

**IREDELL COUNTY BOARD OF COMMISSIONERS  
REGULAR MINUTES  
NOVEMBER 23, 2004**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, November 23, 2004, 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, Finance Director Susan Blumenstein, Planner Whitney Hodges, Inspections/Code Enforcement Director Lynn Niblock, Sheriff's Chief Deputy Rick Dowdle, Support Services Director Jim Vernon, Transportation Director Ben Garrison, and Clerk to the Board Jean Moore.

**CALL TO ORDER** by Chairman Johnson

**INVOCATION** by Commissioner Madison

**PLEDGE OF ALLEGIANCE**

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

- Deletions:
- Presentation Regarding the Iredell County Scattered Site Housing Community Development Block Grant Project by Mr. David Meacham, Executive Director of the Statesville Housing Authority
  - Request from the Library Director for a Discussion/Decision Regarding the Establishment of an Art Advisory Committee for the Review & Selection of Appropriate Artwork for the New Facility
  - Request for Approval of an Amended Project Ordinance for the FlexSol Community Development Block Grant Project
  - Request for Approval of Electrical and Construction Bids for the Flex-Sol Water & Sewer Project

VOTING: Ayes – 5; Nays – 0.

**APPOINTMENTS BEFORE THE BOARD**

**Presentation of the Comprehensive Annual Financial Report for Year Ending June 30, 2004 by Mr. Ron McLelland, CPA:** McLelland said the county's financial report was approved by the Local Government Commission on November 10, 2004. He said the basic financial statements were unqualified, and there were no reportable conditions or findings relating to noncompliance for state/federal awards and laws/regulations. In addition, he said there were no questioned costs. He said cash and cash equivalents were up by \$28,197,005 as compared to 2003. McLelland said \$24,614,398 of the amount represented unspent proceeds from the 2003 issuance of Certificates of Participation resulting in a positive cash flow of \$3,582,607. He said long-term liabilities were up by \$32,412,634; unrestricted net assets were up by \$2,531,809; unreserved fund balance for the general fund was up by \$3,502,951.00, which included a net positive adjustment of \$1,023,334 relating to a change in accounting procedures for the recording of sales tax receivables.

Mr. McLelland said Exhibit 5 showed the original adopted budget and the final budget as amended at June 30. He said the document helped gauge how successful the staff was in preparing the budget ordinance. McLelland noted that the actual 2003-04 property valuation was less than the amount budgeted, while the budgeted collection

rate was at 95.81% and the actual rate was 96.17%, or \$207,513 more than what was budgeted. He said the point he was trying to make was that had it not been for the increased collection rate and more than \$56 million in added valuation (net discoveries during the year), the ad valorem taxes would have fallen significantly under the budgeted amounts. McLelland said this pointed out the need to be somewhat conservative in revenue projections.

Chairman Johnson said historically, there had been an increase in ad valorem taxes, but as was stated by the staff at the Winter Planning Session, the personal property taxes relating to equipment and capital equipment were down.

County Manager Mashburn said it was not so much a situation of over estimating revenues based on historical data, as it was due to the county losing tax base by businesses closing and not buying equipment.

Johnson said this would substantiate the county's point of view, especially in regards to past disagreements with the Iredell-Statesville Schools, that the tax revenues would be lower than expected.

Commissioner Madison said it would be prudent for future boards to take a conservative approach on revenue projections due to periodic fluctuations.

**Presentation Regarding the Regional Comprehensive Economic Development Strategy (CEDS) & the "No Boundaries" Strategy by Ms. Laura Mundell, the Economic Program Administrator for the Centralina Council of Governments:** Mundell said that in April of this year, a group started meeting with the goal of formulating a "unified regional agenda." She said the strengths of the nine-county region were reviewed, and a Regional CEDS Committee was established.

