Caldwell County
Lenoir, North Carolina

Present: Randy T. Church, Chairman
         Mike LaBrose, Vice Chairman
         Jeff Branch
         Donnie Potter
         Robbie Wilkie

Absent: None

Staff Present: Stan Kiser, County Manager
               Amanda Triplett, Interim Clerk to the Board
               David Lackey, County Attorney

Chairman Church opened the meeting and welcomed everyone.

Public Comment

Michael Fitzgerald, a resident of the County for 20 years and a small business owner for 3 years spoke concerning the increase in fees from 10 cents to 25 cents, (a 150% increase) for copying at the library. He also expressed a need for more computers at the library. He asked the Commissioners to take these two concerns under consideration.

Jennifer Greer, a member of the Library Board, a teacher, and a school librarian spoke about the importance of libraries. She also expressed concern about areas of the building housing the library being used for other departments. She also expressed praise for Lesley Mason, the Library Director.

Barbara Kirby read a letter read from Sara Marie, a home school parent, and frequent user of the library, who would like to see library funding increased.

Darren Schwenkbeck spoke in support of the library and expressed concern over the library losing space.

Dottie Darsie acknowledged the library staff and praised the fine programs the library sponsors.

Emily Williams, a writer, grew up in Caldwell County and recently retired and moved back from Atlanta. She stated that she was very impressed with the library. She explained the economic impact of a good library in attracting businesses and people to the area.

Barbara Busch spoke in support of the library and encouraged the Commissioners not to give away too much space in the building the library occupies.
Amanda Bregal expressed support for the library and emphasized the importance of being a reader.

Regular Session

Bryan Davis provided the invocation and Commissioner Wilkie led the pledge of Allegiance. Chairman Church asked if there were any additions or amendments to the April 1, 2019 agenda. The Interim Clerk asked that under Item 12A another application to the Board of Blue Ridge Community Action be added. Commissioner LaBrose moved to approve the agenda as presented and amended by the Interim Clerk. The vote was unanimous to approve.

Recognition of Retirees

Register of Deeds Wayne Rash recognized Diane Dunn and presented her a plaque for her over 31 years of service. Joann McCall was recognized and presented a plaque by Bryan Davis for 22 years of service. Although not present, Kathy Greene was recognized by Chairman Church for 25 years of service as Clerk to the Board. Lisa Annas was not present but was recognized by the Chairman for 30 years of service to the Caldwell County Library.

Public Hearings – Economic Development Incentive for Project Revolution

EDC Executive Director Deborah Murray has been working with a well-established company on a multi-phased expansion of a manufacturing operation. They are seeking permission to move forward on a One NC Fund Grant, a Building Reuse Grant, and a Local Jobs Incentive Grant for 125 jobs over 3 years. The company is requesting confidentiality until corporate decisions have been made and the Governor announces One NC Fund grants. Ms. Murray requested the Board approve a Local Jobs Incentive of $2,000 per job for 125 jobs to be created over a three-year period for a total of $250,000 and approve the corresponding Resolution of Support for a One NC Fund Grant and a Building Reuse Grant.

Chairman Church declared the public hearing open; however, there was no public comment. Chairman Church declared the public hearing closed.

Commissioner Potter moved to approve a local Jobs Incentive of $250,000 ($2,000 per job) as presented and adopt the Resolution. The motion carried unanimously.

Building Reuse Program Incentive
Authorizing Resolution
Project Revolution Economic Development Project
Whereas, the Caldwell County Board of Commissioners and Deborah Murray, Executive Director of Caldwell County Economic Development Commission, are currently recruiting a corporate expansion to Caldwell County, NC, to create up to 125 new jobs, and

Whereas, this economic development project is locally titled Project Revolution in order to maintain confidentiality until approved for public release by the North Carolina Department of Commerce and appropriate company officials, and

Whereas, the North Carolina Department of Commerce has begun its preliminary review of this economic development project to determine the company’s eligibility for a potential One NC Fund grant and a potential Building Reuse grant based on the creation of up to 125 new jobs over a three (3) year period, and

Whereas, the One NC Fund grant and the Building Reuse grant requires a local government to serve as the formal applicant for these incentive grant dollars on behalf of the company, and

Whereas, the Caldwell County Board of Commissioners has approved a Local Jobs Incentive of $2,000 per new job created up to $250,000, and

Whereas, the Caldwell County Board of Commissioners understands the company plans to consolidate business units in other states that can potentially be located in Caldwell County resulting in approximately $8 million in new private investment, and

Whereas, Caldwell County elected officials and staff have previous experience in the administration of the Building Reuse and One NC Fund grant programs and are willing to provide assistance in the implementation of this project.

