

Regular Session, August 2, 2010, 9:30 a.m.
Catawba County Board of Commissioners

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The Catawba County Board of Commissioners met in regular session on Monday, August 2, 2010 at 9:30 a.m. in the Robert E. Hibbitts Meeting Room of the 1924 Courthouse in Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chair Lynn M. Lail and Commissioners Dan A. Hunsucker, and Barbara G. Beatty.

Commissioner Glenn E. Barger was absent.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Lee Worsley, County Attorney Debra Bechtel, Deputy County Attorney Anne Marie Pease and County Clerk Barbara Morris. Assistant County Manager Dewey Harris was absent.

1. Chair Katherine W. Barnes called the meeting to order at 9:30 a.m.

2. Commissioner Dan Hunsucker led the Pledge of Allegiance to the Flag.
3. Chair Barnes offered the invocation.
4. Commissioner Hunsucker made a motion to approve the minutes of the Regular Meeting of July 12, 2010 and the corrected minutes of June 7, 2010. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed all present and specifically recognized Gary Laws and Steve Immels of Duke Energy.
6. Public Comments for Items not on the Agenda: None.
7. Presentations:
 - a. All of the Board members presented four National Association of Counties (NACo) Achievement Awards to winning County departments. The NACo awards program, now in its 39th year, gives national recognition to significant and innovative programs that improve county organization, management and service delivery. Catawba County has won 191 awards over the history of the program and has been honored during each of the program's 39 years. The first award was presented to Chief Deputy Coy Reid and Deputies Aaron Turk, Kent Brown and Marcella McCombs of the Sheriff's Office for its Domestic Violence Unit (DVU), a part of the Criminal Investigations Division. The DVU investigates cases encompassing all forms of domestic violence, from misdemeanor assaults and communication of threats to more serious offenses such as felony assaults with weapons, assaults on or in front of children, sexual assaults and murder. The DVU works closely with Social Services, the First Step Domestic Violence Center, and the Rape Crisis Center of Catawba County to provide the highest quality of services to the victims of domestic violence.
 - b. The Board members presented a NACo Achievement Award to Health Services Manager Jennifer McCracken and Public Health Director Doug Urland for Public Health's School Nurse Alternative Schedule Project, which found a creative way to reduce the effects of the economic downturn on the school nursing program. In order to control costs as much as possible, a new staffing schedule needed to be developed to decrease program expenses while maintaining the same high level of services to students. At that time, all school nurses worked a 12 month schedule, using summer months for program planning, case management activities and the staffing of various Public Health clinics. School nurses had expressed an interest in being off during the summer while school was not in session. A 90% work schedule was created that allowed improved program efficiency, provided the opportunity for school nurses to be off for 5.2 weeks every summer, more effectively used program funding, and more closely aligned the school nurse work schedule with the school schedule. By transitioning to this modified work schedule, a cost savings of \$117,129 was realized. The decision to transition to the 90% work schedule saved school nursing jobs in uncertain economic times. The integrity of the program remained intact and outcomes were not compromised, leading to healthier school children and a healthier community.
 - c. The Board members presented a NACo Achievement Award to Social Worker Supervisor III Sarah Shumate, Social Worker III Adrienne Overby and Business Manager I Heather Ball of Catawba County Social Services for its Improvement Initiative for Children in Foster Care program, which is aimed at improving educational continuity and stability for children in foster care in Catawba County. The program established a communication protocol and identified designees at 44 schools to minimize school moves or facilitate school record transfers; a coordinated database to capture school progress and special needs; the inclusion of educational information in court reports; raised awareness of the educational needs of children in foster care among child welfare and educational staff; a focus on special educational needs of children in foster care; and the

establishment of an Educational Advocate position at Social Services to assure coordination of transportation, school enrollment and information sharing. The work of the program and staff reduced the school “move rate” for children entering foster care in Catawba County from 24% to 6% in 2009, compared to the national average of 66% of children experiencing school moves. In addition, while 50% of children in foster care were not on grade level in 2006, staff found that 79% of children surveyed in 2009 either maintained a passing grade or improved a letter grade in a subject area of need.

