

**IREDELL COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
JANUARY 7, 2003**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, January 7, 2003, 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: County Manager Joel Mashburn, County Attorney Bill Pope, Finance Director Susan Blumenstein, Planning Supervisor Ron Smith, 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 for the Adoption of an Assessment Policy & Equal Employment Plan
- Request for the Adoption of a Resolution to Approve the Final Documents of the 2003 Installment Payment Revenue Refunding Bond
- Request for the Confirmation of the County Manager's Actions to Waiver the Tipping Fees Regarding the Winter Storm Debris Cleanup

VOTING: Ayes – 4; Nays – 0.

COUNTY CITIZEN'S ADDRESSING THE BOARD

Clinton Ray Miller (139 Northmont Road, Statesville, NC) requested an amendment to the animal control ordinance. Mr. Miller made the request due to witnessing a dog (Rottweiler) attack in his neighborhood. He said that also two pit bull dogs recently attacked a teenager and two policemen in Mooresville. Miller said the dog involved in the attack in his neighborhood was still alive, but the dogs in Mooresville were destroyed. Mr. Miller requested the following changes to the animal control ordinance.

The "dangerous dog" definition would read:

"Dangerous dog: Any dog which has attacked any person when off the property of his owner and not under the direct control of a competent person."

Under Section VII (D) (6) Vicious and Public Nuisance Animals add (D):

"All dangerous dogs shall be destroyed."

Chairman Johnson said the board would take Mr. Miller's request under consideration and discuss the matter with the animal control supervisor.

Bob Privette (3336 Chipley Ford Road, Statesville, NC) spoke about the vacancy on the board of commissioners and the actions of others at the last board meeting. Privette said it was disturbing to him that a special interest group was pushing a candidate for the vacant seat.

Privette said the Republican Party wanted “unity” and there would be “backlash” if the members of the board listened to the special interest group.

Steve Robinson (918 Stoney Crest Court, Mooresville, NC) said he appreciated the opportunity to be considered for the board vacancy. Mr. Robinson said he was “ready, willing, and able to serve.”

Request for the Appointment of an Individual to Fill the Vacancy on the Iredell County Board of Commissioners

Chairman Johnson nominated Alice M. Stewart for the vacancy on the board of commissioners.

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

Commissioner Tice nominated Steve Robinson for the vacancy on the board of commissioners.

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

Commissioner Norman nominated Doug Madison for the vacancy on the board of commissioners.

VOTING: Ayes – 3 (Norman/Tice/Williams); Nays – 1 (Johnson).

(Mr. C. Douglas “Doug” Madison, Jr., of 2622 Fines Creek Drive, Statesville, NC 28625 was elected to the board. Madison previously served as an Iredell County Commissioner from 1990 through 1996. His term will extend through Monday, December 6, 2004.)

Request for Continued Discussion and/or Approval of the Roadway Protection Overlay District Two (RPO2): (A public hearing was held regarding this matter on December 3, 2002. At that time, the board postponed a decision on the RPO2 for 30 days or until this meeting.)

Planning Supervisor Smith said that after the December 3 meeting, the staff had met with the property owners and others about the proposed RPO2. He said some of the major issues had been resolved, but not all of them. Smith said the staff was recommending approval of the RPO2 with the following omissions.

1. Remove the front yard setback measurements from the future right-of-way.
2. Remove the side and/or rear yard parking limitations.
3. Remove the canopy tree requirements for parking areas.
4. Remove the architectural recommendations.

Smith said that in reference to the setback, the developers and property owners would be required to work with the Department of Transportation.

Chairman Johnson asked if orderly development could be achieved without the 15 foot vegetative area.

Smith said yes. He said there were two issues: (1) traffic and congestion and (2) esthetics. He said if anything had to be omitted, he would prefer for it to be esthetics.

MOTION by Commissioner Norman to approve the Roadway Protection Overlay District Two (RPO2), as presented by the planning supervisor with the four omissions.

