Chairman Church opened the meeting and welcomed everyone.

Public Comment

Barbara Busch, resident of 2466 Trail Lane, Lenoir, said she heard about the Commissioners’ plans to abolish the DSS Board and takeover its duties. She voiced opposition to the abolishment because it would be politicizing a board that did not need to be and Commissioners should have enough to do without taking on additional responsibilities.

Todd Swanson, resident of Lee Pearson Road, Granite falls, said he was in attendance of a Beekeepers Association meeting several months ago when an incident occurred involving two citizens of Caldwell County (one citizen was confined to a wheelchair, a Sunday School teacher for 30+ years, and chairman of the board of deacons and the other was the wife of an employee; and, neither of the two employed by the Library, the County, or the City of Lenoir). He expressed concern about how the incident was handled and resolved by prohibiting the gentleman from the library. He said law enforcement was not called; no charges were made; no arrests were made; and, no written or oral incident reports were made to the Library Director. Mr. Swanson said basic due process did not occur and the person was banned on shear accusation.

Regular Session

Reverend Sam Craven, Pastor of Union Grove Baptist Church, gave the invocation and Commissioner Potter led the Pledge of Allegiance. Chairman Church asked if there were any additions or amendments to the February 5, 2018 agenda. The Clerk requested to remove item #7 (a proclamation) and requested the addition of an item to the consent agenda (as item 11 I) to consider a budget amendment for the Health Department. Commissioner LaBrose moved to approve the agenda as presented and amended by the Clerk. The motion carried unanimously.

Customer Service Excellence

LouAnne Kincaid, member of the Design Team, announced that Suzanne Kymer, Caldwell
County’s Safety Officer, was the winner of the Excellence in Customer Service Award for the 4th quarter of 2017. She read the letter of nomination submitted from Finance Office employee, Courtney Covey.

The County Manager and Commissioners presented Ms. Kymer with a certificate and plaque in honor of the award and extended appreciation to her for excellent customer service.

Public Hearing—Amendments to the Zoning Ordinance

In her ongoing review of the County’s Zoning Ordinance, Planning Director Shelley Stevens, requested Commissioners’ approval of the following revisions:

- Remove “atlas” reference, since County does not have a Zoning Atlas. Pg 8
- Add PUD Reference to “Use District Names” and move PUD section so that it is located after multi-family section. Pg 34
- Remove accessory structures as conditional uses – no one has ever applied for a CUP for an accessory structure, and they are permitted by right in every district.
- Change side 10’ and 10’ rear setbacks for accessory structures in every zoning district that has excessive setbacks, given some may not be attainable due to lot shape. And 5’ for corner lots
- CUP section amendments – add application submittal timeframe, and “quasi-judicial” before CUP reference as needed (throughout document). Edit several instances of “…shall be rented or occupied for gain…” to “…shall be rented or occupied for financial gain…” (where ordinance states that in no instance shall a residential accessory structure be occupied for financial gain). Proposed standard of a 30-day time period to submit application
- Amend reference to an overlay matrix that is not in the location referenced.
- Delete references of “Subdivision Review Board,” since that board does not currently exist.
- Correct government utility language on pg 125.
- Minor edits to Critical Root Zone references. Pg 69 CRZ spelled before using acronyms

Chairman Church declared the public hearing open. There was no public comment; therefore, Chairman Church declared the public hearing closed.

Commissioner Branch moved to adopt the amendments as presented and hereby incorporated by reference as recorded in Caldwell County Registry Book 1937 Pages 2017 – 2030. The motion carried unanimously.

