

MINUTES OF THE MEETING OF THE BOARD
OF ROWAN COUNTY COMMISSIONERS
REGULAR SESSION - SEPTEMBER 8, 1992
RED ROOM - COMMUNITY BUILDING

The Rowan County Board of Commissioners met in Regular Session, on Tuesday, September 8, 1992, at 9:00 a.m., in the Red Room of the Community Building. The meeting was rescheduled from September 7th, due to the Labor Day Holiday (notice attached).

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

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 Welch gave the invocation.

MINUTES:

The following Minutes were submitted for approval:

- * August 3, 1992 (Regular Session)
- * August 7, 1992 (Adjourned Session)
- * August 17, 1992 (Adjourned Session)

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

ADDITIONS TO AGENDA:

* Commissioner DeMarcus discussed the County Seat Calling Plan.

* Commissioner DeMarcus discussed the Health Board.

* Commissioner DeMarcus discussed the proposed changes in the Health Department Infant/Toddler Seat Rental Program. Ms. Teresa Brantley, Health Educator, explained the need for the changes, and provided information regarding same, as attached to these Minutes. By consensus, the Board accepted the program changes as proposed. Commissioner DeMarcus also noted that Ms. Brantley had recently been chosen Health Educator of the Year for 1992.

CORRESPONDENCE:

The County Manager submitted various correspondence for review, as attached to these Minutes:

* Letter, dated July 27, 1992, from Ms. Beverly M. Sigmon, regarding her concerns for lack of sufficiently restrictive codes in Rowan County.

* Memorandum, dated September 1, 1992, from N.C.A.C.C., regarding the Ralph W. Ketner Employee Productivity Award Program.

* Letter, dated September 1, 1992, from N. C. Equity, as notification that Rowan County Government had been chosen one of forty-seven, to receive "The Government As Model Employer Award".

ROAD PETITIONS:

One (1) road petition, Woodsdale Avenue, in the Atwell Township, was presented as attached to these Minutes. Commissioner Webb made a motion to approve the petition. Vice-Chairman Palmer seconded, with unanimous approval.

TAX COLLECTOR'S REPORT:

Wayne Simpson, Tax Collector, presented the Preliminary August 1992 Report, as attached to these Minutes.

CONCERNS OF THE TOWN OF CLEVELAND:

Mayor Travis Hendren addressed the Board regarding including the Town of Cleveland into the Cleveland Volunteer Fire District. Mr. Hendren previously submitted information regarding the request, as attached to these Minutes. Commissioner DeMarcus made a motion to set a public hearing on the issue, for November 16, 1992, at 7:00 p.m., in Cleveland (location to be announced). Commissioner Webb seconded, with unanimous approval.

RECOGNITION OF APPRECIATION - WAYNE ASHWORTH:

EMS Director, Wayne Ashworth, announced Mr. Dow Perry, and stated the Board's intentions of appreciation, for Mr. Perry's efforts. Chairman Cohen then presented Mr. Perry with a Certificate of Appreciation (copy attached).

EMS ROAD PETITIONS:

Mr. Ashworth presented materials on proposed name changes for roads, as attached to these Minutes. The following proposals were 100% in agreement:

- | | |
|--------------------|--------------------|
| * Cauble Farm Road | * Teepee Rd. |
| * Pentecost Lane | * Blue Drive |
| * Brook Avenue | * Old Corriher Rd. |
| * Duckpond Road | * Hinkle Lane |

Commissioner DeMarcus made a motion to approve the proposed naming, as submitted. Commissioner Webb seconded, with unanimous approval.

The following names were proposed, but were not 100%, and need a public hearing:

- | | |
|-------------------|-----------------|
| * Lake Wright Rd. | * Goldpark Rd. |
| * Big Buck Drive | * McIntyre Lane |

Commissioner DeMarcus made a motion to hold the public hearing on October 5, 1992 at 9:30 a.m., in the Red Room of the Community Building. Vice-Chairman Palmer seconded, with unanimous approval.

PROPOSED RICHFIELD-MISENHEIMER FIRE DISTRICT:

Wayne Ashworth and Fire Marshall, Randall Faggart, addressed the Board, regarding the past proposed establishment of a Richfield-Misenheimer Fire District. Information regarding same was also reviewed, as attached to these Minutes. County Attorney, John Holshouser, will contact Mr. Ben Loeb, of the Institute of Government, to see what steps are necessary, since the previous vote on the issue was years prior.

Mr. Ashworth also notified the Board that a 50/50 matching grant had been awarded to the Enochville Fire & Rescue for equipment. Authorization by the Board is needed, to accept/receive the grant. Commissioner DeMarcus made a motion to approve. Vice-Chairman Palmer seconded, with unanimous approval. A Resolution of acceptance was also submitted, as attached to these Minutes.

RESOLUTION TO REAPPOINT DIRECTOR TO ROWAN DEVELOPMENT CORPORATION - BRADY FRICK:

Finance Director, Brady Frick, stated his request to be reappointed to the Rowan Development Corporation, and submitted a Resolution for same, as attached to these Minutes. Commissioner DeMarcus made a motion to reappoint Mr. Frick. Vice-Chairman Palmer seconded, with unanimous approval.

