Caldwell County
Lenoir, North Carolina

Board of Commissioners
July 17, 2017
6:00 p.m.

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

Absent: Donnie Potter, 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 participation.

Regular Session

Commissioner LaBrose gave the invocation and Commissioner Branch led the Pledge of Allegiance. Chairman Church asked if there were any additions or amendments to the July 17, 2017 agenda. There being none, Commissioner LaBrose moved to approve the agenda as presented and the motion carried unanimously.

Communities In Schools

Debbie Eller, CIS Director, provided Commissioners with an impact snapshot of the statistics for 2015. She noted that 97% of the seniors in the program graduated and 96% of the students in the program went on to the next grade level. The program served 502 students in seven schools. Ms. Eller read Communities In Schools’ mission statement and announced the upcoming project, Stuff the Bus, to collect school supplies for students in need. She said the event would be held on August 9th at the Education Center. Ms. Eller highlighted some of the activities for the year including a field trip to a Hickory Crawdad baseball game and a field trip to the Biltmore House in Asheville as well as a various programs including a school read project at William Lenoir Middle School; a Shark Tank Program in which students design and develop a business; bereavement classes taught by Hospice; and, financial literacy taught by bank officials.

Economic Development Incentive for Project Quicksilver

Deborah Murray reported the EDC had been working to recruit a well-known, international corporation in the acquisition of property to establish a substantial manufacturing facility in
Caldwell County. The company estimates a potential $90 million investment in the first several years and will create 374 new full-time jobs. Ms. Murray said the company was considering a few sites; however, Caldwell County was the only site in North Carolina. She presented a request for a local jobs incentive ($2,000 per job for up to a total of $748,000) and a local tax grant for the business. Ms. Murray noted that the Governor would make the announcement if the company decided to locate in Caldwell County.

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

Commissioner LaBrose moved to approve a Local Jobs Incentive of $748,000 for up to 374 new, full-time Caldwell County jobs to be created over a three-year period; approve a five-year, 75% Local Tax Base grant for only new tax base value added as a result of the company’s new, private investment; and, to adopt the following Resolution of Support authorizing the County and EDC to pursue North Carolina Economic Development Incentives through the Department of Commerce and the EDPNC on behalf of the company. The motion carried unanimously.

NC Job Development Investment Grant (JDIG) and Rural Economic Development Building Reuse Authorizing Resolution

Project Quicksilver 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 company to Caldwell County, NC, to create up to 374 new jobs and create up to $90 million in new private investment, and

Whereas, this economic development project is recorded as Project Quicksilver in order to maintain confidentiality until negotiations conclude and announcement is approved for public release by the Governor of North Carolina and the Department of Commerce and appropriate company officials, and

Whereas, the Caldwell County Economic Development Commission has begun the application process of a preliminary review with the State to determine the company’s eligibility for 1) A potential JDIG based on the creation of up to 374 new jobs over a three (3) year period and $90 million in new private investment, and 2) A $500,000 Building Reuse grant to facilitate renovations to existing manufacturing facilities, and

Whereas, 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 for up to 374 new jobs for a total of $748,000 as the local incentive package for the company from which the Building Reuse required local 5% match will be drawn, and
Whereas, the Caldwell County Board of Commissioners understands this is a competitive project in which the company has also received incentive offers from two other states, and

Whereas, Caldwell County elected officials and staff have previous experience in the application and local administration of the JDIG and Building Reuse 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 agrees to formally serve as applicant for the Building Reuse grant as well as endorse and support the application for a North Carolina JDIG project and authorize the Chairman to sign appropriate certifications for the local government application related to these State of North Carolina grants.

Adopted this 17th day of July, 2017.

ATTEST

______________________________  ________________________
Kathy Greene, Clerk to the Board    Randy Church, Chairman
Caldwell County Commission

Establishment of North Catawba Rescue Service District

Stan Kiser informed Commissioners that according to North Carolina General Statute 153A-302(a) for establishing a rescue service district as proposed for North Catawba Fire District, the following standards had been met. He noted the public hearing was scheduled as part of the procedure and was advertised in the News-Topic and the County’s website as well as the required notifications mailed to owners of properties in that proposed service district.

(1) The resident population of the proposed district is estimated to be approximately 7,700, according to the 2000 US Census almost all of which are full-time residents because there is no seasonal recreational area within the district. North Catawba Fire/Rescue Department has used 10,000 as the population for all its past grants and information.

(2) The appraised value of property subject to taxation in the proposed district is approximately $463,413,000 and the tax value of motor vehicles in the district is approximately $72,000,000.

