

**IREDELL COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
DECEMBER 17, 2002**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, December 17, 2002, at 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
Marvin Norman
Sara Haire Tice
(Vacancy due to Resignation of Karen B. Ray)

Staff present were: 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 revisions.

- Additions:
- Request of Charles Kelly to address the board (three minutes allotted).
 - Request for Wendy Workman to be appointed as the Acting Clerk to the Board for the Purpose of Signing the Final Documents Pertaining to the 1992 Certificates of Participation
 - Request for the Establishment of New Dates for the Winter Planning Session (Thursday, February 13 (evening dinner meeting with legislators), Friday, February 14 (all day) and Saturday, February 15 (½ day))
 - Request from the Health Department for Approval of a Vaccination Fee Schedule Adjustment
 - Request for the Relocation of the Elections Office to the Bondurant Building (Stockton Street, Statesville, NC) on a Temporary Basis
 - Closed Session for the Purpose of Discussing Property Acquisition - G.S. 143-318.11(a) (5) – Property Acquisition
 - Request from Mitchell Community College to be Included in the Next Certificates of Participation Issuance (This request was originally scheduled as an appointment before the board, but it was later placed on the consent agenda.)

- Deletions:
- Presentation from David Martin Regarding the Communications Task Force (The presentation occurred at the briefing session.)

VOTING: Ayes – 4; Nays – 0.

**PRESENTATION BY MR. BUTCH BELL, CHAIRMAN OF THE
IREDELL COUNTY REPUBLICAN PARTY**

Mr. Bell said the Executive Committee for the Iredell County Republican Party recently met to respond to the board of commissioner's request for a recommendation on a replacement for former commissioner, Karen B. Ray. (Ray, a Republican, resigned on December 2, 2002, after being elected to the North Carolina House of Representatives). Bell said the committee was recommending Alice Stewart for Ray's position. Mr. Bell said Stewart placed fourth in the September primary, and she placed third in 17 out of the 26 precincts (2,850 votes). He said Stewart was well qualified due to her 16 years of past experience on the board of commissioners. Bell said Stewart spent her money, used her time, and risked her reputation in seeking office during the past election. Mr. Bell said some individuals had been saying the commissioners

should be elected by districts. Bell said he wasn't in favor of the district method, but if this argument were used, the board currently had a member from Mooresville, Statesville, Troutman and north Iredell. He said Stewart resided in west Iredell, and this would cover all sections of the county.

**PRESENTATION OF A PETITION FROM ALICE FORTNER REGARDING THE
VACANCY ON THE
IREDELL COUNTY BOARD OF COMMISSIONERS**

Alice Fortner said she actually did not have a petition, but she wanted to recommend Steve Robinson, the City Executive for Piedmont Bank (a subsidiary of Yadkin Valley Bank & Trust) for the board vacancy. Fortner said Robinson had never run for a public office, but he had a great deal of financial experience.

Lori Ferguson said she was a west Iredell resident, and she recommended Steve Robinson for the position.

Bill Long, the President & CEO of Yadkin Valley Bank & Trust, recommended Steve Robinson as the replacement. Long said that in 1989, when he was chairman of the Statesville Chamber of Commerce, he worked with the Mooresville Chamber president in an effort to eliminate some of the divisiveness between the northern and southern areas of the county. Long said Robinson was a man of absolute integrity, extreme honesty, and fairness.

Tom Alexander recommended Steve Robinson for the position.

Bill Thunberg said the board members were elected to make the decisions, but he wanted to recommend Steve Robinson for the vacancy.

Danny Hearn said he was representing the Statesville and Mooresville Chambers of Commerce. He recommended that a resident from south Iredell, with a business background, be chosen for the position. He said the business sector paid 60% of the taxes in the City of Statesville, and this group should have a voice in the matter.

Bill Newell, Jr., said the recommendation from the Republican Party was not binding, and that geography should be considered when making the decision on Ray's replacement. Newell said he owned three businesses, and he felt the recommendation from the two chambers should be considered. He recommended Robinson for the vacancy.

**DELEGATION OF COUNTY CITIZENS DESIRING TO SPEAK ON BEHALF OF
ALICE STEWART & THE
VACANCY ON THE IREDELL COUNTY BOARD OF COMMISSIONERS**

Gene Houpe said he owned businesses in Statesville and Mooresville, and he wanted to recommend Alice Stewart for the vacancy. Houpe said Robinson did not seek public office during the past election, but Stewart did, and finished third in 19 of 25 precincts in the county. Houpe said he didn't think the commissioners could find a person with more honesty and integrity than Alice Stewart.

Steve Benfield recommended Stewart for the position. He said that if Mr. Robinson had wanted the position, he should have filed for the office and paid his dues. Benfield also said that if the chambers wanted a commissioner, they should endorse a candidate in the 2004 election.

Paul Hutchinson said he changed his political affiliation from democrat to unaffiliated in order to work for some of the candidates. Hutchinson recommended the appointment of Alice Stewart.

Tim Kinney said Alice Stewart had lost the commissioners' race, but she had won due to at least being on the ballot. He said Stewart finished fourth in the commissioners' race, and the board should follow procedures. Mr. Kinney said the commissioners should represent everyone -- not just the two chambers and their special interest groups. He said there were many large businesses that chose not to join a chamber of commerce. Kinney said democracies existed due

to the process of “electing people -- not by appointing people, especially the ones with personal agendas.”

PRESENTATION BY MR. CHARLES KELLY

Charles Kelly, an unsuccessful county commissioner candidate during the 2002 election, said that if an impasse occurred (two-two deadlock on the selection of a replacement), he would like to be considered for the position. Kelly said he would represent all parts of the county.

Chairman Johnson asked the county attorney to clarify the statute regarding vacancies on the board of commissioners.

Attorney Bill Pope said the statutes did not offer much guidance. He said G.S. 153-27 said that if the vacancy was not filled within 60 days, the clerk to the board would report the vacancy to the clerk of superior court. Pope said the clerk of court would then be required to fill the vacancy within ten days. Mr. Pope continued by saying the statute said the commissioners, or the clerk of court, “shall consult the county executive committee of the appropriate political party before filling a vacancy, but neither the board nor the clerk of superior court is bound by the committee’s recommendation.”

RULES OF PROCEDURES GUIDING THE SELECTION OF A PERSON TO FILL THE VACANCY

Commissioner Williams said a clear understanding and method should be found for the election of a person for the vacancy. He suggested that each person be brought up individually and voted upon one-at-a-time. Williams said that with a four-member board, there was the possibility of a tie vote, and if this occurred, the commissioners in opposition should be allowed to bring the candidate up again for a second vote.

Commissioners Tice and Norman agreed with Williams.

Chairman Johnson said he was understanding that each candidate should be voted upon, individually, and that if the person received two votes in the affirmative and two votes in the negative, that this person would not be precluded from being nominated again at some time in the future. He said the board’s rules of procedures stipulated that if a motion failed, that a motion for reconsideration had to be from someone on the prevailing side. (A person not voting for a candidate would have to place the person’s name back in the selection process.) Mr. Johnson said the rules of the procedure for the board (page nine) discussed the method for appointments to subordinant boards. He said that even though he understood the procedure was for subordinant boards, it could still apply to the selection of a replacement.