Report—Presentation of Animal Control/Shelter Study by the Bacon Group

Health Director Joshua Swift presented the report which is hereby incorporated by reference and made a part of these minutes (Exhibit A) conducted by the Bacon Group on the County’s current Animal Control shelter and facilities that were built in 1994. The report highlighted the following issues and recommendations/findings:
• Building structure has reached its useful life
• Too small and lacks space for
  ➢ Animal separation for species, health, behavior
  ➢ Inadequate or no isolation areas
  ➢ HVAC system not adequately zoned
• Commingled functions need reconfiguration
• Chronic reoccurrence of problems including peeling paint, floor cracks, dirt/debris in fencing
• HVAC system is inadequate
• Floors and walls do not have impervious finish and cannot be sanitized
• Paint peeling repeatedly after repair attempts
• Cracks in concrete slab
  ➢ Repeated attempts to repair have failed and new cracks keep appearing
  ➢ Location of cracks may indicate poor soils beneath slab and settlement
• Shelter lacks space for cat housing that is appropriate for cats and proper separation of species
  ➢ Housed in dog kennels
  ➢ Housed in receiving areas
  ➢ Cages and locations do not meet ASV Guidelines
• Dog kennels and kenneling system are in poor condition and hard to clean
  ➢ No insulation (inside or outside) to help control noise and regulate temperature
  ➢ Chain link is old and gets full of hair and debris; peeling paint
  ➢ Divider walls too low to prevent nose-to-nose contact
  ➢ Concrete floor cracks
  ➢ Bars across entrance are trip hazard and hard to clean underneath

• Not to renovate the existing shelter building due to age and condition
• The existing facility would need to be modernized and expanded to remain there
• A new shelter would need to be built in order to provide the best long term value and least disruption to continuing services
• The existing facility would need additional evaluation to determine if it could support an expansion
• Phasing construction would be difficult while remaining operational

Following, Mr. Swift showed conceptual plan drawings for new facilities/structures and provided the following housing capacity comparison between current, expanded, and new facilities/structures as well as preliminary opinion of construction cost.

<table>
<thead>
<tr>
<th>Category</th>
<th>Existing Shelter 6,413 Sq Ft</th>
<th>Program</th>
<th>Renovation/Expansion 10,534 Sq Ft</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dogs</td>
<td>30</td>
<td>52</td>
<td>50</td>
</tr>
<tr>
<td>Cats</td>
<td>14+ Feral</td>
<td>34</td>
<td>32</td>
</tr>
<tr>
<td>Small Animals</td>
<td>None</td>
<td>5</td>
<td>N/A</td>
</tr>
<tr>
<td>Large/Farm Animals</td>
<td>None</td>
<td>Has Need</td>
<td>Has Need</td>
</tr>
<tr>
<td>Spay/Neuter Clinic</td>
<td>N/A</td>
<td>16</td>
<td>N/A</td>
</tr>
<tr>
<td>Total</td>
<td>44+ Feral</td>
<td>107</td>
<td>82</td>
</tr>
<tr>
<td>Item</td>
<td>Size</td>
<td>Cost</td>
<td>Average Cost per Square Foot</td>
</tr>
<tr>
<td>------------------------------</td>
<td>--------</td>
<td>----------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>Renovation of Existing Facility</td>
<td>6,413</td>
<td>$1,135,775</td>
<td>$177.11</td>
</tr>
<tr>
<td>Addition to Existing Facility</td>
<td>4,121</td>
<td>$ 820,425</td>
<td>$199.08</td>
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<tr>
<td>Renovation and Addition</td>
<td>10,534</td>
<td>$1,956,200</td>
<td>$185.70</td>
</tr>
<tr>
<td>New Facility</td>
<td>11,571</td>
<td>$2,369,000</td>
<td>$204.74</td>
</tr>
</tbody>
</table>

Mr. Swift noted that the County’s population is expected to increase over 14% during the next 20 years, according to the report, which would result in population growth of small pets as well. He also noted the Agricultural Department inspector visited the department that day and identified deficiencies.

Commissioner LaBrose asked whether construction of a new facility could be done in phases and Commissioner Branch noted the $2.4 million estimated cost did not include land acquisition, grading, and site prep. Chairman Church said he discussed obtaining possible grants and/or partnering with other organizations for raising funds to help with financing renovations or new facility.

**Tax Liens on Real Property**

In accordance with General Statute 105-369, Tax Administrator Monty Woods reported the following number of accounts and dollar amounts of unpaid taxes that are liens on real property for 2017 only. He said an alphabetical listing of the accounts was available for review in the County Tax Office.

