

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING January 4, 2010

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

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

ABSENT: Harold M. Odom

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, January 4, 2010 in the CVCC / 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

Brook Bidy, Chamber of Commerce President, gave the invocation and also led the Pledge of Allegiance to the Flag.

Mr. Bidy discussed the annual Christmas Parade and Street Dance sponsored by the Chamber. He also stated that the Chamber had received 5,770 calls in 2009 as well as 3,543 walk-ins and 23,000 hits on the web page. Other events held by the Chamber include Business after Hours, a meet and mingle opportunity for business and industry leaders to share ideas, and Lunch n' Learns. Mr. Bidy informed the Board that Executive Director Denise Elder was working with state and unifour tourism groups to develop regional marketing tools and that staff was also coordinating with CVCC's small business center.

ADOPTION OF AGENDA

Chairman Yoder made a motion to adopt the agenda as presented. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC COMMENT

Luther Stocks, Tax Administrator, reported on Session Law 2009-308 House Bill, which would allow qualifying general contractors to receive a property tax deferral from 2010 to 2013 on real property held for sale. The act is effective for taxes imposed for taxable years on or after July 1, 2010. He explained that once the builder transferred the residence, the residence was occupied, or the 3-year period expired, the full amount of taxes plus interest would be due.

Mr. Stocks stated that builders must submit an application in January for a completed residence to quality.

Commissioner Bolick inquired about tax exemptions for the elderly. Mr. Stocks replied that tax exemptions were available for the elderly, disabled, and veterans for up to 50% of their property's value; however, he noted that citizens must apply for them to be eligible. All forms could be obtained at the Tax Office or by visiting the County web page.

PUBLIC HEARING: TEXT AMENDMENT 09-2 – ZONING ORDINANCE

Sylvia Turnmire, Director of Planning & Development, presented Text Amendment 09-2 to the definition and matrix sections of the Zoning Ordinance for uses which are not currently provided therein. She explained that in preparing the amendment, staff contacted adjoining counties and counties of similar size to compare their zoning districts, permitted uses, and specific regulations. The following amendment was reviewed:

- Section 154.006 Definitions. (add the definitions listed below)

Marina – a facility containing moorings and boat slips available for the use by the general public and which may also offer retail sales incidental to the use.

Watercraft Maintenance Facility – a commercial establishment devoted to the detailing and repair of privately owned watercraft. When proposed on a separate lot of record from a marina or watercraft sales facility, the maintenance facility must be located within a ½ mile of the lake as measured from the nearest point of the subject property line. Retail sales incidental to the use are allowed.

Watercraft Rental, Sales, or Storage – a commercial establishment devoted to the storage, rental, and sales of privately owned watercraft and incidental boating supplies.

- Section 154.202 Schedule of Uses and Permissible Conditional Uses.

Use

District

	<u>R-20</u>	<u>RA-20</u>	<u>R-SF</u>	<u>N-B</u>	<u>H-C</u>	<u>L-I</u>	<u>H-I</u>
<i>Watercraft Maintenance Facility (enclosed)</i>				C	X		
<i>Watercraft Maintenance Facility</i>					X		
<i>Watercraft Rental, Sales, or Storage</i>					X		

Ms. Turnmire noted that the Planning & Zoning Commission held a public hearing on December 3, 2009 and unanimously recommended approval of the amendment.

Commissioner Bolick expressed concerns with requiring watercraft maintenance facility to be located within a half mile from the lake, stating that he was aware of two current operations that would not comply with this requirement. He felt that this would limit businesses.

Commissioner Mayberry agreed, stating that there was no necessity for the requirement. Commissioner Robertson suggested striking the entire sentence from the amendment.

Chairman Yoder called the public hearing to order and requested any public comment. The following comments were heard:

Public Comment

Libby Stowe asked for clarification on what the Board was voting on tonight. She asked if this amendment would apply to a particular business or would change the zoning of property in her neighborhood (Taylorsville Beach Court).

Ms. Turnmire explained that this was a revision to the Zoning Ordinance only and would apply countywide, not to one particular piece of property.

Chairman Yoder added that any property owner wishing to establish these types of facility in the future would have to appear before the Planning & Zoning Commission as well as the Board of Commissioners to obtain approval.

Jodie Butler was assured that the changes to the ordinance would only allow these types of facilities in N-B or H-C districts. She also discussed her concerns about drainage of water, oil, etc. from the proposed maintenance facility on Taylorsville Beach Court.

Members of the Board again advised that this amendment was only to change the wording of the Zoning Ordinance, not to approve any type of particular use on a specific property.

Jarrett Stafford stated that his cousin planned to construct a shop at the former Taylorsville Beach Seafood to clean, detail, and repair watercraft. He explained that the building would be insulated to keep noise down and all work would be done inside.

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

Commissioner Robertson made a motion to approve Text Amendment 09-2, striking the entire sentence related to the half mile requirement of the watercraft maintenance facility. Commissioner Bolick seconded the motion. The Board voted three in favor of the motion (Commissioners Bolick, Mayberry, and Robertson) and one against (Chairman Yoder). The motion carried.

SMOKY MOUNTAIN CENTER REPORT

Brian Ingraham, CEO / Area Director for the Smoky Mountain Center, discussed a recent funding reduction from the state, 25% of which was appropriated to providers for individuals with no insurance or covered by Medicaid. He explained that due to staff efforts and appropriation of fund balance, as well as a partial reinstatement from the state, the funding cut was not as substantial as expected; however, he noted that sizeable reductions in programs and agencies had resulted.

