

Regular Session, November 1, 2010, 9:30 a.m.
Catawba County Board of Commissioners

Awards

Distinguished Public Service Award - Allan Mackie	687	11/01/10
Mini-Course Graduates	687	11/01/10

Closed Session

Attorney-Client Privilege	692	11/01/10
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Cooperative Extension

Grant funding for 4-H programming	692	11/01/10
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Emergency Services/Fire Marshall

Fund Balance Appropriation for Mountain View Fire Department	689	11/01/10
Update on damage from tornadoes	693	11/01/10
Waiving of solid waste tipping fees due to damage from tornadoes	693	11/01/10

Finance

Three year lease with Employment Security Commission	690	11/01/10
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Proclamations

Adoption Awareness Month	687	11/01/10
Hospice and Palliative Care Month	687	11/01/10
Home and Hospice Care Month	687	11/01/10
National Hunger and Homelessness Awareness Week	687	11/01/10
Farm-City Week	687	11/01/10

Public Health

Sole source exception for Insight Public Health Software	688	11/01/10
Establishment of vaccine fees	689	11/01/10

Resolutions

Declaring surplus property	691	11/01/10
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Sheriff's Office

SCAPP Grant Funds	689	11/01/10
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Social Services

Revision of Child Support Budget Outcome	689	11/01/10
Donation of Vehicle to Exodus Home	691	11/01/10

Tax

Refund Request	690	11/01/10
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Utilities and Engineering

Waiving of tipping fees due to damage from tornadoes	693	11/01/10
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The Catawba County Board of Commissioners met in regular session on Monday, November 1, 2010 at 9:30 a.m. in the Robert E. Hibbitts Meeting Room of the 1924 Courthouse, 30 North College Avenue, Newton, North Carolina.

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

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

1. Chair Katherine W. Barnes called the meeting to order at 9:30 a.m.
2. Vice-Chair Lynn M. Lail led the Pledge of Allegiance to the Flag.
3. Chair Barnes offered the invocation.
4. Commissioner Dan Hunsucker made a motion to approve the minutes of the Regular Meeting and Closed Session of October 4, 2010. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed all present. She welcomed candidate Gary Lafone and indicated that she and Commissioners Lail and Isenhower were also candidates. At a later point in the meeting she recognized Joab Cotton, member of the Hickory City Schools Board of Education.
6. Public Comments for Items not on the Agenda: None.
7. Presentations:
 - a. Chair Barnes presented a Distinguished Public Service Award to Allan Mackie, retired manager of the North Carolina Employment Security Commission's Hickory/Newton Office. Mr. Mackie spent 8 of his 36 years with the Commission in the Hickory/Newton Office. The award commended his leadership in providing sound employment services, labor market information and unemployment insurance support to Catawba County citizens in these difficult economic times.
 - b. Commissioner Barbara Beatty presented Adoption Social Worker Regina Roberts, Social Worker Supervisor III Sybil Good and Adoptive Parent Jennifer Silva with a proclamation declaring November as Adoption Awareness Month, to recognize the County's efforts to create better public awareness of children seeking permanent homes through adoption. Caring adults can make a positive difference in the lives of young people, siblings, children of different ethnicities and youth who have been harmed by abuse. More than 1609 foster children were adopted in North Carolina in 2009 and 23 of those children were in the Catawba County foster care system. Adoptive parent Jennifer Silva spoke of the many benefits she experienced as an adoptive parent and all present were invited to the Fall Festival at the new Family Services Center in Hickory.
 - c. Vice-Chair Lail, member of the Palliative CareCenter & Hospice of Catawba Valley Board, presented Julie Packer, Director of Professional Relations of the Palliative CareCenter & Hospice of Catawba Valley, with a proclamation declaring November as Hospice and Palliative Care Month to recognize that hospice and palliative care provides patients and families with the highest quality care during life-limiting illness and at the end of life, through pain management and symptom control. This care allows patients to live fully, up until their final moments, surrounded and supported by loved ones, friends and committed caregivers. Ms. Packer thanked the Board for all of its support.
 - d. Commissioner Lail then presented Alice Layne, Public Health Nurse Supervisor, with a proclamation declaring November as Home and Hospice Care Month to recognize that in-home healthcare services provide for the health and social needs of Catawba County citizens. This care enables citizens to access a wide variety of quality services which provide preventive care, acute care, sustainable long-term care and palliative care, and helps keep families intact while preserving an individual's independence and dignity in the setting of his or her choice.
 - e. Commissioner Randy Isenhower presented Catawba County United Way Director Jennie Conner, Mental Health Partners Housing Coordinator Teena Willis, Reverend Bob Silver from Eastern Catawba Cooperative Ministries and Debbie Haynes from Safe Harbor with a proclamation declaring November 14-20 as National Hunger and Homeless Awareness Week to recognize that hunger and homelessness continues to be a serious problem for many individuals and families in Catawba County

