

**IREDELL COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
JUNE 3, 2003**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, June 3, 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
Doug Madison
Marvin Norman
Sara Haire Tice

Staff present: County Manager Joel Mashburn, County Attorney Bill Pope, Finance Director Susan Blumenstein, Planning Supervisor Ron Smith, Animal Control Supervisor Sidney Weisner, and Clerk to the Board Jean Moore.

CALL TO ORDER by Chairman Johnson.

INVOCATION by Vice Chairman Williams.

PLEDGE OF ALLEGIANCE

ADJUSTMENTS OF THE AGENDA: **MOTION** by Chairman Johnson to adjust the agenda by the following actions.

- Additions:
- Request for Approval of Budget Amendment #45 in the Amount of \$53,000 for the Purpose of Transferring Unspent Funds in the General Fund to the Capital Project Fund for HVAC (Chiller) Modifications at the Iredell County Government Center-South
 - Request for Permission to Rescind the Board Action Made on May 20, 2003 to Accept the Low Bid and Award the Contract for a 12" Waterline Extension for the Millard Refrigeration/West Farm Development Project in the Amount of \$126,620
 - Closed Sessions for the Purpose of Discussing two Economic Development Projects: G.S. 143-318.11(a) (4).

VOTING: Ayes – 5; Nays – 0.

Note: During the agenda briefing, the EMS Director gave a brief update on the Emergency Medical Services Plan that will be presented for adoption at the June 17 meeting. No action was needed regarding the item.

PUBLIC HEARINGS

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

Public Comments in Reference to the Iredell County Budget for FY 2003-2004

Big Brothers Big Sisters of the Southern Piedmont Executive Director J.C. Byers said his agency had 319 volunteers, and he was requesting \$5,000 on an annual basis for the next five years to assist in the mentoring program. Mr. Byers said it was important to have adequate funds to insure the volunteer/child matches were carried out appropriately. He said the summer Primetime program started Monday, June 2 with 106 volunteers.

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Buddy Hemric said the size and scope of the government from the county to the federal level continued to grow. He said this was a revaluation year and property

values were up 25%. Hemric said the 25% increase should be enough for the county tax rate to be at 39.5 cents per \$100. Mr. Hemric said the proposed budget could be balanced by reducing the number of new employees. Hemric said he felt Commissioner Williams' idea of a 42-cent rate with \$1.2 million going to the reserve fund was a good proposal. Hemric said, however, that if 42 cents became the rate, there would still be a tax increase.

No one else desired to speak, and Chairman Johnson adjourned the FY 2003-04 budget public hearing.

Chairman Johnson declared the meeting to be in a rezoning conditional use district public hearing, and invited all persons desiring to speak to come forward for the swearing-in oath.

Case No. 0305-1; New Covenant Partners; A Request to Rezone a Portion of Property from Residential Agricultural to Light Manufacturing Conditional Use District (Site location: Martin Lane adjacent to I-40 in Statesville, NC – PIN#4755-96-7995): Planning Supervisor Smith said New Covenant Partners desired to rezone 3.13 acres of a 24.356 acre tract for the warehousing and storing of stage and lighting equipment. Smith said the rezoning condition was that SR 2207, Martin Road, would be used as the only access to the property. He continued by saying his staff recommended approval of the rezoning with the condition; however, they were not recommending an amendment to the Land Use Plan. He said none of the property was located in an industrial zone and any amendments could potentially allow for the establishment of future industrial development along Martin Road. He further said the planning board on May 7, 2003, voted unanimously to approve the rezoning.

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

MOTION by Commissioner Madison, after reviewing the findings of fact and determining them to be in order, to rezone the property involved in Case #0305-1 (New Covenant Partners) from Residential Agricultural to Light Industrial Conditional Use Zoning with the condition being that all ingress/egress be from Martin Lane.

VOTING: Ayes – 5; Nays – 0.

Request from the Animal Control Ad Hoc Committee for Review/Approval of Animal Control Ordinance Amendments: Animal Control Supervisor Sidney Weisner reviewed the changes suggested by the ad hoc committee.

