

**Montgomery County Commissioner's Meeting
February 21, 2006**

**Chairman – William D. Maness
Vice Chairman – Sally M. Morris
Commissioner – Dolon W. Corbett
Commissioner – R.C. Bostic
Commissioner – George H. Knight, Jr.
County Manager – Lance L. Metzler
Finance Officer - Cathy S. Baxter
Clerk to the Board – Laura B. Morton
County Attorney – Russell J. Hollers**

The Montgomery County Board of Commissioners met in a regular session on Tuesday, February 21, 2006 at 6:00 p.m. in the Commissioner's Assembly Room. A full Board was present. *Chairman Maness reconvened the meeting and the following was heard:*

Invocation

Rev. Jeff Ray, pastor of the First Wesleyan Church gave the invocation

Approval of the Minutes

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to approve the January 17, 2006 minutes, February 7 minutes, and February 14 minutes.

Public Forum

Bill Rhinehardt from Twin Harbor Association was present to request changes in the Campground Ordinance Section M (3), which states:

Screen Room, Decks, or Combination Screen Room/Desk: a temporary RV may have either a full screen room, a full deck or a combination of both. Either of these may have a maximum width of 12 feet and a length not exceeding the length of the RV unit minus the tongue bumper. Either a screen room, a deck or a combination deck/screen room can have an open foundation, or enclosed latticework or masonry foundation, but cannot be used for a habitable area. The area under the screen room, deck or combination deck/screen room can be utilized for storage. Neither the deck, screen room or combination can be attached to the RV unit. A screen room must maintain 100% screen along the outside of all walls with no enclosure. No enclosure materials of any kind may be used, including, but not limited to clear plastic materials.

Mr. Rhinehardt said the Campground Ordinance hasn't changed over the years. He said the County is interpreting this as once you have enclosed the screen porch with screen wire that you cannot have a blind, you can not have a curtain, you can not have anything on the walls, or hang a picture of your child on the wall. He said this was not a problem up until about 1997 when Twin Harbor was a transit community, now we have approximately 150 permanent residents in Twin Harbor. Some people need blinds to shade from the evening sun or a piece of plastic to protect furniture, etc.

He explained the County has just started enforcing this with this last ordinance. They are saying the inside of the porch can not have anything on it (on the outside walls). Mr. Rhinehardt said I

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do not see that with this ordinance. He requested the Commissioners consider helping them out with this and reconsider and help with this matter.

Mr. Rhinehardt said Twin Harbor was taken to Court and the judge indicated that they would never rule in Twin Harbor's favor by telling them what they could or could not do inside their domain.

He said we are requesting the Commissioners look over and make a ruling.

Commissioner Knight asked Mr. Rhinehardt if he had any idea why it was put in there like that. Mr. Rhinehardt said the only thing that changed with the new ordinance was "the enclosure can not be in anything but screen wire." Enclosure to me means the outside. The Inspection Department said you could put anything on the inside. With 1247 families out there, someone is going to break the rules. He said I think each problem should be addressed as they occur.

Commissioner Knight said I remember working on this ordinance. He had a problem and we were trying to prevent people coming on the weekend and making a screen porch into a bedroom. This is what people were doing. He said we are open to suggestions on how this can be controlled I would be open to whatever suggestions you might have.

Mr. Rhinehardt said I feel we have a good ordinance. The plastic helps keep out the rain, etc. He said there will always be people that break the rules.

Commissioner Knight said sometimes our people would get ran off by a gun because of the way the ordinance was written. Now it is written to protect all those concerned.

Mr. Rhinehardt said there are penalties for those who violate the ordinance.

Chairman Maness said we have worked with Twin Harbor for a while. It seems like sometimes that if we try to change something or give a little they try to take a whole lot. We tried to put a good ordinance in place, I know it is strong to not to have blinds, etc., but you can see where we came from. These Commissioners spent many hours on this ordinance for Twin Harbor.

Chairman Maness asked Mr. Rhinehardt to get his suggestions to Mr. Metzler and he will get them to the Commissioners.