- 2017 number of outstanding accounts: 6,012
- 2017 dollar amount outstanding: $2,672,498.48

Commissioner Wilkie moved to authorize the Tax Administrator to advertise tax liens for the outstanding 2017 accounts and the motion carried unanimously.

**Approval to Purchase Security System Cameras for the Courthouse**

Stan Kiser reported the quote of $15,925.00 to purchase and install security system cameras on the outside of the Courthouse and the two holding cells and requested Commissioners approval to purchase the equipment.

Commissioner Potter moved to approve the following budget amendment and to authorize the purchase and installation of security cameras at the Courthouse. The motion carried unanimously.

| Increase  | 10.9800.397000 | Fund Balance Appropriation | $15,925.00 |
| Increase  | 10.9000.451000.4261 | Equipment                | $15,925.00 |
Authorization for Garry Whitaker Law, P.C. to Represent Caldwell County in Opioid Manufacturing and Distribution Lawsuit

Chairman Church briefed Commissioners on the presentation from Garry Whitaker, GARRY WHITAKER LAW, P. C. of Winston-Salem, during the last meeting and the negotiations to lower the attorney fee as originally presented to the Board from thirty percent to twenty-five percent.

Commissioner LaBrose moved to adopt the following resolution and contract and the motion carried unanimously.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF
CALDWELL COUNTY, NORTH CAROLINA

Date: ______________________

RESOLUTION NO. _____ (2018)

WHEREAS, Caldwell County Board of Commissioners has the authority to adopt resolutions with respect to county affairs of Caldwell County, North Carolina, pursuant to N.C. Gen. Stat. Ann. § 153A-121;

WHEREAS, the Caldwell County Board of Commissioners has the authority to take action to protect the public health, safety, and welfare of the residents and citizens of Caldwell County;

WHEREAS, there exists a serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Caldwell County;

WHEREAS, the diversion of legally produced controlled substances into the illicit market causes or contributes to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality in Caldwell County;

WHEREAS, the opioid crisis unreasonably interferes with rights common to the general public of Caldwell County; involves a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Caldwell County; includes the delivery of controlled substances in violation of State and Federal law and regulations; and therefore constitutes a public nuisance;

WHEREAS, the opioid crisis is having an extended and far reaching impact of the general public, health, and safety of residents and citizens of Caldwell County and must be abated;

WHEREAS, the violation of any laws of the State of North Carolina, or of the United States of America controlling the distribution of a controlled substance is inimical, harmful, and adverse to the public welfare of the residents and citizens of Caldwell County constitutes a public nuisance;

WHEREAS, the Caldwell County Board of Commissioners has the authority to abate, or cause to be abated, any public nuisance including those acts that unreasonably interfere with rights common to the general public of Caldwell County and/or involve a significant interference with the public health, safety, peace, comfort, and convenience of citizens and residents of Caldwell County;
WHEREAS, Caldwell County has expended, is expending, and will continue to expend in the future County funds to respond to the serious public health and safety crisis involving opioid abuse, addiction, morbidity, and mortality within Caldwell County; and

WHEREAS, the Caldwell County Board of Commissioners have received information that indicates that the manufacturers and wholesale distributors of controlled substances have distributed in areas surrounding Caldwell County, North Carolina, may have violated Federal and/or State laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market.

NOW, THEREFORE, BE IT RESOLVED by the Caldwell County Board of Commissioners, assembled on this day at which a quorum is present, that based upon the above the Caldwell County Board of Commissioners are declaring the opioid crisis a public nuisance which must be abated for the benefit of Caldwell County and its residents and citizens.

BE IT FINALLY RESOLVED that all resolutions that are inconsistent with this resolution are rescinded.

The motion to approve the foregoing resolution was made by Commissioner ________________, seconded by Commissioner ________________, and the following vote was recorded:

Chairman Randy Church

Vice Chairman Mike LaBrose

Commissioner Jeff Branch

Commissioner Donnie Potter

Commissioner Robbie Wilkie
AUTHORITY TO REPRESENT

RE:  Caldwell County, North Carolina civil suit against those legally responsible for the wrongful distribution of prescription opiates and damages caused thereby.

