



Caldwell County
North Carolina
Board of Commissioners Meeting

August 12, 2024 at 6:00 PM
City-County Chambers
905 West Avenue NW, Lenoir

MINUTES

Attendance:

Randy Church, Chairman
Mike LaBrose, Vice Chairman
Jeff Branch, Commissioner
Donnie Potter, Commissioner
Destin Hall, County Attorney
Donald Duncan, County Manager
Abby Rich, County Clerk

Absent:

Robbie Wilkie, Commissioner

Call to Order

Chairman Church called the August 12, 2024, Board of Commissioners meeting to order at 6:00PM to begin the Public Comment Period.

The Chairman re-called the meeting to order at 6:04 PM after the Public Comment Period.

The Chairman thanked those watching in the audience and from home.

Public Comment Period

Jeffrey Cardwell came to the podium to represent Gamewell Fire Department. The fire department recently completed the Keith Owens Junior Fire Academy. There were approximately 60 students involved and there was also a boot camp held for others that could not attend the full academy. Mr. Caldwell said this was a great success and thanked all the departments and the schools involved. Mr. Caldwell noted his purpose of being in attendance was to thank everyone. He also indicated that he was very grateful to Chairman Church and Commissioner Potter for coming. In closing, Mr. Caldwell told the Board he was representing Chief Michael Brewer and Gamewell Fire Board President, Rusty Dellinger.

Invocation

Reverend Floyd Boston of Central Advent Christian Church came to the podium to provide the invocation for those in attendance.

Pledge of Allegiance

Commissioner Donnie Potter led the Pledge of Allegiance for those in attendance.

Agenda Amendments from the Board, Manager & Public

The County Manager informed the Board of one amendment to the agenda. This amendment would move Item 10 to Item 1.

Vice Chairman LaBrose made the motion to accept the agenda as the County Manager has presented with the moving of the resolution from 10 to 1.
The motion carried unanimously.

Agenda Items

1. Amendment to 2024-2025 Schedule of Fees for Animal Care Enforcement

Animal Care Director Richard Gilliland came to the podium to present a new item to be added to the Animal Care 2024-2025 Schedule of Fees. Director Gilliland showed an example of the new ID tags being offered to pet owners by Animal Care and explained how the tag works.

Commissioner Potter asked how the public would get a tag. Director Gilliland told Commissioner Potter the public can come to the Animal Care Shelter to purchase the ID tags. There was a brief discussion about the cost to adopt an animal and the services included with the adoption.

Commissioner Potter made the motion to approve the amendment to the 2024-2025 Animal Care Enforcement Schedule of Fees.

Commissioner Potter then told the Board that he wants to amend the fee schedule for EMS lift assists as well. This amendment would remove the \$150.00 cost and make this service free.

Commissioner Potter amended his motion to include the changing of the cost of list assists from \$150.00 to \$0.00.

The motion carried unanimously.

2. VAYA Health Updates

Dustin Burleson of VAYA Health came to the podium to provide the Board with updates from VAYA Health. Mr. Burleson told the Board that the biggest thing that has happened since his last presentation to the Board was the launch of the Tailored Plan. Mr. Burleson provided a background of the Tailored Plan and highlighted areas of coverage for this plan.

Commissioner Potter commended VAYA Health for all of their hard work and support. Other members of the Board thanked Mr. Burleson as well.

3. Foothills Conservancy Grant Assistance Request

Shane Prisby came to the podium to present a Foothills Conservancy grant assistance request. Mr. Prisby provided that the parcel is 326 acres and Foothills Conservancy believes this land is a community asset. He then continued by telling the Board that Foothills Conservancy plans to explore placing trails on this property. The specific grant is the Great Trails State Program Grant. The local match for this grant is \$50,000 and Foothills Conservancy is requesting to split this match cost with Caldwell County and the Town of Blowing Rock. Mr. Prisby indicated that Foothills Conservancy would be

the primary grant sponsor and would do most of the writing. Additionally, Foothills Conservancy would work with the contractors, etc., if the grant is awarded. The Board was informed this item requires a motion and the motion can be contingent upon support from the Town of Blowing Rock.

Commissioner Potter asked what the timeline would be for the project from start to finish, if the grant is awarded. Mr. Prisby said the process could take up to 3 years, mostly due to federal requirements. Mr. Prisby was then asked who would write the grant if Caldwell County decided to approve the request. Foothills Conservancy would be the grant writers. The County Manager recommended the Board's motion be contingent upon the support from the Town of Blowing Rock. There was then a brief discussion about who would be the lead for the project and which part of the County's budget the money would be taken from.- This funding would be pulled from the General Fund. The next discussion addressed the opportunity for hunting in the area and Commissioner Branch noted opposition due to concerns about the restrictions placed on hunters in this area.