Williams said he was trying to have a procedure in place in case there was a two-two vote.

Chairman Johnson said *Robert’s Rules of Order* stated that “all nominations shall be made and voted upon.”

Commissioner Tice said she understood the county manager had discussed the matter with a staff person at the Institute of Government. She asked the manager if he had additional information.

County Manager Mashburn said he basically received the same information that was given by Mr. Pope -- the statutes did not offer much guidance.

Williams asked what would happen if at the next meeting, Alice Stewart received two votes and Steve Robinson received two votes. He asked if a compromise candidate could be named.

Commissioner Tice said that if the board chose the same method used in 1989, additional candidates could not be used. (In 1989, Commissioner Jessie Crosswhite resigned to accept the position of Register of Deeds.)

Attorney Pope said that if the board used the procedure for subordinate boards, additional candidates could not be named and voted upon. He said the board, however, could suspend the rules.

Commissioner Williams said the board members should elect a person for the vacancy and the burden should not be shifted to the clerk of superior court. He said that if an impasse occurred, he wanted an alternative.

Attorney Pope said a suspension to the rules of procedure could occur at anytime; however, it would need three votes.

MOTION by Chairman Johnson to adopt the Rules of Procedures already in place, as they relate to subordinate boards, in regards to the board vacancy.

Commissioner Williams asked if the motion could include a provision for the suspension of the rules of procedure, should an impasse occur.

Commissioner Tice said she felt each candidate should be considered separately and voted upon one at a time.

Johnson said he would retain his original motion.

VOTING: Ayes – 2 (Johnson/Williams); Nays – 2 (Tice/Norman).
(Motion failed)

MOTION by Commissioner Williams to adopt the following as the procedural rule for the appointment of a replacement for the board vacancy:

To allow each candidate to be voted upon individually, and in the case of a tie vote, that someone from the prevailing side would have to bring the candidate's name back up to break the tie.

VOTING: Ayes – 3; Nays – 1 (Johnson).

MOTION by Commissioner Tice to act upon the board vacancy at the January 7, 2003 meeting.

VOTING: Ayes – 4; Nays – 0.

PRESENTATION BY MR. RICHARD TREXLER REGARDING A VOLUNTEER FIRE DEPARTMENT STUDY

Fire Marshal Chuck Gallyon introduced Richard Trexler, the retired Chief of the Colfax Fire Department in Greensboro, NC. Gallyon said Trexler had been hired as the consultant to study the needs of the volunteer fire departments.

Trexler, an employee of Emergency Services and Consulting Group (ESCG), said the purpose of the report was to review and analyze the apparatus, the equipment, and the facilities that provided volunteer fire protection, and to assess the delivery of the services, and the future needs. Mr. Trexler said the study had been completed by conducting interviews, analyzing statistics, reviewing documents, and by the direct observation of the services and apparatus.

He said the study's recommendations were based on National Fire Protection Association Standards and national accreditation criteria, health and safety requirements, federal and state mandates, the North Carolina Response Rating Survey, and generally accepted practices within the fire and emergency services. Trexler recommended that a "strategic planning session" be held with all of the groups listed in the study, along with the Statesville and Mooresville fire departments.

Commissioner Williams requested that Mr. Trexler be allowed to share additional information about the study during the Winter Planning Session.

PUBLIC HEARINGS

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

Request for Approval of an Ordinance Designating a Structure and Property known as the Houston House, Located at 1829 Mecklenburg Hwy., in the Coddle Creek Township, Iredell County, North Carolina as Historic Property: Lewis Alexander, the Chairman of the Historic Properties Commission, said the structure under consideration for the designation as a historic property was a late Federal style home built 1818 by James Howard Houston. Alexander said the home owners could seek a fifty percent tax deferral if the property had the historic designation.

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

MOTION by Commissioner Norman to adopt the following ordinance designating the Houston House as historic property.

VOTING: Ayes – 4; Nays – 0.

***An Ordinance Designating a Structure and Property
known as the Houston House located at 1829 Mecklenburg Highway in the Coddle Creek Township,
Iredell County, North Carolina as Historic Property***

WHEREAS, all the prerequisites to the adoption of this ordinance prescribed in part 3C Article 19, Chapter 160A-400.6 and 400.5 of the North Carolina General Statutes have been met; and

WHEREAS, the Board of County Commissioners has taken into full consideration all statements and information presented at the joint public hearing with the Iredell Historic Properties Commission on the 17th day of December 2002, on the question of designating the Houston House with 1.59 acres of land as outlined on the Iredell County Tax Map, as Historic Property; and

WHEREAS, the Iredell Historic Properties Commission has demonstrated the historic significance of the building and property; and

WHEREAS, the Division of Archives and History of the North Carolina Department of Cultural Resources has endorsed the finding of the Iredell Historic Properties Commission.

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Iredell County, North Carolina:

1. *That the structure and surrounding property at 1829 Mecklenburg Highway known as the Houston House, Coddle Creek Township, Iredell County, North Carolina is hereby designated as historic property pursuant to Chapter 160-A 400.6 and 160-A 500.5 of the General Statutes of North Carolina. This property is currently owned by Charles G. & Charlene Z. Moore, 1829 Mecklenburg Highway, Mooresville, North Carolina 28115.*

For purposes of description only, the location of said property and structure is noted as being situated on a tract of property more specifically described in Deed Book 1115, page 961 of the Iredell County Registry.

2. *That the said building and property which was designated as historic property may be materially altered, restored, moved or demolished only following the issuance by the Iredell Historic Properties Commission of a certificate of appropriateness or the lapse of one year in accord with the procedures of Sec. 10-176 of the Historic Properties Ordinance.*
3. *That nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature or on the said structure or property that does not involve a change in design, material, or outer appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, demolition, relocation, or removal of any such feature when a building inspector or similar official certifies to the commission that the action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.*
4. *That a suitable sign shall be posted indicating the said structure and properties' designation as historic property and containing any other appropriate information. If the owner objects, the sign shall be placed on a nearby public right of way.*
5. *That the owner of the structure and property known as the Houston House be given notice of this ordinance as required by application law and copies of this ordinance be filed and indexed*

in the offices of the county clerk, Iredell County Register of Deeds, Building Department, and Tax Supervisor as required by applicable law.

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

Consideration of an Application for a Community Development Block Grant (CDBG) from the North Carolina Division of Community Assistance in the Amount of \$400,000: Steve Austin, with the Benchmark Consulting agency, said this was the second of two public hearings needed to obtain scattered-site housing grant funds. Austin said an application had been prepared with a distribution plan that targeted assistance for the elderly and disabled along with individuals with incomes lower than the area's average median income. He said all municipalities would have to sign a participation agreement, and a recipient selection committee would have to be established. In return for the assistance, he said the State would require the county to place liens on the renovated property for up to eight years, dependent upon the amount of money used in the improvements. Austin said the lien would be a zero percent amortizing deferred loan, and it was done to prevent homeowners from selling the homes once improved.

