

CALDWELL COUNTY
Lenoir, North Carolina

BOARD OF COMMISSIONERS
April 7, 2008
10:00 a.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.

Announcements

Commissioner Beane announced that 649 acres of property in Wilson Creek owned by the Herbert Lutz family was being purchased by the State. Grant applications to fund the purchase had been made to the Clean Water Management Trust Fund (61%) and to the Natural Heritage Trust Fund (39%). He said if both boards agreed the land would belong to the State.

Mr. White talked about an upcoming trip to Washington, D.C. concerning a scheduled meeting with the Federal Division of Prisons on Tuesday, April 15th. He said the meeting would allow Commissioners to engage with the Division about the possibility of a federal prison at the airport site. It was noted that there had been preliminary discussions about a prison but the April 15th meeting would be the first formal meeting between them.

Chairman Greene provided a brief overview of Neptco's planned expansion and talked about the importance of a trip that was made to meet with company officials.

Alan Wood, EDC Senior Marketing Director, reported that Avery Dennison purchased Paxar about 6 or 8 months ago. He said a meeting had been scheduled with Avery Dennison on April 25th to invite them to visit Caldwell County and ask if there were any other (expansion) possibilities. Mr. Wood said that Paxar had been looking at layoffs but thanks to Avery Dennison the layoffs had been postponed and there was a positive outlook for the future. He talked about the importance of meetings and said face-to-face meetings were one of the best marketing tools.

Following announcements, Chairman Greene provided the invocation and the Pledge of Allegiance was led by the Clerk.

Chairman Greene asked if there were any additions or amendments to April 7, 2008 agenda. Commissioner Higgins asked that an item for decision be added as #8 to make a decision regarding pathway provisions in the Land Use Plan. With no other additions or amendments, Commissioner Barrier moved to approve the agenda as presented and amended. Commissioner Higgins seconded and the vote was unanimous.

Proclamation—Library Week in Caldwell County

Jim McKee, Library Director, said the Caldwell County library had been in existence for more than 75 years. He said this year would be exciting because the library was co-sponsoring Caldwell Reads. The kickoff for the promotion is scheduled for April 12th at the fairgrounds. Mr. McKee talked about other planned activities for the Caldwell Reads promotion.

Mr. McKee presented a proclamation for Commissioners' consideration to designate April 13-19, 2008 as Library Week in Caldwell County. Commissioner Beane moved to adopt the following proclamation, Commissioner Thuss seconded, and the vote was unanimous.

Proclamation National Library Week 2008

WHEREAS, our nation's school, academic, public and special libraries make a difference in the lives of millions of American, today, more than ever;

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in the 21st century;

WHEREAS, libraries are part of the American Dream- places for opportunity, education, self-help and lifelong learning;

WHEREAS, library use is up nationwide among all types of library users, continuing a decade-long trend;

WHEREAS, libraries play a vital role in supporting the quality of life in their communities;

WHEREAS, libraries can help you discover a world of knowledge, both in person and online, as well as personal service and assistance in finding what you need, when you need it;

WHEREAS, libraries are a key player in the national discourse on intellectual freedom, equity of access, and narrowing the "digital divide;"

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week with The Campaign for America's Libraries.

NOW, THEREFORE, be it resolved that the Caldwell County Board of Commissioners does hereby proclaim National Library Week, April 13-19, 2008. The Board of Commissioners in Caldwell County encourages all residents to visit the library to take advantage of the wonderful

library resources available and thank their librarians and library workers for making information accessible to all who walk through the library's doors. Join the circle of knowledge at your library.

Adopted this the 7th day of April, 2008.

ATTEST:

Kathy T. Myers, CMC
Clerk to the Board

Herbert H. Greene
Chairman

Proclamation—Child Abuse Prevention Month

Wendy Pyle, Children's Services Administrator at DSS, announced that April was Child Abuse Prevention Month each year and it was a time that all community partners and service providers could focus their efforts on activities throughout the year and work together for a common goal.

