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

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 October 9, 2017 agenda. The Clerk requested addition of an item be added to the consent agenda in order to schedule a November 6th special meeting and to remove Item #9D (Award Architectural Services Contract for EMS Bases). Commissioner LaBrose moved to approve the agenda as presented and amended. The motion carried unanimously. 

Cooperative Extension Service Program Update  

Seth Nagy talked about the partnership between Caldwell County and North Carolina State University to provide services through the local office. Mr. Nagy recognized the agency’s staff, listed below. He also recognized three of the agency’s many volunteers in attendance of the meeting: Gerald Sprinkle; Lee Cox; and, David Horn. He commended staff and all the volunteers for their work and contributions.  
- Eli Snyder, Agriculture and Commercial/Consumer Horticulture  
- Charlie Godfrey, 4H Agent  
- Margie Mansure, Nutrition and Food agent (1 day/week)  
- Diana Ford, Receptionist  
- Tina Lovejoy, Administrative Assistant  
- Elena Rogers, Specialist for food safety and fresh produce in WNC  
- Allen Caldwell, former County Cooperative Extension Service agent (2 days/week)
Volunteers & Community Partners
- Advisory Council
- 4-H Parents, Volunteers, Youth
- Master Gardeners
- United Way
- Cattlemen’s Association
- Nurserymen’s Association
- Beekeepers Association
- Unity Park Community Garden

Mr. Nagy said agriculture, food and youth development were the three primary programs and he highlighted the following programs and provided information/pictures of the activities.

Agriculture Programs
- On-farm Rhubarb Trial
- Multi-county Corn Variety Trial
- Tri-county Forage Tour
- WNC Ag Options Program
- Landscaping Workshop
- Pesticide Collection Day held every three years (collected 2,600+ pounds of pesticides)
- Community Garden
- Master Gardener Volunteer Training Program
- Seed Library (4-H Pizza Gardens)

4-H Youth Programs
- Clubs (Envirothon, Archery, Saddle Club, Happy Valley, Cooking, and Science)
- School Enrichment – Embryology
- Summer Programs – Day and weeklong camps to help with learning and youth development.

Food and Nutrition Programs
- Safe Plates (work with restaurants and food vendors to make sure they are following safety practices) (100% pass rate)
- Steps to Health for 3rd graders
- Healthy Cooking
- Food Preservation classes

Miranda Deal, member of 4-H and President of the Saddle Club, talked about things she had learned as a 4-H member and from the equestrian program. She said members learned to work not only independently but as a team as well; to develop leadership skills; and, to learn recordkeeping and budgeting. Ms. Deal said her goal was to attend North Carolina State University and to continue volunteering, and encouraging youth to get involved in 4-H and the Saddle Club. She invited Commissioners to Achievement Night on Monday, January 29th.

Kelly Easterling, new farmer and owner of Ample Acres on Coy Miller Road, talked about her
small vegetable farm in its second season and highlighted the following ways in which the local Cooperative Extension Service Agency had helped her with the farm. Ms. Easterling commended the agency staff and thanked them for their support.

- Classes and Courses
- Visits by Eli Snyder to answer questions and make recommendations
- Agriculture Resources
- Planning
- Local food guide for the farmers and food markets
- Access to small tractor that can be rented through the agency

Public Hearing—Rezoning Request from Terry West for Taylorsville Road Property

Planning Director Shelley Stevens provided the following information from the application submitted by property owner, Terry West, to rezone a 1.4 acre parcel at 1660 Taylorsville Road from Residential Agricultural zoning to General Business zoning.

Applicant: Terry West
Developer: Unknown/future owner
Property Owner: Terry West
NCPIN: 2779077682
Location: Adjacent and south of Taylorsville Rd/Hwy 90, east of Hwy 321, and west of McRary Creek Rd
Site Conditions: Wooded, not within the Watershed Critical Area or floodplain
Acreage: 1.4 acre subdivided from the northwestern side of the 3.9-acre property (abutting Hwy 90)
Zoning: RA-20 (requesting GB)
Surrounding Land
Use/Zoning: RA-20 to the north, south, east and west
Request: Rezoning

Ms. Stevens said the site was located in an area identified in the Comprehensive Plan’s Future Land Use Map as a Medium Density District and not located along a proposed neighborhood business or industrial node. Highway 90 (Taylorsville Rd), adjacent the property, 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’), and vegetative buffering with new residential communities. The property is not located in a Special Flood Hazard Area or within the Watershed so neither ordinance applies to Mr. West’s request.

