

**IREDELL COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
MARCH 20, 2007**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, March 20, 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, Acting Planning Director Steve Warren, and Clerk to the Board Jean Moore.

CALL TO ORDER by Chairman Norman

INVOCATION by Commissioner Johnson

PLEDGE OF ALLEGIANCE

ADJUSTMENTS OF THE AGENDA: **MOTION** by Commissioner Tice to adjust the agenda by the following actions:

- Deletions:
- Request for Review of a Residential Growth Management System Ordinance for the Brawley School Road Peninsula & Call for a Public Hearing
(A work session will be held at 4 p.m. on April 3 regarding this ordinance.)
 - Announcement of District Meetings for the North Carolina Association of County Commissioners in April and Announcement of the Annual Conference of the National Association of Counties in July (This announcement was for informational purposes.)
- Addition:
- Request to Postpone Action on the Rezoning of Property owned by the McLain Family on Snow Creek Road

VOTING: Ayes – 5; Nays – 0.

PUBLIC HEARING

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

Consideration of an Economic Development Incentive for R P. Machine Enterprises, Inc.: Greater Statesville Development Corporation Director Mike Smith said R.P. Machine had conducted business in the county for the past eleven years, and the company now had plans to expand and add 15 new jobs. He said a \$3 million taxable investment would be made, and this would make the company eligible for a \$55,800 incentive over a five-year period.

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

MOTION by Commissioner Tice to grant the economic development incentive of \$55,800 over a five-year period to R.P. Machine Enterprises, Inc., based upon a \$3 million investment in Iredell County.

VOTING: Ayes – 5; Nays – 0.

(Note: This company was previously identified as the Rpm Company.)

Presentation from Tax Administrator Bill Doolittle Regarding the Value Changes Across the County due to the 2007 Reappraisal: Mr. Doolittle introduced Steve Ervin, Kathy Hoover, and Chip Parks, the lead team members of the reappraisal staff. Doolittle said the tax base was comprised of several components but 80% was real estate. He said inflation played a role in the change of values, and over the past four years, this had been about 12%. Doolittle said, however, steel, concrete, wood, and petroleum-based products had risen more than this percentage. He said other reasons for property value changes were location, property use conversion (farmland to commercial, industrial or residential, etc.), and that the old value may have shown the site as vacant land while something had now been built upon it.

Doolittle said market value had present use and homestead exemptions deducted, and he primarily wanted to discuss assessed values. He said overall, real property changed about 23% or \$2.9 billion, but approximately \$1.2 billion of this was from new buildings or subdivisions that had been constructed during the past four years. Mr. Doolittle noted that not all properties increased in value due to depreciation of older homes, location, and removal of buildings. Doolittle said that by using township averages, the properties near the lake had increased the most along with land bordering I-77. He said tax value notices would be mailed March 28.

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

MOTION by Commissioner Johnson to approve the following 13 consent agenda items.

VOTING: Ayes – 5; Nays – 0.

(All items were discussed during the agenda briefing.)

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

FEBRUARY 2007 TAX RELEASES & REFUNDS		
	<u>Releases</u>	<u>Refunds</u>
County	\$35,325.73	\$2,028.24
Solid Waste Fees	598.00	0
East Alexander Co. Fire #1	17.85	0
Shepherd's Fire # 2	80.87	0
Mount Mourne Fire # 3	238.79	106.16
All County Fire # 4	879.28	84.17
Statesville City	13,497.06	68.70
Statesville Downtown	0	0
Mooresville Town	12,239.29	78.11
Mooresville Downtown	0	0
Mooresville School	1,067.14	39.97
Love Valley	3.04	0
Harmony	1.68	0
Troutman	284.23	0
Total	\$64,232.96	\$2,405.35
A complete list, of the individual tax releases and refunds, is hereby incorporated into the minutes by reference.		

2. Request from the Mooresville School System for Approval of an Annexation Petition to the Town of Mooresville for 42.41 acres (PIN# 4666-91-9021): Mooresville Schools' Finance Director David Dutton said a new intermediate school was as proposed for a site located behind the existing Mooresville Intermediate School (near/around 1438 Coddle Creek Highway). He said water sewer was needed and an annexation petition had been submitted to the Town. Dutton said the property was deeded to Iredell County due to the 2006 Certificates of Participation

Note: Mooresville Schools' Interim Superintendent Roger Hyatt and Director of Operations Steve Young accompanied Dutton to the meeting.

3. Request for Approval of a Resolution Authorizing the Award of an Employment Badge to Retiree Sam Counts & the Sale of a Service Sidearm: County Manager Mashburn said it was county tradition to award employment badges to retiring law enforcement officers and to allow them to purchase (\$1) their service sidearms as authorized by state law. He then requested approval of the following resolution in regards to Sheriff's Department Retiree Sam Counts.

