

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING November 3, 2014

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: Larry Yoder, Chairman
 Ryan Mayberry, Vice-Chairman
 Andrew Ferguson
 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, November 3, 2014 at the CVCC / Alexander Center in Room 103, Taylorsville, North Carolina. A reception honoring outgoing Commissioners Moose, Jennings, and Ferguson was held prior to the meeting.

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.

*****SPECIAL RECOGNITIONS*****

Commissioner Jennings presented a Key to the County to Ray and Marie Sipe for their dedicated service to Alexander County and long-term commitment to the Senior Center. He mentioned Ms. Sipe’s fundraising efforts for the Senior Center and her service on the Senior Center Advisory Committee as well as the history of Sipe Lumber Inc. and Mr. Sipe’s military background.

Chairman Yoder presented Keys to the County to Commissioners Judy Moose and Burkie Jennings for their service as an Alexander County Commissioner from December 2010 to November 2014 and Commissioner Andrew Ferguson for his service as an Alexander County

Commissioner from February – November 2014. Each commissioner provided parting comments.

COMMISSIONER'S REPORT

Commissioner Jennings discussed the many accomplishments by the current Board during the past 4 years including the CVCC / Applied Technologies Project, the Cohort Program for ACHS seniors, additional \$250,000 appropriation to the school system for the low wealth funding loss, Craftmaster Furniture renovation of the former Broyhill plant, new C-R zoning for the Brushy Mountain and Ole Still Golf Clubs, site preparation at the Industrial Park for a speculative building, creation of a Small Business Development Coordinator position with the Economic Development Office, Bethlehem / Ellendale Water Project, future turning lane at Wayside Church and Highway 16 South, efforts to identify and demolish unsafe and uninhabitable structures throughout the county, PARTF grant for Rocky Face Park, Alexander County Visitor's Center at the Hiddenite Center's Lucas Mansion, the new Sheriff's Office and Detention Center, formation of a Veterans Committee which has led to the placing of a Blue Star Memorial at the Courthouse, an annual Veterans Day Ceremony, and the "Our Veterans, Our Heroes" video documentaries.

Vice-Chairman Mayberry urged the public to vote tomorrow on Election Day, a right that many fought and died for.

ADOPTION OF AGENDA

Chairman Yoder requested the addition of Budget Amendment #14 to Agenda Item #13 (Budget Ordinance Amendments) as well as a Memorandum of Agreement with CVCC during Other Business.

Commissioner Jennings made a motion to adopt the agenda as amended. Commissioner Moose seconded the motion, which passed unanimously.

PUBLIC COMMENT

Cecilia Tadt, Alexander County 4-H Representative at the YouthVoice 2014 NCACC Youth Summit, was present to discuss her experience at this year's NCACC Annual Conference held August 14-16, 2014 in Asheville as well as interviews with County staff and Commissioners.

VETERANS DAY CEREMONY

Kris Knowlton, DAV Chapter 84 Commander, announced that a special Veterans Day Ceremony would be held on Tuesday, November 11, 2014 at the ACHS Auditorium beginning at 11:00 AM. A free lunch will be provided to all veterans and one guest.

He also mentioned that the DAV Chapter 84 hosted an open Coffee Call every Tuesday morning from 7:00-10:00 AM for veterans only to allow for fellowship and updates regarding rights and benefits, etc. In addition, the DAV Auxiliary Unit 84 is hosting a free poor boy supper for veterans and their families on November 7th from 5:00-7:00 PM at the DAV on Carrigan Road.

CHRISTMAS PARADE ANNOUNCEMENT

Dwaine Coley and Lenny Rogers promoted the 68th annual Christmas Parade sponsored by Alexander County. The early deadline for parade entries is November 5th and registration fees will increase by an additional \$25 after that date. Mr. Coley announced that the parade would once again travel in reverse, traveling down Liledoun Road and turning right onto Main Avenue. Dr. Russell Faulkenbury has been chosen as this year's Grand Marshal and 1949 beauty queens Joyce Sharpe and Colleen Hendren will also ride in the parade. Staff is searching for a 1949 queen from Happy Plains School if any citizen has information.

