

Regular Session, December 5, 2011, 9:30 a.m.
Catawba County Board of Commissioners

Appointments

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Board of Commissioners

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Closed Session

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Utilities and Engineering

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The Catawba County Board of Commissioners met in regular session on Monday, December 5, 2011 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 and Randy Isenhower.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Dewey Harris, 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. Commissioner Randy Isenhower led the Pledge of Allegiance to the Flag.
3. Commissioner Dan A. Hunsucker offered the invocation.
4. Commissioner Barbara Beatty made a motion to approve the minutes from the Board's Regular Meeting of November 21, 2011. The motion carried unanimously.

5. Organizational Meeting of the Board of Commissioners:
Election of Chair and Vice-Chair – County Manager J. Thomas Lundy took nominations for Chair. Vice Chair Lynn M. Lail nominated Katherine W. Barnes as Chair. Commissioner Beatty made a motion to close nominations. Board members voted on the nomination and the vote was unanimous. Commissioner Beatty nominated Lynn M. Lail as Vice-Chair. Commissioner Hunsucker made a motion to close nominations. Board members voted on the nomination and the vote was unanimous. Chair Barnes made the following organizational appointments:
Counsel to the Board – David Hood
Finance and Personnel Subcommittee – Commissioners Beatty and Isenhower
Policy and Public Works Subcommittee – Commissioner Lail and Hunsucker
WPCOG Policy Board Delegate – Chair Barnes
WPCOG Policy Board Alternate – Vice-Chair Lail
Hospital Board of Trustees – Commissioner Beatty
Mental Health Partners Board – Commissioner Isenhower
Public Health Board – Commissioner Hunsucker
Social Services Board and Community Service Block Grant Advisory Board – Vice-Chair Lail
Child Advocacy Center Board – Commissioner Hunsucker.
6. Recognition of Special Guests: Chair Barnes welcomed everyone present and advised that she would have to leave the meeting prior to its conclusion to attend a funeral.
7. Public Comments for Items Not on the Agenda: None.
8. Appointments:
Vice-Chair Lail recommended the appointment Mr. Tyler Sigmon for a first term as an Extraterritorial Jurisdiction (ETJ) member to succeed Elizabeth Smyre on the City of Claremont Planning Board. Mr. Sigmon's term will expire November 1, 2014. Commissioner Hunsucker recommended the reappointment of Ray Hilderban for a fifth term and Harvey Lee Sipe for a fourth term on the City of Conover Board of Adjustment. These terms will expire May 31, 2014. Commissioner Hunsucker also recommended the reappointment of Ann Gaither and Jerry McCombs for second terms on the Newton-Conover Auditorium Authority Board of Directors. These terms will expire June 30, 2014. Commissioner Beatty recommended the reappointment of Donna Herman, now as a full member instead of an alternate, and John Pope for a second term on the Catawba County Board of Adjustment. These terms will expire November 30, 2014. Commissioner Beatty also recommended the reappointment of Bruce Godfrey for a first term, Mickey Laney for a second term, Mike Weaver for a third term, Norris Huss and Chuck Ward for fourth terms, and Jerry Loy Sigmon and Eddie White for eighth terms on the Fireman's Relief Fund Volunteer Fire Department Board of Trustees. These terms will expire December 31, 2013.

These recommendations came in the form of a motion. The motion carried unanimously.

9. Departmental Reports:
 - A. Juvenile Crime Prevention Council.
 1. Juvenile Crime Prevention Council Staff Member Debbie Bradley presented a request for the the Board to approve a revised 2011-2012 Funding Plan for the Catawba County Juvenile Crime Prevention Council (JCPC). The JCPC is established by the N.C. Department of Juvenile Justice (DJJDP) to provide services to at-risk and delinquent youth, identify risks for youth in the community, prevent crime among at-risk youth, and review court data and identify needed programs to provide intervention and prevention. Council members are determined mostly by the State statute that establishes the JCPC. Members are involved with youth or work in agencies that serve at-risk or delinquent youth. Funding is allocated by the State to the County, then allocated to programs, and is based on youth population. Programs funded by the JCPC are required to fund a minimum 30% match. No Catawba County dollars are required.

The JCPC recommends a spending plan to the Board of Commissioners each spring, prior to the North Carolina General Assembly's approval of the State budget. It is subject to the State budget and DJJDP funding. During the review and budget process last spring, the DJJDP advised the Council to anticipate at least a 5% budget cut. The JCPC reduced its spending plan from the prior year's budget and that plan was approved by the Board of Commissioners on April 4, 2011.

