

MINUTES OF THE MEETING OF THE BOARD
OF ROWAN COUNTY COMMISSIONERS
ADJOURNED SESSION - DECEMBER 6, 1993,
SETH MURDOCH AUDITORIUM, AGRICULTURE BUILDING

PRESENT: J. Newton Cohen, Chairman
Thomas M. Webb, Vice-Chairman
Jamima P. DeMarcus, Member
Charles H. Welch, Member
Steven Todd Arey, 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 the invocation was given by Commissioner Webb.

MINUTES:

The following minutes were submitted for approval:

- *November 1, 1993 - Regular
- *November 15, 1993 - Adjourned
- *November 22, 1993 - Adjourned/Worksession

There being no corrections Commissioner DeMarcus moved for approval of the minutes as submitted. Commissioner Welch seconded, and the motion passed unanimously.

ADDITIONS TO THE AGENDA:

*Commissioner DeMarcus stated she would like to discuss Tri-County Mental Health.

*Commissioner Arey requested the Board allow Mr. Richard Messinger to speak and he also requested a discussion of the proposed Industrial Park and the C.R. Sirrine Company proposal.

*County Manager Tim Russell asked the Board to delay agenda item six (Bids for Remediation of Contaminated soils) until the

evening meeting to allow more information to be obtained.

ROAD PETITIONS:

Mr. Webb presented Forest Drive and SR 2417 as two roads were eligible to be added to the secondary road system for maintenance. He then moved to approve the addition of these two roads into the system. Commissioner DeMarcus seconded, with unanimous approval.

SELECTION OF CHAIRMAN AND VICE-CHAIRMAN:

As stated in General Statute 153A-39 the Board made it's selection for Chairman and Vice-Chairman. Chairman Cohen turned the meeting over to Tim Russell to act as Chairman for the election. Acting Chairman Russell then opened the floor for nominations. Commissioner Arey nominated Mr. Cohen to again serve as Chairman citing the decisions the Board had reached during the past year. Commissioner Webb seconded. Commissioner Arey then moved to close the nominations. Commissioner DeMarcus seconded, and Mr. Cohen was unanimously chosen to serve as Chairman. Mr. Russell then asked for nominations for Vice-Chairman. Commissioner Arey nominated Mr. Webb to return as Vice-Chairman. Commissioner DeMarcus seconded. Commissioner Arey moved to close the nominations. Commissioner DeMarcus seconded, and Mr. Webb was unanimously chosen to serve as Vice-Chairman.

RESOLUTION FOR APPLICATION OF ADOLESCENT PREGNANCY GRANT:

Mr. Mark Lewis, representing the Rowan County Council on Adolescent Pregnancy, spoke to the Board with the Council's request for a resolution to allow them to apply for a grant from the State. The grant would enable the Council to centrally organize and develop it's long range plans for the prevention of adolescent pregnancy. The Council currently receives money from the United Way and private donations. It hopes to become self-sufficient by the end of the five year grant. Commissioner Arey moved to approve the resolution. Commissioner Webb seconded, and the motion passed unanimously.

TAX COLLECTOR'S REPORT:

Tax Collector Wayne Simpson presented the Board with the preliminary November report, as attached to these minutes. He

also answered question concerning the vehicle tax bills and the methods of collection.

PUBLIC HEARING FOR ROAD NAME CHANGES:

Commissioner DeMarcus moved to open the floor for public comment on the renaming of Old Cress Road, Blue Jay Lane, and Mayberry Lane. Commissioner Arey seconded, and the motion passed unanimously. There being no public comment Commissioner Arey moved to close the public hearing and return to regular session. A second was given by Commissioner DeMarcus and the motion was unanimous. Commissioner DeMarcus then moved to accept the road name changes. Commissioner Webb seconded, and the motion passed unanimously.

REQUEST FOR PUBLIC HEARING FOR ROAD NAME CHANGES:

Planner Ed Muire presented the Board with petitions requesting road name changes. A petition representing 100% of the affected property owners was submitted for Flying Lane. Commissioner Webb moved to accept the road name change. Commissioner Arey seconded, and the motion passed by a unanimous vote. Mr. Muire then presented the Board with petitions for two roads, Old Linn Road (formerly Linn Road), and Powers Farm Road (formerly unnamed). He requested the Board to set a public hearing for public comment. Commissioner Arey moved to hold a public hearing on January 3, 1994 at 9:30 a.m. Commissioner DeMarcus seconded, with unanimous approval.

