

**IREDELL COUNTY BOARD OF COMMISSIONERS  
REGULAR MINUTES  
JULY 24, 2007**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, July 24, 2007, at 7:00 p.m., in the Iredell County Government Center (Commissioners' Meeting Room), 200 South Center Street, Statesville, NC.

**Board Members Present**

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

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

**CALL TO ORDER** by Chairman Norman.

**INVOCATION** by Commissioner Johnson

**PLEDGE OF ALLEGIANCE**

**NOTIFICATION OF REQUESTS TO POSTPONE TWO REZONING CASES**

**Case No. 0703-1: Owner/Applicant Harry Phillip & Louise McLain along with Charles Michael & Janet McLain Request to Amend the Iredell County Land Use Plan and to Rezone a Portion of Property from Single Family Residential (R-20) to Heavy Manufacturing Conditional Use District (M2-CUD) (Location: 964 Snow Creek Road Statesville, NC):** Planning Director Ron Smith announced that a letter had been received from the McLain family requesting postponement of this case to August 7, 2007.

**MOTION** by Commissioner Williams to grant the request to postpone Case No. 0703-1 until the August 7, 2007 meeting.

VOTING: Ayes – 5; Nays – 0.

**Case No. 0706-9: Agent Edmund Gaines (Attorney) on behalf of the Kent Development Company Requests to Change Conditions on an Existing Community Business Conditional Use District (Location: 2290 Salisbury Highway, Statesville, NC):** Planning Director Smith said the applicant had submitted a letter for this case to be postponed until the September 4, 2007 meeting.

**MOTION** by Commissioner Tice to grant the request to postpone Case No. 0706-9 until the September 4, 2007 meeting.

VOTING: Ayes – 5; Nays – 0.

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

Additions:

- Request for Approval of a Resolution Pertaining to the Construction of a \$126,000 Access Road at the Statesville Airport with Costs to be Split with the City of Statesville (\$63,000 for each entity)
- Request from the Lake Norman Marine Commission for a Funding Increase from \$21,000 to \$25,500 (Same amount as being contributed by the other counties.)

Amended Requests:

- Assistant County Manager Tracy Jackson will be the Voting Delegate to the Annual

Conference of the North Carolina Association of County Commissioners

- Budget Amendment #2 Revised by adding Animal Control Building Repairs in the Amount of \$235,000.

VOTING: Ayes – 5; Nays – 0.

**COUNTY ATTORNEY EXCUSED:** Attorney Pope announced a conflict of interest regarding Rezoning Case No. 0706-2 and requested to be removed from any discussion.

**MOTION** by Commissioner Johnson to excuse Attorney Pope from any participation or deliberation regarding Case No. 0706-2.

VOTING: Ayes – 5; Nays – 0.

**PRESENTATION OF SPECIAL RECOGNITIONS & AWARDS**

**Presentation by the North Carolina Department of Correction (Criminal Justice Partnership Division) of a “Program of Excellence” Award to the Iredell County Resource Center:** Attending the meeting for this presentation were State Division III CJPP Coordinator Nancy Woodard, Iredell County CJPP Board Chair George Pettigrew, Appropriate Placement Options Director Pam Navey, Iredell Resource Center Director Tammy Lippard, and Probation Officer Pam York. Woodard praised the local program, and presented a plaque to the resource center staff.

**PUBLIC HEARINGS**

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

**Consideration of an Economic Development Incentive for RF Micro Devices, Inc:** Mooresville-South Iredell Economic Developer Melanie O’Connell Underwood requested a \$267,000 incentive grant for RF Micro Devices based on the company’s planned investment of \$15 million. She said RF Micro had plans to lease two buildings (each having 24,000 sq. ft.) in Phase II of the Deerfield Industrial Park and employ 50 people.

No one else desired to speak.

**MOTION** by Commissioner Robertson to approve the RF Micro Devices incentive as presented.

VOTING: Ayes – 5; Nays – 0.

**Consideration of the Proposed North Carolina Department of Transportation’s 2007-2008 Secondary Road Construction Program:** Division 12 Maintenance Engineer Reuben Chandler, Division 12/District 2 Engineer Patrick Norman, and Iredell County Maintenance Engineer Mark Taylor attended the meeting to present the DOT proposal.

Engineer Patrick Norman then presented the following information:

FY 2007-2008 Anticipated Allocation	
Highway Fund (G.S. 136-44.5b)	\$1,338,564.48
Highway Fund (G.S. 136-44.5c)	\$ 441,727.46
Trust Fund	\$ 2,231,732.45
Total	\$ 4,012,024.39

Priority #	SR NO	Length (miles)	Road Name & Description	Estimated Cost
7F	SR-2016	0.90	Holland Farm Road From SR-1832 to dead end	\$417,500.00
8F	SR-1808	1.30	Curt Road From NC-901 to SR-1807	\$617,500.00
9F	SR-1597	1.10	Race Path Road From NC-115 to SR-1596	\$522,500.00
10F	SR-2145	0.91	Vaughn Mill Road From SR-2150 to End of Pavement	\$432,250.00
<b>Total</b>				<b>\$1,999,750.00</b>

Priority #	SR NO	Length (miles)	Road Name & Description	Estimated Cost
------------	-------	----------------	-------------------------	----------------

11	SR-2151	1.40	Gantt Horn Road From SR-2158 to dead end	\$665,000.00
12	SR-2112	1.25	Joyner Road From SR-2111 to SR-2179	\$593,750.00

Paved Road Improvements

Priority #	Road Name & Description	Estimated Cost
SR-1125 Shearers Road	Widen and resurface Shearers Road from 18' to 20' 4.23 miles from Mooresville town limits to County Line	\$612,064.59
SR-1645 (Old Wilkesboro Road)	Widen and resurface Old Wilkesboro Road from 18' to 20' 2.67 miles from NC 115 to NC 115	\$426,725.41
SR-1303 (Perth Road)	Install 200' full storage left turn lane along Perth Road at SR-1300 (Fern Hill Road)	\$137,712.89
SR-1109 Williamson Road)	Install a 150' Full storage left turn lane on Williamson Road SR-190 (Sundown Road)	\$162,061.59
<b>Total</b>		<b>\$1,338,564.48</b>

Various Spot Stabilization, Secondary Maintenance **\$125,479.96**

Funds reserved for surveying, right of way acquisition, road additions, contingencies, overdrafts, and paving entrances to certified fire departments, rescue squads, etc.

**\$125,479.95**

**GRAND TOTAL**

**\$4,012,024.39**

No one else desired to speak.

**MOTION** by Commissioner Tice to accept the 2007-2008 Secondary Road Construction Program as presented by the state officials.

VOTING: Ayes – 5; Nays – 0.