Humane Society President Margaret Lane (also a member of the animal control ad hoc committee appointed on April 1) said a balanced approach had been taken in the amendments. She said this was why there were now two classifications: dangerous and potentially dangerous dogs. Mrs. Lane said the severe injury definition had been amended, and she felt it was important to retain the wording in the ordinance. Lane said she wanted the ordinance to leave some discretion for the hearing board in order for informed judgments to be made.

MOTION by Commissioner Norman to approve the amendments.

Amendment to the Motion: Commissioner Madison said he could support the amendments with the exception of the definition of a severe injury. He said the definition stated that a "severe injury meant any physical injury that required medical treatment by a medical professional," and he felt this placed an undue burden on the victim rather than on the dog owner. Madison said he felt the former definition should be used (severe injury means any physical injury that results in broken bones or broken skin). Mr. Madison said he could support the amendments if Mr. Norman amended the motion to this effect.

Mr. Norman said he could not amend the motion due to the animal control supervisor's comments during the briefing.

Chairman Johnson said Mr. Weisner felt the evidence provided by medical professionals would carry more weight in the courts than information provided by the animal control officers.

VOTING ON COMMISSIONER NORMAN'S MOTION: Ayes – 4; Nays – 1 (Madison).

Note: See briefing minutes for additional information.

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

MOTION by Commissioner Tice to approve the following nine (9) consent agenda items.

VOTING: Ayes – 5; Nays – 0.

1. Request for Approval of the Emergency Medical Services Write-Off Policy for Homeless, Indigent, and Transient Patients: The approved policy is as follows.

***EMS BILLING POLICIES & PROCEDURES
WRITE-OFF PROCEDURE FOR HOMELESS, INDIGENT, AND TRANSIENT PARTIES***

- I. *Definition: For the purposes of this policy, homeless means having no home or permanent place of residence, indigent means lacking the necessities of life because of poverty, and transient means a person who stays in the area for a short time.*
- II. *Purpose: The purpose of this policy is to avoid allowing excess amounts of debt to accumulate in the Accounts Receivable Balance due to the inability to identify and/or locate the responsible party after repeated attempts.*
- III. *Procedure: EMS will make every reasonable effort to identify each patient it encounters. This will be done as follows:*
 1. *EMS Field Personnel:*
 - a. *Field personnel will collect the following information for each patient.*
 - *Full legal name (first name, middle initial, last name, any suffix)*
 - *Date of Birth*
 - *Mailing Address*
 - *Social Security Number*
 - *Medical Insurance Provider and Personal Insurance Number*
 - b. *Completed information will be documented on the ambulance call report and forwarded to the EMS Supervisor for review.*
 - c. *If unable to obtain complete demographic information, the on-duty EMS Operations Supervisor will flag the ambulance call report and submit to EMS billing.*
 2. *EMS Billing Staff:*
 - a. *EMS Billing staff will make every reasonable attempt to obtain incomplete demographic information. This may include researching telephone directories, contacting local hospitals and local homeless shelters, etc.*
 - b. *After failing to locate an accurate identity and/or mailing address for a homeless, indigent, and transient party, the EMS Billing Staff will write-off the debt of the individual in question after a period of four months from the original date of transport has elapsed.*

2. Request for Permission to Apply for a Citizen Corps Council Development Grant in the amount of \$2,500: Emergency Services Director Tracy Jackson explained this grant during the briefing session. (A total of \$798 will be used to purchase equipment, and \$1,702 will be used for supplies and other operating expenses. The purpose of the citizen corp will be to (1) provide information to the public about volunteer programs to improve community preparedness and family safety (2) utilize local agencies in the training (3) support/coordinate/promote three Community Emergency Response Team (CERT) training courses during year 2003 (4) plan for one annual community-based event that promotes safety and preparedness during the 2003-

04 budget year, and (5) collaborate with local emergency management personnel to include volunteer coordination as a part of the Iredell County Emergency Operations Plan.

