

MINUTES OF THE MEETING OF THE BOARD
OF ROWAN COUNTY COMMISSIONERS
REGULAR MEETING
MARCH 13, 1989
9:00 A.M.

The Board of Rowan County Commissioners met in Regular Session in the Community Building on March 13, 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 Palmer.

APPROVAL OF MINUTES:

February 6, 1989:

*Page 1 (In correction of January 9 - Regular Meeting Minutes)--"...the Planning Retreat for Tuesday and Wednesday, March 15 and 16, 1989." should read "...the Planning Retreat for Wednesday and Thursday, March 15 and 16, 1989."

*Page 3 - 3rd Paragraph: "One of the goals of the North Carolina Association of County Commissioners is to abolish the separate contracts requirement." should read "One of the goals of the North Carolina Association of County Commissioners is to give choice to Counties to abolish the separate contracts requirement." Chairman Cohen stated his position on this issue as being that he is not opposed to the Bill as long as it gives a choice, but he is opposed to the Construction Management Concept. Commissioner Swaim made a motion to send a letter to the Legislators with a copy to the Association explaining that they would like to reverse their position on this issue with reason given and Commissioner DeMarcus seconded with unanimous approval.

*Page 4 - 3rd Paragraph: The word "Buncham" was noted as being misspelled and should read "Buncombe".

*Page 5 - "Rowan County Planning Board": "However, Mr. Tom Harrell indicated that he would like to be reappointed to this Board if he was not reappointed to the Economic Development Commission." should read "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."

*Page 8 - Last Paragraph: The word "Counties" was noted as being misspelled and should read "County's".

*Page 10 - "Proposal from Vision Cable to Amend Cable Ordinance to Reduce Density Requirements - George Little": "...it would be feasible to building areas..." should read "...it would be feasible to serve areas...".

*Page 13 - 3rd Paragraph: "Commissioner Palmer stated that pictures short overhead..." should read "Commissioner Palmer stated that pictures shot overhead...".

*Page 14 - "Update on Recycling Program - Paul Canup": "Another problem is the petitions..." should read "Another problem is the partitions...".

"They have been looking at a site in North Kannapolis, and BFI is presently making bids." should read "They have been looking at a site in North Kannapolis, and BFI is presently making bins".

With no further corrections to be made, Commissioner Palmer made a motion to approve and Commissioner DeMarcus seconded with unanimous approval.

ADDITIONS TO THE AGENDA:

Commissioner DeMarcus will offer a Resolution concerning the Schools' Merger while the School Board Members are present making their report.

Commissioner DeMarcus will also report on Parks and Recreation as well as the Library at the appropriate time.

Commissioner Palmer will make comments at the appropriate time concerning School Merger.

CORRESPONDENCE:

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

*Notice from NCACC regarding Legislative Briefing to be held in Raleigh on April 13, 1989.

*An invitation from UNCC to attend a forum on the Institute of Medicine's report on the future of public health. As a member of the Health Board, Commissioner DeMarcus stated that she was interested in going and requested that another Commissioner attend as well.

*Letter from Mr. Edwin Koontz, DSS, to Mrs. Sowers regarding vacancies that have occurred in Protective Services.

*Senate Bill introduced at the request of the Commission by Senator Smith for consideration of appropriation (\$60,000) for the next fiscal year to provide an elevator in the Community Building.

*Letter dated February 14, 1989 from Senator Betsy Cochrane indicating their support for the budget proposal to help Tri-County Mental Health and the ADAP program in Davie County.

*Letter dated February 20, 1989 from Mr. Mobley, Superintendent of Rowan County Schools, in regards to the use of Shuford School which was deeded to the County Commission at no cost. These facilities are currently used by the Vocational Workshop as well as storage by the Schools. The Board of Education is proposing to use twenty-five percent of the floor space for maintenance storage until such time as more adequate facilities are found.