**Consideration of an FY 07-08 Rural Operating Assistance Program (ROAP) Grant Application:** Garrison said a funding request of \$120,970 for the Elderly/Disabled Program; \$25,730 for the Workforce/Employment Program; and 129,538 for the Rural General/Public Program would be submitted to the state. He said additional Rural Operating funds would be used for medical and employment transportation along with increased services for the northern end of the county, especially for health services. Garrison said additionally, non-Medicaid, out of county trips would be increased. He requested approval to proceed with the application, and a summary of the ROAP grant is as follows:

***RURAL OPERATING ASSISTANCE PROGRAM***

*Whereas Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering all federal and/or state programs related to public transportation, and grants NCDOT authority to do all things required in applicable federal and/or state legislation to properly administer the public transportation programs within the State of North Carolina;*

*WHEREAS, G.S. 136~44.27 established the Elderly and Disabled Transportation Assistance Program;*

*WHEREAS, funds will be used for transportation related expenditures as specified in the FY 2007 - 2008 Rural Operating Assistance Program (ROAP) application;*

*WHEREAS, information regarding use of the funds will be provided at such time and in such a manner as NCDOT may require;*

*WHEREAS, it is the policy of the North Carolina Department of Transportation that Disadvantaged Business Enterprises, Minority Owned Business Enterprises, and Women Owned Business Enterprises shall have the opportunity to participate in the performance of contracts financed in whole or part by Federal and State funds in order to create a level playing field and the county shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract.*

*WHEREAS, ROAP funds will be used to provide eligible services during the period July 1, 2007 through June 30, 2008;*

WHEREAS, any interest earned on ROAP funds will be expended for eligible program uses as specified in the ROAP application; and

WHEREAS, the County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.

This is to certify that the undersigned is the duly elected, qualified and acting chairperson of the Board of County Commissioners of the County of Iredell North Carolina, and that the following statements are true and accurate:

Elderly and Disabled Transportation Assistance Program

1. The funds received from G.S. 136-44.27 will be used to provide transportation services for the elderly and disabled allowing individuals to reside for a longer period in their homes, thereby enhancing their quality of life.
2. The funds will not be used to supplant or replace existing federal, state or local funds designated to provide elderly and disabled transportation services in the county.

Employment Transportation Assistance Program

1. The purpose of these transportation funds is to support transitional transportation needs of Work First participants after eligibility for cash assistance has concluded and/other specified general public employment transportation needs.
2. The funds are limited to use by the local Department of Social Services, Work Force Development Program, or the community transportation system.
3. The funds may be transferred to the Elderly and Disabled Transportation Assistance Program or the Rural General Public Program after an assessment of employment transportation needs in the service area indicates that employment transportation needs are substantially being met. This assessment will occur prior to any transfer of funds and following submission of a statement to that effect from the County Manager to the Public Transportation Division.

Rural General Public Program

1. The funds are limited to use by the community transportation system.
2. The funds will not be used to provide human service agency trips.

No one else desired to speak.

**MOTION** by Commissioner Johnson to approve the application as presented.

VOTING: Ayes – 5; Nays – 0.

(All audience members and staff desiring to speak in regards to the rezoning quasi-judicial cases (Conditional Use Districts) were then invited to the dais to be sworn-in.)

**Proposed Amendment to the Zoning Ordinance: Owner/Applicant Benchmark CMR, Inc., Requests an Amendment to SR 31, Radio, Television or Communication Transmission Towers:** Planning Director Ron Smith said this amendment pertained to the setback requirements for “tall” transmission towers (not wireless or cell towers) in limited areas of the county.

Applicant Jessica Sick with Benchmark CMR, said a client had requested the amendment. She said one revision was for a setback requirement of one-foot per each one-foot of tower height along with a provision to allow towers to encroach on the setback if the encroachment was certified by an engineer. She said the purpose was to ensure that if the tower fell, it would fall totally within the setback distance. Sick said the amendment had no risk for the county, rather the design and certification responsibilities would be placed on the engineer. She said another request was for a separation between the towers and residential dwellings (one foot to one foot setback from any residential towers). Sick said this setback could not be waived upon a certification, and this would only be for existing residential dwellings. Ms. Sick said the final amendment stated that transition towers would meet all applicable federal aviation administration standards. She said tower developers had to provide a determination of no hazard from the FAA.

No one else desired to speak and a copy of the staff report is as follows:

APPLICANT: Jessica Sick  
Benchmark CMR Inc.  
118 South Main Street  
Kannapolis, NC 28081

ORDINANCE: Zoning Ordinance

SECTION: SR 31 Radio, Television or Communication Transmission Towers

- A. Transmission Towers shall ~~have a setback of one (1) foot for each one (1) foot in height of tower from all property lines and rights-of-way.~~ comply with the following setbacks:
1. Towers shall be sited to contain all ice-fall or debris from tower failure within the setback area. The minimum distance from the tower's base to the property line shall be one foot to each vertical foot of the tower's height. However, a lesser setback shall be permitted upon certification by a NC Registered Professional Engineer which ensures that the fall area of the tower and any appurtenances will be within the setback area proposed.
  2. The minimum distance from the tower's base to any existing dwelling or dwelling under construction shall be one foot to each vertical foot of the tower's height.
- B. No vehicles or materials shall be stored on the premises; and no offices shall be permitted.
- C. All buildings shall be setback at least twenty (20) feet from all property lines and shall be designed and landscaped with a buffer strip in such a way as to blend in with surrounding area.
- D. All structures shall be enclosed by a chain link fence at least eight (8) feet in height.
- E. Transmission Towers with a height of three hundred (300) feet or greater shall be subject to Board of Adjustment approval as a Special Use.
- F. Transmission Towers with a height of one hundred (100) feet or greater shall be designed and constructed to permit the capability for co-location of at least one additional wireless telecommunication use.
- G. Transmission Towers shall not be located within two thousand (2,000) feet of any other existing transmissions tower, unless concealed within a church steeple, farm silo, or other architecturally designed encasement.
- H. Transmission Towers shall ~~meet all applicable~~ provide a determination of "no hazard" from the Federal Aviation Administration (FAA) ~~standards and shall not restrict or interfere with air traffic or air travel from or to any existing or proposed airport~~

**MOTION** by Commissioner Williams to approve the Amendment to SR31, Radio, Television or Communication Transmission Towers as presented.

VOTING: Ayes – 5; Nays – 0.

**Expansion of a Nonconforming Use: Owner/Applicant Case Farms, LLC, Requests to add 8,000 square feet to existing Office Space (Location: 385 Pilch Road, Troutman, NC)**  
Planning Director Smith summarized the staff report for this case as follows:

**EXPANSION OF NON-CONFORMING USE**

OWNER/APPLICANT: Case Farms, LLC  
385 Pilch Road  
Troutman, NC 28166  
(704) 528-4501

LOCATION: The property is located at 385 Pilch Road, Troutman, NC; more specifically identified as PIN# 4751-25-7169. Directions: Take South Main Street from Troutman; turn left onto Oswalt Amity Road; turn left onto Pilch Road; property on right at intersection of Pilch Road and Pear Tree Road.

**REQUESTED ACTION:** Allow an expansion of an existing non-conforming office use within a Residential-Agricultural District by 8,000 square feet, for a total of 13,787 square feet of new and existing office space.

