

Regular Session, October 3, 2016, 7:30 a.m.
Catawba County Board of Commissioners

Closed Session

Attorney-Client Privilege 64 10/03/16

Elections

Appropriation to Fund the Expansion of Early Voting Period 63 10/03/16

Emergency Services

Appropriation of fund balance to Newton-Conover Rescue Squad 61 10/03/16

Proclamation

Fire Prevention Week 61 10/03/16

Public Health

New Fee for Engineered Option Permit (EOP) for Wastewater Systems Increase to Water Sample Fees 62 10/03/16

Sheriff's Office

Records Retention and Disposition Schedule 61 10/03/16

Strategic Planning Session

Economic Development 60 10/03/16

The Catawba County Board of Commissioners met in regular session on Monday, October 3, 2016, at 7:30 a.m., in the 2nd Floor Meeting Room of the Government Center, 100A Southwest Blvd, Newton, North Carolina. **Note the change of time and location of this meeting for the purpose of a strategic planning session.**

Present were Chair Randy Isenhower, Vice-Chair Barbara G. Beatty and Commissioners Katherine W. Barnes, Sherry E. Butler and Dan A. Hunsucker.

Also present were County Manager Mick Berry, Assistant County Managers Dewey Harris and Mary Furtado, County Attorney Debra Bechtel, Assistant County Attorney Jodi Stewart and County Clerk Barbara Morris.

Economic Development President Scott Millar and staff were present for the strategic planning session which preceded the regular agenda.

Strategic Planning Session:

Economic Development Corporation Scott Millar led a discussion with the Board and staff on the direction the Board desires to go in regards to the County's identity, its proximity and connection to Charlotte, development along main corridors, shell buildings and working with developers on this effort, product development and marketing, people development, project investment, relationship with municipalities, the UDO and its impact on development, and regional cooperation.

1. Chair Randy Isenhower called the meeting to order at 9:30 a.m., noting a quorum was present.
2. Commissioner Dan Hunsucker led the Pledge of Allegiance to the Flag.
3. Vice-Chair Barbara G. Beatty offered the invocation.
4. Commissioner Katherine W. Barnes made a motion to approve the minutes from the Board's Regular Meeting and Closed Session of September 19, 2016. The motion carried unanimously.

5. Recognition of Special Guests: Chair Isenhower welcomed everyone present.
6. Public Comments. None.
7. Presentations.
Vice-Chair Beatty presented a proclamation to Assistant Emergency Services Director Mark Pettit declaring October 9-15, 2016, as Fire Prevention Week and urging citizens to find out how old the smoke alarms in their homes are and to replace them if they are more than ten years old.
8. Appointments. None.
9. Consent Agenda:
County Manager Mick Berry presented the following four items on the consent agenda:

a. A request for the Board to approve the County *Sheriff's Office Records Retention and Disposition Schedule*. This document is a tool for the employees of sheriffs' offices across the state to use when managing the records in their offices. It lists records commonly found in a sheriff's office, and gives an assessment of their value by indicating when (and if) those records should be destroyed. Under North Carolina General Statutes § 121-5 and § 132-3, public records (including sheriff's office records) cannot be destroyed without the consent of the Department of Cultural Resources. The primary way that the Department gives its consent is provided by the Records Retention and Disposition Schedule.

Catawba County Sheriff's Office has reviewed and supplemented the revised version of the County Sheriff's Office Records Retention and Disposition Schedule. This schedule must be approved by the Board of Commissioners and will then be provided to the Government Records Section in Raleigh.

b. A request for the Board to approve the appropriation of existing fund balance in the amount of \$70,000 to Newton-Conover Rescue Squad. The rescue squad will use these funds to remount a new chassis for their ambulance. In 2012 Emergency Services and the squads have worked together to develop a 20 year capital improvement plan (CIP) the squads jointly agreed to. The CIP is designed to address vehicle replacement for the Rescue Squads. Historically, the value of 2/3 of a penny is allocated to fund the five Rescue Squads in Catawba County each fiscal year. These funds are utilized for rescue operational costs, Medical First Response and rescue capital purchases. Each year 8% of the total rescue budget is held for capital purchases. In addition to the 8% held, any undesignated operational funds are applied to the CIP.

