

MINUTES OF THE MEETING OF THE BOARD
OF ROWAN COUNTY COMMISSIONERS
REGULAR SESSION - APRIL 1, 1991
RED ROOM - COMMUNITY BUILDING

The Rowan County Board of Commissioners met in Regular Session, on Monday, April 1, 1991, at 9:00 a.m., in the Red Room of the Community Building.

PRESENT: J. Newton Cohen, Chairman
Henry H. Palmer, Vice-Chairman
Jamima P. DeMarcus, Member
Charles H. Welch, Member
Thomas M. Webb, Member

The County Manager, Finance Director, County Attorney, and Clerk to the Board were also in attendance.

Chairman Cohen opened the meeting, and Commissioner DeMarcus gave the invocation.

MINUTES:

The following Minutes were submitted for approval:

* March 4, 1991 (Regular)

* The Clerk submitted a memorandum of explanation, regarding Minutes from 3/25/91 - 3/27/91 being absent from the package, due to a lack of time during the budget sessions. They will be submitted at the 5/6/91 meeting for approval.

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

ADDITIONS TO AGENDA:

- * Commissioner Welch will discuss the recent hiring freeze:
He questioned why some positions were filled in spite of the freeze. County Manager Russell explained that paperwork on some positions had already been processed and, with certain exceptions, no new vacancies will be filled, .
- * Commissioner DeMarcus will discuss the recent Library Board meeting: Board members were updated on the requests from Cleveland and Spencer to build branch libraries.
- * Commissioner DeMarcus will also discuss the "Committee of 100": Names may be turned in today, or no later than the end of the week.
- * Mr. Russell also reminded members of the T.I.P. meeting at R.C.C.C. on 4/16/91, and it was decided that County Manager Russell and Commissioner Webb will compile a presentation. Commissioner DeMarcus also reported on the Kan-La-Con committee meeting.

CORRESPONDENCE:

County Manager Russell submitted an explanation from Tax Collector Wayne Simpson, regarding the calculation of fees to municipalities, for tax collection services.

ROAD PETITIONS:

Commissioner Webb submitted one (1) road petition (Baymount Drive, in the Franklin Township), as attached to these Minutes. He then made a motion to approve as submitted. Vice-Chairman Palmer seconded, with unanimous approval.

TAX COLLECTOR'S REPORT:

Tax Collector Wayne Simpson gave the preliminary March 1991 report, as attached to these Minutes.

At this time, Chairman Cohen declared the Public Hearing open.

PUBLIC HEARING:

(1) Renaming Foutz/Davis/Doris St. to Darlington Drive:

Mrs. Barbara Collins (resident) spoke in favor of the change. With no one else to speak for or against the change, Chairman Cohen declared the hearing closed.

Vice-Chairman Palmer then made a motion to rename Foutz/Davis/Doris St. to Darlington Drive. Commissioner Webb seconded, with unanimous approval.

UPDATE ON RENAMING COUNTY ROADS:

(1) Wayne Ashworth, of EMS, noted a petition from residents (100% approval) to rename a private road (off 5800 block of Statesville Blvd.) to "Rock Hump Road". With 100% approval, no public hearing is required; therefore, Commissioner DeMarcus made a motion to approve the renaming. Vice-Chairman Palmer seconded, with unanimous approval.

(2) Canterbury Road/Chaucer/Cambridge: Mr. Ashworth noted that there seemed to be a discrepancy in the alternate choice of renaming Canterbury Road in Neel Estates. Ms. Elaine Welch and Ms. Margaret Thompson addressed the Board to clarify that, in fact, the residents prefer "Cambridge". Mr. Ashworth stated he had no problem with the choice. Therefore, Commissioner DeMarcus made a motion to rescind their prior action, and accept the current renaming of Canterbury Road in Neel Estates to "Cambridge". Commissioner Welch seconded, with unanimous approval.

MANAGER'S REPORT:

Interest: Mr. Russell presented the report of interest earned through March, 1991, as attached to these Minutes.

Refunds: Mr. Russell also presented refunds for approval, as attached to these Minutes. Vice-Chairman Palmer made a motion to approve the refunds as submitted. Commissioner DeMarcus seconded, with unanimous approval.

PROPOSAL FOR AUDIT SERVICES FOR 1991-92 - BRADY FRICK:

Finance Director, Brady Frick, presented the information regarding proposals for 1991-92 audit services, as attached to these Minutes. Mr. Frick stated that the County is not required to accept the low bid and, therefore, recommends awarding the contract to Dixon, Odom & Co. Commissioner DeMarcus then made a motion to approve awarding the auditing contract to Dixon, Odom & Co. for one (1) year. Commissioner Welch seconded, with unanimous approval.

