

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING January 6, 2014

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

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

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

The Alexander County Board of Commissioners held a regular meeting on Monday, January 6, 2014 at the CVCC / Alexander Center in Room 103, Taylorsville, North Carolina.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Jennings gave the invocation and Commissioner Moose led the Pledge of Allegiance to the Flag.

COMMISSIONER’S REPORT

Commissioner Jennings encouraged the public to bring their pets indoors tonight and tomorrow night due to extremely cold temperatures.

Chairman Yoder advised that Vice-Chairman Mayberry was held up at a meeting and would either be late or unable to attend tonight. He also noted that the Republican Party would be voting on a replacement tomorrow night for former Commissioner Darrell Robertson.

ADOPTION OF AGENDA

Commissioner Jennings made a motion to adopt the agenda as presented. Commissioner Moose seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC COMMENT

The following comments were heard:

- Kathy Riddle announced the 3rd Citizens for the Future of Alexander County Public Forum scheduled for January 16th at 7 PM at the CVCC / Alexander Center, noting that R.G. Absher with Yadkin River Greenway Council would be present to speak about greenway projects.
- Laura Cranford discussed concerns regarding several issues at the animal shelter related to staffing, housing of animals, and foster & adoption practices, mentioning her negative personal experience with fostering a dog from the shelter. She also asked several questions and gave statements, including:
 - How long would it take the Animal Control Supervisor to respond to emergency calls as a resident of a county other than Alexander?
 - Was the Animal Control Supervisor position posted to the public and why would the County not hire local citizens when possible?
 - Is the Animal Control Supervisor given a travel expense given the fact that they are a non-Alexander County resident? According to Alexander County policy, travel to and from the workplace is not reimbursable.
 - Why is shelter cleaning duties not shared among all employees?
 - Can it be confirmed that the shelter is up-to-date on all required paperwork and documentation?
 - Why are volunteers given keys to the shelter allowing access to cash and vaccines?
 - Is the use of profanity by volunteers how we want to advertise, promote, and educate the public on adoption, spaying, and neutering?
 - Why were 18 healthy dogs euthanized in December to make room for feral cats?
 - Why are feral cats being held in dog holding areas? Did cages holding feral cats go without cleaning, given the safety and health issues related to handling such cats?
 - It is her understanding that an adult feral cat was placed in the cat condos inside the cat holding area on December 19th and left there until December 30th when it was euthanized along with many dogs. Why was the cat kept so long? Were

these animals assessed by a veterinarian or did the Animal Control Supervisor give orders for them to be euthanized without just cause?

- Is it not the duty of the shelter to house animals of good temperament and personality for possible adoption? If so, why are feral cats being housed?
- Why was the Catawba County Humane Society's offer to send volunteers to help with work duties at the shelter never addressed?
- Was it appropriate for a citizen to be turned away from entering the shelter due to the type of shoes she was wearing and if so, why were animals not brought out for her to view? A sign should be posted outside making citizens aware of the dress code.
- It is her understanding that, although returned to the owner when he came to claim his dog at the shelter, a resident's dog was taken by Animal Control from his property for no reason.
- Last Friday, a citizen donated several hundred dollars as well as supplies to the shelter without even a thank you from the Animal Control Supervisor.
- Smoking by employees should be addressed considering that the County has a policy prohibiting the use of tobacco products on County property and in vehicles.

PUBLIC HEARING: REZONING CASE 14-2 – UNITY CHRISTIAN CHURCH

Seth Harris, County Planner, presented Rezoning Case 14-2 submitted by Unity Christian Church who requested rezoning of property located at 7860 NC Hwy 90 East from H-C (Highway Commercial) to RA-20 (Residential Agricultural) to allow for a church and private school. The size of the property is 4 acres and the current land use is a church. Zoning within 100 feet of the property is RA-20 to the south, east and west as well as H-C and L-I (Light Industrial) to the north. Land uses within 100 feet of the property include commercial property to the north, residential property to the south and east, and vacant property to the west.

The existing building was constructed in 1971 and was owned by Jones Fish Camp Inc. until 2009 when it was sold to the current owner. Although a church is an allowed use in the H-C District, a private school is not which prompted the request.

He advised that Section 154.170 of the Alexander County Zoning Ordinances stated that the purpose of 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. Section 154.140 states that the RA-20 District is established to provide low-density residential and agricultural purposes including single-family dwellings, two-family dwellings, individual manufactured homes, and related uses necessary for a sound neighborhood.

The 2008 Comprehensive Plan shows the proposed future use of the area as being industrial. The 2012 average daily traffic count for this section of Lentz Road was 1,000 trips per day and a nearby section of Highway 90 logged 3,300 trips per day.

Mr. Harris noted 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 received several calls for information only.