Chairman Johnson asked if the motion could include the deletion of the 15 foot vegetative area.

Commissioner Norman accepted the amendment to his motion. (There will now be five omissions.) VOTING: Ayes – 4; Nays – 0.

Request for the Adoption of a Resolution to Approve the Final Documents of the 2003 Installment Payment Revenue Refunding Bond: Chairman Johnson introduced the following resolution, a copy of which had been provided to each Commissioner, which was read by title and summarized by the Director of Finance and Administration:

RESOLUTION APPROVING THE SALE BY IREDELL COUNTY PUBLIC FACILITIES CORPORATION OF INSTALLMENT PAYMENT REVENUE BONDS PAYABLE FROM CERTAIN INSTALLMENT PAYMENTS TO BE MADE BY THE COUNTY OF IREDELL, NORTH CAROLINA, APPROVING A PROPOSED FIRST SUPPLEMENTAL INSTALLMENT FINANCING AGREEMENT TO FINANCE THE COST OF REFUNDING CERTAIN INSTALLMENT PAYMENT REVENUE BONDS (IREDELL COUNTY SCHOOL PROJECTS) SERIES 2000 ISSUED 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 a portion of its obligations under that certain Installment Financing Agreement, dated as of July 1, 2000 (the "Original Installment Financing Agreement"), between Iredell County Public Facilities Corporation (the "Corporation") and the County, through a refunding of a portion of the outstanding Installment Payment Revenue Bonds (Iredell County School Projects) Series 2000 (the "Series 2000 Bonds") issued by the Corporation in order to finance certain school improvements; and

WHEREAS, in order to effectuate such plan to refund the Series 2000 Bonds, the County and the Corporation have been negotiating certain financing documents and arranging for the negotiated sale by the Corporation of its Installment Payment Revenue Refunding Bonds (Iredell County School Projects), Series 2003 (the "Series 2003 Bonds") payable from Installment Payments to be made by the County pursuant to the Original Installment Financing Agreement, as supplemented by a First Supplemental Installment Financing Agreement (as hereinafter defined) between the Corporation and 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 First Supplemental Installment Financing Agreement to make available to the County funds with which to refund a portion of the Series 2000 Bonds; and

WHEREAS, the County and the Corporation have retained an investment banker for the purpose of underwriting the Series 2003 Bonds; and

WHEREAS, the Series 2003 Bonds are expected to be marketed in the expectation of executing a Bond Purchase Agreement with respect thereto on or about February 4, 2003 and delivering the Series 2003 Bonds on or about February 5, 2003; and

WHEREAS, in connection with such financing, it is necessary for the County to approve the sale of the Series 2003 Bonds 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 delivery of the Series 2003 Bonds:

(a) a draft of the Bond Purchase Agreement for the Series 2003 Bonds (the "Bond Purchase Agreement"), to be dated as of the date of sale of the Series 2003 Bonds (presently estimated to be on or about February 4, 2003), among the Corporation, the County and Bank of

America Securities LLC (the "Underwriter"), relating to the purchase by the Underwriter of the Series 2003 Bonds;

(b) a draft of the proposed First Supplemental Installment Financing Agreement, to be dated as of February 1, 2003 or another mutually agreeable date (the "First Supplemental Installment Financing Agreement" and, together with the Original Installment Financing Agreement, the "Installment Financing Agreement"), between the County and the Corporation, pursuant to which the Corporation will make available to the County proceeds to be derived from the sale of the Series 2003 Bonds in order to refund a portion of the Series 2000 Bonds, and the County will be obligated to make Installment Payments (as defined in the Installment Financing Agreement) and certain other payments, among other requirements;