**PROPOSED USE:** Corporate office.

**SIZE:** 16.36 acres.

**EXISTING LAND USE:** Corporate office & vacant hatchery.

**SURROUNDING LAND USE:** Residential uses are adjacent to northeast and west of site, vacant land to north, south and east.

**WATERSHED REGULATIONS:** The subject parcel is not located within a watershed area.

**TRAFFIC:** This section of Pilch Road had an average of 930 vehicles per day in 2004; the 1993 Iredell County Thoroughfare Plan does not identify the carrying capacity for Pilch Road, but the estimated carrying capacity is 8,000 vehicles per day.

**ZONING HISTORY:** The subject parcel was zoned RA when countywide zoning took effect in 1990. The entire surrounding area is zoned for residential uses with the nearest commercial zoning approximately 4,000 feet west along I-77. The site was formerly used as a chicken hatchery operation within the existing 29,000 square foot building. An associated truck wash facility, parking areas and two residences also exist. The current use consists of one converted residence of 4,787 square feet for office use by approximately 20 employees of Case Farms. This request proposes an expansion to the existing converted residence that will allow an additional 8,000 square foot for office uses. The remainder of the facilities cannot be occupied by commercial or industrial uses and are unable to be re-opened without a change in the current zoning classification of Residential-Agricultural. The only permissible uses are those outlined in Section 8.3 of the Iredell Zoning Ordinance, primarily residential single family uses and accessory buildings.

**STAFF COMMENTS:** The Iredell County Zoning Ordinance allows non-conforming uses to expand based upon the applicant meeting several criteria outlined below:

- a. The enlargement will not cause substantial harm to the adjoining property owners.
- b. The enlargement will not result in traffic increases beyond the capacity of the roads serving said use.
- c. The enlargement will not result in emission of smoke, fumes, noise, odor, or dust which will be detrimental to the character of the district or to the health, safety, or general welfare of the community.
- d. The enlargement will maintain all minimum setbacks and buffer requirements of the use district in which said use would be permitted.

**Evaluation of Criteria:** The Zoning Ordinance provides the above-referenced criteria that must be met for an applicant to expand a non-conforming use. Items A, B, and C should be considered in light of the property's location. Item D is evaluated based upon the submitted site plan showing the existing facilities and proposed expansion. Staff is recommending for the request and feels that based upon the submitted site plan and history of the operation that an expansion would not negatively impact adjoining residential properties and meets all criteria for an expansion of a non-conforming use. The expansion of non-conforming use is preferred to a rezoning request since specific issues can be addressed relating to size of proposed facility, intended use, possible impacts on surrounding neighborhood, avoidance of spot zoning issue, and any future expansions would have to be evaluated by the Board.

**PLANNING BOARD ACTION:** On June 6, 2007, the Planning Board voted 8-1 to recommend in favor of this expansion request.

No one else desired to speak.

**MOTION** by Commissioner Johnson to approve the request for the Expansion of a Non-Conforming Use for Case Farms, LLC.

**VOTING:** Ayes – 5; Nays – 0.

**Case No. 0706-1: Owner/Applicant Susan M. Brooks Requests a Rezoning from Residential Agricultural to General Business:** Planning Director Smith reviewed the staff report for this case as follows:

**CASE NO. 0706-1**

OWNER/APPLICANT:

Susan M. Brooks  
131 Twilight Lane  
Statesville, NC 28677

LOCATION: 161 Triplett Road, more specifically PIN# 4773-62-3066. Directions: US Highway 70 east, right on Triplett Road, on the left at the corner of the new section of US Highway 70.

REQUESTED ACTION: Rezone the property from RA, Residential Agricultural Zoning District to GB, General Business Zoning District.

PROPOSED USE: Produce market.

SIZE: The property is 1.3 acres.

EXISTING LAND USE: Vacant.

SURROUNDING LAND USE: Residential, agricultural, and vacant.

WATERSHED REGULATIONS: This property is not located in a watershed.

TRAFFIC: According to the 1993 Iredell County Thoroughfare Plan, the capacity for this stretch of US Highway 70 is 10,500 vehicles per day and 8,000 for Triplett Road. In 2005, the estimated daily traffic count for US Highway 70 was 11,000 vehicles per day and 1,400 vehicles per day for Triplett Road. The State is currently in the process of re-routing and widening US Highway 70. This property will have frontage on the new stretch of US Highway 70. The proposed capacity of the new US Highway 70 route is 26,000 vehicles per day.

ZONING HISTORY: This property has been zoned RA since County-wide zoning went into effect in 1990. The property that adjoins this lot was rezoned to GB on December 4, 2006. The property to the north was rezoned to GB in 1996 and 2004.

STAFF COMMENTS: The area is in the midst of transition due to new highway construction slated for completion next summer. Approximately 200 linear feet of the applicant's property fronts the new US Highway 70 right-of-way. It is anticipated by staff that owners of frontage properties will continue to request zoning changes in anticipation of the road improvements. This particular tract also has frontage on Triplett Road. The US 70 East Corridor Plan identifies this area as suitable for future industrial expansion. The applicant has chosen the GB District classification which allows many business uses including some light industrial uses. A GB District lies to the north, across the new Highway 70 right-of-way and to the south and east of this property. Planning staff recommends in favor of this request. This property is more suitable for future GB uses based on the US 70 East Corridor Plan, the road improvements, and the nearby zoning districts and land uses.

PLANNING BOARD ACTION: On June 6, 2007, the Planning Board voted 8-0 to recommend approval of this request and to advise that it is consistent with the US 70 East Corridor Plan.

No one else desired to speak.

**MOTION** by Commissioner Tice to approve the zoning map amendment and to make a finding that the approval was consistent with the adopted US 70 East Corridor Plan and that said approval is reasonable and in the public interest due to its consistency with the US 70 East Corridor Plan; as a result, said approval furthers the goals and objectives of the US 70 East Corridor Plan.

VOTING: Ayes – 5; Nays – 0.

**Case No. 0706-2: Agent Bedford Cannon (Attorney) on behalf of Owner/Applicant EJJ Holdings, LTD; the Great Brittany Trading Company; Mooresville Church of God Seventh Day, Independent; Piedmont Landco, LLC; and Superior Properties of Iredell Limited Partnership to Rezone Properties from Residential Agricultural, General Business Conditional Use District & Neighborhood Business to Highway Business Conditional Use District:** Planning Director Smith said five property owners were involved in this case. He said RPO standards, such as signage, landscaping, and limited access would be imposed if the request were granted. Smith continued by summarizing the following staff report.

