

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING July 15, 2024

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

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

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, July 15, 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

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

COMMISSIONER'S REPORT

Commissioner Pennell gave a reminder that the splash pad at Courthouse Park and the new Wittenburg Access swim beach were free venues available to help beat the heat this summer.

Commissioner Yoder mentioned the injuries and loss of life that occurred in Pennsylvania over the weekend. He urged everyone to look past political affiliation, respect each other, and pray for our leaders and those running for office rather than acting out in anger and violence.

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: STERLING ROAD CDBG PROJECT AMENDMENTS

Paul Teague, WPCOG Community & Economic Development Administrator, discussed a proposed amendment to the Sterling Road CDBG Project that would change the scope of work and request an additional \$673,596 in funding from the NC Department of Commerce. The purpose of this request is to assist with increased materials / construction costs for the road paving portion of the project and to pave an additional 379 linear feet of roadway along Sterling Road, bringing the total budget to \$1,318,640 that will be paid entirely with federal funding; no County dollars will be spent.

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

Helen Chestnut, member of the WPCOG Policy Board, asked for clarification on why the budget for this project increased so drastically (from \$645,044 to \$1,318,640).

Mr. Teague explained that, in addition to a miscalculation of the length of Sterling Road to be paved, the project engineer had recently determined that the estimated paving costs provided in 2022 were no longer accurate due to inflation. However, he pointed out that the housing rehabilitation portion of the project would not be impacted by this amendment and would proceed as planned.

Rev. Sterling Howard, resident of Sterling Road, spoke about the poor conditions of the road and his efforts to get the problem addressed for more than 40 years, which included speaking with Town of Taylorsville officials about annexation with no luck. As a taxpayer, he felt this project was needed.

In response to questions asked by Commissioners Pennell and Herman, Mr. Teague stated that, with tonight's approval, a construction contract should be awarded in early 2025 with paving to begin in the spring. He added that Sterling Road would be paved according to NCDOT standards in hopes that it would be accepted into the State Maintenance System.

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

Vice-Chairman Reese made a motion to approve the amendment to the Sterling Road CDBG Project scope of work and request an additional \$673,596 from the NC Department of Commerce. Commissioner Yoder seconded the motion, which passed unanimously.

PUBLIC HEARING: REZONING CASE 24-02 – HUGO ALBERTO CASTILLO PAZ

Ben Faulkenberry, County Attorney / Interim County Manager, presented Rezoning Case 24-02 submitted by Hugo Alberto Castillo Paz who requested rezoning of a 2.22-acre tract located at 7227 NC Highway 16 South from Mixed Use (MU) to Community Commercial (CC) to allow for an automobile service business.

After reviewing aerials of the property and criteria to be considered when conducting rezoning cases, Mr. Faulkenberry reported that this section of Highway 16 South was classified as a Rural Transition Area according to the Future Land Use Plan and that this parcel was a reasonable candidate for Community Commercial uses which are meant to be utilized in areas designated as transitional or urban. The Planning Board held a public hearing on July 11, 2024 to consider this petition and voted unanimously to recommend approval based on consistency with the Comprehensive Plan.

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

Commissioner Yoder made a motion to approve Rezoning Case 24-02 based on its consistency with the Alexander County Comprehensive Plan. Commissioner Herman seconded the motion, which passed unanimously.

PUBLIC HEARING: REZONING CASE 24-03 – TYLER & CHRISTIAN BROWN

Ben Faulkenberry, County Attorney / Interim County Manager, presented Rezoning Case 24-03 submitted by Alexander County on behalf of Tyler and Christian Brown who requested rezoning of a 2.29-acre tract located at 9162 NC Highway 127 from Residential District One (R1) to Community Commercial (CC).

After reviewing aerials of the property and criteria to be considered when conducting rezoning cases, Mr. Faulkenberry reported that in 2020, Mr. Brown had requested and was granted rezoning of this property from RA-20 to H-C to allow for commercial self-storage; however, with recent approval of the Land Development Code, this tract was inadvertently rezoned back to residential. Therefore, the County submitted a petition to rezone the parcel back for commercial use. Mr. Faulkenberry added that this section of Highway 127 was classified as a Community Service Center (CSC) according to the Future Land Use Plan, which is intended for concentrations of mixed uses. The Planning Board held a public hearing on July 11, 2024 to consider this petition and voted unanimously to recommend approval based on consistency with the Comprehensive Plan.

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

Due to serving as Mr. Brown's general contractor for this property, Chairman Lail requested the ability to recuse himself from consideration of this rezoning case. Commissioner Yoder made a motion to allow Chairman Lail to abstain. Vice-Chairman Reese seconded the motion, which passed unanimously.