Chairman Cohen stated that in a meeting of the Board of Education a few months ago, they had scheduled placing a new roof on this building as well as scheduling asbestos removal. Chairman Cohen felt it was not fair for the School Board to continue spending their Capital Outlay maintaining this building when it was being used by another County agency. The Board of Education voted to relinquish the title. In reply to Commissioner DeMarcus' concern about the funding of the roof repair, Chairman Cohen stated that the County Commission would fund this project. Commissioner DeMarcus made a motion to accept the property and Commissioner Swaim seconded with unanimous approval.

*Letter from Mr. Bob Etheridge, North Carolina Department of Public Instruction providing the attached material to clarify questions regarding the Basic Education Program.

*Report from the Department of State Treasurer regarding County Spending for Public School Capital Outlay.

*Letter dated February 1, 1989 from Mr. George Little, Vision Cable of Salisbury notifying the Commission that their new office has been complete and provided an outline of all the new rates as attached to these Minutes.

*Letter dated February 15, 1989 from the North Carolina Council on the Status of Women providing a brochure which gives an overview of their activities.

*Letter dated March 1, 1989 from NCACC outlining refunds totalling \$14,499.53 which represents refunds for rebates on premium from the dividends earned as a result of the County's participation in the Workers' Compensation Self-Insurance Pool.

*Letter dated March 2, 1989 from the Division of Youth Services notifying the County's projected allocation of CBA funds for 1989-1990 in the amount of \$138,121.

*Letter dated February 20, 1989 from Mr. Wayne Ashworth, Emergency Services, requesting that the Bostian Heights Fire Department use the Fairmont Station Wagon, formerly used by the Fire Marshal for the First Responder Program. Commissioner DeMarcus made a motion to approve this request and that the vehicle be given and not sold. Commissioner Palmer seconded with unanimous approval. Chairman Cohen requested information on the Model of the vehicle as well as the mileage on it.

*Letter dated February 28, 1989 from the Centralina Council of Governments dealing with their concern of possible reduction of Federal Funds for the Aging Program for th next fiscal year. Effective July 1, 1989, there may be a \$3.4 million shortfall of federal funds. If this is the case, then this funding will be extended to each of the Counties in the program. The County Manager estimated that the County's share should be approximately \$160,000. A State Bill has been introduced to substitute State appropriations for this if passed. If not, the County would be faced with a major reduction in services for at least the first quarter of Fiscal Year 1989-1990. Commissioner DeMarcus indicated that the meals at the nutrition sites would possibly be cut which would mean either the Commission would have to fund this or some of the nutrition sites would have to be closed temporarily. Centralina Council of Government is able to provide services involving other regions.

*Letter dated February 28, 1989 from Centralina Council of

Governments (Frances Murdock, Chairman) attaching an Editorial from the "Charlotte Observer" supporting creation of a new regional planning structure.

*Information from the North Carolina Recycling Association discussing some of their activities.

*Brochure entitled "Rural Routes" provided for information as attached to these Minutes.

ROAD PETITIONS:

The attached Road Petition represents a request for a road name change be done from Hawkins Street (SR2068) to Gwynn Street. Commissioner Knox stated that Gwynn Street is not listed in any other place in the County. Commissioner Knox made a motion to have a public hearing at the next regular meeting at 1:30 p.m. and Commissioner DeMarcus seconded Commissioner Knox's motion with unanimous approval.

BOARD APPOINTMENTS:

Board of Health: Commissioner DeMarcus made a motion to approve the reappointments of Mrs. Margie Fink, Dr. Elmer Lagg, and Dr. Charles F. Eddinger. Dr. Lagg and Dr. Eddinger were previously reappointed for two (2) year terms, but per Mr. Hawley, all reappointments should be for three-year terms. Therefore, this was corrected by the Commission. Commissioner Swaim seconded with unanimous approval.

Centralina Council of Government: This was deferred in order to allow the Commission time to think about this request. Commissioner DeMarcus suggested reviewing attendance records of the members.