**CASE NO. 0706-2**

**AGENT:** Bedford Cannon  
140 East Water Street  
Statesville, NC 28677  
(704) 872-7438

**OWNER:** Piedmont Landco, LLC  
PO Box 1654  
Statesville, NC 28687

**OWNER:** EJJ Holdings, LTD  
PO Box 5339  
Statesville, NC 28687

**OWNER:** Superior Properties of Iredell Limited Partnership  
PO Box 5339  
Statesville, NC 28687

**OWNER:** Mooresville Church of God Seventh Day, Independent  
PO Box 553  
Mooresville, NC 28115

**OWNER:** The Great Brittainy Trading Company  
PO Box 1776  
Statesville, NC 286877

**LOCATION:** The property is located at 1103, 1109, 1113, 1119, and 1125 Charlotte Highway, being in the eastern quadrant of the interchange for I-77 and Charlotte Highway in Troutman, NC; more specifically identified as PIN#'s 4750-02-1706, 4750-02-3822, 4750-02-2750, 4750-02-2529, 4750-02-4696, 4750-02-1496, 4750-02-2337, 4750-02-4497, 4750-02-4566, 4750-03-6051, 4750-03-5271, 4750-03-9924, 4750-03-7946, 4750-03-1554, 4750-03-2267, & 4750-02-2337. **Directions:** Take Charlotte Highway south from Troutman; property on left approximately ½ mile south of the existing truck stop.

**REQUESTED ACTION:** Rezone subject parcels from RA, GB-CUD, and NB to HB-CUD, Highway Business Conditional Use District.

- ♣ Apply Roadway Protection Overlay (RPO) standards; which include signs, landscaping, and access restrictions.

**PROPOSED USE:** Any and all HB uses.

**SIZE:** 37.84 acres.

**EXISTING LAND USE:** Single Family Residential, vacant, church.

**SURROUNDING LAND USE:** Vacant residential land is adjacent to the northeast, south, and east, with vacant commercial land to the north and west of the requested property.

**WATERSHED REGULATIONS:** The subject parcel is not located within a watershed area.

**TRAFFIC:** This section of Charlotte Highway had an average of 11,000 vehicles per day in 2005. According to the 1993 Iredell County Thoroughfare Plan, this section of Charlotte Highway has a carrying capacity of 10,500 vehicles per day.

ZONING HISTORY: The majority of the subject parcels were zoned RA when countywide zoning took effect in 1990. Several rezoning cases have been approved at this interchange in anticipation of commercial development occurring as the Town of Troutman extends utilities into this area. Parcels adjacent to west and north of the requested site have been rezoned as Highway Business and General Business Conditional Use, with the most recent rezoning approved in May of 2007 for GB-CUD to allow for possible future commercial development.

STAFF COMMENTS: The Exit 42 Small Area Plan identifies this area as suitable for future interchange commercial development. The applicant has chosen the HB-CUD classification, which allows for a greater range of commercial uses and is similar to other nearby commercial properties. Adjacent parcels to the north are zoned commercial by the County or zoned Highway Business by the Town of Troutman. The majority of parcels abutting this tract to the west, south, or across Charlotte Highway are zoned Highway Business or General Business CUD.

Although this request is consistent with the Iredell County Exit 42 Small Area Plan and creates a unified zoning classification along this portion of Charlotte Highway, Staff has some concerns after meeting with Town of Troutman representatives regarding this rezoning request. According to the Town of Troutman, water and sewer capacity has not been allotted by the Board of Alderman to this site. Additionally, the Troutman Exit 42 Plan identifies the northern portion of the requested site as future interchange commercial; however, the southern half is coded as either undesignated, office, or medium density residential uses.

Staff feels that in light of the new information, past zoning history of Exit 42, and differences of adopted land use plans, a recommendation for approval, with reservations by staff should be noted. Any future commercial development that requires town utilities will need to approach the Town of Troutman and meet all criteria for such utility extension.

PLANNING BOARD ACTION: On June 6, 2007, the Planning Board voted 8-0 to recommend approval of this request and to advise that it is consistent with the Iredell County Exit 42 Small Area Plan.

Commissioner Johnson said he recalled the Department of Transportation had strict requirements when the Lowes rezoning occurred in the vicinity. He asked if the state would be involved in the development of this property.

Smith said yes, and the Town of Troutman would impose additional standards. Smith said the county did not have traffic impact requirements in the ordinance, and it was difficult to really determine the upfront impact.

Commissioner Robertson said the interchange was basically at capacity now and on the opposite side of the Interstate there were many subdivisions being built. He voiced concerns about the similarity between this interchange and Exit 36.

No one else desired to speak.

**MOTION** by Commissioner Johnson to approve the zoning map amendment and to make a finding that the approval was consistent with the adopted Iredell County Exit 42 Small Area Plan and that said approval is reasonable and in the public interest due to its consistency with the Iredell County Exit 42 Small Area Plan; as a result, said approval furthers the goals and objectives of the Iredell County Exit 42 Small Area Plan.

VOTING: Ayes – 5; Nays – 0.

**MOTION** by Commissioner Tice to approve the Conditional-Use Findings-of-Fact.

VOTING: Ayes – 5; Nays – 0.

**Case No. 0706-4: Owners/Applicants William & Teresa Miller, Bobby & Mary Karriker, Doris Bostian, along with Robert L. & Mary B. Kinser Request the Rezoning of Property from Single Family Residential (R-20) to Residential Agricultural: Planning**

Director Smith said this case involved 83 acres, and R-20 zoning had been imposed since countywide zoning was implemented. He then reviewed the staff report as follows:

**CASE NO. 0706-4**

OWNERS/APPLICANTS:

*William & Teresa Miller  
165 Big Forest Drive  
Statesville, NC 28677*

*Doris Bostian  
PO Box 325  
Mt Mourne, NC 28127*

*Bobby & Mary Karriker  
PO Box 235  
Mt. Mourne, NC 28127*

*Robert & Mary Kinser  
708 Mills Garden Road  
Statesville, NC 28625*

LOCATION: *159, 169, & 177 Wilcox Karriker Lane, more specifically PIN#s 4774-70-8244, 4774-80-3459, and a portion of 4774-80-2250 and 4773-99-1839. Directions: US Highway 70 east, right on Barry Oak Road, right on Mills Garden Road, on the right before Elmwood Road.*

REQUESTED ACTION: *Rezone the properties from R-20, Single-Family Residential Zoning District to RA, Residential Agricultural Zoning District.*

PROPOSED USE: *Double-wide manufactured home and residential.*

SIZE: *The total acreage of the properties is 83.007 acres; with approximately 65 acres to be rezoned to RA.*

EXISTING LAND USE: *Vacant.*

SURROUNDING LAND USE: *Residential, agricultural, and vacant.*

WATERSHED REGULATIONS: *This property is not located in a watershed.*

TRAFFIC: *According to the 1993 Iredell County Thoroughfare Plan, the capacity for Barry Oak Road is 8,000 vehicles per day. In 2005, the estimated daily traffic count was 420 vehicles per day.*

ZONING HISTORY: *This property has been zoned RA & R-20 since County-wide zoning went into effect in 1990.*

STAFF COMMENTS: *The property is currently zoned for single-family residential uses. The proposed use in the County Land Use Plan is residential as well. Rezoning from single-family residential to residential agricultural should not have an impact on traffic since the minimum lot size will remain the same. Based on the consistency with the County Land Use Plan, existing RA zoning surrounding the properties, and lack of impact from traffic, the Planning staff recommends in favor of this request.*

PLANNING BOARD ACTION: *On June 6, 2007, the Planning Board voted 6-3 to recommend approval of this request and to advise that it is consistent with the County Land Use Plan.*

Commissioner Williams asked if there were any homes on the back of the property that would remain R-20. He also asked how far the floodplain extended.