CALDWELL COUNTY, NORTH CAROLINA (hereinafter “CLIENT”) hereby retains the law firm MCHugh Fuller Law Group, PLLC, pursuant to the North Carolina Rules of Professional Responsibility, on a contingent fee basis, to pursue all civil remedies against those in the chain of distribution of prescription opiates responsible for the opioid epidemic which is plaguing Caldwell County, North Carolina, including, but not limited to, filing a claim for public nuisance to abate the damages caused thereby. Michael Jay Fuller, Jr., Esq. of the law firm MCHugh Fuller Law Group, PLLC shall serve as LEAD COUNSEL. CLIENT authorizes lead counsel to employ and/or associate additional counsel, with consent of CLIENT, to assist LEAD COUNSEL in the just prosecution of the case. CLIENT consents to the participation of the following firms:

GREENE, KETCHUM, FARRELL, BAILEY & TWEEL, LLP
419 11th Street
Huntington, West Virginia

LEVIN, PAPANTONIO, THOMAS, MITCHELL, RAFFERTY & PROCTOR, PA
316 South Baylen Street
Pensacola, Florida

BARON & BUDD, PC
3102 Oak Lawn Avenue #1100
Dallas, Texas

HILL PETERSON CARPER BEE & DEITZLER PLLC
500 Tracy Way
Charleston, West Virginia

POWELL & MAJESTRO
405 Capitol Street, Suite P-1200
Charleston, West Virginia

MCHugh Fuller Law Group
97 Elias Whidden Rd
Hattiesburg, Mississippi

Paul D. Coates
Attorney at Law
Pinto, Coates, Kyre & Bowers, PLLC
3203 Brassfield Rd.
Greensboro, N.C. 27410
In consideration, CLIENT agrees to pay twenty-five percent (25%) of the total recovery (gross) in favor of the CLIENT as an attorney fee whether the claim is resolved by compromise, settlement, or trial and verdict (and appeal). The gross recovery shall be calculated on the amount obtained before the deduction of costs and expenses. CLIENT grants Attorneys an interest in a fee based on the gross recovery. If a court awards attorneys’ fees, Attorneys shall receive the "greater of" the gross recovery-based contingent fee or the attorneys' fees awarded. **There is no fee if there is no recovery.**

**McHugh Fuller Law Group, PLLC** and the other law firms, hereinafter referred to as the “Attorneys,” agree to advance all litigation expenses necessary to prosecute these claims. All such litigation expenses, including the reasonable internal costs of electronically stored information (ESI) and electronic discovery generally or the direct costs incurred from any outside contractor for those services, will be deducted from any recovery after the contingent fee is calculated. **There is no reimbursement of litigation expenses if there is no recovery.**

The CLIENT acknowledges this fee is reasonable given the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly, the likelihood this employment will preclude other employment by the Attorneys, the fee customarily charged in the locality for similar legal services, the anticipated (contingent) litigation expenses and the anticipated results obtained, the experience, reputation, and ability of the lawyer or lawyers performing the services and the fact that the fee is contingent upon a successful recovery.

This litigation is intended to address a significant problem in the community. The litigation focuses on the manufacturers and wholesale distributors and their role in the diversion of millions of prescription opiates into the illicit market which has resulted in opioid addiction, abuse, morbidity and mortality. There is no easy solution and no precedent for such an action against this sector of the industry. Many of the facts of the case are locked behind closed doors. The billion dollar industry denies liability. The litigation will be very expensive and the litigation expenses will be advanced by the Attorneys with reimbursement contingent upon a successful recovery. The outcome is uncertain, like all civil litigation, with compensation contingent upon a successful recovery. Consequently, there must be a clear understanding between the CLIENT and the Attorneys regarding the definition of a “successful recovery.”

