

CALDWELL COUNTY  
Lenoir, North Carolina

BOARD OF COMMISSIONERS  
Tammy Austin Greene Conference Room  
April 21, 2008  
6:00 p.m.

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

Absent: None

Staff: Bobby White, County Manager  
Kathy T. Myers, Clerk to the Board  
David Lackey, County Attorney

Chairman Greene called the meeting to order and welcomed everyone. Commissioner Beane provided the invocation and the Pledge of Allegiance was led by Chairman Greene.

Chairman Greene requested the addition of a report concerning the Commissioners' trip to Washington, D.C. as item #8D and requested the addition of an item as #9E to schedule a public hearing regarding the zoning ordinance. He asked if there were any other additions or amendments to the April 21, 2008 agenda. With no other additions or amendments, Commissioner Thuss moved to approve the agenda as presented and amended. Commissioner Barrier seconded and the vote was unanimous.

#### Presentation of N.C. State Volunteer Awards

Jeanette Schuszler appeared before Commissioners to recognize individuals who had been awarded the State of North Carolina Outstanding Volunteer Services honor. She said each recipient would receive a certificate and a letter of commendation from Governor Easley. Ms. Schuszler read the letter, "Dear Volunteers, congratulations on your North Carolina Award for Outstanding Volunteer Services. You have joined a distinguished group of volunteers in North Carolina who have received this honor since 1979. Volunteers are at the heart of the longstanding tradition of community service in our state. Your work enriches and improves the lives of others everyday in countless ways. Positive role models such as you make a difference in the lives of others. Mary joins me in congratulating you on this award and all that you have accomplished as an outstanding volunteer. Your service is admirable and your contributions to the State are immeasurable. Thank you for all you do. With kindest regards I remain truly yours, Governor Michael Easley."

Ms. Schuszler recognized Louise Correll, representing Bernhardt Furniture employees; Sadie and Gene Woods, representing volunteers from Yadkin Baptist Church; Reverend Randy Good,

Brenda Waters, and Gary Waters, representing Kings Creek Baptist Church; Peggy Smith; and, Sandy Rossborough. Ms. Schuszler along with assistance from the Board of Commissioners presented each honoree a certificate, a lapel pin, and the commendation letter.

#### Public Hearing—Renaming David’s MHP Drive

Kevin Parrish, Land Records Supervisor, appeared before Commissioners to formally request the renaming of David’s MHP Drive to Wounded Knee Lane. He reported the \$250 fee had been paid and there was no opposition to the name change.

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

Commissioner Beane moved to approve the renaming of David’s MHP Drive to Wounded Knee Lane as requested. Commissioner Higgins seconded the motion and it carried unanimously.

#### Public Hearing—Request for a Rezoning from RA-20 to O & I

Randy Feierabend, Planning Director formally presented the request from West Caldwell Health Council for a rezoning from RA-20 to O&I on 2.25 acres, NCPIN’s 2842447428 & 2842447597. The rezoning was requested in order to bring an existing non-conforming medical clinic into conformity for purpose of expansion.

Mr. Feierabend informed Commissioners the Planning Board unanimously recommended approval of the rezoning to O&I as requested by West Caldwell Health Council.

Commissioner Barrier moved to open the public hearing, Commissioner Higgins seconded, and the motion carried unanimously. There was no public participation. Commissioner Higgins moved to close the public hearing, Commissioner Beane seconded, and the motion carried unanimously.

Commissioner Thus moved to grant the rezoning to O&I for West Caldwell Health Council. Commissioner Higgins seconded the motion and it carried unanimously.

#### Public Hearing—Request for Rezoning from RA-20 to PUD

Mr. Feierabend again formally presented a request from Ron McDaniel requesting to rezone 22.34 acres, NCPIN’s #1799354604 & 1799266509, from RA-20 to PUD. He showed a location map of the site and gave a brief overview of the current property. Mr. Feierabend said Mr. McDaniel proposed changes to the property including 25 zero lot line cottages (to be sold), 17 rental cabins, 6 R/V sites, 1 reception/pavilion, 2 staff cabins, chapel, club house, store and an equipment barn. The developer was given the options for either gravel or paved road surfaces and the developer was encouraged to utilize “green” materials. He said the development would

be in three phases, the chain-link fence removed and in its place would be a privacy fence. He showed pictures of the site as well as an aerial photo.

Mr. Feierabend informed Commissioners the Planning Board voted by majority to recommend approval of the request. Two members (James Clark and Richard Hedrick) voted in opposition to the request.

