

MINUTES OF THE MEETING OF THE BOARD
OF ROWAN COUNTY COMMISSIONERS
REGULAR MEETING
FEBRUARY 6, 1989
9:00 A.M.

The Board of Rowan County Commissioners met in Regular Session in the Community Building on February 6, 1989 at 9:00 A.M.

PRESENT: J. Newton Cohen, Sr., Chairman
Wilborn S. Swaim, Vice-Chairman
Henry H. Palmer, Member
George C. Knox, Member
Jamima P. DeMarcus, Member

The County Manager, Finance Director, County Attorney and Clerk to the Board were also present as well as various Rowan County citizens and administrative staff.

Chairman Cohen called the meeting to order and the invocation was given by Commissioner DeMarcus.

APPROVAL OF MINUTES:

January 9, 1989 - Regular Meeting:

The following corrections were noted by Commissioner DeMarcus:

*Page 11 - 3rd Paragraph: "The State cannot regular..." should read "The State cannot regulate...".

*Page 13 - "Update on Library Construction" - Last Paragraph: "The demolition of the existing building..." should read "The interior demolition of the existing building...".

The following correction was noted by Commissioner Palmer:

*Page 16 - First Line: "...the Planning Retreat for Monday and Tuesday, March 14 and 15, 1989." should read "...the Planning Retreat for Wednesday and Thursday, March 15 and 16, 1989."

With no further corrections to these Minutes, Commissioner Knox made a motion that the Minutes of the Regular Meeting held on January 9, 1989 be approved and Commissioner DeMarcus seconded with unanimous approval.

January 9, 1989 - Public Hearings:

With no corrections to these Minutes, Commissioner Swaim made a motion to approve the Minutes of the Public Hearings held on January 9, 1989 and Commissioner Knox seconded with unanimous approval.

ADDITIONS TO AGENDA:

*Commissioner DeMarcus noted a correction to the agenda to indicate a Public Hearing to be held today at 9:30 a.m. for the purpose of discussing the Rowan Development Corporation. Mr. Clarence Kluttz, the County Attorney, added that this Corporation has been developed as a result of the lease for the landfill project.

*Commissioner DeMarcus will discuss a Rowan County Clean Up for this Spring.

*Commissioner DeMarcus will update the Commission on the first Board of Health Meeting she attended.

*Commissioner DeMarcus will discuss some rules that may discourage the State from choosing this area as a Hazardous Waste Site.

*Commissioner Swaim requested that the Commission briefly discuss the issue regarding the School Merger.

CORRESPONDENCE:

Tim Russell, County Manager, reported the following Correspondence to the Commission:

*Letter dated January 12, 1989 from the Centralina Council of Governments (Ms. Hilda Threatt)--This letter is requesting that both the City of Salisbury and Rowan County host the meeting of the Centralina Council of Governments' Executive Board. The Commission was requested to approve this request for March 22, 1989 at a time of 6:30 P.M. at the Holiday Inn. Commissioner Knox made a motion to approve and Commissioner DeMarcus seconded with unanimous approval. A reception would be given as well as dinner will be served at this meeting.

Chairman Cohen stated that on March 15, 1989, the area organization of Counties that are in the SMA is having a meeting in Charlotte at the Charlotte Motor Speedway and will discuss the non-attainment situation in Charlotte and what the Counties can do in a

united effort to assist in this matter. Since the Commission will be in Mid Pines on their Planning Retreat scheduled for this date, it was suggested by Commissioner DeMarcus to have the County Attorney attend this meeting to represent the Rowan County Commission. This was the consensus of the Board to have Mr. Kluttz do so.

*"A New Top Broom"--This document represents a change that will be made in BFI.

*Letter dated January 23, 1989 from Carolinas Electrical Contractors Association (CECT)--This letter indicates CECT's interest to convince Counties not to abolish the requirements on separate legislation that would abolish the Separate Contracts Law (GS 143-128). One of the goals of the North Carolina Association of County Commissioners is to give choice to counties to abolish the separate contracts requirement. At present, the rule states that over \$30,000 of separate contracts have to be separated from the general contract. The Association's goal is to place this under one general contract in order to save money. Chairman Cohen explained that a markup will most likely be placed on individual contracts and the general contractor will place another markup on the bids. Commissioner Swaim made a motion that the Commission contact the local Legislators to express their opposition to legislation which would abolish the Separate Contracts Law (GS143-128) and Commissioner Palmer seconded with unanimous approval. Chairman Cohen suggested a copy of this letter to be sent to the NCACC in Raleigh as well as to CECT.

