

MINUTES OF THE MEETING OF THE BOARD
OF ROWAN COUNTY COMMISSIONERS
REGULAR SESSION - AUGUST 5, 1991
RED ROOM - COMMUNITY BUILDING

The Rowan County Board of Commissioners met in Regular Session, on Monday, August 5, 1991, at 9:00 a.m., in the Red Room of the Community Building.

PRESENT: J. Newton Cohen, Chairman (9:00 a.m. - completion)
Henry H. Palmer, Vice-Chairman (9:00 a.m. - completion)
Jamima P. DeMarcus, Member (9:00 a.m. - completion)
Thomas M. Webb, Member (9:00 a.m. - completion)
Charles H. Welch, Member (9:00 a.m. - completion)

The County Manager, County Attorney, and Finance Director were in attendance. County Manager Russell recorded the Minutes in the absence of Clerk to the Board, Denise Barrow.

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

APPROVAL OF MINUTES:

The following Minutes were submitted for approval:

- * July 3, 1991 (Adjourned Session)
- * July 8, 1991 (Regular Session)
- * July 19, 1991 (Adjourned Session)

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

ADDITIONS TO AGENDA:

- * Vice-Chairman Palmer: JOBS Program
Strategic Planning
Recycling Center
Policy for Use of Red Room
- * Commissioner Welch: Personnel
- * County Manager Russell: Litigation for Executive Session
- * Commissioner DeMarcus: Law Library
- * Chairman Cohen: R.C.C.C.

CORRESPONDENCE:

* Chairman Cohen received a letter from Mr. Harold Kenerly of R.C.C.C., requesting that their needs be placed on a Bond Referendum in May. The Board received as information.

ROAD PETITIONS:

Commissioner Webb presented two (2) petitions, as attached to these Minutes. He then made a motion to approve the petition for addition of John Rainey Road (SR 1515) in the Locke Township for abandonment. Vice-Chairman Palmer seconded, with unanimous approval.

Mr. Webb also made a motion to approve the petition for addition of Fox Trace in the Franklin Township. Commissioner DeMarcus seconded, with unanimous approval.

DSS PROPOSED BUDGET CHANGES - MR. EDWIN KOONTZ:

Mr. Edwin Koontz, Director of Social Services, explained the public assistance programs, and expressed concerns about taking applications and processing clients with the present staff. (See monthly report for proposal. The proposal includes no new County funds.) Mr. Koontz assured that no new funds would be used this year, but could not make that promise for next year.

Vice-Chairman Palmer made a motion to accept the proposal as submitted. Commissioner DeMarcus seconded, with the vote being 4/1, Commissioner Welch voting no. Commissioner DeMarcus also expressed her concern about losing the worker for the domiciliary care board monitoring and review. Ms. Brandt read a letter from an AFDC recipient.

PRESENTATION OF CHECK FROM ALCOA FOUNDATION - RENITA RITCHIE:

Ms. Ritchie, Mr. Jim Foltz, Parks Director, and Mr. Red Gorman addressed the Board, and Ms. Ritchie presented a check from ALCOA for \$2,000. Ms. Ritchie also reviewed the 1990-91 annual activity report of the Special Populations Program. Commissioner DeMarcus requested that a "thank-you" be sent to all contributors.

PRESENTATION OF CHECK FROM SALISBURY MOOSE LODGE - JIM FOLTZ:

Mr. Red Gorman presented a check for \$4,500 from the Salisbury Moose Lodge, to pay costs on a new well at Sloan Park.

REVALUATION TAX APPEAL - JERRY ROWLAND:

Mr. Rowland previously submitted correspondence regarding the tax appeal of Mr. Irving R. Casper, as attached to these Minutes. Mrs. Brenda Bowers of the Assessor's Office, and Mr. Casper were

also present to address the Board. Mr. Casper had land classified under land-use deferral. He lost deferral when his brother disposed of the property, and claims that the brother allegedly forged the document.

Issue at hand is that the property was taken off in 1991, based on the property being disqualified due to a lack of "forest plan". County billed him for 4-years back taxes and interest.

