

**IREDELL COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
JANUARY 8, 2002**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, January 8, 2002, at 7:00 p.m., in the Iredell County Government Center, 200 South Center Street, Statesville, NC.

Present: Chairman Sara Haire Tice
Vice Chairman Karen B. Ray
Tommy E. Bowles
Steve D. Johnson
R. Godfrey Williams

Staff Present: County Manager Joel Mashburn, County Attorney William P. Pope, Planning Supervisor Ron Smith, Finance Director Susan Blumenstein, and Clerk to the Board Jean Moore.

CALL TO ORDER by Chairman Tice

INVOCATION by Commissioner Johnson

PLEDGE OF ALLEGIANCE TO THE FLAG

ADJUSTMENTS OF THE AGENDA: MOTION by Chairman Tice to adjust the agenda by:

Adding:

- Request from the Library for Approval to Apply for E-Rate Funding
- Request for Approval of a Register of Deed's Technology Account with the North Carolina Capital Management Trust
- Closed Sessions for: Economic Development – GS 143-318.11 (a) (4)
Attorney Client – GS 143-318.11 (a) (3)

Deleting:

- Announcement of the National Association of Counties' Legislative Conference to be held March 1-5, 2002 in Washington, D.C. & a Request for the Confirmation of the Commissioners' Meeting Scheduled on March 5, 2002 (No one plans to attend from the county, and the item was deleted from the agenda.)

VOTING: Ayes – 5; Nays – 0.

PUBLIC HEARINGS

Chairman Tice declared the meeting to be in a public hearing. (Due to the first involving conditional uses, all members desiring to speak were sworn in.)

Rezoning Request; Case No. 0112-1: Walter David Meeks, Applicant for the Melvin C. Johnson Heirs, requests that Property be rezoned from Residential Agricultural to Community Business Conditional Use District (Location: 1975 Mecklenburg Hwy., Mooresville, NC, PIN# 4654-27-6957): Planning Supervisor Smith said the owners and applicant desired to rezone property from Residential Agricultural to Community Business Conditional Use District. He said the proposed use would be for a garden center or retail nursery with miscellaneous office uses in an existing building. Smith said no new primary buildings would be constructed on the site, and that all new development would conform to the Roadway Protection Overlay requirements. In addition, he said only one driveway cut, onto NC 115, would be permitted. Mr. Smith continued by saying the property was in a "pivotal" area of the county. He said the planning staff hoped to work with the Town of Mooresville and the Town of Davidson on the development of a small area plan. Smith said the planning board on December 5, 2001, unanimously approved the request.

No one else spoke, and Chairman Tice adjourned the hearing.

MOTION by Commissioner Bowles, after reviewing the conditional use permit findings of fact and determining them to be in order, to grant the rezoning request from Residential Agricultural to Community Business Conditional Use District for Case No. 0112-1 (Melvin C. Johnson Property Heirs and Applicant Walter David Meeks).

VOTING: Ayes – 5; Nays – 0.

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

Zoning Request; Case No. 0112-2: Due to a Release of Jurisdiction from the City of Statesville to Iredell County, Kimberly Johnson requests that her property be initially zoned Residential Agricultural (Location: Weeping Cherry Lane, off Old Wilkesboro Road, Statesville, NC – PIN#s 4735-17-3039 & 4735-17-9230): Smith said the owner/applicant recently had this property released from the City of Statesville’s zoning jurisdiction. He said the applicant’s property was part of a larger piece of family-owned land that was bisected by the jurisdictional boundary. Mr. Smith said the City of Statesville released the property on November 5, 2001, and the owner had requested the county to zone it residential agricultural. He said the owner desired to place a mobile home on the site. Mr. Smith said the planning board, on December 5, 2001, unanimously approved the request.

No one else spoke, and Chairman Tice adjourned the hearing.

MOTION by Commissioner Johnson to approve the zoning request for Case No. 0112-2, for property owned by Kimberly Johnson, to Residential Agricultural.

VOTING: Ayes – 5; Nays – 0.

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

Request for Approval of a Proposed Roadway Protection Overlay for the River Highway Corridor (This would affect new commercial businesses [new construction and changes that require site plan review] and multi-family establishments): Smith said a roadway protection overlay for the River Highway Corridor had been accomplished as a result of the River Highway Corridor Study adopted in December of 2000. Mr. Smith said the proposed roadway extended from the Town of Mooresville’s zoning jurisdiction to the county line. He said that in most areas, the overlay extended 300 feet off the road right-of-way -- north and south. Smith acknowledged, however, that in an effort to set a more definable boundary, entire parcels were included in some areas. He said the purpose of the overlay was to create higher development standards for address signs, lighting, setbacks, storage of materials, and landscaping. Smith said similar overlays were in use by Mooresville on the eastern portions of the highway. Mr. Smith emphasized the overlay would not affect single or two-family homes, or existing businesses. He said that on December 5, 2001, the planning board unanimously approved the overlay and its implementation.