Commissioner Branch made the motion not to apply for the grant.
The motion carried unanimously.

4. Call for Public Hearing for Naming of an Unnamed Road- Wing N Biddy Way

GIS Administrator Micah Kelly came to the podium to request a public hearing for Wing N Biddy Way. Biddy Nichols is requesting to name a road in the Sawmills area of Caldwell County. Mr. Kelly told the Board that the owner may subdivide in the future, but there is only one resident currently. Mr. Kelly continued by telling the Board the property owner has made this request for the purpose of having an E-911 address. Vice Chairman LaBrose asked if this unnamed road is along Helton Rd. Mr. Kelly was able to provide that the property is located along Helton Rd. Chairman Church stated that he wants to wait until there is a road in place before the Board permits the naming of it. The Board told Mr. Kelly they want proof that there is a road in place prior to approving the name.

Commissioner Branch made the motion to have a public hearing for the road naming at the next meeting.

The motion carried unanimously.

5. Recognizing the Retirement of Sheriff Alan C. Jones

Chairman Church read the resolution for those in attendance.

Chairman Church then made the motion to approve the resolution.

The motion carried unanimously.

Sheriff Jones came to the podium and said it's been an honor to serve Caldwell County. Sheriff Jones continued by saying it's a blessing and thanked everyone at the Sheriff's Office. He said he still sees great things coming from them and noted this Board of Commissioners has allowed the Sheriff's Office to get some of the best equipment available. Sheriff Jones thanked everyone again.

Commissioner Potter said it's been a true honor to have him as our Sheriff. The other Board members echoed those sentiments.

6. Disposal of County Owned Property by Private Sale

Chairman Church made the motion to dispose of this property by private sale of negotiated sale.

The motion carried unanimously.

7. Acceptance of Nominated Sheriff's Surety Bond

The County Manager provided an explanation for the Sheriff's bond.

Vice Chairman LaBrose made the motion to approve the bond.

The County Manager added that the bond would be recorded with the Register of Deeds and Clerk of Court's Office by the County Clerk.

The motion carried unanimously.

8. Quasi-Judicial Hearing SUP 2024-2 Cell Tower - 4548 Grace Chapel Rd

County Attorney, Destin Hall, opened the public hearing for an application for a special use permit to construct a cell tower/telecommunications tower at 4548 Grace Chapel Road, Granite Falls. Attorney Hall indicated there were three individuals who were signed up to speak on this matter. Those individuals were Tom Johnson, Shelley Stevens, and Michael Berkowitz. Attorney Hall asked the audience if there were any other individuals who wished to speak for or against the application; there were none. Mr. Johnson, Ms. Stevens, and Mr. Berkowitz were all sworn in by County Clerk, Abby Rich.

Attorney Hall asked Ms. Stevens to provide her name, information about her background, and to tell the Board what it needs to know about the application. Ms. Stevens provided that her name is Shelley Stevens and she is the Planning Director for Caldwell County. Ms. Stevens stated that she has worked for Caldwell County for almost ten years, she worked for two years as a planner with the Western Piedmont Council of Governments, and before that she worked a short time in the private sector for planning. Ms. Stevens continued by telling the Board she has a master's degree in urban planning and an undergraduate degree in public policy. Ms. Stevens then began her presentation by telling the Board this is the second special use permit request of the year. This application is for a cell tower and the applicant is Thomas Johnson Jr. who was in attendance for the meeting. Mr. Johnson is working on behalf of TowerCo, and they are hoping to create this tower for Verizon. The location for the application is at the Grace Chapel Fire Department. This property is owned by Grace Chapel Fire Department Inc. and the parcel is located at 4548 Grace Chapel Road, Granite Falls. Ms. Stevens provided the site conditions are a field with a fire department adjacent Grace Chapel Road. The parcel is 8 acres total and the applicant wants to use a 75-foot by 75-foot area totaling to a leased area of 5,625 sq. ft. There would be a 50-foot by 50-foot gravel area within this area that would be fenced and the cell tower would go within this area. The current zoning is RA-20 and the current elevation is 1,128.56 feet. Ms. Stevens told the Board that surrounding land uses included homes, fields, woods, and a solar farm. The surrounding zoning of the property is RA-20. Ms. Stevens told the Board that cell towers are allowed by right or by special use permit in every zoning jurisdiction that the County has in the unincorporated area. Continuing, Ms. Stevens displayed a map and stated that this property is located in the southeastern quadrant of Caldwell County. The next display was an aerial photograph

