

MINUTES OF THE MEETING  
OF ROWAN COUNTY COMMISSIONERS  
SEPTEMBER 12, 1994 - 9:00 A.M. - REGULAR  
CONFERENCE ROOM, COMMUNITY BUILDING

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

The County Manager, Clerk to the Board, Finance Director, and County Attorney were also in attendance. Chairman Cohen called the meeting to order and gave the invocation.

The following minutes were submitted for approval:

- \* August 1, 1994 - Regular
- \* August 15, 1994 - Adjourned

Commissioner DeMarcus requested a change be made on page four of the August 1, 1994 minutes. She asked where the minutes stated, "She also asked why no elected officials are allowed to serve" to reflect instead, "She noted that elected officials are not allowed to serve under the present by-laws. Commissioner DeMarcus asked Mr. Wagoner to explain this philosophy."

There being no further corrections Commissioner DeMarcus moved to approve the minutes with this change. Commissioner Arey seconded, and the motion passed unanimously.

ADDITIONS TO THE AGENDA:

- \* Commissioner Arey requested time to discuss personnel during Executive Session.

- \* Chairman Cohen asked the Board to consider a resolution submitted from the Chamber of Commerce.
- \* Mr. Russell asked to bring the Board up to date on the Sports Authority.

CORRESPONDENCE:

\* Resolutions were received from the Towns of Spencer and Faith supporting NC Electric Membership Corporation locating its facility in Rowan County.

\* The Board received a letter from the NC Department of Crime Control and Public Safety announcing the Rowan County Local Emergency Planning Committee had been awarded a \$15,000 Special Project Grant.

ROAD PETITIONS:

Commissioner Webb introduced two requests from the NC Department of Transportation. The first was a request for abandonment of a portion of state road 1447. Commissioner Webb moved for approval. Commissioner Welch seconded and the motion passed unanimously. He then read a request to add Sylvan Road, Millbridge Circle and Bonnie Circle, all in the Millbridge subdivision to the secondary road system. Commissioner Webb moved for approval. Commissioner Welch seconded and the vote was unanimous.

PUBLIC HEARING FOR SNIA OVERLAY AREA:

Commissioner DeMarcus moved to open the public hearing for consideration of an SNIA overlay area. Commissioner Webb seconded and the motion passed unanimously. Chairman Cohen asked for any public comment. Mr. Mitchell Cress spoke to the Board stating his wife is the current owner of 8 acres which have been promised to Christian Heritage Academy for expansion and this is why it was included in the overlay area. There being no further comments Commissioner DeMarcus moved to close the public hearing. Commissioner Welch seconded and the vote was unanimous. Commissioner Webb moved for approval of the overlay designation. Commissioner DeMarcus seconded and the motion passed unanimously.

PUBLIC HEARING FOR ROAD NAME CHANGES:

Commissioner Webb moved to open the public hearing for comment on proposed road name changes, as attached to these minutes. Commissioner Arey seconded, and the motion passed unanimously. Chairman Cohen asked if there was any public comment. Mr. Sonny Aycock stated he lived in the Deerfield Subdivision and also worked for the postal service. He stated he was in support of the changes. There being no further public comment Commissioner Webb moved to close the public hearing. Commissioner Arey seconded and the vote was unanimous. Commissioner Webb then moved to approve the changes to the road names. Commissioner Arey seconded and the motion passed unanimously.

ROAD NAME CHANGE REQUEST:

Ed Muire presented the Board with two unanimous petitions for Road name changes. The changes were for Serenity Hill Drive and Soules Lane. Both were unnamed. Commissioner Webb moved to approve the name changes. Commissioner Arey seconded and the vote was unanimous.

SNIA PERMIT APPLICATION:

A permit application was submitted from Mr. Charles Russell in the Motor Sports Complex on Performance Road. This area was previously designated a SNIA overlay area. Commissioner Arey moved to hold a public hearing on October 3, 1994 at 9:30 a.m. for comment on the application. Commissioner Webb seconded and the vote was unanimous.

WATERSHED SUBDIVISION APPROVAL:

Commissioners received two requests for subdivision approval in a watershed area. The first was from Ralph Thomas Smith who is located in the Coddle Creek Watershed area. Commissioner Arey moved for approval. Commissioner DeMarcus seconded and the motion passed unanimously. The second request was from Alex Freeze who is also located in the Coddle Creek Watershed area. Commissioner Webb moved for approval. Commissioner Arey seconded and the vote was unanimous.

Commissioners were then asked for a decision on the Needmore Estate subdivision request. Attorney Holshouser explained that no moratorium was in effect when the application was made for the subdivision and the Board was limited to what it could do to stop it. Commissioner DeMarcus moved to approve the request but to also declare a moratorium on subdivision until further study of subdivisions can be completed. Commissioner Arey seconded adding the Board should work on a policy to have in the future. Commissioner DeMarcus requested to hold Subdivision Ordinance workshop at the September 19 meeting. Mr. Hoslhouser discussed the types of restriction which could be used during a moratorium. Staff had concerns that the small family subdivisions of one or two acres would also be effected. Mr. Holshouser noted that the Board could only limit those subdivisions in a watershed area, leaving the rest of the County unaffected. Commissioner DeMarcus then amended her motion. She moved to approve the Needmore subdivision but no other subdivisions in the areas the Board had controls over would be considered until policy consideration on September 19. Commissioner Arey seconded and the motion passed unanimously.

