

Draft

**BOARD OF COMMISSIONERS**  
**REGULAR MEETING**     April 12, 2021

**ALEXANDER COUNTY**  
**STATE OF NORTH CAROLINA**

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

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

The Alexander County Board of Commissioners held a regular meeting on Monday, April 12, 2021 in Room 103 of the CVCC / Alexander Center in Taylorsville, North Carolina.

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Chairman Yoder gave the invocation and Commissioner Pennell led the Pledge of Allegiance to the Flag.

**COMMISSIONER'S REPORT**

Commissioner Lail thanked Bethlehem Fire & Rescue volunteers for their efforts in making fire hydrants along the roadway visible and accessible. He also mentioned being interviewed by Boy Scout Troop #275 to earn a badge, which he enjoyed and was honored to take part in.

Commissioner Pennell encouraged Alexander County veterans to attend the monthly Veterans Committee Meetings (held every 4<sup>th</sup> Tuesday, 10:30 AM at the DAV Chapter 84 headquarters), noting that the group would like to bring all generations of veterans together.

**ADOPTION OF AGENDA**

Vice-Chairman Reese made a motion to adopt the agenda as presented. Commissioner Peal seconded the motion, which passed unanimously.

## **PUBLIC COMMENT**

Jamie Starnes, Clerk to the Board, read comments submitted by Lana Davidson who asked the Board to consider installing signs on bridges throughout Alexander County to specify the names of rivers, creeks, or streams that the bridges cross. She suggested signs similar to the ones that identify highways, black and white in color with lettering easily read from a moving vehicle; however, she was opposed to placing river signs on poles or posts separate from bridge walls or railings. Ms. Davidson felt it best to start with major rivers and over time move on to smaller creeks and streams, also noting that community residents may be willing to donate money for signs in their area.

## **PUBLIC HEARING: CONDITIONAL USE PERMIT 21-4 – WELCH**

Rick French, County Manager, reported that the applicants for Conditional Use 21-4 had withdrawn their application; therefore, no further action is required by the Board.

## **PUBLIC HEARING: PARTISAN FILING FOR THE ALEXANDER COUNTY BOARD OF EDUCATION**

Vice-Chairman Reese stated that, by invitation, he attended a recent Republican Party Executive Committee meeting where the subject of partisan elections for the Alexander County Board of Education was discussed. Due to concern with lack of party identification for candidates, the Executive Committee agreed to bring this matter to the Board of Commissioners, who has no authority other than asking the General Assembly to change the election method. He explained that Representative Jeffrey Elmore had filed HB 515 last Thursday in order to meet the deadline for local bills and that further action was on hold until a decision was made tonight. In addition, Vice-Chairman Reese pointed out that this change, if approved, would not prohibit unaffiliated candidates from filing for a Board of Education seat. They must only submit a petition signed by 4% of registered voters within their assigned school district to have their name on the ballot.

After a motion by Commissioner Peal, second by Commissioner Lail, and unanimous vote, Chairman Yoder called the public hearing to order and requested any comments.

### Public Comment

Matt Cooksey, Board of Education / District 2, informed the Board that he became angry when he first heard about this effort and was left with many questions such as why a public hearing was being held in the middle of a pandemic. He mentioned being sick of partisan politics, pointing out that neither party accomplishes anything in Washington because the simplest of issues become political. After 3 years on the BOE, he still doesn't know the party affiliations of other members because politics don't come into play; decisions are

based on what's best for students, teachers, families, and the community. Mr. Cooksey did not believe that placing a letter beside someone's name made them more accessible to the public, noting that he was available at the Habitat job site every Saturday and was more than willing to speak with anyone about school or other topics. He ended with a quote from President George Washington's 1796 farewell address: "...political parties... are likely in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government..."

