

MINUTES OF THE MEETING OF THE BOARD
OF ROWAN COUNTY COMMISSIONERS
REGULAR SESSION - SEPTEMBER 10, 1990
RED ROOM - COMMUNITY BUILDING

The Rowan County Board of Commissioners met in Regular Session on Monday, September 10, 1990, 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, Finance Director, County Attorney, and Clerk to the Board were also in attendance, as well as various administrative staff.

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

MINUTES:

The following Minutes were submitted for approval:

- * August 6, 1990 (Regular Session)
- * August 16, 1990 (Special Called Meeting)

Corrections: August 16, 1990 - 1st page, 1st paragraph: "John" Boles should be spelled "Jon" Boles, as noted by Commissioner DeMarcus. Also, in August 16, 1990 - Page 2, paragraph 6, "Jack" Koontz should be "Jake" Koontz, as noted by Commissioner DeMarcus.

There being no further corrections, Vice-Chairman Swaim made a motion to approve the Minutes with corrections. Commissioner Palmer seconded, with unanimous approval.

ADDITIONS TO AGENDA:

* Commissioner Knox asked the County Manager to compile items for review at the Legislative Goals Committee Meeting.

* Vice-Chairman Swaim asked County Attorney John Holshouser to explain the recent misunderstanding regarding repayment of the Hitachi debt and court fees. Mr. Holshouser explained that Wachovia Bank prepared a Financing Statement and, inadvertently, included the court fees. He immediately informed Mr. Bob Jessup with the McNair Law Firm, and an amended statement was prepared.

* Commissioner Knox stated that the public doesn't seem to understand the purpose of "creative financing". Commissioner DeMarcus stated that she prefers standard financing procedures, and less "creative financing". Vice-Chairman Swaim suggested having a Bond Referendum for all projects greater than \$1 million. By consensus, the Board agreed to begin preparation for a Bond Referendum. An ADHOC committee will be established, also.

* Mrs. Phyllis Sides: Mrs. Sides had a complaint regarding the 911 House-numbering procedures. She explained that she had been asked to name a private driveway which housed three (3) mobile homes (2 are occupied). She preferred not to do this, but agreed to add the house-numbers at the roadside, instead. Mr. Wayne Ashworth, Emergency Services Director will be consulted to resolve the matter.

CORRESPONDENCE:

County Manager Tim Russell presented the following correspondence, as attached to these Minutes:

* Letter dated August 7, 1990, from Mayor J. O. Moose, Jr. of Faith, regarding the recent meeting of their Town Board, Mr. Russell, and County Attorney John Holshouser.

* Letter dated August 13, 1990 from Rockwell Mayor Harold Earnhardt, stating they had adopted the Rowan County Animal Control Ordinance, and requested assistance in enforcement.

* Letter dated August 27, 1990 from Mr. Robert Melton, Jr. of Metrolina Vision Cable, explaining the upcoming increase in cable rates. (Members also asked the County Manager to respond, by letter, to a Mrs. Deal's recent letter of complaint regarding cable TV services)

* Memorandum dated August 22, 1990 from Mr. C. Ronald Aycock of the NCACC, regarding the Legislative Goals for the 1991 Session of the General Assembly.

* Memorandum dated August 29, 1990 from Ms. Susan Adams of the N.C. Office of State Budget and Management, regarding the Statement of the Public School Building Capital Fund.

* Letter dated August 20, 1990 from Salisbury Police Chief Jeff Jacobs, inviting the Commission to attend the public forum on September 10, 1990. The forum is offered as part of the National Accreditation for Law Enforcement Agencies, Inc.

ROAD PETITIONS:

Commissioner Knox offered six (6) Road Petitions to be added to the Secondary Road System, as attached to these Minutes:

- (1) Edgewood Drive in the Locke Township
- (2) Landover Drive in the Locke Township
- (3) Clyde Cress Road in the Steele Township
- (4) Fisher Lane Ext. in the Gold Hill Township
- (5) Joe Lewis Street in the Gold Hill Township
- (6) School Street Ext. in the Cleveland Township

Commissioner Knox then made a motion to accept the petitions as submitted. Commissioner Palmer seconded, with unanimous approval.

BOARD APPOINTMENTS:

Senior Services: Mr. Clyde Fahnestock, Senior Services Director previously sent information to the Commission regarding seven (7) vacancies on this committee, as attached to these Minutes:

Miss Edith Hinshaw	Mr. C. H. Watson
Mr. Jack Musker	Mrs. Sue Osborn
Mrs. Faye Porter	Rev. Harry Rau, Jr.

(One membership-of 16 member roster-no appointment was ever made)

The Council submitted replacement recommendations, as attached to these Minutes:

Mr. William Beilfuss	Mrs. Irene Goodlett
Mrs. Leah McFee	Rev. Jimmie Holland
Sister Mary Roberts	Mrs. Eva Crawford
Capt. Marshall Moore	

Upon receipt of these recommendations, the motion was made to appoint all, and seconded, with unanimous approval.