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

MOTION by Commissioner Tice to:

1. Approve the Community Development Block Grant application for \$400,000.
2. Establish the scattered-site housing program selection committee.
3. Agree to permit the Statesville Housing Authority to serve as the administrator for the grant.

VOTING: Ayes – 4; Nays – 0.

Consideration of the Local Business Plan being developed as a Response to the State Plan and the Passage of the Mental Health System Reform Bill (House Bill 381): David Swann, the CEO and Area Director for Crossroads Behavioral Healthcare, said six of the ten sections of Local Business Plan had been completed. He said April 1, 2003 was the due date for the other four sections. Swann said the major changes were:

- Recipients of publicly funded services would have to meet state defined target population criteria (most in need) to receive such services.
- Crossroads would remain a public entity, but direct care services would be privatized.
- Crossroads would become a Local Managing Entity and use managed care principles to authorize and approve the care provided to the targeted individuals.
- Crossroads would attempt to recruit providers to employ the current Crossroads employees.
- Crossroads would develop new services to be delivered by the providers.
- Other community services would be encouraged to serve the non-target population.
- Persons not eligible under the new target population criteria would be transitioned to other providers.
- Persons eligible for services would be transitioned to private providers over a three-year period of time through June 30, 2006.

Attorney Pope asked if the need, as defined in the target population, was medical or financial.

Swann said it was a medical necessity need, and it was based upon the severity of the illness, the diagnosis, and functional ability within the community.

Jo Quinn-Murphy said the target population would be the individuals functioning under 50 percent in the community. She said the others would have to receive services from the private sector. Ms. Murphy said she understood “money was tight, but the need was great.”

Chairman Johnson asked Mr. Swann to explain why the plan was developed.

Swann said it was a response to what had been mandated by law. Mr. Swann said he had a serious concern about the individuals not identified in the target population.

Chairman Johnson asked Mr. Swann if he would agree that the new reform law was a “backyard attempt to shift the State’s mental health financial responsibilities to the counties.”

Swann said he would agree to the statement.

John Kopplemeyer, the President of Barium Springs Home for Children, said he was in favor of the plan. He said Barium could assist in delivering services to the families and individuals not included in Crossroads’ targeted population.

Commissioner Norman asked how many people could be served at Barium.

Kopplemeyer said there were four group homes that could be used for the at-risk population, and there were plans for three more facilities in the next year. He said there was a Family Solutions Program with two counselors and two more would be added next year.

Norman asked the total number that could be served.

Kopplemeyer said he didn’t have the statistics, but he could obtain them.

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

MOTION by Commissioner Williams to endorse the plan by adopting the following resolution, subject to its review and approval by the county attorney and manager.

VOTING: Ayes – 4; Nays – 0.

Resolution

*Approving the Local Business Plan to become a Local Managing Entity
(Mental Health Reform Bill - Session Law 2001 - 437; House Bill 381)*

WHEREAS, Crossroads Behavioral Healthcare was established in 1978 to serve the citizens of Surry and Yadkin Counties and since that time, this agency has been recognized throughout the State of North Carolina for providing exemplary behavioral healthcare; and

WHEREAS, Crossroads Behavioral Healthcare was expanded to include Iredell County on October 1, 1997 and has since that time continued to provide high quality behavioral healthcare for the citizens of Iredell, Surry and Yadkin Counties; and

WHEREAS, the Iredell County Board of Commissioners has determined that the counties of Iredell, Surry and Yadkin Counties shall remain an area authority and submit a Local Business Plan to become a Local Managing Entity; and

WHEREAS, the region served by Crossroads Behavioral Healthcare exceeds the population requirements to become a Local Managing Entity; and

WHEREAS, the development of the Local Business Plan has involved representation from a broad group of citizens representing the geographic, cultural, and disability experiences of our communities; and

WHEREAS, pursuant to G.S. 122C-2 and within available resources it is the obligation of the State and local government to provide mental health, developmental disabilities, and substance abuse services; and

WHEREAS, the implementation of the Local Business Plan will be a dynamic process involving adaptations in the plan over the next three years to obtain the maximum quality, accessibility and value from the service delivery system.

NOW, THEREFORE BE IT RESOLVED that the Iredell County Board of Commissioners, on behalf of the Area Authority, approves the Local Business Plan and recommends it to the other boards of commissions and to the consumers and citizens of our communities as the model for delivering community services.

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(Note: Commissioner Williams said two members of Crossroads’ Consumer and Family Advisory Committee were in the audience. They were Dottie Harrison and Cecil Mayor.)

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

Consideration of a Refinancing Pursuant to an Installment Financing Agreement of a Portion of the Outstanding Installment Payment Revenue Bonds (Iredell County Schools Projects) Series 2000: The Chairman announced this was the hour and day fixed by the Board of Commissioners for the public hearing upon the proposed refunding, pursuant to a first supplemental installment financing agreement (the "Installment Financing Agreement") with Iredell County Public Facilities Corporation ("the Corporation"), a North Carolina non-profit corporation, of a portion of the Corporation's outstanding Installment Payment Revenue Bonds (Iredell County School Projects), Series 2000 ("the 2000 Bonds"), in order to achieve debt service savings, and that the Board of Commissioners would hear anyone who wished to be heard with respect to the Installment Financing Agreement and the 2000 Bonds to be refunded.

Finance Director Blumenstein said that in July of 2000, the board issued \$38,180,000 in Installment Payment Revenue Bonds for school construction (Lake Norman High School, Phase II of Lakeshore Middle School, a new building at Mooresville High School and other renovations). She said that because the interest rates had dropped since July 2000, the Bank of America's Securities had submitted a plan where it was believed that if the market remained where it had been there was a potential savings of approximately one million dollars on the maturities due in 2012 through 2020. Blumenstein said the bond counsel had given a favorable opinion on the financing, as did a separate financial advisor.

Attorney Pope said that in the past, the county had chosen a fixed bond rate route on the bonds. He said this financing used a variable rate that would change every week, but this type had to be used to make the bonds marketable. Pope said the county's interests would be protected due to a "swap" or "the locking in of its risk." He said the county's exposure was capped, and a worse case scenario would be that the county would not be any worse off than it already was at the present. Mr. Pope said the best case scenario would be the county might save a million dollars. He said, however, the probable scenario would be the county would save a lot of money, but not a million dollars.

Thereupon, the Chairman introduced the following resolution, a copy of which had been provided to each Commissioner, which was read by title and summarized by the Finance Director.

