

Regular Session, November 5, 2012, 9:30 a.m.  
Catawba County Board of Commissioners

**ABC Board**

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**Board of Commissioners**

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**Presentations**

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**Proclamations**

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**Tax**

Tax Refund Request 654 11/05/12

The Catawba County Board of Commissioners met in regular session on Monday, November 5, 2012 at 9:30 a.m. in the Robert E. Hibbits 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 (joined the meeting at 9:37 a.m.) and Randy Isenhower.

Also present were County Manager J. Thomas Lundy, Assistant County Managers Dewey Harris and Mary Furtado, County Attorney Debra Bechtel and County Clerk Barbara Morris.

1. Chair Katherine W. Barnes called the meeting to order 9:30 a.m.
2. Chair Barnes led the Pledge of Allegiance to the Flag.
3. Vice-Chair Lynn M. Lail offered the invocation.

4. Commissioner Dan Hunsucker made a motion to approve the minutes of the Board's Regular Meeting of October 15, 2012. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed all present.
6. Public Comments for Items Not on the Agenda: None.
7. Presentations:
  - a. The Board honored Sheriff's Deputy Joe Sigmon, who retired effective October 31, 2012 after 23 years with the Catawba County Sheriff's Office. Under North Carolina General Statute 20-187.2, the Board declared as surplus the service sidearm and badge of Deputy Sigmon by a motion brought by Commissioner Dan Hunsucker and which unanimously carried and Sheriff Coy Reid presented those items to him. County Manager J. Thomas Lundy also presented a paperweight to Deputy Sigmon commemorating his 23 years with the County.
  - b. Commissioner Randy Isenhower presented Mac Herring, Director of Professional Relations, 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 of 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. Chair Barnes noted that Palliative CareCenter & Hospice of Catawba Valley was number four in the state in numbers served.
  - c. Chair Barnes presented Teena Willis and Jamie Sales, both from Partners Behavioral Health Management, Reverend Silver from Eastern Catawba Cooperative Christian Ministries and Vickie Taber from Catawba County Schools with a proclamation declaring November 11-17 as National Hunger and Homelessness Awareness Week to recognize that hunger and homelessness continues to be a serious problem for many individuals and families in Catawba County and encourage support for homeless assistance service providers as well as community service opportunities for students and school service organizations.
  - d. Commissioner Dan Hunsucker presented Horticulture, Environmental and Natural Resources Agent Kelly Groves from NC Cooperative Extension with a proclamation declaring the week of November 16-22 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.
  - e. Human Resources Director Cynthia Eades introduced seventeen graduates of the County's Mini Course. The Board recognized these employees who had voluntarily attended sessions during lunch hours to learn more about the services each County department provides. This year's graduates included: Susan Abernethy, Margaret Allen, Judy Barringer, Ashley Clack, Kathy Dagenhart, Andrea Deitz, Marleen Kalbfeld, Cho Lor, Sylvia McKinney, Tracey O'Neal, Olga Orosco, Beth Rogers, Anna Setzer, Jennifer Sigmon, Susana Silvestri, Der Xiong and Kimle Yang.
8. Appointments: None.
9. Consent Agenda:

County Manager J. Thomas Lundy presented the following four items on the consent agenda:

  - a. A request from the Newton-Conover City Schools to transfer \$166,755.50 from completed and future projects to a Middle School Conversion to Elementary Project. Funds totaling \$1,826,806 were allocated over a three year period to convert the old Newton-Conover Middle School to an elementary school. Bids for the project have been received at \$1,953,386. Newton-Conover City Schools requested the transfer of a total of \$166,755.50 from existing capital projects to cover the gap and provide a contingency of \$40,175. Four projects may now be closed and the remaining funds allocated to them transferred. Paving, roofing, and gas pack replacement projects are complete and repairs to the brick veneer of the old middle school gym were included in the conversion project. Finally, the system requested that \$25,000 be transferred from a general roof replacement project. The following transfers apply:  
Transfer:  