Smith said there were houses on the roadway.

Commissioner Johnson asked about mobile home subdivision requirements to alleviate any concerns by area residents.

Commissioner Tice said the family had sold property where the manufactured home existed, and they now needed to locate it elsewhere. She said the family had no intention of starting a mobile home park.

Smith said all manufactured home subdivisions had to adhere to esthetic standards (front the road, be underpinned, have a pitched roof). He said the intent was for manufactured housing to appear more similar to stick-built homes. Additionally, he said there were road standards.

Attorney David Parker (representing the applicants) said the family planned to place a

couple of stick-built homes on the site along with one manufactured home. He said the public would not be able to see the doublewide home. Parker asked Realtor Chris Shoobridge about how much of the property was located in the floodplain.

Shoobridge, from the audience area, said at least a third.

No one else desired to speak.

**MOTION** by Commissioner Williams to approve the zoning map amendment and to make a finding that the approval was consistent with the adopted County Land Use Plan and that said approval is reasonable and in the public interest due to its consistency with the County Land Use Plan; as a result, said approval furthers the goals and objectives of the County Land Use Plan.

VOTING: Ayes – 5; Nays – 0.

**Case No. 0706-5: Agent Carrie Taylor & A.W. Myers (REMAX at the Lake) on behalf of Owners Alline McCallister, Connie Blankenship, and Robert Blankenship Request to Amend the US 70 East Corridor Plan and to Rezone a Parcel from Residential Agricultural to Residential Office-Conditional Use District:** Planning Director Smith said this property was located at a point where the new Hwy 70 would converge with the old Hwy. 70. He then reviewed the staff report as follows:

**CASE NO. 0706-5**

<b>OWNER:</b> Alline McCallister, & Connie Blankenship PO Box 544 Bradshaw, WV 24817 (304) 967-7750 (304) 967-7750	Robert Blankenship 248 Shumaker Drive Statesville, NC 28677 (704) 876-6100	<b>AGENT:</b> Carrie Taylor A.W. Myers REMAX at the Lake 121 Rolling Hill Road Mooresville, NC 28117 704)662-0095
---	---	--

**LOCATION:** The property is located at 3316 Salisbury Highway in Cleveland, NC; more specifically identified as PIN# 4783-11-6354. **Directions:** Take Salisbury Highway east from Statesville; property on right approximately ½ mile east of Knox Farm Road.

**REQUESTED ACTION:** Rezone subject parcel from RA, Residential Agricultural to RO-CUD, Residential-Office Conditional Use District and amend the US 70 East Corridor Plan.

**PROPOSED USE:** Any RO use **EXCEPT** for Mobile Home Park, Sewage Treatment Plant, Water Treatment Plant, and Wireless Telecommunications.

**SIZE:** 4.7 acres.

**EXISTING LAND USE:** Single Family Residential.

**SURROUNDING LAND USE:** Residential uses and vacant land are adjacent to east, west, and south of site, an industrial use lies directly across Salisbury Highway to the north.

**WATERSHED REGULATIONS:** The subject parcel is not located within a watershed area.

**TRAFFIC:** This section of Salisbury Highway had an average of 11,00 vehicles per day in 2005. According to the 1993 Iredell County Thoroughfare Plan this section of Salisbury Highway has a carrying capacity of 10,500 vehicles per day.

**ZONING HISTORY:** The subject parcel was zoned RA when countywide zoning took effect in 1990.

**STAFF COMMENTS:** The US 70 East Corridor Plan identifies this area as suitable for future residential development. The applicant has chosen the R-O CU District

*classification, which allows for a limited range of office and residential uses, such as professional offices, single family and multi-family residences. All adjacent parcels south of Salisbury Highway are zoned residential and staff is recommending against this request since it is inconsistent with the US 70 East Corridor Plan. The US 70 East Corridor Plan intends to focus new commercial development at strategic intersections to minimize strip commercial development and focus industrial uses in areas already served by water and sewer utilities. This request was previously heard at the March 2007 Planning Board meeting for General Business zoning request that was withdrawn by the applicant during the meeting.*

PLANNING BOARD ACTION: On June 6, 2007, the Planning Board voted 7-2 to recommend approval of this request and to advise that it is consistent with the US 70 East Corridor Plan.

Commissioner Robertson said Hwy. 70 would eventually be four lanes, and it was difficult to imagine people wanting to reside alongside the roadway.

Smith said the intent of the Hwy. 70 plan was to allow for incremental growth, starting out from the City of Statesville and ending at the county's boundary. He said in years past, industrial areas had been earmarked, but not in this particular instance. Smith said that as the road developed and utilities were extended, the highest and best use might be industrial.

Robertson asked if the state allowed driveways onto four-lane highways.

Smith said there would be limited access in this case.

A.W. Myers (advocate) said he spoke to the owner and was advised that water and natural gas were on the existing Hwy. 70. He said the NC Department of Transportation would allow a "descriptive entrance" (right-in and right-out) on the new four-lane road when a business submitted an application.

No one else desired to speak.

**MOTION** by Commissioner Robertson to amend the US 70 East Corridor Plan.

VOTING: Ayes – 5; Nays – 0.

**MOTION** by Commissioner Robertson to approve the zoning map amendment and to make a finding that the approval was consistent with the adopted US 70 East Corridor Plan and that said approval is reasonable and in the public interest due to its consistency with the US 70 East Corridor Plan; as a result, said approval furthers the goals and objectives of the US 70 East Corridor Plan.

VOTING: Ayes – 5; Nays – 0.

**MOTION** by Commissioner Robertson to approve the Conditional-Use Findings-of-Fact.

VOTING: Ayes – 5; Nays – 0.

**Consideration of a 60-day Suspension of New Telecommunications Tower Review and Approvals Pursuant to NCGS 153A-340(h) & More Specifically within any Area Located within Ten (10) Miles of the Statesville Regional Airport, Exclusive of the Planning Jurisdictions of the City of Statesville, Town of Troutman, & Town of Mooresville:** Planning Director Smith said the 60-day suspension request had been submitted from the Statesville Airport Commission. Smith said the county would review the hazard ordinance and determine what improvements were required based on aircraft technology and new innovations (precision and non-precision approaches to the airport). He said the hearing was publicized but another legal notice would be needed for placement on the August 7 meeting.

Commissioner Robertson asked Attorney Pope to review any exposure to lawsuits regarding the moratorium and to find out if there might be any vesting or grandfathering issues.

Commissioner Johnson asked if a recent application had been submitted.

Smith said a tower plan had been submitted, but the staff had not approved it.

**MOTION** by Commissioner Johnson to call for a public hearing on August 7, 2007 regarding the 60-day suspension of new telecommunications tower reviews and approvals as presented.