RESOLUTION MAKING CERTAIN FINDINGS AND DIRECTING THE FILING OF AN APPLICATION FOR APPROVAL BY THE LOCAL GOVERNMENT COMMISSION OF AN INSTALLMENT FINANCING AGREEMENT TO FINANCE THE REFUNDING OF A PORTION OF OUTSTANDING INSTALLMENT PAYMENT REVENUE BONDS

BE IT RESOLVED by the Board of the Commissioners for the County of Iredell, North Carolina:

Section 1. The Board of Commissioners does hereby find, determine and declare as follows:

(a) The County of Iredell, North Carolina (the "County") proposes to finance the refunding of a portion of the outstanding Installment Payment Revenue Bonds (Iredell County School Projects), Series 2000 (the "2000 Bonds") issued by Iredell County Public Facilities Corporation (the "Corporation"), pursuant to a first supplemental installment financing agreement (the "Installment Financing Agreement") with the Corporation under which the Corporation will finance the refunding of a portion of the 2000 Bonds, and the County will make Installment Payments (as defined in the Installment Financing Agreement) in amounts sufficient to pay the principal of and interest on the Installment Payment Revenue Refunding Bonds (Iredell County School Projects), Series 2003 (the "2003 Bonds"), to be issued and sold by the Corporation to refund a portion of the 2000 Bonds, it being the express intention of the Board of Commissioners that only the principal amount of the 2003 Bonds necessary to accomplish the purposes stated in the Installment Financing Agreement will be issued (estimated not to exceed \$21,000,000 principal amount).

(b) Based on advice from the County's investment bankers as to current tax-exempt interest rates, the sums to fall due under the Installment Financing Agreement are not excessive for its stated purpose.

(c) *The County Attorney has rendered an opinion that the proposed undertaking is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina.*

(d) *The Installment Financing Agreement, under the circumstances presently obtaining, is preferable to a general obligation bond issue for this purpose. The County's current fund balance is, in light of other requirements and prudent fiscal management, insufficient to refund the portion of the 2000 Bonds the County deems appropriate, the County does not have the ability to issue sufficient non-voted bonds under the provisions of Article V, Sec. 4 of the North Carolina Constitution, for the purposes of refunding such portion of 2000 Bonds, and voting general obligation bonds for this purpose will result in unacceptable delay and additional cost to the County.*

(e) *The estimated cost of refunding a portion of the 2000 Bonds pursuant to the Installment Financing Agreement compares favorably with an estimate of similar cost for general obligation bond financing therefor.*

(f) *The debt management policies of the County have been carried out in strict compliance with law, including the filing of all required audits and reports with the Local Government Commission, and the County is within its statutory debt limit and is not in default with respect to any of its outstanding indebtedness.*

(g) *The County estimates that no increase in the property tax rate will be required to raise sums to pay the estimated debt service to fall due under the Installment Financing Agreement for its stated purpose.*

(h) *The County has made timely payment of all sums owed by it with respect to the payment of principal of and interest on all of its outstanding debt obligations and has received no notice from the Local Government Commission or any holder concerning the County's failure to make any required payment of debt service.*

Section 2. The Local Government Commission is hereby requested to approve the proposed Installment Financing Agreement pursuant to the provisions of Article 8 of Chapter 159 of the General Statutes of North Carolina, and the Director of Finance and Administration is directed to complete and file all applications and execute all other documents required in connection with obtaining such approval.

Section 3. All actions heretofore taken by the Director of Finance and Administration in connection with the Installment Financing Agreement and the 2003 Bonds, including retaining bond counsel and selecting a financial advisor, investment bankers and a trustee are hereby ratified and confirmed.

Section 4. This resolution shall take effect immediately upon its passage.

Upon a motion of Commissioner Norman, the foregoing resolution was passed by the following vote:

Ayes: - 4; Nays - 0.

The Chairman thereupon announced that the foregoing resolution had been adopted.

Thereupon the Chairman introduced the following resolution, a copy of which had been provided to each commissioner, which was read by title and summarized by the Finance Director.

**RESOLUTION AUTHORIZING THE COUNTY TO ENTER
INTO AN INTEREST RATE SWAP TRANSACTION AND
AUTHORIZING THE DIRECTOR OF FINANCE AND
ADMINISTRATION TO FILE AN APPLICATION WITH THE
LOCAL GOVERNMENT COMMISSION FOR THE
APPROVAL THEREOF**

BE IT RESOLVED by the Board of Commissioners for the County of Iredell, North Carolina:

Section 1. The Board has determined and does hereby find and declare as follows:

(a) *Under date of July 1, 2000, Iredell County Public Facilities Corporation (the "Corporation") issued its \$38,180,000 Installment Payment Revenue Bonds (Iredell County School Projects), Series 2000 (the "Series 2000 Bonds") for the purpose of financing various school improvements.*

(b) *The Series 2000 Bonds are payable from Installment Payments made by the County under the Installment Financing Agreement, dated as of July 1, 2000, between the Corporation and the County.*

(c) *Under current conditions obtaining in the tax-exempt bond market, the County has been advised by finance professionals that the County can achieve significant debt service savings by (i) arranging for the Corporation to issue variable rate refunding bonds to advance refund a portion of the Series 2000 Bonds and (ii) simultaneously entering into an interest rate swap agreement in order to create a synthetic fixed rate on the refunding bonds.*

(d) *The County can achieve this economic result by entering into an interest rate swap agreement (a "Swap Agreement") with a qualified provider (a "Counterparty"). Under such an agreement, the Counterparty will agree to make, for the period ending on the date the refunded Series 2000 Bonds are redeemed (June 1, 2010), variable interest rate payments based upon the lesser of (1) the then current tax-exempt variable rate on the variable rate refunding bonds and (2) a specified percentage of LIBOR (London Interbank Offered Rate) or another established rate on a notional amount corresponding to the principal amount of the variable rate refunding bonds, and, after such date, a specified percentage of LIBOR or another established rate, and the County will agree to pay the Counterparty fixed rate interest payments on the same notional amount.*

Section 2. Subject to the limitations set forth in this resolution, the Director of Finance and Administration of the County is hereby authorized to negotiate on behalf of the County an arrangement for a Swap Agreement for an interest rate swap with respect to said refunding bonds from a variable rate of interest to a fixed rate. The Swap Agreement shall be substantially in the form of the International Swap Dealers Association Inc. Master Agreement, the form of which has previously been provided to the Director of Finance and Administration, with such changes as shall be negotiated by the County. The notional amount with respect to which the Swap Agreement payments shall relate shall not exceed \$21,500,000 and the fixed interest rate payable by the County to the Counterparty under the Swap Agreement shall not exceed 3.5% per annum. The County Manager or the Director of Finance and Administration is hereby authorized to execute and deliver the final Swap Agreement on behalf of the County.

Section 3. The Director of Finance and Administration is hereby authorized to file an application of the County with the North Carolina Local Government Commission for approval of the County's entering into a Swap Agreement under the terms set forth in this resolution, and the North Carolina Local Government Commission is hereby requested to approve the same. In connection with the Local Government Commission's consideration of such application, the Board makes the following findings and determinations:

(a) *The annual audits of the County show the County to be in strict compliance with debt management policies and that the budgetary and fiscal management policies are in compliance with law.*

(b) *Entering into a Swap Agreement is expedient for the County.*

(c) *No increases in taxes are expected to be necessary to enable the County to make the payments expected to be required with respect to the Swap Agreement.*

Section 4. Efficient Capital Corporation is hereby authorized to act as Financial Advisor to the County with respect to the Swap Agreement authorized hereby.