REPORT ON PROJECTED SITE PREPARATION COSTS FOR ANIMAL SHELTER:

Mr. Russell discussed with the Board the costs for two possible sites for the Animal Shelter. Commissioner Arey noted that the site located on Old Concord Road directly behind the Agriculture Building was the less expensive. Commissioner DeMarcus asked the Board to not only look at the cost but also consider the other factors when determining a site. Mr. Russell stated that a true cost could only be determined by an engineer who could study the lay of the land. Chairman Cohen then suggested that a State agency may be interested in an area of land between the Agriculture Building and the Heritage Home. If this worked out the agency may pay for the site preparations of this area and the County would not have to incur these costs. Commissioner Arey moved to authorize the County Manager to

approach the state agency to determine their interest in the area and report back to the Board in January. Commissioner Webb seconded, and the motion passed unanimously. Commissioner DeMarcus made an additional motion to authorize the County Manager to hire an engineer to look at the three available sites in the mean time. She urged the Board not to delay this action any longer. Commissioner Arey seconded, and the motion was passed unanimously.

ADDITION TO THE AGENDA:

*As requested by Commissioner Arey, Chairman Cohen recognized Mr. Richard Messinger, former County Commissioner. Mr. Messinger addressed the Board with his concerns of the public perception of the Tri-County Mental Health Board. He urged the Board to make a decision, let the decision be known and back their decision with facts. Commissioner DeMarcus suggested the Commissioners have a worksession with the interim Tri-County Director, Mr. Laurence Bivens to determine the possibilities the Board has. She then moved for the Board to offer leadership in the mental health area, by authorizing the County Manager to meet with the managers of Iredell and Davie Counties to explore their perceptions and feelings and for this to be accomplished by the first January meeting. The findings from this meeting should be shared with all three counties. After hearing the results the Board would consider appointing a special committee to explore all alternatives. Commissioner Webb seconded, and the motion passed unanimously.

Mary Carter then addressed the Board with her concerns about Mental Health and again requested a split from Tri-County.

REQUEST FROM BOARD OF ELECTIONS TO PURCHASE BALLOT COUNTER:

Mr. Herman Beaver and Mr. Roscoe Giles from the Board of Elections addressed the Board with a request for an additional \$5000 in it's capital outlay account for the purchase of two ballot counters. The counters would be used to split the Locke and Milford Hills precincts. Commissioner Arey moved to approve the request for an additional \$5000. Commissioner Webb seconded. Commissioner Welch then offered a substitute motion to delay any action until the January 3, 1994 meeting so Elections Supervisor Nancy Evans could be present to answer questions about the

equipment. Chairman Cohen seconded, and the motion passed by a vote of 3/2, with Commissioners DeMarcus and Arey voting against.

APPROVAL OF BOND ELECTION:

Mr. Russell read for the Board the "Statement of Result of Special Election Held for The County of Rowan", as attached to these minutes, concerning the school bond election held on November 2, 1993. Commissioner Arey moved to introduce the resolution. Commissioner DeMarcus seconded, and the motion passed unanimously. Chairman Cohen asked if the Board should have a meeting with the Rowan-Salisbury School Board to discuss the projects and time tables. Mr. Russell agreed and stated the staff would continue to proceed as previously directed unless otherwise instructed. Commissioner DeMarcus then moved for the County Manger to set a date for a joint meeting with the School Board. Commissioner Webb seconded, and the motion passed unanimously.

BOARD APPOINTMENTS:

Commissioner Arey asked Chairman Cohen and Commissioner DeMarcus if any proposals had been reached in determining board terms. They stated they had met but did not have a formal report for the Board. Commissioner Arey then moved to delay reappointing board members who had served two consecutive terms or six years. Chairman Cohen seconded, and the motion passed unanimously.

Cabarrus-Rowan Park Commissioner- Mr. Carl Alexander requested not to be reappointed to this board. The Parks submitted Mr. Fred Ponder for consideration. Commissioner DeMarcus moved to appoint Mr. Ponder to the board. Commissioner Arey seconded and the motion passed unanimously.

Rowan County Airport Board- Action for this board was deferred until the January 3, 1993 meeting.

Rowan County Board of Public Health- Dr. Ted James was not eligible for reappointment having served three terms. Commissioner DeMarcus nominated Dr. Claudia Gardner to fill the seat as a veterinarian. Commissioner Arey seconded and the vote was unanimous. Commissioner Welch nominated Mr. Mike Africa. Attorney Holshouser noted that the seats on the Health Board are dictated by the state and there are only two citizen at large seats. Since Mr. Africa was not a dentist or a pharmacist he

would have to wait until the citizen at large seat became open. Commissioner Webb then nominated Mr. Joe Hager for reappointment. Chairman Cohen seconded, and there being no further nominations, the vote was unanimous. Commissioner DeMarcus nominated Dr. Bruce Ketner for reappointment. Commissioner Webb seconded and there being no further nominations, the vote was unanimous.