(c) a draft of the proposed Second Supplemental Trust Agreement, to be dated as of February 1, 2003 or another mutually agreeable date (the "Second Supplemental Trust Agreement"), between the Corporation and Wachovia Bank, National Association, as trustee (the "Trustee"), supplementing the Trust Agreement, dated as of July 1, 2000 (the "Trust Agreement"), between the Corporation and the Trustee, under which the Trustee will make available to the County the proceeds of the Series 2003 Bonds in order to pay the cost of refunding a portion of the Series 2000 Bonds and to pay the premium for a financial guaranty insurance policy as credit enhancement for the Series 2003 Bonds;

(d) a draft of the proposed First Modification to Deed of Trust, to be dated as of February 1, 2003 or another mutually agreeable date (the "First Modification to Deed of Trust"), from the County to a deed of trust trustee for the benefit of the Corporation;

(e) a draft of the proposed Standby Bond Purchase Agreement, to be dated as of February 1, 2003 or another mutually agreeable date (the "Standby Agreement"), between the County and Bank of America, N.A.;

(f) a draft of the proposed Remarketing Agreement, to be dated as of February 1, 2003 or another mutually agreeable date (the "Remarketing Agreement"), among the County, the Corporation and Banc of America Securities LLC, as remarketing agent (the "Remarketing Agent");

(g) a draft of the Tender Agent Agreement, to be dated as of February 1, 2003 or another mutually agreeable date (the "Tender Agreement"), among Wachovia Bank, National Association, as Tender Agent, Trustee and Bond Registrar, the County and the Remarketing Agent;

(h) a draft of the Escrow Deposit Agreement, to be dated as of February 1, 2003 or another mutually agreeable date (the "Escrow Deposit Agreement"), among the Corporation, the County and Wachovia Bank, National Association, as escrow agent; and

(i) a draft of the proposed Official Statement, to be dated as of the date of delivery thereof (the "Official Statement"), relating to the offering of the Series 2003 Bonds; now, therefore,

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 Second Supplemental Trust Agreement, the Original Installment Financing Agreement or the First Supplemental Installment Financing Agreement.

Section 2. The County hereby approves the sale of the Series 2003 Bonds by the Corporation. The Series 2003 Bonds shall mature on June 1, 2020 and shall bear interest at such rates as shall be determined in accordance with the provisions of the Second Supplemental Trust Agreement; provided, however, that the aggregate principal amount of the Series 2003 Bonds shall not exceed \$21,500,000.

Section 3. The forms, terms and provisions of the First Supplemental Installment Financing Agreement, the Second Supplemental Trust Agreement, the First Modification to Deed of Trust, the Standby Agreement, the Remarketing Agreement, the Tender Agreement, 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, and the Clerk to the Board of Commissioners are hereby authorized and directed to execute and deliver the First Supplemental Installment Financing Agreement, the First Modification to Deed of Trust, the Standby Agreement, the Remarketing Agreement, the Tender Agreement, the Escrow Deposit Agreement and the Bond Purchase Agreement, in substantially the forms presented at this meeting, together with such 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 2003 Bonds 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 4. The County hereby approves the award of the Series 2003 Bonds to the Underwriter pursuant to the Bond Purchase Agreement; provided, however, that the Underwriter's discount shall not exceed 0.4% of the principal amount of the Series 2003 Bonds.

Section 5. The County hereby authorizes the use and distribution of the Official Statement in connection with the public offering of the Series 2003 Bond, and the Official Statement, in substantially the form presented at this meeting, is hereby approved, and the Chairman or Vice Chairman of the Board of Commissioners, the County Manager or the Director of Finance and Administration is hereby authorized to execute, on behalf of the County, the Official Statement in substantially such form, together with such changes, modifications, additions and deletions as he or she, with the advice of counsel, may deem necessary or appropriate; such execution shall be conclusive evidence of the approval thereof by the County. The County hereby also approves and authorizes the distribution and use of copies of the Official Statement, the Trust Agreement, the Second Supplemental Trust Agreement, the Original Installment Financing Agreement, the First Supplemental Installment Financing Agreement, the First Modification to Deed of Trust, the Standby Agreement, the Remarketing Agreement, the Tender Agreement, the Escrow Deposit Agreement and the Bond Purchase Agreement by the Underwriter in connection with the offering and sale of the Series 2003 Bonds.

