

MINUTES OF THE MEETING OF THE BOARD  
OF ROWAN COUNTY COMMISSIONERS  
REGULAR SESSION  
MARCH 5, 1990  
RED ROOM - COMMUNITY BUILDING

The Rowan County Board of Commissioners met in Regular Session on March 5, 1990 in the Red Room of the Community Building.

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

ABSENT: J. Newton Cohen, Chairman

The County Manager, County Attorney, Finance Director and Clerk to the Board were also present as well as special guests, the 6th Grade Class of Mrs. Gail Foltz, Granite Quarry Elementary School, and various concerned citizens.

In the absence of Chairman Cohen, Vice-Chairman Swaim presided, and Commissioner Palmer gave the invocation.

MINUTES:

February 5, 1990 (Regular Session); Pages 2 & 7 were missing from the packages of Vice-Chairman Swaim and Commissioner Palmer. The Clerk made copies to replace, and Commissioner Knox made a motion to approve the minutes as submitted. Commissioner DeMarcus seconded, with unanimous approval.

ADDITIONS TO AGENDA:

Commissioner DeMarcus - Keep North Carolina Beautiful:  
Commissioner DeMarcus announced that Rowan County has been chosen as 1 of 3 top winners in the State, and have been invited to attend the meeting in Raleigh on 3/19/90. Commissioner Knox suggested that Patti Burchette, Recycling Coordinator, Don Conner, or a representative of the Personnel Dept. attend. Commissioner DeMarcus and County Manager Russell will work out the details.

Heilig Road Property: County Manager Russell presented a proposed Resolution, which declared the Heilig Road property as surplus, as attached to these minutes. He continued that Fowler Real Estate Agency, Inc. acknowledged the appraisal of the property

as \$1,800/acre, or a total of \$289,242.00. It is the intent of the Board to sell the property for the purpose of enhancing the Rowan County Health Department. After much discussion, it was agreed that minor amendments be made to the Resolution, with regards to the bidding process. Afterwards, Commissioner Palmer made a motion to approve the Resolution. Commissioner DeMarcus seconded, with unanimous approval.

CORRESPONDENCE:

County Manager submitted the following correspondence as attached to these minutes:

\* Letter dated February 27, 1990 from Malcolm B. Blankenship, Jr., regarding the Judgement against Mr. Roy E. Green.

\* Letter dated February 19, 1990 from Town of Spencer Clerk Peggy C. Whitley. The letter informs that the Spencer Board of Aldermen has adopted the Rowan County Ordinance for the Management of Solid Waste, and requests enforcement from the County. Also, the letter requested the reappointment of Mr. Herman Beaver to serve for a three (3) year term as an extraterritorial member of the Spencer Planning Board - term to expire 2/19/93. Commissioner DeMarcus made a motion to reappoint Mr. Beaver. Commissioner Palmer seconded, with unanimous approval.

\* Letter dated February 16, 1990 from the Town of Granite Quarry Clerk, Shirley Napier. The letter informs that the Granite Quarry Aldermen have adopted the Rowan County Animal Control Ordinance, and requests enforcement from the County.

\* Letter dated February 7, 1990, from D. B. Waters, Engineer of the State D.O.T., regarding the TIP Update meetings for 1990.

\* North Carolina Municipal Population 1988 (report), from the Office of State Budget and Management.

\* Letter from Mr. Robert W. Fields, Director of the Housing Management Division of the U.S. Dept. of Housing and Urban Development, regarding an Occupancy Audit of the Low-Income Public Housing Program.

\* Letter dated February 21, 1990 from Mr. Henson P. Barnes, President Pro Tempore of the N. C. General Assembly, regarding Channel One: State vs. Local Control.

\* Letter dated February 14, 1990 from the Department of State Treasurer, regarding County spending for Public School Capital

Outlay.

\* Letter dated February 14, 1990 from Mr. Henson P. Barnes of the N. C. General Assembly, regarding Equalizing Dollars and Programs in Education.

\* Letter dated February 14, 1990 from Mr. Robert Melton, General Manager of Vision Cable of Metrolina, regarding FCC regulations.

\* Brochure on Waste Expo '90, to be held April 30 - May 4, 1990, at the Georgia World Congress center, in Atlanta Georgia.

#### ROAD PETITIONS

Commissioner Knox offered one (1) road petition for addition, (Candlewick Drive in the Locke Township) as attached to these minutes. Commissioner Knox made a motion to approve the request. Commissioner DeMarcus seconded, with unanimous approval.

#### BOARD APPOINTMENTS

Rowan County Nursing Home Advisory Committee: Due to the recent expansion of members requested by Alice Hedt of COG, and also the expiration of term of Mr. Wiley Lash, two (2) vacancies exist. Commissioner Knox made a motion to reappoint Mr. Lash for another term. Commissioner Palmer seconded, with unanimous approval. A nomination for appointment of Ms. Diana P. Huffstutler to the committee, has been submitted by the Dept. of Social Services. Commissioner Knox made the motion to also appoint Ms. Huffstutler. Commissioner Palmer seconded, with unanimous approval. At this time, the Board stands full with ten (10) members.