He advised the Board that many services were held harmless due to their criticalness to the infrastructure of the network. Mobile crisis and recovery education centers were also not cut. Mr. Ingraham stated that in reducing funding to some programs, other programs received increases, which actually benefited for Alexander County.

Claudia Earle, Central Region Director for the Smoky Mountain Center, advised that Community Support Teams for adults had been increased in an effort to mitigate some of the risks associated with the cuts to services. Contracts have been approved with additional basic benefit providers. She mentioned that Level 3 and Level 4 residential programs for youth had been eliminated but noted that only 5 children in Alexander County had been affected. Three were been placed in a more home-based program, one aged out, and the other was court ordered to be in a Level III and therefore remained there.

Ms. Earle stated that another program funded for Alexander County was the Substance Abuse Intensive Outpatient Treatment for New River to provide which allows an individual to attend 3 days a week at 3 hours per day for treatment.

Chairman Yoder inquired about involuntary commitments, stating that law enforcement officers were tied up with those for days at a time until the person was admitted to a facility. He asked if any efforts had been made to alleviate that problem. Ms. Earle replied that involuntary commitments were still very much an issue because there were never enough beds to accommodate these individuals; however, she did note that Frye and Catawba Hospitals had beds available which helped.

NORTHEAST WATER PROJECT FINAL UPDATE

Benjie Thomas, West Consultants, informed the Board that the Hopewell Church Road water line had been completed and was now in service. He stated that the plans for Daniels Lumber,

King Sprinkle, Sharpe Mill, and Center Church Roads were completed and all permits had been received, with the exception of a DOT encroachment agreement.

He pointed out that there was one creek crossing on King Sprinkle Road that would be difficult to cross, which may require the pipe to be hung in the air. That decision will be made by NCDOT. Mr. Thomas hoped that Neill Grading could begin this project next month, which would take approximately 3-4 months to complete. He also noted that this would not be the final update for the Northeast Area Water Project.

Rod Watts, EnergyUnited Water Corporation, stated that only 70 households had hooked up to the Northeast water line so far.

VASHTI ROAD WATER PROJECT REPORT

Benjie Thomas, West Consultants, stated that staff had originally applied for a CDBG for this project, which served approximately one-half to two-thirds of the total length of Vashti Road. A Rural Center grant was later received to finish the road and tie into the water line at Judd Smith Road.

He mentioned that the plans were 90% complete and that staff hoped to have those completed this month in hopes to bid the project in March.

2010 COMMUNITY GRANT REPORT

Rick French, County Manager, explained that in the past the County had given up to \$1,000 to each community in the county, a total of \$10,000, as a match to supplies used to improve the appearance or quality of life in those communities. He recommended the County appropriate \$5,000 this year to award each community up to \$500.

He advised that he would prepare a budget amendment to be considered at the next meeting.

FINANCIAL REPORT

Rick French, County Manager, reviewed the 2009-2010 budget and tax survey prepared by the NCACC which compared budget information for Alexander, Burke, Caldwell, Catawba, Davie, Iredell, Lincoln, McDowell, Pasquotank, Wilkes, and Yadkin Counties. The following comparisons were discussed:

- * Number of employees and population
- * Budgeted expenditures for 2008-2009 and 2009-2010
- * Reduction percentage for 2009-2010 budget compared to 2008-2009
- * Assessed valuation for 2008-2009 and 2009-2010
- * Tax rate per \$100, property tax revenues, and one-cent levy equivalent

* Public school expenses, capital outlay, and debt service

Other items discussed were a statewide comparison by county of paved and unpaved secondary road miles, total maintenance for resurfacing, and tax increases required for counties to take over roads maintenance and paving.

Commissioner Robertson asked that these items be placed on the County web site for public viewing. Commissioner Bolick also asked that information related to how much revenue would be lost from the sales tax formulas changing from per capita to point of sale be posted.

BUDGET ORDINANCE AMENDMENTS #21 - #23

Rick French, County Manager, Rick French, County Manager, discussed the purpose of Budget Amendments #21 - #23, which included the following information:

Budget Amendment #21 – To budget for the purchase of a mobile video conferencing system for the courthouse. To amend the Juvenile Crime Prevention Council budget due to a 5% cut in state funding for 2009-2010. To reclassify Soil & Water revenues due to the state recoding these funds to a service contract.

Budget Amendment #22 – To budget for the transfer of assets, liabilities, and fund balance of the Highway 16 South Water Fund and the Sugar Loaf Water Fund to the County Water & Sewer Fund.

Budget Amendment #23 – To budget for the transfer of assets, liabilities, and fund balance of the Water Administration Fund and the Water Interconnect Fund to the County Water & Sewer Fund.

Commissioner Bolick made a motion to approve Budget Amendments #21 - #23. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

OTHER BUSINESS

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

- A. The WPCOG Annual Meeting and Banquet is scheduled for January 26, 2010 at 6:30 PM in Hickory.
- B. The Commissioners' Choice Awards Banquet will be held on March 16, 2010 at 6:30 PM in the ACHS Cafeteria.
- C. The next unpaid furlough day for Alexander County employees will be Friday, January 15, 2010.

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

CONSENT AGENDA

- A. Minutes from the December 7, 2009 Regular Commissioners' Meeting.
- B. Tax Release Requests for October \$3,713.35 and Tax Refund Requests for October \$4,103.53.
- C. Request for approval of late application for Farm Land Use.
- D. Request for an EMS bill to be forgiven for a volunteer fire fighter when injured on a call.

Commissioner Robertson made a motion to approve the Consent Agenda. Commissioner Mayberry 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 7:51 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 Robertson made a motion to adjourn at 8:15 PM. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

Larry G. Yoder, Chairman

Jamie M. Starnes, Clerk to the Board