The Attorneys intend to present a damage model designed to abate the public health and safety crisis. This damage model may take the form of money damages or equitable remedies (e.g., abatement fund). The purpose of the lawsuit is to seek reimbursement of the costs incurred.
in the past fighting the opioid epidemic and/or to recover the funds necessary to abate the health and safety crisis caused by the unlawful conduct of the manufacturers and wholesale distributors. The CLIENT agrees to compensate the Attorneys, contingent upon prevailing, by paying 25% of any settlement/resolution/judgment, in favor of the CLIENT, whether it takes the form of monetary damages or equitable relief. For instance, if the remedy is in the form of monetary damages, CLIENT agrees to pay 25% of the gross amount to Attorneys as compensation and then reimburse the reasonable litigation expenses. If the remedy is in the form of equitable relief (e.g., abatement fund), CLIENT agrees to pay 25% of the gross value of the equitable relief to the Attorneys as compensation and then reimburse the reasonable litigation expenses. To be clear, Attorneys shall not be paid nor receive reimbursement from public funds. However, any judgment arising from successful prosecution of the case, or any consideration arising from a settlement of the matter, whether monetary or equitable, shall not be considered public funds for purposes of calculating the contingent fee. Under no circumstances shall the CLIENT be obligated to pay any Attorneys fee or any litigation expenses except from moneys expended by defendant(s) pursuant to the resolution of the CLIENT’s claims. If the defendant(s) expend their own resources to abate the public health and safety crisis in exchange for a release of liability, then the Attorneys will be paid the designated contingent fee from the resources expended by the defendant(s). CLIENT acknowledges this is a necessary condition required by the Attorneys to dedicate their time and invest their resources on a contingent basis to this enormous project. If the defendant(s) negotiate a release of liability, then the Attorneys should be compensated based upon the consideration offered to induce the dismissal of the lawsuit.

The division of fees, expenses and labor between the Attorneys will be decided by private agreement between the law firms and subject to approval by the CLIENT. Any division of fees will be governed by the North Carolina Rules of Professional Conduct including: (1) the division of fees is in proportion to the services performed by each lawyer or each lawyer assumes joint responsibility for the representation and agrees to be available for consultation with the CLIENT; (2) the CLIENT agrees to the arrangement, including the share each lawyer will receive, and the agreement is confirmed in this writing; and (3) the total fee is reasonable.

LEAD COUNSEL shall appoint a contact person to keep the CLIENT reasonably informed about the status of the matter in a manner deemed appropriate by the CLIENT. The CLIENT at all times shall retain the authority to decide the disposition of the case and maintain absolute control of the litigation.

Upon conclusion of this matter, LEAD COUNSEL shall provide the CLIENT with a written statement stating the outcome of the matter and, if there is a recovery, showing the remittance to the client and the method of its determination. The closing statement shall specify the manner in which the compensation was determined under the agreement, any costs and expenses deducted by the lawyer from the judgment or settlement involved, and, if applicable, the actual division of the lawyers’ fees with a lawyer not in the same firm, as required in Rule 1.05 (e)(3) of the North Carolina Rules of Professional Conduct. The closing statement shall be signed by the CLIENT and each attorney among whom the fee is being divided.

Nothing in this Agreement and nothing in the Attorneys’ statement to the CLIENT may be construed as a promise or guarantee about the outcome of this matter. The Attorneys make no such promises or guarantees. Attorneys’ comments about the outcome of this matter are
expressions of opinion only and the Attorneys make no guarantee as to the outcome of any litigation, settlement or trial proceedings.

SIGNED, this ______ day of __________________, 2018.

Caldwell County Board of Commissioners

Chairman Randy Church

Vice Chairman Mike LaBrose

Commissioner Jeff Branch

Commissioner Donnie Potter

Commissioner Robbie Wilkie

Accepted:

MCHUGH FULLER LAW GROUP, PLLC
97 Elias Whiddon Rd
Hattiesburg, MS 39402
(601) 261-2220

By ___________________________ _______________________
Michael J. Fuller, Jr., Esq. Date

Lead Counsel
Approval of Funding to Tuttle State Educational Forest for Acquisition of Property

The County Manager reported the County had been requested to assist the Tuttle State Educational Forest Foundation in acquiring additional property adjacent, approximately 21 acres, to its current site. Mr. Kiser said the Foundation requested $30,000.00 and he suggested use of the new sales tax expansion revenues to provide funding for the land acquisition.