*Letter dated January 27, 1989 from the North Carolina Low-Level Radioactive Waste Management Authority--This Committee contacted Mr. Russell a couple weeks ago regarding their interest to have a public meeting in Salisbury, concerning the educational components of siting the Low-Level Radioactive Waste Facility. The Civic Center has been chosen for this meeting because of its ability to hold a very large number of people as well as its central location. The Public Hearing is scheduled for April 4, 1989 at 7:00 P.M. Notification and advertisements will be done by this Committee as well as invitations. Surrounding Counties will attend this meeting as well.

*"ReNews"--This article represents a publication from the North Carolina Recycling Association.

*Letter from the Rowan Advocates for Sustainable Alternatives (RASA)--This letter announces a series of land use planning speakers that will be held on February 9, March 2, and March 30, 1989.

*Summary of the Public School Fund in Raleigh--The amount for Rowan County at the end of January totalled \$2,177,714.49, which is the revenue that has been accrued in the program since July of 1987 in addition to interest earned each month.

After the Correspondence was reported to the Commission, Commissioner Knox stated for the record that he hopes the Low Level Radioactive Waste Management Authority does not anticipate Rowan County being a prospective site. He does not wish any indication be given to the public that there may be any type of encouragement for them to look at Rowan for such a facility.

Commissioner DeMarcus stated that she would like the Commission to join other North Carolina Counties in designing rules to discourage the State from choosing this area for a radioactive or hazardous waste plant. She feels that the Commission could include a high application fee of \$10 Million non-refundable. At least twenty (20) other North Carolina Counties have passed similar ordinances including Iredell, Lincoln, Buncombe, Chatham and now Burke. The County Attorney stated that the Institute of Government indicated if the fee was at an astronomical amount, it may be levied. Commissioner DeMarcus quoted from an article stating that the State does not look at County Ordinances saying this could not be passed. Chairman Cohen suggested incorporating in this motion that they not locate a site like this within 10 or 12 miles of a municipal water intake from the river that they intend to discharge into. Commissioner DeMarcus concurred. Commissioner DeMarcus made a motion to incorporate these two (2) conditions into an ordinance. Commissioner Knox seconded with unanimous approval to place a fee of \$10 Million non-refundable application fee for hazardous waste facility operators as well as the discharge could not be within fifteen (15) miles of a municipal water intake. Motion was passed with unanimous approval.

PUBLIC HEARING:

Chairman Cohen adjourned the Regular Meeting of the County Commission and called to order the Public Hearing for the purpose of approving a Resolution giving Rowan Development Corporation (consisting of Mr. Hall Steele, Mr. Richard Messinger, and Mr. Brady Frick) authority to lease the landfill property to Rowan County for a period of seven (7) years as described in the attached resolution. With no further discussion, Commissioner Palmer made a motion to approve and Commissioner Knox seconded with unanimous approval. Chairman Cohen then adjourned the Public Hearing and called to order the Regular Meeting of the County Commission.

BOARD APPOINTMENTS:

*Rowan County Historic Properties Commission: Commissioner DeMarcus made a motion to reappoint Miss Pearl Thompson to this Committee and Commissioner Swaim seconded with unanimous approval. Mr. Richard Eldridge noted the correction that neither he nor Mr. George Kluttz are eligible for reappointment as their terms have not yet expired. The Commission concurred with this correction.

*Rowan County Nursing Home Advisory Committee: Commissioner Knox made a motion to reappoint Mr. John I. Steele, Mr. Harold Marioneaux, and Mrs. Winifred Queen (Bobbie) to this Committee. Commissioner Swaim seconded with unanimous approval.

*Salisbury/Rowan Mayor's Council for Persons with Disabilities: It was the consensus of the Commission at the last Regular Meeting to not appoint any member to this Council unless someone voluntarily wanted to participate.