Commissioner Bowles said he understood the county’s overlay differed from Mooresville’s plan. He said he understood that in the county’s plan, an existing business would not have to bring up any curb cuts or shrubbery.

Smith said this was correct. He said the only time an existing business would have to adhere to the standards was when a site plan was required. Mr. Smith said a site plan was typically required when a “major” change in use, or renovation, occurred.

No one else spoke, Chairman Tice adjourned the hearing.

MOTION by Commissioner Williams to approve the Roadway Protection Overlay for the River Highway Corridor.

VOTING: Ayes – 5; Nays – 0.

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

MOTION by Commissioner Ray to approve the following 11 consent agenda items.

VOTING: Ayes – 5; Nays – 0.

1. Request for Approval of a High Density Application for the WSIV-CA Watershed from John Deere Landscapes and Transco LLC (additional information regarding this matter may be found in the briefing minutes)

2. Request for Approval of a Memorandum of Understanding in Reference to the Rural Transportation Planning Organization (RPO): During the briefing, the board members agreed to authorize Chairman Tice to sign the memorandum of understanding after the staff at Centralina delivered the final draft with the correction pertaining to the Centralina Executive Board member. (The Centralina member will be in an ex-officio non-voting capacity.)

3. Request for Approval of Revisions to the Plat Review Officer Listing: Planning Supervisor Smith explained during the briefing that revisions needed to be made to the plat review officer listing. The approved changes were: deletion of Dean Osborne and Seth Harris (no longer employed with the county), addition of Kirstie Dixon (new planner), and to recognize the married name of Rebecca Moose, now Rebecca M. Harper.

Plat Review Officer Listing

<u>Iredell County:</u>	Ron Smith William Allison Rebecca M. Harper Kirstie Dixon Barry Whitesides
<u>Town of Mooresville:</u>	Timothy D. Brown Craig Culbertson
<u>City of Statesville:</u>	David Currier Steve Warren Ashley "Lee" Lawson
<u>Town of Troutman:</u>	A.J. Barghothi Ann Sims

4. Request for Approval of the December 2001 Refunds & Releases

<u>Breakdown of Releases:</u>	\$27,309.74
County	18,198.52
Solid Waste Fees	439.00
E. Alexander Co. Fire #1	11.33
Shepherd's Fire #2	329.29
Mt. Mourne Fire #3	29.06
All County Fire #4	690.06
Statesville City	1,859.96
Statesville Downtown	0
Mooresville Town	4,580.12
Mooresville Downtown	0
Mooresville School	939.60
Love Valley	0
Harmony	0
Troutman	232.80
<u>Breakdown of Refunds:</u>	\$88.85
Statesville City	88.85

5. Request from the Health Department for Approval of Proposed Changes Regarding Septic System Permit Fees and Preventive Health Fees: The following fee changes will be effective February 1, 2002.

Environmental Health

	<u>Current</u>	<u>Proposed /Approved</u>	<u>\$ Change</u>	<u>% Change</u>
Type I or II System	\$ 175	\$ 200	25	14.3
Type III System	300	330	30	10.0
Type IV – VI System	500	575	75	15.0

Preventive Health

	<u>Current</u>	<u>Proposed/Approved</u>
TB Skin Test	\$ 10	\$ 12
Adult Health (bundled)	40	Use Approved CPT Codes
Adult Health Repeat PAP	0	Use Approved CPT Codes

6. Request from the Social Services Department to Transfer \$136,000 from the Maintenance of Effort Line Item to the Temporary Assistance for Needy Families (TANF) Emergency Assistance Line Item (No additional county money will be required. The transfer is due to rule changes and the declining economy.)

7. Request for Approval of Budget Amendment #23 for the Purpose of Transferring \$1,575 from the E-911 Fund to the Planning Department’s General Fund for the Purchase of Software: During the briefing, Finance Director Blumenstein said that due to the mapping department converting to ARCInfo software, the Geographic Information System’s Rural Addressing employee, based in the planning department, would need access to the new program. She said software would need to be purchased for the employee and there would be training costs. Mrs. Blumenstein said the transfer from the E-911 fund for this type of expenditure was permissible.

8. Request for Approval of an Agreement with Robert S. Segal, CPA, Regarding the Application Process for the Bureau of Justice Alien Assistance Program/Funding (The briefing minutes have information about this item.)