Section 5. Bank of America, N.A. is hereby approved as the Counterparty under the Swap Agreement.

Section 6. The County Manager, the County Attorney, the Director of Finance and Administration and the Clerk to the Board of Commissioners are each hereby authorized to execute on behalf of the County the various certificates, proofs, instruments or other documents to be executed in connection with the delivery of the Swap Agreement. All actions previously taken by the County and its representatives in connection with the subject swap are hereby ratified and approved.

Section 7. This resolution shall take effect immediately upon its passage.

Upon a motion of Commissioner Williams, the foregoing resolution was passed by the following vote:

Ayes: 4; Nays - 0.

The Chairman thereupon announced that the foregoing resolution had been adopted.

Request for Approval of the Final Documents Regarding the Refinancing of the 1992 Certificates of Participation (COPS) & to Appoint Wendy Workman as the Acting Clerk to

the Board for the Document Signatures: Finance Director Blumenstein said a resolution was needed to approve the sale by the Iredell County Public Facilities Corporation of the referenced installment payment revenue bond. She said the remaining portions of the 1992 Certificates of Participation would be refunded with a fixed rate of 2.85% from the Bank of America, and the closing was scheduled for December 27.

MOTION by Commissioner Williams to approve the following resolution pertaining to the 1992 Certificates of Participation and to appoint Wendy Workman as the Acting Clerk to the Board for the purpose of executing the final documents.

VOTING: Ayes – 4; Nays – 0.

RESOLUTION APPROVING THE SALE BY THE IREDELL COUNTY PUBLIC FACILITIES CORPORATION OF AN INSTALLMENT PAYMENT REVENUE BOND PAYABLE FROM CERTAIN INSTALLMENT PAYMENTS TO BE MADE BY THE COUNTY OF IREDELL, NORTH CAROLINA APPROVING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE THE COST OF REFUNDING 1992 CERTIFICATES OF PARTICIPATION EXECUTED AND DELIVERED BY SAID CORPORATION FOR THE BENEFIT OF SAID COUNTY, APPROVING CERTAIN OTHER DOCUMENTS AND ACTIONS RELATING THERETO AND AUTHORIZING OTHER OFFICIAL ACTION IN CONNECTION THEREWITH

WHEREAS, the County of Iredell, North Carolina (the “County”) has determined that it can achieve significant debt service savings by refinancing its obligations under a certain Installment Financing Agreement, dated as of December 1, 1992, between Iredell County Public Facilities Corporation (the “Corporation”) and the County, through a refunding of the outstanding Certificates of Participation (1992 Iredell-Statesville Schools Project) (the “1992 Certificates”) executed and delivered by the Corporation in order to finance certain school improvements; and

WHEREAS, in order to effectuate such plan to refund the 1992 Certificates, the County and the Corporation have been negotiating certain financing documents and arranging for the negotiated sale by the Corporation of its \$5,455,000 Installment Payment Revenue Refunding Bond (Iredell County School Projects), Series 2002 (the “Series 2002 Bond”) payable from Installment Payments to be made by the County pursuant to the Authority granted to the County under Section 160A-20 of the General Statutes of North Carolina; and

WHEREAS, the County has determined that it is in the best interests of the County that the County and the Corporation enter into said Installment Financing Agreement to make available to the County funds with which to refund the 1992 Certificates; and

WHEREAS, the County has solicited proposals from certain institutional investors for the purchase of the Series 2002 Bond; and

WHEREAS, Bank of America, N.A. (the “Purchaser”) has submitted the most favorable offer for the purchase of the Series 2002 Bond, and the County and the Corporation have determined to accept said offer; and

WHEREAS, in connection with such refinancing, it is necessary for the County to approve the sale of the Series 2002 Bond by the Corporation, to approve certain other documents relating thereto and to authorize certain action in connection therewith; and

WHEREAS, there have been presented at this meeting copies of the following documents relating to the issuance and sale of the Series 2002 Bond:

- (a) a draft of the Bond Purchase Agreement for the Series 2002 Bond, to be dated as of the date of sale of the Series 2002 Bond (presently estimated to be on or about December 27, 2002), between the Corporation and the Purchaser relating to the purchase by the Purchaser of the Series 2002 Bond;*
- (b) a draft of the proposed Installment Financing Agreement, dated as of December 1, 2002 (the “Installment Financing Agreement”), between the County and the Corporation, pursuant to which the Corporation will make available to the County the funds to be derived from the sale of the Series 2002 Bond with which to refinance the 1992 Certificates, and the County will, among other*

- requirements, be obligated to make Installment Payments (as defined in the Installment Financing Agreement) and certain other payments;
- (c) a draft of the proposed Trust Agreement, dated as of December 1, 2002 (the "Trust Agreement"), between the Corporation and First Citizens Bank and Trust Company (the "Trustee"), the provisions of which relate to the issuance of and security for the Bonds (as defined in the Trust Agreement) authorized to be issued thereunder;
 - (d) A draft of the proposed First Supplemental Trust Agreement, dated as of December 2, 2002 (the "First Supplemental Trust Agreement"), between the Corporation and the Trustee, the provisions of which relate to the issuance of the Series 2002 Bond;
 - (e) A draft of the proposed Deed of Trust, to be dated as of December 27, 2002 (the "Deed of Trust"), from the County to PRLAP, Inc., as deed of trust trustee, for the benefit of the Corporation, by which the County will secure its obligations to the Corporation under the Installment Financing Agreement;
 - (f) A draft of the proposed Deed of Assignment, dated as of December 27, 2002 (the "Deed of Assignment"), from the Corporation to the Trustee, assigning the Corporation's rights as beneficiary under the Deed of Trust; and
 - (g) A draft of the proposed Escrow Deposit Agreement, dated as of December 1, 2002 (the "Escrow Deposit Agreement"), among the Corporation, the County and First Citizens Bank & trust Company, as escrow agent.

BE IT RESOLVED by the Board of Commissioners for the County of Iredell, North Carolina:

Section 1. Capitalized words and terms used in this resolution and not defined herein shall have the same meanings in this resolution as such words and terms are given in the Trust Agreement, the First Supplemental Trust Agreement or the Installment Financing Agreement.

Section 2. The County hereby approves the sale of the Series 2002 Bond by the Corporation. The Series 2002 Bond shall mature on June 1, 2007 and shall bear interest at the rate of 2.85% per annum, subject to adjustment as provided therein and in the First Supplemental Trust Agreement.