*Rowan County Planning Board: Commissioner DeMarcus reported that a letter was sent to the Planning Board members notifying them that this Board will become active in Planning and asked if each member still wished to remain on this Board. In noting the correction to the Board Appointments as attached to these minutes, the County Manager stated that Mr. Sturgis Bryan does not wish to be reappointed. However, Mr. Tom Harrell indicated that he would like to be reappointed to this Board if he was not appointed to the Economic Development Commission.

Commissioner DeMarcus stated that she would like to list categories who would like to be on this Board such as a farmer for farmland preservation as well as ethnic representation and someone who has been on one of the Municipalities' Planning Boards. Commissioner DeMarcus previously requested Chairman Cohen and the County Manager meeting with her to list all the categories that would be ideal to have a representative from and give to the Commission so that suggestions could be made based on these results. She also feels this Board should be enlarged. The overall Board will then be broken down into small committees. Commissioner DeMarcus made a motion to reappoint Mr. David Roberts, Mr. William Russell, and Mr. Tom Harrell to this Board and Commissioner Knox seconded with unanimous approval.

*Economic Development Commission: Chairman Cohen noted the following nominations made by the Economic Development Commission to have one (1) appointed by the County Commissioners:

Mr. Bill Wagoner
Mr. Bill Kluttz

Mr. Tom Harrell

Commissioner Swaim made a motion to appoint Mr. Bill Wagoner to the Economic Development Commission as this appointment came about by virtue of a vacancy created by one of the present members, Mr. Dick Brownell, President of the Rowan-Cabarrus Community College. Mr. Brownell's position has been made Ex Officio; therefore, he still remains on the Board. In the future, whoever is President of the Rowan-Cabarrus Community College will always be an Ex Officio member. Commissioner Knox seconded with unanimous approval.

Commissioner DeMarcus felt that the nominations should not come from the EDC Board themselves because the way the organization was set up, people were to be appointed by both the County Commissioners and by the City. Commissioner DeMarcus raised concern of the Economic Development Commission Director meeting with an Attorney to discuss incorporation and wondered how this would affect the relationship between the EDC and the County Commission and what the advantage is there to incorporate. Mr. Kluttz stated that if they incorporate, it may protect against liability.

Chairman Cohen stated that the EDC will probably move to the Wachovia Bank Building.

*Tourism Authority: Chairman Cohen stated that there is a vacancy on the Tourism Authority with the moving of Mr. Jim Hicks to Charlotte, North Carolina. A recommendation was submitted to the Chairman for Mr. Dick Virtue. Mr. Virtue is the current President of the Chamber of Commerce. Commissioner DeMarcus stated that since the previous President of the Chamber of Commerce had been on the Board, the position should be offered to the new President. If he did not choose to serve, then he would be allowed to suggest someone for the Chamber. Commissioner Swaim made a motion to approve Mr. Virtue and Commissioner DeMarcus seconded with unanimous approval.

Chairman Cohen reported that according to the ABC Funds and the tax received on the Liquor-by-the drink, funds are short of what has been allocated to the Tourist Authority which is something that should be addressed at the Planning Retreat to decide whether the Commission will maintain the level of funding or bring it in line with the amount of tax being received.

*Yadkin-Pee Dee River Basin Committee: Commissioner Swaim suggested that Chairman Cohen be offered this position since he has been active in this project. Commissioner Knox seconded with unanimous approval. Chairman Cohen recommended notifying the City

of Salisbury (since they draw water from the Yadkin) so they could make a recommendation for a Council member to serve on this Committee.

PRESENTATION OF PLAQUE FROM WATERWORKS GALLERY:

Commissioner DeMarcus stated that she attended the Waterworks Ball and a plaque was presented to the County and to the City of Salisbury in appreciation for support to them.

In attending one of the meetings of the United Arts Council, Commissioner Knox finds them to be very active as they have 12 to 15 agencies under the umbrella. The people of Rowan County are utilizing these entities. He stated that he hoped the United Arts Council would make a great effort to notify, advertise, and get some type of schedule out to the people so they would know what events were taking place.