WATERSHED MAP AMENDMENT WSMA-2-94:

Planner Marion Lytle requested the Board to establish a public hearing for an amendment to the Rowan County Watershed Map Atlas. The change concerns an area of land in the Lake Fisher Watershed. This area was annexed by the City of Kannapolis and has been added to their zoning and watershed maps. Commissioner Webb moved to hold a public hearing on October 3, 1994 at 9:45 a.m. Commissioner Arey seconded and the vote passed unanimously.

MINIMUM HOUSING ORDINANCE:

Commissioners were given a change in the draft of the Minimum Housing Ordinance relating to the Housing appeals Board. The Board of Appeals would be the Board of Commissioners. Commissioner DeMarcus moved to approve the change. Commissioner Arey seconded and the motion passed unanimously. Mr. Russell read a letter from the Salisbury Board of Realtors who asked to work on the housing ordinance with county staff. Don Conner stated he had already met with Bob Isenhour of the Board of Realtors. Commissioner Webb asked if the Home Builders Association had not also submitted a suggested list of changes. Mr. Holshouser stated he had received the suggestions and forwarded them to Larry Correll, the Planning Board Chairman. Mr. Correll stated the majority of the list only amounted to a difference in interpretation of the ordinance. Commissioner Arey moved to have county staff meet with the Board of Realtors to work on the Minimum Housing Ordinance and to report back to the Board. Commissioner Webb seconded and the motion passed unanimously.

#### CBA REQUEST FOR EXPANSION OF STATE FUNDS:

Commissioners received two proposals which would utilize state CBA funds. The first proposal was for an "Out about after hours" program. Commissioner Arey moved for approval. Chairman Cohen seconded, but stated he had questions about the proposal. He questioned the client capacity being limited to only 20-24 people. Commissioner DeMarcus also raised a concern over which areas of the County the program would serve. Commissioners requested Mrs. Sandy Reitz be asked to come answer some of their questions. Mrs. Reitz and Ms. Bobbie Queen came before the Board to explain the programs. Mrs. Reitz explained that the "Out About After Hours" was a program working with juvenile delinquents which limited the number of teens the workers could handle. She also noted that the program was a county wide program, but because the program would use the West Rowan YMCA facility, it would limit some children because of transportation. Commissioner Welch asked why the program could not be coordinated with the program currently held through the school system. Commissioners delayed action until Ms. Willette Johnson, Director of Youth Services, could bring more information to the Board.

Ms. Queen explained the Family Preservation program to the Board. A social worker position was requested to be funded with CBA money. The program would place a worker with a family to help keep a troubled teen at home instead of training schools. Commissioner Arey moved to approve the request for the Family Preservation program. Commissioner DeMarcus seconded, and the motion was unanimous.

#### REQUEST FROM INFORMATION & REFERRAL:

A request was submitted to the Board from Rick Eldridge, President of Rowan Information and Referral, for the use of one of the County's surplus copiers. Commissioner Arey moved to approve the request. Commissioner Welch seconded, and the motion passed unanimously.

#### REQUEST FROM FAITH VOLUNTEER FIRE DEPARTMENT:

The Faith Volunteer Fire Department submitted a request to use a surplus van located at the County garage. They wished to use parts from the van to repair the van they currently used.

Commissioner DeMarcus moved for approval of the request. Commissioner Webb seconded and the vote was unanimous.

APPROVAL OF ELEVATED WATER TANK BID:

Peirson & Whitman submitted results from the bid opening for an elevated water tank for the Freightliner waterline project. The lowest bid received was from Brown Steel Contractor, Inc. for \$576,250. Commissioner Webb moved to award the bid to Brown Steel Contractors. Commissioner Arey seconded and the motion passed unanimously.

PROCLAMATION FOR NATIONAL HUNTING AND FISHING DAY:

Commissioner DeMarcus moved to pass a proclamation designating September 24, 1994 as National Hunting and Fishing Day in Rowan County. Commissioner Webb seconded and the vote was unanimous.

RESOLUTIONS REGARDING PRAYER IN SCHOOL:

Commissioners received resolutions passed by Denton, Macon and Yancey Counties urging volunteer prayer be returned to school. Commissioner Webb moved to adopt the resolution supporting prayer in public school. Commissioner Welch seconded and the motion passed unanimously. Commissioner DeMarcus stated she supported the resolution because the Board of Commissioners could open meetings with prayer but students in school did not have this privilege.

