

MINUTES OF THE BOARD OF
ROWAN COUNTY COMMISSIONERS
JANUARY 9, 1996 - 1:00 P.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, County Attorney, Finance Director and Clerk to the Board were also present. The meeting was originally scheduled for January 8, 1996 but due to inclement weather was postponed until January 9.

The Chair called the meeting to order and Commissioner Cohen gave the invocation.

ADDITIONS TO THE AGENDA:

* Commissioner Webb asked to discuss an EMS grant for pediatric defibrillators.

* Mr. Russell asked to review environmental assessment findings on the Norman's property.

* Commissioner Cohen asked the Board discuss a policy for postponing meetings.

Commissioner Blount made a motion to enter closed session for the purpose of personnel. Commissioner Neely asked for further clarification for the purpose of personnel. Commissioner Blount stated that it concerned the evaluation of the Chairman. Commissioner Neely stated that he had asked to discuss this on several occasions in the past and was told that it was not legal. Mr. Holshouser stated that he felt it would appropriate if it were to discuss an evaluation and not to discuss another issue. The Chair called for the vote and the motion to enter closed session

was defeated 2/3 with Commissioners Cohen, Neely and Webb voting against the motion.

The Chair then turned the meeting over to the County Manager to serve as acting Chairman for the purpose of the election of a Chairman and Vice-Chairman for 1996.

Mr. Russell opened the floor for nominations for Chairman. Commissioner Webb nominated Commissioner Blount. Commissioner Cohen nominated Commissioner Neely. There being no further nominations Commissioner Blount moved to close the floor for nominations. Commissioner Cohen seconded and the motion passed unanimously. Acting Chairman Russell called for the vote which was:

Voting for Commissioner Blount - Commissioner Webb and Commissioner Blount.

Voting for Commissioner Neely - Commissioner Cohen and Commissioner Neely.

There was a question from the Board if Commissioner Arey had to vote. Mr. Holshouser stated that he was not required to vote. Acting Chairman Russell stated the Board had reached a deadlock and asked the opinion of the Attorney. Mr. Holshouser stated that the current Chairman should preside until the issue is settled. Commissioner Blount asked to delay the selection of a Vice-Chairman until the issued was resolved. Mr. Russell then turned the meeting back over to Chairman Arey. Each member of the Board then stated their concerns of the issue. Commissioner Blount moved for a ten minutes recess. Commissioner Cohen seconded and the motion passed unanimously.

Chairman Arey called the meeting back to order and asked the Board what they wished to do concerning the selection of a Chairman. The Board agreed by consensus to adjourn their meeting until Friday, January 12, 1996 at 1:00 p.m. to discuss the chairmanship and to continue today's business with the current Chairman.

CONSIDERATION OF CONSENT AGENDA:

Chairman Arey asked if any member of the Board wished to pull an item from the Consent Agenda for discussion. Commissioner Webb stated he would like to discuss item "f" (Requiring PIN numbers on deeds). Commissioner Neely stated he would like to discuss item "b" (Hangar lease transfer). Commissioner Blount then moved to approve the consent agenda with the exception of items "b" and "f". Commissioner Webb seconded and the motion passed unanimously.

The consent agenda consisted of the following items:

- (a) Approval of Minutes from 12/4/95 and 12/11/95 Meetings
- (c) Approval of Recycling Center Lease
- (d) Approval of Request from NCDOT to add a portion of *Bonaventure Drive* and *Spring Oak Drive* to the Secondary Road System for Maintenance.
- (e) Approval of Resolution declaring Rowan County's intent to comply with watershed regulations during construction of both phases of the baseball stadium.
- (g) Approval of Refunds totaling \$1,291.08
- (h) Interest Report from Finance

ITEM "B" HANGAR LEASE TRANSFER FROM NATIONAL INDUSTRIES TO NATIONAL WHOLESALE COMPANY:

Mr. Russell stated he had received a request from the attorney for National Industries to transfer their hangar lease to their subsidiary company name of National Wholesale Company. Commissioner Neely asked if this would in any way change the context of the lease. Mr. Russell answered that it was a name change only. Commissioner Webb moved to approve the transfer. Commissioner Neely seconded the motion and it passed by a unanimous vote.

