

MINUTES OF THE BOARD OF
ROWAN COUNTY COMMISSIONERS
MARCH 9, 1995 - 9:00 A.M.
SETH MURDOCH AUDITORIUM, AGRICULTURE BUILDING

PRESENT: Todd Arey, Chairman
Thomas M. Webb, Vice-Chairman
J. Newton Cohen, Member
Steve Blount, Member
Jim Neely, Member

The County Manager, Finance Director, County Attorney and Clerk to the Board were also in attendance. Chairman Arey called the meeting to order and asked members to observe a moment of silence to recognize the loss of Mr. Wade Mobley. Commissioner Blount gave the invocation

ADDITIONS TO THE AGENDA:

* Commissioner Webb requested time to discuss Social Services.

* Chairman Arey asked the Board at this time to discuss the Kannapolis Country Estates road issue, since many of the residents were in attendance. Mr. Russell gave a summary of events beginning in 1992 concerning the road. He stated the previous Board's position that the cost to bring the road to state standards was too great an assessment to place on the homeowners. The Board felt that the homeowners should form a homeowners association and try to seek legal action against the developer or pool their resources to maintain the road. Mr. Russell stated that they had also met with state legislators to seek relief from the state, but the state would not make an exception to their road policy. Chairman Arey stated he had great sympathy for the land owners but did not see many options for the County. He encouraged the group to return for the March 20, 1995 meeting when they could be on the agenda and to engage an attorney and form a homeowner's association in the meantime. Commissioner Blount stated he felt the people needed help rather than sympathy and the county should look at assisting with the road paving. He stated that if the homeowners understood the risk and were willing to go through the assessment process the County should be willing to help. He told the group to form an organized homeowners association and to elect representatives to speak to the Board. Commissioner Neely agreed and encouraged the group to organize its efforts.

APPROVAL OF CONSENT AGENDA:

Chairman Arey asked if there was a motion to approve the consent agenda or if anyone had an item they would like to pull for discussion. Commissioner Neely stated he would like to discuss item “d”. Commissioner Blount then moved to approve the consent agenda with the exception of item “d”. The consent agenda consisted of:

- a) Approval of minutes from the 2/6/95, 2/11/95, and 2/20/95 meetings
- b) Unanimous Petition to name an unnamed road located north off Crescent Road *Stones Throw Lane*
- c) Refunds totaling \$836.67
- e) Approval of existing boundaries for Union Fire District to be placed in the minutes
- f) Approval to sale autoclave and cabinet at the Health Department
- g) Petition to close road located off Woodleaf Road (recorded on the map of Mary Hall Estate). A notice of intent must be published four successive weeks prior to the public hearing. The public hearing will be held April 17, 1995 at 7:30 p.m.
- C. h) right-of-way approval to the City of Kannapolis for the construction of a new bridge on Glenn Avenue.
- i) Tax Collector’s report
- j) Approval of Lease of House on County property
- k) interest report

ITEM “D”

Item “d” on the consent agenda was a request to write off \$2,945.25 in debt incurred by the Family Planning patients at the Health Department 1/1/93-6/30/93. Mr. Russell explained that these were services the Health Department provides in which neither Medicaid or Medicare paid and the collection attempts from the individuals were unsuccessful. Commissioner Cohen then moved to approve the write-off request. Commissioner Neely seconded and the motion passed unanimously.

REQUEST FROM PARKS TO ACCEPT “LITTLE TRAIN”:

Parks Director Jim Foltz requested the Board for permission to accept the Jaycees “Little Train” to be placed at Dan Nicholas Park. He stated the train needed many repairs and a new track would have to be purchased. He stated the entire cost would not exceed \$125,000, and a current drive for donations was underway. He stated approximately \$37,000 had already been raised. Commissioner Webb moved to allow Rowan Parks and Recreation to accept the train and to place it at Dan Nicholas. He also added that the train should be painted southern railroad colors and the County would provide “bridge” financing until donations are raised. Chairman Arey seconded. Commissioner Blount then asked Commissioner Webb to amend his motion by stating that the financing is pending until staff can provide operational costs and projected revenues. Commissioner Neely seconded the amended motion. There was discussion concerning the timeline for bringing the train to operation. Commissioner Webb stated that

delaying the project would mean the train would not be ready for an additional year. A call for the vote was made and the motion passed by a vote of 4/1 with Commissioner Webb voting against.

