

**IREDELL COUNTY BOARD OF COMMISSIONERS  
REGULAR MINUTES  
SEPTEMBER 18, 2001**

The Iredell County Board of Commissioners met in Regular Session on Tuesday, September 18, 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 Rev. Donna Smith, Associate Pastor for Fairview United Methodist Church.

**PLEDGE OF ALLEGIANCE TO THE FLAG** was led by the following Iredell County employees:

Tim Warren, Emergency Communications  
Brian Reeves, Sheriff's Department  
Chuck Gallyon, Fire Marshal  
Scott Bowling, Emergency Medical Services

"God Bless America" was sung by the Rev. Smith.

**MOMENT OF SILENCE:** A moment of silence was observed out of respect for the thousands of innocent Americans who were either killed or injured as a result of the terrorist attacks that occurred on Tuesday, September 11, 2001. (The attacks included the hijacking of four civilian aircraft with two of them crashing into the World Trade Center in New York City, one of them crashing into the Pentagon in Washington, DC, and the fourth crashing outside of Pittsburgh, PA.)

**RECOGNITION OF BOY SCOUTS:** Boy Scout Troop 330, affiliated with Centenary United Methodist Church in Mt. Ulla, NC, was recognized and thanked for attending the meeting.

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

Revision - A Request to Refer to the Iredell County Planning Board a Proposed Solid Waste Ordinance Amendment in Reference to Abandoned or Junked Vehicles (During the briefing, the board agreed to refer the amendments to the planning board.)

Added: - A Request to Include Iredell County in House Bill 108, "An Act to Authorize Counties to Require the Payment of Delinquent Property Taxes Before Recording Deeds Conveying Property"

VOTING: Ayes – 5; Nays – 0.

**PUBLIC HEARING**

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

**CONSIDERATION OF THE ACCEPTANCE AND USAGE OF A LAW ENFORCEMENT BLOCK GRANT IN THE AMOUNT OF \$36,812, WITH A LOCAL MATCH OF \$4,090, FOR THE PURPOSE OF PURCHASING A REVERSE 911 INTERACTIVE COMMUNITY NOTIFICATION SYSTEM:** Sgt. Neil Hayes said the sheriff's department desired to purchase the Reverse 911 system with funds available from a block grant. Hayes said the system would be beneficial because of its ability to reach a large

number of people in a short period of time. Hayes said the system could be used in many different circumstances, e.g., the location of children or Alzheimer's patients that had wandered away from home, and the notification of impending hazardous conditions (forest fires). Sgt. Hayes said communities would be alerted through a recorded telephone message.

No one else spoke.

Chairman Tice adjourned the public hearing.

**MOTION** by Commissioner Ray to approve Budget Amendment 6A for the acceptance and usage of a law enforcement block grant in the amount of \$36,812, with a local match of \$4,090 to be derived from drug-seized funds, for the purpose of purchasing a Reverse 911 System Interactive Community Notification System.

VOTING: Ayes – 5; Nays – 0.

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

**MOTION** by Commissioner Bowles to approve the following eight (8) consent agenda items.

VOTING: Ayes – 5; Nays – 0.

1. **REQUEST FROM LOWE'S COMPANIES, INC., FOR THE RELEASE OF ZONING AND SUBDIVISION JURISDICTION TO THE TOWN OF MOORESVILLE** (see briefing minutes)

2. **A REQUEST TO REFER TO THE IREDELL COUNTY PLANNING BOARD A PROPOSED SOLID WASTE ORDINANCE AMENDMENT IN REFERENCE TO ABANDONED OR JUNKED VEHICLES** (see briefing minutes)

3. **REQUEST FOR THE APPROVAL OF A WET DETENTION POND, A CASH BOND, AND AN OPERATION/MAINTENANCE AGREEMENT FOR JOHN LEGGETT, 1086 RIVER HIGHWAY, MOORESVILLE, NC** (During the briefing, Planning Supervisor Ron Smith stated the owner had requested final approval of these three items. He said Mr. Leggett's pond had been completed and inspected in accordance with Section 507 of the Iredell County Watershed Protection Ordinance. Smith said a \$2,093.75 bond had been filed with the county to cover the cost of future maintenance and repairs.)

4. **REQUEST FOR ABANDONMENT OF ROAD MAINTENANCE FOR A PORTION OF SR 1897-IVEY OAK ROAD DUE TO A REALIGNMENT PROJECT:** (Smith said during the briefing that Division 12 with the North Carolina Department of Transportation had requested the maintenance abandonment of 3000 linear feet due to an improvement project.)

5. **REQUEST FOR APPROVAL OF THE AUGUST 2001 REFUNDS AND RELEASES & A REQUEST TO INCLUDE IREDELL COUNTY IN HOUSE BILL 108 , "AN ACT TO AUTHORIZE COUNTIES TO REQUIRE THE PAYMENT OF DELINQUENT PROPERTY TAXES BEFORE RECORDING DEEDS CONVEYING PROPERTY"**

The releases and refunds were:

<u>Releases</u>		\$97,142.66
County	75,240.04	
Solid Waste Fees	24.00	
E. Alex. Co. Fire #1	13.63	
Shepherd's Fire #2	232.58	
Mt. Mourne Fire #3	225.95	
All County Fire #4	5,647.02	
Statesville City	2,702.43	
Statesville Downtown	0	
Mooresville Town	10,019.28	
Mooresville Downtown	0	
Mooresville School	2,733.61	
Love Valley	187.62	

Harmony	0	
Troutman	116.50	
<b>Refunds</b>		<b>\$ 5,111.69</b>
County	900.50	
Solid Waste Fees	45.00	
E. Alex. Co. Fire #1	0	
Shepherd's Fire #2	0	
Mt. Mourne Fire #3	0	
All County Fire #4	102.27	
Statesville City	333.05	
Statesville Downtown	0	
Mooresville Town	39.90	
Mooresville Downtown	0	
Mooresville School	0	
Love Valley	3,690.97	
Harmony	0	
Troutman	0	

(The briefing minutes describe the House Bill 108 request.)