David Odom, Board of Education / District 2, began with a quote by NC Representative David Willis, a Republican from Union County who attended public schools in NC from preschool through community college and the university system: "I don't recall a point in time where I knew any of my teachers' or professors' political views or party affiliations. It wasn't relevant to what we were there for. We were there to learn, to read, and to write. I think we've strayed from that over the past couple of years." He pointed out that the Board of Commissioners appropriated nearly 30% of the annual County budget to public safety, nearly 20% to public education (more than human services such as Health Department and DSS), and had paid the debt service for every school. Being a Tier 1 county (economically distressed and impoverished), he felt our problems went well beyond partisan politics and were more related to how we pay our bills, keep our citizens safe, and educate our children. Mr. Odom stated that politics had no bearing on any decision made by the BOE and he therefore questioned why it was singled out as opposed to HB 515 applying to all non-partisan races in Alexander County.

Dianne Little, retired educator, presented several questions she hoped the Board would consider before making a final decision (her comments also included):

1. Where do you see the need for this change? – change is usually made to improve things but there doesn't appear to be anything broken.
2. Will changing the election method have a positive effect on how efficiently the board operates? – research will tell you no.
3. How will this change positively affect our students, teachers, administrators, and community? – we should do what's best for us, not force this change because other counties are doing so or over a few complaints. The people of this county are overwhelmingly against this action because they do not want State politics to play a role in local government.
4. Is this move coming from the State party platform? – since the Republicans took control of the General Assembly, more than a quarter of BOE races have been changed to partisan.
5. Has this decision been based on research? – In 2017, a study conducted by Evan Crawford from the University of Wisconsin examined 300 school board members from NC and GA. Individuals were separated into two groups and asked questions related to common core, school prayer, and vouchers; however, one group was reminded of general policy position for both parties. The answers provided by the group given political cues were in line with party position, thus proving political influence.

Ms. Little pointed out that the Alexander County BOE was non-partisan for good reason; politics should never be involved in any of its decisions. She felt the only label needed next to the name of someone running for a BOE seat was “pro-education.”

Dale Clary, former BOE member, did not see how this change would better the county or benefit students, but felt the motive was pure politics which would tear this county apart. He expressed offense for possibly disenfranchising him and nearly 7,800 other unaffiliated voters and questioned why the second largest voter population in the county should have to jump through extra hoops to file for a BOE seat. In regard to HB 515 being filed on April 8<sup>th</sup>, prior to the scheduled public hearing on April 12<sup>th</sup>, Mr. Clary said “if it smells like a fish, it’s probably a fish.”

Brigette Rhyne, Board of Education / District 4, spoke on behalf of Harry Schrum, BOE Chairman / District 1, who was unable to attend the meeting. She reported that during the last two elections (2018 and 2020), 7 of the 8 BOE seats on the ballot were unopposed and two of those were filled by unaffiliated candidates. Other concerns with partisan BOE elections voiced were related to vacancies being filled by the party of the official vacating the seat instead of the BOE, extra steps required for unaffiliated candidates to file, and the possible need to participate in primaries, all of which will make it more difficult to find citizens willing to serve. Ms. Rhyne referred to a post on Commissioner Pennell’s Facebook poll by Robin Moretz that said “the only reason to make the races political is to discourage or prevent independent, nonaffiliated candidates from running and/or to create an easier path for a dominate party to win.” In closing, she stated that in Alexander County, our motto was “Children First,” not Party First.

Helen Chestnut, Alexander County NAACP, felt this action would create more division in a community that had made such efforts to come together. She was concerned that this could be the beginning of oppression statewide, noting that small things like this could develop into major issues that would create more discrimination and lack of respect for all people. Ms. Chestnut asked the Board to reconsider, stand for what was fair for all people instead of one party, and work together to be united.

Jack Simms, Republican Party Chairman, explained that he brought this issue to the Executive Committee because of the number of people who visited the Republican Headquarters during the 2020 Election seeking information on BOE candidates, information that he was unable to provide because it is a non-partisan race. After discussion, the Executive Committee voted 10/1 in favor of changing the BOE election to partisan and 8/3 in favor of retaining representation by school districts. He clarified that the County Commissioners did not initiate this proposal.

