

MINUTES OF THE MEETING OF THE BOARD
OF ROWAN COUNTY COMMISSIONERS
REGULAR SESSION
DECEMBER 4, 1989
RED ROOM - COMMUNITY BUILDING

The Rowan County Board of Commissioners met in Regular Session on December 4, 1989 at 9:00 a.m. in the Red Room of the Community Building.

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

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

Chairman Cohen called the meeting to order, and Commissioner Palmer gave the invocation.

MINUTES:

The following minutes were submitted for approval:

November 6, 1989	(Regular Session)
November 14, 1989	(Emergency Meeting)

There being no corrections, Commissioner Knox made a motion to approve the minutes as submitted. Commissioner Swaim seconded, with unanimous approval.

SELECTION OF CHAIRMAN AND VICE-CHAIRMAN

County Manager Tim Russell opened the floor for nominations for Chairman and Vice-Chairman for the upcoming year.

Chairman: Commissioner Swaim made a motion to re-elect current Chairman Newton Cohen. Commissioner Knox seconded, with unanimous approval.

Vice-Chairman: Commissioner Palmer made a motion to re-elect current Vice-Chairman Wilborn Swaim. Commissioner Knox seconded, with unanimous approval.

ADDITIONS TO AGENDA:

Commissioner DeMarcus would like to discuss the Health Board.

County Manager Russell would like to invite County Assessor Jerry Rowland to speak on a Mapping Grant.

CORRESPONDENCE:

County Manager Russell presented the following correspondence:

* Resolution dated November 16th, from the Historic Salisbury Foundation, Inc. stating its opposition to a Radioactive Waste Facility in Rowan County.

* Letter dated November 17th, from Mr. Don Honeycutt of N.C.D.O.T., regarding the Woodleaf Road Project (workorder 6.623481), detailing the costs involved for completion of the project.

* Letter dated November 20th, from Mr. James E. Harrington of N.C.D.O.T., regarding the allocation of funds from the Block Grant Pilot Program for the Rowan County Airport.

* Letter dated November 20th, from Mr. James E. Harrington of N.C.D.O.T., regarding State Aid to Airport Projects for the Rowan County Airport in the Transportation Improvement Program, Fiscal Year 1990-1994.

* Letter dated November 27th, from Mr. Harry C. Whalen of the

Economic Development Commission, regarding the schedule for the next meeting on December 13, 1989.

* Registration form for the 1990 NACo Legislative Conference to be held March 17-20, 1990 at the Washington Hilton Hotel.

ROAD PETITIONS:

Commissioner Knox presented one (1) Road Petition for addition to the secondary road system: Evandale Road in the Atwell Township, as attached to these minutes.

Commissioner Knox then made a motion to approve the request. Commissioner DeMarcus seconded, with unanimous approval.

MR. TROY ELLIOTT/MR. AUSTIN MITCHELL:

At this time, Chairman Cohen recognized Mr. Troy Elliott, and Mr. Austin Mitchell to address the Commission regarding their concerns of the County's water and sewer extension policy. Mr. Cohen replied that "the County will extend any existing system to a new industry in the County, if the tax generated by that system will pay for that facility within five (5) years."

He continued that "if the municipality annexes the industry within the five (5) year period, they are required to pay a pro-rata basis of the cost back to the County."

BOARD APPOINTMENTS:

Nursing Home Advisory Committee: One (1) vacancy has been created by the resignation of Ms. Nancy Dunn. Commissioner Knox nominated Mrs. Virginia Shuford to fill the position. With no other nominations, Commissioner DeMarcus made a motion that the nominations be closed. Commissioner Knox seconded, with unanimous approval. Ms. Virginia Shuford will fill the position.

Centralina Development Corporation: One (1) vacancy has been created by the resignation of Mr. Troy Ferguson. Commissioner Swaim nominated Mr. Jim Henderson of Citizens Federal Savings and Loan Association to fill the position, subject to his acceptance of the nomination. There being no other nominations, Commissioner Knox made a motion to close the nominations. Commissioner Palmer seconded, with unanimous approval. Subject to his acceptance, Mr. Jim Henderson will fill the position.

Rowan County Airport Board: The terms of Mr. Paul Carter and Mr. Ashley Roberts, will both expire on 12/31/89. Commissioner DeMarcus made a motion to reappoint both members for another term. Commissioner Knox made a motion to close the nominations. Commissioner Palmer seconded, with unanimous approval. Both members will be reappointed.