d. The Board members presented the fourth NACo Achievement Award to Social Worker Supervisor III Karen Heffner for Social Services' Community Based Crisis Intervention Program (CIP). This program found a way to address administrative problems caused by a dramatic increase in the need for assistance for families unable to pay for basic heating and cooling costs, in the wake of the economic downturn. The CIP provides federal funds to low-income families in heating and cooling crises. Social Services was overwhelmed with the volume of applicants for these funds in late 2008 and early 2009. In April 2009, Social Services' staff met with representatives from three local non-profit agencies to discuss the possibility of joining forces to serve families in a more holistic manner. As a result of these discussions, CIP funds were made available to these agencies. When families visit these agencies, their needs are assessed and assistance can be provided in a more seamless manner. The agency is able to help the family out of the crisis using their resources or those of the CIP program. In addition, families are able to apply for these services closer to home, as the three agencies are located in areas nearer to the population centers of the county. The non-profits agencies involved are the Greater Hickory Cooperative Christian Ministry, the Eastern Catawba Cooperative Christian Ministry, and the Salvation Army of Hickory. These agencies provide a diverse range of services to struggling individuals and families including clothing closets, food pantries, a medical clinic with pharmacy services, and financial assistance with shelter and utility costs.

8. Public Hearing:

Michael Bradshaw, Planning Director of the Western Piedmont Regional Transit Authority (Greenway Transportation), came forward and requested the Board hold a public hearing and approve a proposed application for a fiscal year 2010-2011 Rural Operating Assistance Program grant. Funds from this North Carolina Department of Transportation grant are used to provide public transportation for the residents of Catawba County. The grant includes funding for three programs: the Elderly and Disabled Transportation Assistance Program (EDTAP); Employment Transportation Assistance Program and Rural General Public (RGP) Program. EDTAP provides operating assistance funds for transportation of the elderly and persons with disabilities, to allow these individuals to reside for a longer period in their homes, thereby enhancing their quality of life. The Employment Transportation Assistance Program is intended to provide operating assistance for general public employment transportation needs. RGP funds provide operating assistance for transportation services to individuals who are not human service agency clients. The Fiscal Year 2010-2011 Rural Operating Assistance Program allocation to Catawba County totals \$283,602. \$126,271 would go to the EDTAP program, \$37,363 would be allocated to the Employment Transportation Assistance Program, and \$119,968 would be appropriated to the RGP Program. This funding has no fiscal or budgetary effect for Catawba County. Chair Barnes opened the public hearing, noting it had been duly advertised. No one came forward to speak for or against the application and the public hearing was closed. Vice-Chair Lynn Lail made a motion to approve the application. The motion carried unanimously.

9. Appointments.

Vice-Chair Lynn M. Lail recommended the reappointment of Ms. Bari Cooper for a fourth term on the Nursing and Rest Home Advisory Board and the appointment of Ms. Willie Fowler for a first term on this Board. Ms. Cooper's term will expire August 1, 2013 and

Ms. Fowler's term will expire August 1, 2011. These recommendations came in the form of a motion. The motion carried unanimously.

10. Consent Agenda:
County Manager J. Thomas Lundy presented the following two items on the consent agenda:
- a. A request for the Board to adopt a resolution to amend the list of Map Review Officers, at the request of the City of Hickory, Town of Catawba and Town of Maiden. On July 17, 1997, the General Assembly ratified Senate Bill 875-Maps and Plats Law. This law required all counties to appoint Map Review Officers who would review each plat or map before it is recorded and certify that it meets the statutory requirements for mapping. The law states that individuals have to be appointed by name, not by job title. If a change occurs in staffing, a new Review Officer has to be appointed and approved by resolution of the Board of Commissioners and subsequently recorded in the Register of Deed's Office. The resolution adds David Leonetti as a Map Review Officer for the City of Hickory and removes Donna Cullum, Brenden Prichard and Sandy Trevathan for that city, Jonathan Kanipe for the Town of Catawba and Keven Sanders for the Town of Maiden. The resolution designates the following individuals as the current Review Officers: for Catawba County: Jacky M. Eubanks, Mary K. George, Susan Ballbach, Chris Timberlake and Michael Poston; City of Hickory: Brian Frazier, Cal Overby, John Furnage and David Leonetti; City of Newton: Glenn J. Pattishall, Alex S. Fulbright and Ben McCrary; City of Conover: Q. Lance Hight and Cara C. (Chris) Reed; City of Claremont: Laurie Locicero; Town of Long View: David Epley and Charles T. Mullis; Town of Maiden: Sam Shultz; Town of Catawba: John Kinley; and Town of Brookford: Marshall Eckard. The following resolution applies:

RESOLUTION #2010-_____
APPOINTMENT OF MAP REVIEW OFFICERS

WHEREAS, S.L. 1997-309 (SB875) made a number of significant changes in the procedures for recording maps and plats; and

WHEREAS, the main purpose of the law was to transfer the responsibility for reviewing plats to determine whether they meet recording requirements from the Register of Deeds to a Review Officer; and

WHEREAS, G.S. 47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint a person or persons to serve as Review Officer to review each plat or map before it is recorded and certify that it meets the statutory requirements for recording; and

WHEREAS, it is the desire of the Catawba County Board of Commissioners to insure an expeditious review of all maps and plats as required by G.S. 47-30.2 before they are presented to the Register of Deeds for recording.

WHEREAS, the Catawba County Board of Commissioners on September 30, 1997 adopted Resolution #1997-160 which included names of individuals who were appointed as Review Officers for representative jurisdictions in Catawba County; and

WHEREAS, said Resolution was recorded in the Office of the Register of Deeds in Book 2050 Pages 604 and 605; and

WHEREAS, staffing changes have occurred in the cities/towns of Hickory, Maiden, and Catawba which necessitates an amendment to the approved list of Map Review Officers; and

NOW THEREFORE, BE IT RESOLVED, that David Leonetti is hereby appointed to perform the responsibilities as required for Map Review Officer for the City of Hickory as indicated in accordance with the appropriate General Statutes.

And that the following individuals are hereby removed from the list of appointed Review Officers for the jurisdictions noted:

- City of Hickory: Donna Cullum, Brenden Prichard, and Sandy Trevathan.
- Town of Catawba: Jonathan Kanipe
- Town of Maiden: Kevin Sanders

With the above changes, the comprehensive list of Map Review Officers is as follows:

- Catawba County: Jacky M. Eubanks, Mary K. George, Susan Ballbach, Chris Timberlake and Michael Poston
- City of Hickory: Brian Frazier, Cal Overby, John Furmage and David Leonetti
- City of Newton: Glenn J. Pattishall, Alex S. Fulbright and Ben McCrary
- City of Conover: Q. Lance Hight and Cara C. (Chris) Reed
- City of Claremont: Laurie Locicero
- Town of Long View: David Epley and Charles T. Mullis
- Town of Maiden: Sam Shultz
- Town of Catawba: John Kinley
- Town of Brookford: Marshall Eckard

BE IT RESOLVED, that the Map Review Officers for Catawba County have the authority to sign maps in the municipal planning jurisdictions when there is a staff transition; and

BE IT FURTHER RESOLVED that a copy of this Resolution designating the Review Officer be recorded in the Catawba County Register of Deed's Office and indexed in the names of the Review Officers.

Adopted this the _____ day of _____, 20_____.

b. A request for the Board to waive building permit fees for the 2010 Ensure Classic at Rock Barn. The County had received a request from Mr. Peter Fisch, Tournament Manager of the Ensure Classic, to waive permit fees for the 2010 Ensure Classic, scheduled to be held at the Rock Barn Golf and Spa in Conover from September 27-October 3, 2010. Building permit fees have been waived for all previous years of the tournament, formerly known as the Greater Hickory Classic. The request to waive permit fees is applicable only to the County's Building Permit Fees, and would not negate the issue of permits and inspections to protect the safety, health and welfare of Catawba County residents and visitors. The value of the waived permit fees is estimated to be less than \$5,000. The Ensure Classic at Rock Barn is estimated to attract more than 65,000 spectators, volunteers and vendors, with an impact to the local economy in excess of \$15 million.