County Attorney Holshouser reviewed the case, and agreed that this was not a "penalty" situation. We assess only prior-year taxes and interest. Mr. Rowland recommends that the County follow the Machinery Act and assess 3-years prior taxes/interest to Mr. Casper.

Vice-Chairman Palmer moved to accept the recommendation. Commissioner Webb seconded, with unanimous approval.

TAX COLLECTOR'S REPORT:

Tax Collector, Wayne Simpson, presented the July 1991 report, and also discussed HB 20, which was enacted by the General Assembly.

REAPPOINTMENT OF ANIMAL CRUELTY INVESTIGATOR:

Commissioner DeMarcus moved the reappointment of Animal Cruelty Investigator, Bonnie Smith. Vice-Chairman Palmer seconded, with unanimous approval.

WATERSHED PROTECTION ACT - DANNY JOHNSON:

County Planner, Danny Johnson, previously distributed information regarding the proposed Watershed Act, as attached to these Minutes. Mr. Marion Lytle also appeared, and Mr. Johnson discussed the proposed State regulations on classifications of Watersheds effective 4/1/92. Counties must begin taking measures to control growth as a measure to enforce rules on 10/1/91. Mr. Johnson also reviewed the building restrictions.

The Planning Board has recommended changing classifications on Back Creek, Sloan Creek, Coddle Creek, North Branch Creek and Dutch Buffalo Creek from WS-II to WS-III.

Recommended Resolution:

(1) Back Creek be changed from WS-II to WS-III (Joint resolution with Rowan, Iredell, Kannapolis, Mooresville). Davidson County requests that critical area be reduced from 1 mile to 1/2 mile.

(2) Lake Wright: Town of Landis and Rowan County (Landis will oppose). Chairman Cohen noted problems with the classifications of the High Rock Lake Area.

Vice-Chairman Palmer made a motion to accept the resolution for Rowan County. Commissioner Webb seconded, with unanimous approval. The Board also agreed to present it to the Environmental Management Commission.

Chairman Cohen questioned Mr. John Vest, City of Salisbury, regarding the City's plan to expand the sewage plants. Mr. Vest stated that the City was reviewing the impact.

Commissioner DeMarcus inquired about joint meetings with local municipalities. Chairman Cohen noted the schedule for joint meetings with Davidson County, Spencer, and Lexington as follows:

August 14	Troy
August 20	Hickory
August 15	Raleigh
August 19	Jamestown
August 21	Asheville

Vice-Chairman Palmer made a motion to adopt the joint Resolution with the City of Kannapolis on Lake Fisher on Yadkin Coldwater Creek. Commissioner DeMarcus seconded, with unanimous approval.

UPDATE ON EROSION CONTROL PROJECT - PAUL CANUP:

Brentwood Acres: Mr. Canup reported that an inspection was made and found no activity to bring the project into compliance. County Attorney, John Holshouser, stated that the County will pursue legal action to gain compliance.

Highview Farms: Much work has been accomplished, according to Mr. Canup. 60-70% of the work area has been vegetated, but many gullies are still present, and some fairways still need vegetation.

Mr. Canup continued that some work still needs to be done before compliance may be gained. He also stated that he had met with Mr. Harry Welch, and pointed out many areas still needing work.

BOARD APPOINTMENTS:

Nursing Home Advisory Committee: Commissioner DeMarcus made a motion to reappoint Ms. Vickie McKinney. Vice-Chairman Palmer seconded, with unanimous approval.

Senior Services Advisory Council: Commissioner DeMarcus made a motion to reappoint Ms. Eva Crawford. Vice-Chairman Palmer seconded, with unanimous approval. The vacancies created by Ms. Marie Siewell, Mr. Walter Boger, and Ms. Sally Jones were also filled, by recommendations in the February letter from Clyde Fahnstock.

Airport Board: Vice-Chairman Palmer made a motion to appoint Mrs. Dianne Greene to replace Mr. Jerry Helms. Commissioner DeMarcus seconded, with unanimous approval.