<i>From:</i> 420-750100-864200-33102-3-24 NCHS N. Ashe Paving	\$17,663.50
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420-750100-864200-33101-3-07 Conover School Roofing	\$53,242.00
420-750100-864200-33102-4-01 NCHS Gas Pa ck Units	\$10,850.00
420-750100-864200-33103-3-08 NCMS-Gym Renovation	\$60,000.00
420-750100-864200-33110-3-02 Roof Replacements	\$25,000.00
To:	
420-750100-864200-33103-3-06 NC Middle Convert to Elementary	\$166,755.50

b. A request for the Board to accept a grant from the U.S. Department of Justice, State Criminal Alien Assistance Program (SCAAP), in the amount of \$21,452 along with required certifications and assurances. There are no matching funds required for this award; it is 100% Federally funded. The SCAAP is a formula-based grant that provides agencies with reimbursement for some of the costs associated with incarcerating undocumented criminal aliens who have committed serious crimes in the U.S. The goal of this program is to enhance public safety in communities throughout the nation. Catawba County was one of only 890 (out of 3,140) eligible local entities across the U.S. that successfully applied for these dollars. 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 2010-2011. Funds under this program may be used for correctional purposes only. Staff has 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 needs fluctuate as the population changes. The following appropriations apply:

**SUPPLEMENTAL APPROPRIATION**

Revenue

110-220050-620385 State Criminal Alien Assistance Program (SCAAP)	\$21,452
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Appropriation:

110-220050-856300 Medical Services	\$21,452
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c. A request for the Board to approve a Travel Policy for the Alcoholic Beverage Control Board. The Catawba County Alcoholic Beverage Control (ABC) Board requested that the Board approve an ABC Travel Policy that had been approved by the Catawba County ABC Board. The North Carolina Alcoholic Beverage Control Commission requires that the Catawba County ABC Board provide proof that its appointing authority has approved its travel policy on an annual basis. The policy very closely mirrors the County's travel policy. The following policy applies:

**Catawba County Alcoholic Beverage Control Board  
ABC POLICY AND PROCEDURE MANUAL**

**TRAVEL POLICY FOR EMPLOYEES AND BOARD MEMBERS**

*Purpose.*

(a) *The intent of this article is to make uniform provision for payment or reimbursement of necessary expenses of Catawba County ABC Board employees and board members who are required to travel within or without the county boundaries in the performance of their duties and in the interest of board affairs.*

(b) *It is the board's intent to allow adequate, comfortable accommodations for employees or board members who are required to travel on ABC board business. It is expected that employees or board members will use discretion and good judgment in spending ABC board funds. Use of first class sections of airplanes is prohibited unless prior approval by the general manager is obtained. Resort hotels, luxury restaurants, and items of like nature are usually considered to be in excess of normal business needs and are not acceptable under this article. Employees and board members will be responsible for unauthorized costs and any additional expenses incurred for personal preference or convenience. Each employee is expected to be familiar with and abide by this policy, and willful violations may result in disciplinary action, including possible dismissal.*

*Definitions.*

*The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:*

*Authorizing party means the individual authorized by the general manager or the board chair to approve or disapprove travel requests and travel reimbursement requests.*

*Mileage allowance means the amount to be reimbursed to an employee for use of a privately owned vehicle, which is based on actual miles driven. The amount reimbursed per mile will be reviewed each time a per-mile rate increase is authorized by the Internal Revenue Service. The general manager or board chair may approve estimated mileage when odometer readings are available.*

*Necessary expense means all reasonable charges incurred by an employee or board member caused by travel in the interest of the board, including transportation, lodging, meals, and related incidental expenses. It does not include fines, illegal expenses, laundry charges, or similar personal expense.*

*Requesting party means the employee or board member who will be reimbursed for travel costs incurred while conducting board business.*

*Subsistence means costs incurred during travel for lodging and meals, including tips.*

*Transportation means costs incurred for travel by automobile, taxi, rental car, bus, train or plane. It includes tolls, parking fees, and tips for the handling of baggage.*

*Travel means going from the normal job location to conduct board business in another location and returning to the workplace.*

*Travel expense form means a form provided for the traveler to fill out upon the completion of a specific trip, within ten days after the travel period ends, for which the reimbursement is being requested. It should list all mileage, private or public transportation, lodging, meals and other expenses which are reimbursable. Receipts for lodging, commercial travel, meals and other expenses are required.*