Commissioner Thus moved to open the public hearing, Commissioner Beane seconded, and the motion carried unanimously. The following individuals appeared before Commissioners to make comments regarding the request:

- Bill Puett referred to his letter and summarized the contents. He said water quality and water quantity is going to be the issue facing this State in the immediate future. He said Commissioners probably read or realized that the Catawba River had just been designated the most endangered river in the United States and said Wilson Creek is a tributary of a tributary to it. He said Mr. Feierabend said the property was non-conforming and Mr. Puett said he understood that non-conforming uses were gradually phased out over time and owners were given an opportunity to recoup their investments. He said the proposal was not a reduction but more like an expansion of what was currently there. Mr. Puett expressed concern about the increase in wastewater from the proposed 32 new buildings plus the chapel and club house. He said Mr. McDaniel's own consultant had said more drainage fields were required and more septic tanks were required. The existing system was not going to satisfy what was proposed. Mr. Puett said his other problem with the proposal was there was no report from a hydrologist regarding the shallow groundwater and the creek itself, i.e. if the present development had any effect on the creek and what effect the proposed development might have on the creek. He said the 32 new structures were more like houses (more so than like cabins). Mr. Puett said if you took the square footage of what was currently there with the 80 camping or RV sites, the footprint proposed for the new development would be 2 ½ times what was currently there. He said the timing was a little suspect because the Collettsville Planning group had been working on a vision statement for Wilson Creek and Mr. McDaniel was a member of that committee. Mr. Puett said Mr. McDaniel's development proposal had never been discussed, in any great detail, during the meetings. He said the Collettsville Planning group did approve it but the problem is still that it's going to interfere with the vision statement that will be coming up. Mr. Puett said he didn't understand the rush for a decision before the vision statement is out for the Board of Commissioners to review. He said he believed if it was approved prior to consideration of the vision statement, it would circumvent the vision statement and make the Board's job a lot harder in dealing with future development. In summary, Mr. Puett said the problem was the density proposed which was more dense than in the Collettsville overlay district or what the vision committee was currently considering. He also said he didn't see anything about open space and how the 35% requirement of the zoning ordinance would be met (all drain fields?). He challenged the Board of Commissioners to decide what was wanted for the entrance of Wilson Creek: a high density development with California-type architecture or something less dense with architecture more in keeping with our mountain heritage.
- Ken Roberts said he had a couple concerns. He said he wanted to hear an explanation that all could understand about the moratorium. He understood it to be all development

but said there is a fine line now when you can rezone which subverts the moratorium and what it was about. He said he was concerned about dense development along Wilson Creek and said Commissioners knew the resulting problems that dense development provides everywhere: more water runoff, deterioration of water quality, etc. He said this would set a precedent even though it was changing a non-conforming campground, someone else would think they could redo their 10 acres and put 20 houses on it. Mr. Roberts said he counted about 50 buildings in the proposal which you would normally expect bathroom facilities in each to be located on 22 acres. He said he thought that would result in less than ½ acre per building. He said he was not sure if the church and other facilities would have bathrooms in them. Mr. Roberts also expressed concern about timetables (going from a non-conforming campground to a development) and asked if there was a time that it changes over. He said he had a whole list of things around his house that he intended to do several years ago but had not got around to doing them. If for some reason like the economy and other reasons, the proposed development was not done for 25 years, could the owner of the property in 25 years demand that they had the right to do it because of its rezoning 25 years ago. He also expressed concern about flooding there. The Wilson Creek is a Wild & Scenic River and said people didn't know where the water would go in any flood. He said the 1916, 1940, and 2004 floods were all different and people wouldn't know where the water from the next flood would go. He said building close to the floodplain does present a great deal of problems.

- Janet Wilson, member of the Wilson Creek Vision Committee, said the committee had worked hard and spent a lot of time on efforts for long term protection of Wilson Creek. Ms. Wilson said Mr. McDaniel's proposal subverts the existing moratorium. She noted it was difficult to make decisions for the long-term good of the County. Ms. Wilson said the Board might think the proposal would be an economic gain but she stressed that people might forget the small economic boost but everyone would remember the diminishment of Wilson Creek, the Wild & Scenic River.
- Ron McDaniel, owner of Brown Mountain Beach for eight years, said he began actions on the plan seven years ago with engineering work beginning about four years ago. He said the campground had been there for 100 years and he did not wish to keep it as a campground which is used by about 700 or 800 people. His proposal would cut the number of people using the property to about 200. Mr. McDaniel said he didn't concur with a lot of things of the vision committee. He said the dance hall had been on the property since 1916. His proposal is to change the "eyesore" at the entrance of the gorge (as you travel to the new visitor center and new conservancy initiative). Mr. McDaniel said he planned to build a little chapel (no bathrooms) in place of a parking lot that had a lot of water runoff, a clubhouse with open face for grilling in place of the wash house and washing machines, and a privacy fence. He said he had done a lot of work on the property. He said the 35% open space would be taken care of. Mr. McDaniel stressed that water quality was impacted by the people using facilities not the facilities themselves. He said septic tanks were regulated and approved by environmental health. He said he talked to several people about his plan and it did not have anything to do with the timing of the vision committee.
- Chad Gragg said he concurred with Mr. McDaniel's comments.

