

**IREDELL COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
MARCH 5, 2002**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, March 5, 2002, at 7:00 p.m., in the Iredell County Government Center, 200 South Center Street, Statesville, NC.

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

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

CALL TO ORDER by Chairman Tice.

INVOCATION by Commissioner Johnson.

PLEDGE OF ALLEGIANCE TO THE FLAG

ADJUSTMENTS OF THE AGENDA: MOTION by Chairman Tice to approve the following agenda adjustments.

- Deletions:
- Presentation by Martin Boal Anthony Johnson (MBAJ) on the Cost Estimates/Floor Plan for the Iredell County Government Center-South
- Additions:
- Request for Permission to Demolish a Vacate Building located on the Iredell County Landfill Property
 - Request for Approval of Budget Amendment #33 in the Amount of \$25,000 for the Health Department
 - Request for the Adjustment of the Commissioners' Meeting Schedule for the Month of July 2002
 - Closed Sessions for Property Acquisition - G.S. 143-318.11(a)(5) and Personnel - G.S. 143-318.11(a)(6)

VOTING: Ayes – 5; Nays – 0.

APPOINTMENTS BEFORE THE BOARD

Mr. Victor Crosby in Reference to State Bridge Funds for Water Supply, Flood Control, Hydropower, Irrigation, Recreation & Wildlife Habitat: Mr. Crosby said he had been working on water issues for nearly 40 years. He referred to a 1985 Corp of Engineers Study that surveyed the “water resources problems, the needs, and the opportunities in the South Yadkin River Basin.” Crosby said this study did not factor in the cost of bridge replacements. He said one to three million would have to be added for each site mentioned in the study. Crosby said that prior to this study, a countywide water and sewer report had been prepared by the Farmers Home Administration. Mr. Crosby said the Iredell Water Corporation could use a source of hydropower because it paid out \$127,000 last year for electricity. He said Hunting Creek or some of the other streams in north Iredell would generate that much electric power. Crosby said Iredell Water also spent \$119,000 buying water from the City of Statesville and other water suppliers. He said Iredell Water proposed this year to install three new wells, costing upwards of \$150,000. Mr. Crosby said Iredell Water was being confronted with many expenses just to assist the present client base. Mr. Crosby then read the following statement:

“Whereas one half of the families of Iredell County do not have public water supply and past water studies have shown that 90% of rural people do not have adequate water for their families and livestock’s use. The droughts of recent years are causing wells to go dry as well as some streams. Therefore, we ask the county commissioners to request the highway commission to use bridge money for water impoundment, where practical, to provide water supply for hydropower, recreation, irrigation, and wildlife habitat. The county water study, the Iredell Water Corporation Study, and the Corp of Engineer’s Study have all shown the best source of

water is Hunting Creek at Highway 21. The county needs to specify to the state department of transportation that (1) water supply is needed for all water systems as a backup supply (2) in areas where bridges are due to be replaced, especially in all streams north of Highway 70 and I-40 west, that they be evaluated for flood control, hydropower, irrigation, and recreation and (3) a determination needs to be made on whether or not the Huey Mill Bridge should be left as the only remaining overhead steel bridge and issue a request for the department of transportation to solicit funds for building impoundments as an alternate to building the bridge and see if enough money can be found to accomplish this goal.”

Crosby said the area would also be an excellent site for a state or county park.

Commissioner Williams asked if a cost study had been performed on the land that would be flooded. He asked how this would be funded.

Crosby said he understood that on the Third Creek project, the land was not purchased -- it was donated. Mr. Crosby said the area he was referring to did not have many landowners. He said that most of them had indicated they would like to have a lake.

Williams asked about the property owners that would not be in favor of the proposal. He asked how the land would be acquired.

Crosby said, “from my standpoint, it’s sort of like the roads. If you don’t want one, it will go somewhere else.” He said there were many choices, and the size of the lake would be determined by the willingness of the property owners and the benefits they would receive.

Williams asked Mr. Crosby who would survey the area.

Crosby said it would be under the Soil & Water Conservation’s jurisdiction. He said there was already a Hunting Creek Study done by this agency.

Williams said he understood Mr. Crosby’s proposal to be that if the Soil & Water officials approached the board of commissioners with a recommendation about flooding the properties, the county would then apply to the highway division to request state bridge replacement funds to build the dams.

Crosby said he felt the highway department officials should be contacted first to determine their willingness to participate. He said the bridge on Hwy. 21 had been scheduled and unscheduled several times during the past 20 years. Crosby said that when I-77 went across the Hunting Creek, a water impoundment effort was made on behalf of the Iredell Water Corporation.