Local Emergency Planning Committee (LEPC): Mr. Wayne Ashworth of EMS submitted a memo to the Commission, requesting the approval of resignations of Mr. Terry Barber, Chris Zeger and Fred Voreh, as attached to these minutes. Suggested replacements are Assistant Chief Bob Parnell (Salisbury Fire Dept.); First Sgt. Jack Edwards (N.C. State Hwy. Patrol); and Elizabeth Connell, (EMS Mgr.) for Rowan County. Commissioner Knox moved the approval of the resignations and replacements. Commissioner Palmer seconded, with unanimous approval.

Rowan County Planning Board: Mr. Bill Russell had contacted County Manager Russell to submit his resignation. Commissioner DeMarcus suggested deferring a replacement until the next meeting.

The Board agreed by consensus.

Historic Properties Commission: Mr. George Raynor submitted his resignation from the committee, as attached to these minutes. Commissioner Palmer made a motion to appoint Mrs. Bud Mickle to fill the unexpired term of Mr. Raynor. Commissioner Knox seconded, with unanimous approval.

Solid Waste Task Force: Three (3) members have submitted their resignations to Don Conner, as attached to these minutes. Chris Corriher was nominated to replace Tim Canup (D.O.T.); Bob Pruehsner was nominated to replace Judy Hampton (Church); and a replacement for Eddie Beaver (Home Builders) will be selected at the next meeting. Commissioner DeMarcus made a motion to accept the two (2) replacements. Commissioner Palmer seconded, with unanimous approval.

CONSIDERATION TO AMEND COUNTY SOLID WASTE ORDINANCE TO INCREASE CIVIL PENALTY - JOHN HOLSHOUSER:

County Attorney John Holshouser explained the information, as attached to these minutes. Commissioner Knox made a motion to accept the amendment as presented. Commissioner DeMarcus seconded, with unanimous approval. Mr. Holshouser reminded the Board that, in the absence of Chairman Cohen, the amendment could be accepted, but must have a second reading, and be adopted at that time. It was decided, after adoption, that the amended Ordinance would be distributed to all municipalities.

At this time, Vice-Chairman Swaim made comments with reference to the recent editorials in the Salisbury Post Newspaper, on the County's Solid Waste Ordinance and garbage fees.

TAX COLLECTOR'S REPORT- WAYNE SIMPSON:

Mr. Wayne Simpson, Tax Collector, presented the Preliminary February 1990 Report, as attached to these minutes.

At this time, Vice-Chairman Swaim opened the Public Hearing on the 6 proposed road name changes.

PUBLIC HEARING - PROPOSED NAME CHANGES IN ROAD NAMES (6):

Each of the Commissioners had previously received a copy of the published notice regarding the proposed name change(s) of six

(6) Rowan County roads, as attached to these minutes:

- (1) Cruse Road: No one spoke in favor of/against the proposed change.
- (2) 3rd Street Extension: An anonymous citizen spoke to say that all neighbors were in favor of the proposed change.
- (3) Windsor Drive: No one spoke in favor of/against the proposed change.
- (4) Shannon Drive: Mr. Roger Plummer spoke to clarify the exact location of the road in question. Upon clarification, no one else spoke in favor of/against the change.
- (5) Railroad Street Extension: No one spoke in favor of/against the proposed change.
- (6) Goodman Road: No one spoke in favor of/against the proposed change.

At this time, Commissioner DeMarcus made a motion to approve the proposed changes. Commissioner Knox seconded, with unanimous approval.

Vice-Chairman Swaim then declared the Public Hearing closed.

Commissioner Palmer made a motion to set a public hearing for 10:00 a.m. during the next regular meeting, on April 2, 1990, for the proposed name change of Palmer Road (SR 2343) to "Butterfly Road". Commissioner DeMarcus seconded, with unanimous approval.

UPDATE ON LEGAL CHALLENGE ON INTERBASIN TRANSFERS - REPRESENTATIVE JULIA HOWARD:

Representative Julia C. Howard updated members of the Board, regarding the legal challenge of the Interbasin Transfer of Water Issue and Associated Water Laws. Information was previously distributed to the Commission, as attached to these minutes. According to Ms. Howard, North Carolina has several rivers which are protected by General Statutes, and will not permit interbasin transfers. Ms. Howard explained which circumstances would allow the interbasin transfers, and how these transfers came into being. She had also previously submitted copies of two (2) Bills (to Chairman Cohen) from the N. C. General Assembly regarding the transfers, as attached to these minutes.

Mr. Hall Steele stated that "(we) have a chance to win" the 'challenge'. Mr. Robie Nash added his comments to the Board to suggest that they each obtain the reading material, "Cadillac Desert". He continued that this book thoroughly addresses the water problems on the west coast.

PRESENTATION OF WEAPONS TO RETIREES - SHERIFF BOB MARTIN:

Sheriff Bob Martin presented the weapons/badge(s) of honor(s) to three (3) retiring deputies:

- (1) Sgt. Glenn Sides
- (2) Deputy Don Whitley
- (3) Deputy Carl Fite

REQUEST FOR TRANSFER OF FUNDS - JEAN RAMSEY:

Mrs. Ramsey was out of town and unable to make her presentation, but will be available in the near future. Information had previously been submitted to the Board, as attached to these minutes.