*Cross references: Definitions generally*

*Guidelines.*

*The following guidelines shall be used for the purposes of this article:*

*(1) Travel authorization and types of travel. Guidelines for travel authorization and types of travel are as follows:*

*a. Responsibility. The general manager is responsible for the administration of this article, except for travel or expenses not covered by this policy. The approving authority for this exception is the board chair.*

*b. Authorization. Authorization of travel requests will be based upon need and cost/benefit of travel as determined by the authorizing party.*

*c. Special local travel. Employees who, in the interest of the board and with general manager approval, travel to conferences and meetings within the county may be reimbursed for the following:*

*1. Transportation cost.*

*2. Meals, subject to suggested maximum reimbursement rates that are a part of the travel meetings.*

*3. Necessary incidental expenses.*

*d. Travel outside county. Approved travel expenses outside the county for board purposes in the best interest of the board, for training, conferences, professional meetings, work assignments, and the like, may be reimbursed, to the limits of the policy, for the following:*

*1. Transportation cost.*

*2. Meals, subject to suggested maximum reimbursement rates.*

*3. Lodging.*

*4. Necessary incidental costs.*

*e. Extraordinary travel or cost. For travel not covered by this article or where the actual necessary cost exceeds the maximum reimbursement allowed and the travel is in the best interest of the board, the general manager may approve the reimbursement of actual cost beyond the maximum stated in this article. Prior approval must be obtained and, if granted, documented and attached to the actual travel receipt. These cases should be rare.*

*f. Travel advances. Travel advances are not allowed.*

*(2) Procedure, arrangements, accommodations, and vehicle allowance. The procedure, arrangements, accommodations, and vehicle allowance shall be in accordance with the following:*

- a. All arrangements for travel must be approved by the authorizing party. The requesting party is encouraged to reserve transportation and lodging in advance, when possible.
- b. The requesting party is encouraged to travel with other employees and board members when possible. The requesting party will be reimbursed for actual costs incurred only, subject to the suggested guidelines established.

*Transportation.*

- (a) Reimbursement costs. All necessary transportation used pursuant to this article will be obtained at the most economical rate available. Reimbursements will be made for actual costs that are incurred and receipt supported. The cost of travel from the point of departure (normal job location or the personal residence) to the trip's end (normal job location or the personal residence) is a reimbursable cost. This includes the cost of taxi service and parking fees.
- (b) Vehicles. Use of vehicles shall be in accordance with the following:
  - (1) Personal automobile. A requesting party may use his personal automobile for travel and be reimbursed at the approved rate.
  - (2) Board vehicles. Board automobiles may be used for any authorized travel. The requesting party must obey all laws of the jurisdiction in which the automobile will be used for the purpose of conducting board business only. A minimal amount of personal use is allowed, such as driving the automobile to and from lunch or dinner. Spouses and children of employees may accompany them in board-owned vehicles if space is available and the trip is strictly for official board business.
  - (3) Rental vehicles. A rental vehicle will be used when it is determined that no other mode of transportation is as economical or practical. A rental automobile should be used for business purposes only. A minimal amount of personal use, such as driving to and from dinner, will be permitted. Use of a rental automobile must be approved in advance.
- (c) Local transportation. Local transportation costs incurred while on out-of-town business will be reimbursed. The most economical and reasonable form of transportation will be used. Receipts will be obtained, when possible, and submitted with travel reimbursement requests.

