

MINUTES OF THE MEETING OF THE BOARD
OF ROWAN COUNTY COMMISSIONERS
REGULAR SESSION - AUGUST 9, 1993
SETH MURDOCH AUDITORIUM, AGRICULTURE BUILDING

The Rowan County Board of Commissioners met in Regular Session, on Monday August 9, 1993, at 9:00 a.m., in the Seth Murdoch Auditorium of the Agriculture Building.

PRESENT: J. Newton Cohen, Chairman
Thomas M. Webb, Vice-Chairman
Jamima P. DeMarcus, Member
Steven Todd Arey, Member

ABSENT: Charles H. Welch, Member

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

Chairman Cohen called the meeting to order, with Commissioner Arey giving the invocation.

MINUTES:

The following Minutes were submitted for approval:

*July 8, 1993 (Adjourned)

*July 12, 1993 (Regular)

Commissioner DeMarcus requested a change under Board Appointments for the minutes of the July 12, 1993 meeting. She noted that Roscoe Giles and not Eva Coleman had been appointed to the Rowan County Board of Elections. There being no further corrections Commissioner DeMarcus made a motion for approval. Commissioner Arey seconded, with unanimous approval.

TAX COLLECTOR'S REPORT:

Tax Collector Wayne Simpson gave the preliminary July 1993

Report, as attached to these minutes. He also explained and answered Commissioners questions on the sale of property for tax purposes.

PRESENTATION OF CERTIFICATE:

Heidi Singer, with Downtown Salisbury Incorporated, presented the Board with a certificate of appreciation for its efforts to help keep downtown Salisbury the governmental center of Rowan County.

CONSIDERATION OF PROPOSED POSITIONS AT THE HEALTH DEPT:

Commissioner DeMarcus addressed the Board with concerns of inadequate health care for Rowan County Citizens. She noted the increasing rate of infant deaths and child health care needs as well as geriatric care and animal control needs. Commissioner DeMarcus made a motion to approve the twelve proposed positions at the Health Department. This motion died for lack of a second. Commissioner DeMarcus then proposed to vote on the positions individually or to allocate money to the Health Department for Director John Shaw to divide among positions he felt were critical. Commissioner Arey seconded the motion to vote on each position individually and the Board agreed.

Commissioner DeMarcus made a motion to approve the Animal Control Officer I and the Animal Shelter Attendant positions. Commissioner Arey seconded, but the motion failed from a lack of a majority vote with Commissioners DeMarcus and Arey voting in favor of the motion and Chairman Cohen and Commissioner Webb voting against.

Commissioner DeMarcus made a motion to approve the Allied Health Director position. Commissioner Arey seconded, but the motion failed from a lack of a majority vote with Commissioners DeMarcus and Arey voting in favor of the motion and Chairman Cohen and Commissioner Webb voting against.

Commissioner DeMarcus made a motion to approve the Clerk Typist III position. Commissioner Arey seconded, and the motion passed by a vote of 3/1, with Commissioners DeMarcus, Arey and Webb voting in favor of the motion and Chairman Cohen voting

against.

No action was taken concerning the Environmental Health Specialist since this had been previously passed during budget hearings.

Commissioner DeMarcus made a motion to approve the Licensed Practical Nurse position. Commissioner Arey seconded, and the motion passed by a vote of 3/1, with Commissioners DeMarcus, Arey and Webb voting in favor of the motion and Chairman Cohen voting against.

Commissioner DeMarcus made a motion to approve the Nutritionist II position. Commissioner Arey seconded, and the motion passed by a vote of 3/1, with Commissioner DeMarcus, Arey and Webb voting in favor of the motion and Chairman Cohen voting against.

Commissioner DeMarcus made a motion to approve the Family Nurse Practitioner position. Commissioner Arey seconded, and the motion passed by a vote of 3/1, with Commissioners DeMarcus, Arey and Webb voting in favor of the motion and Chairman Cohen voting against.

Commissioner DeMarcus made a motion to approve the Clerk Typist III position. Commissioner Arey seconded, and the motion passed by a vote of 3/1, with Commissioners DeMarcus, Arey and Webb voting in favor of the motion and Chairman Cohen voting against.

Commissioner DeMarcus made a motion to approve the Social Worker II position. Commissioner Arey seconded, but the motion failed from lack of a majority vote, with Commissioners DeMarcus and Arey voting in favor of the motion and Chairman Cohen and Commissioner Webb voting against.

