

IREDELL COUNTY BOARD OF COMMISSIONERS
BRIEFING MINUTES
July 5, 2005

The Iredell County Board of Commissioners met in Briefing Session on Tuesday, July 5, 2005, at 5:00 p.m., in the Iredell County Government Center (South Wing Conference Room), 200 South Center Street, Statesville, NC.

Present were:

Chairman Sara Haire Tice
Vice Chairman Godfrey Williams
Steve D. Johnson
Marvin Norman
Ken Robertson

Staff present: County Manager Joel Mashburn, Deputy County Manager and Finance Director Susan Blumenstein, Assistant County Manager and Director of Emergency Management Tracy Jackson, Planning Supervisor Steve Warren, Planner Richard McHargue, and Acting Clerk to the Board Stephanie Whitlock.

CALL TO ORDER by Chairman Tice.

CLOSED SESSION: **MOTION** by Chairman Tice at 5:02 p.m., to suspend the board's Rules of Procedure for the purpose of entering into closed session to discuss economic development matters pursuant to G.S. 143-318.11(a) (4).

VOTING: Ayes – 5; Nays – 0.

(RETURN TO OPEN SESSION AT 5:15 P.M.)

CALL FOR A PUBLIC HEARING REGARDING AN ECONOMIC DEVELOPMENT INCENTIVE FOR LOWES COMPANIES, INC.: **MOTION** by Chairman Tice to suspend the board's Rules of Procedure and to call for a public hearing on Tuesday, July 19, 2005, at 7:00 p.m., for the purpose of discussing an economic development incentive grant for Lowes Companies, Inc., and its Phase III Construction Project consisting of a 730,000 square foot addition of office space that will accommodate up to 2,500 additional employees with the projected cost being \$110,000,000.00. The company expects to finalize the cost and official approval of the project by early fall 2005 with construction to begin in early 2006 and with an expected completion date being early 2008. The company is asking for an incentive grant for \$382,800.00 per year for a six-year period, totaling \$2,296,800.00.

VOTING: Ayes – 5; Nays – 0.

REQUEST FROM THE TOWN OF TROUTMAN FOR APPROVAL OF AN EASEMENT DEED FOR PROPERTY LOCATED AT THE SOUTHERN LINE OF THE IREDELL COUNTY VOCATIONAL WORKSHOP AND THE NORTHERN LINE OF IREDELL COUNTY PROPERTY (SECTION OF THE COUNTY HOME PROPERTY): Troutman Town Manager Donald Duncan requested for Iredell County to grant an easement along the property line bordering the Iredell County Vocational workshop and ABT, Inc., that will be used for the installation of a force main to provide sewer services to the C.R. Onsrud property, located behind the Iredell County Vocational Workshop.

NON-OWNER REZONING REQUEST; SEVERAL PROPERTY OWNERS IN THE MOCKSVILLE HIGHWAY/OAK FOREST DRIVE AREA, CASE NO. 0506-1, REQUEST A REZONING FROM RESIDENTIAL AGRICULTURAL TO R-20 SINGLE FAMILY RESIDENTIAL ZONING FOR APPROXIMATELY 404 ACRES: Planning Supervisor Steve Warren stated this was a request from 31 out of 35 property owners (89%) for a rezoning of property from R-A to R-20. He said the property owners wanted to protect the integrity of the area by preventing future mobile home developments. Mr. Warren stated the request did not

conflict with the County Land Use Plan, and the Planning Board unanimously recommended approval.

Commissioner Robertson asked why the rezoning was called a Non-Owner Request.

Commissioner Johnson said it was because someone who did not actually own the property was petitioning for the rezoning.

Commissioner Tice asked what the minimum percentage requirement was to approve the request, and Commissioner Johnson said he believed there needed to be an 80% approval percentage. Johnson said he recalled that the lowest percentage ever approved was around 73%.

Commissioner Williams asked what type of dwellings were on the four properties that did not sign the petition, and Mr. Warren stated he believed they were Single – Family Dwellings. He said the applicants tried to contact the four owners, plus notifications were sent by the planning staff, but the property owners never responded. He said the staff had to assume they were indifferent or in favor of the request.

Mr. Williams asked if there was any opposition at the Planning Board Meeting, and Mr. Warren said no one voiced any objections.

