

Montgomery County Commissioner's Meeting

October 20, 2008

Chairperson – Sally M. Morris

Vice Chairman – Dolon W. Corbett

Commissioner – William D. Maness

Commissioner – Jackie Morris

Commissioner – George H. Knight, Jr.

County Manager – Lance L. Metzler

Finance Officer - VACANT

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, October 20, 2008 at 6:00 p.m. in the Commissioner's Assembly Room. All Board Members were present. *Chairperson Sally Morris called the meeting to order and the following was heard:*

Invocation

Commissioner Jackie Morris gave the invocation.

Chairperson Morris announced there were several deletions made to the agenda. The Budget Amendments were not ready; our Attorney is looking into the paperwork for the Fire Commission Property, and Sandhills Mental Health Report were all removed.

She also announced that some Board members had to leave early so she was going to rearrange the agenda so that items that need to be voted on will be first.

Overview of Rules & Procedures

Chairperson Sally Morris asked County Manager Lance Metzler to give a brief synopsis of the rules and procedures. Mr. Metzler gave the overview as requested.

Announcement of Grant Received

Chairperson Morris announced that Montgomery County has received notification that we have the additional grant money needed to install the water lines in the Rocky Springs Community. These grants are \$400,000 from the Department of Commerce and \$200,000 from Bernard Allen Emergency Drinking Water & DEHNR. This is the last piece of the puzzle to install these water lines. She said I know it has seemed a long time to these people and I am sure it that would to any of us if we didn't have water. I know it has been a great hardship on you.

This Board of Commissioners, our County Staff, and State Representatives have worked very hard to get this money and I am proud to say that we have it in hand. We will be holding a meeting to give you timelines and information on when we will be getting started. She asked County Manager Lance Metzler if he had anything to add.

Mr. Metzler said no, the whole project is \$1.6 million. I know Mrs. Reynolds is frustrated as well as the entire community is frustrated with the time of it, but it is extremely quick and the State can tell you that to get \$1.6 million in roughly 6-9 months – that is quick. It is an act of a lot of hard work by all of our delegates, Mrs. Melanie Wade Goodwin, Senator Tillman, Pryor Gibson, and Purcell and all of those who looked out for us. Mary Beck and Wes Carter also helped us. At the meeting, we can tell you when to expect it since we have the last piece of the puzzle. Amanjit said he is going to try to rush the environmental assessment through since it is an emergency situation so it won't take as long as your

typically environmental assessment review. We will have a timeline so the citizens will know what to do.

Chairperson Morris thanked this Board of Commissioners for all their work.

Consent Agenda

A motion was made by Commissioner Corbett and supported with a second from Commissioner Maness. The motion carried unanimously (with the exception of a).

- ~~a) Approval of Minutes.~~
- b) Budget Amendment 11/09 – Health Department TANF Grant.
- c) Approval of Tax Refund for TCF Equipment Finance, Inc. (\$621.16).
- d) Award of Bid for Springdale Heights Project – Triangle Paving & Grading Company

Approval of Minutes

Commissioner Knight said in reading over the minutes I noticed they aren't as in detail as they usually are and on the last page of the minutes there were some comments made by myself that I noticed are not in the minutes. I do not have the tape so I can't quote what was said because I know I justified myself as to why I didn't want to vote for the variance. I noticed that information is not in the minutes. I don't know why, but I think it is important because we may have to refer back to it at some time.

Mr. Metzler said if you want to postpone the minutes they can be doubled up on the next agenda and if the Board wishes, we can include those comments.

Commissioner Maness suggested that Commissioner Knight get with Laura and go through the tape and if there is anything that needs to be added, go ahead and add it and approve the minutes. He said I have no problem with that.

Chairperson Morris said you usually don't do word for word correct? Mrs. Morton said I have gotten away from verbatim. Mrs. Morris said it isn't required. Mrs. Morton asked the Board if they would consider approving the May 20th Board of Adjustment minutes that were left out of last month's packet. The auditors need to look at these approved minutes.

There was some discussion.

Commissioner Knight made a motion to approve the minutes, contingent upon the changes discussed. This motion was seconded by Commissioner Maness. The motion carried unanimously.

Solid Waste Ordinance Amendment Public Hearing

Chairperson Morris closed the regular session and called to order a public hearing on the text amendment. Phil Henley, Director of Inspections, discussed the changed with the Board.

