Present: Randy T. Church, Chairman
      Mike LaBrose, Vice Chairman
      Donald A. Potter
      Robbie Wilkie

Absent: Jeff Branch, Excused

Staff Present: Stan Kiser, County Manager
              Kathy Greene, Clerk to the Board
              David Lackey, County Attorney

Chairman Church opened the meeting and welcomed everyone.

Public Comment

There was no public comment.

Regular Session

Commissioner LaBrose gave the invocation and Commissioner Potter led the Pledge of Allegiance. Chairman Church asked if there were any additions or amendments to the January 9, 2017 agenda. Commissioner LaBrose moved to approve the agenda as presented and the motion carried unanimously.

Recognition of Retirees

The Board of Commissioners formally recognized the following retirees for their service to Caldwell County and its citizens. Commissioners extended their appreciation and presented each retiree a plaque in recognition of their retirement.

- Kathy Hutchings 41 1/2 + years
- Dale Bradshaw 36+ years
- Kevin Parish 28+ years
- Captain B. J. Fore 17+ years

Sheriff Alan Jones presented B. J. Fore his service weapon from the Sheriff Office.

Report—WPCOG’s Sister Cities Association

The scheduled presenter was not in attendance to give a report.
Public Hearing—Proposed Text Amendments to the Zoning Ordinance

Shelley Stevens, Planning Director, presented the following proposals for amendments to the Zoning Ordinance.

Add Setbacks for PUD Zoning District:

Staff proposes the PUD zoning district require setbacks based on type of development and follow setbacks currently required in residential, multi-family, business and industrial districts in Caldwell County:

30’ front, 25’ rear, and 10’ side proposed for residential, business and residential/business mixed-use PUDs. 30’ front, 25’ rear, and 25’ side proposed for multi-family, light industrial and industrial PUDs.

Shooting Range Distance Requirement:

Suggested additional text amendment to the current shooting range restrictions:

Outdoor commercial and private ranges must locate at least 1 mile from any daycare, church or school.

Ms. Stevens said the Planning Board recommended approval of the following consistency statement (GS 153A-341) followed by recommendation of approval of the amendments.

Consistency Statement:
“Motion to recommend approval because the amendments are consistent with the County’s Comprehensive Land Development Plan; do not negatively impact the surrounding neighborhood and adjacent properties and promote public health, safety and welfare because the amendments allow for reasonable development while helping protect future landowners from inadequate setbacks between uses.”

Chairman Church opened the public hearing. There was no public participation; therefore, Chairman Church declared the public hearing closed.

Commissioner Potter moved to approve the text amendments to the Zoning Ordinance as proposed. The motion carried unanimously.

Public Hearing—Request for Rezoning Amanda Starnes Winkler Property

Ms. Stevens presented the request from Ed Fleming and Amanda Starnes Winkler for rezoning of 45.15 acres, NCPIN 2795502471, from R-20 to Planned Unit Development and provided the following information pertaining to the property.

**Applicant:** Ed Fleming (Surveyor) and Amanda Starnes Winkler (Property Owner)
**Developer:** Oscar Vasquez – Futuro LLC
**Property Owner:** Amanda Starnes Winkler
**NCPIN:** 2795502471
**Location:** south of Lake Hickory, east of Hwy 321, west of Lake Hickory, and abutting Granite Falls on the property’s west and south sides.

**Site Conditions:** wooded, within the Watershed Critical Area, with minimal floodplain

**Acreage:** 45.15 land-unit acres (for taxing purposes); 57.9 calculated acres (for mapping purposes)

**Zoning:** R-20

**Surrounding Land Use:** R-15 (Granite Falls) to the south and west, R-20 (Granite Falls) and RA-20 to the north and RA-20 to the east.