She showed aerial and ground level photos of the site and reported that staff and the Planning Board reviewed the rezoning application’s consistency with the following:

- A Deliberate Future: The Caldwell County Comprehensive Land Development Plan
- Caldwell County Zoning Ordinance
- Public health, safety and general welfare
Ms. Stevens informed Commissioners the Planning Board recommended approval because the County had a need for commercial growth and because the health, safety and welfare of the County depended on this growth. The need outweighs the proposed zoning and recommendations for that area in the Comprehensive Plan due to high traffic volume along Taylorsville Road which made the property unsafe as a residential building lot.

At the request of Commissioners, Ms. Stevens listed the varying types of business allowed in the zoning requested by Mr. West. The County Attorney cautioned Commissioners that each rezoning would be open for any permitted use or conditional use meeting conditions of the County’s Zoning Ordinance.

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

Commissioner Branch moved to approve the rezoning request as presented by the Planning Director and the motion carried unanimously.

Public Hearing—Proposed Text Amendments to the Watershed Ordinance

Shelley Stevens presented a proposal to amend Sections 207, 208, 209, 210, 301, and 306 of the Caldwell County’s Watershed Protection Ordinance by removing permit language. She noted Caldwell County is a Class 4 watershed and, legally, the County was required to have an ordinance and abide by the watershed rules. However, Ms. Stevens said the text in the ordinance related to permits was definitely unnecessary and should be removed.

As noted in Ms. Stevens’ report, Watershed Protection Permits and Watershed Protection Occupancy Permits have never been issued within Caldwell County. Regardless, all development within the Watershed Protected and Critical Areas of Caldwell County must abide by the Watershed Protection Ordinance rules. After reviewing other local governments’ Watershed Ordinances and speaking with Julie Ventaloro, the Senior Environmental Specialist with the Energy, Mineral and Land Resources Division of DEQ whose job description includes coordinating the Water Supply Watershed Protection Program, it seems that the permits are unnecessary. Staff also emailed all proposed changes to Ms. Ventaloro, to which she responded by reiterating that the changes look good. Since Caldwell County, historically, has never issued these permits, and given that Watershed regulations must be followed, regardless, staff is of the opinion that the permits be removed.

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

Commissioner Branch moved to approve the text amendments as presented and which are hereby incorporated by reference as recorded in Caldwell County Registry Book _____ Page _______. The motion carried unanimously.
Public Hearing—Revisions to the Fire Prevention and Protection Ordinance

EMS Director Dino DiBernardi presented a proposal to amend the Fire Prevention and Protection Ordinance to reflect the most current adopted State Fire Prevention Code and the new requirement for rental agents to provide smoke alarms and carbon monoxide detectors.

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

Commissioner Potter moved to adopt the amendments to the Fire Prevention and Protection Ordinance which are hereby incorporated by reference and made a part of these minutes as recorded in Caldwell County Registry Book _____ Page _____ . The motion carried unanimously.

Public Hearing—Proposed Revisions to the Pre-Hospital Emergency Care Service Providers Franchise Ordinance

Mr. DiBernardi also presented a proposal to amend Section 110.33 of the Pre-Hospital Emergency Care Service Providers Franchise Ordinance to reflect the change in minimum standards of insurance coverage for any contracted agency. He said the proposal updated verbage and insurance limit requirements.

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

Commissioner Willkie moved to adopt the amendments to Section 110.33 of the Ordinance which are hereby incorporated by reference and made a part of these minutes as recorded in Caldwell County Registry Book _____ Page _____ . The motion carried unanimously.

