

CALDWELL COUNTY
Lenoir, North Carolina

BOARD OF COMMISSIONERS
October 15, 2007
6:00 pm

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

Absent: Herbert H. Greene, Excused

Staff Present: Kathy T. Myers, Clerk to the Board
David Lackey, Attorney

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

On behalf of the Board of Commissioners, Commissioner Thuss extended congratulations to Faye Higgins who was recently awarded the Distinguished Woman of the Year by the Caldwell County Council for Women. He said it was a prestigious honor of which she very much deserved. Chairman Higgins thanked Commissioners and said the award was quite an honor and was very humbling.

Chairman Higgins asked if there were any additions or amendments to the October 15, 2007 agenda. Kathy Myers asked that Item #F be removed; that Item #H be rescheduled for a later date until Mr. Horton was in attendance; and Item #I3 be removed as it had already been acted upon during a previous Commission meeting. In place of Item #I3, Commissioner Thuss asked to add a decision item (Environmental Health Reclassifications). Chairman Higgins requested the addition of a closed session pursuant to N.C.G.S. 143-318.11(a)(4) and (6) regarding economic development and personnel issues. Commissioner Beane moved to approve the agenda as presented and amended, Commissioner Barrier seconded, and the motion carried unanimously.

Public Hearing—Closeout of New River Building Supply CDBG Project

Lisa Helton appeared before Commissioners to report the economic development project for New River Building Supply had been completed. There were 5,200 linear feet of 12" water line installed to the industry and 25 new employees were added. Ms. Helton said the project was successful and urged Commissioners to visit the site. She said the budget was \$367,900 and only \$252,875 was spent because the bids were quite lower than projected. In addition, she said there was additional funding to come in the form of a \$38,900 grant from the NC Rural Center for the over sizing water line cost (12" rather than 8") to provide greater capacity and storage area.

Commissioner Thuss moved to open the public hearing, Commissioner Barrier seconded, and the motion carried unanimously. There was no public participation. Commissioner Barrier moved to close the public hearing, Commissioner Thuss seconded, and the motion carried unanimously. Commissioner Beane moved to formally approve the closeout of the New River Building Supply CDBG economic development project (#05-E-1469). Commissioner Barrier seconded the motion and it carried unanimously.

Anonymous Contribution to Sheriff Office to Purchase K-9

Captain Chris Brackett reported to Commissioners that an anonymous donor wanted to contribute \$3,000.00 to Caldwell County’s Sheriff Office in order to purchase a K-9 for use in the detention center as a deterrent to inmates for inappropriate activity and for use as a tracking dog for bomb/explosive detection when needed. He said there was already an officer, 1st Sergeant Tommy Taylor, trained to handle the new dog; an existing patrol unit had been refurbished to handle the dog; and the food was going to be donated by an employee.

Commissioner Thuss moved to formally accept the contribution, to approve the following budget amendment, and to authorize the purchase of a K-9 for the Sheriff Office. Commissioner Beane seconded the motion and it carried unanimously.

Increase	10.4320.364000	Donations & Contributions	\$3,000.00
Increase	10.4320.452000	Non Capitalized Equipment	\$3,000.00

Request from Sheriff Office to Surplus Weapons for Trade-in

Captain Brackett requested approval from Commissioners to declare the service weapons for two officers (Mike Powell and Randy Church) who would be retiring from the department. He also requested Commissioners to formally declare the following four (4) rifles surplus so that they could be traded in for two (2) new Bushmaster AR-15 .223 rifles. It was noted that the old rifles were in need of repair and had been taken out of service. He said the trade with American Trade & Loan could be made at no cost; therefore, no county money would be impacted by the swap.

- Ruger Mini-14 .223 Rifle Serial #185-66973
- Ruger Mini-14 .223 Rifle Serial #186-06061
- Ruger Mini-14 .223 Rifle Serial #185-66546
- Ruger Mini-14 .223 Rifle Serial #185-66735

Commissioner Thuss moved to declare the two service weapons surplus; to declare the identified rifles surplus; and to authorize staff to trade them for two new rifles as requested. Commissioner Barrier seconded the motion and it carried unanimously.

Environmental Health Reclassifications

Denise Michaud, Health Director, presented a proposal for reorganizing Environmental Health. She said there had been some informal discussions with the supervisor (Tony Whitt) and staff about ways that employees could serve the community in a more effective way. She said there had been no official discussions with involved staff because she first wanted approval from the Board of Commissioners.

Ms. Michaud said Tony Whitt, among several reasons, wanted to step down as supervisor and spend more time in the office to take care of additional duties that will be coming forth as directed by the State as well as work on areas such as policies and procedures to get ready for accreditation.

Commissioner Thuss said the reorganization involved a salary increase to one of the employees that exceeded 5% that the Manager was authorized to approve. Ms. Michaud said the reorganization called for the current supervisor, Tony Whitt, to step down as supervisor and become an Environmental Health Program Specialist with his salary to be decreased by 5% to \$51, 187.09 and the promotion of Ray Rhinehart to Environmental Health Supervisor I with a salary adjustment from \$33,040.00 to 44,600.00, effective November 1, 2007. She said Mr. Rhinehart would be eligible for promotion to Environmental Health Supervisor II in July 2008.