**6. REQUEST FOR APPROVAL OF A LEASE AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES FOR OFFICE SPACE AT THE AGRICULTURAL RESOURCE CENTER TO BE USED FOR FORESTRY SERVICES** (This lease will be for 504 square feet of office and storage space, to be used by the North Carolina Forestry Service, in the new Agricultural Resource Center located at 444 Bristol Drive, Statesville, NC.)

**7. REQUEST FOR APPROVAL OF BUDGET AMENDMENT #7 TO (1) RECOGNIZE ADDITIONAL REVENUE FROM SALES TAXES AND REPAYMENTS FROM MUNICIPALITIES AND (2) TO AUTHORIZE THE PAYMENT OF AN AUDITOR'S FEE** Blumenstein said during the briefing that CPA Robert Segal had reviewed sales tax refund requests for local government agencies and nonprofit groups in the county. She said the CPA had found that \$40,921.42 was due to Iredell County for 1997, 1998, and 1999. Blumenstein said the budget amendment would reflect the additional revenue and authorize the CPA's payment of \$16,368.56 (40%) for the discovery.

**8. REQUEST FOR APPROVAL OF THE SEPTEMBER 4 , 2001 MINUTES**

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

**CONSIDERATION AND/OR APPROVAL TO PARTICIPATE WITH THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS (NCACC) IN A LAWSUIT AGAINST THE UNITED STATES HEALTH CARE FINANCING ADMINISTRATION (HCFA) REGARDING AMBULANCE REIMBURSEMENT REGULATIONS:** Mashburn said that currently North Carolina's Medicare reimbursement rate was \$100 per trip. He said this was "at the very bottom nationally." Mashburn said the national average was \$300, and the state of Oregon received the highest amount at \$600 per trip. He also said North Carolina, Tennessee, and parts of Rhode Island were the only states that did not receive in-county mileage on top of the reimbursement rate. Mr. Mashburn said the North Carolina Association of County Commissioners was filing a lawsuit and had requested financial participation from the counties. He said the goal would be to obtain a court order compelling the HCFA to follow a law enacted by Congress in 1997. Mashburn said the law authorized that a new fee schedule be implemented by January of 2000; however, the HCFA had failed to comply. Mashburn said that if a new national ambulance fee schedule could be implemented, North Carolina counties and private EMS providers would net nearly \$20 million per year.

Mashburn said the amount needed from the county to participate in the lawsuit was \$2,767. He said that if the lawsuit were successful, the county might receive an additional \$328,658 in Medicare reimbursements, and \$32,411 in Medicaid payments.

Attorney Pope said he understood that if the NCACC won the lawsuit, the counties could expect their reimbursements in a 5.3 day time period.

**MOTION** by Commissioner Johnson to participate in the lawsuit against the United States Health Care Financing Administration (HCFA) with a financial contribution of \$2,767 to be derived from funds in the legal expense line item.

VOTING: Ayes – 5; Nays – 0.

### **ANNOUNCEMENT OF VACANCIES OCCURRING ON BOARDS AND COMMITTEES**

**Personnel Advisory Committee (2 announcements):** The terms for Bob Foster and Jerry Burgdofer expire in October.

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

**Adult Care Home Community Advisory Committee (3 appts.):** No nominations were submitted, and Chairman Tice **moved** to postpone these three appointments until the October 2, 2001 meeting.

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 October 2, 2001 meeting.

VOTING: Ayes – 5; Nays – 0.

**Recreation Advisory Board (1 appt.):** Commissioner Johnson nominated Herb Morron.

No further nominations were submitted and Chairman Tice **moved** to appoint Morron by acclamation.

VOTING: Ayes – 5; Nays – 0.

### **UNFINISHED BUSINESS**

**UPDATE ON THE SOCIAL SERVICES REQUEST OF AUGUST 21, 2001, TO RETAIN A CAROLINA ACCESS POSITION AND A FRAUD INVESTIGATOR POSITION DUE TO THE LOSS OF STATE FUNDING:** Blumenstein said that in August, the DSS Director had requested to retain a Carolina Access Position and a Fraud Investigator Position. She said the request had been made due to the state cutting funds. Mrs. Blumenstein said the request was approved contingent upon the funds to retain the positions being available in the social services budget. Blumenstein said the department had \$80,000 in lapsed salary funds for July and August. She said about one-half of the \$80,000 was county funding. Blumenstein said the amount needed for October 1 through June 30 was approximately \$36,000. She said the positions could continue with this amount.

**COUNTY MANAGER'S REPORT:** The manager distributed a written activity report. He also reminded everyone about the Agricultural Resource Center's Open House on Sunday, September 30, 2001, at 2:00 p.m. Mashburn said the festivities would be open to the public.

**ADJOURNMENT:** Chairman Tice **moved** to adjourn the meeting at 7:40 p.m. **NEXT MEETING:** Tuesday, October 2, 2001, 5:00 p.m. (briefing) and 7:00 p.m. (regular meeting) in the Iredell County Government Center, 200 South Center Street, Statesville, NC.

VOTING: Ayes – 5; Nays – 0.

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

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