Mrs. Mundell said Angelos Angelou, of Angelou Economics, had been hired as a consultant, and some of his key findings were:

- Entrepreneurial efforts were emerging but not focused
- Workforce skills needed to be addressed
- University research/development were not leveraged
- Collaboration needed to be multi-sectoral
- Recreation and tourism were not coordinated
- Relative decline of 24 to 44 year olds

Mundell said Angelou's recommendations were:

- Incorporate advanced manufacturing in any business that can use it
- Expand research and development (growth comes in new ideas)
- Improve workforce preparedness
- Encourage entrepreneurialship
- Promote the region's tourism assets
- Enhance the region's distribution network
- Create a Regional Grants Team to implement the recommendations

Ms. Mundell requested that the board members endorse the recommendations and authorize CEDS to establish an economic development commission (nonprofit) to run an economic development district. She said members of economic development districts were allowed to decrease their local grant matches for federal funding by 10%.

Bill Thunberg, a member of the CEDS Committee, encouraged the commissioners to approve the requests. He said an economic development district would assist in obtaining federal funds.

**MOTION** by Commissioner Tice to approve the "No Boundaries" resolution that includes the formation of an economic development commission.

VOTING: Ayes – 5; Nays – 0.

The approved resolution is as follows:

**RESOLUTION OF  
IREDELL COUNTY, NORTH CAROLINA  
IN SUPPORT OF THE CENTRALINA REGIONAL COMPREHENSIVE ECONOMIC  
DEVELOPMENT STRATEGY  
("NO BOUNDARIES")  
&  
THE FORMATION OF THE  
CENTRALINA ECONOMIC DEVELOPMENT COMMISSION**

**WHEREAS**, the Centralina Council of Governments initiated a new program for regional economic prosperity and has conducted an economic development study, "No Boundaries," which was presented on September 29, 2004; and

**WHEREAS**, Iredell County is a member of the Centralina Council of Governments; and

**WHEREAS**, Iredell County supports and promotes economic development to maintain and improve the regional infrastructure and strengthen capacities needed to sustain economic growth in a positive and competitive environment; and

**WHEREAS**, Iredell County recognizes that in order to be eligible for preferential US Economic Development Administration funding and support, that an Economic Development District must be created and designated.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF IREDELL COUNTY, NORTH CAROLINA THAT:**

**SECTION 1.** Supports the Regional Comprehensive Economic Development Strategy, "No Boundaries," (September 2004) as a regional plan to be submitted to the US Economic Development Administration.

**SECTION 2.** Recommends creation of Centralina Economic Development Commission as a 501(c)(3) organization and will participate in the organization and name an official or senior member to serve as a representative.

**SECTION 3.** Supports the Centralina Council of Governments seeking and accepting designation as a Centralina Economic Development Commission.

**PUBLIC HEARING**

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

**Consideration of the FY 2005-2006 Community Transportation Program Application & Request for Approval of a Resolution that Designates the Transportation Director as the Authorizing Official:** Transportation Director Ben Garrison said additional vehicles and office equipment were needed. He said a grant application to the state would consist of the following:

- \$182,339 for administrative & employee development (15% local match)
- \$223,600 for capital (one replacement van, one expansion light-transit vehicle, 3 expansion lift-equipped vans, 4 mobile radio units, lettering/logo for 5 vehicles and one replacement computer)
- \$241,800 for advanced technology (billing and routing software along with automatic vehicle locators and mobile data computers) (10% local match)

County Manager Mashburn said the local matches did not require an appropriation of additional revenues -- they would be derived from the system's revenues.

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

**MOTION** by Commissioner Norman to approve the resolution that designates the transportation director as the authorizing official to apply for the North Carolina Department of Transportation funds.

VOTING Ayes – 5; Nays – 0.

The adopted resolution is as follows:

**COMMUNITY TRANSPORTATION PROGRAM RESOLUTION**

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 federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration, and receive funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of the transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, Iredell County hereby assures and certifies that it will comply with the federal and state statutes, regulations, executive orders, Section 5333(b) warranty, and all administrative requirements which relate to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.