Chair Chairs asked if any Commissioner would like an item broken out of the consent agenda and none were requested. Vice-Chair Lail made a motion to approve the consent agenda. The motion carried unanimously.

- 11. Departmental Reports.
 - A. Juvenile Crime Prevention Council:
 - Debbie Bradley, Juvenile Crime Prevention Council Staff, presented a request for the Board to approve a reduction of the Juvenile Crime Prevention Council (JCPC) budget for each program by 5%, because the State of North Carolina is imposing a 5% budget reduction on all Juvenile Crime Prevention Councils. The JCPC's finance committee recently met and recommended to the full JCPC that the reduction apply to each program's budgeted amount. As with prior budget

reductions, the committee felt this is the fairest approach. The full JCPC also approved this recommendation. The original amount of funding approved for Fiscal Year 2010-2011 was \$349,859. The reduction changes the total amount to \$332,366. The proposed funding for each program is now as follows: Administration, \$14,250; Corner House I & II, \$164,979; Family Net, \$61,858; Conflict Resolution Center, \$20,462; Parenting Network, \$25,305; Project Challenge, \$45,512. In response to an inquiry by Board members of any more anticipated cuts, Ms. Bradley indicated she knew of none at this time. County Manager Lundy asked if there were any actions by the State that would align the JCPC budget process to that of the County but Ms. Bradley had heard of no such change. Commissioner Barbara Beatty made a motion to approve the 5% reductions as indicated above. The motion carried unanimously.

B. Planning, Parks and Development.

Jack Eubanks, Planning, Parks and Development Director, presented the Board with an update on the permitting process for a planned expansion of an existing landfill at Duke Energy's Marshall Steam Station, which is used for the disposal of fly ash from the steam station. Duke Energy is using additional plantings and berms, as well as setbacks that far exceed the minimum required, to ensure that the landfill is buffered from Island Point Road. The expansion of five cells will extend the life of the landfill for approximately 25 years and allow Duke Energy to continue to use this on site location, which prevents truck traffic from entering the highway to dispose of the fly ash elsewhere.

12. Other Items of Business:

Chair Barnes introduced a request from the Western Piedmont Council of Government (WPCOG) to adopt a resolution in support of an interlocal agreement with Alexander, Burke and Caldwell Counties and the City of Conover, and WPCOG. The agreement is required by the North Carolina Local Government Commission and will provide added security for the WPCOG to obtain financing to acquire real estate and construct a new building to serve as its office facility. WPCOG was formed in 1968 and is positioned in the center of the four-county region which it represents. The buildings they currently utilize are no longer sufficient to house the staff and it is preferable that all the staff be housed in one building. The lease on their current office space will expire in September 2010. Commissioner Hunsucker made a motion to adopt the following resolution. The motion carried unanimously.

RESOLUTION 2010-
CATAWBA COUNTY
SUPPORT FOR INTERLOCAL AGREEMENT
WPCOG-OWNED OFFICE FACILITY

WHEREAS, Western Piedmont Council of governments (WPCOG) plans to acquire real estate and construct a new building to serve as its office facility;

WHEREAS, WPCOG has rented office space since its formation in 1968;

WHEREAS, WPCOG will continue to need office space for its operations and service to its member local governments;

WHEREAS, WPCOG'S current office space lease will expire on September 30, 2010;

WHEREAS, WPCOG is allowed by its duly approved Charter and By-Laws, and by North Carolina General Statute 160A-475 to own real property for use as its office facility;

WHEREAS the WPCOG Policy Board has approved borrowing up to \$3 million from the United States Department of Agriculture (USDA) to acquire real estate and construct the planned office facility;

WHEREAS, Catawba County has been an active member of WPCOG for more than 40 years;

WHEREAS, WPCOG has provided valuable assistance to Catawba County for more than 40 years and now needs our help in securing financing for its office facility;

WHEREAS, WPCOG is required by the North Carolina Local Government Commission to have an Interlocal Agreement in place as additional security for its financing, which is attached thereto;

NOW, THEREFORE BE IT RESOLVED that the Catawba county Board of Commissioners agrees to be a part to the referenced Interlocal Agreement and authorizes and directs the Chair to execute said Agreement.