Commissioner Higgins read the proclamation which is hereby incorporated by reference and made a part of these minutes (Exhibit A) and, upon reading it, moved to adopt same. Commissioner Beane seconded the motion and the vote was unanimous.

Commissioner Higgins extended appreciation to Wendy Pyle and DSS employees for their hard work in helping to protect the County's children.

Foothills Readiness Center

Col. Bill Johnson, Construction Facility Manager for the North Carolina National Guard said he had been extremely busy. He is in charge of construction and maintenance of all buildings in the State. Col. Johnson extended his sincere appreciation to Caldwell County in helping to locate the readiness center on the "hill" and said he was extremely proud of the new site. He said the dedication of the facility would be held on May 7th and further information as well as invitations would be sent in the near future. He talked about the Foothills Readiness Center and the Foothills Field maintenance shop both located on the same site as well as a Family Assistance Center that was funded by the State Legislature. Col. Johnson said the State Legislature, in the 2006-07 budget, appropriated funds for three family assistance centers in the State and Caldwell County was chosen for one of the three centers. Caldwell County's center is open to all National Guard men and women in the western part of North Carolina.

Col. Johnson showed pictures of the construction of the readiness center from beginning to completion. He said the facility won a national award for construction and design. Col. Johnson reported that the readiness center was funded by \$5.6 million federal funds, \$997,000 from Caldwell County, and \$1 million from the state. He also showed pictures of the field maintenance shop and family assistance center. Col. Johnson provided numbers on the number of employees at each facility.

Caldwell County Foster Care Program

Patricia Causey, Foster Care Supervisor, presented information to Commissioners about the County's program. She said foster care was substitute care for children who must be temporarily or permanently separated from their families. The services are designed to preserve, rehabilitate, reunite, and strengthen families whenever possible and appropriate. It is accomplished through goal oriented service delivery focused on achieving performance for a child within a 12-month period. The services are designed to remediate the problems that brought the child into care and reflect the same expectation of the family throughout the life of the case. She emphasized that the County DSS did not have the authority to remove a child from its home. A child enters the foster care program as a result of parent's or parents' dependency, abuse, or neglect. It can be a voluntary placement, relinquishment for adoption, or by court order. Ms. Causey provided scenarios about children that had entered Caldwell County's foster care program.

Ms. Causey showed pictures of children who had been physically abused and entered the foster care program: beaten, broken femur, belt marks (bruising), and failure to thrive. Also, she showed pictures of unsanitary living conditions in homes they had been in.

She provided statistics showing the number of children in the program as of January 2006 at 116, as of March 2008 at 174, and as of June 2007 at 189. She said the increases were due to multiple issues and community resources were already maximized when there were 116 children in the program in January 2006.

Ms. Causey said the program's goal was to place the children in homes in the same community so they would have family support and be closer to their churches and schools. She provided current statistics of placements of children in Caldwell County's program.

The program found permanent placement for 71 of the 97 that entered the program in 2006 and, in 2007, the program found permanent placement for 95 of the 125 that entered the program. Ms. Causey said they were doing a much better job in getting children out of the foster care program.

Ms. Causey provided statistics about the foster care program: monthly totals, by race, by age, caseloads per worker in March 2008, etc. and pointed out the number of caseloads for each worker and the amount of work experience of each. She thanked Commissioners for new positions added last year; however, she said there still continued to be a vacancy as a result of another job in the program paying \$3500 annually more and people were taking those positions. She emphasized the need for Caldwell County to equalize the pay for child protective service positions.

Ms. Pyle talked about the future of foster care and said the current system did not enable counties to accurately account for all funds spent for the children in their custody; however, new changes (called "County Direct") would begin July 1, 2008. The amount counties pay would be the only amount providers would receive to care for children and counties would upfront full payment with reimbursement based on the new rates.

