at the state level, but did not guarantee funding to carry out the established goals. However, having an adopted plan is required for Alexander County citizens to be eligible for federal assistance following a Presidential Declaration of Disaster.

Mr. Greene stated that the updated plan had been reviewed by both State Emergency Management as well as FEMA.

Chairman Robertson called the public hearing to order and requested any public comment. There being no comments made, 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 Yoder made a motion to approve the 2009 updated Hazard Mitigation Plan which included the same goals established in 2004. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

H1N1 SWINE FLU UPDATE

Leeanne Whisnant, Health Director, gave an update on the H1N1 Swine Flu, a new strain of the influenza virus which combines swine, avian, and the human flu viruses. She assured the public that H1N1 could not be spread from animals or from eating pork products.

Symptoms of H1N1 and seasonal flu include fever (101 degrees or higher), chills, sore throat, coughing, headaches and body aches, fatigue, nausea, diarrhea, and vomiting. She explained that H1N1 spread easily between and that very few people were immune. She stated that good hygiene along with hand washing or using hand sanitizer, covering coughs and sneezes, not

sharing personal items, food safety, and getting flu vaccines could prevent the spread of the strain.

Ms. Whisnant pointed out that most people would recover without needing medical care but she urged citizens to seek medical for severe illness or if in a high-risk category (very young, elderly, and pregnant individuals).

Other items discussed were ways to prepare for a disaster or emergency such as stocking up on water, non-perishable foods, batteries, etc.

FRESENIUS MEDICAL CARE PROPOSAL FOR DIALYSIS FACILITY IN TAYLORSVILLE

Jim Swann, FJMC Regional Director of Health Planning, discussed plans to submit a Certificate of Need application for a 10-station dialysis facility in Alexander County on behalf of Fresenius Medical Care / Bio-Medical Applications of NC. He provided a slide show presentation that included information related to range of services, location of facilities, and need of a dialysis center in Alexander County.

Mr. Swann requested a letter of support from the Board to be submitted with their Certificate of Need application tomorrow.

Chairman Robertson stated that he was certain Fresenius Medical Care would provide an excellent service; however, he was aware that other organizations were also competing for the Certificate of Need, none of which had contacted the Board. Therefore, he noted that he had no information to compare these organizations with Fresenius. Chairman Robertson agreed to draft a letter of support that would state this fact.

Commissioner Bolick made a motion to draft a letter of support for Fresenius Medical Care/Bio-Medical Applications of NC based on their presentation to also state that Fresenius was the only organization that provided information to the Board on their plans for the dialysis facility. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

SOLID WASTE ENFORCEMENT ISSUES UPDATE

Josh Mitchell, Solid Waste Director, reported on enforcement of illegal dump sites in the county while presenting photos of several sites that had been identified and cleared. He stated that after receiving a complaint, the property owner was contacted and provided with the Solid Waste Ordinance, an illegal burning brochure, and a timeline for clean up. Mr. Mitchell explained that the Ordinance did allow the County to fine property owners \$50 per day if the dump site was not cleaned up in the timeframe allowed or the County could clear the site and charge the property owner for the cost of clean up and disposal; however, he noted that he tried to work with property owners as much as possible to get these illegal dump sites taken care of.

He informed the Board that he had received 70 complaints within the past year for illegal dump sites.

Mr. Mitchell also mentioned that beginning October 1, 2009, motor oil filters, pallets, and plastic bottles would be banned from the landfill. However, he noted that these items could be recycled at the landfill or convenience centers. October 31, 2009 is also the next Clean Alexander Day.

NORTHEAST AREA WATER PROJECT

Rick French, County Manager, presented a map of all existing and planned County and EnergyUnited owned water lines in the northeast area of the county, stating that this project had created a nice skeleton to build from in the future. He also pointed that Vashti Road was the next project to take place and noted that he would have a schedule for the project in the next few weeks.

BUDGET ORDINANCE AMENDMENTS #6 - #10

Rick French, County Manager, discussed the purpose of Budget Amendments #6 - #10, which included the following information:

Budget Amendment #6 – To increase the Pre-Trial Release budget to purchase a replacement computer (grant funding available for 75% of the cost). To adjust the Pre-Trial Release grant revenue (decrease the 2009-2010 estimated revenue due to a grant starting 10/1/09 instead of 7/1/09 and increase the 2009-2010 estimated revenue due to funds received for July-September 2009 grant activities budgeted at 2008-2009 revenues. To decrease budgeted transfers to the Capital Improvements Fund (25% local match for Pre-Trial Release computer). To increase the Forestry budget to the amount approved by the NC Forest Service as the County's share for 2009-2010. To reduce the Cooperative Extension Service budget due to the state's elimination of the SOS After School grant for 2009-2010.

Budget Amendment #7 – To increase the Sheriff's Department budget for monthly utility costs at the leased office space for detectives (item was omitted from the original budget for 2009-2010). To budget for the Sheriff's Department Traffic Safety Equipment Project through the NC Governor's Highway Safety Program. To budget for the purchase of bulletproof vests for the Sheriff's Department with US Department of Justice grant fund and Federal Equitable Sharing Funds.

Budget Amendment #8 – To decrease budgeted transfers from the General Fund (25% local match for Pre-Trial Release computer).

Budget Amendment #9 – To increase the Special Appropriations budget for \$250,000 to the Economic Development Corporation for local matching funds for the One NC Fund.

To increase the Special Appropriations budget for \$185,000 to the Economic Development Corporation for the first of three annual payments to purchase land for an economic development project.

Budget Amendment #10 – To increase the DARE budget for an employee to attend a training class in Kentucky (\$8,566).

Commissioner Bolick made a motion to approve Budget Amendments #6 - #10. Commissioner Mayberry 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 County performed 37 inspections in town limits during the month of August as well as responded to 18 animal related calls.
- B. The charge for the inmate injured in a fight in our jail in July was \$23,242.33. The injured inmate had back surgery at Catawba Valley Medical Center.

The Board agreed to draft a letter to the District Attorney, Clerk of Court, and district judges, with the medical bills attached, requesting restitution be included in the sentencing phase of inmates who take part in these types of acts so that the County can be compensated.

- C. We need to fund an additional \$10,000 for the Domestic Violence Resource Center. The center was closed in August due to lack of funding but the crisis line continued to be manned by DSS staff.
- D. Mr. French requested the rescheduling of the September 28th meeting to be held on Tuesday, September 29, 2009 so that representatives from Caye Home Furnishings could attend.

Commissioner Yoder made a motion to change the September 28th meeting to September 29th at 6:00 PM. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

CONSENT AGENDA

- A. Tax Release Requests for August \$16,368.86 and Tax Refund Requests for August \$938.28.
- B. Minutes from the August 17, 2009 Regular Commissioners Meeting.
- C. Contracts for UMI and NCMU for Alexander County Detention Center.
- D. Deem 2000 Dodge Ram 3500 Lift Van (Vin #2B6LB31Z7YK168657) as surplus.

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 Robertson made a motion to enter into Closed Session at 8:35 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 Yoder made a motion to adjourn at 9:15 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