

**IREDELL COUNTY BOARD OF COMMISSIONERS  
REGULAR MINUTES  
AUGUST 17, 2004**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, August 17, 2004, 7:00 p.m., in the Iredell County Government Center (Commissioners' Meeting Room), 200 South Center Street, Statesville, NC.

Present were:

Chairman Steve D. Johnson  
Vice Chairman Godfrey Williams  
Doug Madison  
Marvin Norman  
Sara Haire Tice

Staff present: County Manager Joel Mashburn, County Attorney Bill Pope, Finance Director Susan Blumenstein, and Clerk to the Board Jean Moore.

**CALL TO ORDER** by Chairman Johnson.

**INVOCATION** by Chairman Johnson.

**PLEDGE OF ALLEGIANCE**

**ADJUSTMENTS OF THE AGENDA**

**MOTION** by Chairman Johnson to approve the agenda with the following adjustment.

Deletion: Request from the City of Monroe for an Opportunity to Discuss a Proposed Natural Gas Pipeline Project and the Acquisition of Rights-of-Way (see briefing minutes)

VOTING: Ayes – 5; Nays – 0.

**PUBLIC HEARING**

Chairman Johnson declared the meeting to be in a public hearing.

**Consideration of an Economic Development Incentive for Penske Racing South:** Economic Developer Melanie O'Connell Underwood said Penske Racing had purchased the former Matshusita Compressor building in Mooresville. She said the company would use the incentive to help in the renovations of the former industrial building that had been vacant for three and half years and convert it into a motorsports facility. Underwood said the company was requesting an incentive of \$139,200.00 based upon an \$8 million dollar investment (on top of the purchase price).

Penske Racing South President Don Miller said the company had existed in Mooresville since 1990 on a four-acre site. He said that over the past 15 years, the site had been continually upgraded, and it was expanded in 1993 by the construction of another building along with the addition of 25-30 people to the staff of 60 employees. Miller said later, six adjacent acres were purchased and four more facilities were built. He said that due to Penske's international customer base, people traveled to Mooresville from all over the world to tour the first class wind tunnel and chassis facility. Miller said Penske provided 206 jobs, yet the company had never requested an incentive from the county. He said Penske's goal was to house all of its employees under one roof, instead of having them in four or five different buildings. Miller said the remodeled facility would include a gift shop and museum in the front section, along with a glass tower in the center that would rise and take people to a 310 ft. "catwalk" where fans could observe the automotive technicians at work. Miller said Penske would utilize about 240,000 sq. ft., and another company would be allowed to locate in the back portion; thus creating even more jobs.

No one else desired to speak and Chairman Johnson adjourned the hearing.

**MOTION** by Commissioner Tice to grant Penske Racing South, Inc., an incentive of \$139,200.00, over a five-year period, based on an \$8 million investment in Iredell County.

VOTING: Ayes – 5; Nays – 0.

-----CONSENT AGENDA-----

**MOTION** by Chairman Johnson to approve the following 12 consent agenda items.

VOTING: Ayes – 5; Nays – 0.

**1. Request for Approval of the July 2004 Refunds and Releases:** Tax Administrator Bill Doolittle, during the briefing, recommended approval of the following refunds and releases.

<b>JULY 2004 TAX RELEASES &amp; REFUNDS</b>		
	<b>Releases</b>	<b>Refunds</b>
County	\$ 37,883.26	\$ 9,683.43
Solid Waste Fees	141.00	0
East Alexander Co. Fire #1	0	0
Shepherd's Fire # 2	70.04	1.11
Mount Mourne Fire # 3	39.66	6.46
All County Fire # 4	1,240.38	2,399.11
Statesville City	884.06	194.76
Statesville Downtown	151.56	.41
Mooresville Town	23,122.14	482.11
Mooresville Downtown	62.48	.77
Mooresville School	5,044.49	151.03
Love Valley	0	0
Harmony	0	0
Troutman	80.08	0
<b>Total</b>	<b>\$ 70,719.15</b>	<b>\$12,919.19</b>

A complete list, of the individual tax releases and refunds, is hereby incorporated into the minutes by reference.