	<u>Old Rate</u>	<u>New Rate</u>
Per child for children birth through 5	\$390	\$ 475
Per child per month for children 6 through 12	\$440	\$ 581
Per child per month for children 13 through 18	\$490	\$ 634

Family setting supervised by child placing agency (therapeutic foster home)

Per child for 0 to 5	\$1,433
Per child 6 – 12	\$1,564
Per child 13 and up	\$1,638

Residential (replaces institution, group, emergency and camps)

Per child 0 – 5	\$4,279
Per child 6 to 12	\$4,437
Per child 13 and up	\$4,516

She showed graphs of foster care expense to Caldwell County since 2002 and the amount actually reimbursed to the County. The new system would change the county's cost from 34% to 23%.

Ms. Pyle said the department started a new initiative in August 2007 to provide an extra \$150 stipend per month per child to attempt to keep siblings together. And, because that program was successful, the Board of Social Services took action in February 2008 to approve the initiative as a permanent program. DSS has been able to assist 16 children in remaining with their siblings in their own community with an overall cost of only \$1,050 per month. Keeping siblings together maintains strong bonds, preserves connections with family, friends, school, etc.

Ms. Causey reported on various responsibilities of a child protective services' worker that required a tremendous amount of their time: foster care visitations (34 children); counseling (68 children); court-ordered drug screenings; time in court time; social work visits; reunification efforts; and transporting children for their activities, medical appointments, treatment, etc.

She thanked Commissioners for their past and continued support. Chairman Greene said her report was the most comprehensive one he had ever seen about the program. Commissioners extended appreciation to Pat Causey, Wendy Pyle, and all child protection service workers for their efforts.

Lengthy discussion followed about the expenses of the program, federal/state reimbursements to the County, and the need for foster care homes to care for children in the program.

Residential Growth in Caldwell County

Randy Feierabend, Planning Director, updated Commissioners on the residential growth in the County during 2007. He reported that \$50 million had been spent in construction each year for the last five years; however, 2007 was the best year of the five with \$58 million spent on construction.

Mr. Feierabend said the housing industry remained strong in 2007 with 303 new homes constructed in the County. The average value of a new home permitted in 2007 was \$190,000. Of the land 3817 deeds for land sales in Caldwell County during 2007, 1524 were for parcels smaller than 5 acres; 57 were for parcels greater than 40 acres; 19 were for parcels greater than 100 acres; and the largest parcel was 880 acres.

Solid Waste Freon/White Goods Proposal

Bill Duquette said he and George Gibbons, Foothills Environmental general manager would be talking about operation of the County's convenience centers. Mr. Duquette informed Commissioners that there were four swap sheds, one located at each of the County's busiest convenience centers. He said site attendants were having a hard time monitoring the swap sheds on Saturdays because of the traffic congestion and that there had been concerns regarding children's safety being threatened by large (GDS) trucks entering the sites. He said one of the site attendants suggested closing the swap sheds on Saturdays to lessen traffic congestion and to address the child safety concern. He asked the Board to approve the proposal.

Discussion followed about the operating hours for the four convenience centers and the effectiveness of the swap shed operations.

Commissioner Thuss moved to close the swap shed operations on Saturdays, Commissioner Barrier seconded, and the motion carried unanimously.

Regarding white goods taken at eight of the convenience sites, Mr. Gibbons said Freon was an issue. He said dumping at the convenience sites hindered the landfill from properly managing the CFC's (Freon and other gases). Mr. Gibbons proposed to eliminate disposal of metal and white goods at the convenience centers and to require that it be taken to the landfill (Foothills Environmental) for proper disposal. He said landfill staff could better manage the disposal by logging information and addressing the CFC's properly to be more environmentally sensitive. He said the metal containers had been found to have items disposed such as batteries and gas cans with gas still in them, etc. He said site attendants did not have time to manage the containers and Foothills Environmental wanted to handle the CFC's because of several issues including severe fines placed on them in past years for not handling CFC's properly.