PUBLIC HEARING: CONDITIONAL USE PERMIT 14-2 – TREFZGER / OWEN OPPORTUNITY FUND, LLC

Seth Harris, County Planner, presented Conditional Use Permit 14-2 submitted by Charles Trefzger Jr. / Owen Opportunity Fund, LLC who requested conditional use approval for a distillery at property located at 1157 Player's Ridge Road. The size of the property is 1.488 acres, now zoned C-R, and the current land use is a golf course and restaurant. Zoning within 100 feet of the property is R-20 to all sides and land uses within 100 feet include residential on all sides.

Owen Opportunity Fund, LLC purchased the subject property in 2013. The owners are currently operating the Ole Still Golf Club as well as a restaurant and pro shop located in the golf course's club house. The owners plan to add a distillery in the lower level of the club house. A distillery must be federally licensed and approved by the NC ABC Commission before production can begin at this site.

The C-R (Commercial Recreational) District allows for lodging establishments with conditional approval from the Board. The Zoning Ordinance defines a distillery as a legal establishment for the manufacture, blending, fermentation, processing, and packaging of distilled alcohol spirits (including but not limited to rum, vodka, and whiskey). Such facility does not provide onsite retail sales and must comply with all ABC Commission laws and permits. He added that since the property directly abutting the subject property is non-residential in nature (golf course), the Zoning Ordinance does not require visual screening or a landscaping buffer; however, a landscaping buffer is a reasonable condition that could be considered by the Board. Existing parking facilities meet Ordinance requirements.

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. Previous mailings initiated several phone calls, a few of which were directly opposed to the proposed distillery.

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

1. The proposed use must comply with all ABC Commission laws and permits.
2. Truck traffic associated with the delivery of materials and the transport of finished product shall be limited to the hours between 6:00 AM and 9:00 PM.

Chairman Yoder made a motion to call the public hearing to order and requested any comments.

Public Comment

John Halter, Director of Sales and Marketing, responded to questions by the Board related to a possible driveway for pickups, future expansion, landscaping, and weekly production. He advised that this would be a small batch distillery with estimated production of 3,000 cases per year and that the establishment would support local farmers and create jobs. Mr. Halter also invited all veterans to play a free round of golf at the Ole Still Golf Course on Veterans Day, November 11, 2014 and announced that a golf tournament would be held on December 6th to raise money for homeless veterans.

Martha Starnes, adjoining property owner, was opposed to the distillery and questioned how this type of establishment could be allowed after the citizens of the county voted against all forms of alcohol during the ABC Referendum last year. She pointed out that the golf course had gone bankrupt 3 times, noting that the sale of alcohol had not kept their doors open before.

There being no further comments, Vice-Chairman Mayberry made a motion to close the public hearing. Commissioner Jennings seconded the motion, which passed unanimously.

Commissioner Jennings made a motion to approve Conditional Use Permit 14-2 to include the following conditions.

1. The proposed use must comply with all ABC Commission laws and permits.
2. Truck traffic associated with the delivery of materials and the transport of finished product shall be limited to the hours between 6:00 AM and 9:00 PM.
3. No Sunday deliveries.

Vice-Chairman Mayberry seconded the motion and then moved to amend Commissioner Jennings motion to add that a landscaping buffer be constructed next to Ms. Starnes property to block her view of the distillery. Commissioner Moose seconded the motion.

Mr. Harris advised that conditions imposed could only pertain to the particular property in question (1.488 acres where club house is located), noting that the property next to Ms. Starnes was not included in this conditional use permit. Therefore, Vice-Chairman Mayberry withdrew his motion for the landscaping buffer condition.

The Board voted unanimously in favor of the original motion made by Commissioner Jennings and seconded by Vice-Chairman Mayberry.

PUBLIC HEARING: ECONOMIC DEVELOPMENT INCENTIVE GRANT

David Icenhour, Economic Development Director, requested approval of an Economic Development Incentive Grant for Schneider Mills relating to the addition of manufacturing equipment resulting in a tax valuation increase of \$2,455,363. The grant will consist of payment to the company equal to 50% of property taxes paid for the first 4 years after completion of the capital investment.

