

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING August 2, 2010

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

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

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

The Alexander County Board of Commissioners held a regular meeting on Monday, August 2, 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

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

A moment of silence was held prior to the invocation in memory of Karen Hoyle, DSS Director, who passed away on July 14, 2010.

*****SPECIAL RECOGNITION*****

Chairman Yoder presented a Key to the County to Guy Barriger who recently announced his resignation as Mayor of the Town of Taylorsville. Chairman Yoder stated that Mr. Barriger had served his community in many ways including as Mayor, Town Councilman, Driver's Education Instructor, several WPCOG committees, and also by volunteering at many events at Taylorsville Presbyterian Church. He also thanked Mr. Barriger's wife Linda for her support.

Mr. Barriger thanked the Board for the recognition and also his wife who stood behind him throughout his career.

COMMISSIONER'S REPORT

Commissioner Bolick announced that the repair of the Highway 127 bridge was complete. He noted that completion of the project was one week ahead of schedule.

Chairman Yoder reported that the NC Department of Revenue had authorized a sales tax holiday between 12:01 AM on Friday, August 6th through 11:59 on Sunday, August 8th. Sales and use tax will not be applied to the following items:

- Clothing with a sales price of \$100 or less per item.
- Sport or recreational equipment \$50 or less per item.
- Computers \$3,500 or less per item.
- Computer supplies \$250 or less per item.
- School supplies \$100 or less per item.
- School instructional materials \$300 or less per item.

Chairman Yoder also noted that United Way's Bark in the Park would be held on Saturday, August 7th from 10:00 AM until 1:00 PM at Matheson Park.

ADOPTION OF AGENDA

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

PUBLIC COMMENT

Patty Thorne informed the Board that she worked at the former license plate agency in Alexander County for more than 11 years, and had recently applied and was interviewed for the supervisor position at the new tag office to be opened in August. She pointed out that she had many letters of reference from this county and felt her qualifications and work experience in this field would stand alone; however, she was informed by County staff that even though she was the most qualified person for the position, the decision to hire other individuals came from "higher up." Ms. Thorne stated that she was being told the decision was political and asked the Board to explain to her and the taxpayers how the decision to hire less qualified people was reached.

She also noted that she had not received any rejection letter or correspondence from the County and that no one could explain to her why she wasn't offered the job.

Commissioner Robertson responded that the only person directly employed by the Board of Commissioners was the County Manager and that all other employee matters were handled through the Human Resources Department and the County Manager. He stated that the Board had never been involved in a vote to approve or disapprove an employee.

Commissioner Bolick asked if there were specific requirements for the job that were possibly not met by Ms. Thorne. She replied that the job description did not state that residency was a factor and that she was never asked if she was willing to move back to the county. She also noted that she never demanded a salary and was not offered a salary to refuse.

Commissioner Mayberry informed Ms. Thorne that he was not aware of who the individuals were that were hired to fill those positions. He stated that employment was left up to department heads and the County Manager and he assured her that it was not a political decision.

Commissioner Bolick pointed out that he had urged someone to apply for a County position at one time, but that the person didn't get the job because there was a more qualified candidate. He also stated that he had never instructed or forced County staff to hire anyone for a job.

PUBLIC HEARING: CDBG #09-R-1956 ARRA PROGRAM

Nancy Coley, WPCOG Community Development Administrator, discussed an amendment to the original CDBG-R application proposed to perform emergency repairs on 16 homes owned and occupied by low and very low income citizens of Alexander County who are elderly, handicapped, or single parents. She explained that the repairs have been completed on all 16 homes and that \$37,044 in unspent funds remains. Ms. Coley provided a list of 18 additional applicants and 5 alternates to receive these grant funds for repairs.

She stated that a public hearing was required by the Department of Commerce. Once approved, the amendment will be submitted to the Department of Commerce for their approval. CDBG-R funds provide 100% of the total project costs; therefore, no local funds are used.

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

Commissioner Bolick made a motion to approve the amendment to CDBG #09-R-1956 for the additional 18 applicants and 5 alternates. Commissioner Robertson seconded the motion. The Board voted unanimously.

PUBLIC HEARING: REZONING CASE 10-3 – HFW DEVELOPMENT CO. LLC

Sylvia Turnmire, Director of Planning & Development, presented Rezoning Case 10-3 submitted by HFW Development Company, LLC who requested rezoning of property located at the corner of Highway 16 South and Commerce Drive from L-I (Light Industrial) to H-C (Highway Commercial) to allow for medical offices. The size of the property tract is 4.95 acres and the current land use is vacant. Ms. Turnmire stated that zoning within 100 feet of the property was H-C to the north, south, and east, L-I to the south, east, and west with Town of Taylorsville

zoning to also to the east. Land uses within 100 feet of the property include a bank and vacant property to the north, a veterinary office and vacant property to the south, medical offices to the east, and manufacturing to the west.

Ms. Turnmire stated that the subject property was currently vacant. The proposed medical offices will only occupy 1.56 acres of the 4.95 acre tract and the use of the remaining acreage has yet to be determined. She noted that the property fell within a Watershed Class IV Protected Area, however noted that the 10/70 provision could be utilized.

She reported that Section 154.180 of the Zoning Ordinance states that the L-I District was intended to provide for the development of areas devoted to light manufacturing, processing and assembly uses, warehousing, distribution and servicing enterprises, and limited office activities. Section 154.170 states that the H-C 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.

Ms. Turnmire pointed out that the 2008 Alexander County Comprehensive Plan showed the west side of this portion of Highway 16 as being primarily industrial in nature but showed the east side of Highway 16 as being suitable for office-institutional use. This area also has potential for access to public water and sewer services.

The 1995 Alexander County Thoroughfare Plan mentions upgrading this section of Highway 16 from the Catawba River to the Wilkes County line as an identified future need.