showing what the site looks like currently. Ms. Stevens indicated they will be using a 30-foot easement to lead to the tower. Ms. Stevens said they would use the existing pavement and then add 12 feet of gravel. There would be a 50 by 50 area with gravel where the equipment would be housed and this would be buffered by two rows of trees per ordinance requirement. Ms. Stevens said the tower itself would be 190 feet with a 5-foot lightning rod and room for three additional carriers possibly providing for better signal for other carriers as well. Additionally there would be an 8-foot fence with 3 rows of barbed wire to protect the equipment at the base of the tower. Ms. Stevens then referenced the Caldwell County Future Land Use Map and indicated that this tower would be a low density use and this area of the map does suggest low density uses such as this. Ms. Stevens reminded the Board that cell towers are allowed in every zoning district by special use permit. Ms. Stevens then told the Board that with a special use permit request, if the applicant can meet all of the requirements of the zoning ordinance, and any that are added by the County Commissioners, then they are supposed to be issued their special use permit. The applicant is using their application as their evidence along with any testimony provided during the hearing. Ms. Stevens told the Board that there were a few items listed in their packets that were still pending due to edits needed. Ms. Stevens stated that the applicant has turned all of these in and she reviewed them all against the ordinance requirements along with the County Attorney. Ms. Stevens then stated that they believe the applicant does meet the requirements of the zoning ordinance at this time. The only provision still pending is the maintenance and removal language in their lease. Ms. Stevens said this is a requirement, but the applicant did not have the right amount of time listed for clearing out the tower in the event there is a cessation of use. Ms. Stevens told the Board that the applicant does have these edits made and ready to be approved. Ms. Stevens then stated that the Planning Board's recommendation is approval contingent upon receipt of completed and correct required documents. Attorney Hall asked Ms. Stevens if in her opinion, other than the one exception, if the permit meets the requirements of the ordinance for a special use permit. Ms. Stevens replied yes it does. Attorney Hall asked the Board if they had any questions for Ms. Stevens. Vice Chairman LaBrose asked if all the property owners surrounding the property have been contacted. Ms. Stevens replied that they have. Vice Chairman LaBrose then asked if there were any concerns from these property owners. Ms. Stevens informed him that there were not. Ms. Stevens further elaborated that by law, they must send out notices to all of the adjacent property owners and the Planning Technician, Kim, goes step further and does so twice. The first notice is sent prior to the Planning Board meeting and the second notice is sent prior to the Board of Commissioners meeting. Ms. Stevens indicated that they had not received any calls or emails. Vice Chairman LaBrose said he has received one call from an adjoining property owner. The Vice Chairman said the property owners are the Flanders and the tower would border their property. The Vice Chairman then asked Ms. Stevens if there is some type of buffer. Ms. Stevens said the applicant is meeting the requirements of the buffering around the base. As an example, Ms. Stevens provided that the applicant would have two rows of plants similar to Leland Cyprus trees. The Vice Chairman then assisted Ms. Stevens in locating where the property is in reference to the tower, stating that the property is to the north and the left of the station. Ms. Stevens stated that the next presentation may answer this question better because the presenter has visuals from different locations. Attorney Hall asked Mr. Johnson if he had any questions for Ms. Stevens; he did not. Attorney Hall then acknowledged that Ms. Stevens presentation would be put into the record as an exhibit.

Mr. Johnson, having been sworn in by the County Clerk came to the podium next. Mr.

