

MINUTES OF THE MEETING OF THE BOARD  
OF ROWAN COUNTY COMMISSIONERS  
REGULAR SESSION - AUGUST 3, 1992  
RED ROOM - COMMUNITY BUILDING

The Rowan County Board of Commissioners met in Regular Session, on Monday, August 3, 1992, 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)  
Charles H. Welch, Member (10:20 a.m. - completion)  
Thomas M. Webb, Member (9:00 a.m. - completion)

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

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

MINUTES:

The following Minutes were submitted for approval:

- \* June 29, 1992 (Special-Called)
- \* July 6, 1992 (Regular Session)
- \* July 20, 1992 (Adjourned)

There being no corrections, Commissioner DeMarcus made a motion to approve as submitted. Commissioner Webb seconded, with unanimous (4/0) approval.

ADDITIONS TO AGENDA:

- \* Commissioner DeMarcus reported on the selection of a prospective Health Director, in Executive Session.
- \* Commissioner DeMarcus reported on the Information/Referral Program. The Committee has developed a "County Seat Calling Plan". This needs Board approval, and a letter to the Utilities Commission Chairman. Utilization goal is 1/1/93. Commissioner DeMarcus then made a motion to approve the plan as submitted. Commissioner Webb seconded,

with unanimous approval.

- \* Commissioner DeMarcus reported on the Kan-La-Con TIP Program.
- \* Vice-Chairman Palmer discussed a surplus vehicle at EMS. (See "other business").
- \* Vice-Chairman Palmer updated the Board on his and Commissioner Webb's recent trip to the 1992 NACo meeting in Minneapolis, MN.

#### CORRESPONDENCE:

The Board reviewed various items of correspondence, as attached to these Minutes:

- \* Amendments to the 1991-93 State Biennium Budget.
- \* Letter, dated July 24, 1992, from Thomas J. Harrelson, N.C.D.O.T., regarding allocation of State and Federal funds for the Airport.
- \* Letter, dated July 24, 1992, from Thomas J. Harrelson, N.C.D.O.T., regarding the inclusion of State Aid to Airports projects for Rowan County, in the 1993-97 TIP Program.
- \* Memorandum, dated July 30, 1992, from C. Ronald Aycock, NCACC, regarding DWI charges and Providing Alcohol to a Minor charge against 1st V.P. George Graham.
- \* Letter, dated July 29, 1992, from Joseph F. McCann, Ed.D., Rowan-Salisbury Board of Education, regarding their offer of the old West Rowan Middle School to the Board of Commissioners, in compliance with NC Statute 115C-518.

#### ROAD PETITIONS:

Commissioner Webb offered one (1) Road Petition, as attached to these Minutes:

- \* Hampton Road Extension in the Franklin Township. He then made a motion to approve the request. Commissioner DeMarcus seconded, with unanimous approval.

TAX COLLECTOR'S REPORT:

Tax Collector, Wayne Simpson, presented the Preliminary July 1992 report, as attached to these Minutes.

CONTINUED DISCUSSION ON PROPOSED CONTRACT TO COLLECT TAXES FOR TOWN OF GRANITE QUARRY:

The Board gave final review to the recently revised contract, as attached to these Minutes. Commissioner DeMarcus then made a motion to approve the adoption of the contract as submitted. Commissioner Webb seconded, with unanimous approval.

At this time, Commissioner Webb made a motion to open the public hearing. Vice-Chairman Palmer seconded, with unanimous (4/0) approval.

PUBLIC HEARING - VISION CABLE FRANCHISE RENEWAL:

Commissioner Webb explained information submitted by Marion Lytle, Assistant County Planner, as attached to these Minutes. Chairman Cohen then asked for comments from the audience:

- \* Jim Fowler: objects to having renewal considered 1-1/2 years before actually due; wants competitive bids; objects to a 15-year contract.
- \* James Kirks: mentioned Senate Bill 12, and its effect on the possible franchise renewal; requested that the Board consider new technology available before renewing franchise; furnished a copy of Cabarrus County's agreement (attached).
- \* Russell Barber: stated he is unable to get cablevision, although he's tried for years;
- \* Fredrick Gotwald: pleased with cablevision services.
- \* O. T. Cook: stated his problems with cablevision services.

With no other comments, Commissioner Webb made a motion to close the public hearing. Vice-Chairman Palmer seconded, with unanimous approval.

Commissioner DeMarcus stated her position, that it would be unwise to re-enter the franchise agreement at this time; however, she would like further information from Senate Bill 12, and other

benefits that could be obtained from Cablevision.