Attorney Pope said the 1985 study used 1984 price levels for calculating the cost of the dam construction and benefits. Pope asked how the numbers would be impacted by inflation, or what they would be today.

Crosby said most of them would be the same or less. He said the interest rate at the time was eight and three eighths. Crosby said the rate today would not be that high. He said the electricity would be the same.

Commissioner Johnson said he would assume that if bridge replacement money became available, then a cost benefit analysis could be done to see if a conventional bridge was in order or some other structure, e.g., bridge and water impoundment device.

Commissioner Williams said he had some doubts that landowners would be as willing today to give up their bottom lands as they might have been fifteen years ago.

Commissioner Bowles asked if the water corporation supported the proposal.

Crosby said yes. He said \$500,000 would have to be spent by the water company just to stay even.

County Manager Mashburn said he thought the process could begin by a letter to the Iredell Water Corporation officials inquiring about their interest. He said the Soil & Water Conservation Office had given general approval of the concept. Mashburn said that if the water corporation was interested, then the matter could be pursued with the highway department.

Commissioner Williams said he was understanding the county would not have any money involved in the project -- other than the county manager's research time.

MOTION by Commissioner Williams to allow the county manager to proceed with an inquiry to the Soil & Water Corporation, the Iredell Water Corporation, and the North Carolina Department of Transportation about their interest in participating in the project.

Mashburn said he understood that he was (1) being directed to find out if bridge impoundments were an option with the North Carolina Department of Transportation and (2) being directed to inquire with the Soil & Water Office and Iredell Water Corporation to see if there was any interest in the project.

VOTING: Ayes – 5; Nays – 0.

PUBLIC HEARINGS (7:00 PM)

Chairman Tice declared the meeting to be in a public hearing. Due to the hearing involving conditional uses, speakers desiring to speak were sworn in.

REZONING REQUEST: CASE #0202-2: A Request from Cecil E. & Janet G. Harwell for Property to be Rezoned from Residential Agricultural to General Business Conditional Use District (Location: 1070 Charlotte Highway, Troutman, NC): Planning Supervisor Ron Smith said the owners/applicants (Cecil E. & Janet G. Harwell) desired to rezone their property to General Business Conditional Use District. Mr. Smith said the owners had agreed to the following conditions for the 1.5 acre tract (PIN# 4740-93-4289).

1. Underground utilities.
2. Roadway Protection Overlay (RPO) standards along US 21.
3. Site Development Plan to provide for shared parking with adjacent parcels under same ownership.
4. Site Development Plan to provide for future interconnectivity between adjacent properties.
5. No billboard permitted on the property.

Mr. Smith said the existing land use was Residential Agricultural. He said the surrounding land use was General Business and Residential Agricultural. He said the area was recently reviewed by the Town of Troutman and Iredell County in the Exit 42 Land Use Study adopted in 2001. Smith said the request was in compliance with the standards recommended in the Exit 42 study. He said the tract of land was located in the designated Interchange Commercial node. Mr. Smith said the Planning Board, on February 6, 2002, unanimously recommended approval of the zoning change.

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

MOTION by Commissioner Bowles, after reviewing the findings of fact and determining them to be in order, to grant the request of Case #0202-2 (Harwell) and to rezone the property to General Business Conditional Use District with the five conditions outlined by the planning supervisor.

VOTING: Ayes – 5; Nays – 0.

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

MOTION by Commissioner Ray to approve the following nine consent agenda items. VOTING: Ayes – 5; Nays – 0.

1. Approval of a Request from Mr. Chandler Bryan, a Representative of Fifth Street Shelter Ministries/Diakonos, Inc., for the Donation of Property Located at 1419 Wilson Lee Boulevard & 1424 Fifth Street in Statesville, NC. The following resolution was approved.

Resolution Authorizing the Conveyance of Property
Pursuant to N.C.G.S. 160A-279

WHEREAS, the County of Iredell owns a lot and structure located at 1419 Wilson Lee Boulevard (PIN#4733-98-0727) and a lot located at 1424 Fifth Street (PIN#4733-98-1767) in Statesville, North Carolina, and desires to dispose of said properties, which are surplus to its needs; and

WHEREAS, North Carolina General Statute 160A-279 authorizes counties to convey real property by private sale to nonprofit corporations; and

WHEREAS, the County of Iredell has negotiated with Diakonos, Inc., (hereafter, the Corporation) and has agreed to convey the described property to the Corporation, in order that said Corporation may improve the building and operate a children's center.