(3) The present tax rates of the county and any cities or special districts located within the proposed special district are the following:

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<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Caldwell County</td>
<td>$.63 per $100.00 valuation</td>
</tr>
<tr>
<td>Town of Cajah’s Mountain</td>
<td>no tax rate</td>
</tr>
<tr>
<td>Town of Gamewell</td>
<td>no tax rate</td>
</tr>
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</table>
(4) North Catawba Fire/Rescue is asking for a $.02 per $100 valuation tax rate to generate revenues sufficient to hire three (3) full-time rescuers to the on-duty staff at the department; maintain the response for backup ambulance; and, maintain the response/readiness for heavy rescue, surface water rescue, and search and rescue.

(5) No net revenues for this district, rescue is and will be a 501.3C.

(6) The closing of Lovelady Rescue resulted in the loss of capabilities of surface water rescue, heavy rescue, trench rescue, and high angle rescue.

(7) The proposed district is able to sustain the additional taxes necessary to provide the rescue services planned for the district.

Chairman Church declared the public hearing open.

Jessie Price, residing at 2381 Boardwalk Court within the North Catawba Fire District, voiced opposition to the tax, citing that the North Catawba Fire Department budget was already at $716,000 according to the department’s website. Mr. Price said he felt their budget was sufficient and said no other department in the County was asking for the special district. He noted the increase in tax dollars for the fire district would increase his house payment.

Dennis Hopkins, North Catawba Fire & Rescue Deputy Fire Chief, talked about the rescue readiness tax that Commissioners had always been charged with allocating. With recent changes, the department felt the overlay district would allow the district to maintain those tax dollars. He cited general statutes that allowed fire districts to levy up to 15 cents per $100 valuation to provide rescue services. Mr. Hopkins said North Catawba Fire & Rescue was the second highest response department in the County and cited some statistics. Mr. Hopkins reported the Department’s request for a one-cent increase was to allow the hiring of additional staff. He said North Catawba Fire & Rescue officials felt it best to have the rescue overlay district done in addition to the fire district overlay to meet the needs of the future. He noted the Department’s books were audited every year by an outside, independent auditor.

Chairman Church closed the public hearing and moved to establish the special service district for North Catawba Fire District to allow the department to set up rescue service. The motion carried unanimously.

Approval of Final Plat for Waterfront Harbor Phase I

Planning Director Shelley Stevens presented the following application from Mr. Vasquez for final plat (Phase I) approval.

**Applicant:** Oscar Vasquez (Developer)
**Developer:** Oscar Vasquez – Waterfront Harbor, 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:**
31.405 (phase 1) of 56.303 acres.

**Zoning:**
PUD

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

**Use:**

**Request:**
Final Plat Approval – Phase 1

Ms. Stevens reported that the original preliminary plat was submitted by Mr. Vasquez while the County was discussing a water hookup requirement, before it became law; however, he agreed to hook the subdivision on to County water.

She noted staff and the Planning Board reviewed the plat and found it consistent with the following:

- Caldwell County Subdivision Ordinance
- Caldwell County Watershed Ordinance
- Caldwell County Flood Damage Prevention Ordinance

Also, she noted Caldwell County had received the guarantee (certified checks) and contracts for the subdivision’s improvements.

Ms. Stevens informed Commissioners that the Planning Board recommended approval of the plat for phase I. Also, the Planning Board recommended the County cover the cost of the master meter and vault at the entrance of the subdivision.

Commissioner Wilkie moved to approve the final plat for Phase I of Waterfront Harbor and to approve the County covering the cost of the master meter and vault for the subdivision. The motion carried unanimously.

**2016 Tax Collectors Settlement and 2017 Tax Collection Charge**

In accordance with North Carolina General Statute 105-373(a), Tax Administrator Monty Woods reported outstanding 2016 taxes of $1,580,570.75 and requested authorization from the Board of Commissioners to collect same. In addition, in accordance with North Carolina General Statutes 105-321 and 105-352, Mr. Woods requested approval of the 2017 Tax Collection Charge.

Commissioner LaBrose moved to approve the 2016 tax collectors settlement as presented and formally authorize the Tax Collector to administratively collect the 2017 taxes. The motion carried unanimously.

**Approval to Purchase Property from Caldwell County Schools for an EMS Base in Valmead**

Mr. Kiser reported that the Caldwell County Board of Education, during its meeting on February 13, 2017, took action approving the sale of a portion of their property, where the schools’ maintenance facility is located on Clark Drive in Valmead, at fair market value to the County.
He said the Board of Education agreed to sell the County 1.746 acres, as identified on the recent survey, at an assessed value of $38,800.00 which was calculated by Monty Woods based upon the current schedule of values for that amount of acreage.

Commissioner Branch moved to approve the land acquisition as presented and to approve the following budget amendment. The motion carried unanimously.

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<th>Increase</th>
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<th>Installment Purchase Loan</th>
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<tr>
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<td>Land Acquisition</td>
<td>$45,000.00</td>
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Consent Agenda

1. Approval of Minutes
The County Manager recommended the Board of Commissioners approve the June 19, 2017 minutes as presented.