PROCLAMATION - COUNTY GOVERNMENT WEEK, FEBRUARY 20 - 24, 1989:

The County Manager stated that for the last three (3) years the County Commissioners have proclaimed a week in February as County Government Week supporting the State's effort to recognize County Government. Commissioner Knox made a motion to approve and Commissioner Swaim seconded with unanimous approval. Chairman Cohen stated that it would be appropriate to recognize employees during this week in appreciation for their efforts towards County Government.

TAX COLLECTOR'S REPORT - WAYNE SIMPSON:

The Tax Collector, Wayne Simpson, reported the Tax Collector's Report to the Commission. In regards to Advertising, he stated that they are in the process of getting second notices out. By law they have to advertise delinquent taxes. The law used to require consecutive weeks of advertising specified in the month of June. After several changes to the law, it presently states advertising to take place as early as February and has been the law for four (4) years. They have gone from four (4) advertisements in previous years to two (2) and would now like to go to one this year. Mr. Simpson is proposing with the Commission's approval to designate Tuesday, February 28, 1989 as the date for advertising delinquents. Commissioner Knox made a motion to approve and Commissioner DeMarcus seconded with unanimous approval.

RECOMMENDATION TO RELOCATE FARM HOUSE - RICK ELDRIDGE:

Mr. Eldridge reported that during the month of January, the County Manager advertised for private and public offers concerning the Mingus Farm Property, Mingus Farm House, and the Corncrib. The County Manager received three (3) proposals:

- 1) Eddie Grissom--Offered to relocate the house to a fifty (50)-acre site where he resides on Potneck Road and restore it to use as a private residence for his family.
- 2) Bill Snipes--Offered to relocate the house and corncrib to his fifty (50)-acre site near Rockwell which is his residence and also contains the Barger farm buildings which dates to the Mid-1800's. His interest is in restoring the Mingus Farm House and the Barger Farm Buildings to develop a museum on 19th Century farmlife which would be open to the public.
- 3) Historic Salisbury Foundation--Offered to provide technical assistance to the County should the County choose to relocate the house and stabilize it on a tract of land prior to selling it to a private individual. This proposal was intended to make the house more marketable before the sale and profits from the sale could be placed in a revolving fund used with future old properties.

The subcommittee of the Historic Properties Commission consisting of Mr. George Kluttz, Pearl Thompson and Richard Eldridge reviewed the three (3) proposals and visited both private sites proposed for relocations as well as talking with all three (3) parties making proposals. This subcommittee then met with the County Manager and Commissioner Swaim last week to settle on a recommendation to bring to the Commission today.

It was their decision to pursue the offer made by Mr. Grissom based on his property being in the Western Part of the County. He is actually within two (2) miles of the present site on Campbell Road. He has offered to use this house as a private residence which is more in line with the Secretary of Interior Standards for Rehabilitation which indicates that properties be restored for their originally intended purpose. The group agreed that protective covenants should be part of the transactions and that the Historic Properties Commission would oversee a portion of those provisions.

Mr. Kluttz and Mr. Eldridge met with Mr. Grissom Saturday evening. He is currently hesitant to pursue an offer based on the County's immediate needs to move the house as he feels he may lack the time and the resources if pressed to enter an agreement immediately. If more time could be allowed to consider his

obligations and resources he may agree to pursue with this offer.

Mr. Snipes is currently ready to enter into an agreement with the County. Mr. and Mrs. Snipes were in attendance at the Commission meeting. They are also in agreement to protective covenants being attached to the transaction.

Commissioner Swaim stated that in view of getting this house off the landfill property he made a motion to accept Mr. Snipes proposal. Commissioner Swaim is in favor of this proposal since it would be ideal to have the house used as part of a museum. He felt it would be economically impractical to use as a residence. Commissioner Palmer seconded and asked Mr. Snipes what he has looked into as far as the practicality of moving this structure. Mr. Snipes replied that it would be possible to move by taking off the roof and separating the house. Although no specific agreement has been made on the restrictive covenants between the Historic Properties Commission and Mr. Snipes, this would be worked out and then submitted to the County Attorney for review subject to the Commission's approval of the proposal. Commissioner Swaim added to his original motion for Mr. Snipes to take the house subject to the restrictive covenants agreed to by both parties.