REZONING REQUEST; DONALD A. GOFORTH PROPERTY, CASE NO. 0506-3 FROM RESIDENTIAL AGRICULTURAL TO GENERAL BUSINESS ZONING DISTRICT; LOCATION: 1,052 FEET NORTH OF FLOWER HOUSE LOOP ADJACENT TO I-77 IN TROUTMAN, NC: Planning Supervisor Steve Warren stated that in 2002, Mr. Donald Goforth had a parcel of land adjacent to this rezoning request rezoned to General Business with conditions. He said the property was currently vacant, and the owner intended to obtain approval from Troutman to petition for annexation. He said the Town of Troutman would require the applicants to construct a road from Hwy. 115 to provide access for the property and surrounding areas. Mr. Warren said the staff felt it would be appropriate to place the same conditions on the property as were on the parcel in 2002, but Mr. Bryan (realtor) felt his options with the property would be increased if no conditions were imposed because the Town of Troutman would have conditions for the site. Mr. Warren said the Town had already required the owner to have an 80 ft. right-of-way from 115 into the property. Mr. Warren said the staff presented the request to the planning board with the same conditions that were listed in the Exit 42 Plan. He said the planning board felt the Town of Troutman would make certain that those conditions were met. Warren said the planning board recommended unanimously in favor of the request without any conditions.

Commissioner Johnson said he didn't think the applicants had a problem with the conditions and the Town of Troutman would make certain everything was in order when annexation occurred. He said that if the applicant agreed with the Town's terms, then he didn't see a problem approving the request.

PROPOSED AMENDMENT TO THE IREDELL COUNTY ZONING ORDINANCE; SR14 – SWIMMING POOLS AND SECTION 18.6, DEFINITION – SWIMMING POOLS: Planning Supervisor Steve Warren said this amendment was a replacement of a provision in the Iredell County Zoning Ordinance which currently required a 10 ft minimum distance between the edge of a building to the edge of a pool. He said there didn't seem to be a reason to retain the stipulation and the county's ordinance needed to be consistent with the North Carolina State Building Code. Warren said the building code indicated the distance could be more or less depending upon the infrastructure of the pool. Mr. Warren stated that the rest of the section relating to pools and exterior setbacks and fencing were the same or consistent. He said the amendment also had a definition for swimming pools that would be included in the ordinance. Mr. Warren said the amendment came about because contractors did not have enough room on waterfront lots to place a pool with a 50 ft buffer that was required along the water and a 10 ft setback between structures. He said the staff had researched the requirement and could find no compelling reason for keeping this as a standard setback as opposed to the North Carolina State Building Code requirement. He said there were no

objections to the amendment, and the planning board unanimously recommended approval.

Commissioner Johnson asked if the amendment would allow a pool to be closer than 10 ft to a building, and Mr. Warren said this might be possible if the property owner had the right structuring to support the pool based on the Building Code.

REQUEST FOR APPROVAL OF A RESOLUTION MAKING CERTAIN FINDINGS RELATING TO THE AUTHORIZATION AND ISSUANCE OF SCHOOL BONDS AND COMMUNITY COLLEGE BONDS & AUTHORIZING THE DEPUTY COUNTY MANAGER & DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO FILE AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION: Finance Director Susan Blumenstein stated there had been a change in the resolution from the copy supplied in the agenda packet. She said the bond counsel had eliminated the title “Deputy County Manager” because it sounded like two different people were involved. Blumenstein said the Resolution was required before the county could proceed further. She said the resolution basically allowed her to file an application for approval with the Local Government Commission for school bonds not to exceed \$44,630,000.00 and \$6,000,000.00 in Community College Bonds. Ms. Blumenstein indicated the Resolution said (1) the commissioners had determined that the bonds were necessary or expedient for the County, (2) the proposed principal amounts for the Bonds were adequate and not excessive, (3) that the county’s debt management procedures and policies were good and managed within strict compliance with law, (4) that the estimated increase in taxes necessary to service the Bonds would not be excessive, and (5) that under current economic conditions the Bonds could be marketed at reasonable rates of interest. She said the resolution would take effect immediately upon passage. Ms. Blumenstein stated there would be a legal notice published in the paper about the Bonds, and a public hearing would be held at a later date.

ADJOURNMENT: Chairman Tice adjourned the briefing at 6:46 p.m.

Approval: _____

Acting Clerk to the Board