

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING May 6, 2024

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: Josh Lail, Chairman
 Ronnie Reese, Vice-Chairman
 Marty Pennell
 Larry Yoder

ABSENT: Kent Herman

STAFF: Ben Faulkenberry, County Attorney / Interim County Manager
 Jamie Starnes, Clerk to the Board

The Alexander County Board of Commissioners held a regular meeting on Monday, May 6, 2024 in Room 103 of the CVCC / Alexander Center in Taylorsville, North Carolina.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

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

COMMISSIONER'S REPORT

Commissioner Yoder attended the Apple Blossom Festival on Saturday, May 4th as well as a Law Officers Vigil on Sunday, May 5th in memory of the 4 officers killed in Charlotte while serving an arrest warrant.

Chairman Lail discussed Charlotte's recent request to increase the amount of water it transfers from the Catawba River Basin from 33 million gallons per day to 63 MGD and the impact this could have on other counties and municipalities. A public meeting is scheduled for this Wednesday, May 8th at 5:30 PM at the Ridgeview Branch Library to hear concerns from residents in the Hickory metro region.

ADOPTION OF AGENDA

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

PUBLIC COMMENT

No one spoke during the Public Comment Period.

PUBLIC HEARING: LAND DEVELOPMENT CODE CONSIDERATION

Brian Burgess, Director of Planning & Development, presented the Alexander County Land Development Code for approval, briefly highlighting included chapters that were discussed in depth at the April 8, 2024 Commissioners' Meeting. He explained that the 389-page plan was designed to 1) provide adequate light and air, 2) prevent overcrowding of land, 3) avoid undue concentration of population, 4) lessen congestion on roads, 5) secure safety from fire, panic, and dangers, and 6) facilitate efficient and adequate provision of transportation, water, sewer, schools, parks, and other public requirements.

In response to several questions asked by Chairman Lail, Mr. Burgess provided the following information:

- Bona fide farms are exempt from zoning regulations per NC statutes; therefore, the new LDC will not limit agricultural uses.
- Although the LDC will prohibit manufactured homes in certain residential districts, those already in place at adoption will be grandfathered as non-conforming. Any non-conforming manufactured home can be replaced with a similarly sized manufactured home provided the replacement adheres to standards specified in the plan, does not create new non-conformities, and takes places within 180 days of removal of the initial home.
- The LDC will be more friendly to home occupations than the current Zoning Ordinance.

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

Public Comment

Phillip Bowman spoke about the impacts of overpopulation such as climate change, loss of forest lands, increased traffic, and violence. He was concerned that approval of the LDC may encourage development and further growth in the county that would only add to these problems and affect agriculture – Alexander County's #1 revenue producer. He asked the

Board to consider Alexander County's indigenous population who wish to remain a quiet, rural county.

Commissioner Pennell felt the new LDC featured more relaxed regulations than the current Zoning Ordinance. Chairman Lail agreed, noting that the plan provided citizens with more freedom in the use of their property while also addressing the problem of lack of affordable housing.

There being no further discussion, Commissioner Yoder made a motion to close the public hearing. Vice-Chairman Reese seconded the motion, which passed unanimously.

Commissioner Pennell made a motion to approve the Land Development Code. Vice-Chairman Reese seconded the motion, which unanimously.

PUBLIC HEARING: HISTORIC PRESERVATION DESIGN REVIEW STANDARDS TEXT AMENDMENT – MURALS

Nancy Coley, Historic Preservation Committee Member, requested a text amendment to the Historic Preservation Commission Design Review Standards regarding murals in historic preservation districts, which have been formulated to ensure the continued visual character of districts but also allow for creative expression in appropriate locations and design. Proposed standards for murals included:

1. The design and installation of a mural should complement and enhance the building or wall and be incorporated within the overall architectural character of the building.
2. The mural design should be scaled to fit within the existing context, proportions, and elements of the building.
3. Paint or mount all murals or other similar forms of visual art on the side or rear walls of the building, and not on its primary façade or above its roof line.
4. The placement of the mural should not interrupt, cover, engulf, overwhelm, or detract from significant or character-defining architectural features including windows, doors, pilasters, cornices, trim, recessed or projecting features of the proposed mural wall.
5. Murals are not permitted on unpainted masonry walls, unpainted and painted stone or wood siding, or any other material which does not have a flat planar character of historic structures.
6. Murals on unpainted non-historic buildings or walls will be considered on a case-by-case basis.

7. Mural designs should not contain any advertising including company names, business logos, and/or symbols that are related to the business within the building according to the definition of “on-premise advertising” in Article VII of the Land Development Code.
8. Historic murals or historic signs, logos, or other historic commercially related messages may have acquired historic significance in their own right. In these instances, they may be retained and restored as approved by the HPC on a case-by-case basis.
9. Applications for new murals should clarify best maintenance practices to be used for their installation including proper engineering of any panels that may be installed, the preparation and cleaning of the existing wall to receive the mural, the types of priming and the paints and protective coatings to be used. Also, if a panel is used, its material and texture, attachment, and moisture effects on the historic wall should be addressed. Written explanation of the wall surface and cladding, its suitability to receive the proposed materials, where relevant, shall be provided. All mural(s) shall have a wall surface suitable to receive the materials proposed. The proposed materials shall not cause unreasonable permanent damage to historic cladding and should be appropriate for long-term use of the wall surface.
10. Avoid waterproofing, water repellent, or non-historic coatings on masonry unless moisture is able to “breathe” through the coating. Liquid vinyl coatings are not allowed. An anti-graffiti coating may be used on the masonry areas if needed.