The North Carolina General Assembly approved the State budget this year with no reduction in funding to the JCPC. It also passed a special \$121,600 appropriation for Project Challenge, a private nonprofit charitable organization dedicated to helping young men and women serve their communities in a positive way, with a caveat that the appropriation had to come from DJJDP funds. The DJJDP determined the appropriation would come from councils served by Project Challenge, prorated on the basis of funding to each county. The DJJDP notified the Catawba JCPC that \$3,420 would be taken from Catawba JCPC this year, leaving a total allocation to Catawba JCPC of \$328,946. Of this amount, \$14,073 is unallocated.

Once the Catawba JCPC was notified, programs were advised to submit requests for the unallocated dollars. Three programs requested additional funds. The JCPC Finance Committee met to review requests, and made a recommendation to the JCPC Board for approval. During the October JCPC meeting, the recommendation was approved to award unallocated funds as follows: JCPC Administration, \$800; Conflict Resolution Center, \$6,636; and Project Challenge, \$6,637. Commissioner Hunsucker made a motion to approve this revised 2011-12 Funding Plan. The motion carried unanimously.

2. Juvenile Crime Prevention Council Staff Member Debbie Bradley presented a request for the Board to approve a set of risk and needs priorities for the JCPC, recommended by the Council based on a review of court data, with input from juvenile court counselors and funded programs. Every year, the JCPC must follow a process that begins with prioritizing risks and needs, with the final step being approval of a funding plan. The risks and needs priorities are set in the fall/early winter, and the approval of the funding plan occurs in the spring. Basically, the steps to set priorities are: (1) identification of risk factors, based on court data; (2) development of a list of priorities to address the risk factors, and (3) review of and approval of the priorities.

Once priorities are developed, the following steps are taken: (1) advertise for programs to submit proposals to address risk factors; (2) review proposals; and (3) recommend a funding plan to the JCPC. Once proposals are received, the Council develops an annual plan and submits the plan to the Board of Commissioners.

Based on the review and input of the JCPC Outreach Committee and JCPC discussions held in the past year, the following list of priorities was recommended for Fiscal Year 2012-2013 and will be the basis for requests for proposals: (1) Psychological Assessment; (2) Sexual offender intervention services; (3) Crisis beds/ temporary shelter; (4) Residential group home; (5) Substance abuse assessment and treatment; (6) Restitution/Community service; (7) Mentoring; (8) Mediation; (9) Interpersonal skills; (10) Parenting skills; and (11) Teen Court.

Chair Barnes asked if the residential group homes could be used for temporary shelter when necessary. Ms. Bradley indicated that these facilities were frequently at capacity but stated Mental Health Partners generally assisted in locating temporary shelter options. Commissioner Isenhower asked how it was determined to whom requests for proposal were sent and Ms. Bradley said she had lists of non-profits and the United Way and Western Piedmont Council of Governments helped identify entities from which proposals were requested. Vice-Chair Lail made a motion to approve the priorities for FY2013. The motion carried unanimously.

B. Utilities and Engineering:

Utilities and Engineering Director Barry Edwards presented a request for the Board to award a bid for construction of a proposed Bunker Hill/Oxford Sewer Project to Neill Grading and Construction Company of Hickory in the amount of \$1,505,936.62, contingent upon State approval. This project was developed in conjunction with the City of Conover, predominantly to serve Bunker Hill High School, Oxford Elementary School, and River Bend Middle School. Approximately twenty homes will also be served. Agreements for revenue sharing on the Bunker Hill High School portion of the project and a revolving loan on the Oxford School portion were previously approved by the Board and the City of Conover.

The Bunker Hill/Oxford Sewer Project will provide municipal sewer service to approximately 20 residences and Bunker Hill High School, Oxford Elementary School, and River Bend Middle School. Bunker Hill High and Oxford Elementary are expected to connect immediately to address issues associated with aging on-site sewage disposal systems at these schools. The Bunker Hill and Oxford systems are experiencing increasing operating and maintenance costs, as well as odor issues at times. River Bend Middle School, built in 1998, has an adequate on-site sewage disposal system but the system is large and takes up property that could be more fully utilized if/when the school is connected to municipal sewer.

The Board previously appropriated \$2.93 million for this project. The County was awarded a \$1.6 million grant from the North Carolina Division of Environmental and Natural Resources for this project. The payback period for the project is estimated to be 18 years, 9 months. The cost breakdown is as follows: construction, \$1,505,936.62; engineering, \$113,000; property and easement acquisition, \$170,782.46; previous construction at high school, \$84,482 and contracts with the Western Piedmont Council Of Governments, \$30,000. The total of \$1,904,201.08, less the \$1.6 million grant, leaves a cost of \$304,201.08, which would be allocated from the County's Water and Sewer Fund. Any funds remaining in the project after completion and closeout will be returned to the Water and Sewer Fund balance.