Mr. Eldridge stated that the restrictive covenants would require Mr. Snipes to rehabilitate the house by the Secretary of Interior Standards which are universally used for preservation. The Historic Properties Commission would be responsible for working with Mr. Snipes to ensure that those standards were maintained.

Chairman Cohen stated that he hoped the covenants placed on this agreement would not put an undue hardship on Mr. Snipes in that he is restoring it as a museum in its original condition. Mr. Snipes concurred. Chairman Cohen suggested that the Historic Properties Commission work with Mr. Snipes to prevent an undue hardship.

Mr. Eldridge stated that another reason for the covenants is to ensure perpetual use of the building in its original condition.

The County Manager submitted pictures of Mr. Snipes' property to the Commission where the house would be maintained. Mr. Snipes stated that Mr. David Hood visited the prospective property for the house and indicated that this house would qualify for the National Register. Motion to approve Mr. Snipes proposal was passed with unanimous approval.

CONCERN FROM CITIZEN OF DISCHARGING FIREARMS - PAUL STAMEY:

Although Mr. Stamey was not present at the Commission Meeting, he previously indicated a concern to the County Manager. A couple weeks ago, on Highway 152 (close to property that he is trying to develop), there were a number of people discharging Firearms. He stated that during hunting season, firearms are discharged near a subdivision. After checking with the State, there is no evidence of a Statewide Ordinance regarding this. Commissioner DeMarcus feels a County Ordinance should be developed stating that Firearms cannot be discharged within certain distances of houses, businesses, and roads. Commissioner Swain suggested the County Attorney researching this issue for an Ordinance. Commissioner DeMarcus suggested the County Attorney looking into this matter by researching the Ordinances of other Counties and return to the Commission with a recommendation.

PRESENTATION OF DONATION - JIM FOLTZ:

Mr. Foltz, Director of the Parks, presented a donation to the Commission for Sloan Park from Mr. and Mrs. Roy Morgan, Jr. in the amount of \$700 as well as a donation received by Mr. and Mrs. Jim Sloan for the Sloan Park Endowment Fund in the amount of \$50.00.

At this point, the Commission recessed for a break.

PROPOSAL FROM VISION CABLE TO AMEND CABLE ORDINANCE TO REDUCE DENSITY REQUIREMENTS - GEORGE LITTLE:

At a meeting of the Commission about a month ago, Mr. Little has since then met with the County Manager and Commissioners Knox and Palmer concerning new areas they are working at this time in regards to installing cable. They are also looking at other areas they could possibly construct. At that time, they confirmed that it would be feasible to serve areas with twenty-five (25) homes a mile instead of fifty (50) homes a mile.

Chairman Cohen stated that many citizens within the County have been upset because their service was not offered to them. He stated that he hoped Mr. Little would work with the citizens and be flexible with the system to offer service.

Chairman Cohen recommended that the County Attorney review the previous ordinance to see what it says about amending the Ordinance and return to the Commission with a recommendation. Commissioner Knox asked Mr. Little once they obtain a monopoly on Cable over Rowan County if they plan at any time to monopolize the airways and

control the programs as they come into an area. Mr. Little stated that they only deliver and have no control over the programs as they are controlled by the FCC. Commissioner DeMarcus asked that "non-exclusive" be inserted in the previous franchise agreement since this was never an exclusive franchise.

ANNUAL REPORT ON COORDINATED TRANSPORTATION SYSTEM - JOHN EATON:

The County Manager stated that he serves as the Chairman of the Rowan Area Transit Authority (RATS). In January, 1987 this Board established the RATS Program to oversee a coordinated Transportation System. The Transportation Development Plan was set up in 1986. The main recommendation from the State was to consolidate all the vans under all their programs into one coordinated system and their recommendation was that they contract with a Private Profit Organization such as the one Mr. Eaton operates. Starting January 4, 1988, CTS Management came into Rowan County and the RATS Program (made up of 8-9 Members-- representatives from all the Human Services Program) began to oversee this program.

Mr. John Eaton introduced his wife Mrs. Donna Eaton, who is also involved in CTS Management; Bertie Amos, Local Manager; and Alan Melvin, District Manager in Jacksonville.