Chairman Yoder called the public hearing to order and requested any comments. There being none, Vice-Chairman Mayberry made a motion to close the public hearing. Commissioner Moose seconded the motion, which passed unanimously.

Vice-Chairman Mayberry made a motion to approve the Economic Development Incentive Grant for Schneider Mills as requested. Commissioner Moose seconded the motion, which passed unanimously.

PUBLIC HEARING: 5310 ENHANCEMENT OF SENIORS AND PERSONS WITH DISABILITIES

Cindy Holman, DSS Director, discussed the 5310 Program grant that would provide transportation for Alexander County seniors age 65 and older or under age 65 and disabled to congregate meal programs within Alexander County 5 days per week. It will also allow these individuals to do essential shopping, provide access to medical care and pharmacies, attend adult daycare, participate in volunteer activities, education, employment, and attend Senior Center activities. The intended service area is within the rural areas of Alexander County.

The total project budget is \$194,592 broken down as 80% federal (\$155,647), 10% state (\$19,459), and 10% local. She advised that the local match would be provided by the Home and Community Care Block Grant funding. The project is for one year beginning July 1, 2015 and staff plans to reapply next year.

Camille Sterling, WPRTA Director, discussed the Greenway routes as well as the Taylorsville bus route and pricing for trips. Commissioner Jennings suggested Ms. Sterling coordinate with the DAV to prevent overlapping of services for veterans.

Chairman Yoder called the public hearing to order and requested any comments. There being none, Commissioner Ferguson made a motion to close the public hearing. Commissioner Jennings seconded the motion, which passed unanimously.

Commissioner Ferguson made a motion allowing staff to move forward with applying for the 5310 Program Grant. Commissioner Jennings seconded the motion, which passed unanimously.

Upon request by Ms. Holman, Commissioner Ferguson made a motion approving the Public Transportation 5310 Program Resolution. Vice-Chairman Mayberry seconded the motion, which passed unanimously.

INCREASED CHILD WELFARE FUNDING UPDATE

Cindy Holman, DSS Director, reported that Alexander County would be receiving additional federal funding in the amount of \$44,981 for the Child Welfare In-Home Expansion Program (\$34,424) and Child Protective Services (\$12,557). She reported that this was an effort to replace previous federal funding lost approximately two years ago and that a request for use of this funding would be provided later in the meeting (Budget Amendment #14).

APPROVAL FOR PIGGYBACK PURCHASE OF 2014 AMBULANCE

Doug Gillispie, Interim EMS Director, requested approval to purchase an AEV ambulance from Northwestern Emergency Vehicles for the price of \$129,998, noting that the Board approved a piggyback off Wake County's contract at the September 8th meeting. However, he also requested the purchase of a Stryker Power Pro Cot for an additional \$14,948 which could prevent back injuries due to lifting of heavier patients.

The Board advised that only \$130,000 had been appropriated in the 2014-2015 budget for an ambulance purchase and that a budget amendment would need to be prepared for the power stretcher. Therefore, Mr. Gillispie was asked to return at the December 1st meeting with a request specifically for the Stryker Power Pro Cot.

Commissioner Jennings made a motion to approve the purchase of the AEV ambulance from Northwestern Emergency Vehicles for \$129,998. Commissioner Ferguson seconded the motion, which passed unanimously.

HOME HEALTH PROGRAM CRISIS

Leeanne Whisnant, Health Director, informed the Board that the Home Health Program has seen a drastic decline in referrals within the past few months, noting that though a steady decline had been occurring since 2008, last year was the first year the program had not been profitable. This is due to several factors including a large variety of providers available, medical facilities referring patients to other providers due to mergers or partnerships, and a decline in elective surgeries due to the Affordable Care Act.

She reported that staff was making efforts to bring this problem to the public's attention and make it known that citizens must ask for Alexander County Home Health when a referral is

made. The Board of Health will make a recommendation regarding the future of the program in January 2015 based on any progress made through the end of the year.

