

MINUTES OF THE MEETING OF
ROWAN COUNTY COMMISSIONERS
OCTOBER 17, 1994 - 7:00 P.M.
SETH MURDOCH AUDITORIUM, AGRICULTURE 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, Finance Director, County Attorney, and Clerk to the Board were also present. Chairman Cohen called the meeting to order and Commissioner DeMarcus gave the invocation.

ADDITIONS TO THE AGENDA:

- * Commissioner Arey requested an Executive Session to discuss economic development.
- * John Holshouser asked the Board to discuss a legal matter concerning a correction for
a deed.

ROAD NAME CHANGE PETITIONS:

Planner Marion Lytle presented the Board with unanimous petitions for the following road name changes:

- * Glenmere Lane - Private - south off Deal Rd.
- * Knox School Road - Private - south off Amity Hill Road
- * Rockwood Drive - Private - south off Artz Road
- * Timberbrook Lane - Private- north off Deal Road
- * Woodsman's Lane - Private - north off Deal Road

Commissioner DeMarcus moved to approve the road name changes. Commissioner Webb seconded and the motion passed unanimously.

ADDITION TO THE AGENDA:

John Holshouser presented the Board with a copy of a deed for the Rowan County Housing Authority. When the deed was filed the wording inadvertently made Rowan County the owner. He requested the Board to allow Attorney David Wilson to draw a quitclaim deed to transfer the property from Rowan County to the Housing Authority. Commissioner Arey moved to approve the Attorney's request. Commissioner Webb seconded and the motion passed unanimously.

PUBLIC HEARING FOR ROAD NAME CHANGES:

Three private roads were advertised for public hearing. The roads were Blackberry Lane,, Cemetery Circle, and Hader Street. Commissioner Arey moved to open the public hearing. Commissioner DeMarcus seconded and the motion passed unanimously. The Chair called for public comment and there being none, Commissioner Arey moved to close the public hearing. Commissioner Welch seconded and the vote was unanimous. Commissioner Webb moved to approve the road name changes. Commissioner Arey seconded and the motion passed unanimously.

WATERSHED SUBDIVISION:

Marion Lytle presented the Board with three request for property subdivisions in watershed areas. The properties were:

- Billy Wade Larrimore, Jr. - located in the Coddle Creek watershed area.
- Manless & Everett Yost - located in the Irish Buffalo Creek watershed area.
- Harry Lee Curlee - located in the Dutch Buffalo Creek watershed area.

Commissioner DeMarcus moved to approve the watershed subdivisions. Commissioner Webb seconded and the motion passed unanimously.

APPROVAL OF AGREEMENT WITH THE CITY OF KANNAPOLIS:

Mr. Russell discussed with the Board a joint development agreement between Rowan County and the City of Kannapolis. It states Rowan County would be the lead borrower for the financing package pertaining to the Sports Complex. The City of Kannapolis would pay its share of the indebtedness to Rowan County who would in turn make the debt payments. The City of Kannapolis had previously passed the agreement by a unanimous vote. Commissioner Arey moved for approval of the agreement. Commissioner DeMarcus seconded and the motion passed by a vote of 4/1 with Commissioner Welch voting no.

REQUEST FOR SURPLUS PROPERTY:

A request was submitted from Livingstone College for five surplus radios. The radios were from the old system and no longer used by the County. The College agreed to pay \$200 for each radio. Commissioner Webb moved to declare the radios surplus property and to sell them to Livingstone College with the stipulation that the College be responsible for maintenance. Commissioner Welch seconded, and the motion passed unanimously.

PUBLIC HEARINGS FOR FINANCING OF OLD POST OFFICE/SPORTS COMPLEX AND THE WEST ROWAN WATERLINE:

Commissioner Webb moved to open the public hearing for comments on the proposed financing of the Old Post Office/Sports Complex and West Rowan Water line projects. Commissioner Arey seconded and the motion passed unanimously. Chairman Cohen called for public comment. There being no public comment Commissioner Arey moved to close the public hearing. Commissioner DeMarcus seconded and the motion passed unanimously. Commissioner DeMarcus moved to accept the bid proposal from Southern National for financing the West Rowan Waterline. Commissioner Arey seconded and the motion passed unanimously. Southern National was the only bank to submit a proposal for the Old Post Office/Sport Complex project. Commissioner Arey moved to approve Southern National for financing the project. Commissioner DeMarcus seconded and the motion passed by a vote of 4/1 with Commissioner Welch voting no.