Newton-Conover Rescue Squad currently has a 1991 ambulance with 27,000 miles that is no longer cost effective to maintain. The existing vehicle is costing the squad between \$200-\$1,000 each month to maintain. Examples of repairs are as follows: high idle switch failure to disengage. Causes vehicle to be driven at high idle to repair shop. This causes dramatic wear on the break system. High idle cannot be removed, as it is part of the computerized system; design issues with the alternator pulleys cause frequent changing of the belt which will fray or break and cause additional damage to other equipment within the engine compartment. (Currently there is no replacement available); electrical and vacuum hose system connections are degrading; repeated freeze plug failures occur which require the coolant system to be replenished and has caused the thermostat to be replaced; emergency lighting electronics box replacement. This box is no longer made. Estimates to have it fabricated are approximately \$2,000; and the air conditioner unit for patient area is inadequate and due to the age of the vehicle only a limited number of repair facilities can work on the system.

The department is replacing the current chassis with a new 2016 Chevrolet 3500 4x4 for a total cost of \$90,869. The \$70,000 requested will be used towards the total cost of the vehicle, radio installation and emergency striping of the vehicle. Based on the rescue CIP Newton-Conover Rescue Squad was scheduled to remount their ambulance in FY 14/15. As part of the agreed upon CIP, each squad is required to apply for grant assistance with these purchases. In FY 14/15 Newton-Conover Rescue was not selected to receive a grant that year. In an effort to save County taxpayer dollars, the purchase was postponed until the squad received the grant. In the current FY

Newton-Conover Rescue applied for and received a \$25,000 matching grant from the Volunteer Rescue/EMS Fund and requested the unspent CIP funds from FY14/15. After this appropriation of \$70,000, there is \$242,580 in the rescue fund balance. The following appropriation applies:

<u>Appropriation of Existing Fund Balance</u>		<u>Expense</u>	
240-260250-690100	\$70,000	240-260250-86700	\$70,000
Rescue Squads Fund Balance		Newton-Conover Rescue Squad Capital	

c. A request for the Board to approve the establishment of a new fee for the Engineered Option Permit (EOP) recently authorized by the North Carolina General Assembly. Each year through the annual budget process, the Board of Commissioners adopts a philosophy for all fees collected by the County. Public Health’s Environmental Health fee philosophy is that “fees will support 100 percent of the total cost,” where possible.

Effective July 1st, the State allowed each local health department to assess a fee for the EOP of up to thirty percent (30%) of the cumulative total of the existing fees the department has established to obtain an improvement permit, an authorization to construct, and an operations permit for wastewater systems under its jurisdiction. This fee (depicted below) is calculated as a percentage of existing fees and will allow Public Health to recover some of the costs the department will absorb when engineers submit this type of application.

	Improved Permit Fee (existing)	Authorization to Construct Fee (existing)	Total Existing Fees	Proposed Engineered Option Permit (30% of existing fees)
360 gallons per day (gpd) or less	\$150	\$300	\$450	\$135
361 – 600 gpd	\$150	\$450	\$600	\$180
601- 1000 gpd	\$150	\$650	\$800	\$240
1001 or more gpd	\$150	\$900	\$1,050	\$315

The EOP is defined in **15A NCAC 18A .1971 ENGINEERED OPTION PERMIT** (a) An Engineered Option Permit (EOP) on-site wastewater system, as defined by G.S. 130A-334(1g), is available to an owner that provides an alternative process for the siting, design, construction, approval, and operation of the system without requiring the direct oversight or approval of the local health department. An owner choosing to use the EOP shall employ the services of a registered professional engineer licensed pursuant to G.S. 89C to prepare signed and sealed drawings, specifications, plans, and reports for the design, construction, operation, and maintenance of the wastewater system in accordance with G.S. 130A-336.1 and this Rule. Except as provided for in G.S. 130A-336.1 and in this Rule, an EOP system is subject to all applicable requirements of Article 11 of Chapter 130A of the General Statutes and all rules of this Section. Nothing in this Rule shall be construed as allowing any professional to provide services for which he or she has neither the educational background, expertise, or license to perform, or is beyond his or her scope of work as provided for pursuant to G.S. 130A-336.1 and the applicable statutes for their respective profession.

d. A request for the Board to approve a \$14 increase to the following types of water sample fees: Fluoride, Lead, Nitrate, Volatile Organic Analysis, Pesticide, Petroleum – from \$85 to \$99; Inorganic – from \$114 to \$128. Catawba County Public Health received notice from the State Laboratory (State Lab) earlier this fiscal year of increased costs related to the purchase of water sample kits from the State Lab. The State Lab strives to keep increases as low as possible for shipping and laboratory supplies. Kit prices continue to include the sample materials, shipment to our facility and the analytical testing.

