IREDELL COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
AUGUST 21, 2007

The Iredell County Board of Commissioners met in Regular Session on Tuesday, August 21, 2007, at 7:00 p.m., in the Iredell County Government Center (Commissioners' Meeting Room), 200 South Center Street, Statesville, NC.

Board Members Present

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

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

CALL TO ORDER by Chairman Norman

INVOCATION by Commissioner Williams

PLEDGE OF ALLEGIANCE

ADJUSTMENTS OF THE AGENDA: MOTION by Commissioner Johnson to approve the following agenda adjustments:

Additions:
- Request to Call for an Election on the Question of Creating the Troutman Fire District in Accordance with G.S. 69-25.1
- Request from Mitchell Community College to approve a Funds Availability Form in Conjunction with the new Student Services Center
- Request for Approval of a Burning Ban as Recommended by the County Fire Marshal
- Under Unfinished Business – Motion to approve the Findings of Fact for Case #0703-1 (McLain Farms) Presented on August 7, 2007

VOTING: Ayes – 5; Nays – 0.

APPOINTMENT BEFORE THE BOARD

Presentation by David Swann, Area Director/CEO of Crossroads Behavioral Healthcare (Six-month report): Swann said FY 07-08 allocation letters had not been received from the state, but a $26,998,176 budget was approved by the Crossroads Board. He said the increases were attributed to grants, Medicaid, and CAP Medicaid pass-throughs for psychiatry services. Swann reviewed other information about the local managing entity, and some of his remarks are summarized as follows:

Summary of Visits for Iredell County Residents FY 2006-07			
	Adult	Child	Total
Clinical Office Visits	4,718	389	5,107
Crisis Services	304	10	314
Evaluations/Screenings	509	69	578
Rehabilitation Services	15,238	5,356	20,594
Residential Services	12,737	3,588	16,325
TOTALS	33,506	9,412	42,918

- Crisis Center re-opened on January 15, 2007 after being closed six months.
- Local Managing Entities, across the state, have been reduced from 30 to 25. (Discussions are still occurring with the counties encompassed in the Foothills LME on a possible consolidation with Crossroads. By June of 2008, Foothills has to complete a consolidation or lose ten percent of funding as a penalty.)

- Mobile crisis personnel may remain with a patient 23 ½ hours. (This is at the patient's residence.)
- Crossroads is measured and monitored by the usage of state hospital services. (It is difficult to hospitalize patients at Broughton Hospital, and many times, bed space is unavailable from a Friday mornings through Mondays.
- Inpatient detoxification hospitalization is the most intensive or highest intensive type of detox service. Prevention providers (INSIGHT) work in both of the county school systems. INSIGHT is based in Winston-Salem and provides service in all three Crossroads counties. ADATC (Alcohol, Drug Abuse Treatment Center) in Black Mountain, NC provides detox services as does Broughton. At the present, construction is occurring at Black Mountain on a 30-bed-acute-medical detoxification facility. Crossroads will have access to the 30 beds, and they should be ready by the spring of 2008. Crossroads also has medical non-hospital detox contracts with SYNERGY (Wilkes County) and ARCA (Forsyth County). There are also short-term contracts and halfway houses available, along with "scattered leases" (apartment rentals up to a year).
- Intensive outpatient substance abuse services (at least 12 hrs. a week) along with periodic services are also provided.
- During the last fiscal year, 204 Iredell citizens were involuntarily committed to Broughton, and 25 of them had a primary or secondary diagnosis of substance abuse.
- Last year, 47 Iredell County citizens were provided detox services at Frye Medical Center, SYNERGY, and ARCA.

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

MOTION by Commissioner Tice to approve the following 17 consent agenda items.

VOTING: Ayes – 5; Nays – 0.

(All items were explained during the briefing session.)

1. Request from the Fire Tax District Board for a Discussion and/or Approval of a Proposal in Regards to Trinity VFD's Insurance Rating Reduction (Request for Reimbursement from the one-cent tax set aside in Capital Reserve for the Performance Based Program): Approval was given to appropriate $377,621 to the Trinity VFD as specific purchases are made in an effort to reduce the department's insurance rating from 7 to a 6, or better. (See briefing minutes for additional information.)