Tourist Authority Correction: Commissioner DeMarcus stated that Mr. Dick Virtue does not wish to be appointed to the Tourist Authority and asked that Mr. John Stegall be appointed in his place. Mr. Stegall is with Piedmont Natural Gas. Commissioner DeMarcus made a motion to approve Mr. Stegall's appointment and Commissioner Palmer seconded with unanimous approval.

Chairman Cohen stated that he would like the Commission to think about the Planning Board appointments and requested at the next meeting for the Commission to appoint a Committee to study the Waste Stream of Rowan County. Commissioner Palmer suggested this be a seven-member committee (or somewhere thereabout) and the

Commission concurred.

TAX COLLECTOR'S REPORT - WAYNE SIMPSON:

Mr. Simpson made his Tax Collector report to the Commission for February, 1989 as attached to these Minutes.

REPORT OF PROGRESS ON MERGER - REID LEONARD & MARCELLE WILLIAMS:

Mr. Marcelle Williams reported to the Commission that everything is going as planned except for the redistricting problem. They have now hired a new Superintendent. This person has been visiting the schools and getting familiar with the faculty as well as meeting with civic groups. The Curriculum Committee has been very active and have made recommendations. The Personnel Committee along with Dr. Martin have met several times and has surveyed all the employees in an attempt to retain employees where they are (all who want to remain).

The members of the two Boards have tried to put a plan together for redistricting and have not been able to find the right combination to suit them and the citizens of the County. Mr. Williams emphasized that Mr. Brad Ligon's Bill needs to be stopped in order to proceed with School Merger.

In area of Curriculum and Instruction, the K-12 Curriculum that has been approved by both Boards. In the areas of Budget, they are currently in the 8th Draft and will present to the Commission in a month or so.

Mr. Ketner spoke in behalf of redistricting endorsing the fact that countless hours have been spent and commitments in regards to contracts have been made on this issue and felt that they are too far along in the project to turn back.

Ms. Ann Fuller spoke in behalf of the Middle School Concept. She stated that they have pretty much followed the Basic Education Program that has been outlined by the State. The Middle School Concept was defined as regrouping of children between the ages of 12 and 14. This places the 9th Grade in the high school curriculum in order to place these children in a college setting for the high school program and allows the children of the middle school to have a more flexible schedule and curriculum.

Commissioner Knox stated that he was under the impression that

there would be no construction at all until school merger was completed. Mr. Williams stated that elementary schools may have to be involved in the process of merger to be able to develop districts within the entire County to take care of future overcrowdedness in several areas. They are thinking about an elementary school somewhere in the Eastern Part (Newsome Road) to take care of some of the overcrowdedness in Knollwood and North Junior as well as in the City. They anticipate approximately 400 elementary pupils in this area. Along with this, they are looking at a possibility of a new school in the West side, possibly a Junior High School. There is also a need for an elementary school in the West area to eliminate three (3) old elementary schools-- Cleveland, Mt. Ulla, and Woodleaf. These are long-range goals; however, there will be an elementary school that will be part of the two (2) year plan. Commissioner Knox was also concerned that the County would have three (3) elementary schools built in the twenties and would like to see this addressed before they go too far in the construction plan. If the County is going to look at new school construction, he believes they need to look in the West Rowan section of the County. Mr. Leonard stated that this has been looked at and have found that it is not feasible because it is a less populated area.

Commissioner Swaim stated that when the Commission was asked to fund the independent consultant, Dr. Pyecha, he was in favor because he thought they were getting an outside person who would have no personal interest. He then asked why his original lines caused so many problems. Mr. Williams replied that although Mr. Pyecha done a good job, he had no conception of where children lived or what district they were in or even what school they were going to.

Commissioner Swaim asked if they anticipated at arriving at a consensus in time to effect the redistricting by the new school year. Mr. Leonard replied that there is a commitment between the part of both Boards for this and is convinced that they can but they just need additional time and opportunity to work at this. The feeling that Mr. Leonard is receiving from their Board at the present time is that it is getting late in the date and if they cannot come up with something within the next few days, then they need to think about merging the systems and moving on and they will redistrict as they go along. Mr. Williams stated that within twenty (20) days it must be done and hope that both boards can get together to accomplish the redistricting.