Commissioner Thuss moved to close the public hearing, Commissioner Higgins seconded, and the motion carried unanimously.

Mr. Feierabend clarified several questions raised during comments from the public. He said open space was covered in Mr. McDaniel's concept plan. Preserving floodplain is often used as the open space. He said the current moratorium is on subdividing of property. Mr. McDaniel's plan is on rezoning of property and Mr. McDaniel was requesting the option to do 25 lots in the future if he decided he wanted to but there was no request or action to subdivide. Mr. McDaniel's request was for development and rezoning.

Mr. Feierabend addressed the issue of density and said, considering the rooftop area of 80 campers, existing cabins, and campsites fully occupied would be a greater density and overall environmental impact than the cabins proposed in Mr. McDaniel's plan.

He said he fully expected that any environmental health professional doing the job for Mr. McDaniel would require septic tanks and more lines concerning sewer. He would be subject to new requirements (new environmental codes rather than old environmental codes)

He said the Wilson Creek Committee (an ad hoc committee) did not review the proposal; however, it did come up for discussion a couple times. The chair of the Wilson Creek Committee is the same chair as the Collettsville Planning Committee and he was fully informed of the proposal.

Under the PUD, Mr. McDaniel gave timetables of work and Mr. Feierabend said Mr. McDaniel must begin work within three years. Once work has begun, Mr. McDaniel would be required to amend the plan or stop work on the plan if he did not adhere to the timetables.

Following discussion about the definition of a non-conforming use, Commissioner Thuss moved to approve the rezoning of NCPIN's 1799354604 & 1799266509 to PUD (planned unit development) as requested by Mr. McDaniel. Commissioner Higgins seconded the motion. Commissioner Thuss suggested the Board of Commissioners consider excluding Mr. McDaniel's property from the Wilson Creek Overlay District because it was so different from any other property in the area. He said he supported its removal from the overlay district and said he supported what Mr. McDaniel was trying to do because he follows through with his plans. He said it would be an asset to the Wilson Creek corridor and thought people would be pleased with the improvements at the entrance of the gorge as opposed to the temporary structures (campers, decks, woodpiles, etc.) that have been on the property for years. Commissioner Beane said he had been involved with the area since the beginning of the Wild & Scenic River designation efforts which was a great step forward for the County. He said he felt the plan would probably make the place look better than what it currently did.

Commissioner Beane said he thought the moratorium concerned any new development from any new subdividing of large tracts of property in Wilson Creek. County Attorney David Lackey said his recollection of the moratorium was that it addressed simply the subdivision of property; however, subdividing to 10-acre or more tracts would not be subject to the moratorium as it is allowed by State law.

Following comments from Commissioner Higgins about Collettsville residents' positive responses regarding Mr. McDaniel's plan and Commissioner Barrier about the water quality and density issues, the motion carried unanimously.

### Wig Bank

Commissioner Higgins provided information about the local Wig Bank that was started by folks concerned about people diagnosed with cancer. She said initial members of the Board that established the Wig Bank were David Icard, Susan Gragg, Kelly Pritchard, Grey Scheer, and Crystal Dula. Commissioner Higgins noted our local wig bank was the first in the country and on April 10<sup>th</sup>, several members traveled to Washington, D.C. where they received three awards for their outstanding work in helping people with cancer. Now there are several wig banks across the country as a result of the first one established by local individuals for Caldwell County residents.

### Neptco (New England Paper Tape Company)

Allen Wood, EDC Senior Marketing Director, introduced Tom Herman, Plant Manager of Neptco's Lenoir Plant. Mr. Wood said the company began in 1953 and had two locations in Caldwell County: a plant in Lenoir that opened in 1979 and a plant in Granite Falls that opened in 1986, both employing a total of approximately 300 employees.

Mr. Herman talked about a joint venture with Owens Corning Fiberglass that began three years ago in developing a new gypsum board, a mold and mildew resistant drywall. A three-year contract was signed between the companies last fall. Mr. Herman said the contract was a huge opportunity for the Lenoir facility and noted the product would not be going offshore.