Jane Maupin, retired educator, also disagreed with changing the BOE race to partisan because a few people complained or other counties were doing it. She felt this was a solution looking for a problem and urged the Commissioners to have the courage to stand up for keeping a system that has worked for Alexander County for many years.

Scott Hines, Register of Deeds, spoke of taking a political science class in college that was instructed by a Naval Reserve Officer, a registered Democrat, who said that if someone didn't know what they were voting for, it was good to vote their party. He agreed that specifying a party affiliation provided voters with more information on a candidate's views and was in favor of changing the BOE race to partisan.

Kent Herman, Soil & Water Board of Supervisors, knew of no other county as political as Alexander. With so many new people moving here, he felt it was difficult to know where people stood on important issues; therefore, he supported all elections being partisan (including the Soil & Water Board which is currently non-partisan).

Rev. Sterling Howard, Alexander County NAACP, stated that having a letter next to your name doesn't guarantee who you are or what you stand for, so he felt it was the responsibility of anyone running for public office to educate voters about themselves and their viewpoints. He mentioned that in helping his fellow man, he does not ask what color they are or what party they belong to. Rev. Howard asked the Board to consider whether this change would help our neighbors or cause division, pointing out that our country was becoming divided because of politics.

Kathy Riddle, retired school principal, suggested holding a candidate's night for the BOE, similar to the CFAC events held in the past for other political races. She felt this would provide an opportunity for the public to get to know the candidates better without changing to a partisan race and she volunteered to organize such an event.

Although there were certain aspects of both sides that he agreed with, Commissioner Peal wasn't convinced that changing the BOE to partisan was the answer, especially since many of the issues that created frustration with the school system were pushed down by the Federal or State government and stemmed far beyond local reach. He pointed out that no matter how the Commissioners voted, one group would be unhappy, but that his vote would be based on whether this proposal would be helpful or harmful as a whole.

Commissioner Pennell agreed that the turnout for BOE candidate filing was not good, noting that when he decided not to run for BOE again, he made the public aware a full year in advance in hopes that someone would step up. Although the BOE takes a lot of heat depending on the issue at hand and receives complaints way more than praise, he encouraged citizens concerned with school issues to represent their district and serve their community by filing.

Having also previously served on the BOE, Commissioner Lail agreed that very few decisions made by any elected board made everyone happy and that someone would complain no matter the situation. He mentioned being inundated with calls and comments, all of which he had taken to heart considering his mother was a retired educator, his dad a former BOE member, and his children attended Alexander County schools. Commissioner Lail also advised that citizens registered as a Republican, Democrat, Libertarian, etc. had the ability to file for any public office as an unaffiliated candidate.

Vice-Chairman Reese stated that most of the citizens he spoke with were in favor of making the BOE race partisan since knowing party affiliations would assist voters in identifying each candidate's views on particular issues. He also served on the BOE for 8 years and agreed that no decision would please everyone; however, he felt this would be a positive change.

There being no further comments, Commissioner Pennell made a motion to close the public hearing. Commissioner Lail seconded the motion, which passed unanimously.

Vice-Chairman Reese made a motion to approve the resolution requesting partisan filing for the Alexander County Board of Education. Commissioner Lail seconded the motion. The Board voted two in favor of the motion (Commissioners Lail and Reese) and 3 against (Commissioners Peal, Pennell, and Yoder). The motion failed.

Chairman Yoder informed the Board and audience that he had spoken to several former commissioners, all Republicans, none of whom felt this proposal was a good idea. He was aware that his vote may not be popular but he believed a non-partisan race for the BOE was the better option.

Commissioner Lail reiterated Vice-Chairman Reese's comments that the calls he received were overwhelmingly pro-partisan which contributed to his vote. Because of the wide variety of views and opinions in society today related to finances, social issues, etc. he believed aligning with a political party allowed voters to make a more informed decision when choosing a candidate; however, the last thing he wanted to do was create division.