Vice-Chairman Reese made a motion to approve Rezoning Case 24-03 based on its consistency with the Alexander County Comprehensive Plan. Commissioner Herman seconded the motion, which passed 4 in favor (Commissioners Herman, Pennell, Reese, and Yoder) with one abstention (Commissioner Lail).

VAYA HEALTH PRESENTATION

Zack Shepherd, Vaya Health Community Relations Regional Director, gave a slide show presentation that included the following information:

- Tailored Plans began on July 1, 2024 and cover the same services as NC Medicaid Direct, addressing whole person needs (physical health, behavioral health, substance abuse, I/DD, TBI, pharmacy, etc.). Letters were mailed in mid-April notifying members of which Tailored Plan they were in based on the county where they receive Medicaid benefits.
- Providers must be in the Tailored Plan's network to be covered and members who do not choose a PCP by January 31, 2025 will be assigned one. Waitlist spots will be retained and members are not required to change their Tailored Care Managers if they already have one.
- Vaya Total Care Perks for Tailored Plan members include home-delivered meals with a qualifying hospital discharge, Weight Watchers mobile app vouchers, COVID-19 and flu vaccine gift cards, breast pumps and lactation support, GED assistance, discount vouchers for home safety equipment not covered by Medicaid, and up to 24 Modvicare trips per year to grocery stores, libraries, parks, offices, etc. Vaya Total Care will also be responsible for non-emergency medical transportation for physical and behavioral health appointments.
- Tailored Care Managers are available to arrange medical appointments and transportation, provide support with chronic health issues, assistance with locating childcare, housing options, home maintenance/repair resources, and support transitions out of hospital or nursing facilities.

Commissioner Yoder was hopeful that Vaya Health would work with local PCP's to be included in the Tailored Plan Network so that citizens would not have to switch providers.

HEALTH DEPARTMENT SPECIAL UPDATE

The following was presented to the Board:

- Tobacco 21 – In an effort to protect minors from the harmful effects of e-cigarettes and nicotine, Kaitlyn Graves, Health Educator, requested approval of a resolution and letters of support to raise the legal age to purchase tobacco products in NC from 18 to 21 as well as require all tobacco retailers to obtain a permit. North Carolina is one of only 7 states whose minimum tobacco age remains at 18, triggering the Synar Amendment which could result in the loss of SUBG funds if our retailer noncompliance rates exceed 20% (rate was 13% in FY 2023 and 21% in FY 2024).

Commissioner Pennell voiced concerns with allowing 18-year-olds to serve in the military and possibly die for our country, but prohibiting them from purchasing tobacco products.

Vice-Chairman Reese made a motion to approve the Tobacco 21 resolution and letters of support. Commissioner Herman seconded the motion, which passed 4 in favor (Commissioners Herman, Lail, Reese, and Yoder) and one against (Commissioner Pennell).

- 2023-2024 End of Year Outcome Summary Report – Billie Walker, Health Director, presented report details and statistics as follows:
 - Public Health 10 Essential Services (Accreditation Benchmark 39.2) – Ms. Walker reviewed the 10 Essential Services of Public Health and examples of work done by Health Department staff during the 2023-2024 year to address each service:
 1. Monitoring health status to identify and solve community health problems:
 - Monitoring the opioid epidemic.
 - Monitoring of health and safety in food (restaurants and food establishments).
 - Continual monitoring of communicable diseases.
 2. Diagnose and investigate health problems and health hazards:
 - Continual monitoring of communicable diseases.
 - Preparedness planning in community with various partners.
 3. Inform, educate, and empower people about health issues:
 - Educate the faith-based community (partnering with PORT) on SUD.
 - Educate the schools on dangers of SUD and vaping.
 - STD and teen pregnancy prevention in the schools.
 - Diabetes education in marginalized community.

4. Mobilize community partnerships and action to identify and solve health problems:
 - Lead role in SUD Committee is gathering partners at the table.
 - Worked with Senior Center.
 - Re-established the Local Information Team (LIT).
5. Develop policies and plans that support individual and community health efforts:
 - Continual process of annually developing policies and plans (preparedness).
6. Enforce laws and regulations that protect health and ensure safety:
 - Continual process throughout the year in various programs.
7. Link people to needed personal health services and assure the provision of health care when otherwise unavailable:
 - BH.
 - PORT.
 - WIC.
 - CMARC / CMHARP.
8. Assure competent public and personal health care workforce:
 - Mental Health First Aid (adult/youth) Training (opened up to partners in community).
 - Public Health Law Training.
 - Public Information Officer Training.
 - Ensure all licensed staff are up to date with required trainings and certifications.
9. Evaluate effectiveness of accessibility and quality of personal and population-based health services:
 - Patient satisfaction surveys.
 - Review complaints monthly and assess where changes are needed.
 - Family Planning Quality Improvement Plan.
10. Research for new insight and innovative solutions to health problems:
 - This one is difficult due to the fact that we don't have universities in our county to work with but we are still looking for ways to reach this.