3. Request for Permission to Apply for a Community Emergency Response Team Program Grant in the amount of \$10,000: During the briefing session, Emergency Services Director Tracy Jackson requested approval of this grant. (A total of \$6,486 will be used to purchase equipment, and \$3,514 will be used for supplies and other operating expenses.) The purpose of the CERT Program will be to (1) enhance the overall preparedness of Iredell County’s citizenry, (2) provide information about the CERT program and improve preparedness and safety, (3) utilize local agencies in the training, (4) collaborate with local agencies to promote/support Neighborhood Watch/Community Watch programs and Volunteers in Policing programs, and (5) obtain commitment from the citizen corp council and local emergency planning committee to support the CERT efforts/programs.

4. Request from the Downtown Statesville Development Corporation (DSDC) and the Statesville Convention and Visitors Bureau for Permission to Place a Historical Marker on a Site in Front of the Iredell County Government Center (Old Courthouse) in Conjunction with the Multi-State Civil War Trails Program: Support Services Director Vernon explained this request during the briefing. He said the monument placement would not require any funds from the county. A handout describing the Civil War Trails Program indicated that (1) Maryland and Virginia were already connected (2) North Carolina had over 100 sites and was in the beginning stages of the program (3) South Carolina and Georgia would follow after North Carolina (4) the program connected trail stops with the usage of highway directional signs, trailblazers, and other materials, and (5) the program’s information packet was the second most requested travel item in both Virginia and North Carolina.

5. Request for Approval of Budget Amendment #44 for the Appropriation of Funds from Capital Reserve to the Capital Project Fund for the Iredell County Government Center-South Project (Phase II – North Carolina Department of Environment & Natural Resources Upfit) in Order to Begin Demolition in the Area to be Leased: Support Services Director Vernon described this request during the briefing. The amendment and capital project ordinance are as follows.

Account #		Existing	Change	Amended
BA#44				
	Capital Reserve Fund			
344880 499500	Appropriated Fund Balance	(2,742,682)	(145,625)	(2,888,307)
34080057604010904	Transfer to capital project NCDENR upfit		145,625	145,625

**IREDELL COUNTY, NORTH CAROLINA
CAPITAL PROJECT ORDINANCE
ICGC-South/Phase II/NCDENR Upfit**

Be it ordained by the Board of County Commissioners of Iredell County, North Carolina:

Section 1. This capital project fund shall finance the cost of planning, design, & renovations of the space to be leased to NCDENR located in the ICGC-South.

Demolition	\$ 145,625
Total	<u>\$ 145,625</u>

Section 2. Funds for this Capital Project Fund will be provided from the following sources.

Transfer from Capital Reserve Fund	\$ 145,625
Total	<u>\$ 145,625</u>

Section 3. This Capital Project Fund shall continue until the project is complete.

Section 4. Payments from this Capital Project Fund shall be authorized by the County Manager or his designee.

Section 5. Upon completion of the construction project, all funds remaining in this Capital Project Fund shall be transferred back to the Capital Reserve Fund.

6. Request for Approval of Budget Amendment #45 in the Amount of \$53,000 for the Purpose of Transferring Unspent Funds in the General Fund to the Capital Project Fund for HVAC (Chiller) Modifications at the Iredell County Government Center-South: Support Services Director Vernon described this request during the briefing. The amendment and capital project ordinance are as follows.

Account #		Existing	Change	Amended
BA#45				
	General Fund			
100465 532500	Courts/Main & Repairs/Bldgs & Grounds	217,214	(53,000)	164,214
100800576040	Transfer to Capital Project Fund	-	53,000	53,000
	ICGC-South-Capital Project			
404880495010 10040	Transfer in from General Fund	-	(53,000)	(53,000)
400480 580220 10040	Construction Costs-Other	6605	53,000	59,605

Iredell County, North Carolina
Amended Capital Project Ordinance
Iredell County Government Services Building - South

Be it Ordained by the Board of County Commissioners of Iredell County, North Carolina:

Section 1. This capital project fund shall finance the cost of planning, design, and construction of the Iredell County Government Center-South.