and to encourage support for homeless assistance service providers as well as community service opportunities for students and school service organizations.

f. Commissioner Hunsucker presented County Cooperative Extension Director Jeff Carpenter and Extension Agent Kelly Goves with a proclamation declaring the week of November 19-26 as Farm-City Week to foster cooperation and an exchange of information between two essential segments of our society: farmers and city dwellers. The proclamation urged citizens to participate in activities and events that have been designed to introduce people from both "worlds" to the lives and work of each other.

g. Human Resources Director Cynthia Eades came forward to recognize ten graduates of the County's Mini Course. Employees voluntarily attend sessions during lunch hours to learn more about the services each County department provides. This year's graduates include: Linda Bevins, Public Health; Sarah Blanton, Social Services; Richard Crouse, Building Services; Sally Lackey, Tax; Dianna Musselman, Social Services; Deborah Robinson, Tax; Kezia Simonds, Social Services; Carolina Sronce, Finance; Linda Walker, Social Services and Linda Williams, Social Services.

8. Appointments: None.

9. Consent Agenda:

County Manager presented the following six items on the consent agenda:

a. A request for the Board to authorize the sole source exception from formal bidding for the purchase of selected modules of an Insight Public Health software program (Netsmart), to replace the functionality of current CMHC/MIS software and add basic electronic health record functionality. Funds for this project were appropriated in the County's Fiscal Year 2010-2011 budget. CHMC/MIS is mental health software that was customized to work for Public Health many years ago, and is used to track data, run reports and transmit them to the State of North Carolina. All local health departments are required by the North Carolina Division of Public Health to provide substantial data relating to clients and services provided for clients. This data is submitted to the Division of Public Health through an electronic file transmitted to the State's Health Information System (HIS). Only four programs have an interface recognized by HIS: Netsmart, Insight QS (an older version of Insight no longer available), CDP and Mitchell & McCormick.

Public Health and Technology staff researched software options. Insight is the only company providing an interface with the HIS system that is server-based. CDP and Mitchell & McCormick programs are web-based via a hosted system, through which the County would not have full access to its data when access to the host server is disrupted for any reason, including severe weather or contract termination. If, for any reason, Public Health did not have an Internet connection, it would not have access to the data base. With Insight, the data is contained in SQL (industry standard) files that may be accessed through any SQL-based database software program. Netsmart purchased CMHC and is offering software upgrades free of charge. A proposed contract in the amount of \$95,780 includes implementation/conversion services and two additional software modules for electronic medical records and electronic billing for dental. North Carolina General Statute 143-129 allows an exception from formal bidding for purchase contracts when performance or price competition for a product are not available; when a needed product is available from only one source of supply; or when standardization or compatibility is the overriding consideration. This exception required the Board's approval and the Board authorized the sole source exception for the purchase of selected modules of an Insight Public Health software program (Netsmart) for \$95,780.

b. A request for the Board to establish fees (the cost of vaccine plus a \$20 administration fee) for Diphtheria, Tetanus and Pertussis, Haemophilus Influenza B and Pediatric Hepatitis B vaccines.