*Subsistence.*

- (a) Lodging. Subject to the restrictions noted in subsection (c) of this section, lodging costs for employees under this article will be reimbursed at the actual amount incurred. Receipts for lodging costs must be submitted with the travel voucher. The lodging rate is limited to the lowest available single-room rate when an employee is traveling with his spouse and children.
- (b) Meals. Meals shall be reimbursed as follows:
  - (1) Subject to the restrictions noted in subsection (c) of this section, three meals will be reimbursed at actual cost.
  - (2) Meals served as part of a convention or conference will be reimbursed at actual cost. Documentation of actual cost must be attached to the travel voucher when requesting reimbursement.
- (c) Lodging and meals. Lodging and meals shall be reimbursed as follows:
  - (1) Guidelines for reimbursement rates for a 24-hour period for travel within this state are as follows:
    - a. Breakfast: \$7.00.
    - b. Lunch: \$10.00.
    - c. Dinner: \$18.00.
    - d. Reserved.
    - e. Lodging: conference rates.
  - (2) Tips and taxes are considered to be included in the meal rates in subsection (c)(1).
  - (3) Employees must obtain actual meal receipts in order to be reimbursed. If there is no receipt, no reimbursement will be paid. The reimbursement rates for travel may be waived by the authorizing party, when actual meal costs for the locations involved exceed the suggested maximums.
  - (4) The lodging will be reimbursed at the conference rates.
- (d) Other costs. Other costs shall be reimbursed as follows:
  - (1) Long distance personal telephone calls are not reimbursable. Phone calls for official board business are reimbursable expenses.
  - (2) Receipt-supported registration fees for a conference or convention will be reimbursed.
  - (3) Movies, including pay TV movies, theater tickets, tours, and all other forms of entertainment, are not reimbursable.
  - (4) Alcoholic beverages are not reimbursable.

*Reimbursement procedures.*

(a) Submitting expense reports. *Expense reports for travel conducted pursuant to this article shall be submitted in accordance with the following:*

(1) *A requesting party will complete a travel voucher and attach receipts for expenses as required and submit it to the authorizing party no later than ten working days after returning from travel.*

(2) *A requesting party submitting a falsified travel voucher will be subject to disciplinary action. The authorizing party or finance director who approves a travel voucher which he knows to be false will be subject to disciplinary action.*

(b) Approval and processing of reimbursement requests. *The procedure for approval and processing of reimbursement requests is as follows:*

(1) *A travel voucher will be submitted to the authorizing party for approval. After the approval by the authorizing party, the travel voucher should be forwarded to the finance department.*

(2) *The finance department will determine that the travel voucher has been properly approved, that it is mathematically correct, and that requested reimbursements agree to submitted receipts and are within the limits set by this article. If an error in the reimbursement request is found, the requesting party will be informed and the error will be corrected before payment is made.*

Revised February 16, 2010

d. A request for the Board to approve a tax refund request in the amount of \$43,728.39. Records had been checked and the refund verified; therefore, the Tax Collector asked for approval of the refund request. Under North Carolina General Statute 105-381, a taxpayer who has paid taxes may request a refund in writing for an amount paid through error. A further review of the records indicates this taxpayer owes \$32,807.17 in current taxes and delinquent audit bills. The refunded amount will be applied to these bills before any money is sent to the taxpayer. The following request applies:

Taxpayer:

DE LAGE LANDEN OPERATIONAL SERV INC  
1111 OLD EAGLE SCHOOL RD  
WAYNE PA 19087-1453  
ABSTRACT #1796111-2008-2008

DE LAGE LANDEN listed and paid for leased equipment (breadline) located at 1633 Fisher Court, Newton NC 28658 and Flower Baking Co of Newton LLC listed and paid for the same equipment. DE LAGE LANDEN is requesting a refund of taxes paid for 2008 to Catawba County. This has been verified by Tax Collector's Office.

It has also been verified that DE LAGE LANDEN is delinquent on audit bills for 2010 and this refund will be applied to those bills before any money is sent to the company. Authority for this action has been verified by School of Government. Amount due the County only for current due bills and delinquent audit bills including interest is \$32,807.17.

YEAR	VALUE	RATE	TAX	TOTAL
2008	8,173,531	.535	43,728.39	43,728.39

\*THIS IS IN THE CITY OF NEWTON

Chair Barnes asked if any Commissioner wished for an item to be broken out of the consent agenda. None were requested. Commissioner Hunsucker made a motion to approve the consent agenda. The motion carried unanimously.

