

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING October 12, 2020

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: Larry Yoder, Vice-Chairman
 Dr. Jeff Peal
 Marty Pennell
 Ronnie Reese

ABSENT: Ryan Mayberry, Chairman

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

The Alexander County Board of Commissioners held a regular meeting on Monday, October 12, 2020 in Room 103 of the CVCC / Alexander Center in Taylorsville, North Carolina.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

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

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

Commissioner Reese presented a Key to the County to Lenny Rogers for 26 years of service as the Alexander County Extension Director. The Board commended Mr. Rogers for his dedication and congratulated him on his retirement.

COMMISSIONER'S REPORT

Commissioner Peal announced that the Alexander County Library and Bethlehem / Stony Point branches would reopen to the public tomorrow. Only 10 citizens will be allowed inside at any given time (5 at a time in Bethlehem and Stony Point) and curbside/online services are still available.

ADOPTION OF AGENDA

Vice-Chairman Yoder requested the removal of Agenda Item #8 (Register of Deeds Job Upgrades Presentation).

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

PUBLIC COMMENT

Jamie Starnes, Clerk to the Board, read comments submitted by Craig McLeod related to continued code/ordinance violations on Ridley Ranch Road which he listed as household garbage scattered along properties and stacked on vehicle rooftops, a rotting RV trailer, mobile home frames, junk/untagged vehicles, and miscellaneous debris. He also reported that uncontrolled, unlicensed dogs continually keep property owners and realtors from exiting their vehicles due to their aggressive nature. He questioned why County departments weren't tackling this issue and getting any results, pointing out that he first reported these violations in September 2019 and had not gotten an update since early 2020.

PUBLIC HEARING: APPROVAL OF ROAD NAMES

Rick French, County Manager, submitted the following road names for approval, noting that all names met required regulations and had been checked for duplication and sound indexing:

<u>Road No.</u>	<u>Road Name</u>	<u>Location</u>
3850GB	Beau Drive	Off Jay Burke Road
3708AM	Patriot Drive	Off Advent Church Road
1211LR	Rey Richey Lane	Off Antioch Church Road

After a motion by Commissioner Peal, second by Commissioner Pennell, and unanimous vote, Vice-Chairman Yoder called the public hearing to order and requested any comments. There being none, Commissioner Pennell made a motion to close the public hearing. Commissioner Peal seconded the motion, which passed unanimously.

Commissioner Reese made a motion to approve the road names as presented. Commissioner Pennell seconded the motion, which passed unanimously.

PUBLIC HEARING: CONDITIONAL USE PERMIT 20-1 – HARRINGTON

Vice-Chairman Yoder reviewed the order of proceedings for conditional use hearings and Jamie Starnes, Clerk to the Board, gave an oath of sworn testimony to all individuals wishing to speak.

Seth Harris, Zoning Administrator, presented Conditional Use Permit 20-1 submitted by Roland and Sandra Harrington who requested conditional use approval for a lawn mower sales business on property located at 3841 Rocky Springs Road, currently owned by Roger and Vicki Lail. The size of the property is .42 acre, zoned RA-20, and the current land use is a vacant building. Zoning and land uses within 100 feet of the property are RA-20 on all sides.

The applicants have applied for the conditional use permit under Section 154.140.6 of the Alexander County Zoning Ordinance titled Rural Businesses. They propose using the existing building, formerly a church and service station, and constructing one additional structure on the property.

Letters were sent by first class mail to adjoining property owners, a sign was posted on the property, and a legal notice was placed in *The Taylorsville Times* to announce the public hearing. No calls or comments have been received in favor or opposition to the permit.

Mr. Harris reported that, based on the submitted site plan, staff recommended approval with the understanding that all of the conditions listed in Section 154.140.6 are met, as well as the following:

1. The proposed accessory building must be 15 feet from property lines;
2. The owner must apply for a driveway permit from NCDOT if necessary; and
3. Hours of operation will be limited to first shift hours and deliveries will be limited to daytime hours.

After a motion by Commissioner Peal, second by Commissioner Reese, and unanimous vote, Vice-Chairman Yoder called the public hearing to order and requested any comments. There being none, Commissioner Reese made a motion to close the public hearing. Commissioner Pennell seconded the motion, which passed unanimously.

Commissioner Peal made a motion to approve Conditional Use Permit 20-1 with the following conditions:

1. The project must comply with all provisions of Section 154.140.6 of the Alexander County Zoning Ordinance;
2. The proposed accessory building must be 15 feet from property lines;
3. The owner must apply for a driveway permit from NCDOT if necessary; and
4. Hours of operation will be limited to first shift hours and deliveries will be limited to daytime hours.