Connie Kincaid, Business Development Manager, added that murals will also require issuance of a certificate of appropriateness reviewed by the Historic Preservation Commission. There is no charge for a COA.

After a motion by Vice-Chairman Reese, second by Commissioner Yoder, 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 Pennell seconded the motion, which passed unanimously.

Chairman Lail made a motion to approve the proposed text amendment to the Historic Preservation Commission Design Review Standards related to murals. Vice-Chairman Reese seconded the motion, which passed unanimously.

BUDGET ORDINANCE AMENDMENTS #24 - #26

Ben Faulkenberry, County Attorney / Interim County Manager, reviewed the purpose of Budget Amendments #24 - #26 as follows:

Budget Amendment #24 – To increase the 1) Register of Deeds budget for a state grant award to preserve historic records plus the 100% local match requirement, 2) Soil & Water budget for two grants from the NC Foundation for Soil & Water Conservation non-profit

agency for education supplies and a drone plus the 30% local match requirement, 3) the Health Department Health Promotion budget for an updated cost estimate to purchase a Narcan vending machine with Blue Cross Blue Shield grant funding, and 4) Health Department General Health budget for additional state grant funds from the ARPA Temporary Savings Fund for public health services.

Budget Amendment #25 – To 1) increase the Public Buildings budget for maintenance on fire alarm systems at three County buildings, 2) decrease the estimated revenue for the Medicaid Hold Harmless annual distribution based on March 2024 NC Department of Revenue Projections, and 3) increase the Sheriff’s Office budget for use of state funds from Unauthorized Substance Tax distributions received in a prior budget year that are in Fund Balance.

Budget Amendment #26 – To budget for additional state funds to the School System from the Repair and Renovation Lottery Fund for costs that exceeded original estimates for carpet replacement projects.

Commissioner Yoder made a motion to approve Budget Amendments #24 - #26. Commissioner Pennell seconded the motion, which passed unanimously.

CONSENT AGENDA

- A. Tax Abatements & Adjustments (\$3,093.21) and Tax Refunds (\$1,345.79) for April 1-29, 2024.
- B. Minutes from the March 28, 2024 Special Called Meeting and April 8, 2024 Regular Meeting.
- C. Line-Item Transfer Report for April 2024.
- D. Request to surplus a 2007 Chrysler Town & Country Van, VIN #1A4GJ45R47B245645 with 198,147 miles.
- E. Board / Committee Appointments – Library Board of Trustees.
- F. Acceptance of \$412,500 NC Rural Downtown Economic Development Grant for the Housing our Teachers Project.
- G. Revised FY 2025 Budget Process Calendar.

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

COUNTY MANAGER’S REPORT

Ben Faulkenberry, County Attorney / Interim County Manager, reviewed the following:

- May started off busy for emergency services agencies who responded to 4 structures fires and a fire at the landfill. Mr. Faulkenberry conveyed his appreciation for the swift response from everyone involved.

- The closing for property purchased for the Bethlehem water tank is scheduled for April 24, 2024. Thanks to Fox-Watson Properties, LLC for their cooperation in securing this ideal location for the tank that will serve the Bethlehem community.
- Bids will be opened on May 9th for the Bowman Court Sewer Project and the award recommendation will be presented at the May 20th Commissioners' Meeting.
- A ribbon cutting is planned for the new swim beach at Wittenburg Access on May 24th at 2:00 PM. There are still openings for part-time park attendants.
- RockyFest was held on April 20th with a good crowd in attendance. Mr. Faulkenberry thanked Alisha Stamey, Parks Director, and her staff as well as the vendors, musicians, and volunteers who made the event possible.
- The Alexander County Sheriff's Office has a new mobile app with news and weather updates, ability to view Detention Center inmates and submit anonymous tips, and several other features. The free app is available for download on Apple and Android devices.
- EMS has expanded its lifesaving capabilities with the implementation of whole blood in QRV units, allowing paramedics to provide blood transfusions to traumatically injured patients.
- Several upcoming events include the 10th annual Vertical Mile Challenge on June 22nd at Rocky Face Park, Farmer's Market every Saturday from 8:00 AM to 12:00 PM in the Services Center parking lot, and the kick-off of the Summer Concert Series this Saturday at Courthouse Park with Alabama Sunset.

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

Vice-Chairman Reese made a motion to enter into Closed Session at 6:56 PM to discuss economic development, contractual matters, and personnel issues pursuant to N.C.G.S. 143-318.11(a)(4, 5, & 6). Commissioner Yoder seconded the motion, which passed unanimously.

ADJOURNMENT

There being no further business, Vice-Chairman Reese made a motion to adjourn at 8:00 PM. Commissioner Pennell seconded the motion, which passed unanimously.

Joshua D. Lail, Chairman

Jamie M. Starnes, Clerk to the Board