

Draft

BOARD OF COMMISSIONERS
REGULAR MEETING May 5, 2025

ALEXANDER COUNTY
STATE OF NORTH CAROLINA

PRESENT: Marty Pennell, Chairman
 Larry Yoder, Vice-Chairman
 Kent Herman
 Josh Lail
 Ronnie Reese

STAFF: Ben Faulkenberry, County Attorney
 Gary Herman, PIO
 Jamie Starnes, Clerk to the Board

The Alexander County Board of Commissioners held a regular meeting on Monday, May 5, 2025, in Room 103 of the CVCC / Alexander Center in Taylorsville, North Carolina.

CALL TO ORDER

Chairman Pennell called the meeting to order at 6:00 PM.

INVOCATION & PLEDGE OF ALLEGIANCE

Commissioner Herman gave the invocation and Commissioner Lail led the Pledge of Allegiance to the Flag.

COMMISSIONER'S REPORT

Commissioners Reese and Lail spoke about the National Day of Prayer event held on May 1, 2025 at Courthouse Park. Commissioner Reese also reported that the Charters of Freedom display cases had been damaged.

ADOPTION OF AGENDA

Commissioner Reese made a motion to approve the agenda as presented. Vice-Chairman Yoder seconded the motion, which passed unanimously.

PUBLIC COMMENT

No one spoke during the Public Comment Period.

PUBLIC HEARING: TEXT AMENDMENT 25-02 – LAND DEVELOPMENT CODE

Patrick Creech, Senior Planner, introduced Text Amendment 25-02 to Section 154-303 of the Alexander County Land Development Code, which proposed the appointment of an alternate member to the Planning Board. The alternate member would vote in the absence of another Planning Board member, particularly in situations where an absence is considered as a vote against. He advised that the Planning Board had considered this amendment at their March meeting and recommended approval.

After a motion by Vice-Chairman Yoder, second by Commissioner Reese, and unanimous vote, the public hearing was called to order and comments requested. There being none, Vice-Chairman Yoder made a motion to close the public hearing. Commissioner Reese seconded the motion, which passed unanimously.

Commissioner Reese made a motion to approve Text Amendment 25-02 to the Land Development Code as requested. Vice-Chairman Yoder seconded the motion, which passed unanimously.

RESOLUTION AUTHORIZING THE RETIREMENT OF SHERIFF'S OFFICE K-9 "OTTER" & THE SALE OF SURPLUS PROPERTY

Sheriff Chad Pennell presented a resolution authorizing the retirement and sale of K-9 Otter from the Sheriff's Office, along with related supplies and equipment, to his handler, Dylan Adams, for a fee of \$1. Otter has been a member of the Alexander County Sheriff's Office since April 2022 and has achieved over 100 successful finds throughout his career. Most recently, he has been a valuable member of the SRO Team at Taylorsville Elementary.

Vice-Chairman Yoder made a motion to approve the resolution authorizing the retirement and sale of K-9 Otter to his handler for \$1 after a 10-day waiting period. Commissioner Lail seconded the motion, which passed unanimously.

PARKS & RECREATION UPDATE

Jon Presnell, Recreation Director, provided a summary of the latest participation in recreational sports as follows:

- Fall Season (cheerleading, football, soccer, volleyball) – 67 teams with approx. 800 participants.
- Winter Season (basketball) – 75 teams with approx. 600 participants.

- Spring Season (T-ball, softball, baseball, soccer) – a record-breaking 92 teams with approx. 1,100 participants.

Mr. Presnell explained that the rise in participation had also increased activity at local parks, highlighting the need for various upgrades and additions. He also conveyed his gratitude to the Board for the recent improvements to Bethlehem Park, which had received positive feedback.

Josh Mitchell, Public Works / Facilities Director, discussed potential enhancements to East Alexander Park such as construction of a new concession building with restrooms, picnic shelters, a new playground, extra soccer fields, an additional baseball field, additional parking, improved lighting, concrete pathways, new restrooms at the lower field, and a walking trail encircling the property. He projected a range of \$50,000 to \$100,000 for engineering and design services if the Board chose to proceed.