NOW, THEREFORE, be it resolved that the Transportation Director for Iredell County and the Iredell County Board of Commissioners are hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

\* \* \* \* \*

**ADMINISTRATIVE MATTERS**

**Request from the Mooresville Graded School District for the Transfer of \$150,000.00 from Unappropriated Fund Balance to a Capital Outlay Expenditure Account for the Purchase of Two School Buses:** David Dutton, the Finance Officer for the Mooresville Schools, requested permission to transfer \$150,000.00 from fund balance to capital outlay for the purchase of two school buses. Mr. Dutton said current transportation patterns and the grade configurations for the new East Mooresville Intermediate School had been studied, and two additional buses would be needed. Dutton said the system had only 24 buses, and double and triple routes were being made. He said bus purchases typically took six to eight months before delivery.

Commissioner Williams asked if the state replaced the buses.

Dutton said this was correct -- the school system initially made the purchases, but thereafter, the state replaced them when needed.

**MOTION** by Commissioner Madison to approve the \$150,000 transfer from the school system's unappropriated fund balance to capital outlay for the two buses.

VOTING: Ayes – 5; Nays – 0.

**Request from the Wayside Volunteer Fire Department for Permission to Pursue Financing for the Purchase of a Replacement Fire Truck:** Ken Hall, the Wayside VFD Chief, said two years ago a fire truck was wrecked, and the insurance company had taken this long to provide a suitable settlement. He gave the following information regarding the financing of a replacement vehicle costing \$389,000.

Funding from:	
Insurance payoff .....	\$150,000
Three installments of \$50,000 over the next three years from the Fire Tax District Board .....	+ <u>150,000</u>
	\$300,000
10-year loan from United Financial	

Chairman Johnson asked how the remainder would be paid.

Hall said through barbecues and other fundraisers.

Chairman Johnson asked Mrs. Blumenstein if the borrowed money had to be secured.

Blumenstein said it would be Wayside that entered into the financing, and if the VFD used United Financial, the fire department would have to pledge its annual appropriation from the Fire Tax District Board.

Commissioner Williams asked the annual payment amount.

Blumenstein said information provided by Mr. Hall listed the payment at \$49,861.52, and this was for borrowing the entire amount of \$389,735 (interest rate of 4.75%). She said United Financial was offering a lease purchase, and she had recommended that Wayside's attorney review the leasing agreement.

Mr. Hall said the VFD needed to keep its payments under \$50,000 a year.

Commissioner Tice asked why the insurance settlement had taken so long.

Hall said the insurance company had tried to get the fire department to settle on something that did not meet the specifications of the wrecked vehicle.

Commissioner Williams said he understood the truck had already been ordered.

Hall said this was correct. He said the department could not get its ISO rating until the truck was received. Mr. Hall said originally, the VFD thought the Fire Tax District Board would approve the \$150,000 in a lump sum rather than spreading it out over three years.

**MOTION** by Chairman Johnson to request that Mrs. Blumenstein present an alternative means of financing for the truck and for the information to be reviewed by the Wayside VFD Board of Directors prior to it being presented to the board of commissioners at the December 7 meeting.

VOTING: Ayes – 5; Nays – 0.

(Mrs. Blumenstein and Mr. Hall agreed to meet together on November 29, 2004.)

**Request from Mr. Robert C. McIntosh, a Representative of Dunmore Estates, LLC, for the Release of Zoning and Subdivision Jurisdiction (Extraterritorial) to the Town of Mooresville for Property Located Between Mt. Ulla Highway (NC 801) and Wiggins Road, northeast of Mooresville, NC:** County Planner Whitney Hodges said Mr. McIntosh was requesting the release of approximately 513 acres of property that fronted along Highway 801. She said the land was adjacent to the Town of Mooresville, and it was being proposed as a 900-975 single-family home residential development. Ms. Hodges said the project would require water and sewer, and the Mooresville Town Board on September 7, 2004 agreed to the extension of these services. In addition, Hodges said a nearby tract of land owned by Mr. Perry Brown was being considered as a new school site, and she had recently received a release of jurisdiction request for it. She said the Dunmore Estates property

was in a “school choice area,” and the developer had chosen the Mooresville Graded School District.