Commissioner Higgins moved to eliminate metal and white goods disposal at all convenience centers beginning May 7, 2008 and Commissioner Barrier seconded the motion. There was discussion about concerns from not taking metal at the sites and people throwing metal out (littering) everywhere in the County. Staff was directed to monitor citizens about the inconvenience of not taking metal at the convenience centers and report findings to the Board of Commissioners. The motion carried by majority with Commissioners Beane and Thuss voting against the motion. Commissioner Beane clarified his vote by saying he agreed with the concern expressed by Commissioner Thuss about eliminating metal disposal at convenience centers discouraging people from disposing it correctly.

Land Use Plan

Commissioner Higgins informed the Board she had received several calls from owners of property, especially landowners along the river, concerned about the greenway in the land use plan. She said the landowners said they were not involved in development of the plan and, although the wording said voluntary, they were not comfortable with the greenway being included in the land use plan. Commissioner Higgins said she and Commissioner Thuss met with Eliza Bishop. Ms. Bishop did not like the land use plan and presented a petition with 122 signatures requesting the greenway be removed.

Commissioner Higgins moved to remove any reference about a greenway from the Land Use Plan. Commissioner Barrier seconded the motion. Chairman Greene noted the land use plan stated greenways were voluntary. Randy Feierabend provided a history of the land use plan development and the parties involved in the discussions. Discussion followed about how greenways were included in the development of the land use plan. The motion was defeated by majority vote with Commissioners Greene, Beane, and Thuss voting against the motion.

Consent Agenda

A. Approval of Minutes

The County Manager recommended the Board of Commissioners approve the minutes of the January 28, 2008 regular meeting as prepared and presented by the Clerk.

B. Budget Amendments

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

(1) EMS (Training Expenses) \$5,500.00

The following budget amendment is necessary to use increased ambulance fees to offset training expenses.

Increase	10.4330.340000	Ambulance Fees	\$5,500.00
Increase	10.4330.431200.4001	Travel and Training	\$5,500.00

(2) EMS (Vehicle Repairs & Maintenance) \$40,000.00

The County continues to experience significant maintenance problems with its ambulance fleet. Tony Helton and Lloyd Robbins analyzed the current budget and projected needs to complete the year. He recommended the Board of Commissioners approve the contingency resolution which is hereby incorporated by reference and made a part of these minutes (Exhibit B) associated with the budget amendment.

Decrease	10.4110.499100	Contingency	\$40,000.00
Increase	10.4400.435303	R&M Vehicle EMS	\$40,000.00

(3) DSS (Child Care Funding) \$420,000.00

DSS requested an increase in Child Care appropriations to cover costs of services paid to child care providers for child care budget FY07-08 expenses. The Child Care Development and Smart

Start funds were increased for Caldwell County to cover cost of services for the current fiscal year. The program is 100% reimbursed with federal and state funds. No county participation is required and the following budget amendment is necessary.

Increase	81.5690.331600	Child Federal	\$420,000.00
Increase	81.5690.437800	Child Care	\$420,000.00

(4) Room Occupancy Tax; \$25,000.00

The room occupancy tax for F07-08 will exceed the budgeted projections due to increased occupancy levels in the County. The following budget amendment is necessary to increase the revenue and associated expenditure to complete the remaining fiscal year:

Increase	10.6170.318003	Room Occupancy Tax	\$25,000.00
Increase	10.6174.461100	Room Occupancy Tax	\$25,000.00

(5) EMS (Haz Mat Emergency Planning Grant) \$5,000.00

The Department was awarded a 2008 HMEP grant in the amount of \$5,000.00 to incorporate the Hazardous Materials Response Plan into the County Emergency Operations Plan (Eplan) website. The funding will be used to contract with Eplan, LLC, the developer of the web based EOP system, to complete the project. There is no local match required for the grant and the following budget amendment is necessary to reflect the award and its use:

Increase	10.4390.330000	Other Grants	\$5,000.00
Increase	10.4390.444100	Contractual	\$5,000.00

C. Caldwell County Schools' Applications for Use of Public School Building Capital Funds

Mr. White reported that Donnie Bassinger submitted a request to the Board of Commissioners seeking approval to use Public School Building Capital and NC Education Lottery funds for the following projects:

<u>School</u>	<u>Project</u>
• Baton Elementary	Boiler Replacement
• Collettsville Elementary	Boiler Replacement
• Gamewell Elementary	Boiler Replacement
• Granite Falls Middle	Boiler Replacement
• Gamewell Middle	A/C Replacement
• Oak Hill Elementary	A/C Replacement
• Collettsville	A/C Replacement
• Granite Falls Elementary	Grease Interceptor Installation
• Granite Falls Middle	Grease Interceptor Installation

He said the Board of Education would take official action regarding the applications for the funds during its next meeting. To approve the request and allow the Board of Education to proceed with the projects using the identified funds, Mr. White recommended the Board of Commissioners to adopt the project budget ordinances where are hereby incorporated by reference and made a part of these minutes (Exhibits C, D, E) and to approve the following budget amendments:

Increase	75.5910.334301	School ADM	\$ 55,713.00
Increase	75.5910.465801	School ADM	\$ 55,713.00

Increase	75.5910.334301	School ADM	\$154,650.00
Increase	75.5910.465801	School ADM	\$154,650.00
Increase	75.5910.334301	School ADM	\$ 29,953.50
Increase	75.5910.465801	School ADM	\$ 29,953.50

D. Offer to Purchase Property from Caldwell County Submitted by Johnny Potter

Mr. White informed the Board of Commissioners that Caldwell County currently owned property adjacent to the Lick Mountain landfill site. The property was part of acquisitions related to the CSI settlement some years ago. One component of the property involved a lifetime estate agreement for an elderly woman residing in a mobile home on the property. She has since deceased and Mr. White said the County received a request from Johnny Potter to acquire approximately 1.159 acres of the much larger tract for private use.

Mr. Potter has been in discussion with David Lackey, County Attorney, regarding all conditions relating to property use in the future. He provided a formal offer to purchase in the amount of \$10,000.00 for the designated 1.159-acre tract.

In order for the County to consider the offer and to proceed, Mr. White recommended the Board of Commissioners approve the following actions:

1. declare the designated approximately 1.159-acre tract surplus;
2. accept the offer to purchase in the amount of \$10,000.00 from Mr. Johnny Potter; and
3. to initiate and follow the state-required ten-day upset bid process prior to any formal decision regarding sale of the property.

E. Request to Schedule Public Hearing re Renaming David’s MHP Drive

Mr. White recommended the Board of Commissioners schedule a public hearing for 6:00 p.m. on Monday, April 21, 2008 in the Tammy Austin Greene Conference Room, 1166 Morganton Boulevard SW, Lenoir to formally consider the proposed road renaming of David’s MHP Drive to Wounded Knee Lane.

F. Additional Home and Community Care Block Grant Funds

Mr. White said, each year, the State of North Carolina receives federal funds designed for certain elderly services. The funds are entitled the Home and Community Care Block Grant (HCCBG). The state, through the NC Division of Aging and Adult Services, allocates the federal funds on a formula basis to each of the 100 counties. Within Caldwell County, the Council on Aging reviews requests for use of the funds and formally forwards recommendations to the Board of Commissioners for their formal action.

He said past action by the Board of Commissioners appointed the Caldwell County Council on Aging as the planning committee and the Western Piedmont Council of Governments Area Agency on Aging as the administrative coordinating entity for implementation of the funding. Sheila Weeks is the WPCOG Area Aging Director and has worked with the Caldwell County Council on Aging in review of the requests and funding recommendations.

He said, for 2008, the state allocation formula resulted in a total of \$461,665 in HCCBG funds for Caldwell County (\$606 less than the previous year). However, Caldwell County recently received notice of \$6,343.00 in additional funding. Mr. White highlighted the following recommendations by

the Council of Aging for allocating the funds based on the fact that both of the services have a waiting list.

<u>Service</u>	<u>CDBG Funding</u>
In-Home Aide Level I	2,114.34
In-Home Aide Level III	<u>4,228.66</u>
Total	\$6,343.00

Mr. White recommended the Board of Commissioners formally approve the additional Home and Community Care Block Grant funding allocations as recommended by the Caldwell County Council on Aging and authorize the Chairman and the County Finance Director to sign the associated documents.