**Request:** Rezone from R-20 to PUD

It was noted the site is located in an area identified in the Comprehensive Plan’s Future Land Use Map as a Medium Density District, which is appropriate for the rezoning. Grace Chapel Road, nearby, is listed as a strategic corridor, which, according to the Comprehensive Plan should develop with lot widths ranging from 150’ to 200’, increased front setbacks (to 50’) (pgs. 40 & 63), and vegetative buffering with new residential communities (p. 36). However, Lake Hickory separates this proposed development (and rezoning) from Grace Chapel Road, which is approximately .6 miles away. The development does not abut this strategic corridor.

A small portion of the proposed site is in a Special Flood Hazard Area, and the entire site is within the Watershed Critical Area of the County.

Ms. Stevens informed Commissioners that staff reviewed the rezoning application’s consistency with the following:

- **A Deliberate Future:** The Caldwell County Comprehensive Land Development Plan
- **Caldwell County Zoning Ordinance**
- **Caldwell County Watershed Ordinance**
- **Caldwell County Flood Damage Prevention Ordinance**
- Public health, safety and general welfare

She said staff determined the following items were needed in accordance with the Zoning Ordinance at the time the application was submitted:

- **As an “fyi”:** Entrances, exits, and other access points to residential subdivisions shall be required to provide landscaped planting areas. These landscaped planting areas shall be no less than two-hundred (200) square feet in area. The landscaped planting areas shall include shrubbery and other planting which do not interfere with the required site visibility triangle. (Section 70F.33) (completed)

- **25% open space calculation and re-calculation of parcels based on taxed property acreage or new survey (currently 45.15 acres taxed) (Section 80L.6 d.) (completed)**

- **Filling/processing fee (Section 80L.7 c. 1.) (completed)**

- **Items from the Zoning Ordinance, Section 80L.7 d. # 1- 9 (p. 136) (completed):**
d. PUD Development Plan: The PUD development plan shall indicate or include the following:

1. Written documentation involving the following:
   - Statement of intent, including plans for selling or renting the property;
   - Approximate timetable of development, including approximate phasing lines if project will be developed in phases;

2. Location and layout of the proposed landscape design of all common yards, open space and recreational areas.

3. Street lighting, if any.

4. Signage plan, if it will vary from base zoning ordinance.

5. Approximate location, maximum size and maximum height of non-residential structures indicating either the dimensions or the limits within which structures will be constructed;

6. Total number of residential structures to be constructed with approximate number of each type.
   - Example: Total 300; approximately 200 single-family and 100 multifamily

7. Statement of understanding that the applicant will comply with items listed in Section 80L.7e prior to construction commencing.

It was noted that before and during the December 13th meeting, the Planning Board reviewed the application materials against their copies of the Comprehensive Plan, Zoning Ordinance, Floodplain Ordinance and Watershed Ordinance, and voted to recommend approval of the application (contingent on submittal of the above listed items) based on consistency with these documents and on the effect the rezoning might have on public health, safety and welfare.

Ms. Stevens said the Planning Board recommended approval of the following consistency statement (GS 153A-341) followed by recommendation of approval of amendment.

Consistency Statement:
“Motion to recommend approval because the amendment is consistent with the County’s Comprehensive Land Development Plan; does not negatively impact the surrounding neighborhood and adjacent properties and promotes public health, safety and welfare because single-family homes are appropriate for the PUD Zoning District per Zoning Ordinance requirements.”

Chairman Church opened the public hearing. Chairman Church stated he was not comfortable with the proposal as presented and discussion followed about conformity of planned unit developments with the County’s Zoning Ordinance. Chairman Church also raised his concern regarding fire protection for the development and discussion followed about public water and
sewer services for the PUD. It was noted that both the Town of Granite Falls and the Granite Falls Fire Department had concerns about the issue of fire protection for the PUD as well as the cost of insurance to the homeowners if there were not fire hydrants in the development. Ms. Stevens stated it remained uncertain whether the lots would “perk” for septic tanks.