Vice-Chairman Reese spoke of his willingness to work with anyone regardless of party and that his vote was also based on the number of pro-partisan calls he received. He prefers to have as much info as possible on any candidate and felt knowing party affiliation helped clear up a lot questions. He gave the analogy of buying a car without any knowledge of brand and later realizing you've paid \$40,000 for a Daihatsu instead of a Ford or Chevy.

## **NC SPRING LITTER SWEEP**

Josh Mitchell, Public Works & Facilities Director, reported that the biannual NC Spring Litter Sweep began on April 10<sup>th</sup> and would continue through April 24, 2021. Contractors have been hired to pick up trash and litter along all primary roads and NCDOT crews will be focusing on secondary roads for the next two weeks.

Citizens willing to volunteer can call the local NCDOT office at (828) 632-2164 for supplies including orange bags, gloves, and vests. Once filled, the bags can be left by the roadside for NCDOT crews to pick up and take to the landfill. More information is available at [www.ncdot.gov/littersweep](http://www.ncdot.gov/littersweep).

In an effort to reduce litter countywide, Mr. Mitchell encouraged the public to make sure their household trash was bagged properly and/or covered with a tarp during transport to convenience sites or the landfill.

## **HOUSEHOLD HAZARDOUS WASTE & DOCUMENT DESTRUCTION DAY**

Josh Mitchell, Public Works & Facilities Director, announced that this year's Household Hazardous Waste & Document Destruction Day would be held on Saturday, May 1, 2021 at the Alexander County Administration Building parking lot from 8:00 AM until 12:00 PM. County residents will be allowed to dispose of environmentally harmful materials found around the home as well as personal documents for free. Farmers are welcome; however, businesses will not be allowed.

Items that will be accepted include household cleaners (drain openers, toilet bowl cleaners, oven cleaners, and disinfectants), paint products (latex and oil-based paint, solvents, thinners, shellacs, varnishes, wood preservatives, and sealers), automotive products (lead-acid batteries, used motor oil, antifreeze, brake fluid, and starting fluid), pesticides (herbicides, insecticides, and fungicides in the form of aerosols, liquids, granular, etc.), and miscellaneous items (acids, bases, kerosene, household batteries, photographic chemicals, fluorescent bulbs, electronics, aerosol cans, pool chemicals, propane gas cylinders, and metallic mercury).

A document destruction truck will also be on-site for residents to securely dispose of personal documents. There is a limit of 5 boxes per vehicle to ensure the line moves quickly. Anything larger than 18x12x10 will count as more than one box.

## **ROAD CONDITION UPDATE**

Gary Herman, Public Information Officer, presented the following updates on the status of roads damaged by flooding that occurred on November 12, 2020:

- Sulphur Springs Road – completed and opened on March 8, 2021.
- Sloan Road – completed and opened on March 16, 2021.
- Hopewell Church Road – open on stone. Paving expected in the next two weeks.
- Old Wilkesboro Road – NCDOT decided to work around utility conflicts. Bid opening is scheduled for April 27<sup>th</sup> and estimated completion is late June.
- Cheatham Ford Road Bridge – bridge and debris have been removed, right-of-way is being acquired, and utility lines are being relocated. Foundation construction can begin once final designs and approvals are received. Estimated completion is December.
- Cheatham Ford Road – contractor is excavating existing culvert. Estimated completion is mid-May.
- Rocky Springs Road – headwall has been poured and new pipe is being backfilled. Estimated completion is mid-May or sooner.
- Macedonia Church Road – culvert sections have been delivered and assembly began on April 6<sup>th</sup>. Estimated completion is late May.
- Rocky Face Church Road – contractor is installing erosion control measures and bypass pumping operation. Estimated completion is late May.

- Berea Church Quincy Road – 591 is open on stone. Headwalls and backfilling are underway at 1949. Paving will begin once northern culvert is installed and backfilled. Estimated completion is late April to mid-May.
- Lackey Mountain Road and Jud Smith Road – contractor will mobilize after completion of Berea Church Quincy Road. Estimated completion is late May.