Rowan County Board of Health: The terms of Dr. Paul Green, Jr., Mr. Richard Hurder, Mrs. D. J. Whitfield, RN, and Dr. Norman R. Sloop, M.D. will all expire on 12/31/89. All members except Dr. Sloop are eligible for reappointment. Commissioner DeMarcus made a motion to reappoint the three (3) eligible members. Commissioner Knox seconded, with unanimous approval.

Commissioner Palmer nominated Dr. Wayne Cline, Sr. (retired) to fill Dr. Sloop's vacancy. Commissioner Knox suggested, and the Commission agreed by consensus, that the appointment be deferred until the January meeting, for further consideration.

Rowan County Historic Properties Commission: The term of Mr. L. G. Goodman (filling unexpired term of Jim Hicks) will expire on 12/31/89. Commissioner Swaim made a motion to reappoint Mr. Goodman. Commissioner Palmer seconded, with unanimous approval.

Rowan Public Library Board: The terms of Ms. Inez Bankett Allen and Mr. Carl (Chip) Short (filling the unexpired term of Thomas Caddell) will both expire on 12/31/89. Commissioner Swaim made a motion to reappoint both members, subject to the acceptance of Ms. Allen. Commissioner DeMarcus seconded, with unanimous approval.

Salisbury-Rowan Human Relations Council: The term of Chairman Catrelia Hunter will expire on 12/31/89. Commissioner DeMarcus made a motion to reappoint Ms. Hunter. Commissioner Swaim seconded, with unanimous approval.

Cabarrus-Rowan Park Commission: A letter has been received from Parks Director Jim Foltz, requesting that Mr. Carl Alexander, Jr. be appointed at the expiration of term of Mr. Carl Alexander, Sr. Commissioner DeMarcus made a motion to accept the appointment. Commissioner Knox seconded, with unanimous approval.

Pooletown Volunteer Fire Department: A letter was received from Ms. Loretta Eagle, Treasurer of the Pooletown Volunteer Fire Dept., requesting the approval of Mr. Larry Shaver to replace Mr. Clinton Crook as Chairman of the Insurance Commission. Commissioner Knox made a motion to approve the request. Commissioner Swaim seconded, with unanimous approval.

Appointment of Municipal Official to Carolinas Transportation Compact: Commissioner DeMarcus made a motion to appoint Mr. Harold Holbrook of North Kannapolis as representative. Commissioner Knox seconded, with unanimous approval.

Appointment of Municipal Official to Yadkin-Pee Dee River Basin Committee: Commissioner DeMarcus suggested, and Commissioner Palmer made the motion to appoint whomever the City of Salisbury recommends for the position. Commissioner Swaim seconded, with unanimous approval.

PRESENTATION OF CERTIFICATE TO EDWIN KOONTZ:

At this time, Commissioner Palmer presented a Service Award to Mr. Edwin Koontz, Director of Social Services for his 35 years of dedicated service. Commissioner Palmer commended Mr. Koontz on for his quality of work, and expressed his appreciation from the Board of Social Services.

EDWIN KOONTZ - BRIEFING ON ALEXANDER VS. HILL:

Mr. Edwin Koontz, Director of Social Services, presented a written synopsis on the progress of the Alexander vs. Hill case, as well as the Statistical Information For October 1989, as attached to these minutes. Mr. Koontz then introduced Attorney Bonnie Busby and Social Services Income Maintenance Manager William Copeland to the Commission.

Mr. Koontz explained the time frames required in filing Aid to Families with Dependent Children requests, and the penalties involved for noncompliance. Mr. Koontz continued that the Federal agencies require requests to be processed within 45 days, and that Medical Assistance requests be processed within 60 days.

At the present time, Mr. Koontz feels that it will be difficult to implement the settlement agreement. The applications for AFDC have increased from 18-59 forms (each). He continued, that it is extremely difficult to meet these time frames, due to the applications for assistance continuing to rise, and due to the turnover in personnel in DSS.

A penalty of 7 1/2 % of State and Federal reimbursement will be charged for administration. This increases by an additional 5% for each year of noncompliance. This order has been signed, and the effective date is 4/1/90.

Davie County is the only North Carolina county recognized as being in compliance with the time frames required for the above-mentioned requests, according to Mr. Koontz. Rowan County DSS has paid minor penalties previously.

According to Finance Director Brady Frick, 90-95% of the manual checks issued, are done so in order to comply with these guidelines.

Commissioner DeMarcus suggested that the County Commissioners' Association be made aware of the concerns of the Commission regarding these guidelines.

Chairman Cohen requested that Mr. Koontz prepare 8 sets of these forms, with the intention of sending them to our Senators, Representatives, and the Legislators in Raleigh. In order to express the impact of the process, the Officials would be requested to complete the forms (with fictitious names) and return them within the 45 day guidelines.