Jury Commission: Appointment to fill the vacancy of Mr. David Morgan was deferred to the September meeting.

Centralina Private Industry Council: Mr. David Hollars of Centralina COG previously submitted correspondence requesting that Ms. Beth Cook be named as a replacement for Mr. Jerry Thrift, due to federal legislative requirements, as attached to these Minutes. Commissioner Webb suggested deferring the appointment until further clarification is received.

REPORT ON REGISTER OF DEEDS REQUEST FOR EQUIPMENT:

County Finance Director, Brady Frick, presented an analysis of Mrs. Ramsey's proposal to purchase the Kodak Imagelink System. Vice-Chairman Palmer expressed that next spring will probably be the best time to review this again; Chairman Cohen expressed that although we would all like to most advanced technology, the 350 models would be adequate. Commissioner Welch asked Mrs. Bobbie Earnhardt about the differences between the IMT-350 and the Imagelink System.

Commissioner Webb made a motion to accept as information and defer until next budget session. The Board agreed by consensus.

At this time, Commissioner Webb made a motion to go into Executive Session, to discuss acquisition of property. Vice-Chairman Palmer seconded, with unanimous approval.

At the conclusion of Executive Session, Commissioner Webb made a motion to return to Regular Session. Commissioner DeMarcus seconded, with unanimous approval.

UPDATE ON AIRPORT TERMINAL PROJECT - MR. BOB STONE:

Mr. Stone was recognized, and explained revisions. Vice-Chairman Palmer made a motion to approve the revisions. Commissioner Webb seconded, and the vote was 4-1, with the vote cast as follows:

Vice-Chairman Palmer - yes	Chairman Cohen - no
Commissioner Webb - yes	
Commissioner DeMarcus - yes	
Commissioner Welch - yes	

Commissioner Webb then made a motion to change the roof materials from metal to shingle construction to save costs. Commissioner Welch seconded, and the vote was 4-1, with Commissioner DeMarcus voting no. Vice-Chairman Palmer then made a motion to accept the bids as amended, and award the contract. Commissioner Webb seconded, with unanimous approval.

WORKSESSION WITH ARCHITECTS:

Health: Mr. Richard Atkinson of Atkinson/Dyer/Watson presented the latest estimate and drawings for the Health Department Project:

Health Department - \$1.9 million
<u>Animal Shelter - .2 million</u>
- \$2.1 million

Government Center: Mr. Bill Burgin presented the latest drawing plan for the Rowan County Government Center.

Justice Complex: Mr. Doug Tennent and John Duncan of J. N. Pease & Associates presented the Justice Complex Plans. Also, projected needs for jail space were discussed and, based on the most recent projections, 186 beds are currently needed. Pease is recommending finishing the planned cellblock to accommodate an additional 24 beds. Estimated cost to finish would be approximately \$225,000.

Mr. Tennent provided an estimate of \$150,000 to install an elevator and relocate the mechanical room in the Community Building.

BOND COUNSEL:

Commissioner DeMarcus made a motion to defer the issue until 8/6/91 at 9:00 a.m. Commissioner Webb seconded, with unanimous approval.

BOARD APPOINTMENTS:

Woodleaf Fire Commissioner: Commissioner Webb made a motion to appoint Mr. Don Watson as replacement for Mr. James Gray. Commissioner Welch seconded, with unanimous approval.

MANAGER'S REPORT:

County Manager Tim Russell presented information contained in the Manager's Report, as attached to these Minutes.

EXECUTIVE SESSION:

Commissioner Webb made a motion to go into Executive Session to discuss personnel. Vice-Chairman Palmer seconded, with unanimous approval.

Later the motion was made by Commissioner Welch to return to Regular Session. Vice-Chairman Palmer seconded, with unanimous approval.

At this time, Commissioner Webb made a motion to adjourn the meeting to 8/6/91 at 9:00 a.m. Vice-Chairman Palmer seconded, with unanimous approval.

Respectfully submitted,

Tim Russell
Acting Clerk to the Board