**2. Request for Approval of Budget Amendment #5 to Recognize Two Library Services & Technology Grants Received from the State Library of North Carolina:** At the 5 p.m. meeting, Library Director Messick requested approval of a budget amendment to recognize revenue from the following two grants.

- A. Automated Systems Grant for \$69,600. (The system will be used at the new library, and it will be used to check books in/out, register new patrons for library cards, and provide an on-line computer catalog.) This is an 80/20 matching grant, and the county will pay \$17,300 with the funds to be derived from the new building's Capital Project Fund.
- B. Internet Infrastructure Grant for \$22,800. (The funding will be used for a software system to manage and monitor the public-use computers in the new library.) This is also an 80/20 matching grant, and the county will pay \$5,700 with funds to be taken from the new library's Capital Project Fund.

**3. Request from the Library for Approval of a Revision to the Ordinance Pertaining to the Schedule of Fines and Charges for Library Materials:** Library Director Steve Messick at the briefing session requested approval of the following two requests.

- A. Increase the fines for late return of books, compact discs, and audiocassettes from the current cost of \$0.05 per day to \$0.25 per day. The cost for overdue cassettes and videos will remain at the current level of \$1 a day.
- B. Add a charge of \$0.50 for items placed on hold. (There is no cost at the present. The new “user” fee will help offset the postage costs when notices are sent to the patrons advising of the availability of requested items.)

The ordinance revision will be as follows:

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*Sec. 6.5-1. Schedule of fines and charges for late return of, failure to return, damage to, and loss of library materials; etc.*

*Library materials and equipment* includes, but is not limited to, books, magazines, pamphlets, newspapers, manuscripts, film, microfilm, recordings, audio cassettes, video cassettes, compact discs, video discs, photographs, or other specimens or replicas, works of literature, objects of art, objects of historical significance or curiosity, and equipment helpful in the utilization of such materials.

- (a) *Definitions.* For purposes of this section the following terms shall have the meanings ascribed to them below: *Equipment* shall include but is not limited to projectors, screens, video-players and recorders, cameras, extension cords, adapters, remote controls, synchronizers, microphones, audio and video cassette players, CD players, computers, and other pieces of equipment or machinery helpful in viewing, listening to, and duplicating material.
- (b) *Late return fines.* A fine for the late return of items borrowed is hereby imposed as follows:
  - (1) For the late return of books, compact discs and audiocassettes, twenty-five cents (\$0.25) per day, excluding days when the library is closed.
  - (2) For the late return of video cassettes and video discs, one dollar (\$1.00) per day, excluding days when the library is closed.
  - (3) For the late return of equipment, a fine of fifty cents (\$0.50) per hour after due date with a maximum of six dollars (\$6.00) per day, excluding days when the library is closed.
- (c) *Failure to return library materials; penalty.* Any person who shall fail to return any material or equipment borrowed or withdrawn by him from the Iredell County Public Library within thirty (30) days after receiving written notice from the county librarian that the material or equipment is overdue, shall be guilty of a misdemeanor punishable by a fine of not more than the replacement cost of such materials or equipment, plus fifty dollars (\$50.00), or imprisonment for not more than thirty (30) days, or both. Written notice shall be deemed received on the third day after it has been mailed by the county librarian addressed to the borrower at the last address of the borrower shown on the records of the library. The person in whose name the library card is issued shall be responsible for all items charged to that card.
- (d) *Additional rules and regulations.* The Iredell County Library is hereby authorized, empowered and directed to establish, implement, and follow such policies, procedures, rules and regulations as are necessary and appropriate to protect the resources and assets of the Iredell County Public Library and to enforce the same by such reasonable means as are appropriate, including but not limited to the power to suspend library privileges of any patron who violates any rule, regulation, policy or procedure.

**4. Request from the Health Department for Approval of Budget Amendment #6 in Conjunction with the Submission of an Application for a Grant to Reduce Obesity:** Health Director Donna Campbell, at the agenda briefing, requested approval to use \$18,753 for a healthy weight initiative developed by the community nutritionist. Campbell said the nutritionist would work through the local school systems and the area restaurants by supplying information about healthy food choices. (Specifically the funds will be used for supplies, training and development, and community awareness.)

