

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING November 18, 2013

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: James “Burkie” Jennings, Chairman
 Larry Yoder, Vice-Chairman
 Ryan Mayberry
 Judy M. Moose
 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, November 18, 2013 at the CVCC / Alexander Center in Room 103, Taylorsville, North Carolina.

CALL TO ORDER

Chairman Jennings called the meeting to order at 6:00 PM.

INVOCATION & PLEDGE OF ALLEGIANCE

Vice-Chairman Yoder gave the invocation and Commissioner Mayberry led the Pledge of Allegiance to the Flag.

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

Linda Mundy, Elections Director, was given a Key to the County in recognition of over 15 years of service with the Alexander County Board of Elections Office.

Each member of the Board conveyed their appreciation to Ms. Mundy and wished her the best of luck in her retirement. Nancy Sharpe, Board of Election Chairperson, also provided comments.

Ms. Mundy thanked the members of the Board of Elections, the Board of Commissioners, and her staff for their assistance throughout the years.

COMMISSIONER’S REPORT

Commissioner Moose stated that she enjoyed watching the veteran's interviews on the PEG channel on Veterans Day. Chairman Jennings agreed and thanked Ginger Annas and Chad Ritchie for their work in getting those interviews recorded and broadcast.

ADOPTION OF AGENDA

Chairman Jennings requested the addition Budget Amendments #15-#17 to Agenda Item #11 (Budget Ordinance Amendments) as well as an agreement between the Sheriff's Department and Smith Rodgers for 24-hour law enforcement legal support as Item J under the Consent Agenda.

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

PUBLIC COMMENT

Judy Caywood announced that the annual Bethlehem Star Lighting, hosted by the Bethlehem Community Development Association, would be held on Saturday, December 7, 2013 at 7:00 PM at Mt. Pisgah Lutheran Church. This event has taken place for more than 30 years and was featured in the December 2008 issue of *USA Today Weekend*.

Activities will include a living manger scene and scripture reading by Mt. Bethel United Methodist Church, live music by the High Rock Quartet, a bonfire, and a singing Santa. Cub Scout Pack & Boy Scout Troop #157 will serve hot chocolate, apple cider, and cookies. Ms. Caywood gave a special thanks to Herschel Teague who rebuilt the star after it was damaged by a summer thunderstorm.

Chairman Jennings added that it was customary for the Board to declare Christmas in Bethlehem beginning with the date of the annual star lighting. Therefore, he requested the Board declare December 7-31, 2013 as Christmas in Bethlehem. Commissioner Moose seconded the motion. The Board voted unanimously in favor of the motion.

BLUE STAR MEMORIAL

Ginger Annas, Veterans Service Director, advised that the Veterans Committee wished to purchase and install a Blue Star Memorial marker at the courthouse square in honor of all past, present, and future Alexander County veterans and requested approval to move forward.

She explained that the program began in 1945 as the Blue Star Highway Program honoring WWII veterans and was later expanded to include all veterans and use of markers. All costs will be covered by VFW Posts 5466 and 10,000, DAV Chapter 84, American Legion Post 170, and the Veterans Committee. A dedication will be planned for the annual Memorial Day service held at the courthouse.

Commissioner Robertson made a motion to allow the Veterans Committee to move forward with the purchase and installation of a Blue Star Memorial marker as requested. Commissioner Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

Ms. Annas also reported that veterans could receive a free flu shot and sign up for V.A. healthcare at the Senior Center on Thursday, November 21, 2013 from 10:00 AM until 12:30 PM. Veterans should bring their DD214 or I.D. card with them.

ECONOMIC INDICATORS NEWSLETTER REPORT

Taylor Dellinger, WPCOG GIS Analyst, gave a power point presentation which included Alexander County trends related to population, employment, wage and poverty, retail sales, housing, and educational attainment. The following information was reviewed:

- Population status from 1960-2010, also by age group, and projections for 2010-2030.
- Number and types of jobs from 2000-2013, unemployment rates, employment losses and gains.
- Poverty rates and median household income from 2010-2013.
- Revenue from retail sales from 2008-2010.
- Types of housing units 1970-2010, number of building permits 2007-2013, and number of foreclosure cases 2000-2013.
- Percentages of citizens with high school diplomas and college degrees from 2007-2012.

EMERALD HOLLOW MINE – USA TODAY ARTICLE

Gary Herman, EDC Small Business Development Coordinator, introduced Dottie Watkins, owner of Emerald Hollow Mine / Hiddenite Gems Inc., which was listed among the “10 Great Places to Hunt for Treasure” in a *USA Today* article dated October 8, 2013. He added that the mine was featured along with mines from Texas, Arkansas, Alabama, Virginia, California, Oregon, New York, and Nevada, as well as a one in Franklin, NC.

Ms. Watkins stated that the mine had been in operation for 37 years and was visited by thousands each year, including many school and church groups. Visitors pay \$5 for a bucket of ore to sluice and pick through or \$100 for a “Cutter’s Choice” bucket and a guarantee to find rough face-grade gemstones. She also noted that weddings could soon be held on the 70-acre site.