Professional Fees	\$ 220,500
Professional Fees-Other	17,122
Asbestos Removal	97,241
General Construction	1,523,498
Fixtures, Furniture & Equipment	88,084
Construction Costs-Other	59,605
Contingency	-
Retire HMA Promissory Note	1,900,000
Closing Costs of Financing	<u>16,500</u>
	<u>\$ 3,922,550</u>

Section 2. Funds for this Capital Project fund will be provided from the following sources:

Financing Proceeds – Bank of America	\$ 3,510,000
Transfer from Capital Reserve Fund	250,000
Operating Transfer from General Fund	53,000
Contribution – Town of Mooresville	100,000
Interest Earned on Construction Fund	<u>9,550</u>
	<u>\$ 3,922,550</u>

Section 3. This Capital Project Fund shall continue until the project is complete.

Section 4. Payments from this Capital Project Fund shall be authorized by the County Manager or his designee.

Section 5. Upon completion for the construction project, all funds remaining in this Capital Project Fund shall be transferred back to the Capital Reserve Fund.

Section 6. The county manager is authorized to approve expenditures from the Contingency line item in amounts not to exceed \$25,000 with an expenditure report to the board at its next regularly scheduled meeting.

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7. Request for a Discussion Regarding Riparian Buffer Permanent Rules for the Catawba River Basin: Recently, the Alexander County Board of Commissioners shared a letter that had been written to Governor Easley asking for further review of the referenced rules. The letter stated the Alexander officials were in support of regulations to improve water quality, but that the action should occur without imposing undue restrictions on the property owners. The Iredell County commissioners will send a similar letter.

8. Request for Approval of the May 20, 2003 Minutes

9. Request for Permission to Rescind the Board Action Made on May 20, 2003 to Accept the Low Bid and Award the Contract for a 12" Waterline Extension for the Millard Refrigeration/West Farm Development Project in the Amount of \$126,620:

The county manager explained during the briefing, that EnergyUnited Water had decided to pay for the referenced waterline. This action will free up the \$126,620.00, and this amount will now be applied towards the million gallon water tank purchase.

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

APPOINTMENTS TO BOARDS & COMMISSIONS

Carolinas Partnership (1 appointment): No nominations were submitted, and Chairman Johnson **moved** to postpone the appointment until the June 17 meeting.

VOTING: Ayes – 5; Nays – 0.

Region F Aging Advisory Committee (3 appointments): No nominations were submitted, and Commissioner Norman **moved** to postpone the three appointments until the June 17 meeting.

VOTING: Ayes – 5; Nays – 0.

Farmland Preservation Board (2 appointments): Commissioner Williams nominated Danny Allen and Rex Bell for reappointments.

Commissioner Madison **moved** to close the nominations and appoint Allen and Bell by acclamation.

VOTING: Ayes – 5; Nays – 0.

Fire Tax District Board (1 appointment): Commissioner Norman nominated Earl Elmore for a reappointment.

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

VOTING: Ayes – 5; Nays – 0.

Statesville Planning Board (ETJ) (2 appointments): Commissioner Madison nominated Pressley White and Skyler Little for reappointments.

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

VOTING: Ayes – 5; Nays – 0.

Jury Commission (1 appointment): Commissioner Tice nominated Teresa Turner.

MOTION by Commissioner Madison to close the nominations and appoint Turner by acclamation.

VOTING: Ayes – 5; Nays – 0.

Juvenile Crime Prevention Council (14 appointments): Commissioner Tice nominated Kathy Douglas, Steve Lane, John Crone, Cheryl Hilderbrand/Julie Gibson, Carrie Garvey, Carl Duncan, David Crosby, Angela Williams, Jean Moore, Marvin Norman, Judge Lynn Gullett, Ray Rabe, Pat Reichart, and Pam Navey.

MOTION by Commissioner Madison to close the nominations and to reappoint the 14 individuals.

VOTING: Ayes – 5; Nays – 0.

Mitchell Community College Board of Trustees (1 appointment): Commissioner Williams nominated Wally Riddle for a reappointment.

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

VOTING: Ayes – 5; Nays – 0.