**5. Request from the Health Department for Approval of Proposed Fee Changes Pertaining to Kindergarten Physicals, Twin-Rix Vaccinations, and a Component of Family Planning Services:** During the briefing, Health Director Campbell requested approval of the following fees:

	<u>Current</u>	<u>Revised</u>	<u>New Fees</u>
Paragard T380A (IUD)	\$344	\$358	
(Due to Medicaid maximum reimbursable rate increasing)			

Addition of the following new fees:

Kindergarten physical (limited)			\$ 45
Twin-Rix Vaccinations (combined Hepatitis A&B)			\$ 60

Note: During the briefing, Commissioner Norman asked what would happen if a child's parents or caretakers did not have the \$45.00. Health Director Donna Campbell said the child could be seen during the regular child health clinic where a sliding fee scale was used. She said no child would be left out of being provided health care services.

**6. Request from the Health Department for Approval to Apply for a Grant to Fund a Second PHN for the Multi-Disciplinary Team:** Health Director Donna Campbell, at the 5 p.m. briefing, advised that Vivian Hamilton, the Director for the Partnership for Young Children, was applying for a \$49,730 grant. Campbell said the funds would be used to hire another nurse for the multi-disciplinary team. She indicated the nurse would be an employee of the health department, and this was why approval from the commissioners was needed.

Note: During the briefing, Commissioner Madison asked what would happen to the position if the grant funds were not available in the future, and Health Director Campbell said there would be a reduction in force.

**7. Request for the Appointment of Additional Assistant Emergency Management Coordinators:** During the briefing, Emergency Management Services Director Tracy Jackson requested the appointment of the following individuals as Assistant Emergency Management Coordinators.

- Robert Tatham, Chief Animal Control Officer
- Sarah Barnette, Animal Control Field Supervisor
- Brad Brawley, Telecommunicator-II
- Lee Darnell, EMS Director
- David Cloer, EMS Operations Manager
- Stacey Montelongo, EMS Training Officer
- Chuck Gallyon, Fire Marshal
- Lloyd Ramsey, Deputy Fire Marshal
- Ronny Thompson, Deputy Fire Marshal
- Tim Warren, Assistant Fire Marshal

**8. Call for a Public Hearing on Tuesday, September 7, 2004 Regarding a Private Financing not Exceeding \$6,950,000 for the Construction of a new Facility for the Iredell County Department of Social Services and to Authorize the Director of Finance and Administrative Services to Proceed with Filing an Application with the Local Government Commission**

**9. Request for Approval of Budget Amendment #46 Retroactive to June 30, 2004 for the Purpose of Appropriating Fund Balance in the Health Care Benefits Fund to Allow a Transfer of Funds Between Budget Line Items to Cover the Costs for the month of June 2004:** During the briefing, Finance Director Blumenstein explained that on August 5, 2004, a report from the North Carolina Association of County Commissioners Group Benefits Pool was received. She said the report indicated that the June health care costs exceeded the funds available by

\$138,110. Blumenstein requested approval of Budget Amendment #46, retroactive to June 30 for the \$138,110 transfer of funds between budgeted line items.

**10. Request for Approval of a Lease Agreement with the North Carolina Department of Environment & Natural Resources (DENR) for the local Forestry Office (Agricultural Building, 444 Bristol Drive, Statesville, NC):** This updated lease will extend through July 31, 2007, with DENR paying \$4,788 a year for the forestry service's usage of 504 sq. ft. of space.

**11. Request for Approval of a Community Service Work Program Agreement:** The North Carolina Department of Crime Control earlier this year revised its community service contracts. Approval of the new contract will allow the continuation of services provided by Community Service Work Program.