Chairman Johnson and Commissioner Tice both commented on the fact that according to town board’s minutes, the 513 acres would probably be annexed by Mooresville in June of 2005.

Hodges agreed and said “most likely.”

Mr. Timothy Coey, a representative of the development group, attended the meeting to answer any questions.

**MOTION** by Commissioner Madison to approve the release of zoning and subdivision jurisdiction (extraterritorial) to the Town of Mooresville for property located between Mt. Ulla Highway (NC 801) and Wiggins Road, northeast of Mooresville, NC, and being identified as the Dunmore Estates, LLC property.

VOTING: Ayes – 5; Nays – 0.

**Request for Approval of the October 2004 Tax Refunds and Releases:** County Manager Mashburn, speaking on behalf of Tax Administrator Bill Doolittle, said the October releases and refunds were in order for approval.

**MOTION** by Commissioner Norman to approve the releases and refunds as presented.

VOTING: Ayes – 5; Nays – 0.

The approved releases and refunds are as follows:

<b>OCTOBER 2004 TAX RELEASES &amp; REFUNDS</b>		
	<u>Releases</u>	<u>Refunds</u>
County	28,161.17	3,130.26
Solid Waste Fees	481.00	0
East Alexander Co. Fire #1	0	0
Shepherd’s Fire # 2	464.08	2.23
Mount Mourne Fire # 3	44.62	0
All County Fire # 4	1,610.58	42.18
Statesville City	3,974.61	2,539.67
Statesville Downtown	0	0
Mooresville Town	10,320.07	288.49
Mooresville Downtown	0	0
Mooresville School	2,708.34	84.59
Love Valley	0	0
Harmony	0	0
Troutman	168.20	0
<b>Total</b>	<b>\$ 47,932.67</b>	<b>\$ 6,087.42</b>
A complete list, of the individual tax releases and refunds, is hereby incorporated into the minutes by reference.		

**Request from the Sheriff for Approval of Reclassifications Due to Organizational Changes at Sheriff’s Department:** Chief Deputy Rick Dowdle, on behalf of Sheriff Phil Redmond, requested command structuring reclassifications due to the retirement of Chief Deputy Steve Wallace. Dowdle said the changes would eliminate one of the Chief Deputy positions (Pay Grade 76) and elevate the remaining Chief Deputy position to a Pay Grade 78. He said then, the Sheriff was proposing that two existing Captain positions, at Pay Grades 73, be elevated to Pay Grades of 75 and to change their titles to Majors (one would be over enforcement and the other over administration). Dowdle said no additional funding would be required for the changes.

**MOTION** by Commissioner Tice to approve the requests as explained by Chief Deputy Dowdle.

VOTING: Ayes – 5; Nays – 0.

**Request for Approval of Budget Amendment #23 for Library Project Change Orders:** Support Services Director Jim Vernon described the following three change orders for the library project:

- 1. Replace specified asphalt paving with concrete on auto book return driveway ..... \$ 1,880.91
  - 2. Furnish and install flag pole ..... 3,909.24
  - 3. Cabinet work for Rooms 112 and 136 ..... 8,421.75
- \$14,211.90**

Vernon said the architects/engineers and staff had reviewed the change orders and they recommended approval. He said sufficient funds remained in the project’s ordinance to pay for the changes.

Commissioner Madison asked when the library would open. He also asked about the library’s Water Street driveway that was offset about half a drive width.