Authorization to Apply for $15 Million State Grant for Granite Falls Middle School Project

Dr. Jeff Church, Assistant Superintendent of Caldwell County Schools, talked about the opportunity Caldwell County’s school system had to apply for a $15 million State grant for school construction. He said the deadline for submittal of a grant application was October 11th and requested Commissioners’ approval for the school system to apply for the grant. Dr. Church said if the grant was awarded the school system would not receive any lottery revenue for the next five years and that the school officials would work with Caldwell County to borrow the $5 million matching requirement for the grant.

Chairman Church moved to authorize the Caldwell County school system to apply for a $15 million grant from the State. Following discussion, the motion carried unanimously.

Resolution re US Hwy 321 Widening Project

Mr. Kiser presented a resolution requested by the Board of Commissioners in response to public comment by residents about the impact of the widening project of US Hwy 321 during the meeting on October 9, 2017.
Mr. Kiser read the following resolution and, upon its reading, Commissioner Potter moved to adopt same. The motion carried unanimously.

RESOLUTION FOR NORTH CAROLINA DEPARTMENT OF TRANSPORTATION REGARDING CERTAIN COMPONENTS OF THE DESIGN FOR PROJECT #U-4700 FOR CALDWELL COUNTY

WHEREAS, in 2013, the North Carolina General Assembly passed the Strategic Transportation Initiative (STI), which subsequently allowed for additional funding to be transferred to the urban areas of the State in order to address congestion; and

WHEREAS, local, state, and federal elected officials and/or their staff have held informal meetings in an effort to hear Caldwell County citizens’ concerns and comments; and, Caldwell County Commissioners obtained citizen comments during the public comment period of their regular meeting on September 11, 2017; and

WHEREAS, Caldwell County Commissioners as well as state and federal elected officials have met with and heard opposition expressed by several citizens, especially those residing in the Grace Chapel community, about the following components of the design:
- a superstreet design for US Hwy 321 in Caldwell County; and
- the design for intersections along US Hwy 321, especially at the point Grace Chapel Road intersects with US Hwy 321 that would eliminate the ability to turn left on US Hwy 321 South toward Hickory; and
- changing access to John Dunn’s business property, Sunlife Spas, from US Hwy 321 South to access the business by a road to be implemented on the back side of his property.

NOW THEREFORE, BE IT RESOLVED: that the Caldwell County Board of Commissioners strongly encourages the North Carolina Department of Transportation to revise the project design considering the aforementioned citizen concerns and any other comments that may be heard in future community meetings.

Adopted this the 9th day of October, 2017.

________________________
Randy T. Church, Chairman
Caldwell County Commissioners

Attest:

__________________
Kathy T. Greene, MMC
Clerk to the Board

Renovations to Former Grace Chapel VFD Building

EMS Director Dino Dibernardi talked about his efforts to obtain informal bids and cost estimates concerning renovations of the former Grace Chapel Volunteer Fire Department building to house an EMS Base and a satellite office/substation for the Sheriff. He said those figures came in above the amount originally projected; however, he felt some of the work could be accomplished by the County’s staff. It was noted that all subcontractors were ready to start work on the building and, if authorized, they would begin immediately.

Commissioner Wilkie moved to approve the following budget amendment to use fund balance to
move forward with the project and it carried unanimously.

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Contracts for Backup and Housing of County Ambulances

Mr. Dibernardi presented Commissioners proposals for contracting with various emergency service agencies for housing ambulances and crews at their facilities. He talked about the need to have them in place with the appropriate agencies and noted the County Attorney, County Manager, Human Resources Director, and he had worked to develop the proposals.

Mr. DiBernardi advised a couple agencies had already signed their contracts and were waiting for a signed contract from North Catawba Fire & Rescue. Following discussion, Commissioners felt a deadline for contracts to be signed should be set.

Chairman Church moved to adopt the contracts with deadline for agencies to sign and deliver them to Caldwell County by 5:00 p.m. on October 16, 2017. The motion carried unanimously.

Approval of Addendum to Water Contract with Town of Granite Falls re Water Hookup to Waterfront Harbor

Mr. Kiser reported that the agreement previously approved by the Board of Commissioners did not include all five locations, listed below, for the master meters to be installed. He presented an addendum to the agreement for their consideration to include all five master meter locations.