Section 6. 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 to the Board of Commissioners are authorized and directed (without limitation except as may be expressly set forth herein) to take such actions 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 Second Supplemental Trust Agreement, the First Supplemental Installment Financing Agreement, the First Modification to Deed of Trust, the Standby Agreement, the Remarketing Agreement, the Tender Agreement, the Escrow Deposit Agreement and the Bond Purchase Agreement and the Official Statement.

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

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

Ayes - 4; Noes - 0.

-----**CONSENT AGENDA**-----

MOTION by Chairman Johnson to approve the following 15 consent agenda items.

VOTING: Ayes – 4; Nays – 0.

1. Request from Tribeck Properties for the Release of Zoning and Subdivision Jurisdiction (Extraterritorial) of Approximately 22 Acres to the Town of Mooresville: During the briefing, Planning Supervisor Smith said several owners of property located along the River Highway, just west of Williamson Road in Mooresville, had requested that nine parcels totaling approximately 22 acres be released to the Town of Mooresville’s extraterritorial jurisdiction. Smith said the property was adjacent to the town limits, and it was within the urban services boundary. He said the owners had already approached the town officials about extending the utilities and a possible annexation. Mr. Smith said the Mooresville council approved the request on December 2, 2002. He said the property was currently zoned Residential Agricultural, and it was designated for commercial purposes in the Iredell County Land Development Plan.

2. Request from the Juvenile Crime Prevention Council for Approval of a Recommendation Regarding the Allocation of Remaining FY 2002-03 funds (\$9,505) from the Department of Juvenile Justice: At the briefing session, Carl Duncan, the Chairman of the Juvenile Crime Prevention Council, shared recommendations from the group pertaining to \$9,505 remaining in juvenile justice funds for this fiscal year. He said the funds would revert to the State if they were not used locally. Duncan said the council met on December 10 and recommended the distribution of the funds as follows:

ARK Program (SCAN)	\$2,923 (counseling program)
Project Challenge	3,291 (restitution program)
Barium Springs	<u>3,291</u> (residential program)
	\$9,505

3. Request for Approval of a Resolution Authorizing the Purchasing Agent to Dispose of Surplus Property (Two Generators & an Underground Storage Tank) by Private Negotiated Sale: The following resolution was approved:

*RESOLUTION AUTHORIZING THE PRIVATE SALE
OF CERTAIN SURPLUS PROPERTY*

WHEREAS, the County of Iredell has possession of the following items of personal property which are surplus to its needs and desires to dispose of same.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Iredell County, that Evie D. Caldwell, Purchasing Agent, pursuant to the provisions of G.S. 160A-266, is hereby authorized to dispose of the personal property at private negotiated sale.

TWO (2) General Electric power generators with diesel Caterpillar engines Serial numbers 92B907 and 92B908 and to include removal of one 1,000 gallon underground storage tank located at the Iredell County Government Center – South in Mooresville, NC.

Any person interested in purchasing these items may apply to the county purchasing agent at Room 107, Iredell County Government Center, 200 South Center Street, Statesville, NC, or may telephone during normal business hours at (704) 878-3045.

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4. Request from the Sheriff’s Department for Permission to Apply for Grants from the North Carolina Governor’s Crime Commission: At the briefing, Enforcement Captain Mike Phillips, with the Sheriff’s Department, requested permission to apply for grant funds to be used to pay the salaries for two investigator positions. He said the local match for the positions could be obtained from seized funds (1st year match of \$24,000 and 2nd year match of \$23,000). Phillips said that if the grant was approved by the State, and the positions filled, the county would be obligated to hire and absorb the full costs for the investigators after the second year. He gave the following information on the requests.