Mrs. Carol Walters from the Montgomery County Public Library was present. She talked about the State of the Library. She said the library loaned 165,782 books, videos, CDs, and audio books; answered 145,565 questions, saw 59,842 library visits, presented 75 adult programs (attended by 2,797 adults), presented 347 children's programs in the public schools, and assisted 13,597 internet users to utilize library computers.

Mrs. Walters also talked about the Summer Reading Program that is ran by Linda Lamp. She said the juvenile circulation of books for the summer was 13,517. The library has programs that go beyond books. Programs that include Adult Programs (Yoga, Vegetable Gardening, Pop-Up Art, Christmas Crafts, Computer Training, Mentoring, etc.), Tax Forms, Resume, Email and Research Assistance, and Meeting Room Use.

She explained that the Montgomery County Public Library's services are enhanced by the affiliation with the Sandhill Regional Library System. Benefits include staff & mentoring, all computers, director/manager funds, telephone funds, computer connectivity funds, 80% book

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funds, 95% periodical funds, 20-30 staff workshops annually, collaboration with staff at 15 libraries, and all technical maintenance.

Youth Leadership

Chairman Maness recognized a member of Youth Leadership that was present, Alex Lemonds.

Mrs. Esther Fowler was present. She requested the assistance of the Board with drain lines at a driveway in the Brutonville Community. Mr. Metzler said you could talk with the Department of Transportation about this. Mrs. Fowler said has already talked with them and was wondering if there is anything else the Commissioners could do. Mr. Metzler asked her to get with him regarding this.

Mrs. Ruth Simpson was present. She said she lives in Troy and also has a place at Twin Harbor. She said her husband has terminal lung cancer and she was present to reiterate what Mr. Rhinehardt said. She said she would like to be able to put plastic up when the pollen starts and take it down when it ends.

Mrs. Nancy Sahoski was also present. She is a permanent resident of Twin Harbor. She said she would like to echo what Ruth Simpson said. Mrs. Sahoski said her husband also has a lung condition.

Consent Agenda

In a motion made by Commissioner Corbett, seconded by Commissioner Bostic, and so the motion carried unanimously to approve the following consent agenda taking f) Commissioner Appointment to the Board of Health out and tabling the appointment until a future meeting.

- a) Budget Amendment Request - BA 35/06 – Jail Project - \$9,000,000.
- b) Budget Amendment Request - BA 43/06 – Communicable Diseases - \$17,516.
- c) Budget Amendment Request - BA 44/06 – NC Arts Council - \$11,563.
- d) Budget Amendment Request - BA 45/06 – Social Services - \$780.00.
- e) Register of Deeds Request for Refund - \$600.00.

Presentation from Rescue Squad (BA 46/06 - \$10,625)

In a motion made by Commissioner Knight, seconded by Commissioner Corbett, and so the motion carried unanimously to approve BA 46/06 in the amount of \$10,625.

Formation of Tourism Development Authority

Mr. Metzler presented the following request to the Board:

Part II – MONTGOMERY TOURISM DEVELOPMENT AUTHORITY

Said Authority shall consist of nine (9) members. Members of the Board shall be appointed by the Board of Commissioners. Initial terms of office shall be as follows: 3 members-3 year; 3 members appointed to a term of 2 years; and 3 members appointed to a term of 3 years. At least one-third of the members must be individuals who are affiliated with businesses that collect the tax in the county, and at least three-fourths of the members must be individuals who are currently active in the promotion of travel and tourism in the county.

The board of commissioners shall designate one member of the Authority as chair and shall determine the compensation, if any to be paid to members of the Authority.

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The Authority's Chairman shall be appointed by the Board of Commissioners. The Authority shall elect a vice-chairperson and secretary from its members. Meetings of the Board shall be held at the call of the Chairman and at such other times as the authority may determine. The authority shall adopt rules of procedure to govern its meetings. The finance officer of Montgomery County shall serve as the ex-officio finance officer of the authority.