Rowan Historic Properties- One seat was deferred until the January 3, 1994 meeting since the person eligible for reappointment had served four terms. Commissioner Arey moved to reappoint Mr. Darius Hedrick who had filled a vacated term. Chairman Cohen seconded, and the motion passed unanimously.

Nursing Home Advisory Committee - Commissioner DeMarcus moved to reappoint Mrs. Virginia Shuford. Chairman Cohen seconded, and the motion passed with a unanimous vote.

Rowan County Parks and Recreation Commission- Two seats were delayed for appointment until the January 3, 1994 meeting since the members had served three and four terms respectively. Commissioner Arey moved to reappoint Mr. Steve Brown who had served one term. Commissioner Webb seconded and the motion passed unanimously.

Rowan County Planning Board- One seat was deferred for appointment until the January 3, 1994 meeting. Mr. Roscoe Giles requested to not be reappointed to his seat, leaving a vacancy. Commissioner Welch moved to appoint Mrs. Marilyn Chambers. Commissioner Webb seconded, and the motion passed unanimously. Commissioner Arey then nominated Mr. Michael Lear. Commissioner Webb nominated Mr. R.L. Harrington. There being no further nominations Chairman Cohen called for the vote. Mr. Harrington was chosen by a vote of 3/2, with Commissioners Arey and DeMarcus voting for Mr. Lear.

Rowan Public Library- One seat was deferred until the January 3, 1994 meeting. Commissioner Arey moved to reappoint Mrs. Rose Fink who filled an unexpired term. Commissioner Webb seconded, with unanimous approval.

Salisbury-Rowan Human Relations Council- Commissioner DeMarcus moved to reappoint Mr. Robert Cockerl who had filled an unexpired term. Commissioner Arey seconded, with unanimous approval.

Fireman's Relief Fund Trustee- A request was submitted from the

Scotch Irish Fire Chief to appoint Mr. H.T. Hall and Mr. J. L. Hensley to serve as it's trustees. Commissioner DeMarcus move to approve the request. Commissioner Welch seconded, with unanimous approval.

Carolinas Partnership- Commissioners received a letter from the Carolinas Partnership requesting Mr. Paul Fisher to be reappointed to the Board of Directors. Commissioner Webb moved to approve the reappointment. Commissioner DeMarcus seconded, with unanimous approval.

MANAGER'S REPORT:

*Refunds - Various refunds were submitted to the Board of Commissioners for approval. Commissioner DeMarcus moved to approve the refunds. Commissioner Arey seconded and the motion passed with a unanimous vote.

*Interest - Mr. Russell read the interest report, as attached to these minutes, as prepared by Finance Director Brady Frick.

*Mr. Russell read a letter received from Mr. James Lohr who had purchased property from the County on the Courthouse steps. The property offered was land and a house. The house had burned decreasing the tax value which had not been changed at the time of the sale. He requested the Board to set aside the sale since he overpaid for the property. Commissioner DeMarcus moved to set aside the sale and to collect any expense incurred. Commissioner Arey seconded, and the vote was unanimous.

OTHER BUSINESS:

*Commissioner Arey reminded the Board of a proposal received from the CRS Serrine Company at the last meeting. He then moved to approve the proposal for site selection for an Industrial Park. Chairman Cohen seconded, and the motion passed unanimously. Commissioner Webb expressed concern that other companies should have a chance to make proposals. Commissioner Arey replied he felt the County was getting the best quality service for their money.

There being no further business Commissioner DeMarcus moved to enter executive session. Commissioner Webb seconded, with unanimous approval.

Upon conclusion Commissioner Webb moved to move the first regular meeting of each month to the Conference room in the Community Building and leave the second monthly evening meeting and public hearings at the Agriculture Building. Commissioner DeMarcus seconded and the motion passed 4/0.

Commissioner Arey then moved to cancel the second monthly meeting for December due to the Christmas Season. Commissioner DeMarcus seconded, and the vote passed 4/0.

There being no further action taken Commissioner Webb moved to adjourn until 6:30 P.M. for a public hearing. Commissioner DeMarcus seconded, and the vote passed 4/0.

Respectfully Submitted,

Kelly King, Clerk
Rowan County Commissioner