9. Request for Approval of the December 18, 2001 Minutes

10. Request from the Library for Approval to Apply for E-Rate Funding (The briefing minutes have information about the E-Rate funding.)

11. Request for Approval of a Register of Deed’s Technology Account with the North Carolina Capital Management Trust (The General Statutes require that ten percent of the recording fees in the Register of Deed’s Office be set aside for automation and technology. The separate account will contain these fees.)

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

Request for Approval of a Property Exchange Involving Land Owned by the Blanton & Moore Company & Land Owned by Iredell County (fairgrounds property): Support Services Director Jim Vernon said the county had been approached by representatives of the Blanton & Moore Company about the possibility of exchanging a portion of property. He said the company owned property in front of the county’s fairgrounds, and the representatives desired to exchange it for a narrow strip of land, owned by the county, that is near the rear of Blanton & Moore’s property. He said the exchange would provide the company with some additional setbacks for a possible planned expansion. Vernon said the county would receive property for additional parking and access to the fairground’s main entrance. He said the county did not have a legal easement for this area at the current time. Mr. Vernon said G.S. 160A-271 allowed counties to exchange “like and similar properties.” He said both properties were approximately the same acreage, same zoning, and the same per acre value. In addition, he said the best use for both properties was for setbacks, parking, etc. Vernon said a notice had been published in an area newspaper about the proposed exchange. (The PIN# for the Blanton & Moore property is 4732 61 9240 and consists of approximately 0.219 acres. The PIN# for the county fairgrounds property is 4732 71 4119, and it consists of approximately 0.293 acres.)

MOTION by Commissioner Bowles to grant the property exchange involving land owned by the Blanton & Moore Company and Iredell County (fairgrounds property).

VOTING: Ayes – 5; Nays – 0.

ANNOUNCEMENT OF VACANCIES OCCURRING ON BOARDS & COMMISSIONS

Industrial Facilities & Pollution Control Financing Authority

(1 announcement)

Juvenile Crime Prevention Council (1 announcement)

APPOINTMENTS TO BOARDS & COMMISSIONS

Adult Care Home Community Advisory Committee (6 appts.): No nominations were presented, and Chairman Tice **moved** to postpone the six appointments until the February 5 meeting.

Board of Health (2 appts.): No nominations were submitted, and Commissioner Bowles **moved** to postpone the two appointments until the February 5 meeting.

VOTING: Ayes – 5; Nays – 0.

Recreation Advisory Committee (2 appts.): Commissioner Johnson nominated Jim Kay for a reappointment.

No other nominations were presented, and Chairman Tice **moved** to appoint Kay by acclamation and to postpone the remaining appointment until the February 5 meeting.

VOTING: Ayes – 5; Nays – 0.

Juvenile Crime Prevention Council (2 appts.):

Commissioner Williams nominated Cheryl Hildebran and Julie Gibson as Sheriff Phil Redmond's designees. (This will count as one appointment since Hildebran and Gibson will not be attending the meetings together. Sheriff Redmond wanted backup on the appointment in case one of the employees had a work conflict.)

Commissioner Bowles nominated Kathy Douglas. (Douglas replaces Devry Gibbs as the Mooresville Graded School Superintendent's delegate.)

Chairman Tice **moved** to close the nominations and to appoint Hildebran/Gibson and Douglas.

VOTING: Ayes – 5; Nays – 0.

MOTION by Commissioner Johnson to reduce the membership of the Juvenile Crime Prevention Council by two members in an effort assist the council in achieving quorums.

VOTING: Ayes – 5; Nays – 0.

(Note: Attorney Joe Crosswhite recently resigned from the JCPC due to work conflicts. In addition, commissioner appointee Arris King accepted an employment position outside of Iredell County. This has prevented her from attending the meetings. The JCPC has not achieved a quorum for the past three or four meetings. The membership was reduced by the commissioners due to this problem.)

COUNTY MANAGER'S REPORT: (During the briefing, County Manager Mashburn said he would be attending a Mental Health Reform Training Session in Raleigh on January 17, 2002.)

CLOSED SESSION: Citing G.S. 143-318.11(a) (3) Attorney Client, and G.S. 143-318.11 (a) (4), Economic Development, Chairman Tice at 7:40 p.m., **moved** to enter into closed session.

VOTING: Ayes – 5; Nays – 0.

(RETURN TO OPEN SESSION AT 8:00 P.M.)

ADJOURNMENT: MOTION by Chairman Tice to adjourn the meeting at 8:00 p.m.
NEXT MEETING: Annual Planning Session to begin on Friday, January 25, 2002, 8:00 a.m., at the Agricultural Resource Center, 444 Bristol Drive, Statesville, NC.

VOTING: Ayes – 5; Nays – 0.

Approved: _____

Clerk to the Board