Chairman Church moved to approve the following budget amendment to provide $30,000.00 to the Tuttle State Educational Forest Foundation to acquire land and the motion carried unanimously.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase</td>
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<td>Interfund Transfer</td>
<td>391000</td>
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<td>Tuttle State Forest</td>
<td>469810</td>
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<td>Fund Balance Appropriation</td>
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<tr>
<td>Interfund Transfer</td>
<td>498000</td>
</tr>
<tr>
<td></td>
<td>$30,000.00</td>
</tr>
</tbody>
</table>

Water Department

Commissioner Branch voiced his concern about moving the Water Department staff to the Library and said he felt it was a bad decision. He moved to relocate the Water Department staff back to their original location and relinquish the space back to the Library.

Commissioner Wilkie asked who made the decision to move the staff and the County Manager said he did after conferring with each commissioner. Mr. Kiser said he felt an obligation to alleviate problems going on with the library (meeting rooms) and said available salary revenue from an open position in the Water Department would be used to employ a part-time employee to oversee the meeting rooms.

Commissioner Branch said he ran as a conservative commissioner and felt the move was a waste of money. Following discussion, the motion failed by majority vote with Commissioners Church, LaBrose, Potter, and Wilkie voting in opposition.

Consent Agenda

1. Approval of Minutes
The County Manager recommended the Board of Commissioners approve the minutes of the January 8, 2018 meeting as prepared and presented by the Clerk.

2. Budget Amendments - Health Department
The County Manager recommended the Board of Commissioners approve the following budget amendments and authorize execution of associated documents.

   A. Susan G. Komen Foundation Grant - $10,000.00
   The Health Department received a $10,000.00 grant from the Susan G. Komen Foundation as reimbursement for services already rendered which provided free mammogram screenings and education on the prevention of breast cancer for eligible clients. No local dollars are required and the following budget amendment is necessary to reflect the allocation of grant funds.
Increase 10.5116.330503 Clinic-Komen Grant $10,000.00
Increase 10.5116.419200 Professional Fees $ 2,000.00
Increase 10.5116.426000 Supplies $ 4,500.00
Increase 10.5116.431100 Travel-Mileage $ 1,000.00
Increase 10.5116.431200 Travel-Training $ 2,500.00

B. U.S. Food and Drug Administration Grant - $2,769.60
The following budget amendment is necessary to reflect the federal funding provided to the County for its participation in the AFDO-administered Retail Program Standards Grant Program. No local dollars are required.
Increase 10.5111.310000 EH-Grant/Miscellaneous $2,769.60
Increase 10.5111.426000 Supplies $2,769.60

3. Acknowledgement of Appalachian State University’s Bicycle Race
Caldwell County received a request for Commissioners’ acknowledgement of cycling events to take place in Caldwell County. Clinton Marsh, Assistant Director or Orientation at Appalachian State University is helping organize the Foothills Cup Bicycle Race event and has asked for a written acknowledgement and approval from Caldwell County to include in ASU’s Special Request Form to the NC Department of Transportation. The event is virtually the same as last year, except there will not be a Friday afternoon race. The bicycle race will be on Saturday and a criterium race will be in downtown Morganton on Sunday.

Mr. Marsh also requested approval from Burke County and will be contacting the Caldwell County Sheriff’s Office for their support. He noted that insurance coverage for the events will again be provided by USA Cycling and has provided the accompanying description of the events scheduled for April 7-8, 2018.

The County Manager recommended the Board of Commissioners acknowledge the event scheduled for April 7 and 8, 2018 contingent upon NCDOT’s final approval.