Now Therefore Be It Resolved the Caldwell County Board of Commissioners agree to formally serve as applicant for the Project Revolution Building Reuse grant and One NC Fund grant and authorize the Chairman to sign appropriate certifications for the local government applications related to these grants.

Adopted this 1st day of April, 2019.

ATTEST:

______________________________  ______________________________
Amanda Triplett, Interim Clerk to the Board  Randy T. Church, Chairman
Caldwell County Commission

Proclamations

Library Director Lesley Mason, updated the Board on library usage and programs. She noted that 20,000 people per month use the library. She acknowledged the Friends of the Library who
sponsor several programs at the library, filling a funding void. Ms. Mason also shared data comparing funding with other similar counties.
Chairman Church read the Proclamation. Commissioner Wilkie moved to adopt the Proclamation to designate April 7-13, 2019 as National Library Week in Caldwell County. Commissioners Wilkie and Potter expressed their appreciation to the Library for the service they provide to the citizens. The motion passed unanimously.

*National Library Week 2019*

**Proclamation**

**WHEREAS**, today’s libraries are not just about books but what they do for and with people;

**WHEREAS**, libraries of all types are at the heart of cities, towns, schools and campuses;

**WHEREAS**, libraries have long served as trusted and treasured institutions where people of all backgrounds can be together and connect;

**WHEREAS**, libraries and librarians build strong communities through transformative services, programs and expertise;

**WHEREAS**, libraries, which promote the free exchange of information and ideas for all, are cornerstones of democracy;

**WHEREAS**, libraries promote civic engagement by keeping people informed and aware of community events and issues;

**WHEREAS**, librarians and library workers partner with other civic organizations to make sure their community’s needs are being met;

**WHEREAS**, libraries and librarians empower their communities to make informed decisions by providing free access to information;

**WHEREAS**, libraries are a resource for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status, by offering services and educational resources that transform lives and strengthen communities;

**WHEREAS**, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

**NOW, THEREFORE**, be it resolved that I Randy Church proclaim National Library Week, April 7-13, 2019. I encourage all residents to visit the library this week and explore what’s new at your library and engage with your librarians. Remember, Libraries Transform.

Social Services Director Will Wakefield, along with partners from law enforcement, education, and Robins Nest Children’s Advocacy Center, read the Proclamation designating April as Child Abuse Prevention Month. Commissioner Potter moved to adopt the proclamation designating
April as Child Abuse Prevention Month. Commissioners Potter and Wilkie expressed appreciation for the work done on behalf of children. The vote was unanimous to adopt.

PROCLAMATION

CHILD ABUSE PREVENTION MONTH

APRIL 2019

WHEREAS, we recognize that children are vital to our county, state and nation’s future success, prosperity and quality of life, as well as, being our most vulnerable assets;

WHEREAS, all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development;

WHEREAS, Caldwell County, received 1609 reports of child abuse and neglect and investigated reports involving 1,820 children in 2018;

WHEREAS, children who experience abuse and neglect have higher rates of academic failure, chronic long-term health issues and increased propensity to violence, if gone untreated;

WHEREAS, child abuse and neglect is a community responsibility affecting both the current and future quality of life of a community;

WHEREAS, communities that provide parents with the social support, knowledge of parenting and child development and concrete resources they need to cope with stress and nurture their children ensure all children grow to their full potential;

WHEREAS, effective child abuse prevention strategies succeed because of partnerships created among citizens, human services agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Caldwell County does hereby proclaim April 2019 as Child Abuse Prevention Month, and calls upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support children and families, thereby preventing child abuse and strengthening the community in which we live.

Adopted this the 1st day of April 2019.

Randy T. Church, Chair

Amanda Triplett, Interim Clerk to the Board

Reports

Communities in Schools-
Debbie Eller, Communities in Schools Director, gave an in-depth report on the activities and programs of the organization. She provided handouts highlighting the community impact of CIS. Commissioners thanked Ms. Eller and noted that one of the graduates of the program was now a school board member.

“A Clean Wilson Creek”

Wes Waugh with “A Clean Wilson Creek” gave the Board an overview of the formation, history, activities, accomplishments, and needs of the organization. Of particular concern is the high volume of garbage and the need for another dumpster. Mr. Waugh emphasized the significance of the river to the area.

Medicaid Transformation by Vaya Health

Brian Ingraham with Vaya Health gave a report including a PowerPoint presentation on Medicaid Transformation. He explained that this is the biggest change in Medicaid in our lifetime. In the near future Medicaid will have standard plans, which will include most people, and tailored plans for individuals with more complex needs.