Johnson introduced himself as Tom Johnson, a lawyer with Williams Mullen at 301 Fayetteville Street, Suite 1700 in Raleigh. Mr. Johnson then indicated that he's been a lawyer for 39 years and has been doing towers for about 35 years. Mr. Johnson asked that the application and all associated materials that have been submitted to the Planning Department be admitted into evidence to support the request. Attorney Hall said all of these will be in the record if there are no objections from the Board members. With no objections from the Board, these items will be in the records. Mr. Johnson then acknowledged that Ms. Stevens is correct in saying that the firm has been through all of the conditions and the only thing outstanding was they had to go back to the Fire Department and their board had to approve their lease amendment. Mr. Johnson stated this was a minor thing to be done to comply with the County's Ordinance. Mr. Johnson then said it was his understanding that the Board had reviewed it with its attorney this morning, but he had not heard the result of their review. Mr. Johnson noted that it would take a day or two to get this back and signed. This was not something the applicants had anticipated, but they have it in process. Mr. Johnson said for all of the other conditions, they had worked with the County Attorney and gotten those resolved. Mr. Johnson then told the Board that Mr. Berkowitz was in attendance and he had completed the impact study that is in the record. Mr. Johnson told the Board that Mr. Berkowitz is an appraiser out of Charlotte and his qualifications are in the record. Mr. Johnson further stated that there would be no adverse financial impact on the joining properties. Next, Mr. Johnson informed the Board that this tower is for Verizon, to provide reliable service for health and safety. He said individuals can use the service to call Emergency Services and Emergency Services can use the network in order to provide services to the community. Mr. Johnson said this tower would be located where some first responders are located at Grace Chapel Fire Department. Mr. Johnson indicated that the Grace Chapel Fire Department would benefit from this tower as well because they will receive some income from the tower being there. Mr. Johnson then showed a photo to the Board that provided a comparison of current cellular coverage and future cellular coverage with the tower. Mr. Johnson said the goal is to have in-building coverage. Mr. Johnson stated that with this tower, the coverage will go from being spotty to well covered. Continuing, Mr. Johnson told the Board that the tower will not have to be lighted and there is approval from the FAA shown in the record. Next, Mr. Johnson showed the Board a picture of the site survey and told the Board that they would be using the existing driveway of the fire department that is paved. When the asphalt stops, a small amount of gravel will be placed for a turnaround and parking area. Mr. Johnson then showed the Board another depiction of the site survey and acknowledged the features of the cell tower site. Mr. Johnson told the Board that there would be two rows of Leland Cyprus surrounding the site as required by Caldwell County Ordinance. The next image showed a depiction of the cell tower and said there will be equipment cabinets on the site. Mr. Johnson said there will be fiber optic cable that will go up the tower to improve service and speed. Mr. Johnson displayed a map showing the locations where the photo simulations were taken. Mr. Johnson then showed the Board the photo simulations including the proposed tower in these photos. Mr. Johnson told the Board that this will improve health and safety of the community because it will provide access to wireless and help first responders. He further stated that this tower would not be detrimental to the public welfare or injurious to property or public improvements in the neighborhood as Mr. Berkowitz had submitted his impact study that showed no adverse impact on property values in the area. Mr. Johnson stated that they have met the requirements of the County's Ordinance. Mr. Johnson concluded that this permit would be contingent upon the completion of the lease agreement, as its supposed to be, and the next step will be going to building permit and then to construction. Attorney Hall asked if any Board

members had any questions. Commissioner Branch asked why this tower is not 195 feet and if it was to keep the light off of it. Mr. Johnson told Commissioner Branch that this height was to keep the light off as the light requirements are 199 feet. Above this, the FAA requires the tower to be lighted unless the tower is in close proximity to an airport. Commissioner Potter asked why this tower isn't lighted given its proximity to a helipad. Mr. Johnson told Commissioner Potter that they had gone through the FAA process and had received a FAA 7460. Mr. Johnson then told the Board that the only lighted pole that might be shorter than this one is near the motor speedway off of I-85. Mr. Johnson said the FAA would have made the determination that it needed to be lighted with the helipad if necessary, but they did not. Mr. Johnson said that pilots are used to anything below 200 feet because they are on the map and all of the aeronautical maps so they know its there. Mr. Johnson told the Board that it has to be registered through the FCC and the FAA and it's all registered. Attorney Hall asked if there were any other questions from Board members. Attorney Hall also said that Mr. Johnson's PowerPoint will be part of the record as well.