PROPOSALS TO HOST HAZARDOUS WASTE FACILITY:

County Manager Russell presented information from the N. C. Hazardous Waste Management Commission, regarding Proposals to Host Hazardous Waste Facility, as attached to these minutes. A form was reviewed by the Board, requesting Rowan County's position on hosting a Hazardous Waste Facility. Commissioner DeMarcus made a motion to express the Board's intent (option #4 on the form) of total opposition to hosting the facility. Commissioner Palmer seconded, with unanimous approval.

REPORT ON RECYCLING PROGRAM - PATTI BURCHETTE:

Rowan County Recycling Coordinator Patti Burchette presented the updated Recycling Report, as attached to these minutes, noting that a 7% increase was realized over the previous month.

Mrs. Burchette requested that she be kept updated regarding the Convenience Site attendants' cooperation in assisting citizens with separating their recyclables. Lids for the Schools' newspaper containers still have not been received to-date. Mrs. Burchette will present a program on Recycling to all Office Supervisors on Friday, March 9th at 10 a.m. in the Hurley Auditorium, Rowan County Library.

TAX APPEAL HEARING (NEW TESTAMENT WORD OF FAITH, INC.) - R. G. Rowland:

County Assessor R. G. Rowland and Charlie Long of Tax Management Associates updated the Board regarding the current status of the Tax Revaluation. By consensus, the Board will continue to sit as the Board of Equalization and Review.

Mr. Rowland presented information on the account of the New Testament Word of Faith, Inc., as attached to these minutes. The church purchased land from First Pilgrim Church, but failed to reapply for the tax exemption status. The representatives of the church claimed that this occurred through the fault of their attorney, and are currently requesting a waiver of the 1989 taxes owed (\$1,874.78). Commissioner Knox made a motion to waive the 1989 taxes. Commissioner DeMarcus seconded, with unanimous approval.

FINANCE DEPARTMENT BUDGET REQUESTS - Finance Director Brady Frick:

Mr. Frick distributed information regarding 1990-91 Budget needs, as attached to these minutes. Mr. Frick reviewed, with the Board, the 1989-90 Funded Goals and Accomplishments. Basic requests for 1990-91 show a need for:

- (1) Centralized Purchasing
- (2) Centralized Accounting

- (3) Personnel:
  - (a) addition of a Data Entry Clerk
  - (b) extension of a Part-time employee to full-time
  - (c) replacement for Peggy Peacock (5/10/91)
  
- (4) Capital Outlay:
  - (a) partitions
  - (b) IBM PC & software
  - (c) new Payroll and Personnel System

Lastly, Mr. Frick stated that another Public Hearing may be necessary with regards to the Airport Terminal Financing. This comes at the request from Brown & Wood, attorneys for First Union National Bank. The purpose of the additional hearing is to satisfy the Tax Equity and Physical Responsibility Act requirement. The newspaper ad will need to be placed 14 days prior to the hearing. Commissioner DeMarcus made a motion to set a second hearing on the Airport Financing Project for 4/2/90 at 10:15 a.m. Commissioner Knox seconded, with unanimous approval. County Attorney John Holshouser volunteered to place the ad to advertise for the hearing.

PERSONNEL BUDGET REQUESTS - Ken Deal:

Personnel Director Ken Deal distributed copies of his projected five-year plan, as attached to these minutes. Mr. Deal explained that the present payroll system will not allow any additional payroll deductions, thus preventing the County from providing additional services to employees. He also distributed copies of the Employee Assistance Program, as attached to these minutes. Lastly, he assured the Board that the Personnel Dept. was continuing to explore avenues in which savings may be realized in health care costs, etc.

With regards to the Veterans' Service Department, Mr. Deal informed the Board that he had received many favorable reports regarding the performance of the Veterans Service Officer.

MANAGER'S REPORT - COUNTY MANAGER TIM RUSSELL:

Interest: Mr. Russell submitted the Report of Interest Earned Through February 1990, as attached to these minutes.

Refunds: Various refunds were also submitted for approval, as attached to these minutes. Commissioner DeMarcus made a motion to

approve the refunds as submitted. Commissioner Palmer seconded, with unanimous approval.

OTHER BUSINESS:

Commissioner DeMarcus commended Accounting Technician II Vicki McCombs, on her extensive research of savings realized by using a 2-color County seal on recycled paper for interoffice correspondence. The 5-color seal stationery will continue to be used for official correspondence.

EXECUTIVE SESSION:

At this time, Commissioner Palmer made a motion to go into Executive Session, to discuss acquisition of property. Commissioner Knox seconded, with unanimous approval. After returning to Regular Session, Commissioner DeMarcus made a motion to approve continuing pursual of the Community Development Block Grant for the housing developments near the Hitachi plant. Commissioner Knox seconded, with unanimous approval.

There being no further business, the meeting was adjourned until March 6, 1990 at 9:00 a.m. for the purpose of the Budget Planning Sessions.

Respectfully submitted,

Denise J. Barrow  
Clerk to the Board