Commissioner Knox stated that as the Commission looks at the integrity of both Boards of Education, he feels they have superb people and the Commission feels the same from the endorsed idea of trying to bring up Rowan County and Salisbury Schools to State

Average. Chairman Cohen stated that the Commission should be obligated to the public in that this Commission has seen fit to vote on merger rather than taking it to a referendum and feels they are morally obligated to the citizens of Rowan County to see that what is done will be done fairly. Therefore, Chairman Cohen charged the Boards to go into their jobs for redistricting and consider what is fair for everyone in Rowan County.

Commissioner Palmer stated that he has studied the signed Merger Agreement and while some sections may require revision, the general objectives are excellent and is in favor of this merger. Although he appreciates the tremendous efforts of both School Boards, there is very little tangible evidence of solid progress towards the consummation of this merger. Although he is very impressed with the new Superintendent of the merged system, the Schools have yet to give him a merged system to superintend. Since this Agreement is understood to be a condition of the merger, the County Commissioners agreed to supply sufficient funds to bring the current student expenditure up to State Average. The Commission provided half of this money in the 1988-89 Fiscal Year and is supposed to provide the balance in the 1989-1990 Fiscal Year. Although he does agree with this proposal, this money is supposed to be used to provide quality education to all students throughout Rowan County in a merged School System. Individually speaking, Commissioner Palmer stated that he would find it most difficult to provide more funds until the Rowan County-Salisbury School System are truly and equitably merged or at least a definite and attainable plan and time schedule adopted.

Commissioner DeMarcus offered a Resolution to the two (2) school Boards conveying the Commission's opposition to House Bill 404 as introduced by Representative Brad Ligon for the purpose of delaying merger. Commissioner DeMarcus then made a motion to adopt the Resolution as attached to these Minutes and Commissioner Knox seconded with unanimous approval.

Commissioner DeMarcus then stated that the Rowan County and the Salisbury School Boards have taken important and progressive steps to bring a merged School System to Rowan County. They and the County Commissioners through the funding process have acted responsibly in setting out to solve the difficult problems of quality education and to provide opportunities for every child to reach their greatest potential. All of the initiatives concerning merger of the two (2) School Systems have been on the local level. School Merger has been a local decision and believes it should remain one. The Commission then concurred with this statement in strong support.

Commissioner Swaim stated that he has talked to Mr. Brad Ligon

about this and Mr. Ligon is not opposed to merger but his concern is with the citizens' concern of redistricting and feels this is the only way that he can accomplish what the citizens want which is a fair redistricting plan.

CONSTRUCTION CONTROL CORPORATION - AL DICKENS & DON TUDOR:

Mr. Dickens presented background information about their program as attached to these Minutes. He stated that the present firm has been in construction management for about twelve (12) years. They are associated with Carter Goble Association, Mr. Don Tudor, who are nationally known Jail Consultants. Mr. Tudor indicated that their firm does deal with Courts as well as Jails. Additional information about these companies are attached to these Minutes.

UPDATE ON POST OFFICE RENOVATION - DOUG TENNENT:

Commissioner Swaim asked for Mr. Tennent's reaction on the presentation by Construction Control Corporation. Mr. Tennent stated that from the very beginning the Department of Corrections is involved, and it is not feasible to wait until the work and drawings are complete and then have the State turn the project down.

In regards to the Post Office, Mr. Tennent reported that there is very little change to the outside. The ceramic tile is down and has been finished as well as all the sheetrock. They are not painting nor putting down the soft tile because there is no glass in the front although the heating and duct work is done. All the small glass is cut and the large glass will be done by Wednesday, so they should have heat by the end of the week and then will be doing the finishing touches. All the electrical work is done. The last thing to coordinate will be the actual move of the Post Office.