Having been sworn in by the County Clerk, Mr. Berkowitz then came to the podium. Attorney Hall asked for Mr. Berkowitz to provide his professional background and his opinion on this application. Mr. Berkowitz provided that his name is Michael Berkowitz and his address is 1100 Sundance Drive, Concord, NC. Mr. Berkowitz said he has been an appraiser for over 20 years, he is a graduate of Duke University, and he has been living in North Carolina close to 30 years. Mr. Berkowitz told the Board that his study was about the impact of the cell tower from an appraisers perspective. Mr. Berkowitz said there were two ways to go about this, either qualitative or quantitative. Mr. Berkowitz further said that the data in Caldwell County is not accurate to do a full quantitative analysis, but he did provide several examples of home values with cell towers. Mr. Berkowitz told the Board that this tower being located on the grounds of a fire station is one of the most common and ideal places for a cell tower. Due to a tower already being located on the site, the incremental increase to provide service to a wider area from a qualitative standpoint does not impact the value of surrounding properties. Mr. Berkowitz said this finding is what impacted his conclusion. Attorney Hall asked the Board and Mr. Johnson if there were any questions for Mr. Berkowitz. There were no questions. Attorney Hall then asked for the record to reflect that Mr. Berkowitz was sworn in prior to giving his testimony. Attorney Hall then asked the room if there was anyone else that wished to speak in regards to this application. Hearing none, Attorney Hall stated that the evidence that was brought before the Board both in the application, PowerPoints, and testimony will now be in the record without any objection from the Board. Attorney Hall then turned the meeting back to Chairman Church.

Commissioner Branch made the motion to approve the application for the new cell tower at Grace Chapel Fire Department. Attorney Hall recommended that the motion include subject to the maintenance and renewal language in the lease being corrected as Ms. Stevens and Mr. Johnson had mentioned. The motion was amended to include the contingency of the language amendments.

The motion carried unanimously.

9. RZ 2024-2 R-20 to GB - 2125 Wilkesboro Blvd

Planning Director Shelley Stevens came to the podium to present a rezoning request. This request is being made by Michael Hartley for James Oxygen and Supply Company. The property owner is Hartley Family Investments LLC. The property is located at 2125 Wilkesboro Blvd. Lenoir, NC. The property is currently zoned R-20 and

the applicant is requesting for the property to be rezoned to General Business. Ms. Stevens told the Board that part of the property lies within the City limits of Lenoir. This current request is only for the portion located within Caldwell County limits. The Comprehensive Land Use Map shows this area is defined as an area that has a future use for general business. Ms. Stevens said the Planning Board does recommend approval of this rezoning.

Chairman Church declared the public hearing open, and noted that Ms. Stevens previous comments would be accepted as part of the public hearing. With no individuals being signed up to speak, the public hearing was declared closed.

Chairman Church made the motion that approval of this request is reasonable and in the public interest because the amendment is consistent with the County's Comprehensive Plan which contains a future land use map that aligns with the request by suggesting General Business zoning for this area (via the Industrial Center Node). There is no evidence that the rezoning would negatively impact the surrounding neighborhood and adjacent properties, and it can promote public health, safety, and welfare by allowing a retailer or other business to provide goods or services to the public.

The motion carried unanimously.

10. RZ 2024-3 RA-20 to GB - Connelly Springs Rd

Planning Director Shelley Stevens remained at the podium. Chairman Church declared the public hearing open. The applicant is Raymond Dollar and he is also the property owner. The property is located at 2881 Connelly Springs Rd. Granite Falls. The property is currently zoned RA-20 and the surrounding zoning varies with General Business and RA-20. The Comprehensive Land Use map suggests General Business as a future land use for this area. Ms. Stevens told the Board that the Planning Board recommends approval of the rezoning request. Chairman Church asked if there was anyone else that wished to speak. With there being none, the public hearing was closed.

Vice Chairman LaBrose read the consistency statement stating approval of this request is reasonable and in the public interest because the amendment is consistent with the County's Comprehensive Plan which contains a future land use map that aligns with the request by suggesting General Business zoning for this area (via the Commercial Corridor Node). There is no evidence that the rezoning would negatively impact the surrounding neighborhood and adjacent properties, and it can promote public health, safety, and welfare by allowing a retailer or other business to provide goods or services to the public, with a motion to approve this rezoning.

The motion carried unanimously.

11. Capital Project Ordinance for Courthouse

The County Manager told the Board that the County has received \$16.5 million dollars from the State for the Courthouse project and this budget revision would bring the latest \$10 million dollars into the County's budget. The County Manager then noted that the second action item for this would allow the County to spend up to \$5.2 million dollars on a design for the future Courthouse.

The County Manager reviewed a PowerPoint noting the current courthouse design, and a proposed layout for the future courthouse.

Vice Chairman LaBrose noted the design money is already set aside, and no County money is being used at this time.

Commissioner Potter then noted that there is a sunset on the money received from the State and the funds have to be spent by October 3rd of 2025. There were no more questions or comments from the Board.

Vice Chairman LaBrose made the motion to approve this project ordinance and budget revision for the Courthouse.

