

CALDWELL COUNTY
Lenoir, North Carolina

BOARD OF COMMISSIONERS
June 18, 2007
6:00 p.m.

Present: Faye R. Higgins, Chairman
Don Barrier
Herbert H. Greene
Dr. John W. Thuss

Absent: Ron Beane, Excused

Staff Present: Jack Horton, County Manager
Kathy T. Myers, Clerk to the Board

Chairman Higgins called the meeting to order and welcomed everyone. Commissioner Greene provided the invocation and Commissioner Barrier led the Pledge of Allegiance.

Chairman Higgins asked if there were any additions or amendments to the June 18, 2007 agenda. Commissioner Greene moved to approve the agenda as presented, Commissioner Thuss seconded the motion, and the vote was unanimous.

Public Hearing—Request from Robert Money to Rezone Property

Randy Feierabend, Planning Director, officially presented the request from Mr. Robert Money seeking a rezoning of his property from R-20 to GB (General Business) so that he could locate a tractor sales operation in an existing non-conforming commercial building. The property consisting of .92 acres, identified as NCPIN's 2841141462 & 2841141372, is located on Blowing Rock Boulevard.

Mr. Feierabend showed a location map of the site, an aerial photo of the property, photos of the property, and a site plan. He reported that Planning Board reviewed the request and, by majority vote, recommended approval of the rezoning to General Business with the condition that the adjacent property to the south (NCPIN 2841141372) also owned by Mr. Money be included in the rezoning.

Commissioner Thuss moved to open the public hearing, Commissioner Barrier seconded, and it carried unanimously. There was no public participation. Commissioner Greene moved to close the public hearing, Commissioner Thuss seconded, and it carried unanimously.

Commissioner Thuss moved to approve the rezoning request as recommended by the Planning Board including the stipulation regarding the 2nd parcel. Commissioner Greene seconded the motion and it carried unanimously.

Public Hearing—FY2007-08 Caldwell County Budget

The County Manager reported that since the Board's June 4th meeting, Commissioners conducted a series of work sessions to discuss the budget and provided him and Finance staff direction on a

final proposal for the Board's consideration. As directed, the following proposals were developed for the Board's consideration:

1. a FY2007-08 budget based on a 10-cent ad valorem tax rate increase per \$100 valuation;
and
2. a FY2007-08 budget based on a 12-cent ad valorem tax rate increase per \$100 valuation.

Mr. Horton said the first budget proposal was very similar to the one presented during the Board's June 4th meeting with minor corrections/changes to a few line items. However, the second budget proposal included changes in the amount of funding to the school system (increased allocation by \$1.1 million) and CCC&TI (increased allocation by \$250,000.00) as well as a small contingency set aside (\$255,000.00).

In accordance with general statutes, Commissioner Thus moved to open the public hearing. Commissioner Barrier seconded the motion and it carried unanimously. The following individuals appeared before the Board to voice their comments regarding the 2007-08 budget:

- Dr. Steve Stone, Caldwell County School Superintendent, said the public school system appreciated the Board's continued support. He said Caldwell County had a great school system and, in order for the County to be attractive to new industry and business, there must be an outstanding school system.
- Judy Query said, on behalf of animals, she was concerned about the 5,678 animals that were killed in 2006 at the County's Animal Shelter. She said there were many irresponsible pet owners and noted that the number of animal euthanized each year had never been a priority. Ms. Query said the Board of Commissioners must make it a priority and appropriate funds or whatever was needed to address the problem. She said the County lacked "real teeth" in its Animal Control Ordinance. Ms. Query also expressed concern that the County refused to allow volunteers to work at the shelter. She encouraged Commissioners to address the great number of animals being euthanized.
- Richard Cary said that, during a recent Health Board meeting, Dr. Thus asked how to get irresponsible pet owners to become responsible. Mr. Cary said pet ownership should require nominal fees, enforce requirements, i.e. vaccines, etc. He said the County's Animal Control Ordinance needed fine tuning and more effective enforcement of the requirements. He said the problem was not only an economical issue but also a political and moral issue.
- Mike Rawls said he opposed the amount of tax increase proposed and said Commissioners should be concerned about recent layoffs and the lack of jobs materializing from recent announcements. He cited some of these factors for the reason of increased allocations of food stamps and 13,000 Caldwell County citizens on Medicaid. He asked Commissioners to reevaluate what could be done.
- Bob Floyd voiced his support of Caldwell County schools' funding request. He said his family all attended Caldwell County schools from Kindergarten through twelfth grade. Mr. Floyd said he helped in the founding of the Education Foundation which uses private funds to assist with what public funds could not. He talked about the Blue Ribbon