The Series 2002 Bond shall be issued in fully registered form. Interest on the Series 2002 Bond shall be payable on June 1, 2003, and thereafter semiannually on each June 1 and December 1 until the Series 2002 Bond is fully paid. Payments of principal of and interest on the Series 2002 Bond shall be made by the Trustee to the registered owner of the Series 2002 Bond in the manner set forth in the Trust Agreement and the First Supplemental Trust Agreement.

Section 3. The Series 2002 Bond shall be subject to redemption at the times, upon the terms and conditions, and at the prices set forth in the Trust Agreement and the First Supplemental Trust Agreement.

Section 4. The proceeds of the Series 2002 Bond shall be applied as provided in Section 2.04 of the First Supplemental Trust Agreement.

Section 5. The forms, terms and provisions of the Installment Financing Agreement, the Trust Agreement, the First Supplemental Trust Agreement, the Deed of Trust, the Deed of Assignment, the Escrow Deposit Agreement and the Bond Purchase Agreement are hereby approved in all respects, and the Chairman or Vice Chairman of the Board of Commissioners, the County Manager, the Director of Finance and Administration, the Clerk or, in the absence or incapacity of the Clerk, any Acting Clerk to the Board of Commissioners and the County Attorney are hereby authorized and directed to execute and deliver the Installment Financing Agreement, the Deed of Trust, the Escrow Deposit Agreement and the Bond Purchase Agreement, in substantially the forms presented at this meeting, together with any changes, modifications and deletions as they, with the advice of counsel, may deem necessary and appropriate, including, but not limited to, changes, modifications and deletions necessary to incorporate the final terms of the Series 2002 Bond as shall be set forth in the Bond Purchase Agreement; such execution and delivery shall be conclusive evidence of the approval and authorization thereof by the County.

Section 6. The County hereby approves the award of the Series 2002 Bond to the Purchaser pursuant to the Bond Purchase Agreement.

Section 7. The Chairman or Vice Chairman of the Board of Commissioners, the County Manager, the Director of Finance and Administration, the County Attorney and the Clerk or, in the absence or incapacity of the Clerk, any Acting Clerk to the Board of Commissioners are authorized and directed (without limitation except as may be expressly set forth herein) to take such action and to execute and deliver such documents, certificates, undertakings, agreements and other instruments as they, with the advice of counsel, may deem necessary or appropriate to effectuate the transactions contemplated by the Installment Financing Agreement, the Trust Agreement, the First Supplemental Trust Agreement, the Deed of Trust, the Escrow Deposit Agreement and the Bond Purchase Agreement.

Section 8. This resolution shall take effect immediately upon its passage.

After consideration of the foregoing resolution, Commissioner Williams moved for the passage thereof, and the foregoing resolution was passed by the following vote:

Ayes: 4

Noes: 0

* * * * *

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

MOTION by Commissioner Tice to approve the following 13 consent agenda items.

VOTING: Ayes – 4; Nays – 0.

1. Request for Approval of the West Iredell Volunteer Fire Department’s new Substation Boundaries: The approved boundaries are:

**West Iredell Fire Department
139 North Shady Rest Road
Statesville, NC 28677**

**West Iredell Fire District
Iredell County, North Carolina
Boundaries**

Beginning at a point (1) at Kyles Crossroads, the junction of Old Mountain Road and Buffalo Shoals Road, and joining the boundary of Troutman VFD; thence in a southwesterly direction to a Point (2) at the junction of Celeste Eufola and Eufola Road, and joining the boundary of Troutman VFD; thence in a southwesterly direction to a point (3) to intersect with the end of Catfish Drive; thence in a westerly direction to a point (4) to follow the Catawba River to intersect with US 70; thence to follow the Catawba River to a point (5) to intersect with I-40; thence to follow the Catawba River in a northerly direction to point (6) to intersect at the intersection of Lookout Dam Road and Island Ford Road; thence in a northeasterly direction to a point (7) to intersect with the end of Old Lion Road; thence in a northern direction to point (8) to intersect with the end of Rosentom Drive; thence in a northern direction to point (9) to intersect with Stewart Rock Drive two tenths of a mile west of the intersection of Stewart Rock and Sharon School Road and to boundary with Stony Point VFD; thence in an easterly direction to point (10) to intersect with Sharon School Road, County Line Road, and boundary Stony Point VFD; thence in a northeasterly direction to point (11) at the intersection of County Line Road and Bolick Road and boundary Stony Point VFD; thence in a southeasterly direction to point (12) one and three tenths mile on Bolick Road from the intersection with County Line Road; thence in a northeasterly direction to point (13) to the intersection of Taft Road and Pressley Farm Road, and boundary with Stony Point VFD; thence in an easterly direction to point (14) to the intersection of Pressley Farm Road and Old Mountain Road, and boundary with Stony Point VFD; thence in an easterly direction to Point (15) to the intersection of Lindsey Farm Road and Miracle Farm Road, and boundary with Stony Point VFD; thence in an easterly direction to point (16) to intersect with US 64, and boundary with Stony Point VFD; thence in an easterly direction to point (17) at the intersection of Odell Road and Marcel Road, and boundary with Stony Point VFD; thence in an easterly direction to point (18) to intersect with NC 90, and boundary with Stony Point VFD and Monticello VFD; thence in a southeasterly direction to

point (19) at the intersection of NC 90 and Lippard Farm Road, and boundary with Monticello VFD; thence in a southeasterly direction to point (20) at the intersection of NC 90 and Woodbridge Road, and boundary with Monticello VFD; thence in a southern direction to point (21) to intersect with US 64 three tenths of a mile west of the intersection of NC 90 and US 64, and boundary with Monticello VFD; thence in a southern direction to point (22) to intersect with Island Ford Road at the Statesville City Limits, and boundary with Statesville Fire Department; thence in a southwesterly direction to point (23) to intersect with I-40 at the Statesville city limits, and boundary with Statesville Fire Department; thence in a southwesterly direction to point (24) to intersect with the dead end of Brandy Lane, and boundary with Monticello VFD; thence in a southern direction to point (25) at the Third Creek Bridge on US 70, and boundary with Monticello VFD; thence in a southeasterly direction to point (26) at the intersection of Airport Road and the northern end of Parkers Lake Loop Road; thence in a southerly direction to point (1) of the beginning, and to boundary with Troutman VFD.

Note 1: The Statesville Airport is property of the City of Statesville, and it is the responsibility of the Statesville Fire Department. Also the tip of Marble Road is the responsibility of Monticello VFD located between points (21) and (22). Crestridge Road, Chal Drive, and Rose St. are also the responsibility of Monticello VFD and are accessed off Westminister Drive and located between points (23) and (24).

Note 2: This description describes an area of Iredell County pursuant to G.S. 153A-233 for insurance purposes only.

2. Request for Review of Wheel Loader Bids for the Solid Waste Facility and Approval

of the Low Bidder: Purchasing Agent Evie Caldwell, at the briefing, said a new wheel loader was needed for the solid waste tipping floor. She said the county’s existing loader (1993 Caterpillar 950F) had 17,000 hours of use, and it was not feasible anymore to repair it. She said bids were recently received, and the lowest total cost bid was offered by Briggs Equipment Co., for a Case 821 C machine in the amount of \$100,224, with tires from Steco, Inc., for \$21,428, and a guaranteed maximum repair amount of \$10,238, for a total project cost of \$131,890. Caldwell said \$140,000 was budgeted for the loader.