APPEAL OF BID AWARD FOR ELECTRICAL CONTRACT OF ANIMAL SHELTER:

Mr. Holshouser discussed with the Board an appeal by Mr. Nick Kalfountzos with AMI Electric. Mr. Kalfountzos felt that the electrical contract for the animal shelter should not have been awarded to R.D. Franklin because he did not feel that company had addressed the addenda which were included in the bid. Mr. Holshouser stated that R.D. Franklin was the lowest bid at \$18,000 and AMI was not because their bid was approximately \$22,000. Mr. Jim Morton, project engineer, stated he felt Mr. Kalfountzos had no claim because under the addenda R.D. Franklin had placed an "n/a" and still felt the addenda would not affect their bid price. Commissioner Cohen stated he felt by simply placing the "n/a" on the bid, R.D. Franklin had addressed the addenda. Commissioner Blount moved to reject AMI's claim for \$8,350 in damages and the appeal. Commissioner Cohen seconded and the motion passed by unanimous vote.

Commissioner Cohen asked Mr. Morton for an update on the Animal Shelter project. Mr. Morton stated that the basic structure was erected and all phases were running on schedule and the building should be complete by the first week in June. He stated he would received quotes later in the afternoon for drilling of the well.

REQUEST FOR PUBLIC HEARING TO REVISE FARMLAND PRESERVATION PROGRAM ORDINANCE:

Mr. Marion Lytle described the Farmland Preservation Ordinance which provides limited protection for those who volunteer to participate in the program. Under the current ordinance farms over 200 acres are eligible to participate. He stated this excluded many of the fine farms located in Rowan County and staff would like to lower the acreage requirement to 100 acres. Chairman Arey asked if this was the program that changed the taxable value of the land. Mr. Lytle stated that this program does not. Commissioner Webb moved to hold a public hearing on April 3, 1995 at 9:00 a.m. Commissioner Blount seconded and the motion passed unanimously.

ROWAN COUNTY THOROUGHFARE PLAN PROGRESS REPORT:

Mr. Lytle and Mr. Ed Muire brought the Board up to date on the planning process for the thoroughfare plans. They showed the Board different maps with growth rates and other planning relevant factors. They also gave the board recommendations for the TIP project and requested the Board to endorse the two step process for plan formulation. The Rowan thoroughfare plan will not include anything in the KanLaCon or Urban Salisbury plan. Commissioner Blount thanked the staff and the planning board for all of their hard work and moved to endorse the idea of a two stage planning process. Chairman Arey seconded and the motion passed unanimously. He also thanked them for their work. Commissioner Webb added that this was the most comprehensive and best presentation he had seen.

NATURAL AREAS INVENTORY FOR ROWAN COUNTY:

Dr. Michael Baranski, from Catawba College, presented a brief overview of findings in this study endorsed by the previous Board. The study was sponsored by Conservation Trust for North Carolina and was funded by Fred and William Stanback. The study identified natural heritage areas in Rowan County in an effort to preserve these areas before they are lost. Dr. Baranski encouraged the Board to use the study as a tool for future development. He then described several of the highlights of the study. Chairman Arey thanked Dr. Baranski on behalf of the Board stating they appreciated his work and dedication to preserve natural areas.

DISCUSSION OF SALE OF BONDS FOR SCHOOL PROJECTS:

Dr. Joe McCann, School Superintendent, addressed the Board reviewing the costs of phase I construction and the anticipated costs of phase II. He noted that all of the projects were on budget and on schedule. Commissioner Neely stated he felt the school board would have to find a way to live within the \$44 million dollar budget that was presented for the bond vote. Commissioner Webb added he would like to make sure phase III is completed before and additions for the previous phases were made. Mr. Russell noted that the savings from phase I and the interest earned could be used to offset some costs. Commission Cohen moved to approve the schools request to use the interest income for phase II and to met again in a month after the bond sale to look at projected revenues. Commissioner Webb seconded and the motion passed unanimously.

REVIEW OF PERSONNEL BOARD RECOMMENDATION:

Social Services Director Rick Travis and Child Support Supervisor Charles Brown addressed the Board requesting additional staff for the child support enforcement unit. The positions would be for establishment and enforcement. Mr. Brown assured the Board that with the addition of the new staff the unit would be the best child support enforcement unit in the state. Chairman Arey moved for approval of an additional agent, two lead agents, and a paralegal. Commissioner Blount seconded and the motion passed unanimously.