Mr. Herman said Neptco had outsourced the chemical mixing part of the process which required 27 truckload deliveries per month and he stressed the importance of an access road between Randy's Furniture and Quality Furniture to accommodate the trucks. He said Neptco spent \$225,000 to refurbish the parking lot for truck traffic. In addition, the company made improvements to the building to accommodate the new production and he estimated the cost to bring the mixing machine in-house at \$1.3 million.

### Golf Course

Bruce Dickinson, representative of The Coves, appeared before Commissioners with an annual update of The Coves. He said Phase I was 95% complete and 75% had been sold; Phase II was 80% complete and 35% had been sold; Phase III was basically complete but would be finished by the end of summer; and Phase IV (used to be RV/motor coach) had been changed to a log cabin village which would result in lower density. He said signatures from both parties had been secured for Hale Irwin's professional signature on the golf course. Although the course design is 80 to 90 percent complete, Mr. Irwin will tweak the existing design to his own. The golf course is named Round Mountain Golf Club. Mr. Dickinson said the quality of the golf course will be more greatly improved; however, the accessibility to the public would remain the same. He said

the good news was that The Coves is experiencing steady growth in sales at a time when home sales across the country were down. He talked about all the amenities: natural beauty; equestrian center; Hale Irwin golf course; 25-miles of trail for walking, horseback riding, and biking provided to residents of The Coves and its appeal to people wanting to live there. He said The Coves had been promoted across the country and in Canada.

### Litter Sweep

Commissioner Thuss moved to adopt the following proclamation, Commissioner Beane seconded, and the motion carried unanimously.

## **PROCLAMATION**

### **LITTER SWEEP IN CALDWELL COUNTY April 19 through May 3, 2008**

**WHEREAS**, the North Carolina Department of Transportation organizes an annual spring statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

**WHEREAS**, the spring 2008 LITTER SWEEP roadside cleanup will take place April 19 through May 3, 2008, and encourages local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

**WHEREAS**, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations, business, churches, schools, and environmentally concerned citizens conduct annual local cleanups during LITTER SWEEP and may receive certificates of appreciation for their participation; and

**WHEREAS**, the great natural beauty of our state and a clean environment are sources of great pride fall North Carolinians, attracting tourists and aiding in recruiting new industries; and

**WHEREAS**, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encouraging recycling of solid wastes; and

**WHEREAS**, the 2008 spring cleanup will celebrate the 20<sup>th</sup> anniversary of the North Carolina Adopt-A-Highway program and its 6,000 volunteer groups that donate their labor and time year round to keep our roadsides clean; and

**WHEREAS**, the LITTER SWEEP cleanup will be a part of educating the children of this great state regarding the importance of a clean environment to the quality of life in North Carolina.

**NOW, THEREFORE, BE IT RESOLVED**, that the Caldwell County Board of Commissioners does hereby proclaim April 19 through May 3, 2008, as “**LITTER SWEEP**” in Caldwell County, and encourages citizens to participate in efforts not only during Litter Sweep but also throughout the year to keep our communities clean.

Adopted this the 21<sup>st</sup> day of April, 2008.

---

Herbert H. Greene, Chairman

Attest:

---

Kathy T. Myers, Clerk to the Board

#### Washington, D.C. Trip

Commissioner Beane said he, Herb Greene, and Bobby White drove to Washington, D.C. and had a three-hour meeting with Robin Beusse, Senior Deputy Assistant Director and Pam Chandler, Chief of the Site Selection and Environmental Review Branch of the Bureau of Federal Prisons. Commissioner Beane said officials were very interested in Caldwell County’s pursuit of a prison facility. The Bureau of Federal Prisons currently has 114 in the United States with 201,000 prisoners incarcerated and currently the prisons are 40% over capacity. Also, half of the prisons in use today are more than 50 years old. Commissioner Beane said Caldwell County had 125 to 150 acres to offer; however the Bureau needs a larger footprint of about 500 or more acres. The current cost to build a federal prison is about \$240 million. A prison system generates approximately \$30 to \$35 million in annual revenues for the local economy and employs 250 to 300 people.

Commissioner Beane said they also met with Mitch Butler of the U. S. Department of Interior before returning to Caldwell County. They met with Mr. Butler to talk about the annual Bridge to Bridge race in Caldwell County, particularly, to renew the permit for use of the parkway. Mr. Butler said they would do everything they could to assist Caldwell County’s continued use of the parkway for the Bridge to Bridge event.

