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

Absent: None

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

Nickey Waters, Pastor of Poovey’s Chapel Baptist Church, gave the invocation and Commissioner Wilkie led the Pledge of Allegiance. Chairman Church asked if there were any additions or amendments to the July 23, 2018 agenda. The Clerk requested item #6B (Proclamation for Dr. Steve Stone) be removed from the agenda and rescheduled for the Board’s next meeting. Commissioner LaBrose moved to approve the agenda as amended and the vote was unanimous.

Proclamation—Arachnoiditis Awareness Month in Caldwell County

Commissioner Potter recognized Sherry Story and read the following proclamation. Ms. Story talked about her diagnosis of arachnoiditis following extensive research related to her symptoms. She said the name of the disease was not related to the fear of spiders but was named for the resemblance of the clumping of the nerves to appear like a spider web. Ms. Story said her symptoms began after she was given an epidural injection in 2016. Following her research, conferral with doctors, and an MRI with contrast, Ms. Story said she was diagnosed with arachnoiditis. She said there was no cure for the disease and she wanted to bring awareness to the disease so that individuals experiencing similar symptoms and doctors treating patients for the same symptoms would know about it.

Commissioner Potter commended Ms. Story for the initiative she took to research the disease and to encourage awareness of it by having the North Carolina Governor sign a proclamation observing July as Arachnoiditis Awareness Month in the State.

Following the Board’s presentation of the State and County proclamations to Ms. Story, Commissioner Potter moved to adopt the proclamation and it carried unanimously.
Proclamation

ARACHNOIDITIS AWARENESS MONTH IN CALDWELL COUNTY

WHEREAS, arachnoiditis is a rare acute inflammatory disease that affects the membranes that cover and protect the brain, spinal cord, and nerve roots; and

WHEREAS, this inflammation causes a variety of neurological deficits and chronic, debilitating neuropathic pain; and

WHEREAS, the causes of arachnoiditis include injury due to surgical interventions, especially spinal operations; trauma to the spinal cord; epidural prolapse; injections or other damage; and infections that may cause viral, fungal, or bacterial meningitis; and

WHEREAS, the precise prevalence and incidence of arachnoiditis is unknown; however, estimates suggest that as many as 11,000 new cases occur each year in the United States; and

WHEREAS, arachnoiditis affects more females than males, which is the presumed result of more than sixty percent of pregnant women in the United States and other countries receiving spinal or epidural anesthesia during childbirth; an estimated four percent of these women develop this disease; and

WHEREAS, currently there is no complete cure for arachnoiditis, but there are therapies that may lessen the associated chronic pain and suffering; and

WHEREAS, because the disease can occur due to complication of surgery or epidural injection, increased awareness is imperative for both the public and our health care providers; and

WHEREAS, Caldwell County encourages people to learn about the risks and symptoms of arachnoiditis, advocate research for a cure, and support those families affected by this disease in our communities;

NOW, THEREFORE, BE IT RESOLVED that the Caldwell County Board of Commissioners does hereby proclaim August **ARACHNOIDITIS AWARENESS MONTH** in Caldwell County and commend its observance to all citizens.

Adopted this the 23rd day of July, 2018.

____________________________________
Randy T. Church, Chairman

Attest:

____________________________________
Kathy T. Greene, Clerk to the Board
Public Hearing—Economic Development Incentive for Automated Solutions, LLC

EDC Director Deborah Murray announced Automated Solutions, LLC was celebrating its 20th anniversary and said the company moved to Caldwell County in 2008. The company has a location in Sawmills and, recently, located a second facility in the former Broyhill Furniture plant on Hwy 18 in Lenoir. The Lenoir plant houses an extruder line for polyethylene foam sheeting, post processing foam converting equipment, and warehouse space. Ms. Murray said the headquarters is based in the Sawmills facility and said the company was growing with 75 full-time employees as of March 31, 2018. She said the company planned to create 20 additional full-time jobs within a one-year period and Automated Solutions made a formal request to be considered for a $2,000 per job Local Jobs Incentive for the expansion project.