NOW, THEREFORE, BE IT RESOLVED, that the Iredell County Board of Commissioners approves the following:

1. Joel Mashburn, the Iredell County Manager, is authorized to execute all documents necessary to convey the title of the property to the Corporation.
2. The consideration for the conveyance has the following set of conditions which shall be incorporated in the deed given by the County to the Corporation.
 - a. Corporation shall rehabilitate and improve the building located on the property.
 - b. Corporation shall operate a children's center in the building.
 - c. Corporation shall return the properties to the county should no further use be found for them in the future.
3. The deed given by the county shall convey a title in fee simple determinable. The fee simple interest of Corporation in the property shall terminate if at any time the Corporation shall cease to use the property for a public purpose.
4. The property may be transferred ten days after a public notice has been published.

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2. Request for Approval of the Stumpy Creek Park Wastewater Facility Bids

BIDDER	TOTAL BASE BID
Cothren & Sons Backhoe & Grading Taylorsville, NC	No Bid
Eberhart Construction Inc. Fuquay Varina, NC	\$144,554,31
Gilbert Engineering Company Statesville, NC	\$217,291,50
James E. Harris Construction Co., Inc. Huntersville, NC	No Bid
Hunter Construction Group, Inc. Huntersville, NC	No Bid
Neill Grading & Construction Co., Inc. Hickory, NC	140,934.00
RPB Systems, Inc. Asheville, NC	113,969.40
Stroud Brothers Grading Inc. Mocksville, NC	149,676.00
Trans-State Construction Co. Stanley, NC	No Bid

The bid was awarded to the low bidder of RPB Systems, Inc., in the amount of \$113,969.40.

3. Request for Approval of Budget Amendment # 30 and #31 from the Sheriff's Department for:

- a. **The Recognition of Additional Seized Funds (\$4,910) and for Appropriation to the Telephone Line Item for Replacement and Service of 19 Lines for the Reverse 911 System (BA#30)**
- b. **The Recognition of \$2,850 in Donations Received which are Restricted for the Sheriff's Bike Patrol Program and for the Appropriation of Funds to Purchase Bicycles (BA#31)**

4. Request for Approval of Budget Amendment #32 from the Emergency Communications Operations & Management Office for the Appropriation of Fund Balance (\$2,000) for the Purchase of Computer Monitors for the Statesville & Mooresville Police Departments and to Provide a Spare Monitor for the 911 Office

5. Request for Approval of the County Manager's Recommendations Regarding the Capital Outlay Items Frozen in the FY 2001-02 Budget: The following plan of action was approved.

<u>Proceed with Purchase/Transfer</u>		<u>Proceed if Funds Available</u>		<u>Delay & Reconsider 2002-2003</u>	
Transfer to Capital Reserve Fund	2,055,169	Purchase Generator for Meeting Street Service Ctr.	35,000	Replace Sedan in Tax Administration	18,000
Replace Cell Doors for Jail	48,000	Purchase Sheriff's In-Car Cameras	47,500	Transfer to Parks Reserve Fund	25,000
Purchase File System for DSS	14,000	Purchase Replacement Commodes at Jail	10,800	Replace Health Truck	17,500
Purchase Emergency Equipment in General Governmental	10,000	EMS Building Improvements	21,000		
Purchase Van to Replace Inspections Truck	20,000	Purchase Recreation Field Dress Machine	10,000		
TOTAL	2,147,169	TOTAL	124,300	TOTAL	60,500

6. Request for Approval of the February 19, 2002 Minutes

7. Request for Permission to Demolish a Vacate Building located on Iredell County Landfill Property (This land and building were purchased in 1999 for landfill expansion. The property is located at 2635 Ebony Circle, Statesville, NC. Recently, a county resident offered \$2,000 for the structure, but after closer inspection, withdrew the offer.)

8. Request for Approval of Budget Amendment #33 in the Amount of \$25,000 for the Health Department: The budget transfer will move funds from the Salaries (Regular) line item to Contracted Services, to cover the contracted services costs of filling vacancies with temporary employees until the recruitment and selection process is completed for vacant positions.

9. Request for the Adjustment of the Commissioners' Meeting Schedule for the Month of July 2002: Due to the Fourth of July holiday, the board canceled the meeting scheduled on Tuesday, July 2, 2002. The board will hold one regular meeting in July and it will be on Tuesday, July 16, 2002.

APPOINTMENTS TO BOARDS & COMMISSIONS

Adult Care Home Community Advisory Committee (6 appts): Commissioner Williams nominated Don King.

No further nominations were submitted, and Chairman Tice moved to close the nominations, appoint King by acclamation, and to postpone the remaining five appointments until the March 19 meeting.

VOTING: Ayes – 5; Nays – 0.