VOTING: Ayes – 5; Nays – 0.

**Request from Carolina Beer & Beverage for a Revision to the Economic Development Incentive Agreement (Revision Pertains to Construction Dates):** Mooresville-South Iredell Economic Developer Melanie O’Connell Underwood said that in March of 2005 an incentive grant was approved for this company; however, the construction had not been completed as anticipated. She said the company was requesting for the calendar year stipulated in the agreement to extend from 2007 through 2011. Underwood said the investment amount would not change.

**MOTION** by Commissioner Tice to approve the calendar year change as requested.

VOTING: Ayes – 5; Nays – 0.

**Request for Approval of a Resolution Authorizing the Filing of an Application with the Local Government Commission for the Approval of the Issuance of Special Obligation Bonds to Finance Solid Waste Disposal Facilities and Requesting the Local Government Commission to Approve the County’s Selection of Bond Counsel:** Chairman Norman introduced the following resolution, a copy of which had been provided to each Commissioner. Director of Finance and Administrative Services Susan Blumenstein then summarized the document as follows:

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION FOR THE APPROVAL OF THE ISSUANCE OF SPECIAL OBLIGATION BONDS TO FINANCE SOLID WASTE DISPOSAL FACILITIES AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE COUNTY’S SELECTION OF BOND COUNSEL

WHEREAS, the Director of Finance and Administrative Services has submitted a proposal to the Board of Commissioners requesting that the County be authorized to file an application with the Local Government Commission of North Carolina (the “Commission”) requesting approval of the issuance and sale of Special Obligation Bonds for the following purposes and up to the following approximate amount:

<u>Purposes</u>	<u>Amount</u>
Construction of new lined landfill cell for solid waste, including design costs and other related costs.	\$3,000,000

WHEREAS, in order to meet the demands of the County, it is deemed necessary to implement the above mentioned project and the Board of Commissioners hereby finds, determines and declares:

- (a) The County currently owns and operates a solid waste landfill which will soon exceed its capacity, and the County desires to construct a new lined landfill cell for the purpose of continuing to provide solid waste disposal services to the residents of the County;
- (b) The County has determined to issue an additional series of Special Obligation Bonds pursuant to the Bond Order adopted by the Board of Commissioners on April 15, 1992 (the “Bond Order”) for the purpose of providing funds, together with any other available funds, for paying the costs of construction of a new lined landfill cell (the “Project”);
- (c) In order to finance the costs of the Project, the County has developed the following plan of finance:
  - (i) the County proposes to issue not exceeding \$3,000,000 of its Special Obligation Bonds (the “Bonds”) pursuant to Chapter 159I

of the General Statutes of North Carolina, as amended (the "Act"), the Bond Order and a series resolution to be adopted by the Board of Commissioners prior to the issuance of the Bonds; and

(ii) the Bonds will be special obligations of the County, payable solely from the Obligated Revenues (as defined in the Bond Order) pledged therefor;

(d) The County hereby requests that the Bonds be sold by the Local Government Commission of North Carolina (the "Commission") by private sale;

(e) The County wishes to submit to the Commission at this time the County's application for approval by the Commission of the issuance of the Bonds and the County's request for the Commission's sale of the Bonds by private sale pursuant to the Act;

(f) The proposed Bonds are necessary and expedient in that they will provide needed additional facilities for the purpose of providing solid waste disposal services to the residents of the County;

(g) The principal amount of Bonds proposed to be issued will be sufficient but not excessive for the purpose of the Project;

(h) The Project is feasible in that the Obligated Revenues are estimated to be sufficient to pay the principal of, premium, if any, and interest on the Bonds and all outstanding Special Obligation Bonds of the County; and

(i) The County's debt management procedures and policies are excellent and are managed in strict compliance with law and, under current economic conditions, the Bonds can be marketed at a reasonable interest cost to the County,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF IREDELL:

Section 1. The Director of Finance and Administrative Services is hereby authorized and directed to file an application with the Commission for approval and sale of the Bonds. The Director of Finance and Administrative Services is hereby further authorized and directed to provide to the Commission such additional documents and information as the Commission may require in order to consider the County's request.

Section 2. The Board of Commissioners hereby requests the Commission to sell the Bonds at private sale pursuant to Section 159I-30(i) of the North Carolina General Statutes, as amended, to such purchasers as shall be designated by the Commission.

Section 3. Subject to approval of the Commission, the County hereby engages the firm of Sidley Austin LLP as bond counsel.

Section 4. This Resolution shall take effect immediately upon its adoption.

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

Ayes: Commissioners Norman, Tice, Johnson, Robertson and Williams.

Noes: 0

**Request for Approval of a Resolution Regarding the Construction of a \$126,000 Access Road at the Statesville Airport with Costs to be Split with the City of Statesville (\$63,000 for each entity):** Commissioner Johnson said a resolution had been presented for the county and the City of Statesville to participate equally on an access road on the western part of the taxiway at the Statesville Regional Airport. He said the road would give access to property for development south of the Lowes Hangar. Johnson said it was anticipated, if the county participated by contributing the \$63,000 that soon a major addition would occur to the airfield. He said the \$63,000 would be returned to the county by the development.

Commissioner Williams said he understood the new access road would extend to the property directly beside the Lowes property and no further.

Commissioner Johnson said that south of the Lowes property, the topography was not as good as it was at the taxiway's north end. He said to obtain future development on the west side of the taxiway, fill dirt would have to be hauled to create a hangar area. Johnson said the

access road would allow this.

Williams asked if the board was committing to that further development -- bringing in the dirt.

Johnson said that aspect was not a part of this resolution. He said that in his role as the airport commission chairman, he would not present anything to the board of commissioners that would require the county spending out more money in a year's time than was brought back. Johnson continued by saying the \$63,000 in ten years would bring the county in excess of \$1 million.

**MOTION** by Commissioner Tice to approve the resolution as presented.

VOTING: Ayes – 5; Nays – 0.

**AGREEMENT**

*This Inter-local Agreement entered into this the 24th day of July, 2007, by and between the CITY OF STATESVILLE, a North Carolina municipal corporation situated in Iredell County (hereinafter "the City"); and IREDELL COUNTY, a political subdivision of the State of North Carolina (hereinafter the County");*

**WITNESSETH:**

*WHEREAS, the City owns and operates an airport in Iredell County, North Carolina known as the Statesville Regional Airport (hereinafter "the Airport"); and*

*WHEREAS, the City is actively involved in recruiting aviation-related business and industry to the airport; and*

*WHEREAS, the City recruited a business who wishes to locate a hangar on a parcel of land adjoining an abandoned runway and adjacent to the Lowes corporate hangar; and*

*WHEREAS, the lessee has committed to a substantial increase in the tax base for the City of Statesville and County of Iredell; and*

*WHEREAS, it is necessary to construct a public road from Lowes Aviation Drive to the site; and*

*WHEREAS, it is customary for the City and County to partner on an equal basis for improvements to both the airport and other developments that bring significant new tax base to their jurisdictions.*

*NOW, THEREFORE, be it agreed by the City and the County that they share equally in the construction, of the access road described above; the estimated cost of said road to be \$126,000.00 or \$63,000.00 per jurisdiction.*

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

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

VOTING: Ayes – 5; Nays – 0.