As of July 1, 2010, funds were eliminated from the State budget that had been used for all children, birth to 18 years of age, to receive State-supplied vaccines regardless of insurance status. The only persons

now eligible for State-supplied vaccine are Medicaid recipients; the uninsured; the underinsured (whose insurance does not pay any amount on the vaccine) and American Indian/Alaskan Natives. Clients with insurance (including North Carolina Health Choice) are now required to pay for all vaccines for persons from birth to age 18. Public Health can file a claim with a client's insurance carrier or give a copy of the service to the client to file with their insurance carrier. The State allotted \$3 million for counties to use during this transition year. This will allow local health departments and private providers to receive enough vaccine to cover required school shots for children entering kindergarten or students needing updates for school, up to 8th grade.

In response to these recent immunization changes and in an effort to eliminate barriers to care, Catawba County Public Health will maintain a supply of vaccines for children with insurance coverage who are not eligible for State-supplied vaccines. Public Health needs the following vaccines to have adequate supply of all required vaccines for children ages birth to 18 with insurance coverage: Tripedia (Dtap) for Diphtheria, Tetanus and Pertussis; Ped Vax Hib for Haemophilus Influenza B and Recombivax HB Ped/Adol for Hepatitis B.

c. A request for the Board to accept grant funds from the US Department of Justice's State Criminal Alien Assistance Program (SCAPP) in the amount of \$23,103 along with its required certifications and assurances. There are no matching funds required for this award. SCAAP is a formula-based grant program that provides agencies with reimbursement for some of the costs associated with housing potential undocumented criminal aliens in local jail facilities. These grant funds are based on individuals held in the Newton Detention Center and those held for Catawba County at the Burke-Catawba District Confinement Facility during fiscal year 2008-2009. Funds under this program must be used for correctional purposes only. Staff determined the best application would be medical services in the jail. This expense is unpredictable during the year, as it is dependant on the inmates' presented medical conditions. The need fluctuates as the population changes.

d. A request for the Board to appropriate existing fund balance of the Mountain View Fire Department in the amount of \$2,000. The funds will be used as part of a matching grant to purchase 800 MHz portable radios. The matching grant was awarded earlier in 2010 by the Assistance to Firefighters Grant program for a regional communications project that includes all Catawba County fire departments, rescue squads and Emergency Medical Services. The grant totals \$1,004,954 and will provide 380 radios. Historically, each department has its own fund balance, carried from year to year unless the department makes a request to appropriate it. The fund balance is created through tax collections which exceed projections established by the County Budget Office prior to the fiscal year. Fire departments have been allowed to use 90% of existing fund balance to address major projects such as buildings, building additions, truck replacement and other non-operating budget needs such as equipment items. The remaining 10% of each department's fund balance is held for unforeseen expenditures during the budget year. In fiscal year 2009-2010, Mountain View Fire Department requested that \$18,770 of existing fund balance be appropriated. The County appropriated \$16,645, withholding \$2,125 to fund the 800 MHz radios if the grant was awarded. The Fire Department's current fund balance is \$12,383.

e. A request for the Board to revise the Fiscal Year 2010-11 Social Services Child Support budget outcome to read as follows: *To assure that children receive the financial support of their parents, the Child Support program will maintain a collection rate of 70.5% for child support payments during FY 2010-2011, as compared to the 65.8% statewide average.*

The original outcome read as follows: *To assure that children receive the financial support of their parents, the Child Support program will maintain a collection rate of 72% for child support payments during FY 2010-2011, as compared to the 65.8% statewide average.*

Because of the economic downturn, thousands of non-custodial parents have been unable to maintain steady employment. Monthly reports from the N.C. Employment Security Commission have repeatedly reported that the Hickory-Lenoir-Morganton MSA has one of the highest unemployment rates in the state. Over the past three years, the Child Support collection rate has declined, as parents who previously had stable wages have been trying to survive on a mix of part-time jobs and/or

unemployment benefits. While collections from unemployment benefits have grown steadily over the past three years, collections from unemployment benefits do not equal collections from employed parents. State statutes establish that withholding from unemployment benefits for the payment of Child Support obligation cannot exceed 25%.