10. Departmental Report.

Planning, Parks and Development:

Assistant Planning Director Mary George presented a request for Board approval of a \$17,825 reduction in the FY 2012-13 Capital Improvement Plan (CIP) authorization for the Bunker Hill Covered Bridge project. This reduction is based on a grant amount awarded by the Carolina Thread Trail (CTT) to acquire twelve acres of a 21-acre tract of land owned by the Bolick heirs, located west of the Bunker Hill Covered Bridge.

On August 6, 2012, the Board authorized staff to apply for a CTT Implementation Grant to acquire the twelve acres adjoining the Bridge. The County's CTT grant application requested \$66,175 with a \$10,000 local match to help pay for closing costs. When the current year CIP was approved, it was anticipated that an \$84,000 grant could be secured from CTT; however, CTT staff indicated it would not support that amount.

The County was notified on September 21, 2012, that it was awarded the CTT grant in the amount of \$66,175, subject to funds being acquired from the North Carolina Natural Heritage Trust Fund (NCNHTF) for the purchase of the remaining nine acres. A grant application for acquiring the remaining nine acres was submitted to the NCNHTF in late September. The Trust Fund Board will make its decision about grant awards in January 2013. With approval of the CTT grant, the FY 12-13 budget must be reduced by \$17,825 for the Bunker Hill Covered Bridge project authorization. Vice-Chair Lynn Lail made a motion to approve this budget reduction. The motion carried unanimously. The following reduction applies:

Revenue

410-460100-987000-18022	-\$17,825
Bunker Hill Covered Bridge	

Expenditure

410-460100-682425	-\$17,825
Carolina Thread Trail Grant	

11. Other Items of Business:

Chair Barnes presented the proposed Board of Commissioners' goals for Fiscal year 2013-14. The setting of goals is a prelude to the start in December of the County's annual budget process and culminates with the adoption of an annual budget in June. Board members individually submitted ideas for goals and were then asked to rank proposed goals for FY 2013-14.

The Board's goals for FY 2013-14 are:

1. Prepare a Fiscal Year 2013-14 budget which provides needed County services within available revenues, including no property tax increase, ensuring that the County addresses its short term needs while planning for long term growth, and maintaining the Board of Commissioners' policy of two months of operating expenses.
2. In partnership with the private sector, support a coordinated effort to create jobs and property tax base by investing in infrastructure, the development of the County's quality of place and educational opportunities.

Strategies include:

- a. Develop and market the multi-jurisdictional park and other future development opportunities.
  - b. Advocate for the widening and completion of Highway 16;
  - c. Continuously monitor County regulations to ensure they support orderly growth and business development;
  - d. Continue support of public education, the Economic Development Corporation, the Catawba Valley Community College, Convention and Visitors Bureau and the Chamber of Commerce.
  - e. Partner with the private sector and municipalities to focus on a framework to increase small and/or entrepreneurial businesses.
  - f. Partner with the private and public sectors to implement recommendations from the Southern Growth Policy Board study.
3. Review recommendations of the Food and Farm Sustainability Committee and work to implement strategies consistent with the County's area of responsibilities.

Commissioner Isenhower made a motion to approve these goals, which he said were comprehensive and focused. The motion carried unanimously.

12. Attorney's Report: None.
13. Manager's Report: None.
14. Reinventing: Effective January 1, 2013:  
Section II F of the 2012-13 Budget Ordinance states: "Reinventing Departments may create or abolish positions which impact the outcomes approved by the Board of Commissioners and within available revenues upon summary approval of the Board of Commissioners. Approval will come at the next regularly scheduled Board of Commissioners' meeting and will be attached and approved as part of the minutes."

Under this provision of the Budget Ordinance, the following personnel change will be made to the Library budget:

Library Assistant Position #00001109 at the St. Stephens Branch will be increased from .8 FTE to 1 FTE, effective January 1, 2013. The employee currently in the position has been working part-time and is retiring December 31, 2012. A full time position is needed to provide better customer service to the users of the St. Stephens Branch Library. Library reinventing funds will be applied to any increase in salary or benefits costs related to this change.

15. Adjournment. Commissioner Hunsucker made a motion to adjourn at 10:05 a.m. The motion carried unanimously.

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Katherine W. Barnes, Chair  
Catawba County Board of Commissioners

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Barbara E. Morris  
County Clerk