## **USA TRACK & FIELD 24-HOUR RACE**

Gary Herman, Public Information Officer, announced that on May 1-2, 2021, Alexander County would host the final USA Track and Field 24-hour qualifier event for 2021. The race will be held at the ACHS track, which has been certified with USA Track and Field as well as the International Association of Athletics Federations, and will begin at 8:00 AM on Saturday, May 1<sup>st</sup>.

As of today, 45 runners are registered. The field is limited to 50 participants, with 38 slots open for general entry and 12 reserved for athletes capable of qualifying for the 2021 National Team. The reserved slots are offered to females who have run a minimum of 115 miles and males who have run a minimum of 130 miles at a fixed time within the last 18 months.

Mr. Herman advised that COVID-19 protocols would be followed. He also thanked the Alexander County School System for allowing use of the track for this event.

## **WIRELESS BROADBAND EXPANSION PROJECT REPORT**

Gary Herman, Public Information Officer, reported that the contract with Open Broadband, LLC for the Wireless Broadband Expansion Project had been signed and the first progress meeting held on April 9<sup>th</sup>. Phase 1 has begun and should be completed by December 2021. Phase 2 is expected to begin in October and run concurrent with Phase 1. Phase specifics reviewed are as follows:

Phase 1 – Open Broadband is finalizing the agreement for the Ellendale vertical bridge tower site (531 Willie McLeod Road) and expects equipment installations to begin within the next month. Once complete, approx. 2,700 homes in a large portion of Ellendale and northern Bethlehem are likely serviceable but only 600 connections are expected.

The Moore Mountain tower will provide a smaller service area due to its location and surrounding terrain; however, no other usable tower sites were identified in this area. Once complete, approx. 70 homes are likely serviceable but only 50 connections are expected.

New equipment will be installed on the Linney's Mountain tower and other locations that will consist of the latest technology, offering faster speeds and better coverage (especially through tree canopies). Open Broadband believes this will help alleviate the speed and connectivity issues in the Little River area.

Phase 2 – A virtual meeting is planned for this Friday to discuss Open Broadband's recommendations for the eastern and southeastern portions of Alexander County.



Mr. Herman stated that testers and installers would be visiting homes currently on Open Broadband's wait list. A door hanger with additional instructions may be left. Citizens may join the wait list at [www.openbb.net/alexanderco](http://www.openbb.net/alexanderco).

## **EMERGENCY WATERSHED PROTECTION PROGRAM**

Rick French, County Manager, presented a proposal to participate in the USDA Emergency Watershed Protection Program to provide debris removal at 3 streams destroyed during Hurricanes Zeta and Eta (locations are Houser Farms on Sulphur Springs Road, Lambert property on Princess Lane, and Lackey property on Alspaugh Dam Road). USDA / NRCS will provide 75% of debris removal costs (\$59,625) and 100% of the technical/administrative costs (\$11,925). The 25% local match for debris removal (\$19,875) will be paid with Soil & Water State grant funds from the NC Department of Agriculture and Consumer Services.

Mr. French advised that staff was negotiating with the WPCOG to provide technical assistance and that a budget amendment (#67) would be considered later in the meeting to move forward.

## **WITTENBURG ACCESS PROJECT**

Rick French, County Manager, reminded the Board that in 2019, Alexander County signed a 40-year lease agreement with Duke Energy for the Wittenburg Access Area. In conjunction with the lease, Duke Energy plans to develop a 250-person swim beach and peninsula trail along with restrooms, picnic areas, and additional parking. Alexander County is responsible for a hiking trail and northern parking area.

Although no construction timeframe has been established for Duke's portion of this project, the County is free to move forward. He advised that bids for the parking area had been opened, which will be presented to the Board for consideration on April 26<sup>th</sup>.

Mr. French also mentioned that once the project was complete, staff would be needed for daily operations as well as swim beach monitoring.

## **SALES TAX REPORT**

Rick French, County Manager, stated that a total of \$3,677,642.86 had been collected in sales tax revenue through March 2021 (\$985,752.13 is new sales tax for economic development, public education, and community colleges). This amount is 74.67% of the \$4,925,280 budgeted with 58.33% of the budget year expired and an increase over last year of 28.97%.