G. Donated Property to Sheriff Office

Mr. White reported that the Sheriff Office was offered a donation of a vehicle and staff wished to officially accept the donated vehicle. It would be assigned for use in detective and or patrol functions. And, it would replace Asset #10271. To formally accept the donation, Mr. White recommended the Board of Commissioners formally accept the donated vehicle and authorize staff to proceed with necessary activities to include the vehicle in the County's asset listing and to insure the vehicle.

H. Request to Surplus Vehicles and Authorization to Sell on GovDeals.com

Mr. White recommended the Board of Commissioners declare the list of vehicles which is hereby incorporated by reference and made a part of these minutes (Exhibit F) surplus and to authorize staff to dispose of the vehicles, according to general statute requirements, through GovDeals.com on the Internet.

I. Change Location of the Board of Commissioners' April 21, 2008 Meeting

Due to the early voting process and the Board of Election's use of the City-County Chambers for a one-stop voting precinct, Mr. White recommended the Board of Commissioners schedule the April 21, 2008 meeting at 6:00 p.m. to be held in the Health/DSS Conference Room, 1166 Morganton Blvd. SW, Lenoir, NC.

J. Request to Schedule Public Hearing re EDI Grant for Clark Tire

Mr. White recommended the Board of Commissioners schedule a public hearing for 6:00 p.m. on Monday, April 21, 2008 in the Health/DSS Conference Room, 1166 Morganton Blvd SW, Lenoir, to formally consider an EDI grant request from Clark Tire.

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

Report to Commissioners re Requests before the Planning Board

Randy Feierabend provided Commissioners information on the following requests to be formally presented to the Planning Board during its first meeting in February.

- Rezoning request (from RA-20 to PUD) from Redwend Inc./BMB Resorts for 22.3 acres located on Brown Mountain Beach Road.
- Rezoning request (from RA-20 to O&I) from West Caldwell Health Council for 2.25 acres on Hwy 268.

Appointments

As a result of action taken during the Commissioners' meeting on March 17, 2008 to rescind the old zoning ordinance and; therefore, the membership and makeup of the existing Planning Board abolished, Commissioner Thuss moved to appoint the following individuals to serve terms, respectively, on the Caldwell County Planning Board, effective April 12, 2008. Commissioner Higgins seconded the motion. It was noted that a representative for Oak Hill would be appointed in the future. Commissioner Beane asked the reason for abolishing the former board and appointing a smaller, 9-member board. Mr. Feierabend explained the reason for decreasing the number of members and how the representative slots were determined. The vote was unanimous.

- | | | |
|--------------------------------------|----------------|--------|
| • At-large | Harry Suddreth | 1 year |
| • At-large | Ralph Haigler | 2 year |
| • Minority | Sam Patterson | 3 year |
| • Dudley Shoals | Dal Haigler | 1 year |
| • Yadkin Valley | Keith Suddreth | 2 year |
| • Collettsville/Johns River/Mulberry | Susan Gragg | 3 year |
| • Kings Creek | Sharon Schmidt | 1 year |
| • Baton Cajah's Mountain | Ken Crump | 2 year |

Commissioner Beane moved to appoint Patricia C. Bolick for an initial 1-year term on the Community Adult Care Home Committee and, by unanimous vote, Ms. Bolick was appointed.

Commissioner Beane moved to appoint Wanda This to the Region E Aging Advisory Committee for a two-year term and, by unanimous vote, Ms This was appointed.

Commissioner Thuss reported there were two vacancies on the Health Board (optometrist and general public slots). As a result of Lorene Reece's resignation from the Health Board, Commissioner Thuss moved to appoint Kay Roukema to fill the (general public) vacancy and, by unanimous vote, Ms. Roukema was appointed.

There being no further business to conduct, Commissioner Higgins moved to adjourn and, by unanimous vote, Chairman Greene declared the meeting adjourned at 1:00 p.m.