2. Request to Call for an Election on the Question of Creating the Troutman Fire District in Accordance with G.S. 69-25.1: Approval was given for the staff to send a letter to the Board of Elections requesting that an election be held on November 6 regarding the establishment of a Troutman Fire District. (The VFD requests for the ballot to stipulate that this will be the Troutman Fire District rather than referring to it as the Barringer & Fallstown or B & F Fire District.) Specifically, the board of commissioners called for the election as follows:

CALL FOR AN ELECTION
FOR THE PROPOSED TROUTMAN FIRE DISTRICT

Having received a petition of thirty-five percent (35%) of the resident freeholders living in an area lying outside the corporate limits of the Town of Troutman, which area is described in the petition and designated as the ***Troutman Fire District****, the Iredell County Board of Commissioners calls an election on November 6, 2007 in said district for the purpose of levying and collecting a special tax on all taxable property in said district, of not exceeding fifteen cents (15¢) on the one hundred dollars ($100.00) valuation property, for the purpose of providing fire protection in said district.*

(Additional information about the election may be found in the briefing minutes.)

3. Request from the Sheriff's Department for Approval of Budget Amendment #8 for the Acceptance of the 2007-2008 Justice Assistance Grant (JAG) from the U.S. Dept. of Justice: Approval was given to accept $24,108 in JAG funds, and to appropriate the funding for a stereo microscope, E-ticket printers, and 800 Mhz radios.

4. Request for Approval of an NC 3 Corridor Study (Area between Mooresville & Kannapolis) ***Cost will be $47,638 but will be shared equally with Town of Mooresville, City of Kannapolis, and Cabarrus County:*** Approval was given to allow the Centralina Council of Governments (COG) to perform a corridor study of the referenced area. The study, initiated by the City of Kannapolis, will cost Iredell County $11,842 and 15 COG membership hours.

5. Request from the Tax Department for Approval of a Software Migration Contract with Bi-Tek: Bi-Tek bought out the Cott Company, the county's previous tax software supplier. The 20-year-old software will no longer be supportable after 2008, and for this reason, replacements are needed. This will be a three-phase project. Data conversion and migration to a standard SQL Database will be in Phase I. Phase II will consist of query tools to work with the data, and Phase III will be the actual replacement of the tax offices' applications (tax billing, collections and CAMA processes). The Phase I & Phase II costs will be $127,880, and the estimate for Phase III is $280,000. Phase I & II have been budgeted, and these two portions are the only segments included in this request.

6. Request for Approval of the July 2007 Tax Releases and Refunds: Tax Administrator Bill Doolittle requested approval of the following releases and refunds.

July 2007 TAX RELEASES & REFUNDS		
	Releases	**Refunds**
County	22,098.00	1,566.25
Solid Waste Fees	714.00	52.72
East Alexander Co. Fire #1	11.30	0
Shepherd's Fire # 2	139.16	0
Mount Mourne Fire # 3	22.25	59.96
All County Fire # 4	1,299.85	85.78
Statesville City	1,744.94	4.31
Statesville Downtown	0	0
Mooresville Town	5,692.45	0
Mooresville Downtown	0	0
Mooresville School	1,473.37	0
Love Valley	0	0
Harmony	0	0
Troutman	2,527.28	0
Total	**$35,772.60**	**$1,769.02**
A complete list, of the individual tax releases and refunds, is hereby incorporated into the minutes by reference.		

7. Request to Apply for Dental Clinic Funds from The Sisters of Mercy Foundation: Health Director Donna Campbell requested permission to apply for a $30,887 grant to be used for a dental clinic digital Panorex X-Ray machine. If awarded, the funds will be received in December 2007.

8. Request for Approval of a $16,793 Budget Amendment for Dental Equipment: Health Director Donna Campbell requested permission to use $16,793 (Medicaid Maximization funds and a portion of a Troutman family grant) for the purchase of seven dental lights and seven left/right work surface arms that will be attached to the lower treatment consoles in each dental room.

9. Request for Approval of an $8 Intranasal/Oral Vaccine Fee: Health Director Donna Campbell requested permission to add an $8 intranasal/oral fee to CPT (Current Procedural Terminology) Codes 90474 and 90474EP (administration fee). She said these codes were used when one or more injectable vaccines and one intranasal/oral vaccine were provided.

10. Request for Approval of a $10,000 Budget Amendment for Participation in the North Carolina Public Health Foundation Assessment Regarding Pandemic Influenza Preparedness: Health Director Donna Campbell said her department's role in the assessment would be to act as a liaison and advocate with "key community partners." She said

the assessment had two phases, with the first one involving nine counties. Campbell said each county would be paid $5,000. She said four of the nine counties would be asked to participate in Phase II and would be paid an additional $5,000. Campbell requested a budget amendment for both phases, and she said a copier plus a one-year maintenance agreement would be purchased for the Health Education and Emergency Planning Division. (Should the health dept. only participate in Phase I, the $5,000 for Phase II will be used towards salary/fringe benefit line items to supplant county funds.)