1. 100 Dry Ponds Rd (Intersection at Connelly Springs Rd)
2. 300 Dudley Ave (Dudley Shoals Rd)
3. 40 Greens Rd (Anchors Landing)
4. 4987 Hwy 321 (Close to Midway Sand Rd)
5. Waterfront Harbor (River Bend Rd/Lake Pointe Dr)

Commissioner Branch moved to approve the addendum to the agreement with the Town of Granite Falls for water hookup to Waterfront Harbor as presented. The motion carried unanimously.

Consent Agenda

1. Approval of Minutes
The County Manager recommended the Board of Commissioners approve the minutes of the September 11, 2017 meeting.

2. Budget Amendment for Environmental Health
The County Manager recommended the Board of Commissioners approve the following budget amendment necessary to reflect grant funds from the US Food and Drug Administration for the department’s participation in the AFDO-administered Retail Program Standards Grant Program.

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3. Revised Borrowing Resolution for Detox Center Construction Project
Mr. Kiser noted that the Board of Commissioners adopted a resolution during the December 7, 2015 meeting regarding the borrowing from the North Carolina Housing Finance Agency (NCHFA) in the amount of $682,000.00 for construction of the crisis and detox center; however, since that action, the loan amount needed had decreased to $677,532. Therefore, Mr. Kiser recommended the Board of Commissioners adopt the resolution with the correct loan amount which is hereby incorporated by reference and made a part of these minutes (Exhibit A).

4. Schedule Special Meeting for October 16, 2017 re US Hwy 321 Widening Project
Mr. Kiser recommended the Board of Commissioners schedule a special meeting for 6:00 p.m. on Monday, October 16, 2017 to be held in the auditorium of the J.E. Broyhill Civic Center in order to hear concerns from citizens about the project.

5. Resolution Exempting Architectural Services for Feasibility Study to Construct New Courthouse
It was noted the County had been looking at ways to handle the challenges of transporting and holding jail inmates at the Courthouse and, in an effort to consider all available options, Mr. Kiser recommended the Board of Commissioners adopt the following resolution to exempt the County from bidding requirements associated with professional services for a feasibility study estimated to be less than $50,000.

RESOLUTION EXEMPTING ARCHITECTURAL SERVICES FOR A FEASIBILITY STUDY FOR A NEW COURTHOUSE 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 services for a feasibility study for or a new Courthouse and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for these 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 surveying 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.

Adopted this the 9th day of October, 2017.

_________________________________________
Randy Church, Chairman
Caldwell County Board of Commissioners

6. Schedule Special Meeting re Consolidation of Human Services
Mr. Kiser recommended the Board of Commissioners schedule a special meeting for 1:00 p.m. on Monday, November 6, 2017 to be held in the City-County Chambers in order to discuss consolidation of human services programs.

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

Appointments

County Clerk Kathy Greene informed Commissioners that JCPC Coordinator Philip Toelkes had requested the Board of Commissioners to reappointment the following individuals for another two-year term.

- Jeff Church, Caldwell County Schools, At-large appointee;
- Jill Duffy, Designee, School Superintendent
- Sandra Gibbs, Designee, County Manager
- Teresa Hartley, Caldwell County Schools, At-large appointee
- Heather Hennessee, Caldwell DSS Attorney
- Chad Lackey, Court Counselor, At-large appointee
- Ed Richards, Court Counselor, At-large appointee

Commissioner Wilkie moved to reappoint the members to the Juvenile Crime Prevention Council as requested. The motion carried unanimously.

Closed Session

At 7:20, Chairman Church moved to go into closed session pursuant to North Carolina General Statute 143-318.11(a)(4) to discuss a potential economic development project and the motion carried unanimously.

A motion was moved by Commissioner Branch and carried unanimously to come out of closed session to regular session.

There being no further business to discuss, Commissioner Wilkie moved to adjourn and, by unanimous vote, Chairman Church declared the meeting adjourned at 8:23 p.m.