She 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*. Staff did not receive any comments and no opposition was stated at the Planning & Zoning Commission hearing.

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

1. Proximity of similar zoning districts.
2. Consistency with the existing comprehensive plan.

The Planning & Zoning Commission held a public hearing on July 15, 2010 to consider the request and voted unanimously to approve the rezoning request and consistency with adopted plans based on the following supporting facts:

1. Proximity of similar zoning districts.
2. Consistency with the existing comprehensive plan.

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

Commissioner Robertson asked, if approved, that the property owner consider a setback for the potential future widening of Highway 16 South to 4-lane.

Commissioner Robertson made a motion to approve Rezoning Case 10-3 based on the fact that the surrounding zoning is similar to that which is proposed and the rezoning poses no negative impact to the area. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

**PUBLIC HEARING: WESTERN PIEDMONT REGIONAL TRANSIT AUTHORITY
2010-2011 ROAP APPLICATION**

Mike Bradshaw, WPRTA Planning Director, presented the 2010-2011 Rural Operating Assistance Program (ROAP) grant application for the Board's consideration. He explained that these grant funds would provide additional transportation beyond other funding sources and levels of service for the Elderly & Disabled Transportation Assistance Program (EDTAP), the Rural General Public (RGP), and the Work First/Employment Program.

The 2010-2011 grant application totaled \$165,749 which would be broken down as follows:

EDTAP Formula - \$45,389	RGP Formula - \$40,799
EDTAP Supplemental - \$26,165	RGP Supplemental - \$36,148
Employment Formula - \$7,651	
Employment Supplemental - \$9,597	

Commissioner Robertson informed Mr. Bradshaw that many seniors in the county had not been able to attend the Nutritional Program due to a WPRTA wait list. He stated that this was not responsive service and requested a monthly summary that showed who was using the service.

Mr. Bradshaw replied that WPRTA had applied for more state funding in an effort to address the wait list issue and put more vans in operation.

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

Commissioner Robertson made a motion to approve the 2010-2011 ROAP grant application as presented. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

VASHTI ROAD WATER PROJECT REPORT

Benjie Thomas, West Consultants, stated that the Vashti Road Water Project was now 30% complete. Water lines will begin at Highway 16 North and run along Vashti Road stopping at Judd Smith Road. Crews plan to have the project completed in January 2011.

He also advised that there was a possibility of having remaining funds once the project was finished, noting that Carson Chapel Road and Vashti Fire Department Road could be completed with this funding.

INSPECTIONS DEPARTMENT REPORT

Sylvia Turnmire, Director of Planning & Development, presented an Inspections Department Report which included the number of permits issues and estimated cost of construction by fiscal year from 2000-2001 through 2009-2010.

She pointed out that there was a definite decline during the past several years due to the economic situation in the country; however, she stated that staff had noticed a significant increase in permits for agricultural structures such as poultry houses.

Ms. Turnmire also mentioned that the department actually exceeded its projected revenue for 2009-2010 by 10%.

SEALED BID FOR SALE OF COUNTY SURPLUS PROPERTY – GLASS ROAD

Rick French, County Manager, stated that sealed bids were opened on July 26, 2010 for a one-acre tract on Glass Road. Only one bid was received for \$2,500 submitted by Eric T. Ferguson. Mr. French recommended the Board accept this bid since it met the minimum bid requirement.

Commissioner Robertson made a motion to accept the bid of \$2,500 from Eric T. Ferguson for the one-acre tract of property on Glass Road. Commissioner Bolick seconded the motion. The Board voted unanimously in favor of the motion.

BUDGET ORDINANCE AMENDMENTS #5 - #8

Rick French, County Manager, reviewed the purpose of Budget Amendments #5 - #8, which included the following information:

Budget Amendment #5 – To increase the Sheriff’s Department budget for the purchase of 4 vehicles from state contract. To increase the Extension Service budget for donations from outside sponsors and United Way grant funding received during the 2009-2010 budget year that were not spent by June 30, 2010.

Budget Amendment #6 – To budget for work on the Teague Town water line (to reimburse the City of Hickory for materials estimated at \$29,579).

Budget Amendment #7 – To budget for a Rural Center Building Renovation grant and match for Composite Fabrics.

Budget Amendment #8 – to budget for a Rural Center Building Renovation grant and match for Piedmont Wood Products.

Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of 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 License Plate Agency will re-open on Tuesday, August 24th with operating hours from 9:00 AM until 5:00 PM. The office will remain open at lunch.

Commissioner Robertson stated that staff was investigating extended hours and possibly Saturdays.

- B. Mr. French has given McGill Associates the go ahead to begin the engineering for the lower end of Church Road. There is about 13,000 feet of Church Road that will not have water after the upper end is constructed. Engineering costs for the lower end is \$27,800 and the construction estimate is \$450,000. A budget amendment will be presented at a later meeting.
- C. The County has collected 30% less sales tax revenue in the past 11 months than this time the previous year; however, the County should meet the budgeted revenues for the 2009-2010 budget.
- D. All TANF ARRA funds have been distributed and the monitoring of these funds will end on September 30, 2010. Mr. French stated that Karen Hoyle was very instrumental in obtaining these funds for subsidized employment.
- E. Mr. French suggested holding a work session on either August 23rd or August 30th at 6:00 PM at the County Administration Building.

Chairman Yoder made a motion to hold a work session on August 23, 2010. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

CONSENT AGENDA

- A. Minutes from the July 12, 2010 Regular Commissioners' Meeting.

B. Home and Community Care Block Grant SFY2011.

Commissioner Mayberry made the motion to approve the Consent Agenda. Commissioner Robertson 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 7:19 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 Mayberry 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 7:55 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