Chairman Church declared the public hearing open; however, there was no public comment. Chairman Church declared the public hearing closed and moved to approve a Local Jobs Incentive of $40,000 ($2,000 per job) to Automated Solutions, LLC, for up to 20 new, full-time Caldwell County jobs to be created over a one-year period. The motion carried unanimously.

Public Hearing—Economic Development Incentive for BRUEX, Inc.

Ms. Deborah Murray presented a request from BRUEX, Inc., for a local jobs incentive of $30,000.00 for fifteen new jobs. The company is located at 312 Lutz Street, Lenoir, and is a third generation family business that started in 1971. It is one of only eight companies in the United States that manufactures laminated veneer. Ms. Murray said BRUEX purchased over $600,000 in router equipment during the past year and planned to renovate portions of their facility to include an additional loading dock estimated at $52,000 and a 70’ x 30’ warehouse estimated at $100,000. The improvements are necessary to meet production demand. The company has also requested a Building Reuse Grant from the State. It was noted the Local Jobs Incentive would provide the required 5% Local Match for the North Carolina Building Reuse grant.

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

Commissioner Wilkie moved to approve a Local Jobs Incentive of $30,000 ($2,000 per job) for Bruex, Inc. based on creation of 15 new, full-time Caldwell County jobs over a two-year period; and, to adopt the following resolution.

Caldwell County Resolution
Authority to Apply to the
North Carolina Department of Commerce
Building Reuse and Restoration Grants Program
BRUEX, Inc. Economic Development Expansion Project

WHEREAS, Caldwell County desires to assist through grant funding the expansion of BRUEX, Inc., and

WHEREAS, Caldwell County intends to request from the North Carolina Department of Commerce grant assistance for this expansion project.
NOW THEREFORE BE IT RESOLVED, BY THE CALDWELL COUNTY BOARD OF COMMISSIONERS:

That the Caldwell County Local Jobs Incentive will provide the local match of 5% for the Building Reuse grant requested.

That Stan Kiser, County Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of Caldwell County with the North Carolina Department of Commerce for a grant to assist in the development of the project described above.

That Stan Kiser, County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the North Carolina Department of Commerce may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That Caldwell County has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 23rd day of July 2018, at Lenoir, North Carolina.

_____________________________
Randy T. Church, Chairman

Attest:

_____________________________
Kathy T. Greene, Clerk to the Board

Borrowing for Construction of Two EMS Bases

Mr. Kiser informed Commissioners that a public hearing was required by N.C.G.S. 160A-20 before the County could enter into an installment financing contract to construct, equip, and furnish EMS bases at 214 Clark Street, Lenoir, NC and 201 Taylorsville Road NE, Lenoir, NC in a principal amount not to exceed $2,500,000. It was noted the loan would be secured by a deed of trust on the properties where the EMS bases will be constructed, together with all improvements and fixtures located at the identified sites.

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

Commissioner Potter moved to grant approval to begin the process of borrowing to build two new EMS bases and the motion carried unanimously.

Proposed Text Amendments to the Zoning Ordinance

Planning Director Shelley Stevens reported that she and Planning Board members had been researching best practices for cell towers in the County and worked with John Chamberlain, CommScope’s director of broadband technologies, and Joel McMillon, engineering project manager with Carolina West Wireless
on proposed amendments to the County’s Zoning Ordinance pertaining to cell towers. Ms. Stevens said the Planning Board, staff, and both experts recommended amendments to the ordinance and she summarized the following major changes:

- Prohibition of modern technologies
- Evidence of need in terms of demand has been removed – demand may not be looked at in siting new towers
- New towers should not be located closer than a mile from another tower unless needed
- Removal of references about protected mountain ridges (don’t have any in cc)
- 110 to 195 feet tower height changed (towers under 200’ do not have to be lit according to FAA regulations)
- Changed from 0 zone fall requirement to height of tower unless certified by engineer
- $1 million to $2 million liability coverage requirement

Following discussion, 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 text amendments to the Caldwell County Zoning Ordinance which are hereby incorporated by reference and made a part of these minutes (Exhibit A). The motion carried unanimously.