WHEREAS, Deputy Sam Counts has served honorably in the Iredell County Sheriff's Office and has successfully met the requirements for retirement and does, upon the occasion of his retirement, request to be permitted to keep his badge and to purchase his service sidearm.

*NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of Iredell County, that said badge be awarded to Deputy Counts at no charge and that he be allowed to purchase his service sidearm for the sum of One Dollar (\$1.00), as provided by G.S. 20-187.2
One (1) Glock Model 22
Serial # GMT785*

4. Request for Approval to Award a Janitorial Services Bid to Rainbow Janitorial for the Building Standards Center (effective immediately): Purchasing Agent Dean Lail said Rainbow Janitorial currently had a contract with the county, and this company was also the low bidder for cleaning services at the Building Standards Center located on North Center Street. He suggested that an "add-on" be made to Rainbow's current contract.

Bids received for the cleaning of this building are as follows:

JANITORIAL SERVICES, BUILDING STANDARDS CENTER BID SUMMARY

VENDOR	Bid/Month	CURRENT	NEW
Rainbow Janitorial	\$1,660	Yes-contract	
Southpark Services	\$2,400	Yes-contract	
By Faith Cleaning	No Bid		Yes
Hook's Cleaning	No Bid		Yes

Letters were sent to all participants in a previous bid for Cleaning Services and new vendors on the bid list. Advertisement was placed in Statesville Record & Landmark for general invitation. Only vendors who attended scheduled pre-bid were allowed to offer bids. Vendors listed above did attend the pre-bid conference.

5. Request for Approval of a Senior Discount Fee Schedule for the Stumpy Creek Boat Landing: Recreation Director Robert Woody requested approval of the following fee schedule that would be used for individuals 65 years or older who used the Stumpy Creek boat landing. Woody said it wasn't anticipated that the discounts would impact the park's revenue.

Current Fee Schedule		Proposed Senior Discount Fee Schedule	
January	\$50	January	\$35
February	\$50	February	\$35
March	\$50	March	\$35
April	\$45	April	\$31.50
May	\$40	May	\$28
June	\$35	June	\$24.50
July	\$30	July	\$21
August	\$25	August	\$17.50
September	\$20	September	\$14
October	\$15	October	\$10.50
November	\$10	November	\$7
December	\$5	December	\$3.50

6. Request from the Social Services Department for Approval of an Electing County Status Designation for the FY 07-09 Work First Program: Social Services Director Don Wall said that on March 12, 2007, the Welfare Reform Planning Committee unanimously voted to recommend that Iredell County remain an Electing County for FY 07-09. He said that even though the General Assembly was proposing cash assistance reductions for "electing" counties, this status would still be more financially beneficial than "standard" due to the following:

- An Electing County must spend only 90% Maintenance of Effort while a standard county must spend 100%. (Maintenance of Effort savings for Iredell County are \$147,793 per year.)

- An Electing County may transfer underspent TANF cash payment funds to the TANF Child Welfare Program to help offset county funds. (In FY 06-07, cash savings will be approximately \$765,113. With the proposed reductions, the county's cash savings for FY 07-08 will be approximately \$195,127. If there is an additional 7% reduction, as anticipated, cash savings will be approximately \$128,101.)
- An Electing County may develop its own policies and rules geared towards the community's needs. (Generally, electing county policies are more conservative than standard county policies.)

* * * * *

Commissioner Johnson, the Welfare Reform Committee Chairman, said for the next two years there was a recommendation to remain as an electing county, but after 2009, a change might be needed. He said "Raleigh" evidently wanted all counties to be "standard," and this was why the cash reductions were occurring.

Income Maintenance Supervisor Lynn Deal then explained changes in the Welfare Reform Plan. She said the changes were primarily in the Medicaid program (honor date for assistance, and the appeals process).

7. Request for Authorization to Allow the Board Vice Chairman to Sign an Escrow Deposit Agreement in Conjunction with an Iredell Memorial Hospital Bond Refunding: Deputy County Manager Blumenstein said Iredell Memorial Hospital officials wanted to issue \$30 million in bonds through the NC Medical Care Commission and approximately \$9.3 million would be used to redeem the Series 1997 revenue bonds. She said the county would not be a party to the new issuance; however, it would play a role in the Escrow Deposit Agreement necessary for repayment of the Series 1997 outstanding principal balance (redemption to occur on October 1, 2007). Blumenstein said the county wouldn't have an obligation to repay any of the debt.

Note: Chairman Norman is a hospital trustee, and this is why the Vice Chair will sign the documents.