Vernon said the middle to late February was the anticipated completion time. Pertaining to the driveway question, Vernon said, originally, there was a plan to bring the pavement down to the incoming pavement, but the city wanted the sidewalk at the same level. He said the sidewalk would need to be replaced, but the driveway would work.

**MOTION** by Commissioner Madison to approve the three change orders as requested.

VOTING: Ayes – 5; Nays – 0.

**Request for Approval of Budget Amendment #24 for the Final Change Order Associated with the Iredell County Government Center- South/Department of Environment & Natural Resources Project (DENR):** Support Services Director Vernon said the DENR project ordinance began with \$50,000 in contingency; however the amount had been exceeded by \$1,868. He requested permission to transfer \$1,868 from line item 400904 580220 (constructions costs other) to 400904 580200 (general construction).

**MOTION** by Commissioner Norman to approve Budget Amendment #24 as presented by the support services director.

VOTING: Ayes – 5; Nays – 0.

**Request for the Approval of Budget Amendment #25 for the Recognition of a \$12,035 State Board of Elections Technology Grant:** Finance Director Blumenstein said that previously the elections director had received approval to apply for a technology grant. Blumenstein said the state had awarded \$12,035.00 to be used for a scanner, projector, printer, and a computer with no local match required.

**MOTION** by Commissioner Tice to approve Budget Amendment #25 as presented by the finance director.

VOTING: Ayes – 5; Nays – 0.

**Request for Approval of a Bank of America Banking Resolution in Conjunction with the new Social Services Building Project:** Finance Director Blumenstein said the loan proceeds for the new social services building project would necessitate the adoption of a resolution designating the Bank of America as an official depository.

**MOTION** by Commissioner Norman to approve the banking resolution as requested by the finance director.

VOTING: Ayes – 5; Nays – 0.

**Request for Approval of a Lease Agreement with Crossroads Behavioral Healthcare for the 412 East Center Avenue, Mooresville, NC Property (former Health Building):** County Manager Mashburn said that since the November 9 meeting when the Crossroads lease was discussed, additional information had been received. He said a letter from the Executive Director for Crossroads indicated that most of the mental health space was being provided at no cost with the exception of maintenance.

Commissioner Williams said he had talked with Mr. Swann, the Crossroads Executive Director, and he had been assured that mental health entities across the state were not being charged rental or lease fees.

**MOTION** by Commissioner Williams to approve the lease agreement with Crossroads Behavioral Healthcare for the Mooresville facility located at 412 East Center Avenue.

VOTING: Ayes – 5; Nays – 0.

**Request for a Discussion or Decision Regarding the Support of Bicycle Lanes at I-77 & Langtree Road:** County Manager Mashburn said that former North Carolina Transportation Board Member Frank Johnson had appeared at a local city/county officials' meeting requesting that each governmental unit take action supporting bike lanes at the I-77/Langtree Road interchange. He said that in FY 04 the rights-of-way were supposed to be acquired, and in FY 06 the construction was slated to begin. Mashburn said he understood that bike lanes were originally included in the work plans, but they were later omitted.

Commissioner Tice, Chairman of the Lake Norman Rural Planning Organization (RPO), said the bike trails were in agreement with the RPO's recommendations, and she encouraged the support of the lanes.

**MOTION** by Commissioner Tice for the board of county commissioners to issue a letter of support for bicycle lanes at the I-77/Langtree Road interchange.

VOTING: Ayes – 5; Nays – 0.

**Request from the Mooresville-South Iredell Chamber of Commerce and the South Iredell Community Development Corporation (SICDC) for Financial Participation in an Economic Development Strategic Study:** Economic Developer Melanie O'Connell Underwood said the Mooresville Chamber and the SICDC desired to have a study completed on the industrial and business park space in southern Iredell County. She said the two groups also wanted to know what types of businesses needed to be targeted. Underwood said Angelou Economics had been selected to complete the study at a cost of \$135,000. She said Iredell County was being asked to contribute \$50,000 towards the land-use portion of the study.