Approval of Final Plat for Waterfront Club Phase I-A

Planning Director Shelley Stevens presented information regarding the request from Caldwell Timber Partners, LLC for final plat approval of Waterfront Club’s Phase I-A as identified below.

**Applicant:** Caldwell Timber Partners, LLC  
**Developer:** Caldwell Timber Partners, LLC  
**Property Owner:** Caldwell Timber Partners, LLC  
**NCPIN:** 2745333257 and 2744995525  
**Location:** West of Connelly Springs Rd, and south of Premier and Baton School Rds  
**Site Conditions:** wooded with floodplain, in the Watershed Critical and Protected Areas  
**Acreage:** 214.946 acres in Phase 1A; 1011.12 acres (967.01 & 44.11 acres) in entire subdivision  
**Zoning:** R-20 & PUD  
**Surrounding Land Use:** RA-20 to the north, northwest, east and southeast. Some R-20 to the north, and a little G-B to the northeast, along Connelly Springs Rd. There is also PUD zoning to the southeast.

Ms. Stevens noted the property was located west of Connelly Springs Road and directly north of Lake Rhodhiss. The current proposal contains 69 residential lots and 2 common areas. Lot sizes range from 1 acre to 6.848 acres with a 14–acre area for future development (left of Connelly Springs Road).

Ms. Stevens said it was interesting to note that based on the WPCOG School Growth Estimation Model run by Taylor Dellinger, she listed the following estimated school impact from the subdivision:

- Baton Elementary: 42 students (estimated at .15 students per new housing unit)
- Hudson Middle: 22 students (estimated at .08 students per new housing unit)
- South Caldwell High: 28 students (estimated at .10 students per new housing unit)
Commissioner Potter moved to approve the final plat of phase 1-A contingent upon receipt of approval of the entrance by NC DOT.

Chairman Church expressed the need to require developers to offer garbage pickup/disposal of solid waste from new developments and suggested the Planning Board look into solid waste disposal requirements for future developments. Following discussion, the motion carried unanimously.

**Resolution—Granite Falls Middle School Construction Debt**

Dr. Don Phipps, Superintendent and Dr. Jeff Church, Assistant Superintendent of Caldwell County Schools appeared before Commissioners to support a resolution seeking $15 million in funding from the North Carolina Department of Instruction to construct a new Granite Falls Middle School.

Chairman Church talked about the State DPI grant and said it would require a commitment from the Caldwell County Board of Commissioners to fund a $5 million local match.

The County Manager read the resolution and, upon its reading, Commissioner LaBrose moved to adopt same which is hereby incorporated by reference and made a part of these minutes (Exhibit B). The motion carried unanimously.

Dr. Phipps thanked Caldwell County Commissioners for their partnership and said the school system could not be at this point in the process without their support. Dr. Church said a new facility for Granite Falls Middle School had been being considered for a long time and thanked Commissioners as well for their support of a new school.

The motion carried unanimously.

**2017 Tax Collectors Settlement and 2018 Tax Collection Charge**

In accordance with North Carolina General Statute 105-373(a), Tax Administrator Monty Woods reported outstanding 2017 taxes of $1,664,620.62 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 2018 Tax Collection Charge.

Chairman Church moved to approve the 2017 tax collector’s settlement as presented and formally authorize the Tax Collector to administratively collect the 2018 taxes. The motion carried unanimously.

**Consent Agenda**

1. Approval of Minutes
   The County Manager recommended the Board of Commissioners approve the June 18, 2018 minutes as presented.

2. Budget Amendments
   The County Manager recommended the Board of Commissioners approve the following budget amendments.
**a. Budget Realignment for Special Appropriations - $7,327,900.00**

Tony Helton, in reviewing certain special appropriation line items, submitted the following budget amendment to transfer them to the departments that they are associated with directly. No local dollars are necessary.

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<th>Amount</th>
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<tr>
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<td>Increase 10.4125.437000</td>
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</tr>
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**b. Groundwater Monitoring Fund - $100,000.00**

The following budget amendment is necessary to transfer Water Fund revenue to the line item for ongoing groundwater monitoring activities. No local dollars are required.