Commissioner Thuss moved to approve the request from the Health Director subject to approval by the Board of Health and to approve the associated budget amendments. Commissioner Beane seconded the motion and, following discussion, the vote was unanimous.

Consent Agenda

1. Approval of Minutes

Ms. Myers recommended the Board of Commissioners approve the minutes of the following meetings as presented and amended.

- August 27, 2007 Regular Meeting
- September 4, 2007 Regular Meeting
- September 17, 2007 Regular Meeting

2. Budget Amendments

Ms. Myers recommended the Board of Commissioners approve the following budget amendments and authorize staff to execute documents associated with the budget amendments.

a. Existing Lease with Wilbern Realty for DSS/Health; \$215,000.00

Regarding the ongoing discussions about Caldwell County's lease agreement with Wilbern Realty for the DSS/Health facilities and Wilbern Realty's claim for payment adjustments for several years past, the following budget amendment is needed so that Caldwell County can resolve the issue and make payment for a negotiated amount. The budget amendment includes an amount of federal funding that staff anticipates will be reimbursed to the County. The remaining amount will be appropriated from fund balance.

Increase	10.3000.397000	Fund Balance Appropriated	\$153,000.00
Increase	10.5310.331600	DSS Federal	\$ 62,000.00
Increase	10.4263.441200	Social Services Building Lease	\$104,000.00
Increase	10.4269.441200	Health Department Building Lease	\$111,000.00

b. Oak Hill Park Paving Repairs; \$14,410.00

Previously, the Board of Commissioners approved a budget amendment in the amount of \$9,150.00 for paving repairs to the Oak Hill Park based on an estimate provided to the County. The funds came from capital reserve that were earmarked for maintenance of the park. However, Oak Hill Park representatives submitted an updated estimate of \$23,560.00 for the repairs and are asking to use the remaining funds in capital reserve to complete the repair project.

The following budget amendment is necessary to transfer the capital reserved funds to Oak Hill Park's contractual line item:

Increase	10.3000.391001	Interfund Transfer-Capital Reserve	\$14,410.00
Increase	10.6130.444100	Contractual	\$14,410.00
Increase	21.3000.397000	Fund Balance Appropriated	\$14,410.00
Increase	21.9800.498000	Interfund Transfer	\$14,410.00

c. Insurance Settlements for Two Wrecked Vehicles (Health & DSS); \$6,122.78

The County received two reimbursement checks from the insurance company for settlement of damages to two county vehicles: a 2004 Jeep Liberty (Health Department) and a 2002 Dodge Caravan (DSS). The following budget amendment is necessary to reflect receipt of the funding and its placement in the Motor Fleet budget in order to make necessary repairs to the vehicles:

Increase	10.4400.310000	Miscellaneous Revenue	\$4,465.66
Increase	10.4400.310000	Miscellaneous Revenue	\$1,657.12
Increase	10.4400.435300	Maintenance & Repair	\$4,465.66
Increase	10.4400.435300	Maintenance & Repair	\$1,657.12

d. CCATS (Unspent ROAP and EDTAP Grant Funds); \$7,089.03

As a result of the FY06/07 audit of CCATS, the County received checks totaling \$7,089.03 which represent unspent ROAP (Rural Operating Assistance Program) and EDTAP (Elderly and Disabled Transportation Assistance Program) funds during that fiscal year. The funds must be returned to the NC Department of Transportation and the following budget amendment is necessary to properly receipt the funds and the subsequent reimbursement to NCDOT:

Increase	10.6170.310000	Miscellaneous Revenue	\$7,089.03
Increase	10.617041.461803	Grant Reimbursements	\$7,089.03

e. Cooperative Extension Service (Pesticide Container Disposal Grant); \$1,272.00

The County's Cooperative Extension office was awarded a grant to assist with pesticide container disposal. The grant has no local match requirement and the following budget amendment is necessary:

Increase	10.4950.330000	Other Grants	\$1,272.00
Increase	10.4950.429000	Grant Expenditures	\$1,272.00

f. Health Department (Increased Allocation for Women's Health); \$1,711.00

The Health Department received an allocation increase in the amount of \$1,711.00 from Women's Health Service Funds. The additional funding will be used to purchase supplies for the department's Family Planning Program and the following budget amendment is necessary to recognize the additional revenue:

Increase	10.5116.334514	Clinic – F.P. State	\$1,711.00
Increase	10.5116.426100	Medical Supplies	\$1,711.00

3. Work First Demonstration Grant for Caldwell County's DSS

Ms. Myers informed Commissioners the County received notice from the NC Department of Health and Human Services that DSS' Work First Demonstration Grant proposal was approved and a grant awarded in the amount of \$123,259 for the State's 2007-2008 fiscal year. The funding is to be used for evaluation of Work First recipients for work limitations and to provide an incentive for longevity of full-time employment. It was noted that the grant did not require any local match. Ms. Myers said the grant was a 100% federally reimbursed grant and the following budget amendment was necessary. She recommended the Board of Commissioners

formally accept the \$123,259.00 Work First Demonstration grant and to approve the budget amendment as presented.