11. Request from the Health Department for Approval of an Amended Fee Policy: Health Director Campbell said two fee policy changes were being requested. She said the first one clarified dental emergency services, and the second change related to the inability to use debt setoff, or any other type of collection agency, for family planning delinquent accounts. Campbell said the latter change, or the Title X stipulation, was being followed up by the Board of Health Chairman. She said previously, $8,439 was turned over to the debt setoff program for collection, but with the new ruling, this would no longer be an option.

12. Request for Approval of a Memorandum of Understanding for the Cooperative Extension Service (in-county extension services): Cooperative Extension Chairman Ken Vaughn said the NC Cooperative Extension Service and the NC Association of County Commissioners had developed a ten-page memorandum of understanding related to in-county extension service. Mr. Vaughn said the agreement required that all new employees ("send-ins") be payrolled through either NCSU or NCA&TSU. He said all current employees would be classified as "non-send-in," but if a person retired, his/her successor would be a "send-in." Vaughn said the aim of the document was to acquire uniformity across the state. He said that after reviews of the MOU with the county manager, a recommendation for approval was being made with the following changes:

Part II 1. Add: excluding longevity
(The sentence now reads: *Provide the County's share of salaries and benefits for Extension personnel* ***excluding longevity****.)*

Part II 4. Add "or within 30 days after state budget approval by the General Assembly and signed by the Governor."
(The sentence now reads: *Review and consider the annual budget request from NCCES/NCCEP, and take appropriate action by July 1 of each fiscal year* ***or within 30 days after state budget approval by the General Assembly and signed by the Governor.***

Part III 7.3.1 Extension personnel who remain in regular status will be eligible to participate in the county 401 (k) program only on the county share of the salary

(This is a clarification on the paragraph reading: *All "send-in" Extension Personnel will participate solely in either the North Carolina Teachers and State Employees Retirement System and accompanying North Carolina Disability Income Plan, or the Optional Retirement Plan, based on eligibility criteria established by the State. They will be eligible solely for respective NCSU or NCA&T employee benefits for which they qualify based on their appointment and FTE, and former federal appointees will maintain federal benefits, the employer-paid parts of which will be paid for solely by NCSU or NCA&T.)*

Part III 7.4 Omit
(The following paragraph is to be omitted:
Optional County-paid Salary Increases or Bonuses to Extension Personnel
At their discretion, Counties may award additional permanent salary increases or one-time pay awards to Extension Personnel. If this is so desired by the County under the "send-in" payroll arrangement, this action must be communicated to the appropriate District Extension Director's office no later than the first of any month in which the desired increase or bonus is to be applied.)

13. Request for Approval of a Building Code Inspectors Career Development Proposal Effective August 30, 2007 (next pay period)**:** Code Enforcement Director Lynn Niblock said an incentive proposal had been submitted in an effort to encourage inspectors to achieve a III certification in as many classifications as possible. He said there were five categories (building,

electrical, plumbing, mechanical, & fire), but the fire inspections were handled through the County Fire Marshal's Office. Niblock said with approval, it would be possible for one inspector to accomplish different inspections at one site, and this would increase productivity. A copy of the incentive proposal is as follows:

Building Code Inspector's Career Development

The Inspections Department desires to have each Building Code Inspector be qualified to perform Standard Level III· inspections in all trades. This allows each Inspector to inspect any structure in an assigned geographic area regardless of the size of the structure. This plan has been established to recognize the value of the work being performed at the most complex level of inspections as well as to offer financial incentives to employees to secure and maintain Standard Level I, II and III certifications.

Classifications

Iredell County recognizes 3 levels of Building Code Inspectors: Building Code Inspector I, Building Code Inspector II, and Building Code Inspector III.

Point System

Inspectors are classified based on the number of points they receive for each level of certification they maintain. Points are awarded as follows: 1 point for each Standard Level I certificate; 2 points for each Standard Level II certificate; and 3 points for each Standard Level III certificate.

Classification Standards

Classification standards are as follows: a Building Code Inspector I must maintain between 1 and 5 points; a Building Code Inspector II must maintain between 6 and 9 points; and a Building Code Inspector III must maintain 10 or more points.

Career Development

Iredell County will promote the career advancement of its Inspectors to acquire Building Code Inspector III classification with Level III Standard certificates in all four building trades.

The hiring rates offered to Building Code Inspectors will be based on the point system.