Vice-Chairman Palmer suggested looking at Cabarrus County's process. By consensus, the Board deferred action to a later date.

PRESENTATION OF DONATION:

Mr. Leon Hand presented information regarding a recent donation of \$946, from the Moose Lodge (#900), as attached to these Minutes. He then presented the check to Finance Director, Brady Frick.

RESOLUTION OF ROWAN-IREDELL BOUNDARY LINE STUDY - JERRY LUNDY, PLANNING DIRECTOR (IREDELL COUNTY):

Mr. Jerry Lundy, Iredell County Planning Director, addressed the Board regarding the recent resolution of the Rowan-Iredell County lines. Mr. Lundy also presented a proposed Resolution for approval, as attached to these Minutes. Commissioner DeMarcus made a motion to accept the resolution as submitted. Vice-Chairman Palmer seconded, with unanimous (4/0) approval.

(Commissioner Welch joined the meeting at 10:18 a.m. During the 10:30 a.m. break, Mr. Charles Goldman, photographer, made the official portrait of the Board)

EROSION CONTROL (WESTWOOD SUBDIVISION):

Don Conner, Environmental Services Director, and Paul Canup, Supervisor, provided the Board with information of the current erosion control violation in Westwood Subdivision (Mr. David Wood), as attached to these Minutes. Mr. Conner recommended a \$100/day penalty from May 7 - August 3, 1992 (88 days) = \$8,800. He also suggested giving Mr. Wood 15 days to bring the project into compliance, then reinstating the \$100/day penalty. Vice-Chairman Palmer made a motion approving the recommendation as stated. Commissioner DeMarcus seconded, with unanimous (5/0) approval.

CONTINUED DISCUSSION ON REQUEST FROM WHITNEY INDUSTRIAL PARK:

County Manager, Tim Russell, explained the previous conversation with the developer and, that no commitment was ever given, regarding reimbursement of installation costs of the water/sewer lines. Mr. Gus Schad and Mr. Harry Whalen, EDC Director, addressed the Board, and stated that Mr. Schad would like

a decision deferred, as he plans to resubmit his request with updated amounts. Mr. Whalen stated that, at the time of the project, the County Water/Sewer Policy was in effect. The Board agreed, by consensus, to defer a decision on the request, to a later date.

UPDATE ON OPPOSITION TO CAMELIA GRANITE COMPANY:

The Board reviewed a letter from Don and Holly Stromberg, stating opposition to operations at Camelia Granite Company, as attached to these Minutes. Don Conner updated the Board on his knowledge of the situation. According to Mr. Conner, on 7/22/92, he and County Planner, Danny Johnson, visited Camelia Granite Company, in order to observe the situation. Mr. Conner further stated that, from an environmental viewpoint, he saw no problems. Commissioner DeMarcus suggested referring the situation to the Town of Granite Quarry for resolution. Chairman Cohen suggested that the County Manager send a memo to the Town of Granite Quarry, stating that jurisdiction lies with the Town, not the County. The Board agreed by consensus.

CONTINUED DISCUSSION ON ANIMAL CRUELTY INVESTIGATOR:

Ms. Bonnie Smith, current Animal Cruelty Investigator, was present, and stated her opinion of problems with the "chain-of-command" concerning her position. Commissioner DeMarcus stated that she preferred to have a job description written, rather than not reappoint the position.

Vice-Chairman Palmer made a motion not to reappoint Ms. Smith until the current problems could be resolved. Commissioner DeMarcus requested amendment to the motion: to appoint a committee to study the position/problems, and defer a decision to the 9/8/92 meeting. Commissioner Webb seconded, with unanimous approval.

MANAGER'S REPORT:

Interest: Finance Director, Brady Frick, distributed the Report of Interest Earned Through June 30, 1992, as attached to these Minutes.

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

Airport Resolution: Mr. Russell presented a proposed resolution regarding State Aid for Airports, as attached to these Minutes. Commissioner Webb made a motion to approve the resolution as

submitted. Commissioner Welch seconded, with unanimous approval.

BOARD APPOINTMENTS:

Domiciliary Home Community Advisory Committee: Appointment was deferred to the 9/8/92 meeting.

Senior Citizens Advisory Council: Two (2) vacancies currently exist on the Council. Senior Services Director, Clyde Fahnestock, submitted a written request to the Board, suggesting that the Council membership, instead, be reduced by two (2). Commissioner DeMarcus made a motion to accept Mr. Fahnestock's request. Commissioner Webb seconded, with unanimous approval.

