

Draft

**BOARD OF COMMISSIONERS**  
**REGULAR MEETING**     January 9, 2023

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

**PRESENT:**    Marty Pennell, Chairman  
                  Josh Lail, Vice-Chairman  
                  Kent Herman (participated via conference call)  
                  Ronnie Reese  
                  Larry Yoder

**STAFF:**        Ben Faulkenberry, County Attorney  
                  Jamie Starnes, Clerk to the Board

The Alexander County Board of Commissioners held a regular meeting on Monday, January 9, 2023 in Room 103 of the CVCC / Alexander Center in Taylorsville, North Carolina.

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Commissioner Reese gave the invocation and Vice-Chairman Lail led the Pledge of Allegiance to the Flag.

**COMMISSIONER'S REPORT**

No reports were given.

**ADOPTION OF AGENDA**

Chairman Pennell requested the addition of two items including the rescheduling of the February 6, 2023 Commissioners' Meeting as Agenda Item #8 as well as discussion of a WPCOG contract during Closed Session, noting that the Board would reconvene in Open Session to take official action on the agreement.

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

## **PUBLIC COMMENT**

No one spoke during the Public Comment Period.

## **PUBLIC HEARING: CDBG PROGRAM**

Sherry Long, WPCOG Assistant Executive Director, stated that this was the first public hearing required by the NC Department of Commerce to utilize CDBG funds, a federal grant program through the Department of Housing and Urban Development. She discussed the various types of projects that CDBG funds can be used for (housing rehabilitation, public infrastructure such as water, sewer, and streets, economic development, etc.), noting that a second public hearing was needed next month to finalize the process to accept CDBG funds for the Sterling Road community.

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

## **PUBLIC HEARING: NUISANCE CASE #9547 – MILSTEAD / REESE LOOP**

Bill Rogers, Chief Building Inspector, informed the Board that no abatement action was needed at this time because the property owner had cleaned up the violations found at 91 Reese Loop. He provided before and after photos of the property and noted that, although the complaints received included the condition of a fence, the Alexander County Zoning Ordinance does not address this issue; therefore, code enforcement staff cannot impose any further requirements.

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

## **SOUTH YADKIN STREAM DEBRIS REMOVAL BID RECOMMENDATION**

David Moose, Compliance & Procurement Specialist, advised that a bid opening was held on December 21, 2022 where 6 bids were received for the South Yadkin Stream Debris Removal Project that will consist of installation of erosion control devices, vegetation clearing, tree/stump/brush removal, damaged tree felling, bank shaping, and disposal of materials. The low bid was submitted by Shaun Lackey Excavating, LLC in the amount of \$54,000.

McGill Associates, who has assisted the County with this and other stream debris projects, has reviewed the low bid and recommends the contract be awarded to Shaun Lackey Excavating through utilization of the Alternate State Emergency Funds.

Commissioner Yoder made a motion to accept the bid of \$54,000 submitted by Shaun Lackey Excavating, LLC for the South Yadkin Stream Debris Removal Project. Commissioner Herman seconded the motion, which passed unanimously.

## **RESOLUTION TO APPROVE THE BONDING OF ALEXANDER COUNTY OFFICIALS**

Jamie Starnes, Clerk to the Board, presented a resolution to accept and approve the bonds for the following public officials:

- Doug Fox, Tax Administrator/Tax Assessor - \$100,000 with Ohio Casualty Insurance Company from 7/1/2022 to 7/1/2023.
- Guy Kerley, Assistant Tax Administrator/Tax Collector - \$100,000 with Ohio Casualty Insurance Company from 7/1/2022 to 7/1/2023.
- Jennifer Herman, Finance Director - \$100,000 with Ohio Casualty Insurance Company from 7/1/2022 to 7/1/2023. This amount will be increased to \$1 million upon renewal date.
- Scott Hines, Register of Deeds - \$10,000 with Western Surety Company from 12/1/2022 to 12/1/2023.
- Blanket bond covering all officers and employees - \$250,000 with Trident Public Risk Solutions from 7/1/2022 to 7/1/2023.

She explained that the 4-year bond for Sheriff Chad Pennell was approved by the Board on December 5, 2022 and therefore was not included in this resolution.

Commissioner Reese made a motion to approve the resolution approving the bonding of Alexander County officials. Commissioner Yoder seconded the motion, which passed unanimously.