8. Request for Approval of a Lease Agreement with Crossroads Behavioral Healthcare for Space in the Iredell County Government Center-South: Deputy County Manager Blumenstein said a five-year office space lease needed approval for Crossroads Behavioral Healthcare to use the Iredell County Government Center-South (2nd floor). She said the county would not be charging a rental fee; however, Crossroads would be responsible for utilities and operating costs. (Space to be leased is 5,283 sq. ft.)

9. Request for Approval of the FY 07-08 Criminal Justice Partnership Program (CJPP) Budget: Appropriate Punishment Options Director Pam Navey presented a \$127,622 budget for the upcoming year. She said the funding would be used for the resource center, and the budget had been approved by the CJPP board.

10. Request for Review of a Minimum Housing Ordinance & Call for a Public Hearing on April 3, 2007 at 7:00 PM: Inspections Director Lynn Niblock presented a minimum housing ordinance almost identical to the document presented at the Winter Planning Session. He said the first year's cost to enforce the ordinance would be \$109,375.00, and the second year's costs was estimated at \$87,875. Niblock said the costs would be for one certified building inspector and one clerical position with both individuals being trained to work in other areas of the department. He said the program would primarily be complaint driven, and the department received, on average, a couple of minimum housing complaints each week. He said the department would notify the public about the ordinance through the county web site, pamphlets, and a press release.

11. Request for Approval of a Resolution Regarding the State Ethics Long Form Disclosure Statement: The Board discussed a new disclosure statement required of members serving on state boards and committees, and the following resolution was approved.

**RESOLUTION
REGARDING THE
STATE ETHICS LONG FORM DISCLOSURE STATEMENT**

WHEREAS, the North Carolina State Legislature has taken steps to ensure public confidence in a variety of boards that oversee and operate with public funds, and it was with the best of intentions that a State Ethics Long Form Disclosure Statement was created and required of members participating on some boards; and

WHEREAS, the effect of this document is beginning to be felt and the Iredell County Board of Commissioners respectfully requests a review of the document and the subsequent impact that has resulted from its implementation; and

WHEREAS, Iredell County is grateful to the citizens who have volunteered their time and expertise to sit on boards; and

WHEREAS, the volunteers have agreed to accept these positions that can demand significant time and commitment; and

WHEREAS, volunteers are serving as representatives of state government, county government, and of their communities, in operating and overseeing the mission and function of a variety of mandated agencies and departments; and

WHEREAS, the welfare and operation of the boards appointed by the Iredell County Board of Commissioners are now in jeopardy; and

WHEREAS, while ethics in state and local governments are important, the public access to this private information is excessive and may impede the recruitment efforts for qualified local business people to serve on the boards.

NOW, THEREFORE BE IT RESOLVED, that the Iredell County Board of Commissioners requests that state representatives who have been elected to represent Iredell County review the State Ethics Long Form Disclosure Statement and the impact it is having on the functioning of local and state governments.

This the 20th day of March 2007.

12. Request for Approval of Minutes (February 23 & 24 Winter Planning Session & March 6, 2007)

13. Request to Postpone Action on the Rezoning of Property owned by the McLain Family on Snow Creek Road: Acting Planning Director Steve Warren said the McLain family had a rezoning case scheduled before the board on April 3. Warren said a letter had been received requesting a postponement. (The board granted the delay as requested.)

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

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

- Nursing Home Advisory Committee (1 announcement)

APPOINTMENTS TO BOARDS & COMMISSIONS

Adult Care Home Community Advisory Committee (5 appointments): No nominations were submitted, and Commissioner Tice made a motion to postpone the five appointments until the April 3 meeting.

VOTING: Ayes – 5; Nays – 0.

Nursing Home Advisory Committee (1 appointment): Commissioner Tice nominated Nikki Howard.

Chairman Norman made a motion to close the nominations and appoint Howard by acclamation.

VOTING: Ayes – 5; Nays - 0.

UNFINISHED BUSINESS

Case No. 0611-3 • J.C. Faw Property – A Request to Rezone Property From Residential Agricultural & Neighborhood Business Conditional Use District to Neighborhood Business: Acting Planning Director Steve Warren said a public hearing was held and adjourned on December 6, 2006 for this case. He said the request had been postponed to allow time for Mr. Wood to resolve a road right-of-way acquisition with the state highway department. Warren said recent correspondence confirmed the state had purchased the rights-of-way for the Brawley School Road widening project.

(The staff report, as of December 2006, is as follows. It should be noted that as of March 20, 2007, Mr. Eric Wood is the current owner of the property.)

