

MINUTES OF THE MEETING OF THE BOARD  
OF ROWAN COUNTY COMMISSIONERS  
ADJOURNED SESSION  
DECEMBER 15, 1989  
RED ROOM

The Rowan County Board of Commissioners met in Adjourned Session on Friday, December 15, 1989 at 5:30 p.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 administrative staff and concerned citizens.

The 5:30 p.m. hearing was held for the purpose of approving the financing for the Airport Terminal Project.

Chairman Cohen opened the meeting, and gave the invocation.

ADDITIONS TO AGENDA:

As the next meeting would be scheduled for January 1, 1990 (New Year's Day), the Commission rescheduled it to January 8, 1990 at 9:00 a.m.

At this time, Commissioner DeMarcus made a motion to open the public hearing regarding Airport Terminal Financing. Commissioner Swaim seconded, with unanimous approval.

PUBLIC HEARING - AIRPORT FINANCING AGREEMENT:

Mr. Ed Hayden suggested to the Board that the use of bonds would be an alternative, to finance the Airport Terminal Project. County Manager Tim Russell explained the payback process, interest rate, and showed that a bank note would, financially, be the best avenue to pursue.

With no further comments from the audience, Commissioner Knox made a motion to close the public hearing, and resume in Regular Session. Commissioner Palmer seconded, with unanimous approval.

County Manager Russell then read the Resolution for the Airport Financing Project, for the benefit of the audience. Commissioner Palmer made a motion to approve the financing proposal, as attached to these minutes. Commissioner DeMarcus seconded, with unanimous approval.

DESIGNATION OF APPLICANT'S AGENT FOR HURRICANE HUGO CLEAN-UP ASSISTANCE FROM FEMA:

County Manager Russell presented the Board with documentation required, to give authorization to handle the clean-up expenses with FEMA.

Commissioner DeMarcus made a motion to authorize Mr. Russell to handle. Commissioner Knox seconded, with unanimous approval.

UPCOMING EVENTS/MEETINGS:

Mr. Russell also updated the Board on the upcoming events/meetings involving Chem-Nuclear and the citizens/landowners. Commissioner DeMarcus expressed her disapproval of Chem-Nuclear's having excluded the Board from the meetings with landowners. The Board decided to attend the meetings without invitation.

At this time, Commissioner Swaim made a motion to open the public hearing on the proposed Mobile Home Park Ordinance. Commissioner Knox seconded, with unanimous approval.

PUBLIC HEARING - PROPOSED MOBILE HOME PARK ORDINANCE:

County Planner Danny Johnson explained three (3) amendments to the proposed ordinance, as attached to these minutes.

Mr. Van Ginhoven, of 250 Monarch Drive; Salisbury: suggested that any project in-progress at the time of the moratorium, be allowed to continue.

Mr. Gene Faggart of Rt. 2, Box 313; China Grove: questioned the watershed specifications on an area. In reply, Mr. Johnson explained the proposed Ordinance requirements.

Mr. W. D. Smith of 2370 Briggs Rd.; Salisbury: wants changes made in the proposed Ordinance, with regards to driveway requirements, setback amounts, and hitch requirements.

Mr. Charles Oster of Rt. 1, Box 279; Cleveland, N.C.: expressed his concerns regarding the number of mobile homes which designate a Mobile Home Park. Mr. Oster wants a distinction between business-use and personal-use.

Mr. Tim Ruben of 600 Holly Avenue; Kannapolis, N.C.: Is dissatisfied, because he was in the process of locating his father's mobile home onto his property when the moratorium went into effect. He'd also applied for 5 permits on a single tract of land which, according to the proposed Ordinance, constitutes as a "mobile home park".

Ms. Barbara Earnhardt of Coley Rd.; Salisbury, N.C.: is concerned with the number of homes which designate a mobile home park.

Mr. Clyde Haire of Route 1; Cleveland, N.C.: had already paid for soil tests, etc. when the moratorium halted his project.

At this time, Commissioner Palmer suggested that revisions to the proposed Ordinance be made, and a Board of Adjustment be established.

Ms. Peggy Daniel: wants the "grandfather clause" enforced, so her park will not be affected by the proposed Ordinance.