UPDATE ON LIBRARY CONSTRUCTION PROJECT - BILL BURGIN:

In response to Commissioner Swaim's question about Construction Control Corporation's presentation, Mr. Burgin replied that their office has worked on a Construction Management Team and the advantage they found in the system was the ability to eliminate subcontractors that were not performing. On the other hand, having public funds involved would make it very difficult to select quality contractors without raising some level of objection from other subcontractors that may be equally qualified

In regards to Library construction, Mr. Burgin reported that the Library schedule at this point is that they should finish the interior of the renovated portion of the Library by the end of this month and hope at this point they can do a final inspection and a few more weeks later, they will have the exterior portion complete. The railing which has been delayed is currently on the job and should be painted and installed within the next week. In reference to Mr. Frick's concern about the lighting problem, Mr. Burgin stated that they have several solutions to the lighting problem installed and have yet to hear a response from the Historic Commission. Commissioner DeMarcus suggested requesting a reply from the Historic Commission.

RECOGNITION OF MRS. MYRTIS NICHOLAS - COMMISSIONER DEMARCUS:

Commissioner DeMarcus reported that in 1968, Mr. Dan Nicholas donated 330 acres of land to Rowan County specifying that it was to be used for recreational activities. This was the beginning of a Parks and Recreational System for Rowan County. She then stated that Ms. Myrtis Nicholas served on the Rowan County Parks & Recreation Committee for fifteen (15) years. Commissioner DeMarcus then presented a framed copy of the Resolution to Mrs. Myrtis Nicholas' daughter, Mrs. Betty Dan Nicholas Gilliam which was adopted by the Rowan County Parks & Recreation Commission on October 25, 1988. The attached Resolution was then read by Commissioner DeMarcus stating that a living tribute be established in memory of the life of Mrs. Nicholas. An appropriate marker would then stand in her memory as a result of this commemoration at Dan Nicholas Park. Both Mrs. Betty Dan Nicholas Gilliam as well as her daughter Ann Scott Spear and her cousin Paul Bernhardt and his wife Naomi and daughter Eva O'Riley and Dr. Bob Spencer were present for the presentation made to Betty Dan. Mrs. Gilliam then expressed her appreciation to the Commission and the members of the Parks & Recreation Commission.

UNITED WAY AWARD - COMMISSIONER JAMIMA DEMARCUS:

Commissioner DeMarcus stated that the County has come a long way with United Way as now they accept Payroll Deductions for persons who want to participate. The giving to United Way from County employees has increased substantially. Therefore, a plaque was presented to the County Commission for the County's support in United Way.

REQUEST FOR WILDLIFE NATURAL AREA - MARK DOMSKE:

Mr. Domske requested land be given for a Wildlife demonstration area. Ms. Linda Blue stated that as far as the Agricultural Extension Service Forestry Program, last February, 1988, they sent out a survey to eight hundred County landowners. This survey went out with a mailing of the AFCS Department. In an effort to come up with other educational opportunities, they would like to take advantage of an opportunity offered to them from the Forestry Department at North Carolina State University. The information they received a couple months ago as to funding for multiple use forestry demonstration areas. They are notified that money was available to fund demonstrations of sound forest management practices at a matching cost of \$1,000 per demonstration to be approved. Priority would be given to projects that included wildlife management, water quality along with timber planting. Due to the interest that their survey indicated with Wildlife Management Practices as well as timber management practices, they would like to take advantage of a nearly five-acre piece of property next to their agriculture building. Ms. Blue has talked with the Forestry Department this morning and has a verbal approval from them that they will be receiving the \$1,000 grant money but does not have anything in writing at this point. In order to get the final approval to get the \$1,000 grant money from the Forestry Department, they would like to know that they would be able to use the piece of property for at least five (5) years. They feel this would be a good opportunity for general public education as well as public schools. Assuming they do receive the money from the University, they are not asking anything from the County other than to let them use the property and possibly the use of grading equipment to get the land cleared. As far as maintenance is concerned, Mr. Domske stated that the grass area would need to be maintained. Most of this area at the present time is being maintained by County Maintenance. As far as the cost of fertilizer and other materials this will be covered by the grant money that they receive and would not be needing any other funding from County Programs. Mr. Caudill is in agreement with this proposition. Commissioner DeMarcus stated that this fits into what the Commission thought should happen when the site was selected for the new Agriculture Building as they wanted new demonstration plots. Ms. Blue stated that if the grant would not go through the Extension Service does do quite a bit of their programs anyway in seeking contributions from local businesses and they may see if they can get some local farm suppliers to donate fertilizer. Commissioner DeMarcus made a motion to allow them to use this plot of land for five (5) years and Commissioner Swaim seconded with unanimous approval.