Mooresville Planning Board (ETJ) (2 appointments): Commissioner Tice nominated Nancy Ham DeCaron and Delores Sink.

MOTION by Commissioner Madison to close the nominations and appoint DeCaron and Sink by acclamation.

VOTING: Ayes – 5; Nays – 0.

Iredell County Planning Board (3 appointments): Commissioner Williams nominated Franklin Rash.

Commissioner Tice nominated Kristi Pfeufer.

Chairman Johnson nominated Alan Williams.

MOTION by Commissioner Madison to close the nominations and appoint Rash, Pfeufer, and Williams by acclamation.

VOTING: Ayes – 5; Nays – 0.

Region F Emergency Medical Services Committee (1 appointment): Commissioner Madison nominated Debbie Rinehardt.

MOTION by Commissioner Tice to close the nominations and appoint Rinehardt by acclamation.

VOTING: Ayes – 5; Nays – 0.

Nursing Home Advisory Committee (2 appointments): No nominations were submitted, and Commissioner Madison **moved** to postpone the two appointments until the June 17 meeting.

VOTING: Ayes – 5; Nays – 0.

Adult Care Home Community Advisory Committee (7 appointments): Commissioner Madison nominated Pamela Thompson.

No other nominations were submitted, and Commissioner Tice **moved** to close the nominations, appoint Thompson by acclamation, and postpone the remaining six appointments until the June 17 meeting.

VOTING: Ayes – 5; Nays – 0.

COUNTY MANAGER'S REPORT: County Manager Mashburn reported on the following items.

2003 National Holstein Convention: The convention was held in Winston-Salem, N.C., and appreciation was expressed to Ken Vaughn, Iredell County's

Cooperative Extension Director. The convention's program was dedicated to Mr. Vaughn for his many years of assistance.

Library Bid Opening on June 4, 2003: The bids will probably be presented to the commissioners on June 17. A groundbreaking was proposed by Mashburn at 4:00 p.m., on Tuesday, July 15, 2003.

July Meeting Schedule: Traditionally, the board of commissioners has held one meeting in July due to the extra budget meetings in May and June.

MOTION by Commissioner Johnson to cancel the July 1, 2003 meeting and to hold a library groundbreaking on July 15, 2003, at 4:00 p.m., with the regular agenda briefing to follow at 5:00 p.m., and the business meeting at 7:00 p.m.

VOTING: Ayes – 5; Nays – 0.

Appointment of Finance Director Susan Blumenstein as Acting County Manager: Mr. Mashburn recommended that Mrs. Blumenstein be appointed as the acting county manager from 7:00 a.m. to 7:00 p.m., on Friday, June 6, 2003. He said the reason for the request was due to a medical procedure he would be having on that particular date.

MOTION by Commissioner Madison to appoint Susan Blumenstein as the Acting County Manager on Friday, June 6, 2003 (7:00 a.m. – 7:00 p.m.).

VOTING: Ayes – 5; Nays – 0.

CLOSED SESSION: **MOTION** by Commissioner Norman at 8:09 p.m., to enter into closed session for the purpose of discussing two economic development matters: G.S. 143-318.11(a) (4).

VOTING: Ayes – 5; Nays – 0.

(RETURN TO OPEN SESSION AT 8:52 P.M.)

CALL FOR PUBLIC HEARING REGARDING PIT INSTRUCTION AND TRAINING, LLC: **MOTION** by Chairman Johnson to call for a public hearing on Tuesday, June 17, 2003 at 7:00 p.m. regarding an economic development incentive of \$112,800.00, over a five-year period, for PIT Instruction and Training L.L.C., based on a \$6 million investment in Iredell County.

VOTING: Ayes – 5; Nays – 0.

ADJOURNMENT: **MOTION** by Chairman Johnson at 8:53 p.m. to adjourn the meeting. **NEXT MEETING:** Thursday, June 5, 2003, at 6:00 p.m., for the purpose of reviewing the proposed budget (Iredell County Government Center, South Wing Conference Room, 200 South Center Street, Statesville, NC).

VOTING: Ayes - 5; Nays – 0.

Approved: _____

Clerk to the Board