Ms. Whisnant also gave a brief update on Ebola including ways the disease is spread, symptoms, and plans in place to respond if necessary.

ARCHITECT RECOMMENDATION FOR APPLIED TECHNOLOGIES PROJECT

Rick French, County Manager, advised that 3 architect firms submitted proposals to convert the former Apparel Technologies building into a training space for welding, metallurgy, and furniture manufacturing classes including ADW Architects from Charlotte, CBSA from Hickory, and Winstead Architects from Newton. The committee formed to interview firms unanimously recommended CBSA Architects who submitted a bid of \$177,000.

Phase 1 of the project includes 4,400 square feet for welding, 1,600 for metallurgy, 7,200 for upholstery, 3,900 for sewing, and 700 for restroom renovations. Phase 2 plans for 6,000-7,000 square feet of classroom space and additional restrooms if needed and Phase 3 will create a larger entrance and lobby area.

Vice-Chairman Mayberry made a motion to accept CBSA as the architect for the Applied Technologies Project. Commissioner Jennings seconded the motion, which passed unanimously.

CERTIFICATE OF APPRECIATION FOR H. DEWITT “DEE” BLACKWELL

Chairman Yoder presented a Certificate of Appreciation for H. DeWitt “Dee” Blackwell for 40 years of service with the WPCOG, noting that Mr. Blackwell would be retiring this December.

Chairman Yoder made a motion to approve the Certificate of Appreciation for Dee Blackwell. Commissioner Jennings seconded the motion, which passed unanimously.

ALEXANDER COUNTY HIGHWAY 127 BRIDGE MAINTENANCE PROJECT

Rick French, County Manager, announced that the NCDOT was planning general maintenance to the Highway 127 bridge beginning April 1, 2015 with completion by September 11, 2015. Proposed work includes pressure washing, painting, and bridge deck and structural steel repairs that will take place from 6:00 AM to 7:00 PM Monday through Friday. These repairs could result in frequent narrowing or closing of lanes.

BUDGET ORDINANCE AMENDMENTS #12 - #14

Rick French, County Manager, reviewed the purpose of Budget Amendments #12 - #14, as follows:

Budget Amendment #12 – To increase the budget for liability insurance deductible payments and for self-insured group medical due to actual claims paid that exceed estimated premiums charged to departments. To increase the TECS budget for new state curriculum training for the Director and Case Manager to provide a Moral Recognition Therapy group for clients. To budget for a refund to NC Department of Juvenile Justice for 2013-2014 unused balances from JCPC programs. To increase the Sheriff's Office budget to use Detention Center canteen revenue for food and supplies for the annual employee meeting for staff.

Budget Amendment #13 – To increase the DSS budget for FEMA Phase 31 grant funds for emergency assistance payments for food. To decrease the DSS budget for expenses to be paid from the Beaver Foundation funds due to the money being spent in FY2014 with none left to carry over into FY2015. To increase the Detention budget for accrued leave payout due to an employee leaving County employment. To increase the 911 Communications budget for accrued leave payout due to an employee transferring from full-time to part-time status. To increase the EMS budget for accrued leave payouts due to an employee transferring from full-time to part-time status and another employee who passed away.

Budget Amendment #14 – To increase the DSS budget for the net effect of 1) filling only 3 of the 6 part-time positions approved in Budget Amendment #10 on 10/6/14 and 2) adding 4 full-time positions to address the staffing levels recommended for NC FAST by the NC DHHS to begin 12/1/14.

Mr. French advised that funds for Budget Amendment #14 would be taken from Fund Balance for the time being until the additional \$44,981 in federal Child Welfare funding for DSS previously discussed was received.

In response to several questions by the Board, Ms. Holman advised that the 4 positions would include in two in Adult Medicaid and two in Family & Children's Medicaid that, after the additional Child Welfare funding and federal reimbursements, would leave a balance of \$20,407 for salaries and benefits from December 1, 2014 to June 30, 2015 to be paid by County dollars. This need is in response to an email from NC DHHS stating that Alexander County was not adequately staffed to handle the volume anticipated for the November 15th Affordable Care Act open enrollment.

