

MINUTES OF THE MEETING
OF ROWAN COUNTY COMMISSIONERS,
AUGUST 15, 1994 - ADJOURNED
SETH MURDOCH AUDITORIUM, AGRICULTURE BUILDING

PRESENT: J. Newton Cohen, Chairman
Jamima P. DeMarcus, Member
Charles H. Welch, Member
Todd Arey, Member

ABSENT: Thomas M. Webb, Vice-Chairman

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

Chairman Cohen called the meeting to order and gave the invocation.

ADDITIONS TO THE AGENDA:

* Commissioner Arey asked to reschedule the first meeting in September from September 6th to the 12th due to the Labor Day Holiday. The Board agreed by consensus.

* Commissioner Arey requested the Board to table the discussion on the Minimum Housing Ordinance until the September 12th meeting. Members agreed by consensus.

CORRESPONDENCE:

* A letter was received from Senior Services Director Clyde Fahnestock. It stated that the State had announced full funding of the Rowan County FY'95 Section 16 grant application. The grant will total \$121,424 and will be used by the Rowan Transit System.

MEET THE CHALLENGE ANIMAL SHELTER GROUP:

Commissioner DeMarcus introduced Mr. Clarence Fox, the new supervisor who will oversee the Animal Shelter. She asked Mr. Fox to answer some of the questions the Meet the Challenge group had asked concerning construction of the animal shelter. Mr. Fox stated the

Board of Health had established an Animal Control Task Force which is currently working with preliminary drawings from engineer Jim Morton. He stated they expected the blueprints to be finalized in approximately thirty days, with the groundbreaking to start around the first of December. He stated that if things went as scheduled the animal shelter should be completed by mid January. Mr. Fox also added that the Task Force had increased the size of the lobby to accommodate materials provided by the Meet the Challenge Group.

PUBLIC HEARING ON ROAD CLOSURE:

Commissioner DeMarcus moved to open the public hearing for comments on closing of a portion of Brown and Eastside Streets off NC Hwy 150. Commissioner Arey seconded and the vote was unanimous. Mr. David Shelby, the attorney representing the petitioners, addressed the Board explaining where the road was located. There being no public comment, Commissioner Arey moved to close the public hearing. Commissioner DeMarcus seconded and the vote was unanimous. Commissioner Arey then moved to approve the road closure as requested. Commissioner DeMarcus seconded, and the vote was unanimous.

PUBLIC HEARING ON FINANCING PROPOSAL FOR THE OLD POST OFFICE PROJECT:

Commissioner Arey moved to open the public hearing for comments on financing proposals for the Old Post Office project. Commissioner DeMarcus seconded and the motion passed unanimously. Finance Director Brady Frick distributed to the Board a schedule of financing offers received from local banks. The lowest rate was received from Southern National Bank. Chairman Cohen then called for public comment. Mr. Ed Hayden stated he felt the public should have had figures before the hearing in order to know what they were speaking about. There being no further public comment Commissioner Arey moved to close the public hearing. Commissioner DeMarcus seconded and the vote was unanimous. Commissioner Arey moved to enter into a financing agreement with Southern National Bank. Commissioner DeMarcus seconded and the motion passed 3/1, with Commissioner Welch voting against.

WATERSHED SUBDIVISION APPROVAL:

Ed Muire presented the Board with one request for a watershed subdivision approval. The request was from Douglas K. Patterson and wife. Their property is located in the Back Creek/Sloan's Creek watershed area. Commissioner DeMarcus moved for approval. Commissioner Welch seconded and the motion passed unanimously.

WATERSHED VARIANCE REQUEST:

Mr. Muire discussed with the Board a request for a variance in the watershed subdivision ordinance requirements. The ordinance requires one acre minimum lot size, and the subdivision in question contains two lots under the one acre minimum. The watershed ordinance states that the Commissioners can grant minor variances. Commissioner Arey moved to grant the approval. Commissioner Welch seconded and the motion passed unanimously.

ROAD NAME CHANGES:

Mr. Muire presented the Board with two unanimous petitions for road name changes. The proposed names were:

- * Basil Road - State road 1477 & 1478 currently known as Dogwood Lane
- * Five "R" Road - A private road currently unnamed.

Commissioner Arey moved for approval. Commissioner DeMarcus seconded and the motion passed unanimously.

Mr. Muire presented the Board with two majority petitions for the road name changes of Correll Farm Road and Plum Tree Drive. He also discussed two road name changes for Buccaneer Circle and Waccamaw Drive. These two did not have majority petitions, but the residents had not responded to requests and the postal service had requested addresses. Mr. Muire also discussed slight changes to Clearfield Drive, Deerfield Drive and Longfield Drive. The thoroughfare abbreviations needed to be clarified. Commissioner DeMarcus moved to hold a public hearing for all of the road name changes and considerations on September 12, 1994 at 9:15 a.m. Commissioner Arey seconded and the motion passed unanimously.