The motion carried unanimously.

12. Capital Project Ordinance for Communications Center

The County Manager noted that this project has grown into a regional communications center. The County had \$8.5 million dollars given by the State to build this facility and additional \$14.5 million dollars added to this project for a total of \$23 million dollars. This facility will house the Caldwell County Communications Center, Lenoir Police Department Communications, host the Western Branch of the North Carolina Emergency Management, SKIF, the North Carolina National Guard Cybersecurity Team, Office of the State Fire Marshal, Office of Department of Insurance, and North Carolina Viper.

This will be a regional project and Caldwell County would become the default communications center if there was a large disaster. This item will bring in the additional funds for the project.

Chairman Church made the motion to adopt this capital project ordinance for the communications center.

Commissioner Potter asked if there had been any more discussion with other counties. The County Manager provided that there has not been any recently.

The motion carried unanimously.

13. Approval of Capital Outlay Loan

The County Manager provided a list of the items this loan would assist with funding.

Commissioner Potter made the motion to approve the capital outlay loan as described by the County Manager.

The motion carried unanimously.

Consent

14. doTerra Grant

The Caldwell County Sheriff's Office is requesting approval to submit a grant to purchase evidence lockers.

15. Upgrading Ambulance Remount to New Unit

The County Manager provided that this would switch the remounting of an ambulance to a new ambulance unit. The amount of this revision is \$360,753.00.

16. Health Department- Agreement Addendas for Communicable Disease Pandemic Recovery

This item includes two budget revisions for agreement addendas for the Health Department. The total of the first revision is \$61,028.00 and the total of the second revision is \$73,546.00.

17. Health Department- Agreement Addenda for Public Health

This item is a budget revision for agreement addenda for the Health Department. The total of this revision is \$100,000.000.

18. Health Department- Upstream Grant Funding

The Health Department was awarded a grant from Upstream in the amount of \$13,500.00.

19. Health Department- COVID-19 Funds

This budget revision allows additional funds to flow through the Health Department's budget. The amount of this revision is \$322,532.00.

20. Gamewell Fire Tax Exemption Application

Gamewell Fire Department is asking for tax exemption on a piece of property they have purchased.

21. SUP 2024-1 Findings of Fact

This item includes the findings of fact from the special use permit approved at the July 8, 2024, Board of Commissioners meeting.

22. Wilson Creek Legal Fees

This budget revision will allocate \$20,000 for additional funding for legal fees in reference to Wilson Creek studies for improvement.

23. Purchase Order Rollover from Fiscal Year 23-24

This budget revision allows for \$1,228,540.63 to roll over from the previous fiscal year to the new fiscal year.

24. Amendment to Council on Aging Bylaws

The Council on Aging is requesting to change their meetings from monthly to quarterly.

25. Building Reuse Grant Application for Project Cola

Caldwell County Economic Development is requesting approval to submit a building reuse grant for Project Cola. The grant request is \$140,000 with a \$7,000 match from the County and a \$7,000 match from the City of Lenoir.

26. Reappointment of JCPC Members

Courtney Covey, Jonel Brock, Beth Hinshaw, Chad Lackey, Denise Fleming, and Ed Richards are all requesting reappointment to the JCPC.

27. Reappointment of Members to the Voluntary Agricultural District

Chad Gragg, Olivia Ford, Ryan Higgs, and Stephen Watson are requesting reappointment to the Voluntary Agricultural District.

- 28. Reappointment of Cyndi Akins to Regional Aging Advisory Committee**
Cyndi Akins is requesting reappointment to the RAAC.
- 29. Approval of Employee Agreement for Tax Administrator**
An amendment was made to the Tax Administrator's Employee Agreement.
- 30. Evergreene Authorizing Resolution & Budget Ordinance**
Acceptance of the grant awarded in the amount of \$513,425.00 and authorizes the County's match amount of \$513,425.00.
- 31. Surplus Property- Service Weapon for Adam Minor**
This resolution authorizes the surplus of a service weapon used by Adam Minor.
- 32. Surplus Property- Service Weapon for Alan Jones**
This resolution authorizes the surplus of a service weapon used by Alan Jones.
- 33. Approval of Minutes from July 10, 2024, Meeting**
The approval of the July 10, 2024 Meeting Minutes is requested.

Vice Chairman LaBrose made the motion to approve the consent agenda as the County Manager had presented.

The motion carried unanimously.

Adjourn

With there being no more business to attend to, Commissioner Potter made the motion to adjourn at 7:58 PM.