- Workforce Development (Accreditation Benchmark 24.2, 26.2, and 37.6) – the Health Department has a total of 42 employees with 38 of those filled (4 vacancies). Employee demographics are 15.79% male, 84.21% female, 92.11% white, 7.89% Hispanic, and 39.47% over 50 years old. Headcounts include 2 Baby Boomers (1946-1964), 23 Generation X (1965-1980), 8 Millennials (1981-1994), and 5 Generation Z (1995-2010).
- Summary of Services Provided (Accreditation Benchmark 33.6) – unduplicated program numbers totaled 5,398 in these categories: 91 in Behavioral Health,

120 in Child Health, 2,817 in Dental Health, 233 in Family Planning, 1,043 in Immunizations, 55 in Maternal Health, 2 in Other Services, 605 in Primary Care, 185 in Sexually Transmitted Diseases, and 247 in Tuberculosis.

- Bad Debt Write-Off (Accreditation Benchmark 33.6 and 33.7) – a list of uncollectable, outstanding client balances is prepared twice a year and presented to the Health Director and the Board per the Alexander County Health Department Fee and Eligibility Policy. The balances approved by the Health Director and the Board will be written off. Currently, the accounts in the areas of Dental Health, Primary Care, and Family Planning have outstanding balances that meet the definition of uncollectible totaling \$1,239.93 for the period of January 1 – June 30, 2024.

Commissioner Yoder made a motion to approve the bad debt write-off as presented. Commissioner Pennell seconded the motion, which passed unanimously.

HOUSING OUR TEACHERS PROJECT BID AWARD RECOMMENDATION

Connie Kincaid, Business Development Manager, reported that a bid opening was held on June 28, 2024 for the Housing Our Teachers Project where 3 bids were received to rehabilitate a historic County-owned building at 16 West Main Avenue to provide office space (1st floor) and two apartments that will be leased to new teachers (2nd floor). The lowest responsive, responsible bidder was HALCO Contractors from Hickory, NC who submitted a base bid of \$579,820 along with two alternates (\$4,500 for Alternate #1 and \$2,566 for Alternate #2) for a total bid of \$586,876. Maurer Architecture has evaluated the experience, reputation, and financial condition of HALCO Contractors and feel they are capable of completing the scope of work as outlined in the bid documents.

Commissioner Yoder made a motion to accept the bid submitted by HALCO Contractors in the amount of \$586,876 for the Housing Our Teachers Project. Commissioner Pennell seconded the motion, which passed unanimously.

AMERICA 250 PRESENTATION

Connie Kincaid, Business Development Manager, discussed the America 250 NC initiative being led by the NC Department of Natural and Cultural Resources to celebrate the 250th Anniversary of the United States in 2026. All 100 counties are being asked to participate through a variety of activities and programs. Ms. Kincaid recommended approval of a resolution to recognize and approve the Alexander County America 250 Committee that will be comprised of members of the Alexander County Historic Preservation Commission. This committee will work together to encourage participation from local citizens in the planning and organizing of America 250 commemoration events in Alexander County.

Vice-Chairman Reese made a motion to approve the America 250 NC Committee resolution. Commissioner Yoder seconded the motion, which passed unanimously.

DESIGNATION OF VOTING DELEGATE FOR NCACC ANNUAL CONFERENCE

Chairman Lail made a motion to designate Commissioner Yoder to serve as Voting Delegate at the NCACC Annual Conference scheduled for August 8-10, 2024 in Winston-Salem. Vice-Chairman Reese the motion, which passed unanimously.

KROGER OPIOID SETTLEMENT RESOLUTION

Ben Faulkenberry, County Attorney / Interim County Manger, informed the Board that an additional opioid settlement had been negotiated with Kroger who owns and operates Harris Teeter supermarkets in NC. As a result, NC state and local government entities stand to receive another \$40 million in settlement funding with Alexander County's portion estimated at approx. \$174,000. He presented a resolution approving a supplement to the Opioid MOA to join the Kroger settlement. These funds are expected this fiscal year.

Commissioner Yoder made a motion to approve the Kroger Opioid Settlement Resolution. Vice-Chairman Reese seconded the motion, which passed unanimously.