He informed the Board that Planning & Development staff recommended approval of the request due to similar adjacent zoning districts and because the property lies within a transitional zoning area between current commercial, industrial, and residential zoning district. He also stated that the Planning & Zoning Commission met on January 2, 2014 to review the request and voted unanimously to recommend approval.

Mr. Harris advised that based on the information provided, the Board must determine whether the rezoning request meets the guidelines set forth above and is reasonable in regards to the public interest.

Chairman Yoder called the public hearing to order and requested any comments.

Public Comment

Angela Gettler, Founder of Alexander Christian Academy, explained that the same grades currently offered at their Bethlehem site (K-6) would be provided at this location. Plans are to eventually expand curriculum to K-12.

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

Commissioner Jennings made a motion to approve Rezoning Case 14-2 based on similar adjacent zoning districts and because the property lies within a transitional zoning area between current commercial, industrial, and residential zoning district. Commissioner Moose seconded the motion. The Board voted unanimously in favor of the motion.

AWARD BIDS FOR BETHLEHEM / ELLENDALE WATER PROJECT

Doug Chapman, McGill Associates, presented bids received on November 21, 2013 for the Bethlehem / Ellendale Water System Improvements Project, noting that Buckeye Construction Co. Inc. of Canton, NC submitted the lowest bid with a total base bid amount of \$2,896,924.74. Alexander County received a 0% interest loan from NCDENR Public Water Section that will be paid back entirely with water user fees.

The project will provide updates to the Bethlehem pump station, replace the Ellendale water tank, and install water lines from the east end of Devil's Track Road to Blakenship Road, Teague Town Road, and Bowmans Cutover.

Commissioner Jennings made a motion to award the bid for the Bethlehem / Ellendale Water System Improvements Project to Buckeye Construction Co. Inc. for \$2,896,924.74. Commissioner Moose seconded the motion. The Board voted unanimously in favor of the motion.

RECOGNITION OF SUGAR LOAF & VASHTI FIRE DEPARTMENTS FOR NEW ISO RATINGS

Russell Greene, Emergency Services Director, announced that Sugar Loaf and Vashti Fire Departments had recently undergone review by the NC Department of Insurance, Office of State Fire Marshal, to determine fire insurance classification, which is used in the calculations of property insurance premiums. Both departments were issued an ISO rating of Class 7, saving approximately \$100 per year on a \$100,000 home, effective February 1, 2014.

Chief Steven Carson, Vashti Fire Department, thanked his department volunteers for their work in obtaining the new ISO rating.

Vice-Chairman Mayberry entered the meeting at 6:36 PM.

Mr. Greene informed the Board that current ISO ratings were as follows – Class 7 for Stony Point, Hiddenite, Ellendale, Sugar Loaf, and Vashti Fire Departments; Class 6 for Central Alexander (Taylorsville) and Wittenburg Fire Departments, and a split Class 6/9 for Bethlehem Fire and Rescue.

Mr. Greene also discussed tonight's extremely cold weather forecast, noting that shelters would be available for citizens if needed at Stony Point Baptist Church Linsey Hall and in the Sheriff's Office Lobby. Anyone needing non-emergency assistance should call (828) 632-2991.

RECREATION DEPARTMENT & ROCKY FACE PARK UPDATES

Jon Presnell, Recreation Director, gave a report on 2013 activities for the Parks and Recreation Department that included staff, types of sports offered each season, fundraisers, and upgrades to parks.

Alisha Stamey, Rocky Face Park Director, gave a slide show presentation while discussing attendance at Rocky Face Park since its opening in May 2012 as well as activities offered, special events, and current projects.

CAPITAL PROJECT BUDGET ORDINANCE P-2 FOR BETHLEHEM / ELLENDALE WATER PROJECT

Rick French, County Manager, presented Capital Project Budget Ordinance P-2 to budget for the Bethlehem / Ellendale Water System Improvement Project (Project #WIF-1650).

Vice-Chairman Mayberry made a motion to approve Capital Project Budget Ordinance P-2. Commissioner Jennings seconded the motion. The Board voted unanimously in favor of the motion.

SALES TAX REPORT

Rick French, County Manager, reported that \$1,162,001.83 had been collected in sales tax revenue for the first 4 months of the 2013-2014 fiscal year which is \$49,017 less than this time last year or 4%. This is also 32% of the amount budgeted for 2013-2014 which is \$3,611,000. The hold harmless total is at \$78,113.

BOARD APPOINTMENTS & REAPPOINTMENTS

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

Local Emergency Planning Committee – Reappoint William Hammer, Leanne Whisnant, Chris Bowman, Russell Greene, Kathy Bunton, and Cindy Holman for 3 years.