Commissioner Tice how much acreage remained in the Mooresville Business Park.

Underwood said approximately 150 acres. She said the largest tract was 80 to 90 acres.

MOTION by Chairman Johnson to approve the \$50,000 request and for the funding to be derived from contingency.

VOTING: Ayes – 5; Nays – 0.

**Request for Approval of the November 9, 2004 Minutes:** MOTION by Commissioner Williams to approve the minutes as presented.

VOTING: Ayes – 5; Nays – 0.

## ANNOUNCEMENT OF VACANCIES OCCURRING ON BOARDS & COMMISSIONS

### **Juvenile Crime Prevention Council (1 announcement)**

#### **APPOINTMENTS TO BOARDS & COMMISSIONS**

**Adult Care Community Advisory Committee (4 appointments):** No nominations were submitted, and Commissioner Tice made a motion to postpone the appointments until the December 7 meeting.

VOTING: Ayes – 5; Nays – 0.

**Animal Grievance Committee (1 appointment):** No nominations were submitted, and Commissioner Williams made a motion to postpone the appointment until the December 7 meeting.

VOTING: Ayes – 5; Nays – 0.

**Nursing Home Advisory Committee (1 appointment)** No nominations were submitted, and Chairman Johnson made a motion to postpone the appointment until the December 7 meeting.

VOTING: Ayes – 5; Nays – 0.

Note: Commissioner Tice said the nursing home advisory committee chairman had mentioned that in the future, the board members needed to consider the appointment of individuals who were not working on a full-time basis. Mrs. Tice said this was due to the nursing home committee being very active.

**Future Forward Economic Alliance (1 appointment):** Commissioner Norman nominated Chandler Bryan.

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

VOTING: Ayes – 5; Nays – 0.

**Hazardous Waste & Low Level Radioactive Waste Management Board (1 appointment):** No nominations were submitted, and Chairman Johnson made a motion to postpone the appointment until the December 7 meeting.

VOTING: Ayes – 5; Nays – 0.

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

December 1, 2004 (8 a.m. – 4 p.m.): An orientation will be held for commissioner-elect Ken Robertson. He invited the other commissioners to attend if they desired to do so.

March 4 – 8, 2005: The Annual Legislative Conference for the National Association of Counties will be held in Washington, DC.

Upcoming County Commissioner Schools: These are scheduled for December 14-17 (Orange County); January 4-7 (Jackson County); January 18-21 (Craven County); February 8-11 (Orange County) and February 15-18 (Mecklenburg County). Mashburn said anyone interested in attending should let the staff know.

Cool Springs VFD Christmas Dinner & Iredell Rescue Squad Annual Meeting Invitations: Mashburn said the fire department and the rescue squad both had events scheduled on December 18.

**CLOSED SESSIONS:** MOTION by Chairman Johnson at 8:44 p.m., to enter into Closed Session for the purpose of discussion matters relating 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 9:15 P.M.)

**PUBLIC HEARING CALLED ON DECEMBER 7, 2004 REGARDING AN ECONOMIC DEVELOPMENT INCENTIVE FOR THE LEEBOY COMPANY:** MOTION by Chairman Johnson to call for a public hearing on Tuesday, December 7, 2004, 7:00 P.M., regarding an economic development incentive in an amount between \$52,200.00 and \$78,300.00, over a five-year period, based on a \$3,000,000.00 to \$4,500,000.00 investment in Iredell County by the LeeBoy Company.

VOTING: Ayes – 5; Nays – 0.

**ADJOURNMENT:** MOTION by Chairman Johnson to adjourn the meeting at 9:18 p.m. (NEXT MEETING: Monday, December 6, 2004, 9:00 a.m., at the Iredell County Government Center, 200 South Center Street, Statesville, NC.

VOTING: Ayes – 5; Nays – 0.

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

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