Items for Decision

Finance Director Tony Helton presented the Board the financing quotes for the proposed $12,300,000.00 loan needed to fund construction and renovations to Granite Falls Middle School. The lowest quote was submitted by Regions Bank and included an interest rate of 3.04%. The term of the loan is 15 years.

Commissioner LaBrose moved to accept the quote from Regions and approval of all associated paperwork necessary to move forward with the project. County Attorney David Lackey noted that the Resolution must also be adopted.

Commissioner LaBrose amended his motion to include adoption of the Resolution.

Commissioner Branch said that he would not go over 10 million for the project. The motion passed with four voting for and Commissioner Branch voting against.

RESOLUTION OF THE COUNTY OF CALDWELL, NORTH CAROLINA APPROVING AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

WHEREAS, the County of Caldwell, North Carolina (the “County”) is a political subdivision validly existing under the constitution, statutes and laws of the State of North Carolina (the “State”);

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

WHEREAS, the Board of Commissioners of the County (the “Board of Commissioners”) previously determined that it is in the best interest of the County to enter into an installment financing contract (the “Contract”) with a financial institution to be selected through a requests for proposal process in order to obtain funds, together with grant funds the County expects to receive, to pay the capital costs of
partially demolishing, reconstructing, renovating, equipping and furnishing Granite Falls Middle School located in the County at 90 N Main St, Granite Falls, North Carolina (the “Project”);

WHEREAS, the Board of Commissioners wishes to approve the selection by the County of the bid of Regions Capital Advantage, Inc. (the “Lender”) for purposes of entering into the Contract in order to obtain funds to finance a portion of the Project;

WHEREAS, the Board of Education of the County (the “Board of Education”) currently owns the site on which the Project is and will be located, together with all improvements and fixtures located thereon (the “Site”) and will execute and deliver a general warranty deed conveying the Site to the County in connection with financing the Project;

WHEREAS, the Board of Commissioners of the County (the “Board of Commissioners”) hereby determines that it is in the best interest of the County to (1) accept title to the Site under the general warranty deed from the Board of Education to the County (2) enter into the Contract with the Lender in order to obtain funds to finance the Project, (3) grant to the Lender under a deed of trust, security agreement and fixture filing (the “Deed of Trust”) a security interest in the County’s fee simple interest in the Site as security for the County’s obligations under the Contract and (4) enter into a lease and agency agreement (the “Lease and Agency Agreement”) with the Board of Education in order to provide for the construction and completion of the Project.

WHEREAS, the Board of Commissioners conducted a public hearing on March 4, 2019 to receive public comments on the Project, the Contract, the Deed of Trust and the Lease and Agency Agreement (the Contract, the Deed of Trust and the Lease and Agency Agreement are collectively referred to as the “Instruments”);

WHEREAS, the County has filed an application with the Local Government Commission of North Carolina (“LGC”) for approval of the LGC with respect to the County entering into the Contract in an aggregate principal amount not to exceed $12,300,000;

WHEREAS, there has been made available to the Board of Commissioners the form of the Instruments which the County wishes to enter into and deliver, as applicable, to effectuate the proposed financing at an interest rate specified in the Contract and in the bid summary provided to the Board of Commissioners, all of which the Board of Commissioners wishes to approve; and

WHEREAS, it appears that the Instruments are in appropriate form and are the appropriate instruments for the purposes intended;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CALDWELL, NORTH CAROLINA, AS FOLLOWS:

Section 1. Authorization and Approval of the Instruments and the Project. The form and content of the Instruments and the Project are carried out with all respect authorized, approved and confirmed. The County approves the amount advanced by the Lender to the County pursuant to the Contract in an aggregate principal amount not to exceed $12,300,000. The County Manager and the Finance Officer, including anyone serving as such in an interim capacity, or their respective designees (the “Authorized Officers”) are authorized, empowered and directed to execute and deliver the Instruments, which will be valid, legal and binding obligations of the County in accordance with their terms, including necessary counterparts, in substantially the form as set forth above. The execution and delivery of the Instruments by the Authorized Officers constitutes conclusive evidence of the approval of the Board of Commissioners of any and all such deviations in such Instruments from the form and content of the Instruments made available to the Board
of Commissioners. From and after the execution and delivery of the Instruments, the Authorized Officers are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Instruments as executed.