## **BUDGET ORDINANCE AMENDMENTS #30 - #35**

Jamie Starnes, Clerk to the Board, reviewed the purpose of Budget Amendments #30 - #35 as follows:

Budget Amendment #30 – To increase the budget for the estimated cost of demolition and asbestos services for the structure at 191 Martin Luther King Drive that the County purchased in April 2021.

Budget Amendment #31 – To increase the Sheriff’s Office budget for use of Unauthorized Substance Tax State funds to purchase furniture at the Law Enforcement Center.

Budget Amendment #32 – To increase the 1) Health Department budget for a federal award supplement to the NC Statewide Family Planning Program and 2) Library budget for a revised allocation of State Aid funds.

Budget Amendment #33 – To increase the Senior Center budget for the Senior Center Activity Assistant position and related adjustments to salary and benefits expenses (part of the increase is being offset by a decrease to the Governing Body budget for professional and professional services that will not be spent by the end of FY 2023.

Budget Amendment #34 – To 1) budget for a General Fund transfer to the School Capital Improvements Fund based on fiscal year-to-date sales tax hold harmless received and 2) increase the School Capital Improvements Fund based on fiscal year-to-date investment earnings on the sales tax funds that are earmarked for school capital and debt service.

Budget Amendment #35 – To adjust the budgets of the water funds based on fiscal year-to-date earnings.

Commissioner Yoder made a motion to approve Budget Amendments #30 - #35. Vice-Chairman Lail seconded the motion, which passed unanimously.

## **BOARD APPOINTMENTS & REAPPOINTMENTS**

Jamie Starnes, Clerk to the Board, requested the following appointments and reappointments:

Comprehensive Plan Advisory Committee – appoint Buy Caywood, Sharon Mehaffey, Tyler Brown, David Icenhour, Allison Brown, Harry Schrum, Brian Walker, and Commissioners Marty Pennell and Josh Lail.

Courthouse Committee – appoint Ben Faulkenberry, David Moose, Justin Moose, Chad Pennell, Edwin Chapman, Sarah Kirkman, and Ed Hedrick V and also reappoint Joseph Crosswhite, Dale Graham, and Commissioners Marty Pennell and Larry Yoder.

Commissioner Herman made a motion to approve the appointments and reappointments. Commissioner Yoder seconded the motion, which passed unanimously.

## **MEETING SCHEDULE CHANGE / SCHEDULING OF 2<sup>ND</sup> CDBG PUBLIC HEARING**

Due to a scheduling conflict, Commissioner Herman will be unable to attend the February 6<sup>th</sup> Commissioners' Meeting. The Board discussed rescheduling the meeting to February 13<sup>th</sup>; however, Commissioner Yoder reported that he would be in Washington, D.C. for the NACo Legislative Conference. After discussion, the Board agreed to leave the February Commissioners' Meeting scheduled for February 6, 2023 and for Commissioner Herman to participate remotely if possible.

Chairman Pennell made a motion to schedule the second CDBG public hearing to finalize the process to accept funds for the Sterling Road community. Commissioner Yoder seconded the motion, which passed unanimously.

## **CONSENT AGENDA**

- A. Tax Release Requests (\$1,947.83) for Tax Refunds (\$20,813.42) for November 28 – December 31, 2022.
- B. Minutes from the December 5, 2022 Special Called Meeting.
- C. Resolution supporting a step pay plan and compression relief for the Division of Juvenile Justice and Delinquency Prevention staff.
- D. Application for I-CARE CSBG funding for Iredell and Alexander Counties for 2023-2024.

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

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

Vice-Chairman Lail made a motion to enter into Closed Session at 6:22 PM to discuss contractual matters and personnel issues pursuant to N.C.G.S. 143-318.11(a)(5 & 6). Chairman Pennell seconded the motion, which passed unanimously.

## **WPCOG AGREEMENT FOR COUNTY MANAGER SEARCH**

Upon returning to Open Session, Commissioner Yoder made a motion to approve the agreement with the WPCOG to provide assistance with recruitment of a new County Manager. Chairman Pennell seconded the motion, which passed unanimously.

## **ADJOURNMENT**

There being no further business, Commissioner Reese made a motion to adjourn at 8:11 PM. Vice-Chairman Lail seconded the motion, which passed unanimously.

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Marty A. Pennell, Chairman

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Jamie M. Starnes, Clerk to the Board