**12. Request for Approval of the August 3, 2004 Minutes**

-----END OF CONSENT AGENDA-----

**Request from Wilson Security Service for an Increase in the Hourly Pay Rate for Security Guards:** Chairman Johnson advised that since the 5 p.m. meeting, a discussion had occurred with Mr. Don Wilson, the owner of Wilson's Security Service about the county's budgetary constraints. Johnson said Mr. Wilson had indicated that the main purpose in seeking an increase was to make everyone aware of the rising costs for workers compensation. Chairman Johnson said Mr. Wilson had agreed to continue the services at the current rate through this fiscal year. He said Wilson had been encouraged to submit a cost proposal early in the FY 2005-06 budget season.

(Note: Mr. Wilson attended the 7 p.m. meeting.)

**ANNOUNCEMENT OF VACANCIES OCCURRING ON BOARDS & COMMISSIONS**

- Nursing Home Advisory Committee (2 announcements)

**APPOINTMENTS TO BOARDS & COMMISSIONS**

**Iredell County Board of Adjustment (1 appointment):** No nominations were submitted, and Commissioner Madison made a motion to postpone the appointment until the September 7 meeting.

VOTING: Ayes – 5; Nays – 0.

**Adult Care Community Advisory Committee (3 appointments):** No nominations were submitted, and Chairman Johnson made a motion to postpone the appointments until the September 7 meeting.

VOTING: Ayes – 5; Nays – 0.

**Recreation Advisory Committee (1 appointment):** No nominations were submitted, and Commissioner Williams made a motion to postpone the appointment until the September 7 meeting.

VOTING: Ayes – 5; Nays – 0.

**Joint School Facilities Task Force (5 appointments):** Chairman Johnson nominated Marvin Norman and Marvin Krieger.

Commissioner Tice nominated Ann Goode.

Commissioner Williams nominated Garwood "Woody" Childers.

Commissioner Norman nominated Carmen Boggs.

**MOTION** by Commissioner Madison to close the nominations and appoint Norman, Krieger, Goode, Childers, and Boggs to the Joint School Facilities Task Force.

VOTING: Ayes – 5; Nays – 0.

#### UNFINISHED BUSINESS

**IREDELL COUNTY RESCUE SQUAD, INC. REFINANCING:** Finance Director Blumenstein advised that everything was in order for the refinancing of the land, building, and heavy-duty rescue vehicle for the Iredell County Rescue Squad. Blumenstein said the vehicle and property would be conveyed to Iredell County in order for the County to give a security interest to the bank as collateral for the loan. She continued by saying the County would lease the property to the Squad for the 15-year term. Blumenstein said the debt would be reported as a liability of the County, but in order to include the property in the assets of the County, the lease could not include a “bargain sale” agreement. She said that for financial reporting purposes, the lease would indicate that the assets would be returned to the Squad at fair market value. Blumenstein said it was her understanding that the County had never intended to receive any financial benefit from the refinancing, rather the purpose behind it was to decrease the Rescue Squad’s interest costs. She requested that a motion be made stipulating this arrangement between the County and the Squad.

**MOTION** by Commissioner Tice to authorize Joel Mashburn, Jean Moore, Susan Blumenstein and Bill Pope to proceed with the transaction to refinance the outstanding debt of the Iredell County Rescue Squad, Inc., for the sole purpose of decreasing interest costs, and to clarify for the record there was no intent for Iredell County to realize any financial gain from the transaction at the time of the refinancing or at the time the title was returned to the squad.

VOTING: Ayes – 5; Nays – 0.

**CLOSED SESSION:** **MOTION** by Chairman Johnson at 7:25 P.M. to enter into closed session for the purpose of discussing property acquisition matters pursuant to G.S. 143-318.11(a) (5).

VOTING: Ayes – 5; Nays – 0.

(RETURN TO OPEN SESSION AT 7:51 P.M.)

**ADJOURNMENT:** **MOTION** by Chairman Johnson at 7:51 p.m., to adjourn the meeting. (NEXT MEETING: Tuesday, September 7, 2004 at 5 and 7 p.m., in the Iredell County Government Center, 200 South Center Street, Statesville, NC.

VOTING: Ayes – 5; Nays - 0.

Approved: \_\_\_\_\_

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Clerk to the Board