Board of Health (2 appts): Commissioner Bowles nominated Dr. Travis Blackwelder for the veterinarian position on the board of health.

Chairman Tice moved to close the nominations, appoint Dr. Blackwelder by acclamation, and to postpone the nurse's appointment until the March 19 meeting.

VOTING: Ayes – 5; Nays – 0.

Centralina Workforce Development Board (1 appointment): No nominations were submitted, and Chairman Tice moved to postpone this appointment until the March 19 meeting.

VOTING: Ayes – 5; Nays – 0.

Hazardous Waste & Low Level Radioactive Waste Management Board (3 appointments): Commissioner Ray nominated Buddy Hemric, Kelly Sheeks, and B.K. Barringer for reappointments to this board.

No further nominations were submitted, and Chairman Tice moved to appoint Hemric, Sheeks, and Barringer by acclamation.

VOTING: Ayes – 5; Nays – 0.

Animal Grievance Committee (1 appointment): Commissioner Bowles nominated Alison Young.

No further nominations were submitted, and Chairman Tice moved to close the nominations and appoint Young by acclamation.

VOTING: Ayes – 5; Nays – 0.

Historic Properties Commission (4 appointments): Commissioner Ray nominated Lewis Alexander, O.C. Stonestreet, Dee Deane, and Gene White.

No further nominations were submitted, and Chairman Tice moved to close the nominations and appoint Alexander, Stonestreet, Deane, and White by acclamation.

VOTING: Ayes – 5; Nays – 0.

HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE (HCCBG): Chairman Tice moved to suspend the board's rules of procedure regarding the notification of appointments and to appoint Godfrey Williams to the HCCBG Committee. (Mr. Williams will replace Karen B. Ray as the commissioner appointed to this committee.)

VOTING: Ayes – 5; Nays – 0.

NEW BUSINESS

COUNTY PURCHASING AGENT AWARDED THE HALL-WICKER AWARD: Finance Director Blumenstein announced that Purchasing Agent Evie

Caldwell had been awarded the Hall-Wicker award. Mrs. Blumenstein said the award, sponsored by the Carolinas Association of Governmental Purchasing Agents, had been awarded only five times in the past and that Mrs. Caldwell was the first woman to win. (Caldwell has been employed with the county since 1974.)

COUNTY MANAGER'S REPORT: County Manager Mashburn gave information about the following items.

1. Public Officials' Meeting Sponsored by the N.C. Department of Transportation: This meeting was held on February 28, 2002 and concerned improvements to be made along I-77 in south Iredell. The improvements involve the interchange at SR 1109-Williamson Road, the relocation of SR 1245-Centre Church Road, and the construction of a new interchange near SR 1102-Langtree Road.
2. Quick Response Vehicle (QRV) Site: Funding was approved for a QRV this budget year, with the vehicle to be situated in the Brawley School Road area. Discussions about stationing the QRV at the Mooresville Rescue Squad site have occurred, but nothing has been worked out. Currently, the vehicle is stationed at the Mooresville EMS base.
3. North Carolina Road Assistance Pilot Program: The North Carolina Department Transportation (NCDOT) has chosen Iredell County as one of the pilot counties for a non-system, unpaved road program. A total amount of \$105,000 will be available and the money may be used to improve approximately 3.5 miles of road. The NCDOT is trying to improve roads that do not qualify for state maintenance, and the work will include grading, drainage work, and supplying stone. The work will not bring the roads up to state standards, and it will be on a "first-come first-serve basis." Applications are available with the DOT, and Clay Lunsford is the contact person.
4. Scrap Tire Disposal Funds: The county will receive \$22,156 in Scrap Tire Disposal Funds. This money is part of the disposal fee that is collected when tires are purchased.
5. Greater Statesville Chamber of Commerce Resolution: The Board of Directors for the Greater Statesville Chamber of Commerce recently passed a resolution requesting Governor Easley to return the funds being withheld that are due to Statesville and Iredell County.

CLOSED SESSION: MOTION by Chairman Tice, at 7:50 p.m., to enter into closed session for the purpose of discussing property acquisition - G.S. 143-318.11(a)(5) and Personnel - G.S. 143-318.11(a)(6).

VOTING: Ayes – 5; Nays – 0.

(Return to open session at 8:33 p.m.)

ADJOURNMENT: MOTION by Chairman Tice to adjourn the meeting at 8:33 p.m. (NEXT MEETING: March 19, 2002, 5:00 p.m. and 7:00 p.m., in the Iredell County Government Center, 200 South Center Street, Statesville, NC.)

VOTING: Ayes – 5; Nays – 0.

Approved: _____

Clerk to the Board