The following Interlocal Agreement applies:

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT, made and entered into this the _____ day of _____, 2010, by and between ALEXANDER COUNTY, a body politic and corporate, being hereinafter referred to as "ALEXANDER", BURKE COUNTY, a body politic and corporate, being hereinafter referred to as "BURKE", CALDWELL COUNTY, a body politic and corporate, being hereinafter referred to as "CALDWELL", CATAWBA COUNTY, a body politic and corporate, being hereinafter referred to as "CATAWBA", CITY OF CONOVER, a body politic and corporate, being hereinafter referred to as "CONOVER", [*continue listing of participating local government members*], all being political subdivisions of the State of North Carolina (hereinafter referred to as "MEMBERS"):

And WESTERN PIEDMONT COUNCIL OF GOVERNMENTS, a governmental entity under G.S. 160A-470 with municipal and county membership inclusive of the local governments listed above (hereinafter referred to as "WPCOG");

WITNESSETH:

THAT WHEREAS, WPCOG plans to acquire real estate and construct a building to serve as its office facility; and

WHEREAS, the Members regularly use the services and resources provided by the WPCOG to help promote the public good and welfare; and

WHEREAS, WPCOG has rented office space since its formation in 1968; and

WHEREAS, WPCOG, for had the full participation and membership of its Members for more than 40 years; and

WHEREAS, WPCOG will continue to need office space for its operation and service to its member local governments; and

WHEREAS, WPCOG's current office space lease will expire on September 30, 2010; and

WHEREAS, WPCOG is allowed by its duly approved Charter and By-Laws and by North Carolina General Statute 160A-475 to own real property for use as its office facility; and

WHEREAS, in accordance with G.S. 160A-475, the WPCOG shall use the acquired real estate and constructed facility as security for the loan to be obtained; and

WHEREAS, the WPCOG Policy Board has approved borrowing up to \$3 million from the United States Department of Agriculture to acquire real estate and construct the planned office facility; and

WHEREAS, the WPCOG current dues structure and other revenues are adequate to service the proposed debt; and

WHEREAS, the Members have agreed by resolution to assist WPCOG in obtaining needed financing for the acquisition of real estate and construction of an office facility by entering into this Interlocal Agreement; and

WHEREAS, this Interlocal Agreement is being entered into in order for this project, proposed by the WPCOG to receive all necessary approvals from the Local Government Commission; and

NOW, THEREFORE, in consideration of the foregoing premises and the following covenants and conditions, the parties thereto agree as follows:

1. Western Piedmont Council of Governments shall continue to operate for the benefit of its local government members;
2. The Members agree, with each other and with WPCOG, to join in and provide additional security for financing secured by WPCOG to acquire real estate and construction an office facility, by expressing intent to continue to remain members of WPCOG and continue to pay annual dues for the duration of the loan obtained by WPCOG.

IN WITNESS WHEREOF, this agreement has been approved by Resolution of the Members and the WPCOG a copy of said Resolution has been spread across the minutes of their respective meetings, that this agreement has been duly signed, sealed, and delivered by the Members and WPCOG the day and year as written.

13. Attorneys' Report: None.
14. Manager's Report:
County Manager Lundy introduced Cynthia Eades, the County's new Human Resources Director. Ms. Eades is a long-time resident of Catawba County, who previously served as the Human Resources Director in Iredell County and has ten years of experience in local government human resources. She began her new duties with Catawba County on July 1, 2010. Ms. Eades is responsible for directing the operation of Catawba County's Human Resources Office, including the recruitment of applicants for positions with the County, and assisting departments as they make decisions on the hiring of personnel, administration of the County's Human Resources Code, and management of insurance and other benefits for County staff. The Board members welcomed Ms. Eades to the Catawba County staff.
15. Adjournment: Commissioner Hunsucker made a motion to adjourn the meeting at 10:15 a.m.

Katherine W. Barnes, Chair
Catawba County Board of Commissioners

Barbara E. Morris
County Clerk