Commissioner DeMarcus made a motion to approve the Licensed Practical Nurse I position. Commissioner Arey seconded and the motion was passed with a vote of 3/1, with Commissioners DeMarcus, Arey and Webb voting in favor of the motion and Chairman Cohen voting against.

Commissioner DeMarcus made a motion to approve the Public Health Nurse III position. Commissioner Arey seconded and the motion passed by a vote of 3/1, with Commissioners DeMarcus, Arey and Webb voting in favor of the motion and Chairman Cohen voting against.

DISCUSSION ON PROPOSED MINIMUM HOUSING ORDINANCE:

Planner Danny Johnson answered questions from the Board concerning the Minimum Housing Ordinance Draft. Chairman Cohen raised concerns as to what level the Codes are to be enforced. Mr. Johnson stated that the inspector would use the standards set forth in the Minimum Housing Ordinance as long as they did not exceed the State standards.

Action on the proposed ordinance was deferred until the September 7, 1993 meeting in order for Mr. Johnson to give the Commissioners a worksheet to list concerns on ordinance draft.

REVIEW OF "NO MAN'S LAND":

Fire Marshal Randall Faggart presented to the Board a proposal to divide the area currently receiving unrated fire protection in South Rowan, among the China Grove, Mount Mitchell and Boston Heights fire departments. Each would receive a percentage of the \$225.00 monthly supplement based on their fire tax values. They agreed to provide service for the remainder of the year if the Board would agree to institute a service district beginning next fiscal year.

Commissioner Webb made a motion to authorize Emergency Services and the Fire Marshal to proceed with the proposal and to proceed with steps necessary to establish a new fire district. Commissioner DeMarcus seconded, with unanimous approval.

Commissioner Webb also gave a commendation to the Mount Mitchell Volunteer Fire Department for providing service to areas not in their district for which they receive no compensation.

CONSIDERATION OF ROAD PETITION:

Emergency Services Director Wayne Ashworth presented the Board with petition for road name changes. Commissioner Webb made a motion to set a public hearing on September 7, 1993 at 9:30 a.m. for comment on the proposed changes. Commissioner Arey seconded, with unanimous approval.

RESCHEDULING REGULAR MONTHLY MEETING:

Commissioner Webb made a motion to reschedule the Regular September meeting from September 6, 1993 to September 7, 1993 due to the Labor Day Holiday. Commissioner Arey seconded, with unanimous approval.

JUSTICE CENTER REVISIONS:

Architect Doug Tennent addressed the Board concerning 2000 square feet of available storage space created after the removal of a storm sewer drain. Originally the price would have been \$25.00 - 30.00 per square foot, but the space could be required to have a sprinkler installed which would raise the price. Commissioners asked Mr. Tennent to talk to DFS in Raleigh to determine if the space could be installed without sprinklers and report to the Board at the August 16, 1993 meeting.

The Board was also presented with a change order to allow adjustments for an uncharted storm sewer line. The change will allow for the installation of a sump pump for \$19,254.00. Commissioner Arey made a motion to approve the change order. Commissioner DeMarcus seconded, with unanimous approval.

REVIEW OF COUNTY SMOKING POLICY:

Commissioners discussed House Bill 957 "Smoking in Public Places", which states government buildings must allow 20% of the building's space as a designated smoking area, unless a county policy is in effect before October 15, 1993. Commissioner DeMarcus suggested creating a task force to work with the Health Board in the development of a smoking policy for Rowan County.

Commissioners agreed and suggested Chairman Cohen, Commissioner DeMarcus, County Manager Tim Russell, Library Director Phil Barton, County Attorney John Holshouser, and a representative from the Department of Social Services, as members of the task force.

EROSION CONTROL:

Paul Canup updated the Board on the STONEGLEN subdivision being built by Mr. Guy Johnson. Mr. Canup stated he had spoken to Mr. Johnson and had visited the site. Mr. Johnson was attempting to lay a ground cover and should be finished within a few days. Commissioner Webb made a motion to table the assessment of a penalty to see if a good faith effort had been made in trying to remedy the erosion control problem. Commissioner Arey seconded, with unanimous approval.

REPORT AND RECOMMENDATION FROM AIRPORT ADVISORY BOARD:

Airport Board president Larry Jones and Carl Sloop discussed the proposed Policy for the Operation of the Rowan County Airport. Commissioner DeMarcus questioned the time stated for the FBO lease. The lease has since been extended from the date stated.

Commissioner DeMarcus also raised the question of the responsibility of mowing. It was agreed that the FBO shall mow the area surrounding the airport, augmented by General Services.

