

**IREDELL COUNTY BOARD OF COMMISSIONERS  
REGULAR MINUTES  
NOVEMBER 6, 2001**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, November 6, 2001, at 7:00 p.m., in the Iredell County Government Center, 200 South Center Street, Statesville, NC.

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

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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

- Additions:
- The contract for Appropriate Punishment Options will be Revised by deducting \$12,340 (Original Contract of \$134, 270 to \$121,930 in addition to the Approval of Budget Amendment # 14
  - In Reference to the Sheriff's Request for the Transfer of Commissary Funds the addition of a purchase Surplus School Bus for \$1,000
  - Closed Session for Property Acquisition/G.S. 143-318. 11(a) (5)
- Deletions:
- Request from the Health Department for Approval to Apply for a Healthy Carolinians' Grant
- Revisions:
- The Capital Project Ordinance for the Iredell County Government Services Building in South Iredell was reduced from \$3,340,000 to \$80,400 (architectural fees.

**MOTION** by Commissioner Johnson to further adjust the agenda by deleting Item A Under Administrative Matters about a *Request for a Discussion Pertaining to a Proposed Solid Waste Ordinance Amendment; Chapter 12 of the Iredell County Code, Junked & Abandoned Vehicles* due to a lack of a unified decision by the board of commissioners, and further, during the terms of the present board, that if the topic is presented again, that it be held in the format of a public hearing.

VOTING: Ayes – 5; Nays – 0

(Approximately 75-100 people attended the meeting in reference to the junked or abandoned vehicle amendment.)

VOTING on the original motion by Chairman Tice pertaining to the adjustments:

Ayes – 5; Nays – 0.

**PUBLIC HEARING**

**Zoning Ordinance Amendment Request; Section 6.18, Roadway Protection Overlay District:** Chairman Tice declared the meeting to be in a public hearing.

Planning Supervisor Ron Smith said the zoning ordinance included provisions for a roadway protection overlay that would impose stricter standards on specific corridors throughout the county. He said there were not any designated corridors, but some plans were in place to proceed if the amendment for an overlay on Highway 150 were

approved. Smith said that upon the adoption of the River Highway Corridor Study in year 2000, it was recommended that a review about changing the standards for the overlay be done, especially on Highway 150. He said the recommendations from the plan had been incorporated into the amendments being reviewed at the meeting. Smith reviewed the following changes (typed in bold and underlined)

Section 6.18 Roadway Protection Overlay District (RPO)

- A. Application. The requirements of this Section apply to all uses in the RPO District except one and two-family residences, **including newly established uses and changes in use that require site plan approvals.**
- B. Front Yard Setback. The front yard setback shall be a minimum of eighty (80) feet measured from the centerline of the frontage roadway but in no case shall the front yard setback be less than that required by the use for the underlying district in which located, or thirty (30) feet whichever is the greater. **Where applicable, the front yard setback is to be measured from any future right-of-way as designated in the Iredell County Thoroughfare Plan. No chain link or similar fencing is permitted in the front yard. Fences of natural materials (i.e. wood, brick, stone, etc.) would be permitted in the front yard.**
- C. Minimum Lot Width. The minimum lot width for all lots created after the effective date of the RPO District shall be one hundred and fifty (150) feet.
- D. **Outside Storage of Materials.**  
**All outside storage of materials shall be prohibited. This shall include the storage of goods or materials which are not an integral part of the use of the property and which are not obviously for sale. This shall not preclude any situation where the primary use of the property includes the outside display of goods for sale such as automobiles, boats, mobile homes, etc..**
- E. Ingress and Egress Points.
  - 1. On any lot in any planned multi-tenant development which contains more than one lot, no two points of ingress and egress (as measured at their closest distance) shall be closer than three-hundred (300) feet apart. No more than two (2) separate points of ingress and egress per lot or within a planned multi-tenant development shall be allowed per road front, except where included as a condition for a use which requires a conditional use permit located on a lot containing five (5) or more acres. Any use engaged in the sale of automobile fuels to the public and having more than three (3) fuel stations shall be allowed to have no more than one additional point of ingress and egress per road front provided that said point of ingress and egress is located no closer than forty (40) feet from any other such access point.
  - 2. Except where ingress and egress would be denied, no portion of a point of ingress and egress shall be located closer than two-hundred (200) feet to the centerline intersection of the road upon which the use fronts and an intersecting road. Any driveway serving as a point of ingress and egress shall have a width not to exceed thirty-six (36) feet unless otherwise required by NCDOT.
  - 3. For purposes of determining the allowable number of ingress and egress points on any particular lot, all lots recorded at the effective date of this Ordinance shall be granted at least one ingress and egress point per road front unless access can be provided internally. If any subdivision of land occurs after the effective date of this Ordinance, the number of ingress and egress points shall be determined based on the linear road frontage the tract contained prior to such subdivision. For instance, if a tract of land contained 1,300 feet of road frontage and, subsequent to the adoption of this Ordinance, were subdivided into three lots, only two points of ingress and egress serving the three lots would be allowed.