#### Efficiency and Energy Savings Initiative

Commissioner Barrier reported to Commissioners that he heard a presentation by Rick Self with Johnson Controls (30-year old company) about a performance based energy savings proposal. Commissioner Barrier said it would be no cost to the County to allow Johnson Controls to look at the County’s facilities to identify a project for improvements that would save on costs of utilities, water, etc. Johnson Controls would evaluate all existing county facilities to determine if there was a project that would result in savings in costs to Caldwell County. The project would be self-funded and would not cost anything to begin the study.

Following discussion, Commissioner Barrier moved to authorize the manager to pursue a contractual proposal for all the county facilities as well as a service contract for the two new buildings. Commissioner Thuss seconded the motion and it carried unanimously.

#### Golden Leaf Request

Mr. White formally presented a request to the Board of Commissioners to submit a \$500,000 application to the Golden Leaf Foundation that, if granted, would be used to assist in the development of the County's well system in the Yadkin Valley. He said the project had been in the discussion and development stages for some time. Also, there had been conversations with representatives of the Foundation and the most recent conversation was in Asheville on March 28. At that meeting, the Foundation encouraged Caldwell County to submit a formal request.

Mr. White said the project consisted of the construction of 40,000 linear feet of 12" water line in Yadkin Valley down Highway 268 to the reservoir site. The well assessments have been completed on part of the property and some wells have been installed. He said the project to build waterlines and develop the well system would be a valuable water resource not only for Yadkin Valley but also as an important backup source for water in case of drought situations.

Commissioner Beane moved to formally approve the submittal of a \$500,000 Golden Leaf Grant application. Commissioner Thuss seconded the motion and it carried unanimously.

#### Metal Disposal

Commissioner Barrier talked about action taken by the Board of Commissioners during the meeting on April 7<sup>th</sup> as a result of the request made by Bill Duquette and George Gibbons to eliminate disposal of white goods and metal at the County's convenience sites. However, since the meeting and due to the number of calls received by Commissioners from citizens concerned about not being able to dispose metal at the convenience sites, Commissioner Barrier moved to rescind action taken on April 7, 2008 to eliminate all metals disposed at convenience sites; to continue to accept metal for disposal in separate dumpsters for recycling at the convenience centers; and to continue to accept all white goods except those that contain a refrigerant or gas (i.e. refrigerators and air conditioners) at the convenience centers. Commissioner Higgins seconded the motion. The vote was unanimous.

#### Permitting Fees for Stormwater Program

Commissioner Barrier led discussion about the permit application fee structure. Particularly, Commissioner Barrier said he felt reviewing an application for a 20-acre parcel did not take ten times longer than to review a 1-acre or 2-acre parcel. Commissioner Barrier suggested a cap be set on the permit fee. He moved to direct staff to seek input from developers and citizens, to provide more information, and develop another fee structure for the Board of Commissioners to review again. Commissioner Beane seconded the motion. Following discussion, the vote was unanimous.

Zoning Ordinance

Chairman Greene moved to schedule a public hearing for 6:00 p.m. on Monday, May 19, 2008 in the City-County Chambers to consider amendments to the Zoning Ordinance. Commissioner Thus seconded the motion and it carried unanimously.

Consent Agenda

A. Budget Amendments

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

1. Rural Center Grant for McCreary Modern \$200,000.00

McCreary Modern was awarded a \$200,000.00 Rural Center Grant related to its expansion. The Rural Center issued the check to Caldwell County as the lead agent for the request. The following budget amendment is necessary to reflect the grant funding and remit the flow-through grant monies to McCreary Modern:

Increase	10.6174.330000	Other Grants	\$200,000.00
Increase	10.6174.461900	EDI Grant	\$200,000.00

2. Cooperative Extension Service (Donated Funds) \$2,000.00

The Cooperative Extension Service received more donated funds than originally projected in this fiscal budget and the following budget amendment is necessary to accept the monies and designate them for use by the agency:

Increase	10.4950.364006	Donated Funds	\$2,000.00
Increase	10.4950.432900	Donated Funds	\$2,000.00

3. Health Department (NC Restaurant Heart Health Survey Grant) \$500.00

The County's Health Promotion program was awarded a \$500.00 grant from the State for participation in the N.C. Restaurant Heart Health Survey. The survey identified restaurants that are interested in receiving assistance with healthy menu options or smoke-free dining and provided appropriate referrals for assistance in meeting the goals. The following budget amendment is necessary to reflect receipt of the grant funds and to reimburse expenses for mileage:

Increase	10.5110.334501	HS State Aid	\$500.00
Increase	10.5110.431100	Travel – Mileage	\$500.00