Salisbury-Rowan Human Relations Council: Commissioner DeMarcus noted that two (2) positions need replacements, as the terms of Ms. Mary Deal and Mr. Leo Sowers had expired. She then nominated Ms. Catherine Rivens to replace Mr. Sowers. Commissioner Knox made a motion to appoint Ms. Rivens, and reappoint Ms. Mary Deal. Vice-Chairman Swaim seconded, with

unanimous approval.

Planning Board: Upon the earlier resignation of Mr. Bill Russell, one (1) vacancy exists. Commissioner DeMarcus made a motion to appoint Mrs. Carolyn Barker to fill the position. Commissioner Knox seconded, with unanimous approval.

APPOINTMENT OF AGRICULTURAL ADVISORY BOARD: The Board agreed by consensus to defer the appointments until the next meeting.

COUNTY ASSESSOR'S REPORT ON REVALUATION AND 1990-91 TAX LEVY -
R. G. ROWLAND:

County Assessor Gerry Rowland gave verbal figures regarding the gross and net amounts with regards to the Board of Equalization and Review Appeals. Mr. Rowland explained that \$81 million was lost due to farm usage; \$32 million lost due to the elderly/disabled exemption; \$401 million lost due to "exempt" properties (including schools). A total of \$53,216,000 was adjusted by the Board of Equalization and Review. According to his records, less than 100 persons have filed with the State for further appeals.

Regarding the personal property appeal by Mr. Ed Haden, it will be discussed at the next meeting.

TAX COLLECTOR'S REPORT - WAYNE SIMPSON:

Tax Collector Wayne Simpson presented the Preliminary August 1990 Report, as attached to these Minutes.

VETERANS' MEMORIAL PRESENTATION OF APPRECIATION PLAQUE - JEAN RAMSEY:

On behalf of Register of Deeds Jean Ramsey, Ms. Bobbie Earnhardt, Assistant Register of Deeds, presented the Commission with a plaque, which was received during Memorial Day Ceremonies at the new addition of the National Cemetery.

PRESENTATION OF WEAPON TO RETIREE GROVER BARE - SHERIFF BOB MARTIN:

Sheriff Martin introduced retired Lt. & Mrs. Grover Bare to members of the Board. He then explained the procedure of authorization, and commended Lt. Bare for his tenure of service (16 years, 4 months), and presented him with his weapon.

At this time, Commissioner DeMarcus made a motion to open the Public Hearing. Commissioner Knox seconded, with unanimous approval.

PUBLIC HEARING: PERCENTAGE GOAL FOR MINORITY BUSINESSES:

County Attorney John Holshouser explained the purpose of establishing the goal. After much discussion, and no one from the audience spoke in favor of/against the goal, Vice-Chairman Swaim made a motion to close the hearing, and return to Regular Session. Commissioner Palmer seconded, with unanimous approval.

Upon returning to Regular Session, Commissioner Knox made a motion to establish the process (by which minority businesses have access to the bidding process), and establishing the County goal at 10%. Vice-Chairman Swaim seconded, with unanimous approval.

SAFETY POLICIES & PROCEDURES:

Information was previously submitted to members of the Board, regarding the proposed Safety Policy and Procedures, as attached to these Minutes.

Commissioner Knox stated that he would like to see the policy inclusive of all County employees, and also included in the orientation period. County Manager Russell briefly explained the purpose of the Board and its mission.

Commissioner DeMarcus wants all employees to be able to have the option to come before the Board of Commissioners (if necessary) for a final appeal.

Commissioner Palmer made a motion to adopt the "Safety Policies and Procedures" as submitted. Commissioner Knox seconded, with unanimous approval.

REPORT ON RECYCLING PROGRAM - PATTI BURCHETTE:

Recycling Coordinator Patti Burchette presented the Recycling Report for August, 1990 as attached to these Minutes.

BRUNSWICK COUNTY DSS RESOLUTION - COMMISSIONER PALMER:

Commissioner Palmer had submitted a Resolution adopted by Brunswick County DSS, regarding the increasing demands to meet State mandates, as attached to these Minutes. The Resolution petitions for relief from the Alexander vs. Flaherty Settlement Agreement. Commissioner Palmer made a motion to adopt the Resolution. Commissioner Knox seconded, with unanimous approval.

PROPOSED CONSTRUCTION OF GREENWAY IN BAKER'S CREEK PARK - JIM FOLTZ:

Mr. Jim Foltz, Rowan County Parks Director introduced members of the Cabarrus-Rowan Park Commission, and also Mr. John Cadwallader to members of the Board. A donation of \$1,400 was received from the Rowan County Fair and the Salisbury-Spencer- Faith Jaycees for sliding boards for Dan Nicholas Park.