EROSION CONTROL:

Mr. Don Conner, Environmental Services Director, and Mr. Paul Canup, Environmental Specialist, updated the Board on recent sedimentation control violations. The Board reviewed information regarding same, as attached to these Minutes:

(1) Mr. Charles Funderburk: began work without a permit/plan. Mr. Funderburk was in attendance, and stated he could bring the project into compliance within 2 - 3 days. Mr. Conner recommends a \$200 penalty. Vice-Chairman Palmer recommended lowering the penalty to \$100, as had been done in another 'private-citizen' instance. Commissioner Welch made a motion to not assess any penalty. Chairman Cohen seconded, and the vote was defeated 3/2, with Commissioner DeMarcus, Commissioner Webb, and Vice-Chairman Palmer voting against. After continued discussion, Commissioner DeMarcus made a motion to assess a \$100 penalty. Commissioner Webb seconded, and the vote was 4/1, with Commissioner Welch voting against. Mr. Funderburk expressed his dissatisfaction, stating he was previously informed (by an Environmental Services employee) that his penalty would not exceed \$50.

(2) Mr. Coy Honeycutt: has been notified of the violations, and has returned no response whatsoever. Mr. Conner recommends a \$500 penalty. Vice-Chairman Palmer made a motion to approve the recommended penalty. Commissioner Webb seconded, with unanimous approval.

Commissioner DeMarcus challenged the Department to find a way to educate citizens of the possible violations/penalties of beginning projects without permits/plans.

FRIENDSHIP CABLE (TAX APPEAL) - JERRY ROWLAND:

County Assessor, Jerry Rowland, addressed the Board, regarding a recent tax appeal from Friendship Cable. Friendship requests the appeal based on their estimated depreciation of equipment, same as Cable Vision is awarded. However, according to Mr. Rowland, Cable Vision's equipment is substantially older, thus justifying the lower rate. Friendship's equipment is approximately two (2) years old, and does not qualify for the depreciated rate. Mr. Rowland recommends leaving the assessment as is. Vice-Chairman Palmer made a motion to approve the recommendation as submitted. Commissioner Webb seconded, with unanimous approval.

APPROVAL OF RECENT ORDINANCE SUPPLEMENT - DENISE DAUGHERTY, CLERK TO THE BOARD:

Clerk to the Board, Denise Daugherty, previously submitted the current supplement to the Rowan County Code of Ordinances, as attached to these Minutes, for Board approval. As time did not permit thorough perusal, Commissioner DeMarcus requested an extension to the October 5th meeting. The Board agreed by consensus.

REQUEST FOR DISPOSITION OF MEETING TAPES - DENISE DAUGHERTY:

Mrs. Daugherty shared recent correspondence, regarding the disposition of previous Commission Meeting cassette tapes, as attached to these Minutes. The request is to re-use the tapes after the Minutes have been approved. Commissioner Webb made a motion to re-use the tapes after one (1) year. Vice-Chairman Palmer seconded. Commissioner DeMarcus made a substitute motion, to include saving tapes of special Public Hearings for four (4) years, and all else for one (1) year. The motion passed with unanimous approval.

MANAGER'S REPORT:

Interest: The Board reviewed the Report of Interest Earned, as attached to these Minutes.

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

Lease of County Property: Renewal of a lease with Mark Domske, for the barn on County property, was requested for renewal, at \$110/year, as attached to these Minutes. Commissioner Webb made a motion to approve the lease as submitted. Vice-Chairman Palmer seconded, with unanimous approval.

BOARD APPOINTMENTS:

Rowan County Housing Authority: Mrs. Betty Miller is eligible for reappointment. Commissioner DeMarcus made a motion to approve the reappointment. Vice-Chairman Palmer seconded, with unanimous approval.

Personnel Commission: Mr. Fred Evans, Mr. Dick Messinger, Ms. Anne Fuller, Mr. Mac Blankenship and Ms. Leigh Jones are eligible for reappointment. Vice-Chairman Palmer made a motion to reappoint all five. Commissioner DeMarcus seconded, with unanimous approval.

Tri-County Mental Health Board: Mr. Sam Carter is eligible for reappointment. Commissioner Webb made a motion to reappoint Mr. Carter. Vice-Chairman Palmer seconded, with unanimous approval.

Domiciliary Home Community Advisory Committee: Mr. B. B. Honeycutt has resigned, and the replacement has been deferred since July. With no nominations at present, the vacancy remains until the October meeting.

Nursing Home Advisory Committee: Ms. Evelyn Brown has resigned, and the replacement has been deferred for several meetings. With no nominations at present, the vacancy remains until the October meeting.

Spencer Planning Board: The Board received a letter from Town Clerk, Lisa Perdue, requesting the appointment of Betty Miller as an extraterritorial member. Commissioner DeMarcus made a motion to approve the request. Vice-Chairman Palmer seconded, with unanimous

approval.

Library Board: Mr. John C. Batchelder has resigned, creating a vacancy. Commissioner Webb made a motion to appoint Mrs. Rose Fink, to fill the unexpired term. Chairman Cohen seconded, with unanimous approval.

Special Populations: Commissioner DeMarcus stated that Mr. Bill Hall has resigned his position, creating a vacancy. Commissioner DeMarcus made a motion to appoint Mr. Wayne Hayworth as a replacement. Chairman Cohen seconded, with unanimous approval.

OTHER BUSINESS:

Mr. Leroy Bostian addressed the Board, and stated his concerns regarding obtaining clear title to disputed property deeds. County Attorney Holshouser suggested that Mr. Bostian seek advice from a Title Insurance Company agent.

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

Upon conclusion, the motion was made and seconded, with unanimous approval, to return to Regular Session. With no action taken, the motion was made and seconded, with unanimous approval, to adjourn the meeting to Monday, September 21, 1992, at 7:00 p.m., at Gold Hill Fire Department.

Respectfully submitted,

Denise B. Daugherty, CMC
Clerk to the Board