Schools Facilities efforts and noted he was a business partner along with Domino's to Lower Creek Elementary School. Mr. Floyd said economic opportunities solve most social ills and he believed education and health care was part of the overall picture. He said the schools needed to be funded in order that they may progress.

- Gary Robinson said he was a recent transplant to Caldwell County from California. He said the Board of Commissioners was the one negative thing in the County. He said a 20 to 22 percent increase in property taxes was ridiculous and the Board was out of control. Mr. Robinson said the way to attract retirees was by not raising taxes and that the County needed to do what citizens do. He encouraged the Board to scrap the new building for DSS and Health and redo the budget items to come up with a balanced budget.
- Jean Haghani, also from California, said she was strenuously against the property tax increase. She said there were other choices such as raising sales tax and vehicle taxes. Ms. Haghani voiced strong opposition to the new Human Services building and told Commissioners the increased costs for health coverage should be passed on to the employees. She encouraged them to assess what the real needs were and assess how well operations are running. She said for them to try to impress homeowners and cut spending.
- Carol Deal said she was against the proposal to sell Home Health. She said those employees must operate under Medicare laws and regulations; however, the County kept spending and ignoring that fact. Ms. Deal said the program was mismanaged and would never again support all the other programs as it had in the past. She said other agencies "cherry pick" the patients they would make the most money from. She told Commissioners that it would be a disservice to Caldwell County citizens if Home Health was sold. She reported that other county agencies were making money. Ms. Deal closed her comments by saying the 18.5% tax increase was absurd and insane.
- Henry Tomlinson, lifelong resident of Caldwell County, encouraged the Board of Commissioners to reevaluate and trim the budget so that it wouldn't take a 22% increase.
- John Porter reiterated what others had said and noted that an 18 to 22 percent tax increase was unprecedented. However, he said he had never been impressed by anything in California. Mr. Porter said his property had been reevaluated and he would be happy to sell it for the reported value.
- Sherry Wheatley said she could not believe that the Board of Commissioners was even considering such an increase in the tax rate. She noted there were petitions throughout the County against the increase. Ms. Wheatley talked about the bid awards for new construction as well as renovations to existing buildings and said her husband, a contractor, was never approached about bidding for the work. She asked the Board to revisit budget, i.e. new vehicles, etc. that increase the budget.

With no others signed up to speak, Commissioner Thuss moved to close the public hearing. Commissioner Greene seconded the motion and it carried unanimously.

Commissioner Greene moved to adopt the budget ordinance (Caldwell County Registry Book 1647, Page 1166) based on a 12-cent tax rate increase and Commissioner Thuss seconded the motion. Commissioner Barrier said although absent from the meeting, Commissioner Beane's intention was to vote against the proposed budget. Chairman Higgins proposed a budget with a tax rate of no more than 58.39 cents. Following comments, Commissioner Greene moved to amend his motion by cutting every department 10% across the board. His motion failed for lack of a second. By a show of hands, Commissioners Barrier, Greene, and Thuss voted in favor of the motion. Chairman Higgins voted against the motion.

Report—Courthouse Continuity of Operations

Judge Beverly Beal appeared before Commissioners to talk about the need for a plan to continue operations of the courthouse should a pandemic happen. He said that most agencies and businesses could close operations; however, the courthouse must continue operating.

He expressed the importance for developing a plan of contingency as soon as possible. There was some discussion about the evident need for a plan.