Description of The Foothills Cup and the roads used for the event
The Foothills Cup Bicycle Race will be composed of 2 days of racing, a road race on Saturday (4/7/2018), and a criterium on Sunday (4/8/2018). This document is ONLY pertaining to the races taking place on Saturday 4/7/2018. There will be both collegiate athletes as well as amateur and professional athletes competing in The Foothills Cup. The Foothills Cup will be organized and funded by the Appalachian State University Cycling Team and Boone Area Cyclists, a non-profit organization.

The road race(4/7/2018) will start in Caldwell County and continue into Burke County via Adako Rd and continue straight onto Brown Mtn. Beach Rd. Racers will be escorted by off-duty Caldwell County deputies. Additional Off-Duty officers will be positioned at each intersection to briefly halt traffic as racers pass. The intersections are as follows:
1. SR 1405 Brown Mtn Beach Rd at SR 1424 Johns River Rd
2. SR 1425 Johns River Rd at SR 1438 Corpening Bridge Rd
3. SR 1439 Henderson Mill Rd at SR 1423 Piedmont Rd
4. SR 1423 Piedmont Rd at SR 1405 Brown Mtn Beach Rd
Besides the intersections, the only other halting of traffic that will occur will be the 200m before and after the finishing line. Halting of traffic and escort will only be enforced for the main groups by properly certified law enforcement officers. All dropped racers will be racing at their own discretion and abiding by all traffic laws. All roads will be completely open to traffic, as only a few brief halts on course will be necessary. The race events will last from 8:30 am to approximately 5:00 pm. The roads on the route will have Police escorted cyclists on one lane of road. Three to four officers from Caldwell County will be present to escort the racers as described above. The race distances will vary according to respective ability of each category. Novice racers will have the shortest distance, returning down Adako Rd. after one-loop to the Start/Finish location. Meanwhile, the highest category of professionals (Cat 1) will be completing five loops before heading back down Adako Rd. to the Start/Finish area by the park. The layout of this course is depicted in Figure 2 below, with the start and finish taking place at the Star.

4. Ratify Proclamation of Appreciation to 2017 Hibriten High School Football Team

Mr. Kiser reported some of the Commissioners had the opportunity recently to attend an event in celebration of the 2017 Hibriten High School Football Team’s clinching the North Carolina 2AA High School Football Championship on December 9, 2017. They were on hand to present a proclamation in appreciation of the team’s outstanding effort and commitment. Mr. Kiser recommended the Board of Commissioners ratify the following proclamation.

Proclamation

In Appreciation to the
2017 Hibriten High School Panthers Football Team

WHEREAS, the Hibriten High School Panthers football team won its first state championship in the school’s history; and

WHEREAS, the Hibriten High School Panthers football team went undefeated during the 2017 season; and

WHEREAS, the Hibriten High School Panthers football team defeated Shelby High School in the 2AA State Championship semi-final game by a score of 19 – 7; and

WHEREAS, the Hibriten High School Panthers football team defeated East Duplin High School in the 2AA State Championship final game held at University of North Carolina Kenan Stadium on December 9, 2017 by a score of 16 - 14; and

WHEREAS, the Hibriten High School Panthers football team’s success is a result of each player’s commitment to excellence.

NOW, THEREFORE, BE IT RESOLVED, that the Caldwell County Board of Commissioners does hereby recognize the tremendous work and dedication of Hibriten High School’s Panthers.
football team players, coaches, and staff who contributed toward accomplishing the North Carolina 2AA State Championship title for 2017.

BE IT FURTHER RESOLVED that the Caldwell County Board of Commissioners, on behalf of the citizens of Caldwell County, acknowledges appreciation to every player, coach, and staff involved in Hibriten High School’s football program and extends best wishes for future successes.

Adopted this the 29th day of January, 2018.

__________________________________
Randy T. Church, Chairman
Caldwell County Board of Commissioners

Attest:

__________________________________
Kathy T. Greene, MMC
Clerk to the Board

5. 2018 International Evergreen Conference Grant for Library
Mr. Kiser noted the Library applied for and was awarded a $1,700.00 Evergreen Conference Scholarship federal grant through the State Library System. He recommended the Board of Commissioners approve the following budget amendment necessary to reflect the grant award. It was noted the budget amendment did not require any local matching funds.