KLUTTZ:

The County Attorney reported that in researching the General Statutes of North Carolina, this specifically provides for an Ordinance pertaining to Firearms providing that the various Counties may by ordinance regulate this. Mr. Kluttz provided the Commission with a copy of the Firearms Ordinance from Mecklenburg County and felt this should suffice for the needs of Rowan County. The County Attorney suggested that a Public Hearing be called upon before action is taken on this matter. The Notice should read that the Proposed Ordinance is on file in the Manager's Office as suggested by the County Attorney. Commissioner Palmer concurred that the attached ordinance addresses the problems that have been discussed as well as answering some of the objections that have been a concern to many citizens in the County. Commissioner Palmer made a motion to have a Public Hearing on this issue on April 3, 1989 at 7:00 p.m. and Commissioner Swaim seconded with unanimous approval.

CONSIDERATION TO EXPAND PLANNING BOARD AND ESTABLISH ADMINISTRATIVE PROCEDURES - DANNY JOHNSON:

Mr. Danny Johnson, Planning Director, provided the Commission with a draft of the amendment to the ordinance that created the Planning Board to increase the Planning Board from seven (7) to eleven (11) members. In addition to this amendment he placed a process of transitioning some of the members to a unified date of expiration of December 31 and have a staggered system of three (3)-year terms with a third of the Board being reappointed each year. In addition, a procedure to remove members if they fail to make proper attendance of the meetings was also in place. Mr. Johnson stated that the Commission's action at this point should be to authorize a Public Hearing. Commissioner DeMarcus made a motion to authorize a Public Hearing to be held on this issue on April 3, 1989 at 1:45 p.m. Commissioner Knox seconded with unanimous approval.

CREATION OF ROWAN COUNTY COMPLETE COUNT COMMITTEE FOR THE 1990 CENSUS - DANNY JOHNSON:

As attached to these Minutes, Danny Johnson provided the Commission with a copy of the outline of activities dealing with the 1990 Census which will occur on April 1, 1990. This Census works towards the identification of the County's population for representation in the State Legislature and in the US Congress and Senate, and in many cases Federal Funds are allocated based on the population formulas and a lot of statistical data is derived from

the Census taken. The Census Bureau is encouraging the counties and municipalities in the United States to create what is called Complete Count Committee. The objective of this committee is to encourage people to fill out the census forms, promote the fact that the census is being conducted, and to understand the census. There is no anticipation of any funds needed for this group. Most of the responsibilities will mainly be coordination and speaking with civic clubs, etc. This would be voluntary action by the Commission to create one and is not mandated. If the Commission decides to set one up, then the Commission can authorize the Chairman to notify the Census Bureau that one will be set up. Mr. Johnson suggested that the Committee, if approved by the Commission, consist of 15 to 21 members with representatives from various sections of the Rowan County population. Commissioner DeMarcus feels a real need for this Committee; therefore, she made a motion to approve such a Committee and that the Commission think about some names geographically around the County as well as other persons who might be good spokespersons. Commissioner Knox seconded with unanimous approval.