CENTRALINA TDP REPORT - BILL DUSTIN/CLYDE FAHNESTOCK:

Mr. Bill Dustin of Centralina COG, and Mr. Clyde Fahnestock, Senior Services Director, introduced Mr. James Caldwell of the N.C.D.O.T., and presented information regarding the

Transportation Development Plan, as attached to these Minutes. Mr. Dustin gave an update of projected revenues/expenses, and explained the summary with details on Health Department, Board of Education, and Taxi Vouchers.

Vice-Chairman Palmer made a motion to approve. Commissioner DeMarcus seconded, with unanimous approval.

LOW-INCOME HOUSING - RALPH KETNER/JAKE FISHER:

Mr. Ralph Ketner and Mr. Jake Fisher addressed the Board regarding their plans for continuation of low-income housing projects in the area. Mr. Ketner stated that obtaining a down-payment is the number one problem facing prospective homeowners, today. Under his plan, an affordable home is available at 7.9% interest for 30-years, with an approximate payment of \$308/month. Commissioners DeMarcus and Welch suggested that, perhaps, Rowan County could donate vacant land, or sell it at tax value, which would benefit both parties. County Attorney John Holshouser will check for legality in this proposal. Mr. Ketner would also be interested in obtaining a listing of county-owned properties which would be available. The Clerk will forward the list to Mr. Ketner.

Commissioner DeMarcus made a motion to make contact with Margot Flood (N. C. Housing and Development) and have Mr. Holshouser investigate legality of donating property. Vice-Chairman Palmer seconded, with unanimous approval.

ATWELL FIRE DISTRICT - COUNTY MANAGER RUSSELL:

A public hearing will be required prior to establishing a proposed service district for the Atwell Fire Department. Commissioner DeMarcus made a motion to hold the public hearing on 5/6/91, at Atwell Fire Department, at 7:00 p.m. Commissioner Webb seconded, with unanimous approval. The Clerk to the Board will handle advertising and details.

UPDATE ON TIRE DISPOSAL ISSUE - MR. RAY YOST:

Mr. Ray Yost addressed the Board, regarding recent tire disposal problems on Woster Street in Rockwell. Mr. Yost had previously corresponded with Mr. Holshouser and Mr. Russell, stating his position, and requesting assistance with disposal, as attached to these Minutes. According to Mr. Holshouser, Mr. Yost is legally in violation of the Solid Waste Ordinance. At this time, the Board took all information under advisement.

EROSION CONTROL PROBLEMS - PAUL CANUP:

(1) DEM Associates: Mr. Paul Canup, Environmental Specialist, updated the Board on the violation regarding the driving range currently under construction. A letter from Mr. Canup to DEM Associates was previously distributed, as attached to these Minutes. Mr. Jim Myers and Mr. Jim Erik represented DEM Associates, and explained their situation in the matter. Mr. Canup explained that the violation stems from their beginning construction without a sedimentation/erosion control plan. He then requested direction from the Board, regarding

implementation of a penalty.

Commissioner Welch made a motion to impose a \$1.00 fine. The motion died for lack of a second. Commissioner Webb then made a motion to impose a \$200 fine. Commissioner DeMarcus seconded, and the motion passed with the vote cast as:

DeMarcus - aye	Cohen - no
Webb - aye	Welch - no
Palmer - aye	

(2) Highview Farms: Mr. Don Conner, Environmental Services Director, suggested clarifying Vice-Chairman Palmer's suggested penalty for violation. Commissioner Webb made a motion to fine Highview Farms \$47,030 (as previously stated). Vice-Chairman Palmer seconded, and the vote was 4/0 in favor, with Commissioner Welch not voting. Mr. Paul Canup updated Board members on work progress to-date at Highview Farms, as well as remaining problems. Mr. Conner also noted there were eight (8) days with unfavorable weather during the last month.

Correspondence between Attorney Randy Reamer and County Manager Russell was distributed to the Board, as attached to these Minutes. Mr. Reamer requests a 30-day extension on the project. Vice-Chairman Palmer made a motion to extend the deadline for 30 additional days. Commissioner Webb seconded, clarifying that the extension be from 4/1/91 to 5/1/91, at which time, Mr. Canup will return with an update. The Board agreed, with a 4/0 vote, Commissioner Welch abstaining. Mr. Reamer also requested direction regarding whom to send is future correspondence to in the matter. Chairman Cohen directed him to Mr. Russell.

PRESENTATION OF RECYCLING AWARDS TO FIRST UNITED CHURCH OF CHRIST:

Commissioner DeMarcus welcomed members of Circle #2 of the First United Church of Christ. She then thanked them for their recycling efforts, and presented them with certificates of appreciation and recycling logo pins.

PRESENTATION OF RECYCLING AWARD - PATTI BURCHETTE:

Recycling Coordinator, Patti Burchette, presented a recycling award to the Board, which Rowan County received at the N. C. Recycling Association Banquet.