Classification	Points	Hiring Step	After Probation
Inspector I	1-2	0	9
	3	4	13
	4	6	15
	5	8	17
Inspector II	6	0	9
	7	4	13
	8	6	15
	9	8	17
Inspector III	10	0	9
	11	4	13
	12	19	19

In addition, consideration may be given for additional education or experience in determining the hiring rate.

Salary Adjustments

Building Code Inspector's salaries will be increased as additional certifications are earned. A 1% increase will be given for each additional Level I certification awarded; a 2% increase will be given for each additional Level II certification awarded; and a 3% increase will be given for each additional Level III certification awarded. When a Building Code Inspector moves from one level Inspector to the next, a 4.6% reclassification increase will be awarded in lieu of the certification increase. In addition, Iredell County will reduce salaries and demote by the same increments if certifications are decreased.

14. Request for Approval of a Pratt Industries Road Agreement & Resolution: Code Enforcement Director Lynn Niblock presented an agreement for the construction of a Pratt Industry access road for business development off of NC 90. Niblock said the bid could not officially be awarded until the Department of Transportation Board approved the project, and the next meeting would be held in October. He said, however, most of the engineering work had already been accomplished. (The following resolution was approved for the Pratt road project.)

WHEREAS, the North Carolina Department of Transportation and Iredell County propose to make certain street and highway improvements; said plans consist of the construction for an access road for business development off of NC 90 approximately 0.4 miles south of SR 1548; and

WHEREAS, the Department of Transportation and the County propose to enter into an agreement for construction of the aforementioned highway improvement whereby the County agrees to design the project plans, acquire rights-of-way and easements, and adjust utilities, award the construction contract, and supervise project construction; and

WHEREAS, the agreement further provides for the County to be responsible for the costs of design and preparation of plans for the entire project, for the costs of engineering and supervision of construction of the entire project, and for administrative costs incurred in the acquisition of rights-of-way and/or easements of the project; and

WHEREAS, said agreement further provides for the Department of Transportation to reimburse the County to the maximum extent of $488,000 for the actual contract construction costs of the project.

NOW, THEREFORE, BE IT RESOLVED that WBS 41036, Iredell County, is hereby formally approved by the Iredell County Board of Commissioners and that the Chairman and Clerk to the Board are hereby empowered to sign and execute the Agreement with the Department of Transportation.

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15. Request for Approval of the August 7, 2007 Minutes

16. Request for Approval of the Funds Availability Form as Requested by Mitchell Community College: Deputy County Manager Susan Blumenstein provided the following information on the college's new student services building to be located on the main campus.

Student Services Building –Main Campus Project Estimate		**$ 4,895,320.00**
GO Bond Costs		**50,000.00**
Project Reserve Budgeted	**FY 07**	**(368,690.00)**
	FY 08	**(229,060.00)**
Excess Budgeted for Debt Service Payments FY 08		**(117,500.00)**
GO Bond Proceeds to Fund Project		**$ 4,230,070.00**
GO Bonds Authorized		**$ 6,000,000.00**
Bonds Issued in FY 06 to purchase land in Mooresville		**(700,000.00)**
GO Bonds to Issue October 2007		**5,300,000.00**
Required to Complete Student Services Building		**(4,230,070.00)**
GO Bonds Available for Mooresville Campus		**$ 1,069,930.00**

17. Request for Approval of a Burning Ban as Recommended by the County Fire Marshal: Fire Marshal Lloyd Ramsey said the North Carolina Forestry Service had implemented a statewide burning ban until further notice. Ramsey said, however, the ban did not affect property located within 100 feet of residences. He said this property would fall under the local government's jurisdiction. Ramsey requested approval of a local ban to coincide with the state. He said the ban would be lifted when the statewide ban was eliminated. Additionally, he said many local governments had ordinances addressing burning bans.

Commissioner Johnson suggested for the fire marshal to obtain a legal opinion regarding the need for a local ordinance.

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

ANNOUNCEMENT OF VACANCIES OCCURRING ON BOARDS & COMMISSIONS

Nursing Home Advisory Committee (1 announcement)

APPOINTMENTS TO BOARDS & COMMISSIONS

Mooresville Planning Board (ETJ) (1 appointment): Commissioner Tice nominated Danny Martin.

No other nominations were submitted, and Chairman Norman made a motion to appoint Martin by acclamation.

VOTING: Ayes – 5; Nays – 0.

Statesville Planning Board (ETJ) (1 appointment): MOTION by Commissioner Johnson to postpone this appointment until the September 4 meeting.

VOTING: Ayes – 5; Nays – 0.

Adult Care Home Community Advisory Committee (3 appointments): Commissioner Williams nominated Dr. Johnny Elliott.