Mr. Johnson prepared a copy of the Comprehensive Rowan County Planning Program for the Commission as attached to these Minutes. He stated that the primary purpose of doing a Comprehensive Planning Program is to have an overall County Development Plan

He suggested the County think about doing this Plan for the next ten (10) to fifteen (15) years. Nine steps were outlined in this attachment that will carry the County through this process. This process will involve a lot of citizen participation. This process should realistically take nine (9) to twelve (12) months. Once a Planning Board is enlarged to full membership, Mr. Johnson will take these nine steps and finalize these a little more detailed in actually assigning dates and times for the hearings and the process throughout. At this point, they would probably begin sometime in the Summer with the Planning Board being ready to handle this type of activity. This is the overall planning program. There are still other issues that will be worked on. This Program will act as a policy in which to advise the Commission on the growth and development of the County. This does not have any legal structure in the sense that it is not an ordinance but is the basis in which ordinances and regulations in development would be used as a "blueprint" to develop them.

Commissioner DeMarcus asked if there is anything that can be done immediately so that municipalities may not exercise their two-to-three mile zone. Mr. Johnson replied that the North Carolina General Statutes clearly states (dealing with municipalities) that they have the authority to go one mile outside their corporate limits and include a portion of the County if they do not have

three regulatory authorities over that territory (zoning, subdivision, and building inspections). At this time, the only authority the County regulates is Building Inspections. The City has the authority to go one mile. The statutes also says that if they desire, if they are a population over 10,000 and less than 25,000 they can go two miles and if they are over 25,000 they can go three miles but they can only two and three miles with the authorization and approval by Resolution by the Commission. The County is in control of this area of two and three miles beyond the corporate limits. The Commission also has the authority to notify a municipality if they have two mile jurisdiction and request that they terminate it giving twelve months to do so in that transition. Each municipality has the authority through due process to establish one mile jurisdiction outside the corporate limits up to the point that they have zoning subdivision and building inspections. Mr. Johnson stated that the other objective of this issue is that the County Plan and the County Zoning Ordinance and the County Regulations should not be so heavily written for urbanized areas and should fit more to Rowan County and the transition of the area out beyond the Urban Core.

UPDATE ON LANDFILL CONSTRUCTION PROJECT - DON CONNER (PAUL CANUP):

Mr. Canup filled in for Mr. Conner in his absence. Mr. Canup presented the landfill report to the Commission as attached to these Minutes. Mr. Canup reported that the Solid Waste Management Staff was impressed during their visit to the job site. However, they were unable to walk over the site due to the inclement weather. Mr. Canup reported that Randy Goodman has been responsible for the removal of the Mingus House roof to get ready for the Crouch Brothers.

UPDATE ON RECYCLING PROGRAM - PAUL CANUP:

Mr. Paul Canup provided the Commission with a copy of the Recycling Report dated February 28, 1989. He stated that there is still a problem with the newspaper as they seem to have a lot of newspaper going as mixed. He stated that he contacted the manager at Paperstock Dealers last week. Sonoco has bought the Paperstock Dealers and they are checking every bail that goes out. There is a man going around on Monday, Wednesday and Friday at all the sites to clean them up. There is still quite a bit of trash going in them as well as a lot of mixed paper that should be newspaper. Although the site may be in good shape when he leaves, it may get messed up shortly thereafter. They are working on ways to alleviate this problem. There is still a need to educate people on the content of newspaper containers.

The site is now opened in Salisbury and is going fairly well. They will be opening the site in North Kannapolis by the end of this month. They are trying to get in touch with the BFI people to set a date for the opening and will then notify the Commission. They will have two (2) more weeks with the Recycling Program through the Schools. The first full weekend in April and the first full week in May will be the designated dates. They will divide the schools up so that they can catch five (5) or six (6) each day rather than get all the schools in one day. They have a County pick-up truck they are going to use and has talked with the Manager of the Paperstock dealers and he is going to let the County use the dump truck. This will be used at no charge--just pay for gas. He hopes to have a schedule for the Schools very shortly. They will start paying for mixed paper at 25 cents for 100 pounds. Cardboard will be \$1.25 per 100 pounds and newspaper will be at 50 cents for 100 pounds. Commissioner DeMarcus stated that in the School Collections they will be collecting Newspapers and Inserts plus the fact from the grant they received from the State they decided would give a \$200 prize for each week for the School that collects the most newspapers per pupil.