Public Health will be impacted by these increased costs in the area of the Inorganic water sample and the Fluoride, Lead, Nitrate, Volatile Organic Analysis, Pesticide, Petroleum water samples. Water sample kits ordered from the State Lab for these types of water tests will cost an additional \$14 each. The fees outlined above will allow Public Health to cover the increased costs of the water sample kits. In Fiscal Year 2015-16, approximately 200 water sample kits were purchased and used from the State Lab which included both public and staff initiated testing.

Chair Isenhower asked if any Commissioner wished for an item to be broken out of the consent agenda. Commissioner Sherry E. Butler indicated she did not want an item broken out but requested staff provide her with further information on the Newton-Conover Rescue Squad item and research the actual total cost of repairs the Squad had incurred on the subject vehicle. Staff indicated they would get this information to Commissioner Butler.

Commissioner Butler made a motion to approve the consent agenda. The motion carried unanimously.

10. Departmental Reports.

Elections.

Board of Elections Director Amanda Duncan presented a request for the Board to approve the appropriation of \$27,450 to fund the expansion of the early voting period from 10 to 17 days.

In 2013 North Carolina's General Assembly passed House Bill 589, the Voter Identification and Verification Act (VIVA). VIVA made major changes that impacted the voter. Some key provisions of the law were:

- Elimination of Same Day Registration – Persons who are not registered to vote in a county can no longer register to vote in person during the one-stop early voting period. Qualified persons wanting to vote in an election must register to vote no later than 25 days before the date of the election.
- Reduction of One-stop Voting days – One-stop voting is reduced to 10 days but maintains the same number of voting hours. One-stop now begins on the second Thursday prior to the date of the election instead of the third Thursday prior to the date of the election.
- No Out of Precinct Voting – Voters who vote on Election Day must vote at the polling place for their correct precinct, based on their residential address as of 30 days prior to the election. County boards of elections will not be able to count any provisional ballot for a voter who does not vote at their correctly assigned precinct on Election Day.
- Absentee Voting – Requesting an absentee ballot must be done on the State Absentee Ballot Request Form. Hand-written requests will no longer be accepted. The voter or requestor must provide the voter's date of birth and identification information that can be matched to the voter's record in the list of registered voters. A voter must now vote his or her ballot in the presence of two witnesses. A voter may vote his or her ballot in the presence of one witness only, if the witness is a Notary Public.

Several civil rights advocates and the Justice Department sued to block the law but it was upheld by a Federal District Court judge. On July 29th, the Fourth Circuit Court of Appeals struck down VIVA. As a result of this ruling the aforementioned provisions are now reversed. The One-stop voting provision has a budgetary impact. Not only will the One-stop voting days increase to 17 from 10, the County's Board of Elections has elected to increase total One-stop voting hours by 235 hours across all five sites. This will require \$27,450 in additional appropriation to successfully operate early voting during the General Election.

Commissioner Barnes made a motion to approve this appropriation. The motion carried unanimously. The following appropriations apply:

Revenue

110-140050-690100 \$27,450

Expenditures

110-140050-812600 \$27,450

11. Other items of Business:

Vice-Chair Beatty and Commissioner Barnes reported they had a very successful meeting with the NC delegation in Washington and they were very gracious and helpful.

12. Attorneys Report.

County Attorney Debra Bechtel introduced Justin Edge who has been admitted to the NC Bar Association and is working in the County Legal Department under a Fellowship Program with the University of Indiana.

County Attorney Bechtel then requested the Board a Closed Session pursuant to North Carolina General Statute 143-318.11(a)(3) consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege. She did not anticipate any action to be taken when the Board returned to Open Session. Vice-Chair Beatty made a motion to move into closed session pursuant to above referenced statute. The motion carried unanimously. The Board moved into Closed Session at 9:50 a.m.

13. Manager's Report:

None.

14. The Board returned to open session; no action was taken. Commissioner Hunsucker made a motion to adjourn at 10:02 a.m. The motion carried unanimously.

Randy Isenhower, Chair
Catawba County Board of Commissioners

Barbara E. Morris
County Clerk