This project was advertised for bids in three divisions: Oxford Gravity Sewer, Bunker Hill Gravity Sewer, and Bunker Hill Pump Station and Force Main. This allowed bidders the flexibility of bidding on one division or multiple divisions, which the County anticipated could result in lower bid prices and provide the opportunity for concurrent work on different divisions, possibly reducing the overall construction time.

A total of ten bids were received on November 1, 2011 and, based on the review of the bids and qualifications, staff recommended the awarding of all three divisions to Neill Grading and Construction Company of Hickory, which submitted a total bid amount of \$1,505,936.62.

Commissioner Isenhower asked if all the necessary easements had been obtained and it was confirmed that all had been obtained at a cost of \$170,782. Commissioner Beatty made a motion to adopt the necessary resolution and award the bid to Neill Grading and Construction Company of Hickory. The motion carried unanimously. The following resolution applies:

**CATAWBA COUNTY
RESOLUTION OF AWARD
FOR
BUNKER HILL/OXFORD SCHOOL AREA
WASTEWATER PROJECT
STATE BOND GRANT**

WHEREAS, Catawba County publicly advertised for bids to be received for the Bunker Hill/Oxford School Area Wastewater Project on November 1, 2011; and,

WHEREAS, the Bids were publicly opened on the stated date; and

WHEREAS, the County has accepted a grant offer from the State of North Carolina 1998 Clean Water Bond Fund for \$1,600,000 funding for this project and the remainder from the County's Water & Sewer Fund.

NOW; THEREFORE BE IT RESOLVED BY THE CATAWBA COUNTY BOARD OF COMMISSIONERS that the bid is awarded in accordance with the engineer's recommendation, McGill Associates, to Neill Grading and Construction Company in the amount of \$1,505,936.62.

Bids are awarded subject to approval of the North Carolina Department of Environment and Natural Resources, Division of Water Quality.

Adopted this the 5th day of **December 2011** at Catawba County, North Carolina.

C. Finance: (Chair Barnes left the meeting during this presentation at 10:15 a.m.)

1. Representatives from Catawba County Schools presented the Board with the County's first Certification of a Leadership in Energy and Environmental Design (LEED) School, for Snow Creek Elementary School.
2. The Board received a report on the County's independent audit for fiscal year 2010-2011 and on the County's Comprehensive Annual Finance Report for FY 2010-2011. Marcie Spivey of Martin, Starnes and Associates reported that the County continued to deliver services in a sound fiscal manner in spite of the severe economic recession. County Finance Director Rodney Miller presented an overview of the County's Annual Financial Report for the fiscal year that ended on June 30, 2011, which showed that the County continued to deliver services in a prudent fiscal manner in spite of the severe economic recession.

Catawba County has traditionally had a goal to keep two months' worth of operating expenses in reserve in part because of cash flow issues since property tax bills are sent to taxpayers in July but revenues are slow to come in, as most taxpayers wait until near the January deadline to make payments. The reserve is also kept in case of emergency circumstances, and to insure adequate funds are available to meet urgent economic development opportunities that may arise during the course of the year. The audit report showed that the County improved its fund balance position and now has approximately three months (26.7%) in reserve for fiscal year 2010-11, in spite of the economic conditions the County faced.

Commissioner Isenhower asked how the county could achieve a AAA bond rating (it currently has a AA+) . Mr. Miller explained that the size of our county, its manufacturing base and the housing component make a AAA rating difficult to achieve but as the county diversifies its business base and grows, it could be a possibility.

Mr. Miller commended both Jeanne Jarrett and Kenneth Maynor for their efforts in ensuring the success of the audit process. Chair Barnes stated she was proud of the report and how important it was for commissioners to pay attention to the report. Commissioner Beatty made a motion to accept the audit report. The motion carried unanimously.

10. Other Items of Business: None.
11. Attorney's Report: None.

12. Manager's Report. County Manager J. Thomas Lundy requested the Board consider going into closed session pursuant to North Carolina General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness of an individual public officer. He did not anticipate any action upon return to open session. Commissioner Hunsucker made a motion to go into closed session at 10:40 a.m. The motion carried unanimous.
13. The Board returned to open session at 10:57 a.m. No action was taken. Commissioner Hunsucker made a motion to adjourn at 10:57 a.m. The motion carried unanimously.

Katherine W. Barnes, Chair
Catawba County Board of Commissioners

Barbara E. Morris
County Clerk