The change is the definition of yard waste

FROM: vegetation matter resulting in landscaping maintenance

TO: matter produced by plants or growing in the manner of a plant.

County Manager Lance Metzler said we have been contacted by several residents and I think some of you have as well regarding property that is abandoned beside them where the property owners have abandoned their homes and properties and have allowed vegetation to grow out of control which attract rodents, is unsightly and can depreciate the value of property.

Currently yard waste is defined as vegetative matter resulting from landscaping maintenance meaning accumulated left over clippings, destroyed vegetation, etc. The new yard waste definition of, "Matter produced by plants or growing in the manner of a plant" will allow us to address the issue of unmanaged growth. We would send notice to the property owner; allow them adequate time to clean up. If they have not cleaned up within the allotted time then the County would clean the property and put a lien it through taxes until the debt was settled.

No one spoke during the public hearing.

Chairperson Morris closed the public hearing and reconvened the regular session.

A motion was made by Commissioner Corbett to approve this text amendment. A second was made by Commissioner Maness.

Commissioner Knight said I don't have a lot of discussion, but I have mentioned it before about the ordinances and amendments and things we do. I used to believe, or feel that when we did an amendment to an ordinance that was law. I found out in the last meeting that the law doesn't mean that much; that after we approve an ordinance, then we need to abide by that ordinance. If we are not going to abide by the ordinance, I don't see any need of approving or amending it. If we are going to make someone clean up their yard, but the Planning Board and the Board of Commissioners didn't abide by the ordinance on the variance, so what do we do then, approve ordinances to punish the citizens and it doesn't apply to us. I would like to be cleared up on that. Does the ordinance mean what it says or are we just going to do what we want to do when we want to do it. Why do we need an ordinance? We can just make it up as we go if we aren't going to abide by it. I am clear with that.

Chairperson Morris asked for other comments.

The motion carried 4-1 (Knight voting no) to approve the text amendment to the Solid Waste Ordinance.

Planning Board Report

Mr. Phil Henley, Director of Inspections presented the following report from the Montgomery County Planning Board:

Public Hearing – Mark & Sandy Koury – Variance Request

Chairperson Morris closed the regular session and called to order a public hearing for a variance request from Mark & Sandy Koury.

No one spoke during the public hearing. Chairperson Morris closed the public hearing and reconvened the regular session.

MARK AND SANDY KOURY **1295 EMERALD SHORES RD, MOUNT GILEAD, NC**

Mark and Sandy Koury are requesting a 1 foot setback variance to enclose and add on 1ft. 6in. in depth to the existing deck located at 1295 Emerald Shores Road, Mount Gilead.

Commissioner Corbett asked if any complaints were received. Mr. Henley said no.

A motion was made by Commissioner Corbett and supported by and seconded by Commissioner Maness to approve the Koury variance request.

Commissioner Knight asked if it is compliance with the ordinance. Mr. Henley said yes with the variance.

Chairperson asked if this would cause a hardship. Mr. Henley said no.

Mr. Knight said I want to make sure when I vote, I can take the Planning Board's word and I want to make sure it goes along with the ordinance. Somewhere along the line I found out I can't trust somebody. After reading it myself, it didn't seem that we are on the same sheet of music.

As long as we abide by that and until we change it, hey, I am for it.

The motion carried unanimously.

The Board thanked Phil for filling in for the Planner Position.

Correll Road Water Problem

County Manager Lance Metzler said as you all are aware, Correll Road has had a problem with water pressure for years. He said Bruton Carpenter is having problem as well.

The property owners signed up to get water and only one has tied on with no pressure. They have not tied because the lack of ability to get water. They are still paying a minimum even though they don't have the ability to get water. One is getting water and would recommend that he pays for what he uses but I would recommend allowing the others to be free from paying the minimum unless they are able to get adequate water pressure. Wes Carter is here to explain the options for providing water to these residents but they are pretty cost prohibited.

Mr. Wes Carter with Hobbs Upchurch was present. He went through the Board's options. He said when we met with residents of Correll Road we concluded that we would ask the Board to consider Correll Road (as well as Bruton Carpenter) to allow them not to pay the minimum unless they are able to get adequate water pressure. Mr. Carter went through the long term solutions the Board could consider.