A question was also raised concerning item A-10 in the policy. This item states that if hangar space is available it will be offered to transient aircraft for short or long term lease. It was agreed that the item shall be changed to read "Hangar space under the FBO master lease if available, to be offered to transient aircraft, for either short or long term requirements."

Commissioner DeMarcus also commended the Airport Board task force for it's efforts in preparing the Policy of Operation. The task force consisted of Larry Jones, Rufus Honeycutt, Ashley Roberts, Commissioner DeMarcus and Lindsey Hess.

REPORT OF 1992-93 WORKERS COMPENSATION PROGRAM:

Tim Russell addressed the Board with an analysis of the self insurance program for fiscal year 1992-1993. A savings of \$160,243.00 was realized in the year shown. Commissioners agreed the change was an overwhelming success.

BOARD APPOINTMENTS:

Community-Based Alternative Task Force: Commissioners asked the Clerk to determine the state restrictions for length of terms for members, and if Ms. Lynn Lowery and Dr. Scott Craig are eligible for reappointment. Action was deferred until the September 7, 1993 meeting so the information requested could be obtained.

Domiciliary Home Community Advisory Committee: Commissioner Webb made a motion to reappoint Mrs. Juanita Lagg, Mr. Albert Stout, and Mr. Ned Norris. Commissioner DeMarcus seconded, with unanimous approval.

Town of East Spencer: A request was submitted to appoint Ms. Betty Hutchins as the Extraterritorial Jurisdiction representative. Commissioner Arey made a motion to approve the request. Commissioner DeMarcus seconded, with unanimous approval.

Salisbury Rowan Human Relations Council: Commissioners reviewed an application from Mrs. Candie Leyvas to be appointed to the Human Relations Council. Commissioner DeMarcus made a motion to appoint Mrs. Leyvas to replace Rev. Neal Jones. Commissioner Arey seconded, with unanimous approval.

ABC Chairmanship: Mr. Paul Phillippi, senior member of the ABC Board, submitted a letter to the Board of Commissioners for consideration to be appointed chairman. Commissioner Webb moved to nominate Mr. Phillip as Chairman. There being no further nominations, Commissioner Arey seconded, with unanimous approval.

MANAGER'S REPORT:

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

Airport Contract: The Board was provided with a grant agreement for State funds for the purpose of acquiring property around the airport. Commissioner Webb made a motion to adopt a Resolution accepting the funds and therefore enter into a contract with the State. Commissioner Arey seconded, with unanimous approval.

Bid for Ramp at New Hangar : The Board was presented two bids received for the ramp paving project at the airport. They were from Jim L. Bost for \$96,172.00 and Papco for \$126,126.00. Commissioner DeMarcus made a motion to accept the low bid from Jim L. Bost. Commissioner Webb seconded, with unanimous approval.

Sewer Easement: The City of Salisbury requested the Board to grant a thirty foot easement which would run across property at the airport and service the new hangar. Commissioner Webb made a motion to approve the permanent easement. Commissioner DeMarcus seconded, with unanimous approval.

Commissioner Arey raised the question of drawing funds from excess revenues generated from a fee increase at the Health Department into the general fund. Commissioner Arey then made a motion to authorize the County Manger to draw these funds down. Commissioner DeMarcus seconded, with unanimous approval. Commissioners also requested the County Manager to provide a worksheet showing the breakdown of the fees.

There being no further business Commissioner Webb made a motion to enter into Executive Session for the discussion of personnel, acquisition of property and litigation. Commissioner Arey seconded, with unanimous approval.

Upon conclusion Commissioner Webb moved to return to regular session. Commissioner Arey seconded, with unanimous approval.

Action taken upon returning to regular session was as follows:

Comissioner Webb made a motion to purchase property (map 402, parcel 12) offered by the Davis Family at tax value (\$23,400). The property is located at the Old Landfill and represents approximately 17 acres. Comissioner Arey seconded, with unanimous

approval.

Commissioner Arey moved to approve a career development ladder for both the Sheriff's Office and Codes Enforcement Office. Commissioner Webb seconded, with unanimous approval.

Commissioner Webb moved to authorize the County Manager to make an offer of employment for Clerk to the Board position to the recommended candidate. Commissioner DeMarcus seconded, with unanimous approval.

Commissioner Arey made consecutive motions to approve the proposed merit pay plan for employees and to approve the reclassification and merit pay plans for department heads. Commissioner Webb seconded both motions, with both receiving unanimous approval.

There being no further business, Commissioner Webb made a motion to adjourn the meeting. Commissioner DeMarcus seconded, with unanimous approval.

Respectfully submitted,

Kelly King
Clerk to the Board