The motion carried unanimously.

**ESTABLISHMENT OF THE
COMMUNICATIONS CENTER PHASE TWO
PROJECT ORDINANCE**

WHEREAS, the state of North Carolina has made funding available for this project.

WHEREAS, Caldwell County has a need to construct a new communications center.

NOW, THEREFORE, BE IT RESOLVED by the Caldwell County Board of Commissioners that:

Section 1. The governing board hereby creates a project fund for the purpose of administering the Grant for phase two of the construction of a new emergency communications center.

Funding Sources:

Other Grants \$14,573,000.00

Expenditures:

Construction \$14,573,000.00

Section 2. The fund will remain operational until completion of the project and the disbursement of all project funds.

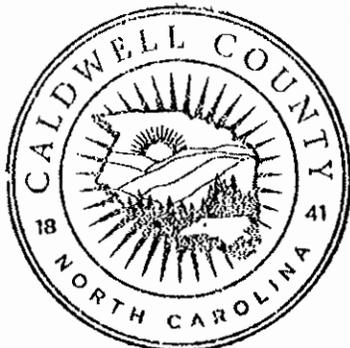
Section 3. The project shall be effective August 12, 2024.

Adopted August 12, 2024.

ATTEST:


Abby Rich
Clerk to the Board


Randy Church
Chairman



**ESTABLISHMENT OF THE
COURTHOUSE PHASE THREE
PROJECT ORDINANCE**

WHEREAS, the state of North Carolina has made funding available for this project.

WHEREAS, Caldwell County has a need for a new courthouse.

NOW, THEREFORE, BE IT RESOLVED by the Caldwell County Board of Commissioners that:

Section 1. The governing board hereby creates a project fund for the purpose of administering the Grant for phase three of design and construction of a new courthouse

Funding Sources:

Other Grants \$10,000,000.00

Expenditures:

Construction \$4,734,498.00

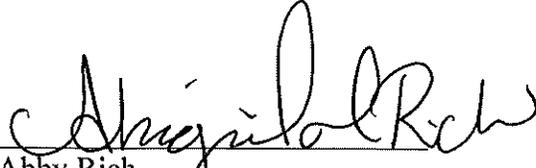
Design Fees \$5,265,502.00

Section 2. The fund will remain operational until completion of the project and the disbursement of all project funds.

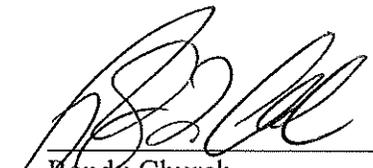
Section 3. The project shall be effective August 12, 2024.

Adopted August 12, 2024.

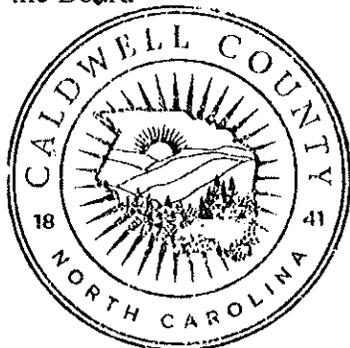
ATTEST:



Abby Rich
Clerk to the Board



Kandy Church
Chairman



RESOLUTION

12-2024

DISPOSAL OF COUNTY OWNED PROPERTY BY PRIVATE SALE



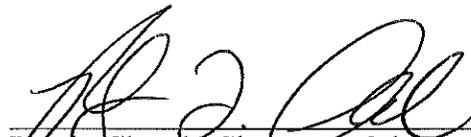
WHEREAS, Caldwell County owns certain items of personal property that have become surplus for its current needs; and

WHEREAS, North Carolina General Statute 160A-266 permits the County to sell such property by private sale upon authorization by the Board of Commissioners at a regular meeting and notice to the public; and

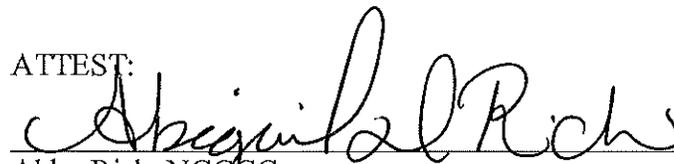
WHEREAS, the Board of Commissioners is convened in a regular meeting;

NOW THEREFORE, BE IT RESOLVED the Caldwell County Board of Commissioners authorizes the negotiated sale of a 2010 Dodge Charger, VIN: 2B3AA4CT1AH128731, and the County Clerk shall publish a notice summarizing this resolution, and no sale may be executed pursuant to this resolution until at least 10 days after the day the notice is published.