- One (1) Full-time Child Sex Offense Investigator: This individual would be assigned to the Dove House on a full-time basis. Currently, the caseload at the Dove House is heavy enough to warrant a full-time person.
- One (1) Investigator Position for the “Reality” Program: This program would allow juveniles to voluntarily spend a day (Saturday) at the jail.

5. Request from the Social Services Department for Approval of a Five-Year Contract with IBM: During the briefing, Social Services Director Don Wall said the IBM computer contract for the department's "one-case system" was up for renewal. He said the contract period was for five-years and the costs were budgeted.

6. Request for the Designation of an Applicant's Agent Regarding the Winter Storm of 2002 and Public Assistance from the N.C. Department of Emergency Management: County Manager Mashburn said during the briefing that the Federal Emergency Management Agency (FEMA) required the designation of a primary and secondary agent in order to apply for disaster relief. He said the county would be applying for reimbursements once a full recovery cost was determined. Mashburn requested that he be designated as the primary agent and Tracy Jackson, the Director of Emergency Management, be listed as the secondary agent.

7. Request for the County Manager to be Authorized to Sign an Agreement Pertaining to the Inspections of an On-Site Wastewater System (Stumpy Creek Park): At the briefing, Support Services Director Jim Vernon said an annual contract would be required for the inspection of the Stumpy Creek Park sewage treatment system (ground absorption). He said the Iredell-Statesville School System had agreed to inspect the system on a monthly basis and provide the necessary reports to the health department.

8. Request for the Approval of a Resolution Supporting the North Carolina Department of Transportation's Plans to Improve the Intersection of SR 1245 (Centre Church Road) & SR 1246 (Fairview Road): The following resolution was approved.

*RESOLUTION SUPPORTING IMPROVEMENTS BY THE
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION & DIVISION OF HIGHWAYS
TO
THE INTERSECTION OF SR 1245 (CENTRE CHURCH ROAD) & SR 1146
(FAIRVIEW ROAD) IN IREDELL COUNTY, NORTH CAROLINA*

WHEREAS, the North Carolina Department of Transportation and Division of Highways proposes to:

ITEM 1: Improve the intersection of SR 1245 (Centre Church Road) and SR 1246 (Fairview Road) at the entrance to Lowe's Corporate headquarters in the Town of Mooresville, in Iredell County, North Carolina.

NOW, THEREFORE, we the county commissioners of Iredell County, the board of commissioners being the official governing body of the County of Iredell in North Carolina, do hereby support the North Carolina Department of Transportation and Division of Highways' proposal to improve the intersection of SR 1245 (Centre Church Road) and SR 1246 (Fairview Road) in Iredell County, North Carolina.

IN WITNESS WHEREOF, we have hereunto authorized the chairman to set his hand and cause the Seal of Iredell County to be affixed this 7th day of January 2003.

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9. Request from the Town of Troutman for the Removal of A.J. Barghothi as a Plat Review Officer and the Addition of Donald E. Duncan, Jr.: Due to a change in personnel at the Troutman town office, an amendment was requested to the plat review officer listing. (A.J. Barghothi will be replaced by the new Town Administrator, Donald Duncan, Jr.) The new list will be as follows:

**IREDELL COUNTY
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>	Donald E. Duncan, Jr. Ann Sims

10. Request for Approval of Budget Amendment #22 to Record the Issuance of the 2002 Installment Payment Revenue Bond Using the Existing Debt Service Reserve Fund to Refund the 1992 Certificates of Participation: During the briefing, Finance Director Blumenstein said this amendment was needed in order to enter the bond refunding into the accounting records.

11. Request for Approval of a Resolution for the Transacting of Banking Services with Centura Bank & the Designation of Dean Lail as a Deputy Finance: At the briefing, Blumenstein said RBC Centura was requesting a new resolution for the transacting of banking services. She also said that Centura was in the finance department's bid list for the purchasing of certificates of deposit, and it was requested that Dean Lail be designated as a deputy finance officer for this purpose.