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

   A. Reduction in Collettsville School Project Using Lottery Funds - $9,199.50
   The County received notification from the State advising a reduction in the budget funding for the roofing replacement project for the L Wing at Collettsville School. The project was completed under budget and the following budget amendment is necessary to reflect the reduction in the Lottery Fund revenue and expenditure line items. No local dollars are required.
   Decrease 74.5910.334302 ADM/Lottery $9,199.50
   Decrease 74.5910.465810 ADM/Lottery $9,199.50

   B. Sheriff Office (Equipment for New Patrol Vehicle) $12,000.00
   The Commissioners recently authorized the purchase of a new vehicle to replace a wrecked patrol unit for the Sheriff Office. The following budget amendment is necessary to allocate General Fund revenue to cover the cost of equipment for the new vehicle. The budget amendment does require new local tax dollars.
   Increase 10.9800.397000 Fund Balance Appropriation $12,000.00
   Increase 10.9000.451001.4318 Vehicles $12,000.00

   C. NC Department of Transportation (Purchase of Property for Easements) $39,225.00
   The NCDOT paid the County $39,225.00 for acquisition of two property easements in order that the DOT could make road improvements and implement a roundabout near William Lenoir Middle School. The following budget amendment is necessary to reflect receipt of the payment and the subsequent remittance to the school system. Caldwell County Schools deeded the property to the County in order to obtain a loan to finance construction of the new middle school. When the loan is paid in full, the County will convey the property back to the school system. No local dollars are required.
   Increase 10.5910.310000 Miscellaneous Revenue $39,225.00
   Increase 10.5910.465501 School Funding $39,225.00
3. Designate Voting Delegate for 2017 NCACC Annual Meeting
The County Manager recommended the Board of Commissioners designate Commissioner LaBrose as Caldwell County’s voting delegate for the 2017 NCACC annual meeting to be held in Durham County, August 10-13, 2017.

4. Resolution Exempting Architectural and Engineering Services re Expansion of Sheriff Office Evidence Room
For the past several months, staff and Commissioners have been discussing the need to expand the evidence room at the Sheriff Office. In order to proceed further, the County Manager recommended the Board of Commissioners adopt the following resolution to exempt the County from bidding requirements associated with these architectural and engineering services estimated to be less than $50,000.

RESOLUTION EXEMPTING ARCHITECTURAL AND ENGINEERING SERVICES FOR THE EXPANSION OF SHERIFF’S EVIDENCE ROOM

FROM G.S. 143-64.31
WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively “design services”) to be based on qualifications and without regard to fee;

WHEREAS, the County proposes to enter into one or more contracts for architectural/engineering services for the expansion of the evidence room and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for the services from the qualifications-based selection requirements of G.S. 143-64.32 if the estimated fee is less than $50,000; and

WHEREAS, the estimated fee for the architectural/engineering services for the above-described project is less than $50,000.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CALDWELL RESOLVES:

Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.

Section 2. This resolution shall be effective upon adoption.

________________________________________
Randy Church, Chairman
Caldwell County Board of Commissioners
5. Appoint Review Officer for Caldwell County
The County Manager informed Commissioners that Monty Woods requested the appointment of Carlene Wilkie, from Land Records, as an additional Review Officer for Caldwell County. He recommended the Board of Commissioners adopt the resolution which is hereby incorporated by reference and made a part of these minutes as recorded in the Caldwell County Registry Book 1922 Page 2039 to appoint Carlene Wilkie as Review Officer for Caldwell County.

6. Naming of Library’s Local History Room
The County Manager reported the Library’s Board of Trustees submitted its request for Commissioners to approve naming the library’s local history room in honor of former library director Jim McKee who retired in 2009. The room is currently only identified as “the local history room” and the Trustees have recommended it be named “The Jim McKee Local History Room”. Therefore, the County Manager recommended the Board of Commissioners approve renaming the local history room at the Library to “The Jim McKee Local History Room”.

7. Declare Books/Items Surplus and Approve Donation to Friends of the Library
The County Manager recommended the Board of Commissioners declare 5,421 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 seven items on the consent agenda as presented and recommended by the County Manager. The motion carried unanimously.

Appointments

The Clerk reported the terms for Donnie Potter and Edward Terry on the Library Board of Trustees expired June 30th and both would like to serve another term. In addition, she said Jennifer Warren Greer submitted an application seeking appointment to fill a vacancy on the Library Board of Trustees as the result of Kristen Sherrill’s resignation.

The Clerk also reported the Town of Sawmills requested Commissioners to consider the reappointment of Walter Moore as Caldwell County’s extraterritorial jurisdiction member on the Town’s Board of Adjustment.

Commissioner Wilkie moved to accept the appointments as read and the motion carried unanimously.

There being no further business, Commissioner LaBrose moved to adjourn and, by unanimous vote, Chairman Church declared the meeting adjourned at 6:45 p.m.