

Draft

**BOARD OF COMMISSIONERS
WORK SESSION** October 24, 2011

**ALEXANDER COUNTY
STATE OF NORTH CAROLINA**

PRESENT: W. Darrell Robertson, Chairman
 Ryan Mayberry, Vice-Chairman
 James “Burkie” Jennings
 Judy M. Moose
 Larry Yoder

STAFF: Chris Bowman, Sheriff
 Rick French, County Manager
 Seth Harris, County Planner
 Jamie Starnes, Clerk to the Board
 Sylvia Turnmire, Human Resources Director

The Alexander County Board of Commissioners held a work session on Monday, October 24, 2011 in the County Administration Building downstairs conference room in Taylorsville, North Carolina.

REQUEST FROM SHERIFF’S DEPARTMENT

Sheriff Chris Bowman discussed an email that he received on Tuesday, October 18, 2011 from Rick French, County Manager, informing him that two vacant full-time positions were being taken from the Sheriff’s Department budget in order to fill needed positions at DSS. This occurred after Sheriff Bowman had spoken to Chairman Robertson at the Apple Festival on Saturday, October 15, 2011 about the need for more deputies. He understood that other departments had needs but asked why these positions were taken from a department that provided safety to the citizens of this county and was already shorthanded.

Mr. French explained that the commissioners had agreed when they approved the 2011-2012 budget not to exceed a certain amount of full-time employees which meant that some shifting would occur when there were vacancies in one department and personnel needs in another. In this case, DSS needed 3 positions and there were two vacant positions in the Sheriff’s Department budget and one in the Garage budget. He noted however that only the vacancies were taken and that the funding allotted for those positions still remained in the Sheriff’s Department budget.

Sheriff Bowman explained that he had not filled those positions because the Board had asked him some time ago to save money by using part-time help. He noted that he could’ve employed 4 more part-time employees with those two vacancies and felt it was unfair that these positions

were taken, especially since a deputy had to accompany DSS workers on most of their calls. He also pointed out that he provided a deputy at County Commissioners' Meetings as well as special events such as the Hiddenite Road Races and the recent bike ride organized by County officials.

Commissioner Mayberry stated that Mr. French had authority to hire, fire, and transfer employees/positions at will; however, he noted that he would have voted against the transferring of positions from the Sheriff's Department to DSS had a budget amendment been presented to the Board. He also felt departments needed to make a case when requesting positions.

Mr. French advised that only one of the 3 positions had been filled if the Board wished to change their minds.

Commissioner Yoder stated that this was simply a budgetary move, pointing out that the 2012-2013 Sheriff's Department budget would see significant changes in the number of employees due to the opening of the new detention center.

Commissioner Jennings asked why these two positions had been vacant for a year if more help was needed at the Sheriff's Department. Sheriff Bowman replied that he had not filled them because the Board had asked him to save as much as possible.

Commissioner Moose commented on Sheriff Bowman's statement that he was short staffed, pointing out that numerous Sheriff's deputies responded to the same calls on a regular basis. She also stated that the Board was in a tight position too and didn't want to spend taxpayer money to hire additional employees which was why the shift took place.

Commissioner Mayberry asked Sheriff Bowman to give the Board a few days to discuss this issue and take his comments into consideration.

Deputy Cars

The purchase of new deputy cars was also discussed. Sheriff Bowman suggested the Board consider the Dodge Charger that runs on 4 cylinders but can shift to 8 cylinders when needed. The County currently owns one of these vehicles so staff has experience with it.

He stated that a police package was offered on a Ford Taurus, which had been suggested by the Board to save money, but he noted that the package made the purchase price of the Taurus increase quite a bit. He also mentioned that the Taurus was not a popular police vehicle so it was hard to get an opinion of how they compared to other vehicles.

COMPREHENSIVE PLAN DISCUSSION

Seth Harris, County Planner, presented the Alexander County Comprehensive Plan which was adopted on April 21, 2008.

Commissioner Mayberry felt the Board needed to develop a plan of action from the items listed within the Comprehensive Plan that would consist of several goals to be completed relatively soon. He provided a list of items that he wished to see accomplished.

At this time, Chairman Robertson entered the meeting. The clock read 6:53 PM.

Several commissioners mentioned their concerns. Commissioner Moose was interested in the removal of abandoned mobile homes. Mr. Harris noted that grant funding was available for that.

Rick French, County Manager, suggested the Board compile a smaller list that staff could focus on completing. It was agreed that each commissioner would select 10 goals from the Comprehensive Plan and list provided by Commissioner Mayberry by the November 7th meeting. Mr. French stated that a work session could be arranged for further discussion at a later date.