(All agenda items were described during briefing session.)

**1. Request for Approval of a Resolution Declaring Iredell County's Intention to Reimburse Itself from the Proceeds of a Tax-Exempt Financing for Certain Expenditures to be made in Connection with the Design, Construction and/or Equipping of a New Solid Waste Disposal Cell at the Iredell County Landfill:** Deputy County Manager Blumenstein said the county had received a permit to construct Phase IV of the landfill, and Municipal Engineering would oversee the formal bid process. She said the bond counsel had reviewed a reimbursement resolution in case the county had to pay out any upfront costs.

*The resolution is as follows:*

**RESOLUTION OF THE IREDELL COUNTY BOARD OF COMMISSIONERS DECLARING IREDELL COUNTY'S INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF A TAX-EXEMPT**

*FINANCING FOR CERTAIN EXPENDITURES TO BE MADE IN CONNECTION WITH THE DESIGN,  
CONSTRUCTION AND/OR EQUIPPING OF A NEW SOLID WASTE DISPOSAL CELL AT THE  
IREDELL COUNTY LANDFILL*

*WHEREAS, Iredell County (the "Issuer" or the "County") will make expenditures on and after the date hereof with respect to expenses incurred and to be incurred (the "Expenditures") in connection with the design, construction, and/or equipping of a new solid waste disposal cell at the Iredell County Landfill (the "Project"), and*

*WHEREAS, the Iredell County Board of Commissioners (the "Board") has determined that the funds advanced from the Solid Waste Disposal Enterprise Fund and to be advanced to pay Expenditures are or will be available for a temporary period and it is necessary to reimburse the Issuer for Expenditures made on and after the date hereof with respect to the Project from the proceeds of one or more issues of tax-exempt bonds (the "Bonds") pursuant to the North Carolina Solid Waste Management Loan Program (Section 159I of the North Carolina General Statutes, as amended).*

*NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:*

*Section 1. The Board hereby adopts this declaration of official intent under Treasury Regulation Section 1.150-2 and declares the Issuer's intent to reimburse the Issuer with the proceeds of the Bonds for Expenditures made on and after the date hereof with respect to the Project. The issuer reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.*

*Section 2. The maximum principal amount of debt expected to be issued for the Project is Three Million Dollars (\$3,000,000).*

*Section 3. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the financing, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.*

*Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain "preliminary expenditure", costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least five years.*

*Section 5. This resolution shall take effect immediately upon its passage.*

**2. Request from the Town of Troutman for a Surplus Vehicle:** The policy adopted on June 5, 2007 will be amended by allowing municipalities, located within Iredell County, to be added to the list of entities allowed to purchase surplus vehicles. A copy of the revised policy is as follows:

- Only three surplus vehicles a year will be available to the VFDs, Rescue Squads and the Municipalities located within the county.
- Each vehicle will be sold at \$800. (This is to the VFDs, Rescue Squads and the Municipalities located within the county.)
- Each individual VFD, Rescue Squad, and Municipality (located within the county) will be limited to one vehicle a year.
- Any additional expense incurred by the county to surplus the vehicle will be recouped from the VFD, Rescue Squad, or the Municipality.
  
- This policy does not supersede the procedure already in existence for the leasing of vehicles to Mitchell Community College for law enforcement training.

**3. Request for Approval of a Three-Year Service/Maintenance Agreement with the ThyssenKrupp Elevator Corporation for the Government Center South Building:** This three-year agreement is for the newly modernized elevator project at the Government Center

South. The agreement includes mandatory periodic safety inspections along with service and maintenance beyond the warranty period.

**4. Request for Approval of an Engineering Services Contract with the Municipal Engineering Company, P.A:** This contract contains all design work, bid documents, construction oversight, testings of the liner system, and required meetings associated with the Phase IV lined landfill project.

**5. Request from the Fire Marshal’s Office for the Review and/or Approval of New Volunteer Fire Department Contracts:** Fire Marshal Lloyd Ramsey submitted contract templates for both the countywide departments along with the VFDs having taxing districts. He said the State Department of Insurance had suggested new contracts prior to any VFD inspections for ratings. (The contracts will now be submitted to each department for signatures and then returned to the county for final approval.)

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

<b><u>JUNE 2007 TAX RELEASES &amp; REFUNDS</u></b>		
	<b><u>Releases</u></b>	<b><u>Refunds</u></b>
County	\$14,108.01	3,753.98
Solid Waste Fees	208.00	0
East Alexander Co. Fire #1	0	0
Shepherd’s Fire # 2	87.99	0
Mount Mourn Fire # 3	33.22	0
All County Fire # 4	548.54	103.48
Statesville City	1183.03	0
Statesville Downtown	19.52	0
Mooreville Town	6,173.63	4,341.21
Mooreville Downtown	0	0
Mooreville School	1,439.74	40.60
Love Valley	0	0
Harmony	12.36	0
Troutman	444.03	0
<b>Total</b>	<b>\$24,258.07</b>	<b>\$8,239.27</b>
A complete list, of the individual tax releases and refunds, is hereby incorporated into the minutes by reference.		

**7. Request for Approval of Budget Amendment #1 to Allocate Women, Infants & Children (WIC) Grant Funds of \$5,682:** A copier (\$4,875) will be purchased with the funds and the remainder will cover a maintenance contract (\$687) along with the installation of an Ethernet line (\$120).

**8. Request for Approval of Budget Amendment #2 for \$958,000 in Capital Reserve to be transferred to the General Fund and used as follows:** ICGC•Generator; ICGC-S•Repair Stucco & Paint Exterior; Emergency Management•Generator for the Emergency Shelter Facility; ICGC-S•Upfit DSS offices on 2<sup>nd</sup> floor; EMS•Completion of Improvements @ Center St., Mooreville Facility and Meeting St., Statesville Facility and Animal Control Building Improvements: Deputy County Manager Blumenstein said this amendment created the interfund transfer to move funds out of Capital Reserve to the General Fund for the six projects that were discussed at the budget deliberations.

**9. Request for Approval of Budget Amendment #3 to Recognize Additional North Carolina Department of Transportation/Rural Operating Assistance Program (ROAP) Funds of \$106,074:** Transportation Director Ben Garrison requested approval of this budget amendment to accept increased ROAP funds of \$50,426 for the Elderly/Disabled Program (from \$70,544 to \$120,970), \$12,148 for the JARC/Employment Program (from \$13,582 to \$25,730) and \$43,500 for the Rural/General Program (from \$86,038 to \$129,538). He said the increased funding of \$106,074 would be used as follows:

- Fill 14 full-time van driver positions

- Reclassifies 1 full-time vacant Van Driver position to a Road Supervisor
- Adds 1 part-time Van Driver I position
- Increases Salaries (overtime)
- Adjusts benefits (health, retirement, and FICA)
- Increases funds for fuel, tires, and vehicle maintenance/repairs
- Increases Fund Balance for possible fuel increases
- Adjusts budget to show a shift in funds from Road Signs Supplies to Road Sign Tech. Salary due to position reclassification

**10. Request for Approval of Budget Amendment #4 to Recognize Grant Funds of \$10,000 from the State Library of North Carolina (Local match of \$2,500 provided by Friends of the Library):** Library Director Steve Messick said this amendment would be used to purchase \$12,500 worth of “Read-to-Me” kits designed for small children.