PROCLAMATIONS FOR PARENT/TEACHER ASSOCIATION:

Commissioner Welch moved to approve a proclamation declaring October 1994 as Parent involvement month. Commissioner Webb seconded and the vote was unanimous. Commissioner Arey then moved to approve a proclamation designating September 1994 as PTA Membership Enrollment Emphasis Month. Commissioner DeMarcus seconded and the motion passed unanimously.

PROCLAMATION FOR THE CHAMBER OF COMMERCE:

Chairman Cohen introduced a resolution declaring the week of September 25, 1994 as the Rowan County Chamber of Commerce Membership Week. Commissioner Webb moved for approval. Commissioner DeMarcus seconded and the vote was unanimous.

BOARD APPOINTMENTS:

Airport Board - Commissioner Webb moved to reappoint Mrs. Diane Greene to the Airport Board. Commissioner Welch seconded and the motion passed unanimously.

Nursing Home Advisory Committee - Ms. Naomi Greene resigned from the committee due to health reasons. Commissioners deferred this appointment until October.

Domiciliary Home Community Advisory Committee - Commissioner DeMarcus moved to reappoint Mr. Earl Scott. Commissioner Welch seconded and the Board agreed unanimously.

CBA Task Force - A letter was received from Sandy Reitz requesting the addition of Ms. Marjorie Kinard to the CBA task force. Commissioner Arey moved for approval. Commissioner DeMarcus seconded and the motion passed unanimously.

Salisbury-Rowan Human Relations Board - Ms. Catrelia Hunter submitted a letter of resignation to the Board. No action was taken at this time.

LEPC Appointment - A letter was received from Mr. Wayne Ashworth requesting the addition of Mr. Robert DiMarzio to the LEPC. Commissioner Arey moved for approval of the request. Commissioner Webb seconded and the vote was unanimous.

Economic Development Commission - A letter was received from Mr. Harry Whalen requesting Mr. Tom Bost be appointed to fill a vacant term on the EDC Board. Commissioner DeMarcus nominated Mrs. Patricia Rickard. Chairman Cohen nominated Mr. Tom Kern. There being no further nominations Chairman Cohen called for the vote which was as follows:

Mr. Tom Bost - Commissioner Webb and Arey in favor  
Mrs. Patricia Rickard - Commissioner DeMarcus in favor  
Mr. Tom Kern - Chairman Cohen and Commissioner Welch in favor

This eliminated Mrs. Rickard and the second vote taken was Commissioners Webb and Arey for Mr. Bost and Chairman Cohen and Commissioners DeMarcus and Welch for Mr. Kern. Mr. Kern was appointed to the EDC Board.

Region Tomorrow Steering Committee - Mrs. DeMarcus stated she would be willing to serve on this committee but requested more information as to the date and time of the meetings.

City of Salisbury - The City requested Mr. William Carter be appointed as an extraterritorial member of the Zoning Board of Adjustment. Commissioner DeMarcus moved to approve the request. Commissioner Arey seconded and the motion passed unanimously.

City of Kannapolis - Kannapolis requested Mr. Charles Clawson be appointed to the Board of Adjustment as an extraterritorial member. Commissioner DeMarcus moved for approval. Commissioner Arey seconded and the vote was unanimous.

Commissioners discussed the length of the terms for some of the Commission appointed boards. Chairman Cohen requested the Clerk to provide the Board with a list of boards and the length of the appointments.

Manager's Report -

Refunds - Various refunds totaling \$2,356.44 were submitted for approval. Commissioner DeMarcus moved for approval. Commissioner Webb seconded and the vote was unanimous.

Interest - The interest report from the Finance Director reflected interest collected through the month of August as \$71,179.

Mr. Russell discussed with the Board a proposal of moving the first monthly Commission meeting to the Seth Murdoch auditorium in the Agriculture Building. Commissioner DeMarcus asked the possibility of using the Red Room if proceeding with renovations of the Old Post would be considered good faith. Mr. Holshouser stated the Board could use the Red Room, but if any person wished to attend special considerations would have to be made. Commissioner Arey moved to hold the first monthly meeting in the Seth Murdoch Auditorium. Commissioner Welch seconded and the motion passed unanimously.

ADDITIONS TO THE AGENDA:

Mr. Russell discussed with the Board the latest actions of the Rowan-Kannapolis Sports Authority. He stated all members had now been appointed, an architectural firm had been selected, a resolution was drawn for the purchase of property, by-laws were being established, and several committees had been formed.

There being no further discussion Commissioner Welch moved to enter Executive Session to discuss Personnel, Contracts, and Economic Development. Commissioner Webb seconded and the motion passed unanimously

Upon conclusion of executive session Commissioners returned to regular session and by consensus gave Mr. Russell a 3% merit increased based upon his evaluation.

There being no further business Commissioner Webb moved to adjourn the meeting until September 19, 1994. Commissioner Arey seconded and the motion passed unanimously.

Respectfully Submitted,

Kelly Dickinson,  
Clerk to the Board