No other nominations were submitted, and Commissioner Tice made a motion to appoint Elliott by acclamation and to postpone the other two appointments until the September 4 meeting.

VOTING: Ayes – 5; Nays – 0.

Nursing Home Advisory Committee (4 appointments): Commissioner Tice nominated Linda Piraino.

No other nominations were submitted, and Chairman Norman made a motion to appoint Piraino by acclamation.

VOTING: Ayes – 5; Nays – 0.

MOTION by Commissioner Johnson to postpone the remaining three appointments until the September 4 meeting.

VOTING: Ayes - 5; Nays- 0.

UNFINISHED BUSINESS

Case #0703-1: Planning Director Ron Smith submitted a copy of the findings-of-fact from Case #0703-1 submitted by McLain Farms which was heard at the August 7, 2007 meeting. Smith said the findings were developed based on the information submitted into evidence and which was sworn at the August 7 meeting. He said the information was developed on that testimony, and he asked for approval.

MOTION by Commissioner Johnson to find the findings-of-fact in regards to Case #0703-1 to be in order, and that they be approved.

VOTING: Ayes – 4; Nays – 1 (Tice)

The findings are as follows:

CASE NO. 0703-1
FINDINGS-OF-FACT

CONDITIONAL USE PERMIT

Article XVII, Section 5 of the Iredell County Zoning Ordinance requires that the Board of Commissioners make the following affirmative findings when presented with a request for a Conditional-Use Permit. The following findings-of-fact have been developed based upon the information provided by the applicant, comments and information provided at the August 7, 2007 Board of Commissioners meeting, and by the staff.

1. That the use requested is among those listed as an eligible Conditional Use in the district in which the subject property is located or is to be located.

   This is true; the applicant has requested uses that are allowed in the Heavy Manufacturing Zoning District.

2. That the Conditional Use will not materially endanger the public health or safety if located where proposed and developed according to the plan as proposed.

This is true, the plant will be developed utilizing safety measures that will limit potential problems and contain on-site materials in the event of a spill. Materials used in this process will largely be non-hazardous and are not unlike pesticides, herbicides, and fertilizers used on adjacent farms. These materials will be handled in a way that will minimize potential impacts on adjacent property owners. The entrance way to the site will be moved to the specifications of NCDOT and all applicable agencies will be required, through the conditions, to review the facility before operation may commence. The location of the facility at least 500 feet from all property lines will meet the standards of more intensive uses and will lessen the potential for impacts on adjacent property owners.

3. That the Conditional Use meets all required conditions and specifications.

The specifications imposed voluntarily by the applicant (see "conditions of use" listed on staff report) will be enforced by the Planning & Development Department. A site plan will be required for this development at which time the Department of Planning and Development would ensure that the required conditions are met.

4. That the location and character of the Conditional Use if developed according to the plan as proposed will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the County and environs.

The surrounding area is comprised of agricultural and residential properties. The proposed facility will utilize crops that are grown both on and off-site and will benefit local farms and farmers. The conditions imposed on this property, including the setback requirement, restriction of uses, buffers, agency approval requirements, and limitations on commercial deliveries will aid in keeping harmony with the pattern of the area and the goals of the Iredell County Land Use Plan and further County goals in supporting the existing agricultural uses found throughout Iredell County.

PUBLIC COMMENT PERIOD: An opportunity was given for the public to speak, but no one made a request.

COUNTY MANAGER'S REPORT: County Manager Mashburn said a written activity report had been submitted. He also shared information about the following:

Mini-Retreat: A reminder was given to the board members about the mini-retreat to be held on Thursday, September 6, 2007 (8 a.m. – 12 Noon) at the Springhill Suites/Marriott Conference Facility in Mooresville, NC. Planning board members have also been invited to attend.

NACo Prescription Drug Cards: The cards became available in May 2007 with 25 participants that month. In June, 109 people used the cards, and in July, there were 138 participants. Based on the statistics, the average savings per prescription was about 23 to 24%.

CLOSED SESSION: MOTION by Chairman Norman at 7:45 p.m., to enter into closed session for the purpose of discussing property acquisition matters – G.S. 143-318.11 (a) (5).

VOTING: Ayes – 5; Nays – 0.

(RETURN TO OPEN SESSION AT 8:20 P.M.)

ADJOURNMENT: MOTION by Commissioner Tice to adjourn the meeting at 8:20 p.m. (NEXT MEETING: Tuesday, September 4, 2007, at 5 and 7 p.m., in the Iredell County Government Center, 200 South Center Street, Statesville, NC.

VOTING: Ayes – 5; Nays – 0.

Approved:_____ _____

Clerk to the Board