12. Request for Approval of a First Citizens Bank Resolution Regarding Central Depository Services, Third Party Custodian Services, and Investment Management: This resolution will authorize the designated officers and employees of the county to be given authority to conduct all Trust Business on behalf of the County with First Citizens Bank & Trust Company.

13. Request for Approval of the December 17, 2002 Minutes.

14. Request for the Adoption of an Assessment Policy & Equal Employment Plan: At the briefing, County Manager Mashburn said both of these items related to the West Farm Water Tower. The approved policy and plan are as follows.

**WEST FARM SITE
PROPOSED ASSESSMENT POLICY**

The County of Iredell is required as a condition of a Community Development Block Grant for Economic Development (CDBG-ED) to construct an elevated water storage tank to provide increased water pressure for users of public facilities in the area. This construction is designed to provide adequate water pressure to Millard Refrigerated Services located in the West Farm Site. The assessment policy delineated herein is designed to give the County of Iredell a mechanism to provide equitable water service to future users in the area whose water service will be upgraded as a result of CDBG-ED funding.

1. Future users connecting to the Iredell County/EnergyUnited Water Corporation system at the West Farm Site shall be required to pay an assessment fee of \$100 per tap to the Iredell County/EnergyUnited Water Corporation. This fee is in addition to normal tap fees and shall be paid in full prior to connection to the designated lines.

2. The assessment fee required in Section 1 shall not be imposed on any business that is owned by low and moderate-income individuals, or any residence that is owned or occupied by low and moderate-income individuals. This assessment fee shall be waived by the County of Iredell for any business that ties into the service that presently

employs greater than 60% low and moderate-income persons and/or will create new jobs of which 60% of positions will be filled by low and moderate-income persons.

3. The Iredell County/EnergyUnited Water Corporation reserves the right to reduce the assessment fee charged to any future users based on the economic impact on the Iredell County/EnergyUnited Water Corporation overall economy.

4. All revenue generated by this assessment policy prior to completion of the project shall be used to reduce the amount of the CDBG-ED funds. Fifty percent (50%) of all revenue generated by the assessment policy thereafter shall, for a period of five (5) years, be returned to the CDBG Program at the Commerce Finance Center for funding of future economic development projects. The fifty percent (50%) retained by the Iredell County/EnergyUnited Water Corporation shall be used to finance future capital improvements to the City's water system with priority placed upon improvements to benefit persons of low and moderate income.

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EQUAL EMPLOYMENT PLAN

The County of Iredell maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age, are bona fide occupation qualifications for employment.

In furtherance of this policy the County prohibits any retaliatory action of any kind taken by any employee of the County against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The County shall strive for greater utilization of all persons by identifying previously under utilized groups in the work force, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development, and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and Affirmative Action measures is hereby assigned to the County Manager and/or other persons designated by the manager or Board of Commissioners to assist in the implementation of this policy statement.

The County shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the Board of Commissioners by the County Manager.

The County is committed to this policy and is aware that with its implementation, the County will receive positive benefits through the greater utilization and development of all human resources.

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15. Request for the Confirmation of the County Manager's Actions to Waiver the Tipping Fees Regarding the Winter Storm Debris Cleanup: County Manager Mashburn said it was unknown how much ice storm debris would be taken to the landfill for disposal. He requested confirmation of a tipping fee waiver. Mr. Mashburn said the county would not be losing revenue since the debris was unexpected. Mashburn said the county had the necessary permits and had contracted with Air Curtain Incinerator to burn the materials. He said 75% of the costs for the assistance could be recovered from FEMA. Mashburn said the county could not, however, continue the waiver for a long period of time.

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

APPOINTMENTS TO BOARDS & COMMISSIONS

Region F Aging Advisory Committee (1 alternate appointment): Commissioner Tice nominated Victor Crosby.