FIRE DEPARTMENT BUDGET DISCUSSIONS

Fire chiefs that requested additional funding from the County's General Fund or a fire tax increase in their FY2026 budget request were asked to attend. The following comments were given:

Bethlehem Community Fire & Rescue – Chief Ashley Starnes reviewed the services provided by the department, which had a total of 695 calls in 2024. A 1.7-cent fire tax rate increase has been requested due to plans for a second fire station on Satellite Road (estimated at \$2.5 to \$3 million) that would cover the areas outside of their current 5-mile district. The new station will require installation of an 8-inch water line (projected at \$125,000) along with additional staffing amounting to \$58,240 annually for one day shift and \$39,944 for one night shift. Furthermore, a new pumper/tanker would be needed, with an estimated cost of \$967,649.

Ellendale Fire Department – Chief Donovan Howell stated that Ellendale VFD had 39 members with a fire district of approx. 50 square miles. Their front-line engine is 20 years old and they would like to establish a secondary station to improve fire insurance rates for local residents. In 2024, the department began saving \$10,000 annually for the future station and \$20,000 for equipment. An additional \$15,000 has been requested to assist with the cost of on-duty personnel and related equipment that are not covered by County funding.

Hiddenite Fire Department – Chief Scott Mitchell reported that Hiddenite VFD operated two stations, had 35 volunteers and staff members with 3 on-duty personnel, two of which are funded by the County. The department's newest engine is a 2008 model and they had a total of 546 calls in 2024. Due to inflation, personnel and equipment costs continue to rise beyond the funding allocated by the County for positions. Hiddenite has requested either a \$15,000 increase in funding or a one-cent fire tax increase.

Sugar Loaf Fire Department – Chief Josh Chapman stated that Sugar Loaf VFD had 21 members, including 4 part-time paid personnel, and their newest engine is a 2009 model.

He discussed the rising cost of apparatus and equipment in recent years as well as the need to offer competitive salaries to attract and maintain staff, emphasizing that a 3-cent fire tax increase was needed.

Taylorville Fire Department – Chief Matt Jordan also addressed the need for additional personnel, noting that Taylorsville VFD had 1,003 calls in 2024. The department currently has 40 members, a part-time chief, and 10 part-time staff and just took delivery of a new tanker that replaced a 40-year-old truck. In addition, the newest engine is 13 years old. A 3-cent fire tax increase has been requested to assist with expanding paid staff to operate around the clock and to plan for future full-time positions. Taylorsville’s long-term capital improvement goals include major renovations to the current station which is 36 years old or construction of a new station.

Vashti Fire & Rescue – Chief Coty Fox agreed with previous remarks regarding the challenges of staffing with limited funds along with rising costs and he pointed out that their newest engine was a 1998 model. Due to Vashti being more rural in nature, it takes over 15 minutes to reach the most distant point in the district, which is why the department is in the process of obtaining property for a second station. They have requested an additional \$21,050 in funding or a 1.5-cent increase in the fire tax to expand on-duty staff to two individuals.

Chairman Pennell thanked all fire chiefs for their willingness to speak tonight.

Commissioner Herman expressed his appreciation to all fire departments for their service to the community. Although he supported efforts to meet all essential needs, he was uncertain that all requests could be fulfilled.

RESOLUTION OPPOSING HOUSE BILL 765

Ben Faulkenberry, County Attorney, presented a resolution in opposition to NC House Bill 765 titled “An Act to Reform Local Government Development Regulations in this State” for consideration. Several key provisions included in the bill that would negatively affect counties are listed below:

- Requires mandatory fiscal notes assessing the direct or indirect effects on housing costs for adoption, amendment, or repeal of any ordinance.
- Creates new legal liabilities for county staff and individual board members (Planning, Board of Adjustment, and Board of Commissioners) that includes punitive damages.
- Disqualifies commissioners from voting on rezoning cases if they have had prior discussions or opinions, which could deter public forums and hearings.
- Eliminates the authority to adopt or enforce development regulations that are most suitable for the county; these regulations would be subject to the opinions of Raleigh.

- Mandates minimum requirements applicable to density, sidewalks, and driveways that could impact access by emergency services.

Because of the burden that HB 765 would impose on staff along with potential financial impacts, Mr. Faulkenberry recommended approval of the resolution and noted that numerous other counties in North Carolina had similarly approved resolutions that have been sent to their representatives in the General Assembly.