**11. Request for Approval of Budget Amendment #5 in the Amount of \$45,117 for the Purpose of Adding a School Resource Officer (SRO) and for the Officer to be Assigned to the Alternative School located at the former Monticello School Site:** Chief Deputy Rick Dowdle said the Iredell-Statesville Schools had requested to add a School Resource Officer effective August 1, 2007. Dowdle said the officer would be based at the Alternative School that was being relocated from the former Alan D. Rutherford School site to the former Monticello Elementary site. (Total costs of \$45,117 will be paid out of the Safe Schools Grant from the Iredell-Statesville Schools.)

**12. Request from the Sheriff’s Department to add Additional Vehicles to the Law Enforcement Fleet:** Chief Deputy Rick Dowdle said new vehicles (replacements) would arrive in a few months, and upon arrival, the sheriff’s department wanted to retain four older models rather than eliminating them from the fleet. (Originally, the sheriff’s department requested to retain seven vehicles, but with further review, agreed to retain four in the fleet.)

**13. Request for Approval of a Three-Year Lease with the State of North Carolina/NC Forestry Services for Office Space in the Agricultural Resource Center:** (The State of North Carolina leases 504 sq. ft. at the Agricultural Resources center on Bristol Drive to house the forestry office. The annual lease for \$4,788 is at \$9.50 a sq. ft.)

**14. Request for the Appointment of Assistant County Manager Tracy Jackson as the Voting Delegate for the Annual Conference of the North Carolina Association of County Commissioners:** The conference, to be held August 16-19 in Fayetteville, North Carolina, will have a business session on Saturday, August 18.

**15. Request for the Scheduling of a Mini-Retreat on Thursday, September 6, 2007 from 8:00 a.m. – 12 Noon** (adjourn time approximate and location to be determined)

**16. Request for Approval of the June 19 & 28, 2007 Minutes**

**17. Request from the Lake Norman Marine Commission (LNMC) for a Funding Increase from \$21,000 to \$25,500:** This will be Budget Amendment #6 with funds to be derived from contingency.

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

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

Mooresville Planning Board (ETJ) (one announcement)  
Statesville Planning Board (ETJ) (one announcement)

**APPOINTMENTS TO BOARDS & COMMISSIONS**

**Adult Care Home Community Advisory Committee (3 appointments):** Commissioner Tice nominated Michele Coddington.

**MOTION** by Chairman Norman to appoint Coddington by acclamation.

VOTING: Ayes – 5; Nays – 0.

**MOTION** by Commissioner Tice to postpone the remaining two appointments until the August 7 meeting.

VOTING: Ayes – 5; Nays – 0.

**Nursing Home Advisory Committee (4 appointments):** No nominations were submitted and Commissioner Williams made a **motion** to postpone the four appointments until the August 7 meeting.

VOTING: Ayes – 5; Nays – 0.

**Social Services Board (1 appointment):** Commissioner Johnson nominated Alice Stewart.

**MOTION** by Chairman Norman to close the nominations and appoint Stewart by acclamation.

VOTING: Ayes – 5; Nays – 0.

**Animal Grievance Committee (1 appointment):** Commissioner Williams nominated Grant Miller.

Commissioner Robertson nominated Buddy Hemric.

**MOTION** by Chairman Norman to postpone the appointment until August 7 (the next meeting) as dictated by the board's Rules of Procedure.

VOTING: Ayes – 5; Nays – 0.

**Recreation Advisory Board (1 appointment):** **MOTION** by Commissioner Williams to postpone this appointment until the August 7 meeting.

VOTING: Ayes – 5; Nays – 0.

(Note: A nominee has been identified and this individual will be appointed at the next meeting.)

**I-CARE Board of Directors (2 appointments):** Commissioner Tice nominated Chiquita Miller as the Iredell-Statesville Schools representative and Lisa Salmon as the City of Statesville representative.

**MOTION** by Chairman Norman to close the nominations and appoint Miller and Salmon by acclamation.

VOTING: Ayes – 5; Nays – 0.

**PUBLIC COMMENT PERIOD:** (No one requested to speak.)

**COUNTY MANAGER'S REPORT:** (County Manager Mashburn distributed a written activity report.)

**CLOSED SESSION:** **MOTION** by Chairman Norman at 8:45 p.m., to enter into Closed Session for the purpose of discussing matters pertaining to G.S. 143-318.11(a) (4) Economic Development and G.S. 143-318.11(a) (5) Property Acquisition.

VOTING: Ayes – 5; Nays – 0.

(RETURN TO OPEN SESSION AT 9:58 P.M.)

**CALL FOR PUBLIC HEARINGS**

**AMESBURY COMPANY:** MOTION by Commissioner Tice to call for a public hearing on August 7, 2007 at 7 p.m., regarding an economic development incentive for the Amesbury Company in the amount of \$80,100 (over a five year period) based on a \$4.5 million investment.

VOTING: Ayes – 5; Nays – 0.

**CAROLINA BEER & BEVERAGE LLC:** MOTION by Commissioner Tice to call for a public hearing on August 7, 2007 at 7 p.m., regarding an economic development incentive for Carolina Beer & Beverage LLC in the amount of \$115,700 (over a five-year period) based on a \$6.5 million investment.

VOTING: Ayes – 5; Nays – 0.

**BUSCH RACE SHOP:** MOTION by Commissioner Williams to call for a public hearing on August 7, 2007 at 7 p.m., regarding an economic development incentive for the Busch Race Shop in the amount of \$106,800 (over a five year period) based on a \$6 million investment.

VOTING: Ayes – 5; Nays – 0.

**RUBBERMAID INDUSTRIES:** MOTION by Commissioner Williams to call for a public hearing on August 7, 2007 at 7 p.m., regarding an economic development incentive for Rubbermaid Industries in an amount between \$356,000 up to \$712,000 (over a five year period) based on an investment of not less than \$20 million and up to \$40 million.

VOTING: Ayes – 5; Nays – 0.

**ADJOURNMENT:** There being no further business to conduct, Chairman Norman at 10 p.m., made a motion to adjourn the meeting. (NEXT MEETING: Tuesday, August 7, 2007 at 5 and 7 p.m., in the Iredell County Government Center, 200 South Center Street, Statesville.)

VOTING: Ayes – 5; Nays – 0.

Approval: \_\_\_\_\_

\_\_\_\_\_  
Clerk to the Board