CASE NO. 0611-3

OWNER: J C Faw
PO Box 410
Wilkesboro, NC 28697

AGENT: Eric Wood
410 Auction Drive
Salisbury, NC 28147
(704) 202-1524

LOCATION: At the corner of Brawley School Road and Drye Drive, more specifically PIN #s 4647-01-3786 & 4647-01-3588. DIRECTIONS: Brawley School Road, right Drye Drive, on right.

REQUESTED ACTION AND CONDITIONS: Rezone the property from RA, Residential Agricultural District and NB-CUD, Neighborhood Business-Conditional Use District to NB, Neighborhood Business.

PROPOSED USE: Office building.

SIZE: The proposed area to be rezoned is 2.38 acres.

EXISTING LAND USE: Vacant and residential.

SURROUNDING LAND USE: Commercial and residential.

WATERSHED REGULATIONS: This property is located in the WSIV-CA Watershed.

TRAFFIC: According to the 1993 Iredell County Thoroughfare Plan, the capacity for this stretch of Brawley School Road is 9,000 vehicles per day. In 2005, the estimated daily traffic count was 24,000 vehicles per day.

ZONING HISTORY: The parcel to the north has been zoned RA since County wide zoning occurred in 1990. The parcel to the south was rezoned from RA to NB-CUD on March 2, 1999. The condition was that the only use permitted was a convenience store with gasoline sales. The property to the east was zoned CB-CUD in July 2001 and April 2003. Mooresville has zoning jurisdiction to the East and south.

STAFF COMMENTS: The NB District designation request and intended use, (offices) are both supported by the Brawley School Peninsula Small Area Plan. Nearby land uses include an office building across the road and this segment of Brawley School Road is more suitable for the intent of the district namely providing services to nearby residences than future residential sites. Planning staff is in favor of this request.

PLANNING BOARD ACTION: On November 1, 2006, the Planning Board voted 11-0 to recommend approval of this request and to advise that it is consistent with the Brawley Peninsula Small Area Plan.

* * * * *

Warren said a commercial office building would not impact the area as much as the original proposed use as a convenience store. He said Mr. Wood was asking for a conventional zoning district, and findings-of-fact were not necessary.

Eric Wood said about 15 feet of the secondary lot would be needed due to the right-of-way.

MOTION by Commissioner Johnson to approve the zoning map amendment and to make a finding that approval was consistent with the adopted Brawley Peninsula Small Area Plan and that said approval was reasonable and in the public's interest due to consistency with the Brawley Peninsula Small Area Plan; as a result, said approval furthers the goals and objectives of the Brawley Peninsula Small Area Plan.

VOTING: Ayes – 5; Nays - 0.

PUBLIC COMMENT PERIOD

Alan Boyce, of 119 Lightship Drive, Mooresville, NC (off Brawley School Road) said he was a board member of The Point Homeowners Association and the Growth Study Commission. Boyce voiced concerns about the March 6 decision to release zoning authority to Mooresville of three lots on the Brawley School Road. He said Mooresville would probably annex the 30 acres, and numerous people would be impacted. Boyce said these same citizens would then have to appear before Mooresville officials regarding land use matters. He said no notification had been given to the community about the release request, but he understood new procedures had been adopted effective March 1. Mr. Boyce stressed the importance of notifying affected property owners when a zoning jurisdiction release was being considered.

Commissioner Johnson suggested that the planning department send an e-mail to the Growth Study Commission when similar requests were presented. He said this would be a “safety valve.”

Acting Planning Director Steve Warren said a new policy had been implemented as of March 1, and the first case falling under the new guidelines would be presented on April 3. Warren said the staff now (1) posted a sign (2) published legal notices (3) sent letters to adjoining property owners and (4) held a public hearing. He said additionally, if a zoning release request in/around the Brawley School Road were submitted, the staff would notify the Growth Study Commission.

NEW BUSINESS

Building Permits: Commissioner Johnson said a conversation with the Inspections Director revealed that the commercial building permit backlog had decreased, and a part of increase had been due to builders trying to obtain permits before building code changes were enacted. He said the conversation also revealed that from March 20, 2005 to March 19, 2006, 363 commercial building permits were issued compared to the issuance of 657 commercial building permits from March 20, 2006 to March 19, 2007.

COUNTY MANAGER’S REPORT: County Manager Joel Mashburn distributed a written activity report.

ADJOURNMENT: There being no further business to conduct, Chairman Norman made a **motion** to adjourn the meeting at 7:35 p.m. (NEXT MEETING: Tuesday, April 3, 2007, at 5 and 7 P.M., in the Iredell County Government Center, 200 South Center Street, Statesville, NC)

VOTING: Ayes – 5; Nays – 0.

Approved: _____

Clerk to the Board