No other nominations were submitted and Chairman Johnson moved to appoint Crosby by acclamation.

VOTING: Ayes – 4; Nays – 0.

Nursing Home Advisory Committee (2 appointments): No nominations were submitted and Chairman Johnson moved to postpone these two appointments until the January 21 meeting.

VOTING: Ayes – 4; Nays – 0.

Adult Care Home Community Advisory Committee (4 appointments): No nominations were submitted and Chairman Johnson moved to postpone the four appointments until the January 21 meeting.

VOTING: Ayes – 4; Nays – 0.

(Note: County Manager Mashburn said Mrs. Carolyn Johnson (398 Mocksville Highway, Statesville, NC) had expressed a desire to serve on either the Nursing Home or Adult Care Committee. He requested for the clerk to the board to send Mrs. Johnson a volunteer application.)

Scattered-Site Housing Program Selection Committee (11 recommended appointments): Commissioner Williams nominated the following individuals/agencies.

Iredell County: Ron Smith (Planning Supv.), Alan Williams (Planning Board Member), & Mitzi Waddell (Planning Board Member)

Statesville - Steve Warren (Asst. Planning Director)

Mooresville - Al Jones (Mayor) & Erskine Smith (Asst. Town Mgr.)

Troutman - Amanda Weiser (Planning Board Member)

Harmony - Ray Lewis (Board Member)

Love Valley - Debbie Schneble-Price (Board Member)

Council on Aging - Anna Rice (Executive Director)

Department of Social Services Representative

MOTION by Chairman Johnson close the nominations and appoint the referenced individuals/agencies.

VOTING: Ayes – 4; Nays – 0.

Board of Health (2 appointments): At the December 17 meeting, three nominees (B.K. Barringer, David Boone and Toney Jacobs) were submitted for two “public” appointments on the Board of Health. In accordance with the Rules of Procedure, the clerk to the board called the roll of the commissioners. Their votes are as follows:

	B.K. Barringer	David Boone	Toney Jacobs
Steve Johnson		√	√
Godfrey Williams	√	√	
Marvin Norman	√	√	
Sara Haire Tice	√	√	
Totals	3	4	1

B.K. Barringer and David Boone were given three-year appointments on the board of health.

UNFINISHED BUSINESS

Selection of C. Douglas (“Doug”) Madison, Jr. to fill the Unexpired Term of Karen B. Ray on the Board of Commissioners: Chairman Johnson requested the clerk to the board to send a letter to Mr. Madison officially advising of his appointment.

COUNTY MANAGER'S REPORT

Confirmation of the Winter Planning Session: The manager said Friday, February 14, 2003 and Saturday, February 15 would be the dates for the retreat. He said an economic forecaster would be invited to speak. (The retreat will be held at the Agricultural Resource Center on Bristol Drive in Statesville.)

Annual County Retiree and Employee Service Award Dinner Date: Mashburn said April 24, 2003, was the date retirees and long-time employees would be recognized for their county service.

Iredell County Government Center-South (ICGC-S): The manager said the minutes of the December 17 meeting advised that \$29,640.46 had been taken from contingency for asbestos removal at the ICGC-S. He said the minutes went on to say the staff was confident this would complete the costs for asbestos removal. Mr. Mashburn said he wanted to clarify the statement by saying the asbestos removal he referred to pertained to the portion presently under renovation. He said it was anticipated that some asbestos costs would be incurred when the county worked on the fourth floor. Mashburn said a meeting was scheduled on January 14, 2003, with the Department of Environment & Natural Resources about a possible lease for the fourth floor.

OTHER: Commissioner Williams said the board would have four members at the next meeting due to a business commitment he had out of the country.

ADJOURNMENT: MOTION by Chairman Johnson to adjourn the meeting at 8:15 p.m. **NEXT MEETING:** Tuesday, January 21, 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