BUDGET ORDINANCE AMENDMENTS #1 - #4

Ben Faulkenberry, County Attorney / Interim County Manager, reviewed the purpose of Budget Amendments #1 - #4 as follows:

Budget Amendment #1 – To increase:

- the Register of Deeds budget for Round 1 (\$2,000) and Round 2 (\$2,714) of a state grant award for the preservation of historic records and files, as well as the 100% local match requirement.
- the Senior Center budget due to a reallocation of ARPA Congregate Nutrition grant funds from the WPCOG.
- the Animal Services budget for a dog box truck bed insert that was budgeted in FY 2024 but will be delivered in FY 2025 due to manufacturer delays.
- the Sheriff's Office budget to purchase an armored vehicle using Federal Equitable Share Funds and State Unauthorized Substance Tax Funds.
- the Library budget for one-time grant funds received from the ARPA State Fiscal Recovery Funds.

Budget Amendment #2 – To increase the General Fund budget for FY 2025 workers compensation and property and liability insurance premiums that exceed original budget estimates.

Budget Amendment #3 – To increase the Solid Waste Fund budget for FY 2025 workers compensation and property and liability insurance premiums that exceed original budget estimates.

Budget Amendment #4 – To budget for the closeout of the 2022 State Appropriations Act Grant Fund and transfer the project-to-date interest earned to the Park Improvements Fund to reimburse for the Bethlehem Park Improvements Project expenses.

Discussion was held regarding the significant increase in the premium for workers compensation insurance coverage for FY 2025. In response to questions asked by the Board, Mr. Faulkenberry provided the following information:

- Alexander County was not given notice of this increase by our broker until June 12, 2024, a total of 9 days after the FY 2025 budget was approved on June 3, 2024.
- Correspondence between several County staff members, our workers comp insurance provider (Key Risk), and our broker (Jeff Looper with Nationwide/Hiller Ringeman) resulted in very little explanation as to the cause of the increase other than an increase in salaries (only 9.41%) and variations with experience modifications and discretionary renewal credits. However, after inquiries were made, the County was granted a reduction of \$5,000 on the premium for FY 2025, reducing the overall increase from \$323,940 (29%) to \$318,766 (27%). The invoiced premium for FY 2024 was \$250,849.

Several members expressed concerns and disappointment with the premium increase and lack of communication and it was agreed that an RFQ for insurance services would be advertised in early 2025 to prepare for the FY 2026 budget.

Commissioner Yoder made a motion to approve Budget Amendment #1. Commissioner Herman seconded the motion, which passed unanimously.

Vice-Chairman Reese made a motion to approve Budget Amendment #2. Commissioner Herman seconded the motion, which passed 3 in favor (Commissioners Herman, Lail, and Reese) and two against (Commissioners Pennell and Yoder).

Commissioner Pennell made a motion to approve Budget Amendment #3. Commissioner Herman seconded the motion, which passed unanimously.

Vice-Chairman Reese made a motion to approve Budget Amendment #4. Chairman Lail seconded the motion, which passed unanimously.

CONSENT AGENDA

- A. Tax Abatements & Adjustments (\$2,269.93) and Tax Refunds (\$1,531.95) for May 28 – July 7, 2024.
- B. Minutes from June 3, 2024 Regular Meeting and June 26, 2024 Special Called Meeting.
- C. Line-Item Transfer Report for June 3 – July 2, 2024.
- D. Board / Committee Appointments – Historic Preservation Commission, Region E Aging Advisory Committee, and America 250 NC Committee.

- E. Renewal of agreement with the Town of Taylorsville for planning and zoning services.
- F. Renewal of agreement with the Town of Taylorsville for fire inspection services.
- G. Request to surplus a 1999 Chevy box truck, VIN #1GBKP32Y7X33033718 that is longer useable as a Sheriff's Office SRT vehicle.
- H. Request to surplus old Bethlehem Park playground equipment and a 1998 Chevy S10, VIN #1GCCS1444WK186178 with 118,576 miles.
- I. Proposed revisions to Personnel Policy.

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

COUNTY MANAGER'S REPORT

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

- The next event in the Summer Concert Series will be The Extraordinaires on July 20th at 7:00 PM Courthouse Park, followed by fireworks at 9:45 PM at the ACHS practice field on Liledoun Road.
- Also on July 20th, a Christmas in July Craft Show and special farmer's market will be held at the Senior Center from 8:00 AM to 2:00 PM.
- He gave a special thanks to County PIO Gary Herman who attended a public meeting tonight in Morganton related to Charlotte's request to withdraw additional water from the Catawba River Basin.

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 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 Herman seconded the motion, which passed unanimously.

ADJOURNMENT

There being no further business, Vice-Chairman Reese made a motion to adjourn at 8:31 PM. Commissioner Herman seconded the motion, which passed unanimously.

Joshua D. Lail, Chairman

Jamie M. Starnes, Clerk to the Board