Mr. Eaton then provided to the Commission a written report as attached to these minutes. Afterwards, Commissioner DeMarcus commended Mr. Eaton on the comprehensive report as presented. She stated that this validates a concern and need that she came on Board with six (6) years ago as a new Commissioner. When this was in the process of being formed some years ago, the State helped them to see what they were missing by not having such a system. She feels from the beginning to now it has really reached a great level of achievement.

UPDATE OF POST OFFICE RENOVATION PROJECT - DOUG TENNENT:

Mr. Tennent was unable to attend the Commission Meeting; therefore, the County Manager provided information to the Commission in Mr. Tennent's behalf. The County Manager stated that Mr. Tennent is now projecting the completion of the renovation of the new Post Office Branch Area for around the 28th of February.

UPDATE ON LIBRARY CONSTRUCTION PROJECT - BILL BURGIN:

Mr. Burgin reported that things are going normally. In the

Phase III Renovation Process of the Old Library--most of the outside work (paving and curb work is complete). They are now hanging sheetrock and all the interior demolition has been complete. They are projecting to be finished by Mid-March. The documents are prepared and finished for landscape work. At this point, they need to discuss this with Phil Barton and the Building Committee to go over what they have planned for landscaping and hope to get this out to bid so they can do their planning in the very early Spring.

Only two (2) hang-ups still remain from the Phase I Renovation:

1. They are still having trouble getting the last few pieces of furniture in from McThrift.
2. They are still working on the lighting problem. They have at present several alternatives and waiting to get a meeting scheduled with the Historic Commission. Once they decide what combinations work, they will go through the process of obtaining prices and having this installed. They have the following three (3) methods installed at the present time:
 - a) Smoked glass to go over the lense of the fixture--This looks handsome during the day and reduces the glare at night.
 - b) White frosted lense--This is not as attractive during the day, but is quite effective in defusing the light at night.
 - c) Luvered-type hood to go over the bulb itself--This has already been installed on two (2) of the lights in the parking area.

UPDATE ON LANDFILL CONSTRUCTION PROJECT - DON CONNER:

Due to the weather, today is the first day they have not been able to work on the new landfill in three (3) weeks. They are excavating and have moved approximately 57,000 yards of dirt out of the area where the cell will be located. This dirt has been stockpiled into three (3) different types of material (Clay, Topsoil, and Fill).

One of the permanent sediment basins is in and waiting so they can put the permanent ones under the McClamrock Property. Another sediment basins is under construction.

They did have a meeting last week with the contractors, Gerald Horton, Paul Canup, Greg Greene, and himself to go over some of the problems, which a large portion of these have already been resolved. They intend to meet with them on a weekly or biweekly basis. Chairman Cohen raised the concern of the discrepancy of elevations. Mr. Conner replied that Mr. Horton is presently working on this and one of the possibilities is that the City of Salisbury uses a different basis for their elevation than what Gerald was using. Mr. Horton had the City of Salisbury's flight information where this had been flown and found Mr. Horton's to be approximately 2 1/2 feet off.

Commissioner DeMarcus asked if it would be in their best interest to document the development of the site in a video. Mr. Conner stated that they are presently taking slides and have talked about a video. Commissioner DeMarcus feels this would be an excellent tool, not only for the Commission but to share with others as well. The County Manager stated that if a video was made it would be available to Counties who are in the process of locating another landfill. Commissioner Palmer stated that pictures shot overhead would be beneficial as well as some ground level pictures. Commissioner DeMarcus then made a motion to make plans to video the development of the landfill and its various stages. Commissioner Palmer seconded with unanimous approval.

Commissioner DeMarcus asked if there was anything on the site. Mr. Conner replied that there are two (2) trailers there--One is for the construction workers and the other is an office trailer which PAPCo and the County is sharing. Mr. Conner stated that he spoke to the Woodleaf Civitan Club at a previous time. He stated that many people commended Mr. Conner on attending the meeting as this was the first time anyone explained to them what they were doing and how they were doing it. Mr. Conner stated that he would be glad to do this with any other interested groups. Commissioner DeMarcus concurred that communication is important and commended him for doing this.