REQUEST FOR ESTABLISHMENT OF SERVICE DISTRICT FOR ROWAN COUNTY RESCUE SQUAD - COMMISSIONER WEBB:

Commissioner Tom Webb read a letter from Rescue Squad Chief, Coyt Karkiker, requesting the establishment of a Service District. According to his information, this would impose a 1/4¢ tax increase. Commissioner Webb then made a motion to authorize a study of a service district, to see what is involved. Vice-Chairman Palmer seconded, with unanimous approval.

REQUEST FOR AUTHORIZATION OF LIBRARY BOOKSALE DATE - PHIL BARTON:

Library Director, Phil Barton, addressed the Board, requesting permission and date for the annual booksale. According to a previous memorandum (attached) from Mr. Barton, he has approximately 8,100 items for sale, and proposed the sale for 5/10 and 5/11/91. Commissioner DeMarcus made a motion to approve the booksale. Vice-Chairman Palmer seconded, with unanimous approval.

BOARD APPOINTMENTS:

Salisbury Planning Board: As attached, members reviewed a letter requesting that Ms. Wendy Jessen be reappointed as an extraterritorial member on the Salisbury Planning Board. Commissioner DeMarcus made a motion to approve Ms. Jessen's reappointment. Commissioner Webb seconded, with unanimous approval.

Salisbury Zoning Board of Adjustment: Also attached, was a letter from the City of Salisbury, requesting that Mr. Jim Bigger be appointed as an extraterritorial member on the Zoning Board of Adjustment. Vice-Chairman Palmer made a motion to approve the appointment. Commissioner Webb seconded, with unanimous approval.

Senior Services Advisory Council: Mr. Robert C. Thomas submitted a letter to the Board, advising of his wish not to be reappointed to his position, when it expires. At present, the Board will receive as information.

REPORT FROM SUBCOMMITTEE ON PROPOSED RULES OF ORDER - COMMISSIONER DEMARCUS/COMMISSIONER WEBB:

Commissioners DeMarcus and Webb previously reviewed a draft of rules/procedures for Rowan County Commissioners, as attached to these Minutes. Discussion followed, regarding a difference of opinion on Rule #7. Commissioner DeMarcus made a motion to change the rule, and insert that all votes be taken in-County. Motion died for lack of a second. Commissioner Webb then made a motion to approve the rules as written. Commissioner Welch seconded, and the vote was 4/1, with Commissioner DeMarcus voting "no".

Commissioner DeMarcus stated she would like to see similar procedures for Rules of Order, for Commissioners who also serve as liaisons. Chairman Cohen appointed Vice-Chairman Palmer and Commissioner Welch to compile a draft.

REQUEST FOR PUBLIC HEARING FOR FUNDING OF AIRPORT TERMINAL - BRADY FRICK:

Finance Director, Brady Frick, requested a date for a public hearing regarding airport financing. He continued that First Union National Bank will allow an additional \$150,000 at 8% interest, versus the prior rate of 8.75%. Vice-Chairman Palmer made a motion to approve the request, and hold the public hearing at the 5/6/91 meeting, at 9:30 a.m. Commissioner Webb seconded, with unanimous approval.

APPROVAL OF CONTRACT FOR TAX COLLECTION SERVICES FOR CITY OF KANNAPOLIS - BRADY FRICK:

Mr. Frick had drafted a contract between Rowan County and the City of Kannapolis, for the purpose of collecting taxes, as attached to these Minutes. Commissioner Welch made a motion to approve the contract. Vice-Chairman Palmer seconded, with unanimous approval. Chairman Cohen asked that the County Manager confer with Tax Collector, Wayne Simpson, to study how other counties handle tax collections with municipalities.

The motion was then made and seconded, to go into Executive Session, regarding selection of architects for County projects, and also regarding sale of County property.

EXECUTIVE SESSION:

Afterwards, Commissioner Webb made a motion to return to Regular session. Commissioner DeMarcus seconded, with unanimous approval.

Vice-Chairman Palmer then made a motion to accept Mr. Charles Ramsey's offer of \$4,500 to purchase property at Map 278, Parcel 14. Commissioner DeMarcus seconded, with unanimous approval.

Commissioner Webb then made a motion to reject Mr. Blackwelder's offer to purchase Lots 97, 77, & 6-A, as it does not represent fair market value. Commissioner Welch seconded, with unanimous approval.

RETURN TO EXECUTIVE SESSION:

Commissioner Webb then made a motion to return to Executive session, to discuss possible selection of architects. Vice-Chairman Palmer seconded, with unanimous approval. At the end of discussion, the motion was made and seconded, with unanimous approval, to adjourn to 4/10/91 at 9:00 a.m., for interviews with architects.

Respectfully submitted,

Denise J. Barrow
Clerk to the Board