Collections from unemployment fell to \$61,700 for July 2010 and are expected to continue dropping throughout the year. State officials anticipate a large drop in unemployment insurance after Federal legislation extending benefits expires at the end of November 2010. It is not anticipated that Congress will extend benefits again given the current Federal budget deficit. Last fall, Social Services' Child Support Unit established the original collection rate outcome based on economic forecasts that suggested the country was coming out of the recession. While some areas of the country may have seen improvement, this area continues to struggle. The collection rate for July 2010 fell to 69.5%. In the prior three fiscal years, collection rates for July were 75.5%, 74.5%, and 73%. All data would suggest that the original outcome is no longer attainable.

f. A request for the Board to approve a tax refund in the amount of \$35.85. Records have been checked and this refund verified, so the Tax Collector recommends approval. Under North Carolina General Statute 105-381, a taxpayer who has paid his or her taxes may request a refund in writing for an amount paid through error.

Chair Barnes asked if any Commissioner wished to have an item broken out of the consent agenda and none were requested. Commissioner Hunsucker made a motion to approve the consent agenda and the motion carried unanimously.

10. Departmental Reports:

A. Finance

Finance Director Rodney Miller presented a request for the Board to approve a three-year lease with the State of North Carolina for the Employment Security Commission (ESC) building on Highway 70, which will result in a one-stop facility for job seekers that will house the Workforce Development staff, JobLink, Goodwill Partners and the Employment Security Commission. This would allow Catawba County residents who need assistance after job loss to receive information about unemployment assistance, evaluating or expanding job skills, and exploring available job openings and new career opportunities in one convenient location.

The North Carolina Employment Security Commission has occupied the County-owned building on Highway 70 since 1985 and the County has made substantial capital improvements to the property over the years to keep the building and grounds in good condition. The County currently leases 11,802 net square feet to the State for \$8.33 per square foot, resulting in annual revenues to the County of \$98,337.72. The most recent lease agreement expired on June 30, 2006 and the County and State have been operating under consecutive one-year lease terms since that time.

Last year, the County was approached by the Western Piedmont Workforce Development Board and Catawba County JobLink partners, who proposed a one-stop facility that would be co-located with Employment Security Commission at this central location in the county. The Workforce Development Board has contracted with Catawba Valley Community College (CVCC) in the past for Workforce Investment Act case management services on the CVCC campus. By relocating to the ESC building, space would be freed up at CVCC to accommodate very heavy enrollment growth.

To accommodate the additional partners in the facility, renovations to the building are needed, including a new service counter, classrooms, parking spaces (largest expense) and additional signage, in the amount of \$150,000. Catawba County's share of the project will be \$10,000, which consists of the front façade of the building facing Highway 70 and a 3% project contingency for unforeseen expenses. The balance of the project will be paid by the Workforce Development Board, CVCC and Goodwill Industries. Based on the new floor plan of the building, the County and State have negotiated a new three-year lease of 11,573 net square feet of office space at \$8.75 per square foot, which will include space for the Employment Security Commission staff as well as their WorkForce Development, JobLink and Goodwill partners. The new lease agreement will provide annual revenue to the County of

\$101,263.75 with a 1% annual increase for inflation. The County will continue to provide maintenance and repair to the building and grounds as in prior years as well as utilities, with the exception of phone and internet service which will be paid for by the State.

Vice-Chair Lail made a motion to approve the lease/renovation. The motion carried unanimously.