PUBLIC HEARING: CONDITIONAL USE PERMIT 13-4 = BRASWELL

Seth Harris, County Planner, presented Conditional Use Permit 13-4 submitted by Stewart Braswell who requested conditional use approval for expansion of a lawn mower repair business at property located at 650 Macedonia Church Road, owned by Roger & Iris Auton and Asa & Elaine Kerley. The size of the property is .56 acres, zoned RA-20. The current land use is

residential along with lawn mower repair. Mr. Harris stated that zoning within 100 feet of the subject property was RA-20 on all sides. Land uses within 100 feet include single family residences to the north and west, manufactured homes to the north and east, agricultural property to the south and east, as well as vacant property to the south.

He explained that the business existed on the subject property prior to the adoption of countywide zoning in 2001. Mr. Braswell built racing engines at the subject property until 2010 when he began the lawn mower repair shop.

The RA-20 District allows the proposed use with conditional use approval from the Board. Letters were sent by first class mail to adjoining property owners, a sign was posted on the property, and a legal advertisement was placed in *The Taylorsville Times* to announce the public hearing. Staff has not received any calls regarding this request.

Mr. Harris reported that staff recommended approval of the conditional use permit with the following conditions:

1. No open storage of parts, scrap metal, or other items that may constitute a violation of the Solid Waste Ordinance.
2. No open storage of mowers or other vehicles not owned by the property owner.
3. One row of landscaping as specified by Section 154.039 of the Zoning Ordinance.
4. Business hours shall be limited to the hours between 8:00 AM and 8:00 PM, Monday through Sunday.

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

Public Comment

Applicant Stewart Braswell advised that he had purchased the property on which the business was located from his sisters and that Attorney Mark Davis was scheduled to record the deed as early as today. He also clarified that he would not be open on Sundays, only Monday through Saturday, and that he planned to provide screening on the south and east sides of the property. Mr. Braswell agreed to plant a buffer on remaining sides if required in the future.

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

Commissioner Moose made a motion to approve Conditional Use Permit 13-1 to include conditions specified by staff as well as the following clarifications (as mentioned by Commissioner Robertson):

- The business will not be open on Sundays.
- The conditional use permit is subject to finalization of the land sale.
- Screening will be provided on the south and east sides at this time and other remaining sides if necessary in the future.

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

UPDATE TO COUNTY CELL PHONE ALLOWANCE POLICY

Rick French, County Manager, presented an update to the County Cellular Telephone Allowance Policy to reflect IRS changes that went into effect with the Small Business Jobs Act of 2010. The County has since followed the rules in practice but the document has not been updated to reflect the nontaxable treatment of employer-provided cell phone and cell phone allowances for employee-owned cell phones.

Commissioner Mayberry made a motion to approve the update to the Cell Phone Allowance Policy. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

ADOPTION OF 2014 HOLIDAY SCHEDULE

Chairman Jennings presented the 2014 Alexander County Holiday Schedule as follows:

New Year's Day	Wednesday, January 1, 2014
Martin Luther King Jr.'s Birthday	Monday, January 20, 2014
Good Friday	Friday, April 18, 2014
Memorial Day	Monday, May 26, 2014
Independence Day	Friday, July 4, 2014
Labor Day	Monday, September 1, 2014
Veteran's Day	Tuesday, November 11, 2014
Thanksgiving	Thursday & Friday, November 27-28, 2014
Christmas	Wednesday & Thursday, December 24-25, 2014

Commissioner Mayberry made a motion to approve the 2014 Alexander County Holiday Schedule as presented. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

ADOPTION OF 2014 COUNTY COMMISSIONERS' MEETING SCHEDULE

Chairman Jennings presented the 2014 Commissioners' Meeting Schedule as follows:

January 6, 2014	June 2, 2014
February 3, 2014	July 7, 2014
March 17, 2014	August 4, 2014
March 24, 2014	September 8, 2014
April 7, 2014	October 6, 2014

May 5, 2014
May 19, 2014

November 3, 2014
December 1, 2014

Commissioner Mayberry felt the July 7th meeting was too close to the Independence Day holiday and suggested that meeting be changed. After discussion of schedules, the Board agreed to hold a second meeting in June (June 23rd) and cancel the July meeting.

Commissioner Mayberry made a motion to approve 2014 Commissioners' Meeting Schedule as amended. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

SALES TAX REPORT

Rick French, County Manager, reported that \$582,563 had been collected in sales tax revenue for the first 2 months of the 2013-2014 fiscal year which is \$19,427 less than this time last year or 3.2%. The hold harmless total is at approximately \$50,000.

BOARD APPOINTMENTS & REAPPOINTMENTS

Rick French, County Manager, presented the following appointments and reappointments:

Building Services Advisory Committee – Reappoint Clint Canaday, Brent Fox, Mark Foy, David Land, Tony Lackey, Larry Jenkins, Seth Harris, Lynn Teague, Bert Gibson, Commissioner Robertson, and Commissioner Mayberry for one year.