Mr. Bill Bailey of East Ridge Rd.; Salisbury, N.C.: supports the proposed Ordinance.

Mr. Bob Stegall of Lyle Avenue; Concord, N.C.: owns a mobile

home park near Hwy. 152, below Shuping's Mill. He was in-progress of expanding his mobile home park, when the moratorium was issued.

Mr. James Lloyd of Rt. 10, Box 542; Salisbury, N.C.: Thinks the proposed Ordinance should be "trashed"; says the setback standard should be the same as in the Building Code for homes; objects to screening around mobile home parks; with regards to the trash removal clause, he mentioned that he believes Weant St. apartments in E. Spencer to be County-owned, and they have a distinct trash problem. County Manager Russell corrected by saying that it is owned by the Rowan Public Housing Authority, not Rowan County, but that he would pass the information to them.

Mr. Ronald Ruben of 600 Holly Avenue; Kannapolis, N.C.: (Tim Ruben's father) says he has approximately \$10,000 invested and the moratorium stopped his progress; says the Government is trying to run his life "unconstitutionally".

Janet Gantt of Peach Orchard Road: owns a mobile home park, and wants clarification regarding her park and the "grandfather" clause.

With no one else wishing to address the Board, Commissioner Knox made a motion to return to Regular Session. Commissioner Palmer seconded, with unanimous approval.

At this time, the Board shared their comments regarding the statements/suggestions received from the audience during the public hearing:

Commissioner Knox: suggested that the Board proceed slowly, and not change the proposed Ordinance in drastic measures.

Commissioner DeMarcus: believes the proposed Ordinance is in line with, and no stricter than, any in neighboring counties. She encourages the appeal process for "hardship" cases, and wants to adopt the proposed Ordinance "as is".

Commissioner Swaim: has reservations on the "paved roads" requirement. County Planner Danny Johnson stated that the Mobile Home Park Ordinances in Iredell and Cabarrus Counties require paved road specifications. Commissioner Swaim further stated that he is concerned with zoning in the County.

He continued that he felt any "in-progress" work (at the time of the moratorium) should be allowed to proceed. County Manager Russell then explained the process of issuing partial permits, and the problems with the system which began years prior to the moratorium, and that these projects are still "in-progress".

Chairman Cohen mentioned his concerns with the number of mobile homes which designate a "park". Mr. Johnson explained how the requirements were established.

Hardship cases: According to Mr. Johnson, parties should request an appointment with the Planning Board for review of the situation. He then explained the process of application for a variance/waiver from the proposed Ordinance.

Commissioner DeMarcus made a motion to approve the three (3) amendments to the proposed Ordinance, as submitted by Mr. Johnson. Commissioner Swaim seconded, with unanimous approval.

Commissioner DeMarcus then made a motion to change the definition of a mobile home park from "2 or more" to "3 or more" mobile homes. Commissioner Swaim seconded, with unanimous approval.

Regarding the concern of the "paving" requirement in the proposed Ordinance, Commissioner Swaim made a motion to strike this requirement, and allow the proposed Ordinance to require mobile home park operators to provide gravel drives/roads which meet certain specifications. Commissioner Palmer seconded, with unanimous approval.

At this time, Mr. Johnson presented a survey of surrounding counties' mobile home park requirements, as attached to these minutes, to compare with the proposed Rowan County Mobile Home Park Ordinance.

Commissioner Knox then made a motion to accept the proposed Ordinance with revisions, effective 12/15/89. Commissioner Swaim seconded, with unanimous approval.

With regards to hardship cases and general appeals, Mr. Johnson will immediately revise the appeals process to include procedure instructions.

By concensus, the Board decided that the deadline for listing a Mobile Home Park will be March 31, 1990.

Lastly, Mr. Johnson explained the fee schedule for the administrative process, as attached to these minutes. A fee of \$2.50 per space or \$35 minimum will be imposed on Mobile Home Parks. Commissioner Palmer made a motion to accept the proposed fees. Commissioner Swaim seconded, with unanimous approval.

There being no further business, Commissioner Swaim made a motion to adjourn the meeting. Commissioner Palmer seconded, with unanimous approval.

Respectfully submitted,

Denise J. Barrow  
Clerk to the Board