David Zmiewsky, Fidelity Bank (CHAIRMAN)	-	3 Year Term
Judy Stevens, EDC/Chamber	-	3 Year Term
Claudia Bulhuis, Blair House B&B, Troy	-	3 Year Term
Ken Prep, The Old North State Club, Uwharrie Point	-	2 Year Term
Tammy Dunn, Montgomery Herald	-	2 Year Term
Bipin Patel, Days Inn & Executive Inn	-	2 Year Term
Tommy Blake, Blake Real Estate	-	1 Year Term
Melinda Cagle, Eldorado Outpost	-	1 Year Term
Joseph Pate, Haltiwanger Retreat	-	1 Year Term
Cathy Baxter, County Finance Officer (ex-officio)		

Commissioner Knight was concerned with where the names came from for the Tourism Board. Mr. Metzler said the names came from the 21st Century Tourism Committee.

A motion was made to appoint the names provided to the Tourism Authority by Commissioner Morris. Commissioner Corbett seconded the motion.

Chairman Maness asked if there was further discussion.

Commissioner Knight said since we are going to vote on this list of people, I suggest that we disregard the policies that are set forth for choosing these people and whoever turned this list in replaced the Board of Commissioners with the name of the person that turned the list in. I would like to add that as an amendment to the motion. The amendment failed for lack of a second.

Chairman Maness said we have a motion by Commissioner Morris and a second by Commissioner Corbett on the floor. He asked if there was further discussion.

Commissioner Knight said I don't have any further discussion, he said I hope the secretary gets my comments in the minutes. We as a Board, just like the policy we set on the campground out there, we expect those people to abide by the ordinance that we set, and we sit here as Commissioners and we can't even abide by the we have set for ourselves. Mr. Knight said I would like that to be part of the minutes.

The motion carried 4-1 to appoint the above list of people to serve on the Tourism Board Authority. (Commissioner Knight voting against the motion).

Health Department Nursing Request

Julie Clark, Interim Health Director presented a request for additional nursing positions. She explained that this request is per the discussion at the January 17 Commissioner's Work Session, the rise in tuberculosis is having an overwhelming impact on the Health Department staff and budget. She said we would like to request for two permanent positions in our Communicable/TB Disease program. The positions will be for a Practical Nurse II (LPN) and a

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Public Health Nurse II (RN). The amount of extra county funding needed to sustain these two positions until the end of the fiscal year is \$17,433.

The LPN's starting salary would be \$29,280/year and the RN's salary would be \$32,484/year. For the next four months the total amount needed to fund the LPN position, including benefits, is \$12,931 and the RN is \$14,187. The Health Department will be able to provide from the current budget \$9,685 to support the additional positions.

In a motion made by Commissioner Corbett, seconded by Commissioner Bostic, and so the motion carried unanimously to approve the request for two additional permanent positions for the Health Department.

Recognition of Outstanding State Management

Jim Sanders Social Services Director was present to announce the Evaluation of Montgomery County DSS Food Stamp Unit. The unit is one of the top 10 in the State. He explained that Montgomery County Social Services is the first and only County that does not have a correction action plan, meaning, they failed no criteria. The unit assists 1600 families, which is up from 900 families. All members of the DSS Food Stamp Unit were present and were presented with Certificates for Outstanding Achievement.

Finance Officer Report

Finance Officer Cathy S. Baxter presented the monthly financial statement to the Board.

Sheriff Jordan was present to request an additional \$15,000 for the vehicle repair. The Sheriff said that there have been five accidents involving deer this year along with other repairs.

In a motion made by Commissioner Corbett, seconded by Commissioner Knight, and so the motion carried unanimously to approve BA 42/06 – Sheriff's Department in the amount of \$15,000 for vehicle repair.

County Manager's Report

Mr. Metzler gave the following report:

Update on RCATS

Mr. Metzler said I have communicated with Roger King about the Commissioner's desire to increase the rent from \$300 a month to \$500 a month but have not heard back from them. Once I here back from Mr. King, I will convey that correspondence to the Commissioners. Mr. King feels that they can live with the increase and will communicate that with the RCSAA Board.