Oscar Vasquez said the proposed PUD for the property met all requirements of the County’s Zoning Ordinance and that was the reason for presenting it as proposed. Ms. Vasquez said they would check to see if water could be provided by the Town of Granite Falls, the City of Hickory, or the County. It was noted that the Town of Granite Falls would only provide water service if the development was annexed into their limits.

Mr. Vasquez informed Commissioners that the property currently zoned as R-20 could be used for 90 lots because the minimum lot size is 15,000 sq. ft. He said they were proposing 32 lots instead because they felt it more responsible and it would be less than half the number allowed by the County’s current ordinance.

Commissioner Potter said he was concerned about environmental issues with the property so close to the water as well as the resale of properties with no water and/or sewer. He suggested the developer try to work with the Town of Granite Falls to provide water to the PUD.

Commissioner LaBrose said he was concerned about water and sewer, based on previous issues for “perking” lots, in the southern portion of the County and that he wanted to do right by the potential homeowner.

Commissioner Wilkie asked for clarification from Ms. Stevens about allowances in R-20 zones. She said the major difference between R-20 and a PUD was the lot size. She noted R-20 zones required ¾ acre lots and required 1.5 acre lots for lakefront properties in R-20 zones.

Ed Fleming said the original plan had 75 lots and noted that the developer would be allowed to put 90 lots in as currently zoned; however, they chose to do 32 instead. Mr. Fleming said they would not be able to sell any lots without a septic tank in place. He stated the layout of the PUD as presented was the most ideal; however, it could be changed.

Chairman church declared the public hearing closed.

Chairman Church moved to reject the application consistent with the Comprehensive Zoning Plan. The action is reasonable in light of the issues of health, safety, and welfare of the public that have been discussed. The motion carried unanimously.

Commissioner Potter moved to deny the rezoning/PUD as proposed based on issues of public safety, health and welfare but said it could be considered in the future once the issue of connecting to the Town of Granite Falls’ water system could be done. The motion carried unanimously.

Approval of Preliminary Plat for NCPIN 2795502471 Requested for Oscar Vasquez, Futuro LLC

This item was not considered due to previous action by the Board of Commissioners.
Authorization to Submit Erosion Control Plan and Conduct Land-Disturbing Activities for the HHS Track Renovations Project

Steve Soots was in attendance of the meeting to present a request on behalf of the school system. It was noted Caldwell County Schools was working with Carrie Cranwill, a designer with McGill Engineering, on renovations of the track at Hibriten High School. The project will be the same scope as the track renovation project for South Caldwell High School to demolish the existing track, repave it, and install a rubberized surface. The project requires an erosion control plan approved by the NC Division of Environmental Quality and must be signed by the financially responsible party. The County Attorney advised Caldwell County was technically the owner of Hibriten High School property due to requirements associated with financing construction of the new William Lenoir Middle School. He said Caldwell County, as the property owner, had to grant permission to the State.

Chairman Church moved to authorize the school system to submit an erosion control plan and to conduct land-disturbing activities as needed for the HHS track renovations project. The motion carried unanimously.

Consent Agenda

1. Approval of Minutes
The County Manager recommended the Board of Commissioners approve the December 5, 2016 minutes as presented.

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

A. DSS (Additional Smart Start Funding for Childcare) $625,346.00
Staff requested a budget amendment to increase Smart Start revenue and Childcare Expense line items for the current fiscal year. The amount of the allocation was not known when the FY2016-2017 budget was developed last February so the following budget amendment will reflect the funding allocated to Caldwell County for childcare assistance to eligible working families. No local dollars are required.

<table>
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<th>Amount</th>
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<tr>
<td>Increase 10.5390.437800</td>
<td>Daycare Purchase</td>
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B. Sheriff Office (Donations) $500.00
The following budget amendment is necessary to reflect donations made to the Sheriff Office. No local dollars are required.