Joint Nursing & Adult Care Community Advisory Committee – Reappoint Donna Aubuchon for 3 years.

Planning & Zoning Commission – Reappoint Don Harrington for 2 years.

Juvenile Crime Prevention Council – Reappoint Jennifer Hefner, Chris Bowman, Carrie Nitzu, Krista Hiatt, Melissa Ledbetter, Holly Yongue, Brandon Lowe, Genesis McWhorter, Kevin Beale, Jennifer Nance, Matt Cooksey, Kim Cowart, Jerry Ratchford, Jan Barriger, and Nikki Kahill for 2 years.

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

BUDGET ORDINANCE AMENDMENT #19-#24

Rick French, County Manager, discussed the purpose of Budget Amendments #19 - #24, as follows:

Budget Amendment #19 – To increase the EMS budget for a non-cash grant of 3 mobile radios for use in EMS vehicles purchased by NC Baptist Hospital and transferred to Alexander County EMS. To increase the Health Department budget for additional Healthy Community, Project Lazarus Funds, and for additional vaccinations needed for

an Industrial Clinic. To increase the Christmas Parade budget for expenses that were higher than estimated.

Budget Amendment #20 – to reimburse the Emergency Telephone System Fund for 2013 expenditures that should have been paid from the General Fund’s 911 Communications Department.

Budget Amendment #21 – To budget for the remaining funds needed to complete current Information Technology projects – Employee Self-Service Software Project for Human Resources and Finance (\$21,775), Inspections Software Project for Inspections / Environmental Health / Emergency Management (\$22,368), Storage Area Network Project for data storage and virtual server performance improvement (\$32,000), and Fiber Optic Network Project / connection to Linney’s Mountain (\$70,000).

Budget Amendment #22 – To budget for allocation of the County Engineer’s salary and benefits between the two water enterprise funds.

Budget Amendment #23 – To increase the Animal Control budget for the purchase of a van to transport animals to rescue groups.

Budget Amendment #24 – To adjust budget estimates for sales tax hold harmless funds to the School System based on year-to-date receipts.

Commissioner Jennings made a motion to approve Budget Amendments #19 - #24. Vice-Chairman Mayberry 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 2013 average daily inmate population by month for the Detention Center totaled 70 for April, 73 for May, 64.5 for June, 76 for July, 76.5 for August, 80.5 for September, 94.5 for October, 101 for November, and 111 for December. The first Caldwell County inmates arrived on October 16th and were billed at \$55 per day per inmate for a total of \$6,655 for October. Caldwell County was billed at \$55 per day until the contract agreement commenced on November 27th at \$45 per day for 35 beds. Caldwell was billed \$27,530 for November and \$48,825 for December.
- B. Mr. French is meeting with Animal Control Supervisors and staff weekly. From December 16, 2013 until today, 43 animals (36 dogs and 7 cats) have been taken into the shelter and 7 animals have been adopted (4 dogs and 3 cats). A total of 34 dogs have been sent to rescue groups and 16 feral cats and 2 dogs have been euthanized.
- C. The WPCOG Annual Banquet will be held on January 28, 2014 at 6:30 PM.

- D. The Veterans Committee has recommended a 20-foot buffer around monuments at the Courthouse and is working on a policy for reserving the lawn for special events.
- E. The 2014-2015 budget process will begin on January 9th with a meeting of County department heads. A 6 to 8 cent tax increase will be needed to break even with the operational cost of the Sheriff's Office and Detention Center.
- F. County staff will be meeting with WPCOG staff regarding a proposal for minimum housing and other development regulations. The WPCOG has also been asked to review EMS calls in relation to future planning of a new base and a 4th crew. Eight or 9 new employees and another ambulance would be necessary to move forward.
- G. Chairman Yoder reported that the NC Department of Insurance received a homeowners insurance rate filing from the NC Rate Bureau in the late afternoon of Friday, January 3rd with a request of a statewide average rate increase of 25.3% with a requested effective date of August 1, 2014.

CONSENT AGENDA

- A. Tax Release Requests (\$2,473.06) and Tax Refunds (\$6,660.13) for December 2013.
- B. Minutes from the December 9, 2013 Regular Commissioners' Meeting.
- C. Surplus of 1997 John Deere articulation wheel loader.

Vice-Chairman Mayberry made a motion to approve the Consent Agenda. Commissioner Moose 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

Chairman Yoder made a motion to enter into Closed Session at 7:37 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). Vice-Chairman Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

ADJOURNMENT

There being no further business, Commissioner Jennings made a motion to adjourn at 8:04 PM. Vice-Chairman Mayberry seconded the motion. The Board voted unanimously in favor of the motion.

Larry Yoder, Chairman

Jamie M. Starnes, Clerk to the Board