

MINUTES OF THE BOARD OF
ROWAN COUNTY COMMISSIONERS
MARCH 21, 1995 - 7:00 P.M.
SETH MURDOCH AUDITORIUM, AGRICULTURE BUILDING

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

The County Manager, County Attorney, and Clerk to the Board were also present. Chairman Arey called the meeting to order and Commissioner Webb gave the invocation.

ADDITIONS TO THE AGENDA:

- * Commissioner Cohen asked the Board to hear a presentation from Mr. Lou Proscutti.
- * Mr. Russell stated he had a proposal to purchase land for the outer marker at the Airport.
- * Mr. Holshouser asked the Board to have a brief closed session in order to discuss two pending litigation cases concerning AMI Electric and Elvis King vs. Rowan County Jail.

APPROVAL OF CONSENT AGENDA:

Chairman Arey asked the Board if there any items on the consent agenda they would like to pull for discussion. Commissioner Neely stated he would like more information on item "d". Commissioner Webb moved to approve consent agenda items a, b, and c. Commissioner Blount seconded and the motion passed unanimously. Items a, b and c consisted of:

Item a - Unanimous road name changes for *Register Road* and *Tarbox Lane*. A public hearing will be held April 6, 1995 at 9:15 a.m. for the proposed change of *Backwoods Lane*.

Item b - Request for a book sale to be held April 29, 1995 from 9:00-5:00.

Item c - Request from NCDOT to add *Daniel Road Extension* and *Rockwell School Drive Extension* to the Secondary Road system for maintenance.

Item D

This item was a declaration of official intent to reimburse. Mr. Russell explained that this was a necessary form to submit for financing patrol cars, ambulances and several pieces of equipment the Board had previously approved. Commissioner Blount moved for approval and requested the forms to be submitted with a memorandum of description. Commissioner Cohen seconded and the vote was unanimous.

ADDITION TO THE AGENDA:

Commissioner Cohen introduced Mr. Lou Proscutti. Mr. Proscutti stated that the Russian Junior National Baseball team will play the five area high school teams at Newman Park. He stated this was the only stop the team would make while traveling from Florida to New York to return to Russia. He said the dates for the team visit will be April 6, 7, and 8. He requested the Board to participate in sponsoring the team for \$2500. Commissioner Cohen moved to support the Russian Junior Nation baseball team by sponsoring \$2,500. Commissioner Blount seconded and the motion passed unanimously.

KANNAPOLIS COUNTRY ESTATES

Donna Boone and Wanda Putt addressed the Board as representatives of Kannapolis Country Estates homeowners. They reviewed the problems they had had with the condition of their road over the past several years. They also submitted various letters from utility companies and the Postal Service over the conditions of the road and their inability to provide services. An up to date petition from homeowners requesting a special assessment in order to pay for paving the road to state standards was also submitted. Ms. Boone added that many homeowners were willing to sign a letter of consent to pay the assessment up front. Commissioner Webb expressed concern over the division of the payments for the assessment. He stated that if the assessment was made by road frontage some homeowners would pay much more than others. Ms. Boone answered that the homeowners have agreed to split the costs equally. She asked the Board to set a policy to help people who fall between the cracks with the new Subdivision Ordinance. She also asked if the State had discretionary funds which could be used. Chairman Arey and Mr. Russell answered that the state discretionary funds could only be used for state roads. Chairman Arey asked if the homeowners understood the assessment and the danger of losing their property if the taxes were not paid. He stated the Board did not want to hurt people or take their property. Commissioner Blount stated that the developer had told the residents that the road would be taken over by the state, but on the deeds he had reviewed it clearly stated that the road would be privately maintained. He stated that there were 168 unpaved private roads totaling 45 miles in the County. He stated he would like to have a new petition from the individual homeowners so that they would have no doubt what the expenses would be and what risks were associated with the assessment. He then moved to ask staff to investigate the feasibility of the County setting up a rollover fund with an initial amount of \$250,000 to be designated to pave roads. The money

would be on a first come, first serve basis. The landowners would have to from some type of homeowners association or organization and submit a quote from a reputable firm for the costs of paving the road. They would have to submit a petition with at least 75% of the property owners signatures and the landowners would have to raise 50% of the costs up front for the County to match the funds and the landowners would be assessed the remainder of what is owed. Mr. Russell stated he felt a plan could be submitted at the first April meeting. Commissioner Neely seconded and the motion passed unanimously. Commissioner Webb added that if the information could not be ready by the first meeting, it should be no more than thirty days.

DISCUSSION OF INDUSTRIAL SITE:

Mr. Milton Pridgen addressed the Board with his concerns over the location of an industrial site for Rowan County. He stated he felt the North Rowan area was not give the consideration it deserved. He stated the Town of Spencer was improving their sewer system and had built a water system. He added that a consultant hired by the County had picked a site in North Rowan and he felt the Board should seriously consider this site. He also stated he would like the Board to put more money into the Spencer Shops. Mr. Herman Beaver also addressed the Board with the same concerns. Commissioner Blount stated that the Board had not made a decision about where to place an industrial park but the decision would be based on the lowest costs and best chances of success.

DESIGNATION OF SOUTH YADKIN RIVER WATERSHED:

Mr. Ed Muire stated a South Yadkin River Watershed had been inadvertently left off the Watershed Atlas and the County needed to submit the revised map to the state environmental management office. He added that no changes were necessary to the ordinance, only to the atlas. Commissioner Webb moved to hold a public hearing on the change on April 6, 1995,, at 9:30 a.m. Commissioner Cohen seconded and the motion passed unanimously.