B. Social Services

Social Services Director John Eller presented a request for the Board to adopt a resolution declaring two County-owned vehicles as surplus and authorized the donation of these vehicles to Exodus Homes. Exodus Homes is a faith-based United Way agency that offers transitional and permanent supportive housing for homeless recovering addicts, alcoholics and formerly incarcerated people returning to the community from treatment programs and prison. Transportation is provided seven days a week by volunteer resident drivers who take people to work, look for employment, recovery support groups, medical appointments and other places such as court, Social Services, Public Health and Mental Health. Residents are encouraged to use the bus, walk or ride a bike whenever possible, but transportation in vehicles is still required on a daily basis. The organization uses donated cars for this service and has lost several lately to old age, with worn out transmissions and blown engines. The organization now has only one vehicle that is operational and can be used for general transportation purposes.

Exodus Homes has a positive impact on the community. Without their services, the impact to Catawba County would include the following: homelessness and crime would increase; unemployed fathers would not be able to pay child support; homeless recovering parents would not be able to work their case plans with Social Services to be reunited with their children from foster care; homeless recovering people would not be tested and treated for HIV; and homeless recovering people would not be able to apply and qualify for the Hickory Cooperative Christian Ministries clinic and free pharmacy to be treated for diseases.

Exodus Homes had requested two vehicles that are no longer needed by the County: a 1998 Ford Crown Victoria with approximate value of \$750 and a 1993 Chevrolet Lumina with approximate value of \$400. North Carolina General Statute 160A-279 authorizes the County to convey personal property to a nonprofit organization without monetary consideration as long as the property will be used for a public purpose. The process begins with the Board adopting a resolution authorizing the conveyance of the property and a ten-day public notice.

Mr. Eller complimented Purchasing Manager Debbie Anderson's effort on this project and assured the Board as a member of the Exodus Homes Board he would confirm the vehicles were put to good use. Vice-Chair Lail made the motion to adopt the resolution and donate the subject vehicles to Exodus Homes. The following resolution applies:

**RESOLUTION No.
DECLARATION OF SURPLUS PROPERTY AND DONATION TO
EXODUS HOMES**

WHEREAS, Catawba County owns a 1998 Ford Crown Victoria and a 1993 Chevrolet Lumina that is no longer needed for any governmental use;

WHEREAS, North Carolina General Statute 160A-279 authorizes a county to convey personal property by private sale to a nonprofit organization;

WHEREAS, North Carolina General Statute 160A-279 authorizes the conveyance without monetary consideration if the recipient ensures the property will be used for a public purpose;

WHEREAS, Exodus Homes is a United Way nonprofit organization that provides a public service;

THEREFORE, the Catawba County Board of Commissioners resolves that:

A 1998 Ford Crown Victoria and a 1993 Chevrolet Lumina is declared surplus property. The property will be donated to Exodus Homes, Hickory, North Carolina. The Purchasing Manager shall be authorized to conduct the transfer of property and shall publish a notice summarizing the contents of this resolution and the property shall be conveyed anytime after ten days after notice publication.

This the 1st day of November, 2010.

C. Cooperative Extension

County Cooperative Extension Director Jeff Carpenter presented a request for the Board to appropriate grant funding in the amount of \$14,965 from Catawba County Schools to support 4-H programming in schools receiving Federal Title One funding. The North Carolina Cooperative Extension-Catawba Center has an extensive history of working collaboratively with local school systems. 4-H has a collaborative relationship with the North Carolina Department of Public Instruction and has developed and supports school enrichment curriculum that compliments grade level competencies.

Funding from Catawba County Schools will be used to hire a part-time hourly temporary Program Assistant (25-30 hours a week) who will coordinate and teach 4-H programming in Title One schools. Programs supported through this grant will include a science school enrichment for 2nd-6th grade, 4-H after-school clubs and Health Rocks, a nationally used 4-H substance abuse prevention education program that will be taught in 5th grade classes and/or after-school. Health Rocks educates youth about the dangers and health consequences of tobacco, alcohol and drug use, and helps youth improve skills in decision-making, stress management and coping with peer pressure. North Carolina Cooperative Extension will continue to support schools using LifeSkills, a 6th grade substance abuse prevention education program.