ADDITION TO THE AGENDA:

Commissioner Webb stated that he had received several complaints during the last few months about fraud in the welfare system programs. He stated he would like to establish a telephone line similar to Crime Stoppers, where a person could report a case of suspected fraud. He then moved to establish this line and to advertise to the public. Commissioner Neely seconded and the motion passed unanimously.

UPDATE ON MOBILE HOME PERMIT:

Mr. Holshouser brought the Board up to date on the Tim McKnight mobile home permit. He stated that he had spoken to the Murphy's attorney Mr. Rick Locklear. He stated Mr.

Locklear was told all the events surrounding the permit and that Marion Lytle had recently received a questionnaire to answer. Mr. Holshouser stated he would work with Mr. Lytle on completing the questions and would report any further developments to the Board.

DISCUSSION OF PLANS FOR CONTRACT WITH FIXED BASED OPERATOR:

Commissioner Neely moved to delay this item until further information could be received. Commissioner Webb seconded and the vote was unanimous. Commissioner Cohen requested Mr. Russell to get information from other airports on how their FBOs operate.

REQUEST FOR SIGNS ON INTERSTATE 85:

A request was received by the Clerk from Mr. Gerald Spann requesting Commissioner's support for High Rock Lake access signs on Interstate 85. Mr. Spann represented a group of business owners who would like to bring lake traffic through town. Commissioner Webb moved to support the request for the signs. Commissioner Blount seconded and the motion passed unanimously.

DISCUSSION OF PROPOSALS FOR STRATEGIC PLAN:

Chairman Arey stated that the Board had received proposals several weeks ago for strategic planning and the Board had made this their top priority at the planning retreat. He then moved for Rowan County to enter contract with the Urban Institute with a price to be negotiated. Commissioner Neely seconded and the motion passed by a unanimous vote.

BOARD APPOINTMENTS:

Historic Properties Commission - Commissioner Webb asked to defer any action on this Board until the first April meeting. The Board agreed by consensus.

Parks & Recreation - Commissioner Webb nominated Ms. Pat Benfield. Chairman Arey nominated Ms. Bea Blount and Mr. Fred Ponder. There were two positions available. There being no further nominations Chairman Arey called for the vote.

Pat Benfield - 4/1 with Chairman Arey voting against
Bea Blount - 5/0

Ms. Benfield and Ms. Blount were then elected to the board.

Blue Ribbon Committee on Housing - Chairman Arey moved to appoint Ms. Kay Norman and Mr. Dink Safriet to the Blue Ribbon Committee on Housing. The Board agreed unanimously.

Town of Spencer - A request was received from the Town of Spencer requesting Ms. Betty Miller and Mr. Herman Beaver be reappointed as extraterritorial members to the planning board. The Board unanimously approved the request.

Rowan County Convention & Visitors Bureau - Commissioner Cohen moved to approve the nomination of Jane Gamewell. Chairman Arey seconded and the vote was unanimous. Commissioner Webb moved to approve the nomination of Gary Fries. Commissioner Cohen seconded and the motion passed unanimously.

MEETING CHANGE

Chairman Arey asked the Board if they would agree to move the first meeting in April from April 3 to April 6. He then stated this request in the form of a motion. Commissioner Webb seconded and the motion passed unanimously.

The Board was invited to hold their second meeting in April at the Granite Quarry Town Hall on April 17, 1995. The Board agreed by consensus to accept the invitation.

Mr. Russell mentioned to the Board that the March 20 meeting was originally established to hold a public hearing for the proposed fire tax district in the Pooletown Area. He added that the Board had added some significant items to the March 20 agenda and may want to consider an additional meeting to discuss these items. Chairman Arey added that for some who would be on the agenda the Pooletown Volunteer Fire Department would be a long drive. The Board then agreed to hold an additional meeting on March 21, 1995 at 7:00 p.m. in the Agriculture Building to discuss all other agenda items.

* Commissioner Neely asked Mr. Russell about purchasing guidelines for municipalities in the County. Mr. Russell described the State Contract purchasing process and agreed to send a letter to the mayor's clarifying what they could participate in.

There being no further business, Commissioner Cohen moved to adjourn the meeting until Mach 20, 1995 at the Pooletown Volunteer Fire Department. Commissioner Blount seconded and the motion passed unanimously.

Respectfully Submitted,

Kelly Dickinson,
Clerk to the Board