Mr. Larry Brown presented and explained the Resolution for the Greenway Development, as attached to these Minutes. For application of the grant monies, \$563.00 is needed. Commissioner DeMarcus made a motion to make \$563.00 available for the grant application for the Park project. Commissioner Knox seconded, with unanimous approval.

RECOGNITION OF SALISBURY-ROWAN FOREIGN EXCHANGE STUDENTS - CHAMBER OF COMMERCE:

Ms. Dot Walck and Ms. Peggy Wilson introduced the fifteen (15) foreign exchange

students, in the Salisbury-Rowan High Schools for the 1990-91 school year, and which country they are from.

OCCUPANCY TAX - CENTER MOTEL: BRADY FRICK

Finance Director Brady Frick stated that owners of the Center Motel in Kannapolis, NC claim they were not notified in 1987 of the Occupancy Tax requirements and, therefore, have never submitted payment. Mr. Frick has, however, notified them of the increase from 1% to 2%, effective 7/1/90.

Commissioner DeMarcus suggested that Mr. Frick visit the motel to verify that the tax monies were never collected by the motel. County Attorney John Holshouser will review requirements for "permanent occupancy" standards, and report back to the Board.

NORTH CAROLINA MUNICIPAL COUNCIL REPORT ON ROWAN COUNTY - BRADY FRICK:

Mr. Frick previously distributed information on the N. C. Municipal Council Report and Rating on Rowan County, as attached to these Minutes. Commissioner DeMarcus suggested mailing a copy to each municipality and all businesses listed in the report.

REPORT ON GRANT APPLICATION - EDWIN KOONTZ:

Social Services Director Edwin Koontz explained the proposal of the Z. Smith Reynolds grant application process, benefits realized, and other general information, as attached to these Minutes. Mr. Koontz requested authorization to place a pre-proposal application. Commissioner DeMarcus made a motion to authorize the pre-proposal application. Commissioner Knox seconded, with unanimous approval.

PROPOSAL FOR VIDEO SERVICES - CHAIRMAN NEWTON COHEN:

Chairman Cohen explained that he and Commissioner Knox viewed a video recently at the Salisbury City Council Chambers, regarding the rejection of a hazardous waste incinerator being sited anywhere. Rowan County is being asked to donate \$2,000 to offset the costs of the video. Information regarding the video had been distributed to members of the Board, as attached to these Minutes.

Due to the ongoing costs of defense against the proposed siting in Rowan-Iredell counties, Vice-Chairman Swaim made a motion to decline the donation. Commissioner Palmer seconded, with unanimous approval. He also suggested that a letter be written explaining that all efforts/funds must be reserved for the defense of the Rowan-Iredell site.

R.I.C.C.E. had also contacted the Board requesting a donation. Commissioner Palmer also made a motion to send a letter declining their request for the same reasons. Commissioner Knox seconded, with unanimous approval.

MANAGER'S REPORT:

Interest: County Manager Tim Russell reported the interest earned through August, as

attached to these Minutes.

Refunds: Various refunds were submitted to the Board for approval, as attached to these Minutes. Commissioner DeMarcus made a motion to approve the refunds as submitted. Commissioner Palmer seconded, with unanimous approval.

Donation: Mr. Russell announced that a donation of \$500, to offset costs, had been received for the Site Designation Review Committee from the Patriotic Order Sons of America (copy of check attached to these Minutes).

OTHER BUSINESS:

N. C. Wildlife Federation: Commissioner DeMarcus had received a request from the organization, that 9/22/90 be proclaimed as National Hunting and Fishing Day in Rowan County, as attached to these Minutes. She then made a motion to grant the request as stated. Vice-Chairman Swaim seconded, with unanimous approval.

At this time, Vice-Chairman Swaim made a motion to go to Executive Session, to discuss litigation and acquisition of property. Commissioner DeMarcus seconded, with unanimous approval.

EXECUTIVE SESSION:

Donation: The Board reviewed a proposed Resolution regarding a donation of \$18,000 from Mr. Fred and Bill Stanback to finance a systematic inventory of Rowan County's Important Natural Areas, wildlife habitats, rare species, potential green ways, and places of scenic beauty, as attached to these Minutes.

Arbitration: Correspondence was reviewed regarding the recent litigation involving PAPCO and the Rowan County Landfill, as attached to these Minutes.

At this time, a motion was made and seconded, with unanimous approval to return to Regular Session. Commissioner DeMarcus then made a motion to authorize the Resolution and accept the donation from the Stanbacks. Commissioner Palmer seconded, with unanimous approval.

Commissioner Knox made a motion to accept the arbitration decision, in which it is stated that all liens have been settled. Vice-Chairman Swaim seconded, with unanimous approval.

With no further business, a motion was made and seconded, with unanimous approval, to adjourn the meeting.

Respectfully submitted,

Denise J. Barrow
Clerk to the Board