Commissioner Pennell seconded the motion, which passed unanimously.

PUBLIC HEARING: CONDITIONAL USE PERMIT 20-2 – GRAY AREA LAND, LLC

Vice-Chairman Yoder reviewed the order of proceedings for conditional use hearings and Jamie Starnes, Clerk to the Board, gave an oath of sworn testimony to all individuals wishing to speak.

Seth Harris, Zoning Administrator, presented Conditional Use Permit 20-2 submitted by Gray Area Land, LLC who requested conditional use approval for a skeet shooting range/field for property located on Paynes Dairy Road near the intersection of Carl Fox Road. The size of the property is 254.7 acres, zoned RA-20, and the current land use is vacant/timber harvesting. Zoning and land uses within 100 feet of the property are RA-20 on all sides as well as L-I and H-I to the south (County landfill).

The applicant has applied for the conditional use permit under Section 154.140.5 of the Alexander County Zoning Ordinance titled Tactical Training Centers and Firing/Shooting Ranges. Two small buildings are proposed (8 ft. x 8 ft. in size and spaced 133 ft. apart), a gravel parking area, and a gravel access road from Paynes Dairy Road. The 6-acre skeet shooting range will be used by a private club and not open to the general public. Staff has received several calls regarding this proposal including two in favor, one with noise concerns, and several with general questions.

Letters were sent by first class mail to adjoining property owners, a sign was posted on the property, and a legal notice was placed in *The Taylorsville Times* to announce the public hearing.

Mr. Harris reported that, based on the submitted site plan, staff recommended approval with the understanding that all of the conditions listed in Section 154.140.5 are met, as well as the following:

1. The skeet shooting range must utilize “steel shot” and not use lead-based ammunition;
2. The entire field and shot fall area must be located 300 feet from all exterior property lines;
3. The land around the shooting field must be replanted in trees;
4. Hours of operation will be 7:00 AM to 7:00 PM.
5. No artificial lighting shall be permitted; and
6. The operation shall be limited to shotguns only. No small-bore or full-bore rifles or pistols shall be permitted.

After a motion by Commissioner Reese, second by Commissioner Pennell, and unanimous vote, Vice-Chairman Yoder called the public hearing to order and requested any comments.

Public Comment

Property owner Jimmy Gray stated that he was currently negotiating a lease with the Hickory Skeet Club for use of the subject property and that a site prep meeting was planned for tomorrow morning to prepare for the replanting of trees on the front side of the tract.

Eric Heeke, Hickory Skeet Club Treasurer, advised that the club began in the 1960’s and had more than 100 members, many of which were Alexander County residents. The group has been actively searching for a new skeet field due to their previous location being sold. In response to a question by Commissioner Peal regarding membership requirements, Mr. Heeke explained that to join the Hickory Skeet Club, a current member must vouch for new candidates and serve as a training mentor.

Robert Hammerschmidt was opposed to the skeet field due to the proximity to his property located at 1504 Paynes Dairy Road where he plans to build a permanent residence in the future. He mentioned how he and his family enjoyed the peace and quiet of the neighborhood which would change with approval of Conditional Use 20-2 and he expressed concerns that the skeet field would diminish property values, affecting his ability to build his home or even sell the property.

Mr. Gray clarified that the proposed area for the skeet field was approximately .95 miles from Mr. Hammerschmidt's property.

Mr. Harris informed the Board that additional conditions could be imposed to limit the noise impact such as altered hours of operation, an earthen berm, etc.

Commissioner Peal understood Mr. Hammerschmidt's concern but did not feel the Board had a right to tell a property owner what they could or could not do with their property as long as it was legal.

After discussion, the Board agreed that hours of operation should be 8:00 AM to 7:00 PM or dusk (whichever was earlier).

There being no further comment, Commissioner Peal made a motion to close the public hearing. Commissioner Reese seconded the motion, which passed unanimously.

Commissioner Pennell made a motion to approve Conditional Use Permit 20-2 with the following conditions:

1. The project must comply with all provisions of Section 154.140.5 of the Alexander County Zoning Ordinance;
2. The skeet shooting range must utilize "steel shot" and not use lead-based ammunition;
3. The entire field and shot fall area must be located 300 feet from all exterior property lines;
4. The land around the shooting field must be re-planted in trees;
5. Hours of operation will be 8:00 AM to 7:00 PM or dusk, whichever is earlier;
6. No artificial lighting shall be permitted; and
7. The operation shall be limited to shotguns only. No small-bore or full-bore rifles or pistols shall be permitted.

Commissioner Peal seconded the motion, which passed unanimously.