Commissioner Maness and Commissioner Jackie Morris asked if this was an engineering problem from the beginning. Mr. Carter explained the water supplier is required to supply 20 to 30 lbs of pressure. Mr. Metzler said the residents didn't know they were going to have to purchase additional pressure equipment. Mr. Morris asked if the County is supplying what we are supposed to be supplying. Mr. Carter said he can't say for sure.

The Board also discussed funding, timeline, and installation of the next phase of water lines.

Mr. Carter explained the 2008 Audit is crucial.

Commissioner Knight said I understood in the past, that if you have water in an area through a grant, you can't apply for grants to upgrade the line with fire hydrants. Mr. Metzler said that is true. Mr. Knight said how we can do that for fire hydrants. Mr. Metzler said you can for the overall system to help the flow. Mr. Carter said fire protection isn't a critical need. You can't request grant money for fire protection.

After some discussion the Board requested that County Manager Lance Metzler and Wes Carter bring more information back to the next meeting for the Board to make a decision.

State of the Library

Mrs. Carol Walters & Mr. David Atkins presented the State of the Library annual report to the Board of Commissioners.

Fire Commission Property – Coggins Road Discussion *(Tabled at the Sept. Meeting)*

Mr. Alan Griffin will be present at the November meeting to discuss this issue.

Sandhills Mental Health Update

Mr. Michael Watson will give the Sandhills Mental Update at the November Meeting.

Update of Bad Debt Collection from County Water

Mrs. Jo Haywood presented an update on Bad Debt Collection. She said we are continuing to pursue monies owed to Montgomery County Water System via NC Debt Setoff Program. Jennifer Hall is handling collection and provided the following breakdown

NC Debt Setoff Received:

2006	-	\$ 5,697.15
2007	-	\$ 19,835.30
2008	-	\$ 13,214.77 to date

Less than \$50 – All are inactive accounts

167 accounts - \$ 3,546.49

More than \$50 – 74 are active accounts with ongoing bills

214 accounts - \$160,958.33 (around \$37,000.00 of this amount is sewer charges for Twin Harbor)

Payment Arrangements – Only 5 are active accounts with ongoing bills

13 accounts - \$4,718.63

For the past fiscal year, our collection rate was 92.55%.

She gave credit to her staff Jennifer Hall and Pearl Peters.

County Manager's Report

County Manager Lance L. Metzler presented the following report:

County Jail Construction Update

- The Jail is coming along quite well. I would encourage all of you to go out there and ask Lewis to take you on another tour.
- The project is about 50% complete.
- The roof is on and they will be able to really start aggressively working on the facility.

Finance Director Interviews Report & Salary Request

- We had Springstead scale down nine applications for the interview process for Finance Director.
- I interviewed the six last week and we have some excellent candidates.
- I will have a telephone conference call with two and make an offer next week.
- If you would like to see the resumes' of the applicants you can come by my office and view them.

- We may have to increase the salary offer during negotiations but I need that flexibility to be able to attract someone that can do the job here.

E-Montgomery Newsletter

- It is an honor that Montgomery County now has its first Newsletter that we will provide quarterly.
- It is an update, informational document that we can allow the citizens to see what is happening in each department in their County.
- I owe the entire newsletter to Laura. She did a great job!
- It is available on our website and various public places throughout the County.

Rules of Procedure Workshop at the James Garner Center

- It is a workshop conducted by the School of Government to assist entities the practical approach and benefits of parliamentary procedure.
- It will be held on November 13th from 3:30 until 8:00 at the James Garner Center.
- If you are interested in going then please let Laura know.

Christmas Parades (Star & Mt. Gilead) Registration

- If any of you are interested in being in the Christmas Parades for Star and Mt. Gilead, then please let Laura know.
- They will be contacting us soon.

Weekly Newsletter

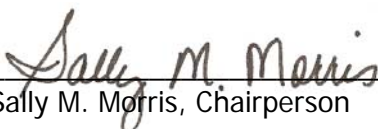
- I have included a Weekly Newsletter of the activities in County Administration in your packet.
- There is a lot that we are doing that you may not be apprised of, so I thought it would be a good idea to provide you with it.
- It is a good tool to keep you informed on activities so if your constituents ask you a question then you are well informed on the topic at hand.

Public Forum

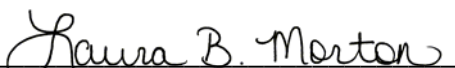
No one spoke during the public forum.

Adjournment

There being no further business, the meeting was adjourned.


Sally M. Morris, Chairperson




Laura B. Morton, Clerk to the Board