REQUEST FROM SCHOOLS ON CURRENT EXPENSE APPROPRIATION:

Dr. Joe McCann, Jonathan Shores, and Bill Bucher addressed the Board with a request to move \$194,525 from the schools reserve account to operations. This would leave \$199,525 in the reserve. They also requested a transfer of \$247,677 from capital outlay into operations. The schools received \$437,830 in low wealth funds from the state and were able to reduce the amounts they originally requested. Commissioner Arey moved to allow the transfer of \$247,677 from capital outlay and \$194,525 from reserve into operations. Commissioner Welch seconded and the motion passed unanimously.

UPDATE OF ILS PROJECT:

Mr. Russell discussed with the Board the ILS project at the Airport. The bids Espey, Huston received were over budget. He requested members of the Board to hold a workshop with members from the engineering firms, NC DOT, as well as other involved. He suggested they meet August 24 at 10:00 in the Community Building. The Board agreed by consensus.

BOARD APPOINTMENTS:

Piedmont Sports Commission - Commissioner DeMarcus nominated Commissioner Arey to serve as the Commissioner appointee on the Sports Commission noting his hard work with the task force. Chairman Cohen seconded the nomination. There being no further nominations, Commissioner Arey was appointed by a vote of 3/1, with Commissioner Welch voting against. Commissioner Arey then nominated Commissioner DeMarcus to serve as a private citizen since she would retire from office in December. He noted her efforts and hard work on the task force. Chairman Cohen seconded and the nomination passed unanimously.

Criminal Justice Advisory Board - Commissioners appointed the following people to serve as members of the newly created Criminal Justice Partnership Advisory Board:

- County Commissioner - Chairman Cohen
- County Manager - Tim Russell
- Judge of Superior Court - Judge Seay
- Judge of District Court - Judge Wagoner
- District Attorney - Bill Kennerly
- Criminal Defense Attorney - Larry Ford
- Public Defender - Marsha Hughes Grayson
- County Sheriff - Bob Martin
- Chief of City Police - Chief Jacobs
- Probation Officer - John Candillo
- Community Service Coordinator - Janet Ruffin
- Business Community - Wayne Eller
- Victim of Crime - Christy Meachum
- Recovering Substance Abusers - Marsha Turner Brown and Michael Copeland

Commissioner decided to allow members of the local health agencies choose the members they wished to nominate.

* Mr. Russell and Mr. Holshouser presented the Board with a concurrent resolution establishing a charter for the Piedmont Sports Commission. Mr. Russell stated no changes had been made to the original resolution passed by the Board, but this was legal and covered all requirements as set forth in the General Statutes. Commissioner DeMarcus moved for approval of the resolution. Commissioner Arey seconded, and the motion passed by a vote of 3/1, with Commissioner Welch voting against.

* Mr. Russell asked the Board to discuss an item which had been tabled at a previous meeting concerning a watershed subdivision approval. The subdivision in question was Needmore Estates. Mr. Holshouser explained to the Board that Mr. Spillman, who is constructing the subdivision, had complied to all regulations in the County which are in effect now. He did not feel the Board could delay his project until it acted upon a Subdivision Ordinance. The watershed ordinance states Commissioners have 45 days to act from the date the request is first submitted. Mr. Holshouser said he believed the September 12th meeting was the longest Commissioners could delay a decision. Larry Ford, representing Mr. Spillman, stated that his client had complied with all applicable regulations and asked the Board to approve his request. Commissioners asked Mr. Holshouser to investigate the feasibility of denying Mr. Spillmans request or declaring a moratorium on subdivisions until a subdivision ordinance could be addressed.

PUBLIC COMMENT:

Mr. Brad Ligon - Requested the Commissioners to speak louder as he believed it to be a violation of the open meetings law when the audience could not hear. He also asked the Board about the transfer of money from the schools capital outlay account and asked how often this is

done. He also spoke about the Minimum Housing Ordinance and the grant for the Criminal Justice Advisory Board.

Mr. Ed Hayden - Asked why a public hearing was necessary on the Old Post Office if the Board could take money out of the general fund anyway. Mr. Russell explained the law required a public hearing when the County entered a financing agreement, which it will do for the Old Post Office Project. Mr. Hayden also asked about fees for closing a road, and he asked the Board to continue to set aside money for the schools in a reserve account until the State had determined how much it would distribute.

Mr. Joe Lira - Stated he also had a problem hearing Commissioners and did not feel this was fair.

Several other identified people addressed the Board with concerns on the Minimum Housing Ordinance.

There being no further public comment, Commissioner Arey moved to enter Executive Session in order to discuss a contract and personnel. Commissioner DeMarcus seconded and the vote was unanimous.

Upon conclusion of Executive Session, Commissioner Arey moved to return to regular session. Commissioner DeMarcus seconded and the vote was unanimous. Commissioner Arey then moved to approve the recommendations for department head merit increases. Commissioner DeMarcus seconded and the vote was unanimous, as Commissioner Welch had left early.

There being no further business Commissioner DeMarcus moved to adjourn the meeting. Commissioner Arey seconded, and the motion passed unanimously.

Respectfully Submitted,

Kelly Dickinson,
Clerk to the Board