Wheel Loader Bid Summary									
Bidder	Bid Price W/O Tires	Trade-In For Old CAT	Flat Bid With Trade-In	Guaranteed Maximum Repairs 7500 Hrs/ 5 years	Guaranteed Repurchase 7500 Hrs/ 5 years	Total Cost Bid	Tire Option	Extended Warranty Option	Delivery Time
Briggs Case 821 C	125,224	25,000	100,224	10,238	50,000	60,462	32,542	10,238 F/M 6,744 D/T	30-90 days
Carolina Tractor CAT 950	177,940	30,000	147,940	30,000	62,000	115,940	7,975	N/C	60 days
James River JD 644-H	134,710	15,000	119,710	10,000	50,000	79,710	27,500	7,000 F/M 3,000 D/T	45 days
L.B. Smith Vol L120E	157,608	20,000	137,608	No total Cost Offered			165 wh 7,200	3,000 D/T 4,740 F/M	45 days
F/M = Full Machine D/T = Drive Train Only									

(The bid was awarded to Briggs Equipment Company for the Case 821C.)

3. Request for Approval of a Deputy Finance Officer for the Jail Commissary: At the briefing, Assistant Jail Administrator Terry Beck requested that Crystal Mathis be designated as a deputy finance officer for the purpose of handling check writing duties in the commissary.

4. Request for Approval of a Request to Apply for \$15,000 from the Susan G. Komen Breast Cancer Foundation: During the briefing, Health Director Ray Rabe requested permission to apply for a \$15,000 grant to be used for mammograms by women who are under-insured, uninsured, or patients in the Family Planning Clinic.

5. Request for Approval of Budget Amendment #21 for the Transfer of \$23,430 from the 911 Emergency Telephone System Fund for Geographic Information System (GIS) Addressing Technician Overtime, the Salary for a New Part-time GIS/Addressing Employee & Other Costs: During the briefing, Planning Supervisor Smith said there was about a one-month backlog in the entering of GIS data into the computer, checking subdivision addresses on the Internet, verifying new road names, and ordering road signs. He asked permission to hire a part-time employee and to purchase the necessary office supplies. In addition, he requested permission for the full-time GIS Technician to work overtime in an effort to bring the system up-to-date. Smith requested that \$1,000 be budgeted for the overtime.

(The budget amendment from Finance Director Blumenstein indicated that with the deduction of the \$23,430 from the E911 Telephone System Fund, a balance of \$417,817 would remain.)

8. Request for Approval of the November Refunds & Releases: (The approved refunds and releases are as follows.)

<u>Breakdown of Releases:</u>		\$40,966.63
County	29,859.47	
Solid Waste Fees	91.00	
E. Alexander Co. Fire #1	3.70	
Shepherd's Fire #2	254.15	
Mt. Mourne Fire #3	72.94	
All County Fire #4	1,891.33	
Statesville City	2,953.40	
Statesville Downtown	3.75	
Mooresville Town	4,480.88	
Mooresville Downtown	0	
Mooresville School	1,130.36	
Love Valley	0	
Harmony	0	
Troutman	225.65	

<u>Breakdown of Refunds:</u>		1,386.19
County	951.61	
Solid Waste Fees	195.00	
E. Alexander Co. Fire #1	0	
Shepherd's Fire #2	0	
Mt. Mourne Fire #3	6.26	
All County Fire #4	101.58	
Statesville City	0	
Statesville Downtown	0	
Mooresville Town	0	
Mooresville Downtown	0	
Mooresville School	0	
Love Valley	0	
Harmony	0	
Troutman	131.74	

8. Request for a Letter to the North Carolina Department of Juvenile Justice in Reference to the Big Brother/Big Sister (BB/BS) After-School Program: At the briefing, Chairman Johnson said the Big Brother/Big Sister agency desired to reinstate the after-school program that was once offered by Communi-Care. He said the BB/BS organization was requesting that a letter be sent to the Department of Juvenile Justice asking for Save Our Students (S.O.S.) financial assistance.

8. Request for Approval of Two Items Pertaining to the \$240,000 Community Development Grant for the West Water Tower Project (1) Recipient's Plan to Further Fair Housing and (2) Anti-displacement & Relocation Plan): A copy of the adopted anti-displacement resolution is as follows.

**IREDELL COUNTY
RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN
UNDER SECTION 104(d) OF THE HOUSING & COMMUNITY
DEVELOPMENT ACT OF 1974, AS AMENDED**

WHEREAS, Iredell County anticipates award of 2002 Community Development Block Grant-Economic Development funds; and

WHEREAS, the Town/County is required to adopt a Residential Anti-Displacement and Relocation Assistance Plan; and

WHEREAS, the purpose of this plan is to minimize residential displacement and to provide relocation assistance to displaced residents in a timely manner.

NOW, THEREFORE, BE IT RESOLVED that the following constitutes the Residential Anti-Displacement and Relocation Assistance Plan for County of Iredell.

The County of Iredell will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than low/moderate income housing as a direct result of activities assisted with funds provided under the Housing & Community Development Act of 1974, as amended, as described in 24 CFR 570.606 (b) (1).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the Town will make public the following information in writing:

- 1. A description of the proposed assisted activity;*
- 2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate income dwelling units as a direct result of the assisted activity;*
- 3. A time schedule for the commencement and completion of the demolition or conversion;*
- 4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;*
- 5. The source of funding and a time schedule for the provision of replacement dwelling units; and*
- 6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.*

The County of Iredell will provide relocation assistance, as described in 570.606 (b) (2), to each low/moderate income household displaced by demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities.

* * * * *

9. Request for Approval of the Minutes for December 2, 2002 & December 3, 2002

10. Request for the Establishment of New Dates for the Winter Planning Session (Thursday, February 13 (evening dinner meeting with legislators), Friday, February 14 (all day) and Saturday, February 15 (1/2 day)

11. Request from the Health Department for Approval of a Vaccination Fee Schedule Adjustment: At the briefing, Health Director Rabe said that currently, the cost for one shot was \$5, two shots were \$10, and there was no charge for additional shots. He said recently it was discovered that the department could charge \$5 for all shots. Rabe requested permission to alter the fee schedule, effective January 1, 2003 regarding the vaccination charges.

12. Request for the Relocation of the Elections Office to the Bondurant Building (Stockton Street, Statesville, NC) on a Temporary Basis (see briefing minutes)

13. Request from Mitchell Community College to be Included in the Next Certificates of Participation Issuance and for the Proceeds to be used for the Completion of the New Workforce Development Building (see briefing minutes)

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

APPOINTMENTS TO BOARDS & COMMISSIONS

Region F Aging Advisory Committee (1 alternate appointment): **MOTION** by Chairman Johnson to postpone this appointment until the January 7 meeting.