**4. The creation of off-set driveways and/or intersections is not permitted, unless no practical alternative exists.**

**5. All driveway entrances with direct access onto a thoroughfare that lies within an RPO and which must have an approved NCDOT driveway permit must be paved to NCDOT standards from the edge of the existing roadway pavement to the existing right-of-way limit on the interior of the property.**

**F. Signs.**

**1. One free-standing identification sign per lot (or multi-tenant development) shall be allowed. The maximum height of a free-standing sign shall be fifteen (15) feet. The maximum area of all free-standing sign shall be seventy-two (72) square feet unless a lower sign height and/or a smaller sign area is required for the underlying zoning district. In such case, the more stringent height and/or size requirements shall apply.**

**In the event that a parcel has frontage on more than one public road an identification sign shall be permitted for each road frontage. The maximum area for each additional sign shall be fifty (50) square feet. All additional signs shall meet the standards listed above concerning height and underlying district requirements.**

**Furthermore, wall signage will be allowed and shall not exceed 100 square feet.**

**2. All free-standing signs must be at least ten (10) feet from the right-of way line.**

**3. Billboard signs, off-premise advertising signs, temporary signs (including real estate signs), portable signs, and moveable signs are prohibited.**

**G. Outdoor Lighting Standards.**

Outdoor lighting shall not exceed 6-foot-candles, measured at ground level at any point within the property, and shall be installed in such a manner that the source of light (the bulb) is shielded and not visible from adjacent roadways. All lighting shall be directed inward in such a manner so as not to produce glare onto adjacent property and so that the primary cone of illumination does not extend beyond the property lines.

**H. Landscaping.**

**1. Any chain link or similar fencing visible from the street must be screened at least ninety (90) Percent opaque from the ground to a height of at least six (6) feet as per Section 12.1 of the Iredell County Zoning Ordinance.**

**2. Commercial Parking lots must be screened from the roadway at least ninety (90) percent opaque from the ground to a height of at least four (4) feet as per Section 12.1. This provision may be omitted if it is accomplished by #1 above.**

A landscaped roadway yard shall be provided by each use subject to this requirement. The requirement for a landscaped roadway yard shall be initiated by the occurrence of the same activities as set forth in Section 12.1. A landscaped roadway yard is a landscaped area parallel to the public roadway designed to provide continuity of vegetation along the right-of-way and a pleasing view from the road. The landscaped area shall be penetrated only by driveways and crosswalks. The minimum width of the roadway yard shall be fifteen (15) feet measured from and parallel to the public road right-of-way **or future right-of-way as designated by the Iredell County Thoroughfare Plan, whichever is most restrictive.** It shall be landscaped and maintained with

a vegetative cover and shall be planted with small and/or medium shrubs at a rate of fifteen (15) per one hundred (100) linear feet of street yard not counting driveway and crosswalk area. The Planning Director may approve a different vegetative landscape type when in his opinion equal or better performance will result. The following is a sample list of recommended shrubs by common name:

American Boxwood	Common Juniper
Carolina Allspice	Nandina
Flowering Quince	Azalea
Hedge Cotoneaster	Mapleleaf Viburnum
Japanese Holly	Sargents Chinese Juniper
Japanese Barberry	Common Laurelcherry
Purple Beautyberry	Fragrant Sumac

**If the standards attributed to the landscaped roadway yard will meet the intent of, and provide the necessary screening as listed in H.2, this option may be used in lieu of those requirements.**

Smith said the amendments were developed with public input and through a subcommittee of the planning board and later through the planning board with a unanimous vote on October 3, 2001 adopting the changes.

Commissioner Bowles asked if the amendments would supersede the off-premises signage amendments that were approved a few months ago.

Smith said yes.

Commissioner Ray clarified that the amendments would be effective for new or altered permitting for existing businesses -- it would not affect the businesses already in the area and not making changes.

Smith said this was correct -- unless the business owners changed the businesses "totally" then they would not be affected.

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

**MOTION** by Commissioner Johnson to approve the amendments to the Roadway Protection Overlay District as outlined by Mr. Smith.

VOTING: Ayes – 4; Nays – 1 (Bowles)

-----**CONSENT AGENDA**-----  
**MOTION** by Commissioner Williams to approve the following eight (8) consent agenda items.

VOTING: Ayes – 5; Nays – 0.