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<td>Groundwater Monitor Fund</td>
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**c. Animal Control Facility Repairs - $15,000.00**

All the repairs scheduled for completion during the previous fiscal year were not finished so the following budget amendment is necessary to rollover funds previously appropriated for the project.

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<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Increase 10.5191.435500</td>
<td>M&amp;R Building</td>
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3. **Approval to Erect U.S. Constitution/Bill of Rights Monuments**

It was noted that Foundation Forward, Inc. requested approval to erect monuments to display the U.S. Constitution, the Bill of Rights, and the Declaration of Independence at the Alden E. Starnes County Office Plaza. Foundation Forward, Inc. is a 501(c)3 and will raise money to gift the monuments for display on the site. The cost of the monuments will come from funds raised by Foundation Forward, Inc. with an initial donation of $1,000.00 by Vance and Mary Jo Patterson. Mr. Kiser recommended the Board of Commissioners grant approval for Foundation Forward, Inc. to raise funding to cover the cost for erecting monuments at the Alden E. Starnes County Office Plaza.
4. Request to Accept Two Donated Vehicles and to Surplus One Sheriff Office Vehicle

Mr. Kiser reported the Sheriff Office, through the Assets Seizure Program, acquired two undercover vehicles for use in covert operations. He recommended the Board of Commissioners authorize the Sheriff to accept the two vehicles and to surplus one current vehicle; thereby, increasing the fleet by one vehicle.

5. Ratification of Fireworks Display Permits

It was noted the Fire Marshal received two applications following the Commissioners’ June 18th meeting and, because the applications were submitted after that meeting and were requested to be permitted prior to the Board’s July 23rd meeting, the Fire Marshal polled Commissioners individually to get verbal approval to issue the permits.

The applications were submitted by Eric Wright with JECO Pyrotechnics and his company performed the fireworks displays on July 1st at 1949 Dudley Shoals Road, Granite Falls, NC and on July 6th at 575 Charlie Little Road, Granite Falls, NC.

The County Manager recommended the Board of Commissioners ratify approval of the two fireworks display permits previously issued by the Fire Marshal.

6. Revised Plan for Additional Home and Community Care Block Grant Funding

It was noted the Board of Commissioners adopts the proposed grant funding allocation for the Home and Community Care Block grant each year based on recommendations from the Caldwell Council on Aging. The total available grant to the County for FY2018-2019 amounted to $518,874; however, Tina Miller, Western Piedmont Council of Governments Director for the Area Agency on Aging, advised the County of additional grant funding available for Caldwell County in the amount of $40,128.00. Therefore, Mr. Kiser recommended the Board of Commissioners approve the revised funding plan with the following allocations of the additional funding as voted on by the County’s Council on Aging/HCCBG Advisory Committee.

- Adult Day Health $ 2,700.00
- Home Delivered Meals $13,500.00
- Senior Center Operations $ 3,373.00
- In-Home Aide Level I $ 4,500.00
- In-Home Aide Level II $ 7,956.00
- Housing & Home Improvement $ 5,399.00
- Medical Transportation $ 2,700.00

$40,128.00

7. Certification of Patterson Fire Insurance Districts

It was noted that Patterson Fire Department, for some time, had been involved in efforts to improve fire service within its overall district including the construction of a second fire station on Hwy 321 near the Richlands area of the County. The Department proposes two insurance districts and Mr. Kiser recommended the Board of Commissioners approve two districts identified on the Patterson Fire map which is hereby incorporated by reference and made a part of these minutes (Exhibit C).

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

The Clerk informed Commissioners that Library Director Lesley Mason advised there was a vacancy on the Library Board of Trustees scheduled to expire June 30, 2019 and Jennifer Greer submitted an application seeking consideration for appointment to that Board. Chairman Church moved to appoint Ms. Greer to complete the term of the vacancy on the Library Board of Trustees. The vote was unanimous.

There being no further business to conduct, Commissioner LaBrose moved to adjourn. By unanimous vote, Chairman Church declared the meeting adjourned at 6:49 p.m.