4. Health Department (State Child Health Grant) \$250.00

The County's Child Health program was awarded a \$250.00 grant from the State to provide a scholarship to the annual Child Health Update in May 2008. The scholarship is to be used for a discipline other than a child health nurse. The following budget amendment is necessary to appropriately reflect the grant in the current budget:

Increase	80.5113.330000	Child Health Center	\$250.00
Increase	80.5113.431200	Travel – Training	\$250.00

5. Library (Education Foundation Reimbursement) \$893.50

Several agencies including the County Library participated in the upcoming Community Read and the library utilized its discount to purchase copies of the featured book, THE GOOD GOOD PIG. The Education Foundation decided to reimburse the library in the amount of \$893.50 for the books. The following budget amendment is necessary to formally receipt the funding and to designate the funding back in the Library's Books & Periodicals line item:

Increase	10.6110.310000	Miscellaneous Revenue	\$893.50
Increase	10.6110.456000	Books & Periodicals	\$893.50

6. Tim McKinnie Cost Allocation Plan (Contingency Fund) \$2,500.00

This item was scheduled on the Board's agenda in order to pay an invoice associated with Mr. McKinnie's jail rate study. The bill was not expected until early in the next fiscal year; however, due to the extra efforts of all parties involved in the study, it will be completed ahead of schedule. The County Manager recommended approval of the following budget amendment and recommended the Board of Commissioners adopt the following resolution in order to use funding from the contingency line item to pay Tim McKinnie's firm for the jail rate study:

Decrease	10.4110.499100	Contingency	\$2,500.00
Increase	10.4110.449500	Cost Allocation Plan	\$2,500.00

**Cost Allocation Plan—Jail Rate Study Contingency Funding Resolution**

**WHEREAS**, Caldwell County currently has funds available within the FY 2007-2008 contingency budget; and,

**WHEREAS**, the Board of Commissioners authorized the cost allocation plan/jail rate study to be completed by Tim McKinnie.

**NOW THEREFORE BE IT RESOLVED**, that the Caldwell County Board of Commissioners does hereby approve an allocation of \$2,500.00 from the contingency fund to be used in financing the consultant study.

**BE IT FURTHER RESOLVED**, that the Caldwell County Board of Commissioners does formally approve the following budget amendment:

Decrease	10.4110.499100	Contingency	\$2,500.00
Increase	10.4110.499500	Cost Allocation Plan	\$2,500.00

Adopted this the 21<sup>st</sup> day of April 2008

---

Kathy T. Myers, Clerk to the Board

---

Herbert H. Greene, Chairman

7. Increased Fuel Expenses (Contingency Fund) \$69,500.00

During this fiscal year, fuel prices increased dramatically and certainly beyond projections. The following budget amendment is necessary and the County Manager recommended the Board of Commissioners adopt the following resolution in order to use contingency and fund balance monies to provide funds in various fuel line items:

Decrease	10.4110.499100	Contingency	\$64,500.00
Increase	60.3000.397000	Fund Balance Appropriated	\$ 5,000.00
Increase	10.4318.425100	Vehicle Fuel	\$ 6,500.00
Increase	10.4330.425100	Vehicle Fuel	\$40,000.00
Increase	10.4350.425100	Vehicle Fuel	\$ 4,000.00
Increase	10.4380.425100	Vehicle Fuel	\$ 5,000.00
Increase	10.4390.425100	Vehicle Fuel	\$ 1,500.00
Increase	10.4710.425100	Vehicle Fuel	\$ 1,000.00
Increase	10.4400.425100	Vehicle Fuel	\$ 500.00
Increase	10.4320.425100	Vehicle Fuel	\$ 6,000.00
Increase	60.7120.425100	Vehicle Fuel	\$ 5,000.00

**Contingency Funding Resolution—Fuel Expenses**

**WHEREAS**, Caldwell County currently has funds available within the FY 2007-2008 contingency budget; and,

**WHEREAS**, the rising cost of fuel prices has caused projected shortages in several of the County’s departmental budgets this fiscal year.

**NOW THEREFORE BE IT RESOLVED**, that the Caldwell County Board of Commissioners does hereby approve an allocation of \$69,500.00 from the contingency fund to be used for providing sufficient revenues in several county fuel line items.