Commissioner Lail believed the initial intent of HB 765 was to regulate housing costs for the benefit of the public; however, many burdensome provisions have since been incorporated. He inquired whether there were any local measures that could be implemented to address rising housing expenses.

Commissioner Reese made a motion to approve the resolution opposing HB 765. Commissioner Herman seconded the motion, which passed unanimously.

BUDGET ORDINANCE AMENDMENTS #35 - #36 & PROJECT BUDGET ORDINANCE #P-4

Ben Faulkenberry, County Attorney, reviewed the purpose of Budget Amendments #35 - #36 and Project Budget Ordinance #P-4 as follows:

Budget Amendment #35 – To:

- increase the 911 Communications (Emergency Management) budget for receipt of NC Emergency Management Deployment grant funds to reimburse for Hurricane Helene response to other areas in western NC.
- budget for a General Fund transfer of \$5,000 to the America 250 NC Project to supplement a \$10,000 grant received from NCDENR.
- to budget for a transfer of FEMA grant funds to the Solid Waste Fund to reimburse for the cost of grinding storm debris from Hurricane Helene.

Budget Amendment #36 – To increase the Opioid Settlement Fund budget due to the requirements of GASB No. 96 which governs the accounting treatment of Subscription-Based Information Technology Arrangements. This is only a book entry required for financial statement presentation; no additional expenses will be incurred and there will be no effect on the fund balance.

Project Budget Ordinance #P-4 – To budget for a NCDENR grant and General Fund Transfer for the America 250 NC Project.

Vice-Chairman Yoder made a motion to approve Budget Amendments #35 - #36 as well as Project Budget Ordinance #P-4. Commissioner Reese seconded the motion, which passed unanimously.

UPDATES & ANNOUNCEMENTS

Ben Faulkenberry, County Attorney, provided the following updates and announcements:

- A work session to discuss the FY 2025-2026 budget will be held on Monday, May 12, 2025 at 6:00 PM in the Administration first floor conference room.
- Construction began today on the ARPA Water Extension Project as well as the EMS Base #1 Facility.
- The NC Department of Information Technology has awarded a \$3,305,768 Completing Access to Broadband grant to Yadkin Valley Telephone Membership (Zirrus) to provide high-speed internet service to 394 homes and businesses in Alexander County.
- The ribbon cutting ceremony for the newly renovated Bethlehem Park is scheduled for May 9th at 10:00 AM.
- The 2025 Summer Concert Series at Courthouse Park will begin on May 10th at 7:00 PM with Julio & The Saltines.

CONSENT AGENDA

- A. Tax Abatements & Adjustments (\$2,443.64) and Tax Refunds (\$1,288.38) for March 31 – April 27, 2025.
- B. Minutes from the April 7, 2025 Regular Meeting and April 21, 2025 Budget Work Session.
- C. Board / Committee Appointments – Council on Aging, Planning Board, & Region E Adult and Nursing Home Long-Term Care CAC.
- D. Proposed Personnel Policy revisions – Article V Conditions of Employment / Section 14. Organizational Structure.
- E. JCPC Annual County Plan & Certifications Standards for FY 2025-2026.
- F. Renewal of agreement with Institutional Medical Services, PLLC for inmate medical care services.
- G. Renewal of agreement with Correctional Behavioral Health for inmate behavioral care services.

Vice-Chairman Yoder made a motion to approve the Consent Agenda. Commissioner Herman seconded the motion, which passed unanimously.

CLOSED SESSION – N.C.G.S. 143-318.11(a)(4 & 5) ECONOMIC DEVELOPMENT & CONTRACTUAL

Vice-Chairman Yoder made a motion to enter into Closed Session at 7:25 PM to discuss economic development and contractual matters pursuant to N.C.G.S. 143-318.11(a)(4 & 5). Commissioner Lail seconded the motion, which passed unanimously.

ADJOURNMENT

There being no further business, Vice-Chairman Yoder made a motion to adjourn at 9:00 PM. Commissioner Reese seconded the motion, which passed unanimously.

Marty A. Pennell, Chairman

Jamie M. Starnes, Clerk to the Board