Funding and programming will support two of North Carolina Cooperative Extension's 2010-11 outcomes. One of those states that 1000 youth will increase their understanding of science and improve critical thinking and analytical skills as a result of participating in 4-H Science, Technology, Engineering and Math (STEM) programs offered through school enrichment during the after-school setting, or as part of summer programs. 250 youth participating in volunteer led 4-H clubs will improve their life skills in oral and written communication, citizenship and leadership as a result of their participation in life skills building programs offered through North Carolina and Catawba County 4-H programs.

In addition, the following outcome will be added to Cooperative Extension's 2010-11 outcomes to measure the expectation of this grant-funded program and the target audience it will impact: *500 students will learn about the dangers of tobacco, alcohol, and drug use as a result of participating in educational programs offered through 4-H. Students will increase their knowledge about tobacco, alcohol, and drugs, and their skills in decision-making, stress management, and managing peer pressure as a result of participating in Health Rocks or LifeSkills programs. Changes will be measured using a written evaluation completed by students and adults who work with students on a daily basis.*

Vice-Chair Lail made a motion to appropriate these grant funds. The motion carried unanimously.

11. Other Items of Business:
12. Attorney's Report: County Attorney Debra Bechtel recommended the Board take action to move into closed session pursuant to North Carolina General Statute 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege. No action was anticipated when the Board returned to open session.
13. Manager's Report.

County Manager J. Thomas Lundy asked that Emergency Services Director Bryan Blanton update the Board on the damage resulting from tornadoes which came through the County on October 26, 2010. Mr. Blanton reported no injuries had been incurred in Catawba County as a result of the storms, but property damage was estimated at \$6,611,850. Mr. Blanton praised numerous County departments and noted their cooperation with municipalities and other outside agencies for a prompt, thorough response to this event. Chair Barnes echoed his praise for all involved. County Manager Lundy noted the Governor had called both he and Chair Barnes to voice her concern and offer assistance.

Utilities and Engineering Director Barry Edwards presented a request for the Board to approve a waiver of the solid waste tipping fees and building permit fees associated with affected Catawba County property owners due to severe weather events which occurred the week of October 25-29, 2010.

The National Weather Service has confirmed that there were two EF2 tornados that touched down in Catawba and Lincoln counties Tuesday, and one EF0 tornado that touched down in Catawba County on Wednesday. An EF2 tornado with winds up to 135 mph hit near Vale in Lincoln County Tuesday night, injuring 11 people and damaging many homes. A different EF2 tornado with winds up to 110 mph hit Claremont in Catawba County the same night. No injuries were reported in Claremont but some homes and businesses were damaged. Two homes were destroyed just outside of Vale on Northbrook III School Road and even more damage happened on Cats Square Road. Although Northbrook III School Road is in Lincoln County, Cats Square Road is in Catawba County. An EF0 tornado with winds up to 85 mph hit in the Kiser Island area Wednesday night also causing property damage.

Emergency Services must certify any/all storm damage to property and predict the certified quantity of damage to be waived. The certified quantity will be the control point at the Blackburn Landfill scales for waste acceptance free of charge. Emergency Services certification will also be required to waive any Building related permit fees associated with property severely affected as a result of these severe weather events.

Commissioner Beatty made a motion to waive these fees. The motion carried unanimously.

14. Commissioner Hunsucker made a motion to move into closed session at 10:32 a.m. as per the attorneys report above. The motion carried unanimously. At 10:55 a.m. the Board returned to open session. No action was taken. Vice-Chair Lail made a motion to adjourn at 10:56 a.m. The motion carried unanimously.

Katherine W. Barnes, Chair
Catawba County Board of Commissioners

Barbara E. Morris
County Clerk