**BE IT FURTHER RESOLVED**, that the Caldwell County Board of Commissioners does formally approve the following budget amendment:

Decrease	10.4110.499100	Contingency	\$64,500.00
Increase	60.3000.397000	Fund Balance Appropriated	\$ 5,000.00
Increase	10.4318.425100	Vehicle Fuel	\$ 6,500.00
Increase	10.4330.425100	Vehicle Fuel	\$40,000.00
Increase	10.4350.425100	Vehicle Fuel	\$ 4,000.00
Increase	10.4380.425100	Vehicle Fuel	\$ 5,000.00
Increase	10.4390.425100	Vehicle Fuel	\$ 1,500.00
Increase	10.4710.425100	Vehicle Fuel	\$ 1,000.00
Increase	10.4400.425100	Vehicle Fuel	\$ 500.00
Increase	10.4320.425100	Vehicle Fuel	\$ 6,000.00
Increase	60.7120.425100	Vehicle Fuel	\$ 5,000.00

Adopted this the 21<sup>st</sup> day of April 2008

---

Kathy T. Myers, Clerk to the Board

---

Herbert H. Greene, Chairman

**B. Request to Purchase New Weapons for Sheriff Office (with Trade-in of Current Weapons)**

The County Manager reported Sheriff Office staff had requested authorization to purchase replacement weapons (side arms) for the department's officers. They currently carry Sig Sauer P220's and they have been experiencing problems with several of them. He said staff would like to purchase Glock 9mm semi-automatic pistols with night sights and accessories at a total cost of \$32,760 as quoted by Arrington Police Distributors in Charlotte, NC. The company would also allow the Sig Sauer weapons as trade-in allowance of \$13,500; therefore leaving a balance of \$19,260.

The County Manager noted there were available funds in the contingency line item to accommodate the acquisition and recommended the Board of Commissioners approve the following budget amendment and adopt the following resolution in order to fund the acquisition using contingency funds. He also recommended Commissioners declare the listing of weapons which is here by incorporated by reference and made a part of these minutes (Exhibit A) surplus and allow them to be traded-in on the acquisition.

Decrease	10.4110.499100	Contingency	\$19,260.00
Increase	10.4310.452000	Non-capitalized equipment	\$19,260.00

**Contingency Funding Resolution—Weapons for Sheriff Office**

**WHEREAS**, Caldwell County currently has funds available within the FY 2007-2008 contingency budget; and,

**WHEREAS**, the Sheriff Department officers have experienced problems with some of the current Sig Sauer P220's they currently use as their side arms; and

**WHEREAS**, the Department may trade-in the current weapons for new Glock 9mm semi-automatic pistols with night sights and accessories for a difference of \$19,260.00.

**NOW THEREFORE BE IT RESOLVED**, that the Caldwell County Board of Commissioners does hereby approve an allocation of \$19,260.00 from the contingency fund to allow acquisition of the new weapons with the current weapons as trade-in allowance.

**BE IT FURTHER RESOLVED**, that the Caldwell County Board of Commissioners does formally approve the following budget amendment:

Decrease	10.4110.499100	Contingency	\$19,260.00
Increase	10.4310.452000	Non-capitalized equipment	\$19,260.00

Adopted this the 21<sup>st</sup> day of April 2008

---

Kathy T. Myers, Clerk to the Board

---

Herbert H. Greene, Chairman

C. Request from EMS to Purchase Equipment using 2007 Emergency Management Grant Funds  
The County Manager reported the EMS Department was awarded \$6,448.70 in 2007 State Emergency Management Performance (EMP) grant supplemental funds and staff would like to use the funding to purchase emergency equipment for the 2000 F350 pickup (purchased previously with Homeland Security grant funds). The vehicle is used to pull the mobile incident command trailer and other emergency services trailers to support emergency operations. The truck was completely repainted by CCC&TI's automotive class and the EMP supplemental funds would be used to purchase and install the following items needed for the emergency vehicle at a total cost of \$3,593.

- Emergency lighting
- Siren
- Two-way radio equipment

In addition, Mr. White said staff would like to use the remaining EMP supplemental funds to purchase a high-capacity paper shredder at a cost of \$1,925.00 and a conference phone set at a cost of \$930.70. It was noted this action would not require any local dollars.

Mr. White recommended the Board of Commissioners approve the following budget amendment and to authorize staff to purchase the equipment as requested:

Increase	10.4330.330000	Other Grants	\$6,448.70
Increase	10.4330.452000	Non-capitalized equipment	\$6,448.70

D. Request from Sheriff Office to Purchase Printer Using Donated Funds

The County Manager informed Commissioners that Sheriff Office staff requested to purchase a printer needed for the AFIS machine. The department has available funds in the donated funds line item. He said no budget amendment was necessary and no new dollars would be impacted; however, because it was an equipment purchase the Board of Commissioners would have to take action on the request. Mr. White recommended the Board of Commissioners approve the purchase of the printer as requested using available donated funds in the department's budget.