## **BOARD APPOINTMENTS & REAPPOINTMENTS**

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

Council on Aging – reappoint Angela Johnson, Janette Johnson, and Sally Goodnight for 3 years.

Library Board of Trustees – appoint John Jarrell for 3 years.

Commissioner Lail made a motion to approve the appointment and reappointments. Vice-Chairman Reese seconded the motion, which passed unanimously.

### **BUDGET ORDINANCE AMENDMENTS #63 - #71**

Rick French, County Manager, reviewed the purpose of Budget Amendments #63 - #71 as follows:

Budget Amendment #63 – To budget for the March 2021 contract with Open Broadband, LLC to expand broadband service in the county.

Budget Amendment #64 – To budget for the purchase of a tract of land on Martin Luther King Drive.

Budget Amendment #65 – To increase the Information Technology budget for the April/June estimated cost of software licenses to deploy two-form authentication on all VPC and webmail traffic to meet requirements of the cyber liability insurance underwriter.

Budget Amendment #66 – To decrease the JCPC administrative budget based on estimated FY 2021 expenses per third-quarter accounting reports submitted to the State in late March.

Budget Amendment #67 – To budget for stream debris removal at 3 locations per the Emergency Watershed Protection Project due to Hurricanes Zeta and Eta.

Budget Amendment #68 – To increase the Health Department budget for additional Federal grant funds for the CDC COVID-19 Vaccination Program.

Budget Amendment #69 – To increase the DSS budget for additional Crisis Intervention grant funds from the Low Income Home Energy Assistance Program.

Budget Amendment #70 – To adjust the Bethlehem Sewer Fund budget based on data from year-to-date revenue reports from the City of Hickory.

Budget Amendments #71 – To adjust the School Capital Improvements Fund for a revised estimate of school capital expenses for FY 2021.

Commissioner Peal made a motion to approve Budget Amendments #63 - #71. Commissioner Pennell seconded the motion, which passed unanimously.

## **OTHER BUSINESS**

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

- A. Recipients for GoldenLEAF grants were announced last week. Alexander County will receive funding for two projects (\$193,776 to extend sewer in the Industrial Park to support an expansion by Industrial Timber and \$460,000 to purchase equipment and software for incumbent/future industrial systems and mechatronics at the CVCC / Alexander Applied Technologies Center. A \$1.5 million ARC grant was awarded to NCDOT for construction of a connecting road within the Industrial Park. The Bethlehem water tank project was not funded.
- B. The April 26, 2021 Commissioners' Meeting will be held at the Administration Building lower level conference room instead of the CVCC / Alexander Center.

## **CONSENT AGENDA**

- A. Tax Release Requests (\$6,488.48) and Tax Refunds (\$2,256.22) for February 19 – March 31, 2021.
- B. Minutes from the March 1, 2021 Regular Meeting.
- C. Records disposition request from the Human Resources Department.
- D. Proposed amendments to the Historic Design Review Standards.
- E. Alexander County JCPC Funding Plan & Certification Form for FY 2022.

Vice-Chairman Reese made a motion to approve the Consent Agenda. Commissioner Peal seconded the motion, which passed unanimously.

## **CLOSED SESSION – N.C.G.S. 143-318.11(a)(4, 5, & 6) ECONOMIC DEVELOPMENT, CONTRACTUAL, & PERSONNEL**

Chairman Yoder made a motion to enter into Closed Session at 7:51 PM to discuss economic development, contractual matters, and personnel issues pursuant to N.C.G.S. 143-318.11(a)(4, 5, & 6). Commissioner Lail seconded the motion, which passed unanimously.

## **ADJOURNMENT**

There being no further business, Commissioner Lail made a motion to adjourn at 8:28 PM. Vice-Chairman Reese seconded the motion, which passed unanimously.

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Larry G. Yoder, Chairman

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Jamie M. Starnes, Clerk to the Board