Region F Aging Advisory Committee: Mr. Walter Boger has recently resigned as alternate. Commissioner Webb made a motion to appoint Ms. Leah McFee as replacement. Vice-Chairman Palmer seconded, with unanimous approval.

Centralina Development Commission: Mr. Jim Henderson is no longer eligible to serve. Vice-Chairman Palmer made a motion to appoint Mr. William Kennedy as replacement. Commissioner DeMarcus seconded, with unanimous approval.

Nursing Home Advisory Committee: Appointment was deferred to the 9/8/92 meeting.

OTHER BUSINESS:

Jail/Courthouse Project: Mr. Russell stated the need for a public hearing regarding the Jail/Courthouse Project financing. An extra meeting is needed to adopt the resolution to place the application for financing. By consensus, the Board agreed to meet on Friday, August 7, 1992, at 8:30 a.m., in the Red Room of the Community Building. Commissioner DeMarcus then made a motion to set the public hearing for Monday, August 17, 1992, at 7:00 p.m., in the Red Room of the Community Building. Vice-Chairman Palmer seconded, with unanimous approval.

Future Meetings: Due to the Labor Day Holiday, the Board will hold their Regular September meeting on Tuesday, September 8, 1992, at 9:00 a.m., in the Red Room of the Community Building. The Board has been invited to hold their 9/21/92 meeting in Gold Hill, NC; also, to hold their 10/19/92 meeting in Kannapolis. The Board agreed, by consensus, on all three issues.

Composting: The Board discussed the proposed 9/17/92 trip to Florida, regarding composting operations.

Surplus Vehicle at EMS: At this time, the Board reviewed information from Wayne Ashworth, EMS Director, regarding a surplus vehicle, as attached to these Minutes. Enochville Fire & Rescue had requested the donation of the surplus vehicle. Mr. Ashworth recommends the donation. Commissioner Webb made a motion to approve Mr. Ashworth's recommendation, but the issue was deferred until after lunch, to obtain additional information on the vehicle. Later, after conferring with Mr. Ashworth, Commissioner Webb reinstated his previous motion. Vice-Chairman Palmer seconded the motion, with unanimous approval.

Daycare Concerns from South Rowan Academy: The Board requested Mr. Russell to send a letter to Superintendent Don Martin, regarding concerns with after-school daycare in the public schools.

Fire Service District: County Attorney, John Holshouser, discussed procedures for establishment of proposed fire service districts.

Legislative Goals: Commissioner DeMarcus reminded the Board of the deadline to submit proposed Legislative Goals to the NCACC. Members are to bring their suggestions to the 9/8/92 meeting.

Nursing Home Beds: Commissioner Webb suggested drafting a letter from the Board, in opposition the proposed cut in Nursing Home beds. Discussion was deferred until further information is obtained.

At this time, Commissioner DeMarcus made a motion to go into Executive Session. Vice-Chairman Palmer seconded, with unanimous approval.

EXECUTIVE SESSION:

At the conclusion, the motion was made and seconded, with unanimous approval, to return to Regular Session. Action taken was as follows:

The Board considered five (5) recommendations from the Personnel Board:

- (1) The Board reviewed the status of the reorganization in the Register of Deeds Office. The consensus of the Personnel Board was to delay any changes in the Register

of Deeds Office until a merit system is established for all employees. The Board agreed to review Ms. Earnhardt's request again, in two to three months.

- (2) Nora Cartner was approved to assume the duties of Public Health Nurse Supervisor I, at an annual salary of \$33,656.
- (3) Salary for Nancy Evans was reviewed and the Personnel Board agreed to leave it as is, at \$21,171.
- (4) The merit system was discussed and several issues addressed. The Personnel Board is recommending, to the full Board (of Commissioners), that a merit system be established and effective for 1/1/93. One suggestion was to evaluate all employees in October and distribute the merit payments in January.
- (5) Sheriff Bob Martin addressed the Board, regarding the Career Development Plan and the merit system. The Sheriff is deeply concerned that the Career Development Plan has been frozen for approximately two years. He contends he is consistently losing valued young employees due to other agencies paying substantially more for law enforcement officers. The Personnel Board advised that the Career Development Plan would be reactivated along with the merit system.

Commissioner DeMarcus made a motion to approve all five (5) recommendations, with the amendment of #4 (instead of effective 1/1/93, no date was set). Vice-Chairman Palmer seconded, with unanimous approval.

There being no further business, the meeting was adjourned to Friday, 8/7/92, at 8:30 a.m., in the Red Room of the Community Building.

Respectfully submitted,

Denise B. Daugherty, CMC  
Clerk to the Board