Consent Agenda

1. Budget Amendments

The County Manager recommended the Board of Commissioners approve the following budget amendments and authorize staff to execute associated documents.

a. Rescue and Fire District Taxes Collected; \$66,000.00

Tax collections for the following agencies have exceeded the original projections for FY2006-07 and the following budget amendment is necessary to increase the revenue and subsequent expenditure line items for the districts:

| | | | |
|----------------------|----------------|--------------------------|-------------|
| Rescue | | | |
| Increase | 24.4340.311106 | 2006 Property Tax | \$15,000.00 |
| Increase | 24.4340.484300 | District Tax Collections | \$15,000.00 |
| North Catawba | | | |
| Increase | 26.4340.311306 | 2006 Property Tax | \$15,000.00 |
| Increase | 26.4340.484300 | District Tax Collections | \$15,000.00 |
| Little River | | | |
| Increase | 30.4340.311106 | 2006 Property Tax | \$ 4,000.00 |
| Increase | 30.4340.484300 | District Tax Collections | \$ 4,000.00 |
| Sawmills | | | |
| Increase | 31.4340.311306 | 2006 Property Tax | \$ 5,000.00 |
| Increase | 31.4340.484300 | District Tax Collections | \$ 5,000.00 |
| Grace Chapel | | | |
| Increase | 32.4340.311306 | 2006 Property Tax | \$ 5,000.00 |
| Increase | 32.4340.484300 | District Tax Collections | \$ 5,000.00 |
| Collettsville | | | |
| Increase | 33.4340.311106 | 2006 Property Tax | \$ 3,000.00 |
| Increase | 33.4340.484300 | District Tax Collections | \$ 3,000.00 |
| Yadkin Valley | | | |
| Increase | 34.4340.311306 | 2006 Property Tax | \$ 2,000.00 |

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|--------------------|----------------|--------------------------|-------------|
| Increase | 34.4340.484300 | District Tax Collections | \$ 2,000.00 |
| Kings Creek | | | |
| Increase | 35.4340.311106 | 2006 Property Tax | \$ 2,000.00 |
| Increase | 35.4340.484300 | District Tax Collections | \$ 2,000.00 |
| Gunpowder | | | |
| Increase | 37.4340.311106 | 2006 Property Tax | \$15,000.00 |
| Increase | 37.4340.484300 | District Tax Collections | \$15,000.00 |

b. Cooperative Extension Service (Donations); \$1,000.00

Cooperative Extension received donations and the following budget amendment is necessary to reflect the additional \$1,000.00:

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|----------|----------------|---------------|------------|
| Increase | 10.4950.364006 | Donated Funds | \$1,000.00 |
| Increase | 10.4950.432900 | Donated Funds | \$1,000.00 |

c. DSS (Daycare and Foster Home Funding); \$373,000.00

DSS staff submitted the following budget amendment necessary to provide funds for daycare and foster home expenses that have been projected to be short this fiscal year. It was noted that the daycare funding is reimbursed 100% by federal funds and the foster home funds are partially reimbursed from state and federal funds with a portion of the funding provided by the County.

| | | | |
|----------|----------------|----------------------------------|--------------|
| Increase | 81.5690.331600 | DSS-Federal | \$130,000.00 |
| Increase | 81.5690.437800 | Daycare | \$130,000.00 |
| Increase | 81.5690.331600 | DSS-Federal | \$165,000.00 |
| Increase | 81.3000.391005 | Interfund Transfer from Gen Fund | \$ 78,000.00 |
| Increase | 81.5690.443100 | Foster Home Funds | \$243,000.00 |
| Increase | 10.3000.397000 | Fund Balance Appropriated | \$ 78,000.00 |
| Increase | 10.9800.497911 | DSS Child Resources | \$ 78,000.00 |

d. DSS (Architectural Assessment of Existing Leased Facility); \$30,000.00

The following budget amendment is necessary to reimburse funding paid for the architectural assessment of the leased DSS/Health space:

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|----------|----------------|---------------------------|-------------|
| Increase | 10.3000.397000 | Fund Balance Appropriated | \$30,000.00 |
| Increase | 10.4263.441200 | Social Service Bid Lease | \$30,000.00 |

e. Soil & Water Conservation District (EEPNC Grant); \$53,000.00

The following budget amendment is necessary to accept an Ecosystem Enhancement Grant from the State that is being used to assist a farmer in a stream restoration project:

| | | | |
|----------|----------------|--------------|-------------|
| Increase | 10.4960.330000 | Other Grants | \$53,000.00 |
| Increase | 10.4960.444100 | Contractual | \$53,000.00 |

2. NCDOT Improvements to Calico and Old Amherst Roads

Part of the Foothills Regional Airport (“Airport”) overall improvements plan involves improved access and the Airport Authority is in discussions with the N.C. DOT concerning the prospects for Industrial Access funds or other DOT revenues to pay for the improvements.

On June 7th, Authority representatives met with Mike Pettyjohn to discuss the access issue. While the DOT does not currently have existing funds available to approve a major internal access road on the Airport site, they do believe the Division could approve certain limited

improvements. One would be to pave and improve an existing dirt section of Old Amherst Road to connect to the Airport along with minor improvements to the Calico Road.

In order to proceed with review and consideration of the project, DOT needs a resolution from the Caldwell County Board of Commissioners seeking approval of the project. It is the current understanding these road improvements would not impact the current priority paving list or approved projects scheduled for paving. The project would not require any local funding and; therefore, has no impact on the current or future county budgets.

Another benefit of the project would provide access use by VX Aerospace to their permanent facility on the Airport site.

The County Manager recommended the Board of Commissioners adopt the following resolution and authorize presentation of the request to the N.C. Department of Transportation.

Calico and Old Amherst Roads Improvements Resolution

Whereas, the Foothills Regional Airport is in the process of developing the airport in terms of aviation and economic development; and

Whereas, the VX Aerospace Incorporated has recently announced its decision to locate a facility on the airport property; and

Whereas, this decision by VX Aerospace Incorporated to locate at the airport will result in additional new jobs for this area; and

Whereas, this facility will need public access to serve their manufacturing needs; and

Whereas, airport officials have met with N. C. Department of Transportation staff to investigate options to provide this needed access; and

Whereas, the most viable immediate alternative to meet this need would involve the paving of approximately .8 mile of current unpaved road on the Old Amherst Road as well as general improvements on Calico Road; and

Whereas, the N. C. Department of Transportation will need a formal resolution from the Caldwell County Board of Commissioners seeking implementation of these improvements.

Now, Therefore, Be It Resolved that the Caldwell County Board of Commissioners does hereby adopt this resolution in a meeting duly held on the 18th day of June, 2007 seeking NCDOT improvements associated with the airport access with the understanding this action would not impact any of the currently planned road improvements within Caldwell County.

Adopted this the 18th day of July, 2007.

Attest:

Kathy T. Myers, Clerk to the Board

Faye R. Higgins, Chairman

3. Caldwell County Energy/Fuel Conservation Plan

During the Commissioners June 4th meeting, Mr. Horton presented a draft energy/fuel conservation plan for the Board's information and review. Following his presentation, the Board tabled action to adopt the plan and asked that the document be provided to all county department heads to seek their comments and input regarding the plan. A department head meeting was held to distribute the document and discuss the proposal. Mr. Horton requested department heads to review the plan and provide comments or concerns.

The County Manager said he had not received any input; therefore, he recommended the Board of Commissioners adopt the Caldwell County Energy/Fuel Conservation Plan which is hereby incorporated by reference and made a part of these minutes (Exhibit A).

Commissioner Barrier moved to approve the three (3) items on the consent agenda as presented and recommended by the County Manager. Commissioner Greene seconded the motion and it carried unanimously.

Closed Session

Commissioner Greene moved to go into closed session pursuant to NCGS 143-318.11(a)(5) and (6) to discuss property acquisition and a personnel matter. Commissioner Barrier seconded and the motion carried unanimously.

Commissioner Thuss moved to go out of closed session into regular session and Commissioner Barrier seconded. The vote was unanimous.

With no further business to conduct, Commissioner Thuss moved to adjourn. Commissioner Barrier seconded the motion and, by unanimous vote, Chairman Higgins declared the meeting adjourned at 8:15 p.m.