Smoky Mountain Board of Directors – Appoint Rick French and endorse appointments from other 22 counties in the LME/MCO.

Commissioner Mayberry made a motion to approve the appointments and reappointments as presented. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

BUDGET ORDINANCE AMENDMENTS #8 & #17

Rick French, County Manager, discussed the purpose of Budget Amendments #8 - #17, as follows:

Budget Amendment #8 – To budget for a refund to the NC Department of Juvenile Justice for 2012-2013 unused balances from the JCPC Council and the Rainbow Center Temporary Shelter Care. To decrease the Extension Service budget due to reduced funding from United Way for 2013-2014. To increase the DSS budget for transportation funds passed through the WPRTA.

Budget Amendment #9 – To increase the Health Department budget for additional WIC funds, for additional Healthy Community funds, for Community Transformation grant funds and Project Lazarus funds, and for vaccination clinics for industrial groups in Alexander County. To set up separate budget line items within the Health Department budget for the Care Coordination for Children and the Pregnancy Care Management Medicaid Programs originally budgeted as part of the Child Health and Maternal Health budgets.

Budget Amendment #10 – To budget for the School System’s use of lottery funds from FY 2012 for the Sugar Loaf Elementary School Project.

Budget Amendment #11 – To budget for an NCDOT reimbursement received for the Ben Eller Lane water line relocation.

Budget Amendment #12 – To budget for payment of the loan fee to NCDENR for the Drinking Water State Revolving Fund loan for improvements in Bethlehem and Ellendale.

Budget Amendment #13 – To amend the Multi-Year Grants Fund for the close-out of the JAG Program grant and the transfer of the remaining cash balance of local funds back to the General Fund.

Budget Amendment #14 – To amend the County Capital Projects Fund budget to close out the Parks & Recreation Improvements Fund from prior years, the County Buildings Major Repairs Project Fund, and the Information Technology Projects Fund and transfer remaining cash balances back to the General Fund.

Budget Amendment #15 – To transfer funds between departments for allocation of annual insurance premiums for property & liability and worker’s compensation.

Budget Amendment #16 - To transfer funds between departments for allocation of annual insurance premiums for property & liability and worker’s compensation.

Budget Amendment #17 - To transfer funds between departments for allocation of annual insurance premiums for property & liability and worker’s compensation.

Commissioner Robertson made a motion to approve Budget Amendments #8 - #17. Commissioner Moose seconded the motion. The Board voted unanimously in favor of the motion.

OTHER BUSINESS

Rick French, County Manager, reviewed the following items during Other Business:

- A. The Alexander County Christmas Parade is scheduled for Saturday, December 7, 2013 at 3:00 PM.
- B. The Taylorsville Rotary Club Reindeer Romp 8K and Fun Run will be held on November 30, 2013 at 9:00 AM at Town Park.
- C. The bid opening for the Bethlehem / Ellendale Water System Improvements Project is set for November 21, 2013 at 2:00 PM. The total estimate for the project is \$2.5 million and will take approximately one year to complete.
- D. As of today, the new detention center is housing 106 inmates – 89 male, 17 female, and 19 from Caldwell County.
- E. The next Commissioners' Meeting will be December 9, 2013.

CONSENT AGENDA

- A. Tax Release Requests (\$21,973.05) and Tax Refunds (\$1,082.87) for September 2013.
- B. Minutes from the October 7, 2013 & October 21, 2013 Regular Commissioners' Meetings.
- C. Service Contract between WPRTA and Alexander County DSS.
- D. Resolution Urging the NCDHHS, General Assembly, and Governor to Delay, Revisit, and Revise the Requirements Concerning the Governance and Appointment of Elected County Officials as Board Members to the Smoky Mountain LME/MCO Board of Directors.
- E. Unifour RPO Amended Memorandum of Understanding.
- F. Inter-County Agreement between Alexander County and Caldwell County for Housing of Inmates.
- G. Resolution for Approving Local Water Supply Plan – Alexander County PWS 01-02-020.
- H. Request for perk test reimbursement for Habitat for Humanity.
- I. Dusty Ridge Park Master Plan Addendum.
- J. Agreement between the Alexander County Sheriff's Department and Smith Rodgers PLLC for 24-hour law enforcement legal support.

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, 2, 4, 5, & 6) TO PREVENT THE DISCLOSURE OF CONFIDENTIAL INFORMATION, DEGREES/PRIZES/AWARDS, ECONOMIC DEVELOPMENT, CONTRACTUAL, & PERSONNEL

Commissioner Mayberry made a motion to enter into Closed Session at 8:03 PM to prevent the disclosure of confidential information and to discuss degrees/prizes/awards, economic development, contractual matters, and personnel issues pursuant to N.C.G.S. 143-318.11(a)(1, 2,

4, 5, & 6). Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

ADJOURNMENT

There being no further business, Commissioner Mayberry made a motion to adjourn at 9:15 PM. Commissioner Robertson seconded the motion. The Board voted unanimously in favor of the motion.

James H. Jennings, Chairman

Jamie M. Starnes, Clerk to the Board