RESOLUTION APPROVING FINANCING TERMS & DOCUMENTS FOR LAW ENFORCEMENT & DETENTION CENTER LOAN REFINANCING

Bob Jessup, Attorney with Sanford Holshouser Law Group, reported that this resolution approved the proposal with Truist Bank to refinance the 2011 loan for the Alexander County Law Enforcement and Detention Center and authorized staff to take part in the loan closing scheduled for October 22, 2020.

Commissioner Peal made a motion to approve the resolution approving the financing terms and documents for the Law Enforcement & Detention Center Refinancing. Commissioner Reese seconded the motion, which passed unanimously.

WESTERN PIEDMONT SISTER CITIES ASSOCIATION UPDATE

Lorie Street, WPCSA volunteer, stated that the WPCOG was the advisory board to the Western Piedmont Sister Cities Association, formed in 1993, that serves the Unifour region of Alexander, Burke, Caldwell, and Catawba Counties as well all cities and townships located within the boundaries of each county. She explained that sister cities partnerships were generally established between U.S. and foreign cities that were similar in nature in regards to business, culture, economics, etc. In 1997, the first region-to-region partnership for Sister Cities International was formed between the Unifour region and Altenburger Land region in the central part of Germany.

Ms. Street advised that each WPCOG municipality was allowed two representatives on the Western Piedmont Sister Cities Association and she requested that she be formally appointed as one of Alexander County's designees.

CAROLINA LAND & LAKES RC&D FIREWISE PRESENTATION

Christina Newhouse, Firewise Project Manager, explained that Carolina Land & Lakes RC&D had been contracted by the U.S. and NC Forest Service to promote and develop the Firewise Program throughout western NC. She gave a slide show presentation that included the following information:

- The Firewise Program was developed by the National Fire Protection Agency to educate the public on wildfire mitigation and reduce the risk of structure loss.
- Wildfire risk factors include fuels, weather, and terrain.
- Spring and fall are Alexander County's fire seasons.
- Home ignition zones are immediate (0-5 ft.), intermediate (5-30 ft.), and extended (30-100 ft.) and steps to make homes safer from embers and radiant heat include cleaning exterior vents, removing dead leaves and vegetation from structures, tree pruning, keeping address clearly marked, creating fuel breaks, etc.
- Eight residents are needed in a single community to participate. Wildfire Risk Assessments are conducted by the County Forest Ranger at no cost to property owners.

Ms. Newhouse also mentioned the Western NC EnergyCAP program that provides cost share assistance to rural businesses and farms for renewable energy/efficiency efforts (through Rural Energy for America, Tobacco Trust Fund, and ADFP).

David Huffman, Alexander County Forest Ranger, informed the Board that a total of 25 fires had occurred in the fall of 2019 with 6.36 acres burned as well as 11 fires in the spring of 2020 with only 1.11 acres burned. Most fires were due to debris burning. He also provided a summary of

Forest Management and Urban Forestry Goals & Accomplishments for Alexander County that included the following:

- Management, practice, pre-harvest and rehabilitation, regeneration, stewardship, and urban plans.
- Acres under timber and non-timber management.
- Total forest establishment.
- Trees planted for urban uses.
- Water quality.
- Urban assistance (including yard tree advice).
- Referrals to foresters and arborists.
- Prescribed burning.

WATER SYSTEM EXTENSION PROJECT REPORT

R.J. Mozeley, McGill Associates Project Manager, provided the completion status of the following areas included in the Water System Extension Project as of October 2, 2020:

- Wittenburg Springs Subdivision – 100%
- Fox Court – 100%
- Zeb Watts/Ned Herman/Liberty Grove – 100%
- Polly Bowman – 100%
- Teague Town – ranges from 0% to 100% depending on section
- B&T Lane – 37%
- Icard Ridge – 0%

In addition, permits have been obtained for the following 6 areas added to the project in April:

- Area #1 – Sanchez Road
- Area #2 – RZ Bowman Drive and William Reece Lane
- Area #3 – Clouse Lane
- Area #4 – Friday Cockrell Lane and Rabbit Hollow Lane
- Area #5 – Al Fox Road and Crowson Road
- Area #6 – Outrigger Drive and Drum & Hammer Drive

He reported that the project was a little behind schedule due to early difficulties in the Wittenburg Springs Subdivision (highly congested area with many utilities); however, progress is nearing 90% completion to date.

RESOLUTION – APPLICATION FOR NC DEPARTMENT OF COMMERCE BUILDING REUSE FUNDS FOR “PROJECT STEEPLE CHASE”

David Icenhour, Economic Development Director, presented a resolution to authorize the submitting of a formal application to the NC Department of Commerce Building Reuse Grant

Program to provide assistance to benefit “Project Steeple Chase” in the amount of \$125,000. The company is planning a renovation that will result in the addition of industrial space and the creation of at least 10 new jobs. The County will provide a required 5% match.