E. Request from Detention Center to Purchase Non-capitalized Equipment

The County Manager informed Commissioners that the Detention Center needed kitchen equipment, a finishing mower deck, and a personal lift. He said the total cost of the items was approximately \$7,500 and no new dollars would be impacted. Mr. White recommended the Board of Commissioners approve the following budget amendment and to approve the purchase of equipment items as requested.

Decrease	10.4264.433400	Water	\$7,500.00
Increase	10.4264.435500	M&R Building	\$2,200.00
Increase	10.4264.452000	Non-cap Equipment	\$5,300.00

F. Request from Communications to Purchase Computers for the 911 Center

Mr. White said the County's 911 Center had five workstations with a computer at each; however, the computers were aging and IT Director Greg Branch recommended new computers be purchased to replace the old ones. He said the new equipment was eligible for 100% purchase using 911 funds; therefore, no local dollars would be impacted by the acquisition. Mr. White informed Commissioners that the old computers could be used elsewhere in the County for less critical functions. He recommended the Board of Commissioners authorize staff to purchase the items as requested using 911 revenues and to approve the following budget amendment.

Increase	13.3000.397000	Fund Balance Appropriated	\$18,436.60
Increase	13.4309.452000	Non-capitalized equipment	\$18,436.60

G. Request from Health Department to Purchase Non-capitalized Equipment

Mr. White said Health Department staff had projected a surplus in the department's salary line item (due to lapsed salaries) for the current fiscal year and they would like to use the funding to purchase the following items to furnish the WIC department at the new HHS facility.

- Four (4) modular corner units with shelves
- Four (4) office desks
- Shelving and storage unit for director's office
- Eight (8) lockers
- Eight (8) desk chairs
- Fourteen (14) side chairs (no arms)
- Sixteen (16) lobby chairs (w/arms)
- Eleven (11) bookshelves
- Six (6) storage cabinets with doors

In addition, he said department staff would like to use projected overages in the department's liability insurance and supplies line items to purchase some furnishings for the administration area of the new HHS facility.

Mr. White recommended the Board of Commissioners authorize staff to purchase the items as requested and to approve the following budget amendments.

Decrease	80.5167.412100	Salaries	\$38,500.00
Increase	80.5167.452000	Non-capitalized equipment	\$38,500.00
Decrease	10.5110.445400	Liability Insurance	\$4,267.93
Decrease	10.5110.426000	Supplies	\$1,000.00
Increase	10.5110.452000	Non-capitalized equipment	\$5,267.93

H. SMC/Foothills Merger Resolution

Mr. White reported that Commissioners adopted a resolution during the January 7, 2008 meeting in support of the recommendation of the Foothills LME Board of Directors. He said the resolution authorized formal discussions with the Smoky Mountain Center to begin immediately with the goal of formally merging all mental health, developmental disability and substance abuse service operations with the Smoky Mountain Center effective July 1, 2008. As a result of discussions and activities since January 7<sup>th</sup>, Mr. White recommended the Board of

Commissioners adopt the resolution which is hereby incorporated by reference and made a part of these minutes (Exhibit B) to permit Foothills LME to merge with Smoky Mountain Center effective July 1, 2008.

#### I. Chamber of Commerce Travel & Tourism Proposal

Mr. White informed Commissioners that the Sales Tax Reinvestment Committee (“committee”) endorsed a request from the Chamber of Commerce to undertake improvements on their tourism website. The grant request amounts to \$8,000.00 in Sales Tax Reinvestment funding and will leverage other revenues from the state, Town of Sawmills, and the Chamber of Commerce.

Mr. White recommended the Board of Commissioners approve a FY2007-08 Sales Tax Reinvestment grant of \$8,000.00 to the Chamber of Commerce for the tourism/community website upgrade and to allow an advance of funding as needed from the Intergovernmental Affairs line item.

#### J. Approval of Minutes

Mr. White recommended the Board of Commissioners approve the minutes of the February 4, 2008 meeting as prepared and presented by the Clerk.

Commissioner Beane moved to approve the ten (10) items on the consent agenda as presented and recommended by the County Manager. Commissioner Barrier seconded the motion and it carried unanimously.

#### Public Comment

Jerry Cecil Coffey appeared before the Board of Commissioners to voice his concern regarding the Google project and the County’s railroad. He requested a meeting be scheduled for him to meet with Tim Sanders, Bill Stone, and the County Manager.

There being no further business to conduct, Commissioner Higgins moved to adjourn and, by unanimous vote, Chairman Greene declared the meeting adjourned at 8:20 p.m.