Chairman Cohen stated that a contractor contacted him the other night complaining about doing something about private individuals who take out permits to build a house for themselves to turn around and sell. Mr. Conner stated that he will not issue another building permit to build a house for themselves. Chairman Cohen state that when you build something for yourself, you do not have to be licensed and do not have to go to the expense of buying a County Privilege License, etc. By doing this, they are getting through the system and putting the house on the market and selling it as their intentions were never to live in the house. Mr. Conner reported that State Statutes require that when you purchase a permit, if you do not intend to sell it, you do not have to be

licensed. If he changes his intent when he gets the foundation in, this has to be referred to the attorneys.

UPDATE ON RECYCLING PROGRAM - PAUL CANUP:

Mr. Paul Canup provided the Commission with the Monthly Recycling Report as attached to these minutes. Mr. Canup stated that the recycling program is doing well; however, they did drop some this month. In checking previous records, he noticed that they had several large containers emptied on the last day of last month and some emptied on the first day of this month; therefore, this made the difference in the weight volume. He stated that they are not getting anything yet for mixed but feels it will be fairly soon. People are tending to mix even more. He stated that he will be meeting with Mr. Dave Lavacua at BFI at one of the sites Wednesday and they will try to look at another way of placing the signs to make it more clear which bins the materials go in. He feels that one problem is not being sure which bin to place the materials in. Another problem is the partitions in these bins are starting to age and are beginning to come apart.

There is another site opening in Salisbury this week. This is located next to the railroad tracks on East Innes Street. They will collect newspaper, cardboard, mixed, and glass. As soon as the signs are placed on the container, they will be ready to open. They have been looking at a site in North Kannapolis, and BFI is presently making bins. The proposed site will be at the collection station where they will try to collect the same as the other sites. They hope to have something in North Kannapolis by the time the Commission meets again for their next Regular Meeting. This will make a total of seven centers in the County. They did meet with a representative from the City and County School System and are planning on having two (2) more paper recycling programs through the schools. They hope to set the date within the next few days. Commissioner Palmer suggested visual artwork being placed on the signs to show samples of what is acceptable for each bin. Commissioner DeMarcus stated that she had previously asked Mr. Canup to let the Commission know when the site in Salisbury will be open so that they may all meet there sometime that day to bring a bundle of newspapers to put in it. She also suggested getting some publicity on this site to make it an official opening. Commissioner DeMarcus stated that in meeting with the schools, they were very affirmative about what happened in their schools and are willing to have it two (2) more times this year. They have discussed what they want collected and would give them information about recycling.

ADOPTION OF RESOLUTION FOR FINANCING LANDFILL PROJECT - BRADY FRICK:

Mr. Frick stated that each Commissioner was provided with a copy of the Resolution as attached to these minutes. Mr. Frick indicated a need for this to be passed today so they can proceed with the actual closing. The only change made was Rowan Leasing was changed to Rowan Development Corporation. With this in mind, Commissioner Palmer made a motion to approve and Commissioner Knox seconded with unanimous approval.

MANAGER'S REPORT - TIM RUSSELL:

*Interest: The interest report for January, 1989 totalled \$255,819.00.

*Refunds: Commissioner DeMarcus made a motion to approve the refunds as attached to these minutes and Commissioner Knox seconded with unanimous approval.

OTHER BUSINESS:

Commissioner DeMarcus stated that she attended her first meeting with the Board of Health. Mr. John Cutler from the State was present to clarify the reason for the limited quarantine as a result of the measles outbreak. The Health Board then voted unanimously to continue this quarantine. Also a Health Board person was brought into Rowan County to talk to the other physicians and now feels there is a clearer understanding and acceptance of what happened.

Commissioner DeMarcus asked the Commission to endorse another Rowan County Clean-Up Month. Last year in April, Mr. Knox did this and thought it was a very successful effort that involved many people to clean up the roadsides as well as other things. In the process, many Boy Scout groups, church groups and other types of groups adopted highways to clean which led the County to have the second most adopted highways in the State (Gastonia ranked first). she would also like to see the County have another Clean-Up Month and in this put some components of the Bakers Creek Park as well as recycling emphasis into the project.