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<th>Increase</th>
<th>10.6110.330000</th>
<th>Other Grants</th>
<th>$1,700.00</th>
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</thead>
<tbody>
<tr>
<td>Increase</td>
<td>10.6100.431200</td>
<td>Travel and Training</td>
<td>$1,700.00</td>
</tr>
</tbody>
</table>

6. Approval of Updated Emergency Operations Plans
Mr. Kiser recommended the Board of Commissioners approve the plan for use as Caldwell County’s State of Emergency Guideline which is hereby incorporated by reference and made a part of these minutes (Exhibit B). He said the plan served as the County’s guideline during a State of Emergency. Caldwell County receives Emergency Management Performance grant funds each year that are used in conjunction with development and implementation of the plan.

7. Approval to Submit Competitive Grant Application for Emergency Services
Mr. Kiser reported Kenneth Teague requested Commissioners’ approval to apply for a 2018 Emergency Management Performance Grant (EMPG) in the amount of $35,000. The deadline for submittal of the grant application is February 7th and, if awarded, the funding would be used to offset a portion of the Emergency Manager’s salary and the remaining funds would be used for supplies and maintain equipment within the Disaster Preparedness Region (DPR). He recommended the Board of Commissioners authorize the Emergency Management Director to submit a $35,000 EMPG grant application.
8. Approval to Submit Hazard Materials Preparedness Project Grant Application
Mr. Kiser reported Kenneth Teague requested Commissioners’ approval to apply for a 2018 Hazardous Materials Preparedness Grant (HMPG) in the amount of $10,000. The deadline for submittal of the grant application is February 15th, no local matching funds are required and, if awarded, the funding will be used by the Local Emergency Planning Committee as outlined below. He recommended the Board of Commissioners authorize the Emergency Management Director to submit a $10,000 HMPG grant application.

- Conduct joint/regional hazardous materials preparedness activities that mutually benefit all parties
- Conduct exercises based on response plans
- Develop initial LEPC/Tribal Emergency Response Plan or Hazardous Materials Annex to County/Tribal Plan
- Revise the LEPC/Tribal Emergency Response Plan or Hazardous Materials Annex to County/Tribal Plan
- Develop or expand Regional Response Team planning
- Conduct or revise Hazard Identification and Vulnerability Analysis (HIVA)

9. Budget Amendment for Health Department (USFDA) U.S. Food and Drug Administration Grant
The County Manager recommended the Board of Commissioners approve the following budget amendment necessary to reflect the federal grant to the County for its participation in the AFDO-administered Retail Program Standards inspections during last fiscal year. The department will use the grant funding to purchase digital software. No local dollars are required.

<table>
<thead>
<tr>
<th>Increase</th>
<th>10.5111.310000</th>
<th>EH-Grant/Miscellaneous</th>
<th>$13,643.00</th>
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<tbody>
<tr>
<td>Increase</td>
<td>10.5111.426000</td>
<td>Supplies</td>
<td>$13,643.00</td>
</tr>
</tbody>
</table>

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

Appointments

The Clerk reported County Tax Administrator Monty Woods requested Commissioners’ reappointment of the following individuals to serve on the 2018 Equalization & Review Board.

Robert Baird       Reba Barlow       Debbie Bumgarner, Chair
Phil Case          Shawn Haigler    Phyllis Mitchell
Wayne Parson       Bobby Price      Manning W. (Bill) Puette
Barbara Teague     Betsy Ward       Judy Warren
Betsy Wilson

She also reported Emergency Management Director Kenneth Teague requested the appointment of Abbey Duggan and Jordan Cramer to the Local Emergency Planning Committee.

Commissioner LaBrose moved to reappoint/appoint the individuals as the County Clerk presented and the motion carried unanimously.

There being no further business, Commissioner Wilkie moved to adjourn and, by unanimous vote, Chairman Church declared the meeting adjourned at 7:03 p.m.