REQUEST FOR CABLE VISION FRANCHISE - FRIENDSHIP CABLE OF NORTH CAROLINA, INC. - NAT BARFIELD:

Mr. Nat Barfield stated that the company name is Friendship Cable of North Carolina, Inc. and the parent company is Buford Television, Inc. A letter was sent to the County Manager stating that they would like to formally make an application to Rowan County for a Franchise to provide cable television service to uncabled areas in the northern portion of the County.

Buford Television was formed in 1951 in the Broadcasting business and are still active in broadcasting--they have three (3) NBC affiliates--2 in Texas and 1 in Florida. They went into the cable television business in 1971 and have operated several systems as attached to these Minutes. They are seeking a long term investment with the County. They are looking to build, maintain, and operate a system. They are trying at the present time to build systems in Stokes, Wilkes, Forsyth, Davie, Catawba, Iredell, and Rowan Counties. They have not been able to complete a study on the balance of the County, there could possibly be other areas that are not served presently by the existing cable company that is mostly working townships. They are looking to building rural areas to serve the rural people. They try very hard to maintain an outstanding relationship both with the Franchising authorities and their customers. They will have a local office area where it has not yet been anticipated. They will have complete facilities to

maintain. Once construction is completed, they always leave behind a technician and service truck to maintain the area that they are building. Commissioner Palmer asked what density of homes they propose to serve. Mr. Barfield stated that they run at approximately twenty (20) homes per mile. The area could be extended if they found another pocket of homes that would not be unfeasible, they may extend to those. Also attached to these Minutes is a channel line and proposed rates.

They are offering a twenty-five channel line up. They would then put in a tower in the County. The County Attorney stated that this has to be approved at two (2) regular meetings. Commissioner DeMarcus made a motion to approve the first reading of this proposal today and have a second reading at the next April 3, 1989 Regular Meeting and Commissioner Knox seconded with unanimous approval.

SECOND READING ON PROPOSED AMENDMENT TO FRANCHISE AGREEMENT -
VISION CABLE OF SALISBURY, INC.:

Commissioner Palmer made a motion to approve the Second Reading on the proposed amendment to the Franchise Agreement at the request of Vision Cable of Salisbury, Inc. as attached to these Minutes and Commissioner DeMarcus seconded with unanimous approval.

OTHER BUSINESS:

*Commissioner DeMarcus gave a report to the Commission on Parks & Recreation in regards to the progress being made at Bakers Creek Park. A survey has been made and has determined that Mr. Greene's junkyard has encroached on Park Property and the County Attorney has written Mr. Greene a letter dated March 7, 1989 asking him to clean it up and has given him thirty (30) days to do this. The Cabarrus Parks has made signs indicating "No Littering" to be placed in this area. The City of Kannapolis will still take a few things out. On Saturday, April 1, 1989, volunteers will be asked to go to Bakers' Creek Park and pick up things as well. Mr. Patrick of the "Daily Independent" reported that in a conversation with Mr. Greene, he seemed to be very defensive at first on the issue, and now seems very receptive to cleaning up the mess.

*Commissioner DeMarcus stated that the problem with the Library and the children congregating there has changed due to the measles. They are planning an Open House either before or the Sunday after Mothers Day depending on the speaker.

MANAGER'S REPORT:

The County Manager reported Interest earned through February, 1989 amounted to \$333,598.

The County Manager also reported Refunds as attached to these Minutes. Commissioner DeMarcus made a motion to approve and Commissioner Swaim seconded with unanimous approval.

EXECUTIVE SESSION - ACQUISITION OF PROPERTY:

Commissioner Swaim 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 and no further business in Regular Session, meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Wendy S. Powell
Clerk to the Board