LAW ENFORCEMENT & DETENTION CENTER PROJECT UPDATE

Rick French, County Manager, stated that through October 21, 2011, a total of \$2,433,474 has been spent from the project loan. This breaks down to:

- \$1,604,845 jail construction expense (payments since January 2011 to architect, construction contractor, engineer, surveyor, etc.).
- \$796,824 transfer to General Fund (reimbursement to General Fund for project costs incurred prior to borrowing the money).
- \$31,805 administration costs (fees associated with borrowing the money).

He stated that some issues had been incurred with the soil testing and that a lot of soil had to be replaced at the site. The walls for the law enforcement center are now up and footings are being poured for the detention center. Projections are for the project to be completed in October 2012 with staff moving in early 2013.

Neil Shepherd, Special Inspector, was present at the work session and wished to speak, stating that he performed materials testing and inspections at the site and was very concerned with the concrete being poured for the footings. He pointed out that the concrete was weak and the rebar was the wrong size. He also stated that his soil tests had failed, but after someone else was hired to do the soil tests, they passed.

Other issues brought up by Mr. Shepherd were that he could not get a set of plans from anyone to verify most of what he needed to do his job and that he had to report to Mr. French and Russell Greene instead of the contractor. He elaborated that he reported to the contractor at every other job site he had worked at who then reported to the architect.

Mr. French disagreed with Mr. Shepherd's claims and advised that he had received several complaints about Mr. Shepherd's crew as well. He felt that these issues needed to be discussed in the presence of Architect Frank Randel as well as Russell Greene. Chairman Robertson agreed.

Commissioner Mayberry suggested a meeting be scheduled with Mr. Shepherd and other appropriate individuals very soon.

MINIMUM HOUSING DISCUSSION

Seth Harris, County Planner, discussed the draft Minimum Housing Code, originally drafted in 2003 and recently reviewed during a work session held on August 29, 2011. He explained that the draft code had been developed from a School of Government model but tweaked to better fit Alexander County. He also noted that recent legislation changes pertaining to “reasonable cause” had also been added.

Chairman Robertson suggested the following revisions:

- Remove the entire first paragraph under 158.001 Purpose of Article.
- Change the ordinance to read that the Building Codes Administrator would perform inspections and any appeals from homeowners would first be heard by the Housing Appeals Board and finally the Board of Commissioners if no resolution occurred.
- Verify if the Building Codes Administrator can perform oaths and affirmations.
- Revise the Public Authority definition under 158.002 to state “any officer or designee”...

Chairman Robertson also expressed concerns with #16 under 158.011 Unsafe Conditions relating to wall sheathing, noting that any home built according to the 1976 or later code did not have the fire barriers between walls and would not pass the proposed code.

Commissioner Jennings suggesting placing the N.C. General Statute giving the Building Code Enforcement Officer free access to property in the Minimum Housing Code.

Commissioner Mayberry asked if the Planning & Zoning Commission could serve as the Housing Appeals Board. Sylvia Turnmire, Former Planning & Zoning Director, stated that the Building Services Advisory Committee would be a better fit for the Housing Appeals Board due to the experience of the members.

Commissioner Moose stated that she was concerned with the removal of burned out and abandoned homes. Mr. Harris suggested a separate ordinance to deal with those types of cases.

Commissioner Yoder suggested Mr. Harris review minimum housing policies from other counties to find a simpler model.

The Board agreed to review policies adopted by other counties once provided by Mr. Harris as well as Mr. Harris drafting a separate policy for dealing with burned out or abandoned homes.

WORKERS' COMPENSATION POLICY REVISIONS

Sylvia Turnmire, Human Resources Director, presented suggested revisions to the Workers' Compensation Policy to accommodate the transfer of Workers' Compensation responsibilities from Human Resources to Risk Management, update HIPAA & OSHA terminology, and verb tense and grammar revisions.

After review, Chairman Robertson suggested several items be placed in an attachment to the policy including specification of the timeframe to report injuries to the third party administrator, the list of participating hospitals, contact information for Risk Management and Human Resource Offices, and the per mile reimbursement at NCIC rate.

Chairman Robertson also asked that "must" be changed to "shall" under Section 11. Alcohol and Controlled Substance Testing, paragraph 3 and "and/or" under Section 12. Discipline and Consequences, C. Positive Drug Test and Alcohol Test read "drug or alcohol screen."

Several members of the Board also asked that the policy be changed to state that anyone testing positive for a drug or alcohol screening would immediately be terminated, instead of being "subject to disciplinary action, up to and including termination."

OTHER BUSINESS

Rick French, County Manager, informed the Board that the recording equipment at the CVCC / Alexander Center had failed during the last Commissioners' Meeting; therefore, no video was taken during the Key to the County presentation to Dr. Josephine Foster. He suggested the Board meet early at the next meeting to film a "do over" for Ms. Foster.

ADJOURNMENT

There being no further discussion, Commissioner Yoder made a motion to adjourn at 8:46 PM. Commissioner Jennings seconded the motion. The Board voted unanimously in favor of the motion.

W. Darrell Robertson, Chairman

Jamie M. Starnes, Clerk to the Board