Commissioner Reese made a motion to approve the resolution authorizing the NC Department of Commerce grant application for “Project Steeple Chase.” Commissioner Pennell seconded the motion, which passed unanimously.

COVID-19 UPDATE

Leeanne Whisnant, Consolidated Human Services Director, reported that Alexander County’s cumulative total for positive COVID-19 cases was now at 596 (56 quarantined, 3 hospitalized, 8 deaths, 529 recovered). She gave a slide show presentation that included monthly comparisons on the progression of positive cases, hospitalizations, and deaths, as well as information related to cases among students and faculty since schools opened in August. She was happy to report only one linked case within the school system; all others have been through household contact or community spread.

Ms. Whisnant encouraged the public to get a flu vaccine, noting that the Health Department was conducting drive-thru clinics every Friday in October from 1:00-3:00 PM. Citizens are asked to call ahead to get on the list so that necessary paperwork can be completed over the phone.

Doug Gillispie, Public Services Director, advised that a supply of gowns had been obtained from a Hickory-based company. Prices continue to increase; up to 120% on gloves. He also mentioned that, due to a few positive cases among EMS paramedics, more part-time staff was being utilized.

Commissioner Peal pointed out the proven benefit of wearing a mask to prevent the spread of COVID-19. Ms. Whisnant agreed, noting that, as it relates to contact-tracing, wearing a mask could also prevent someone from having to be quarantined for 14 days if they were in contact with a positive case.

BOARD APPOINTMENTS & REAPPOINTMENTS

Rick French, County Manager, requested the following appointment and reappointment:

Western Piedmont Sister Cities Association – Appoint Lorie Street for two years.

WPCOG Unifour Home Consortium – Reappoint Rick French for two years.

Commissioner Peal made a motion to approve the appointment and reappointment. Commissioner Pennell seconded the motion, which passed unanimously.

BUDGET ORDINANCE AMENDMENTS #17 - #24

Rick French, County Manager, reviewed the purpose of Budget Amendments #17 - #24 as follows:

Budget Amendment #17 – To increase the Public Buildings budget for needed upgrades to the fire detection system at the Law Enforcement & Detention Center.

Budget Amendment #18 – To increase the Sheriff’s Office budget for use of Federal Equitable Share Funds received in prior years plus funds already received in FY 2020-2021.

Budget Amendment #19 – To budget for a refund to the NC Department of Juvenile Justice for FY 2019-2020 for monies that service providers were unable to spend due to the classification of juvenile cases.

Budget Amendment #20 – To increase the Health Department WIC budget for additional State funds.

Budget Amendment #21 – To increase the Health Department Dental Clinic budget for a Blue Cross Blue Shield of NC Foundation grant for the School-Based Oral Health Expansion Program.

Budget Amendment #22 – To increase the Health Department Child Health budget for additional Immunization State funds.

Budget Amendment #23 – To increase the Health Department budget for Federal grant funds for COVID-19 Infection Prevention Support.

Budget Amendment #24 – To budget for the purchase of 5 cardiac monitors to replace older models for which replacement parts and maintenance service are not readily available.

Commissioner Reese made a motion to approve Budget Amendments #17 - #24. Commissioner Peel the motion, which passed unanimously.

OTHER BUSINESS

Rick French, County Manager, reported that Alexander County was not awarded the NC PARTF grant for the Courthouse Park; therefore, staff will work with the project engineer to develop a phase-in plan to be discussed at the November Commissioners’ Meeting.

CONSENT AGENDA

- A. Tax Release Requests (\$10,942.44) and Tax Refunds (\$3,684.73) for September 1-30, 2020.

- B. Minutes from the September 14, 2020 Regular Commissioners' Meetings.
- C. Updated Alexander County Emergency Operations Plan.
- D. NC Community College System Budget FY 2020-2021.

Commissioner Reese made a motion to approve the Consent Agenda. Commissioner Pennell seconded the motion, which passed unanimously.

CLOSED SESSION – N.C.G.S. 143-318.11(a)(5 & 6) CONTRACTUAL & PERSONNEL

Commissioner Reese made a motion to enter into Closed Session at 7:38 PM to discuss contractual matters and personnel issues pursuant to N.C.G.S. 143-318.11(a)(5 & 6). Commissioner Peal seconded the motion, which passed unanimously.

ADJOURNMENT

There being no further business, Commissioner Peal made a motion to adjourn at 8:26 PM. Commissioner Reese seconded the motion, which passed unanimously.

Larry G. Yoder, Vice-Chairman

Jamie M. Starnes, Clerk to the Board