**1. Request to Enter Into An Agreement with the Iredell Vocational Workshop to Transfer the Transportation Program to the County and to Call for a Public Hearng on November 20, 2001, at 7:00 p.m., Regarding the Application for the Community Transportation Program (CTP) for year 2003**

**2. Request for Approval of Budget Amendment #13 for the Recognition of a Second-Year Grant from the Governor's Crime Commission for Piedmont Mediation's "Juvenile Victim Offender Program" and a Request for Approval of Budget Amendment #14 for Recognition of a Reduction in a Grant for the Criminal Justice Partnership Program (CJPP) in Accordance with State Cuts, and further, for the Contract with Appropriate Punishment Options (administrator for the CJPP grant) be Revised from \$134,270 to \$121,930 to Reflect the \$12,340 Reduction**

**3. Request from the Sheffield-Calahan Volunteer Fire Department for Approval of Budget Amendment #15 for the Purchase of a \$15,000 Replacement Tanker (Funds from Reserve Truck Fund)**

**4. Request from the South Iredell Volunteer Fire Department for Approval of a Lease Purchase Agreement with United Financial of North Carolina, Inc., in the amount of \$137,000 for a 2001 International Fire Truck and for the Refinancing of \$20,000 of Existing Debt for a Total Transaction Amount of \$157,000**

**5. Request for Approval of a Contract in an Amount not to Exceed \$6,900.00, with Emergency Services Consulting Group for an Assessment of the Volunteer Fire Departments' Facilities, Apparatus and Equipment**

**6. Request from the Sheriff's Department for Elaine W. Marlowe and Terry Lee Beck to be Designated Deputy Finance Officers**

**7. Request from the Sheriff's Department for Approval of Budget Amendment #16 in the Amount of \$26,600 for the Purpose of Transferring Commissary Funds for the Purchase of Two Canines, a Lap Top Computer, a Web Site, and a Surplus School Bus from the Iredell Statesville School System:** The costs for the various purchases were:

2 canines (one to replace a retired road duty canine and the other for the jail)	\$21,200
Lap Top Computer to be used by the Crime Analysis Officer .....	2,400
Web Site (will supply crime statistics and other public information) .....	2,000
Surplus School Bus .....	<u>1,000</u>
	<u>\$26,600</u>

(see briefing minutes for the purpose of the bus purchase)

**8. Request for Approval of the October 16, 2001 Minutes**

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

**Request for Approval of a Capital Project Ordinance for the Iredell County Government Services Building in South Iredell for \$80,400:** Finance Director Blumenstein said the \$80,400 would be derived from the capital reserve fund and any amount remaining at the end of the project would be returned to the capital reserve fund or will become a part of an amended project once the renovation bids are received.

**MOTION** by Chairman Tice to approve the Capital Project Ordinance in the Amount of \$80,400 for the Iredell County Government Services Building in South Iredell.

Commissioner Johnson said his primary concerns about the motion were economic. He said the Federal Reserve had made a projection that the United States economy in this quarter would shrink by one percent. Johnson said the State of North Carolina had projected that the state's economy in this quarter could shrink by three percent. He said the state budget estimates were established the budget "we are in now" with the tax increase. There is an estimated economic growth factor of three and a half percent for the state's economy. He said members of the county's legislative delegation was that probably by January, the state would be in a financial bind again. Johnson said he concerns about the county's finances since the state will reconcile its budget the same way they did last year – taking the county's money away. He said that if the county financed the hospital debt that in subsequent years using one of the methods of repayment that Mrs. Blumenstein has shared and the one recommended by the Local Government Commission, the debt service on this project could run as much as \$360,000 a year. He said the operating costs, and the debt service would be close to \$500,000. Johnson said he thought it was imprudent to incur that type of obligation in an economic downturn.

VOTING: Ayes – 4; Nays – 1 (Johnson)

Iredell County, North Carolina  
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 professional services for the planning  
And design specifications of the Iredell County Government Services Center.

Professional Fees \$ 80,400.00

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

Transfers from Capital Reserve Fund \$ 80,400.00

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.

This Ordinance being adopted November 6, 2001.

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

**Nursing Home Advisory Committee (2 announcements)**

**Adult Care Home Community Advisory Committee (2 announcements)**

**Animal Grievance Committee (1 announcement)**

**Zoning Board of Adjustment (5 announcements)**

**APPOINTMENTS TO BOARDS & COMMISSIONS**

**Adult Care Home Community Advisory Committee (4 appts.):** No  
nominations were submitted, and Chairman Tice moved to postpone these four  
appointments until the November 20 meeting.

VOTING: Ayes – 5; Nays – 0.

**Animal Grievance Committee (1 appointment):** Commissioner Ray nominated  
Dr. Brad Rutledge for a reappointment to this committee.

Chairman Tice moved to close the nominations and appoint Dr. Rutledge by  
acclamation.

VOTING: Ayes – 5; Nays – 0.