Section 2. County Representative. The Authorized Officers are hereby designated as the County’s Representative to act on behalf of the County in connection with the transactions contemplated by the Instruments and are authorized to proceed with the Project and to seek opinions as a matter of law from the County Attorney, which the County Attorney is authorized to furnish on behalf of the County, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The Authorized Officers are each hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by the Instruments or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution and to take all other actions that they deem necessary to administer the Instruments and the Project in a manner consistent with the intent of this Resolution and the Instruments. Any and all acts of the Authorized Officers may be done individually or collectively.

Section 3. Severability. If any section, phrase or provision of this Resolution is for any reason declared invalid, such declaration will not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 4. Repealer. All motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 5. Effective Date. This Resolution is effective on the date of its adoption.

PASSED, ADOPTED AND APPROVED this 1st day of April, 2019.

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, ________________________________, Interim Clerk to the Board of Commissioners of the County of Caldwell, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a resolution titled “RESOLUTION OF THE COUNTY OF CALDWELL, NORTH CAROLINA APPROVING AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO” adopted by the Board of Commissioners of the County of Caldwell, North Carolina in regular session convened on the 1st day of April, 2019, as recorded in the minutes of the Board of Commissioners of the County of Caldwell, North Carolina.

WITNESS my hand and the seal of the County of Caldwell, North Carolina, this the ___ day of __________________, 2019.

(SEAL)

_____________________________
Interim Clerk to the Board of Commissioners
County of Caldwell, North Carolina
Major Marc Jardon represented the Sheriff Department to request approval to construct a new inmate release area at the department. The new entrance road has created some congestion and safety issues. This project is funded by a combination of existing appropriations; therefore, it does not require any new funds. Chairman Church moved to approve the construction of a new inmate release area at the Sheriff Dept. The vote was unanimous to approve.

The Sheriff Department requested approval to purchase a new patrol vehicle and associated equipment to replace one destroyed in a wreck. This purchase would require appropriation of General Fund Revenues. Commissioner Wilkie moved to approve the purchase of a new patrol vehicle for the Sheriff Department to replace one destroyed in a crash. Chairman Church commented that it would be wiser to replace vehicles as they are destroyed rather than the budget being hit by several replacements at once. The motion passed unanimously.

Consent Agenda

Approval of Minutes

A. The County Manager recommended the Board of Commissioners approve the minutes of the March 4, 2019 meeting as presented.

B. Budget Amendments
The County Manager recommended the Board of Commissioners approve the following budget amendments:

1. Maintenance Department Sale of Scrap Metal Proceeds $1,380.00*
The following budget amendment is necessary to use proceeds from the sale of scrap metal to cover a shortfall in vehicle fuel in Maintenance Department’s budget.

| Increase | 10.4286.310000 | Misc. Revenue | $1,380.00 |
| Increase | 10.4260.425100 | Vehicle Fuel  | $1,380.00 |

2. Fire District Tax Collections-$5,500.00*
Two fire districts are close to exceeding their budget estimates for FY18/19. The following revision is necessary to increase the revenue and subsequent expenditures for these districts to complete the current fiscal year. This revision requires no local funding.

| Increase | 364340 311318 | 2018 Vehicle Tax | $2,000.00 |
| Increase | 384340 311318 | 2018 Vehicle Tax  | $3,500.00 |
| Increase | 364340 484300 | District Tax Collections | $2,000.00 |
| Increase | 384340 484300 | District Tax Collections  | $3,500.00 |

3. Remodeling of Lower Level of Hospital Ave. Building
The following budget amendment is necessary for the construction of new offices for the Water Department as well as the renovation of the offices being vacated by the Water Department to accommodate Board of Elections moving into that space. This project eliminates the need for the County to purchase and renovate a new building for the Board of Elections estimated to save $400,000.00.
C. Resolution Supporting JCPC Expansion Allocation

The Juvenile Crime Prevention Council submitted a request to approve the proposed Resolution Supporting JCPC Allocation Expansion.

Caldwell County Board of Commissioners Resolution
Supporting
Juvenile Crime Prevention Council Allocation Expansion

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and the County to ensure a local continuum of services for court involved and at-risk juveniles; and,

WHEREAS, the Juvenile Crime Prevention Council, under the authority of NCGS§143B-851, and within the scope of its powers and duties, “Each County Council shall annually review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs. In particular, each County Council shall assess the needs of juveniles in the county who are at risk or who have been associated with gangs or gang activity, and the local resources that are established to address those needs,” and,

WHEREAS, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina’s Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019; and,

WHEREAS, Raise the Age legislation also encourages the formulation of School Justice Partnerships to address the reduction of school-based juvenile complaints; and,

WHEREAS, Raise the Age legislation will increase the need for immediate and age-appropriate sanctions and diversion services for juvenile offenders and those at-risk of delinquency; and,

WHEREAS, JCPC funding has seen no increase in more than nine years; and,

WHEREAS, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina’s future;
NOW, THEREFORE BE IT RESOLVED, that Caldwell County fully supports an adequate and
timely increase of State Juvenile Crime Prevention funding to local governments to ensure
program expansion and successful implementation of the Juvenile Justice Reinvestment Act
Raise the Age Legislation, set for December 1, 2019.