21st Century Update

Mr. Metzler said all of you have been at the 21st Century Communities meetings so you are up-to-date as to where we are. Our meeting in March will be really good. The infrastructure committee has invited representatives from the Rural Internet Access Authority to talk about getting the entire County linked to high-speed internet services. We will also have a representative from the Piedmont Triad Partnership. They will be receiving \$5 million for the next three years to provide opportunities to our workforce to become technology advanced.

Personnel Committee

As you are all aware, the County is in need of a major update to our existing personnel policy. The Personnel Committee, in the past, has drafted a very good start for the personnel policy but after reading it, I think that it needs to be re-evaluated. Once the Personnel Committee is

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finished, then we will present it to the Commissioners for your consideration. Commissioners Knight and Morris serve on this Committee.

We had a meeting last week and discussed Article 1 in which many modifications were needed. We will try a meet once every two weeks so that we can get this update to you.

Recreation Committee

The Recreation Committee was formed out of the 21st Century Infrastructure Committee. The objective of this committee is to make recommendations to the Commissioners on providing Countywide Recreation for all ages. We had Barbie Honeycutt and Charlynee Smith from NCSU to talk about how other communities started recreation programs, funding opportunities and strategies for implementation. We will be scheduling a meeting in March with the Recreation Directors from Albemarle and Randolph County to assist us in developing our strategy and get some do's and don'ts on what they went through. Commissioners Bostic and Maness serve on this committee.

Working for Results as a Board Seminar Itinerary

Mr. Metzler handed out the travel itinerary for the Working for Results as a Board Seminar.

Fibrowatt Reception

Mr. Metzler said we will be having a panel discussion with Fibrowatt and county poultry growers on Friday, February 24 at 3:00 p.m. to discuss the operations and how it will affect the growers. Our state and federal representatives have been invited to attend. in this room.

Business of the Year Banquet Reminder

Mr. Metzler announced The Business of the Year Banquet hosted by the Chamber of Commerce will be on February 28, 2006 at 5:30 p.m. at the James Garner Center. They have reserved a table upfront for the Commissioners and me.

NACo 2006 Legislative Conference in Washington, D.C.

Mr. Metzler announced the Legislative Conference in D.C. is to be held March 4 thru the 8. I will not be able to attend due to conflicts in my schedule but if any of you want to represent the County and convey our legislative issues then please stop by and let me know.

Commissioners Knight and Bostic said they would like to attend.

Jail Review Committee

Mr. Metzler reported that the Jail Review Committee met on February 13, and discussed the various concerns and issues with the Judge, Magistrate, Clerk of the Courts, and Nurses. We have narrowed the conceptual design down much like your presentation. They will be in the process of design and working with the state. I will keep you informed as I hear reports from the engineering firm.

Spayed and Neutered Program

Mr. Metzler said the Spayed and Neutered Program has been a very successful program. We have had 43 participants with 10 pending participants. We have almost exhausted all of our funding for this year. He said this was the first program in North Carolina like this. The program was featured as a story on the television. He said he hoped to team up next year with the veterinarian with the spayed and neutered program and an animal microchip program.

Receipt of Annual Check from Republic Services

Mr. Metzler announced the County has officially received the \$75,000 check from Republic Services where the County puts towards countywide recreational programs.

Items Carried Forward from Work Session

Appointing the Agent of Record

The Board agreed to have Mr. Metzler contact Mrs. Gupton to set up a meeting to meet Commissioner Knight.

Fuel Tank System

In a motion made by Commissioner Corbett, seconded by Commissioner Bostic, and so the motion carried unanimously to approve the not to exceed amount of \$34,000 to purchase a new fuel tank system.

Change of Scheduled Meeting Date (May 2, 2006 – Election Day)

In a motion made by Commissioner Bostic, seconded by Commissioner Corbett, and so the motion carried unanimously to approve to have only one regular meeting in the month of May, which is May 16, 2006.