VOTING: Ayes – 4; Nays – 0.

Nursing Home Advisory Committee (2 appointments): **MOTION** by Chairman Johnson to postpone these two appointments until the January 7 meeting.

VOTING: Ayes – 4; Nays – 0.

Adult Care Home Community Advisory Committee (4 appointments): **MOTION** by Chairman Johnson to postpone these four appointments until the January 7 meeting.

VOTING: Ayes – 4; Nays – 0.

Home & Community Care Block Grant (HCCBG) Committee (4 appointments): Commissioner Williams nominated Anna Rice, Jo-Anne Findt, Janet Blaufuss, and Lynda Sloan for reappointments on the HCCBG Committee.

MOTION by Chairman Johnson to close the nominations and appoint Rice, Findt, Blaufuss, and Sloan by acclamation.

VOTING: Ayes – 4; Nays – 0.

Board of Health (3 appointments): Commissioner Tice nominated Dr. Lane Putnam for the dental position on the board of health.

MOTION by Chairman Johnson to close the nominations and appoint Dr. Putnam by acclamation.

VOTING: Ayes – 4; Nays – 0.

In reference to the two general public appointments, Commissioner Tice nominated B. K. Barringer and Toney Jacobs.

Chairman Johnson nominated David Boone.

In accordance with the board's rules of procedures, the three candidates will be voted upon for the two health board appointments (general public) at the next regular meeting.

Non-attendance of Dr. John McLelland at the Board of Health Meetings: Commissioner Tice stated that Dr. McLelland, who serves as the physician appointee on the board of health, had not attended any meetings this past year. The clerk to the board was instructed to write Dr. McLelland and inquire about whether or not he desired to remain on the health board.

Board of Equalization & Review (6 appointments): Commissioner Tice nominated Dan Schmidt, John Douglas, Anita Johnson, L.W. Lambert, Wayne Robertson, and William White (alternate) for reappointments.

MOTION by Chairman Johnson to close the nominations and to appoint Schmidt, Douglas, Johnson, Lambert, Robertson, and White (alternate) by acclamation.

VOTING: Ayes – 4; Nays – 0.

Appointment of the Board of Equalization & Review Chairman and Vice Chairman: Commissioner Williams nominated Dan Schmidt for the office of chairman on the Board of Equalization and Review.

MOTION by Chairman Johnson to close the nominations and to elect Schmidt as the Chairman for the Board of Equalization and Review. Ayes – 4; Nays – 0.

Commissioner Tice nominated John Douglas for the office of vice chairman on the Board of Equalization and Review.

MOTION by Chairman Johnson to close the nominations and to elect Douglas as the vice chairman for the Board of Equalization and Review.

Ayes – 4; Nays – 0.

Criminal Justice Partnership Program (CJPP) Committee (8 appointments): Commissioner Tice nominated the following eight individuals.

<u>Name</u>	<u>Area Represented</u>
Steve Johnson	Commissioner
Rena Turner	Representative of Superior Court
Joe Crosswhite	Criminal Defense Attorney
Phil Redmond or designee	Sheriff's Department
Ed Dearman	Probation Officer
Susan Haynes	Substance Abuse Service Representative
Jerry Moore	Community-Based Corrections Representative
Dennis Blackerby	At-large member

Commissioner Williams nominated Gene Houpe as a representative for the business community. (Note: This position has been open for several months. The General Statutes require that at least 10 members serve on the CJPP; however, there is no limitation on the number of members.)

MOTION by Chairman Johnson to appoint Houpe, Blackerby, Moore, Haynes, Dearman, Redmond (or designee), Crosswhite, Turner, and Johnson.

VOTING: Ayes – 4; Nays – 0.

Information & Referral (I & R) (1 appointment): Commissioner Tice nominated Lucille Carter for a reappointment on the I & R board.

MOTION by Chairman Johnson to close the nominations and to appoint Carter by acclamation.

VOTING: Ayes – 4; Nays – 0.

Recreation Advisory Committee (4 appointments): Commissioner Williams nominated Roger McLelland, Mike Griffin, Mike Heintz, and Herb Morron for reappointments on the Recreation Advisory Committee.

MOTION by Chairman Johnson to close the nominations and to appoint McLelland, Griffin, Heintz, and Morron by acclamation.

VOTING: Ayes – 4; Nays – 0.

Zoning Board of Adjustment (3 appointments): Commissioner Norman nominated Bob Dellinger, Nick Carrington, and Roy West (alternate) to the board of adjustment.

MOTION by Chairman Johnson to close the nominations and to appoint Dellinger, Carrington, and West by acclamation.

VOTING: Ayes – 4; Nays – 0.

Juvenile Crime Prevention Council (JCPC) (3 appointments): Commissioner Tice nominated Fred Lowry III (individual under the age of 18), Diana Montoya (individual under the age of 18) and Judge Lynn Gullett (Chief District Judge or designee) to the JCPC.

MOTION by Chairman Johnson to close the nominations and to appoint Lowry, Montoya, and Judge Gullett by acclamation.

VOTING: Ayes – 4; Nays – 0.

NEW BUSINESS

Resignation of County Assessor Brent Weisner: Chairman Johnson said a letter of resignation had been submitted by County Assessor Brent Weisner effective February 1, 2003. Johnson said the letter indicated that Mr. Weisner desired to pursue other business interests.

MOTION by Chairman Johnson to accept Mr. Weisner's resignation effective February 1, 2003.

VOTING: Ayes – 4; Nays – 0.

COUNTY MANAGER'S REPORT

Asbestos Removal at the Iredell County Government Center-South: County Manager Mashburn said \$29,640.46 had been taken from the contingency fund for asbestos removal at the former Lowrance hospital site. He said the staff was confident that this would complete the asbestos removal.

Ice Storm Debris: Mashburn said that most of the ice storm's clean up had been accomplished, but the solid waste office would continue to burn debris as it was received.

New ½ Cent Local Sales Tax: Finance Director Blumenstein said some sales receipts given to customers from area merchants appeared to be somewhat misleading. She said the Department of Revenue had made assurances that the counties would be fully credited for their portions of the new sales tax.

Fully-Certified Veterans Office: Blumenstein said that now, for the first time, the Veterans Service Office was fully certified.

CLOSED SESSION: **MOTION** by Chairman Johnson at 10:00 p.m., to enter into closed session for the purpose of discussing a property acquisition matter - G.S. 143-318.11 (a) (5).

VOTING: Ayes – 4; Nays – 0.

(Return to Open Session at 10:11 p.m.)

ADJOURNMENT: **MOTION** by Chairman Johnson to adjourn the meeting at 10:11 p.m. (NEXT MEETING: Tuesday, January 7, 2003, 5:00 p.m. and 7:00 p.m., in the Iredell County Government Center, 200 South Center Street, Statesville, NC.)

VOTING: Ayes – 4; Nays – 0.

Approved: _____

Clerk to the Board