Increase	81.5692.331600	Temp Federal	\$123,259.00
Increase	81.5692.441100	Work First	\$123,259.00

4. 2nd Year Award of 2006 GET ALARMED, NORTH CAROLINA! Grant

Ms. Myers reported a 2nd year 2006 GET ALARMED, NORTH CAROLINA! Grant was awarded to the Fire Marshal’s Office. She said it was to be used to install smoke detectors in Caldwell County homes that do not have them and that it was an extension of a previous grant. And, in order to accept the grant, the following budget amendment was necessary.

Increase	10.4390.330000.10133	Smoke Detector Grant	\$2,000.00
Increase	10.4390.467100.10133	Smoke Detector Grant	\$2,000.00

5. Water Department Server Repair or Replacement

Since a recent software upgrade to the Water Department’s server approximately two weeks ago, Ms. Myers reported that water department staff experienced certain problems in retaining water billing and recording information. She said staff was coordinating with the software vendor and the County’s IT department, a specific technical definition of exactly what may be causing the situation. The two most discussed possibilities for solving the problem included the purchase of a new server hard drive which could result in an expenditure of approximately \$300 or replacement of the entire service which could cost approximately \$7100.00. Because staff was not prepared to recommend a guaranteed solution, Ms. Myers recommended Commissioners grant authorization for staff to purchase a new server in the event such action was necessary and recommended by the vendor, County IT, and water staff as well as approval of the following budget amendment using existing Water Enterprise Fund revenues for the purchase.

Increase	60.3000.397000	Fund Balance Appropriated	\$7,100.00
Increase	60.7120.451000	Equipment	\$7,100.00

6. Paving Entrance at Patterson VFD

Ms. Myers talked about the NC Department of Transportation (DOT) paving assistance program designed to assist fire departments and rescue squads with paving projects at their facilities. She said, according to officials, the DOT uses its forces for paving, maintenance type needs and reimburses fire departments for expenses for those paving activities tied to new entrances. In order to provide the funds to agencies, the DOT needs County involvement in the form of formal endorsement and budgetary “flow-through” of the DOT funds. The individual departments are responsible for the actual work and certification of the work in accordance with DOT guidelines. The DOT funds are provided to the County for flow through to the departments.

Ms. Myers reported the Patterson Fire Department needed paving improvements to the bay doors at the new Patterson VFD located on Yadkin River Road and Roby Martin Road. The fire department requested County approval to apply for approximately \$25,000 in DOT funds and for the County to serve as the flow-through agency for the project. It was noted no local funds were involved in the request.

Ms. Myers recommended the Board of Commissioners approve the Patterson Volunteer Fire Department request for DOT Paving Assistance funds; approve Caldwell County serving as the agent for flow-through funding activities; and authorize Chairman Higgins to execute the WBS Element 11C.014063 construction agreement.

Commissioner Barrier moved to approve the six (6) items on the consent agenda as presented and recommended by the Clerk. Commissioner Thuss seconded the motion and it carried unanimously.

Appointments

Chairman Higgins moved to appoint Steve Rich and Jarred Storer to the Caldwell County Juvenile Crime Prevention Council. Commissioner Thuss seconded the motion and it carried unanimously.

Public Comment Period

Ron King appeared before Commissioners to voice his concern about illegal immigration and said it had many harmful impacts. He said illegal immigrants were worse to society, as a whole, than the contributions they made to the economy. Mr. King said the recent tax increase was due, partly, to illegal aliens causing expenses such as incarceration, hospitalization, and education. He cited sections of the United States Constitution and said citizens had the right to know how much was being spent on illegal immigrants.

Mr. King said that North Carolina is 8th in the United States in numbers of Hispanic/Latino population and said there was a need to control intrusion as well as deter illegal immigrants from entering Caldwell County and the State of North Carolina. He also cited statistics about the number of Hispanics/Latinos in the County's school system and talked about associated financial burdens on taxpayers for extra teachers, etc. Mr. King voiced concern that employers were helping to feed the intrusion by hiring illegal immigrants who work, draw wages, and send the money back to their countries. He said many of them have been arrested for ID theft, DUI, and death by vehicle.

In closing, Mr. King said the County and the State have the responsibility to protect citizens and tax dollars.

Closed Session

At 8:50 p.m., Commissioner Thuss moved to go into closed session pursuant to NCGS 143-318.11(a)(4 and 6) to discuss an economic development project and a personnel matter, respectively. 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 Beane moved to adjourn and, by unanimous vote, Chairman Higgins declared the meeting adjourned at 9:45 p.m.