Commissioner DeMarcus updated the Commission on the Baker's Creek Park. In a meeting with Ms. Sue Castor from Cabarrus and Mr. Jim Foltz at the Baker's Creek Park, pictures were made of the litter that has been thrown into the creek and on the edge of the creek. The Parks staff think that Mr. Pete Greene has placed his

"junk" on Park property. A survey shows where the property lines are located. Mr. Russell is planning to send some people to look at it because he felt they need to be sure where the lines were before anything was done. Assuming that it is on Park property, they plan to ask Mr. Greene to clean it up and if he does not voluntarily do so, then legal action would need to be taken or it be cleaned up and the bill be given to Mr. Greene. There are plans to post the land as soon as they are sure of the survey. Mr. Gene McCombs, Manager of the City of Kannapolis, has indicated that they have a backhoe and two trucks that would be willing to get the big things out as they feel volunteers should not be involved in this particular effort due to liability.

There is also some concern as to whether there is a possibility of the water being contaminated. The County Manager has notified the Mooresville Office to have this water tested. Commissioner DeMarcus also suggested establishing a stream watch in accordance with the April Clean-Up Campaign to be sure that this does not happen again.

Chairman Cohen stated that the first procedure is to determine the property line and then let the County Manager talk with Mr. McCombs to see what kind of coordinated effort has been made and should be made. If the owner does not clean this up, then this should be a joint effort made by both the County and the City of Kannapolis. Chairman Cohen then appointed Commissioner Knox to head the Clean-Up Campaign for the month of April. Commissioner Knox stated that there is a great need to look at Jake Alexander Boulevard as they have previously received good reports on the adoption of other highways.

Commissioner DeMarcus presented a statement to the Commission regarding the Planning Board for Rowan County as attached to these minutes. Commissioner DeMarcus stated that with such diverse responsibility to be placed upon the Planning Board, the Commission should also become diverse. She stated that this Board should be a balanced board so there will be some real knowledge and expertise in the different areas. Chairman Cohen stated that there is a need to expand the Board and feels the other members should come to next month's meeting prepared to name the categories as well as getting some names together to make additional appointments. Commissioner DeMarcus suggested getting these categories to the Board members right away so they can be thinking on them before the next meeting.

Commissioner Swaim raised concern about the school merger being in jeopardy as a result of the protest from the citizens in regards to the proposed attendance zones. Commissioner Swaim stated that he is committed to merger as is the remainder of the Commission but does not want to see anything jeopardize the merger

to take effect July 1, 1989. The Commission has received calls and letters regarding the proposed attendance zones and there appears to be some misconception among the people that the Commission has a lot to do with this issue. The Commission stated that they do not have any responsibility to the attendance zones as it is up to the two (2) school boards to establish them.

The County Manager stated that many citizens are confusing merger, redistricting, and the middle school concept whereas these are three (3) entirely different subjects. Commissioner Swain stated that under the present ordinance, they cannot delay merger. A resolution was passed by the two (2) school boards as well as the Commissioners stating the schools wish to merge and points were made by the schools about what they wanted to do in order to merge. The State bill that was passed only speaks to merging the school systems and establishing an election process to take place starting July 1, 1989. A new school board made up of nine (9) members will then be formed. The intent of the two (2) school boards is to work towards the equalization of education (all schools offering the same curriculum) but it does not speak that this has to take place July 1, 1989. They also intend to establish a minority adjustment (Balance at 40%). None of these issues are put into the State Bill. The local bill passed to establish the merger does not state this--these are just objectives made by the School Board(s).

Commissioner Knox suggested remaining with their commitment as County Commissioners. Chairman Cohen feels that when the Commission felt it was fully qualified to vote for the school merger and did not send this to the people in a referendum, they became morally (not legally) obligated to see that every child in Rowan County receives equal education. Commissioner DeMarcus stated that all school districts should be treated fair and without fear or favor.

EXECUTIVE SESSION - ACQUISITION OF PROPERTY:

With no further discussion, Commissioner Knox made a motion to go into Executive Session for the purpose of discussing Acquisition of Property and Commissioner Palmer seconded with unanimous approval. With no action taken in Executive Session, Commissioner Swain made a motion to adjourn the meeting until February 20, 1989 to discuss the upcoming Budget with various organizations and departments of Rowan County. Commissioner DeMarcus seconded with unanimous approval. Meeting was adjourned at 1:45 p.m.

Respectfully submitted,

Wendy S. Powell
Clerk to the Board