**Statesville Board of Adjustment-Extraterritorial Jurisdiction (1 appt.):** No

nominations were submitted, and Chairman Tice moved to postpone this appointment until the November 20 meeting.

VOTING: Ayes – 5; Nays – 0.

### **UNFINISHED BUSINESS**

Winter Planning Session on January 25, 26, 2002: Commissioner Johnson said he would like the staff to review the following items for review at the planning session.

1. **Interconnectivity of Subdivisions:** Johnson said the Balanced Growth Committee reviewed subdivision interconnectivity. Mr. Johnson said he realized some areas of the county this would not be feasible. He said that perhaps the staff could look at this matter and give thought about including it in the subdivision ordinance.

2. **Minimum Housing Standards:** Johnson said he thought the county should begin considering a minimum housing standard. He mentioned that Planning and Enforcement Director Niblock might give some annual cost estimates. Mr. Johnson said the board then, might consider a proposal during the 2002-2003 budget sessions. Johnson said that from time-to-time, houses in the county damaged by fire or storms, etc. He said this was typically addressed as a public health issue. Johnson said that many times the problem could not be addressed by the health department; however, something needed to be done.

### **COUNTY MANAGER'S REPORT**

County Manager Joel Masburn reported on the following items.

1. **EPA Visit Regarding the Sigmon's Septic Tank Services Site Located at 1268 Eufola Road, Statesville, NC:** Diane Barrett, the EPA Community Involvement Coordinator has visited pertaining to the investigation of the Sigmon septic site. Interviews will be conducted with members of the community and other concerned citizens.

2. **Rural Internet Access Authority (RIAA):** This authority has the goal of providing high speed Internet access to all areas of North Carolina within three years. The RIAA has established a program entitled the "E Communities Initiative." Money in the amount of \$10,000 for every North Carolina county for a Phase I Planning Effort (local needs assessment). No match is required. A letter of intent to participate had to be sent to the RIAA no later than October 31, 2001. The letter was sent indicating an interest, but no commitment was written. A person will need to be chosen as a Local E-Communities Champion for Iredell County. The mission for this person would be to encourage the initiative for Internet connectivity throughout the county. A Rural Partners Forum will be held in Raleigh on November 28, 29 & 30, 2001. Iredell County's designee should attend. Therefore, the appointment of this person will be made at the November 20 meeting.

Attorney Pope said the RIAA effort would be an aid in recruiting industry.

It was the consensus of the board to pursue the RIAA program.

3. **Permanent Lay-Off of 80 Employees at Clark Schwebel (Hexcel Schwebel):** Notification has been received that 17 administrative employees in the administrative and technicians, along with 63 skilled workers will be permanently laid off from this company.

4. **New Ambulance Service is Making Application to the North Carolina Emergency Medical Service for Authorization to be an Ambulance Provider in Iredell County:** Iredell County does not have an ambulance franchise ordinance; however, the staff office for EMS does require a letter indicating there is no opposition from the governing body for the county. At the present time, one private provider,

Nucare operates in the county with non-emergency or convalescent transports. The new company would provide paramedic transport; however, it would still concentrate with hospital to hospital and nursing home transports.

No opposition was voiced and a letter stating this fact will be sent to the state office.

5. **Invitation from the Alexander Board of Commissioners to Attend the Groundbreaking for the Alexander Correctional Institution:** The groundbreaking will be held on November 8, 2001 at 11 a.m. Chairman Tice said she planned to attend the ceremony.

6. **Winter Planning Session will be held at the Agricultural Resource Center, 444 Bristol Drive, Statesville, NC:** The staff will soon planning the agenda for the planning session to be held January 25, 26, 2002. Similar to the items requested by Commissioner Johnson to be discussed, the county manager requested input from the other board members. Traditionally, a dinner meeting is held during the session where local and state officials are invited. The county manager asked if the board members had a specific topic to be discussed at the dinner meeting.

7. **Notification that Iredell County was Selected by the Downtown Statesville Development Corporation to Receive an Economic Achievement Award:** The award was presented due to the county renovating the former Boggs Motor Company, 400 South Meeting Street, Statesville, NC. The building now houses the main base for EMS, the county garage. In the near future, the county's maintenance department will be located at the site.

**CLOSED SESSION:** Citing G.S. 143-311.18 (a) (5)-Personnel, Chairman Tice motioned to enter in closed session at 7:50 p.m.

(Return to Open Session at 7:59 p.m.)

**ADJOURNMENT:** MOTION by Chairman Tice to adjourn the meeting at 7:59 p.m. **NEXT MEETING:** Tuesday, November 20, 2001, at 4:30 p.m., for a Presentation on Rural Planning Organizations followed by the 5:00 p.m. briefing and the regular meeting 7:00 p.m.

**VOTING:** Ayes – 5; Nays – 0.

Approved: \_\_\_\_\_

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Clerk to the Board