REQUEST FOR CBA PROGRAM - SANDRA REITZ:

Ms. Sandra Reitz of Social Services, presented the Commission with a proposed program agreement between the American Children's Home Project and Rowan County, as attached to these minutes. Ms. Reitz explained that no funds would be requested for the project. The project will allow immediate placement for 6 children outside the home, and provide for on-premises schooling. DSS believes that this program will complete a continuation of care for those juveniles referred to the agency, who are involved in the court system.

Commissioner DeMarcus made a motion to approve the program as proposed. Commissioner Knox seconded, with unanimous approval.

DOMINION YARN CORPORATION - MR. TOM CADDELL:

Attorney Tom Caddell previously submitted a request for a waiver of a tax penalty, in the amount of \$8,266.61 as attached to these minutes. The penalty resulted from unlisted property during construction-in-progress in 1987. Mr. Caddell introduced Mr. Ron Hatley, Controller of Dominion Yarn Corporation. After considering information from Mr. Hatley, Mr. Caddell, and Tax Assessor Jerry Rowland, Commissioner Swaim made a motion to deny the waiver. Commissioner Knox seconded, with unanimous approval.

PENDING BUSINESS - UNITED WAY NEEDS ASSESSMENT:

Mr. Carl Repsher appeared before the Commission seeking a decision on his request of funding for the United Way Needs Assessment Project. Information regarding the project was previously submitted to the Commission, as attached to these minutes.

The request will be on a one-time basis, according to Mr. Repsher. After much discussion, Commissioner DeMarcus made a motion to allocate \$9,000 to the United Way Needs Assessment Project. Commissioner Palmer seconded, with unanimous approval.

PENDING BUSINESS - YADKIN/PEE DEE RIVER BASIN COMMITTEE:

In a previous letter from Mr. Joe C. Matthews, a request has been made to allocate \$2,000 to aid in the funding of the protest against the Inter-Basin Transfer of water (from the Cape Fear River to the Neuse River Basin), as attached to these minutes.

Commissioner Knox made a motion that the Board appropriate the \$2,000 for the project. Commissioner Palmer seconded, with unanimous approval.

Commissioner DeMarcus then expressed her disapproval of the Committee encumbering County monies without prior consent of the Commission.

PRESENTATION OF PROPOSED MOBILE HOME ORDINANCE - DANNY JOHNSON:

County Planner Danny Johnson introduced Planning Board members (Chairman) Elaine China, and Dave Roberts. Mr. Johnson then outlined the changes made to the proposed Mobile Home Ordinance, as attached to these minutes.

Commissioner DeMarcus made a motion to accept the proposed Ordinance as submitted, and to set a Public Hearing for December 15, 1989 at 6:00 p.m. in the Red Room of the Community Building. Commissioner Palmer seconded, with unanimous approval.

Also, Commissioner DeMarcus made a motion to implement a moratorium, effective at 11:45 a.m. today, to cease issuance of any further Mobile Home Park Improvement Permits, until the proposed Ordinance is formally adopted. Commissioner Palmer seconded, with unanimous approval.

Mr. Johnson continued to specify that a Mobile Home Park is

defined as the placement of "2 or more mobile homes on one parcel of land."

TAX COLLECTOR'S REPORT - WAYNE SIMPSON:

Mr. Wayne Simpson, Tax Collector, presented the monthly report, as attached to these minutes.

PRESENTATION OF ANNUAL AUDIT REPORT - DANNY LOVE:

Mr. Danny Love, auditor with Potter & Co., presented the Board with the annual audit report. Mr. Love explained the details of the areas suggested for improvement, to the Board.

As the previous Commission Chairman's name was still being found on payroll checks, Commissioner Swaim made a motion to authorize Chairman Cohen to sign payroll checks. Commissioner Palmer seconded, with unanimous approval.

One suggestion, by Mr. Love, was that the Commission adopt Financial Statements each year, as formal documentation.

Commissioner DeMarcus made a motion to approve the report as public knowledge. Commissioner Swaim seconded, with unanimous approval.

UPDATE ON LANDFILL CONSTRUCTION PROJECT - DON CONNER AND GERALD HORTON:

Don Conner, Environmental Services Manager reported to the Board that, as of this date, the new landfill will begin accepting deposits.

Mr. Gerald Horton, of Dewberry & Davis, reported that the final inspection on the lagoon is still needed. According to Mr. Horton, December 13th is the proposed closing date on the landfill contract, and December 20th is the tentative date that the leachate lagoon will be ready.