<table>
<thead>
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<td>Increase 10.4310.432900</td>
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C. NC Education Lottery Fund (Reduced HHS HVAC Project Cost) $21,736.75
In April 2016, Commissioners approved the use of Lottery Funds to replace the HVAC at Hibriten High School (Phase 4). The project was completed under the projected amount by
$21,736.75 and the following budget amendment is necessary to transfer the remaining funds to the State. No local dollars are required.

<table>
<thead>
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<th>Description</th>
<th>Amount</th>
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<th>Budget Amendment</th>
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</thead>
<tbody>
<tr>
<td>Decrease</td>
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<td>Public School Lottery</td>
<td>$21,736.75</td>
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<tr>
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<td>74.5910</td>
<td>Public School Lottery</td>
<td>$21,736.75</td>
</tr>
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</table>

D. Health Department

1) Ebola Preparedness and Responses Grant (Increased Funding) $9,812.00
The County received notification of an increase in federal grant funding of $9,812.00. The funds are to be used to enable staff to carry out planning and tasks associated with Zika preparedness and education. The following budget amendment is necessary to reflect the additional funds. No local dollars are required.

<table>
<thead>
<tr>
<th>Description</th>
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<th>Program</th>
<th>Budget Amendment</th>
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<tbody>
<tr>
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<td>Clinic—MH Federal Fund</td>
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<tr>
<td>Increase</td>
<td>10.5116</td>
<td>Training</td>
<td>$9,812.00</td>
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</table>

2) Increased Title V Funding (Healthy Mothers, Healthy Children) $1,193.00
The County received notification of an increase of $1,193.00 of Title V funding for the department’s Healthy Mothers, Healthy Children program. The following budget amendment is necessary to reflect the additional funds. No local dollars are required.

<table>
<thead>
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<th>Program</th>
<th>Budget Amendment</th>
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<tr>
<td>Increase</td>
<td>10.5116</td>
<td>Training</td>
<td>$1,193.00</td>
</tr>
</tbody>
</table>

3. Blue Ridge Community Action’s Application for FY2017-18 Community Services Block Grant
Maggie Patterson, BRCA Executive Director, requested the Commissioners’ approval of Blue Ridge Community Action’s (BRCA) application for NC Department of Health and Human Services Community Service Block Grant funding. BRCA developed a FY2017-18 grant request of $560,500.00 for Caldwell, Rutherford, and Burke Counties (Caldwell - $180,564 for 74 families; Rutherford - $167,927 for 46 families; and, Burke - $212,009 for 105 families). The funding will be used to assist 225 eligible low-income client families in the three counties.

Mr. Kiser recommended the Board of Commissioners formally approve BRCA’s submittal of an application in the amount of $560,500 for a Community Service Block Grant from the North Carolina Department of Health and Human Services.

4. Request to Declare Library Books Surplus and Donate to Friends of the Library
The County Manager informed Commissioners the Library Director and staff identified more than 11,000 books and items to be surplused and donated to the Friends of the Caldwell County Public Library. Mr. Kiser recommended the Board of Commissioners declare 11,000+ books and items surplus and authorize donation of the items to the Friends of the Library for their ongoing book sales to help support program and services of the library system.

Commissioner LaBrose moved to approve the four items on the consent agenda as presented and recommended by the County Manager. The vote was unanimous.

There being no further business, Commissioner Potter moved to adjourn and, by unanimous vote, Chairman Church declared the meeting adjourned at 6:49 p.m.
Asked if cost analysis had been done (cost of insurance to homeowners without hydrants in the development).

Health, safety, and welfare is subject and if the board of commissioners feels that it is not being met, the PUD may be denied.

She said she met with Granite Falls fire and they, too, had concerns.

Town manager said they had to be within 150’ to hook up on the town’s waterlines.

Soil scientists conducted any tests. Shelley said they are not required by law but said that none have been done to this point.

Whether the lots would perk is still uncertain.

The property is located in the South Caldwell fire district but not in the Granite Falls service district; therefore, the homeowners insurance premiums would be much greater.