Adopted this ______ day of ____________________ 2019.

_________________________                _____________________________
Randy Church, Chairman                      Amanda Triplett, NCCCC
Interim Clerk to the Board

D. Appoint Review Officer for Town of Sawmills

RESOLUTION TO APPOINT
A REVIEW OFFICER
FOR THE TOWN OF SAWMILLS

WHEREAS, SL 1997-309 (S875) makes a number of significant changes in the procedures for
recording maps and plats; and

WHEREAS, the main purpose of the law is to transfer the responsibility for reviewing plats to
determine whether they meet recording requirements from the Register of Deeds to the Review
Officer; and

WHEREAS, GS 47-30.2 requires the Board of County Commissioners in each County, by
resolution, to appoint a person(s) to serve as Review Officer to review each plat before it is
recorded and certify that it meets the North Carolina statutory requirements for recording; and

WHEREAS, the Town of Sawmills has requested that the Caldwell County Board of
Commissioners appoint Hunter Nestor to replace Becca Bleich as the Review Officer for the Town
of Sawmills in order to ensure an expeditious review of all maps and plats as required by G.S. 47-
30.2 before they are presented to the Register of Deeds for recording.

NOW, THEREFORE, BE IT RESOLVED, that the Caldwell County Board of Commissioners
does hereby appoint Hunter Nestor to replace Becca Bleich as the Review Officer to perform all
responsibilities as required for Review Officer under the appropriate North Carolina General
Statutes for the Town of Sawmills and its planning area.

Adopted this the 1st day of April, 2019.

ATTEST:

_________________________                _____________________________
Amanda Triplett, NCCCC                      Randy T. Church, Chairman
Interim Clerk to the Board                  Caldwell County Board of Commissioners
E. Approval of Fireworks Display Permit
F. Appoint Review Officer for Caldwell County

RESOLUTION TO APPOINT
A REVIEW OFFICER
FOR THE COUNTY OF CALDWELL

WHEREAS, SL 1997-309 (S875) makes a number of significant changes in the procedures for recording maps and plats; and

WHEREAS, the main purpose of the law is to transfer the responsibility for reviewing plats to determine whether they meet recording requirements from the Register of Deeds to the Review Officer; and

WHEREAS, the new GS 47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint a person(s) to serve as Review Officer to review each plat before it is recorded and certify that it meets the North Carolina statutory requirements for recording; and

WHEREAS, the Caldwell County Planning Department has requested that the Caldwell County Board of Commissioners appoint John E. Wear as the Review Officer for Caldwell County in order to ensure an expeditious review of all maps and plats as required by G.S. 47-30.2 before they are presented to the Register of Deeds for recording.

NOW, THEREFORE, BE IT RESOLVED, that the Caldwell County Board of Commissioners does hereby appoint John E. Wear as the Review Officer to perform all responsibilities as required for Review Officer under the appropriate North Carolina General Statutes for Caldwell Count and its planning area.

Adopted this the 1st day of April, 2019.

ATTEST:

Amanda Triplett, NCCCC
Interim Clerk to the Board

Randy T. Church, Chairman
Caldwell County Board of Commissioners
G. Schedule Public Hearing Regarding Borrowing Associated with New EMS Bases for the May 6, 2019 Board meeting.

Commissioner Potter moved to approve the 7 items on the consent agenda as presented by the County Manager. The motion carried unanimously.

Appointments

The Clerk reported the term for John Greer on the Board of Directors of Blue Ridge Community Action expired in January, 2019. The Board of Directors requested his reappointment. In addition, Hannah Romero submitted an application to the seat on the Board.

Chairman Church moved to table the appointment until the next meeting since there were two applicants for one vacancy. The motion carried unanimously.

At 7:51 p.m. Chairman Church moved to go into closed session pursuant to N.C.G.S. §143-318.11(a)(5) to discuss potential property acquisition.

Commissioner Branch moved to come out of closed session to go into regular session it carried unanimously.

Commissioner Potter moved to adjourn. By unanimous vote Chairman Church declared the meeting adjourned at 8:21 p.m.

Amanda Triplett, NCCCC
Interim Clerk to the Board

Randy T. Church, Chairman