Regarding the issue of final payment and liquidating damages, Mr. Horton does not recommend final payment at this time.

REPORT ON RECYCLING PROGRAM - PATTI BURCHETTE:

Recycling Coordinator Patti Burchette presented information on the County's recycling efforts, as attached to these minutes. Ms. Burchette reports 9 recycling sites at present, with a total of 12 expected by 12/11/89.

Regarding other recycling efforts in progress, plans for disposal of household batteries are in progress. A 500-gallon tank has been setup at Julian Road for disposal of used motor oil. Due to many requests, aluminum cans will soon be accepted.

Commissioner DeMarcus mentioned that she will be setting up a meeting in the near future regarding the recycling of plastics.

She also noted that, if the recycling boxes would not be placed on Rowan County campuses, that a decision should be made in the near future, so Dr. Don Martin may be advised. The Logo Contest entries will be ready by the end of next week.

Mrs. Burchette continued that 9,000 Christmas tree "recycling" tags have been distributed to tree retailers throughout the County.

Lastly, the Recycling Brochure is currently being updated, and the new information will be printed soon.

MR. ROBERT FREEMAN - DUMPSTER FEES:

Mr. Robert Freeman addressed the Board regarding his disapproval of dumpster fees. Commissioner DeMarcus explained that, hopefully, through the strengthened efforts of recycling, dumping fees may be eliminated in the future.

He also expressed his concern at having to make a long-distance phone call to reach County Offices and Officials. Commissioner DeMarcus then reassured Mr. Freeman, that he was more than welcome to call his local Commissioners at their homes with any concerns.

CONSIDERATION OF FINANCING PLAN FOR AIRPORT:

Finance Director Brady Frick presented the Commission with information from First Union National Bank regarding the financing of the Airport Terminal Project, as attached to these minutes.

This information had previously been submitted for consideration. A resolution was also offered by Mr. Frick.

According to County Attorney John Holshouser, a Public Hearing will be required before the resolution may be adopted.

Commissioner DeMarcus made a motion to hold a Public Hearing on Friday, December 15, 1989 at 5:30 p.m. in the Red Room of the Community Building. Commissioner Palmer seconded, with unanimous approval.

At this time, Commissioner Swaim made a motion to adopt the resolution. Commissioner Knox seconded, with unanimous approval.

Lastly, Commissioner Swaim made a motion to authorize the signatures of Chairman Cohen, County Manager Tim Russell, and Finance Director Brady Frick to represent the County on the contract. Commissioner Palmer seconded, with unanimous approval.

MAPPING GRANT FUNDS - JERRY ROWLAND:

County Assessor Jerry Rowland reported that the County had been awarded \$19,000 from a State Mapping Grant. Mr. Rowland presented an agreement for approval, as attached to these minutes. He continued that the agreement needs to be approved by December 13, 1989.

Commissioner DeMarcus made a motion to approve the agreement as submitted. Commissioner Swaim seconded, with unanimous approval.

Mr. Rowland also presented copies of the revised tax listing forms, for the information of the Board, as attached to these minutes. Mr. Rowland explained the revisions in the forms and answered questions from members.

MANAGER'S REPORT - TIM RUSSELL:

Interest: County Manager Tim Russell presented the interest report for the month of November, 1989 as attached to these minutes.

Refunds: Mr. Russell submitted various refunds for approval, as attached to these minutes. Commissioner DeMarcus made a motion to approve the refunds as submitted. Commissioner Palmer seconded, with unanimous approval.

Upcoming Events: Mr. Russell reminded the Board of several upcoming meetings and events of interest:

- (1) Block Grant Seminar - Raleigh, December 7th.
- (2) Low-Level Radioactive Waste Authority - Raleigh, December 13th.
- (3) Chem-Nuclear Meeting - Raleigh, December 8th
- (4) Carolinas Transportation Compact - Charlotte, December 13th

ADDITIONS TO AGENDA:

Health Board: Commissioner DeMarcus updated members regarding the new fees implemented at the animal shelter.

After hearing the explanation of the proposed charges, Commissioner Swaim made a motion to approve. Commissioner Palmer seconded, with unanimous approval.

At this time, Commissioner Knox made a motion to adjourn to Executive Session, for the purpose of discussing litigation on landfill delays, and the Economic Development Commission. Commissioner Swaim seconded, with unanimous approval.

EXECUTIVE SESSION:

No action was expected from the session. Afterwards, the Board adjourned until Monday, December 11, 1989 at 8:30 a.m. in the China Grove City Hall.

Respectfully submitted,

Denise J. Barrow
Clerk to the Board