Adopted this the 12 day of August, 2024.



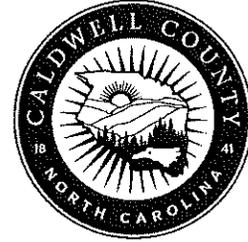
Randy Church, Chairman of the Board
Caldwell County Board of Commissioners

ATTEST:


Abby Rich, NC CCC
County Clerk

RESOLUTION

13-2024



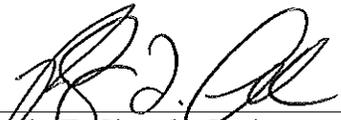
RESOLUTION AMENDING FY 2024-2025 ANIMAL CARE AND ENFORCEMENT FEES

WHEREAS, by resolution, the Caldwell County Board of Commissioners can amend the County's schedule of fees adopted each fiscal year; and

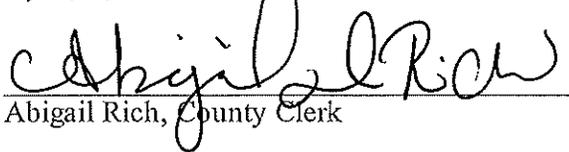
WHEREAS, Caldwell County Animal Care Enforcement has request to amend its schedule of fees to include a new fee of \$5.00 for digital ID tags.

NOW, THEREFORE, BE IT RESOLVED, that the Caldwell County Board of Commissioners approves the requested amendments to be made to the Fiscal Year 2024-2025 Schedule of Fees.

Adopted this 12 day of August 2024.



Randy T. Church, Chairman



Abigail Rich, County Clerk

RESOLUTION

14-2024



AWARDING BADGE AND SERVICE WEAPON TO SHERIFF DEPUTY ADAM MINOR

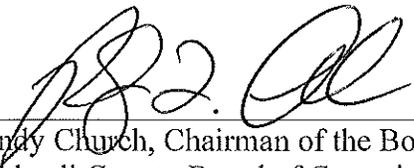
WHEREAS, § 17F-20 provides that retiring members of county law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the County, and

WHEREAS, § 17F-20 further provides that the governing body of the county law enforcement agency may, in its discretion, for a fee, award the service weapon used by a law enforcement officer to the officer upon the member's retirement, and

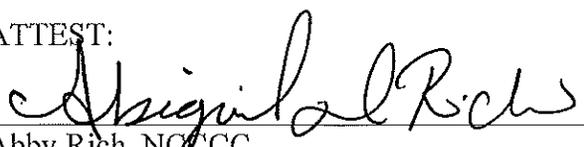
WHEREAS, Deputy Minor served as member of the Caldwell County Sheriff's Office for 10 years and has retired effective July 31, 2024; and

NOW THEREFORE, BE IT RESOLVED by the Caldwell County Board of Commissioners, that the badge and service weapon worn and carried by Deputy Minor be awarded to him upon his retirement.

Adopted this the 12 day of August 2024.



Randy Church, Chairman of the Board
Caldwell County Board of Commissioners

ATTEST:


Abby Rich, NC CCC
County Clerk

RESOLUTION

15-2024



AWARDING BADGE AND SERVICE WEAPON TO RETIRING SHERIFF ALAN C. JONES

WHEREAS, § 17F-20 provides that retiring members of county law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the County, and

WHEREAS, § 17F-20 further provides that the governing body of the county law enforcement agency may, in its discretion, award the service weapon used by a law enforcement officer to the officer upon the member's retirement, and

WHEREAS, Sheriff Alan C. Jones served as member of the Caldwell County Sheriff's Office for 17 years and will retire effective August 29, 2024; and

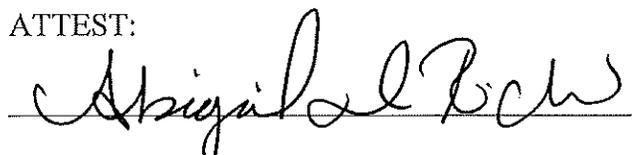
NOW THEREFORE, BE IT RESOLVED by the Caldwell County Board of Commissioners, that the badge and service weapon worn and carried by Sheriff Alan C. Jones be awarded to him upon his retirement.

Adopted this the 12 day of August 2024.



Randy Church, Chairman of the Board
Caldwell County Board of Commissioners

ATTEST:



Abby Rich, NCCCC