Commissioner Jennings felt he did not have enough information to make a decision tonight regarding full-time positions and advised that he could not support Budget Amendment #14. He suggested Ms. Holman meet with the Finance Committee to further discuss the request.

After discussions and questions, Chairman Yoder recommended each budget amendment be considered individually.

Vice-Chairman Mayberry made a motion to approve Budget Amendment #12. Commissioner Jennings seconded the motion. The Board voted 4 in favor of the motion (Commissioners

Jennings, Mayberry, Moose, and Yoder) and one against (Commissioner Ferguson). The motion passed.

Commissioner Jennings made a motion to approve Budget Amendment #13. Vice-Chairman Mayberry seconded the motion, which passed unanimously.

Commissioner Ferguson made a motion to approve Budget Amendment #14. Vice-Chairman Mayberry seconded the motion. The Board voted 3 in favor of the motion (Commissioners Ferguson, Mayberry, and Yoder) and two against (Commissioners Jennings and Moose). The motion carried.

OTHER BUSINESS

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

- A. Last month, \$350,803 was collected in sales tax revenue and \$289,646 has been collected this month. The total collected so far for the 2014-2015 budget year is \$640,449 compared to \$582,563 this same time last year. This is a \$57,855 or 9.9% increase.
- B. As the Bethlehem / Ellendale Water Project nears completion, consideration should be given to a large number of water projects such as:
 - Poly Bowman 8" line at \$670,000
 - B&T Lane 6" line at \$230,000
 - Teague Town 12" line at \$1.5 million
 - Icard Ridge 8" line at \$480,000
 - Zeb Watts, Ned Herman, & Liberty Grove 8" line at \$1.6 million
- C. Due to statewide delays in receiving Medicaid information from NC DHHS, the auditors estimate late November for the County's audit to be submitted to the LGG and the final bound reports will not be printed until the LGC approves the financial statements; therefore the audit presentation will not be scheduled until January 2015.
- D. Mr. French presented the Smoky Mountain Center's first quarter finance report for 2014-2015.
- E. He also requested approval of an agreement with Pictometry International Corp. for an ortho digital imagery mapping tool that will provide 3D views of structures as opposed to the current rooftop views. Payments totaling \$110,000 will be paid over the next 6 years. Pictometry will replace existing orthos currently displayed on the County GIS site, saving the cost of ortho photography every 4 years, which costs \$51,000 per flight. This is also a useful tool for emergency service departments.

Commissioner Ferguson made a motion to approve the agreement with Pictometry International. Chairman Yoder seconded the motion, which passed unanimously.

- F. Also discussed was a Memorandum of Agreement between CVCC and Alexander County for the Applied Technologies Project outlining the flow of funding sources and purchase of equipment. Mr. French stated that this tied in with the lease for the property.

Vice-Chairman Mayberry made a motion to approve the Memorandum of Agreement with CVCC. Commissioner Ferguson seconded the motion. The Board voted unanimously in favor of the motion.

CONSENT AGENDA

- A. Minutes from the October 6, 2014 Regular Meeting.
- B. Tax Release Requests (\$2,325.23) and Tax Refunds (\$700.55) for September 27 – October 24, 2014.
- C. Resolution Authorizing Conveyance of Personal Property Pursuant to G.S. 160A-274.
- D. NCACC Legislative Goal - Restore funding to state aid to the Public Libraries Fund to the pre-2011 level of \$15.7 million and eliminate special provisions that distribute state aid outside the equitable formula developed by the NC Library Commission.
- E. Unifour Regional Hazard Mitigation Plan resolution.

Commissioner Ferguson made a motion to approve the Consent Agenda. Commissioner Jennings seconded the motion, which passed unanimously.

ADJOURNMENT

There being no further business, Commissioner Jennings made a motion to adjourn at 9:25 PM. Commissioner Ferguson seconded the motion, which passed unanimously.

Larry Yoder, Chairman

Jamie M. Starnes, Clerk to the Board