REQUESTED INFORMATION FOR "LITTLE TRAIN"

Mr. Jim Foltz presented to the Board estimated revenues and expenses for operating the Little Train at Dan Nicholas Park. He also distributed a list of current donation pledges for the train restoration. Commissioner Blount inquired about the cost of installation of the track and the costs for staff. Mr. Foltz stated that it would take seven months to order the track and what he needed was the County to stand behind the parks to ensure the tracks would be paid for. Chairman Arey stated the train had great sentimental value to the community and moved to authorize the Parks to map out where the train will operate, to begin clearing land and grading, and to order the tracks. Commissioner Webb seconded adding the parks should proceed with restoring the train. Commissioner Blount then offered an amended motion to authorize bridge financing for the project until donations were received, not to exceed \$200,000. Commissioner Neely seconded the amendment and the motion passed by a unanimous vote.

DISCUSSION OF FIXED BASE OPERATOR LEASE

Mr. Russell reviewed a memo which asked the Board to consider future operations at the airport. He asked the Board to identify how it would like staff to proceed. He added the Board needed to determine a process, a time schedule, and what role the airport advisory board would play. He asked if the Board would like to solicit proposals for FBOs, renew the current contract or consider the County taking over the airport. Chairman Arey moved to authorize the County Manager to explore all options available to the County and bring a feasibility study back to the Board. He added he would like to see a cash flow analysis if the county took over airport operations. Commissioner Blount stated the Board needed to identify their expectations for the airport. He did not feel quotes should be accepted but area FBO leases should be investigated to see how the County's current FBO lease stacks up. There being no second to the original motion, Chairman Arey moved to hold a special discussion at the April 6, 1995 meeting in order for the Board to determine its objectives for the airport and what role the County would like to play. Commissioner Blount seconded and the motion passed unanimously.

FUTURE USES FOR THE COMMUNITY BUILDING:

Mr. Russell stated he had received several inquiries on the use of the Community Building once County offices were moved to the Old Post Office. He suggested the building and grounds committee receive proposals for use of the building. Commissioner Blount moved to advertise locally for rent proposals which met criteria of maintaining the building's historic significance. Chairman Arey seconded and the motion passed unanimously. Commissioner Webb added that the building should be considered for county use first.

DISCUSSION ON 1995-96 BUDGET PROCESS:

Mr. Russell reviewed with the Board a proposed schedule and budget preparation process. Chairman Arey stated he would like the department heads to have more input and liked the idea of involving them in the planning stage with the help of a facilitator. It was decided that the Board would set aside time in early may for budget review.

BOARD OF E & R:

Chairman Arey asked about the time frame for determining who would serve as the Board of Equalization and Review for revaluation. He stated he would like to have two three member boards with any member of the Commission serving as they desired. Commissioners Webb and Cohen stated they felt it was important for Commissioners to serve on the boards. Chairman Arey made a motion to establish two board of equalization and review for the purpose of revaluation. The boards would terminate after the revaluation process and all Commissioners could serve as members. Commissioner Blount seconded and the motion passed unanimously. Commissioner Neely stated he felt it would be more beneficial for citizens to appeal to a board whose members are familiar with valuations and the real estate market. Commissioner Webb asked how it would be determined what to pay the members and how members would be chosen. It was decided staff would check with Jerry Rowland to determine the costs.

CONSIDERATION OF LEGISLATIVE BILLS:

A memo was submitted from the County Commissioners Association seeking local legislation that could impact the County. They requested Rowan to co-sponsor a bill for a special sales and use tax to be used exclusively for school construction. Johnston County also submitted a request to co-sponsor a 1% sales and use tax, impact fees and land transfer tax to also be used for school capital construction needs. Commissioner Blount stated that the levy of the tax was optional if the state approved the legislation. Chairman Arey moved to support the requests for legislation and ask the local delegation to act as co-sponsors. Commissioner Blount seconded. Commissioner Webb added that if there were less than fifteen counties to make it a statewide bill, to ask to be attached to the bill. The motion passed by a vote of 4/1 with Commissioner Cohen voting against.

ADDITION TO THE AGENDA:

Mr. Russell discussed a request to purchase approximately 3.25 acres and a right of way from Mr. John Yarborough. The property would be used for the outer marker and non directional beacon at the Airport. Money for the purchase would come from state grants. Commissioner Cohen moved to approve the purchase. Commissioner Webb seconded and the motion passed unanimously.

PUBLIC COMMENT:

* Mr. Jerry Burnham addressed the Board requesting them to talk to the pilots who used the airport daily for input for consideration when reviewing the FBO lease. He added it was time the County began to reap the benefits from the money spent at the Airport.

* Mr. Ed Hayden questioned the ads for tax liens and stated the tax collector had not followed proper procedure.

There being no further comment Commissioner Blount moved to enter closed session in order to discuss pending litigation between Elvis King vs. Rowan County and AMI Electric. Commissioner Cohen seconded and the motion passed unanimously.

Upon conclusion of the closed session Commissioner Cohen moved to return to open session. Commissioner Blount seconded and the motion passed unanimously. Commissioner Webb moved to approve requests to hold the May 1, 1995 meeting at the Rufty Holmes Center and the May 15, 1995 meeting in the Spencer Town Hall. Chairman Arey seconded and the motion passed unanimously.

Commissioner Webb moved to allow the Clerk to attend the NACo national convention in Atlanta. Chairman Arey seconded and the motion passed unanimously.

Commissioner Webb then moved to adjourn the meeting. Commissioner Cohen seconded and the motion passed unanimously.

Respectfully Submitted,

Kelly Dickinson, Clerk to the Board