Mr. Russell explained to the Board that the County would need to acquire right of ways along Highway 70 for the waterline project. He requested the Board to authorize Bill Snipes to act as the County's agent in acquiring the right of ways. Commissioner Webb moved to authorize Bill Snipes to act on the County's behalf in order to secure the right of ways. Commissioner DeMarcus seconded and the motion passed unanimously.

UPDATE OF JUSTICE CENTER PROJECT:

Vicki McCombs discussed with the Board purchasing a judge's bench for the new district courtroom. This would enable the existing courtroom to be left intact and still be used. The Board could move the existing bench, but the bench would have to be refinished and a new bench would still have to be placed in the old courtroom in order to use the facility. Commissioner Welch asked why the bench from the Federal Courtroom in the Old Post Office could not be used. Mr. Bob Byrd from J.N. Pease answered that the bench was not the same color or style as the wood being used and would require extension refinishing. Commissioner DeMarcus moved to purchase a new judge's bench and to leave the existing bench in place. Commissioner Arey seconded and the motion passed by a vote of 4/1 with Commissioner Welch voting no.

Mr. Byrd discussed with the Board a request from the contractor for a time extension as well as extended overhead for the relocation of a storm drain. J.N. Pease determined that there were good working days in which John S. Clark Company did not work on the footings for the storm drain. J. N Pease recommended that only a 28 day extension be granted with no payment for extended overhead. Commissioner Welch questioned the 28 day figure and stated the company was already behind schedule and should not be given an extension. Commissioner Arey moved to approve the request for an extension of 28 calendar days. Chairman Cohen

seconded and the motion passed by a vote of 3/2 with Commissioners Welch and Webb voting no.

Mr. Byrd also presented a request to the Board for payment for work exceeding the contract period J.N. Pease had with the County. The original contract was for 36 months and with delays the 36 months had expired. The extension would provide J.N. Pease supervision of the project until January 31, 1995. Commissioner DeMarcus suggested no action be taken until the Board could consult with it's attorney for action it could take. Chairman Cohen then tabled the item by consensus of the Board. The Board agreed to set a meeting with the general contractor in order to discuss the problems with construction. The meeting was set for November 2, 1994 at 9:00 a.m.

PUBLIC COMMENT:

Chairman Cohen opened the floor for public comment.

John Leatherman - Represented the Rowan County Youth Soccer League. He asked the Board to match funds that they raise in order to build soccer fields. They currently use Catawba College and are in need of more space. Commissioner Welch asked if he had investigated the property located between Mahaley Avenue and Grove Street. Commissioner Arey moved to have Chairman Cohen work with Mr. Leatherman on a proposal and bring the information back to the Board. Commissioner Welch seconded and the motion passed unanimously.

Commissioner DeMarcus noted that the Board of Realtors had submitted a letter stating they are in agreement with the revised Minimum Housing Ordinance and requested it be placed on the first meeting in November.

There being no further business Commissioner Arey moved to enter Executive Session. Chairman Cohen seconded and the motion passed unanimously.

Upon conclusion of Executive Session Commissioner Arey moved to return to open session. Commissioner Webb seconded and the motion passed unanimously. Commissioner Arey moved to amend the contract with C.R. Sirrene and Bob Goforth by adding \$2500 for continuing studies of industrial park sites. Commissioner Webb seconded and the vote was unanimous.

There being no further action Commissioner Arey moved to adjourn until November 2, 1994 at 9:00 a.m. Commissioner Webb seconded and the vote was unanimous.

Respectfully Submitted,

Kelly Dickinson,
Clerk to the Board