ITEM "F" RESOLUTION REQUIRING PARCEL IDENTIFICATION NUMBER ON A DEED FOR RECORDATION:

Mr. Russell explained the purpose of the requested resolution would be to require a map and parcel number be placed on all deeds before they were recorded. He added that this would help in cross reference purposes for several departments. Register of Deeds Bobbie Earnhardt described the advantages for staff in several departments by having these numbers readily accessible. Commissioner Webb moved for approval of the resolution. Commissioner Blount seconded and the motion passed unanimously.

PUBLIC HEARING: CHANGES TO WATERSHED PROTECTION ORDINANCE:

Commissioner Webb moved to open the public hearing for comments on the proposed changes to the Watershed Protection Ordinance. Commissioner Blount seconded the motion and it passed by a unanimous vote. The Chair called for public comment and there being none offered Commissioner Blount moved to close the public hearing. Commissioner Cohen seconded the motion and it carried unanimously. Commissioner Blount then moved to approve the changes to the ordinance. Commissioner Cohen seconded the motion and it passed by unanimous vote.

ORIENTATION ON THE PAUL LAURENCE DUNBAR CENTER:

Dr. Ronald Hash gave the Board a brief history of the Paul Laurence Dunbar Family Center. The Center is located in the old North Rowan Middle School building in East Spencer. He stated the center had tried to bring services to the people of the East Spencer area and were currently trying to bring staff from Social Services and the Health Department as well. The Board thanked Mr. Hash for his presentation.

TRI-COUNTY MENTAL HEALTH DIRECTOR:

Mr. Robert Dirks introduced himself to the Board as the new director of Tri-County Mental Health. Commissioner Blount asked if a time line had been established for getting out from the \$1.2 million debt. Mr. Dirks stated that the state had forgiven approximately \$140,000 and they were trying to work with the controller to establish a time for repayment. Commissioner Neely asked if Mr. Dirks had reviewed the programs or staff that had been cut. Mr. Dirks answered that it was still too early to review these programs and the first priority was the current staff. Commissioner Neely welcomed Mr. Dirks and the Board thanked him for coming to the meeting.

RESOLUTIONS AUTHORIZING APPLICATION FOR FINANCING THE INDUSTRIAL PARK:

Mr. Russell reviewed a resolution which would authorize county staff to make application to the Local Government Commission for installment financing for the Industrial Park project. He then reviewed a preliminary budget for the project with the Board. Commissioner Blount stated the resolution was essentially just getting the Local Government Commissions approval for financing. Mr. Russell agreed.

There was discussion among the Board about determining the sellable amount of land or what the selling price should be. Mr. Russell reviewed the budget and reminded the Board that an option had not been placed on Mr. Ritchie's property so approximately \$400,000 could be subtracted. He also reminded the Board that the money paid for the land owned by the County would be 100% return. Commissioner Neely stated he would like to develop a policy for how to get industry to Rowan County and the plans for marketing the park. Commissioner Cohen stated he would like to get the public involved, perhaps in helping name the park. Commissioner Blount suggested having Bob Goforth make a presentation to the Board.

Commissioner Blount moved to move the Board's next meeting from January 15, 1996 to January 22, 1996 and to accept the Resolution to authorize the

application to the Local Government Commission and to set a public hearing on the proposed application January 22, 1996 at 7:15 p.m. Commissioner Cohen seconded and the motion passed unanimously.

Commissioner Cohen moved to accept the resolution accepting the offer from NationsBank to do the financing. Commissioner Webb seconded the motion and it passed by a unanimous vote.

Commissioner Blount moved to approve the Declaration of Official Intent. Commissioner Cohen seconded the motion and it passed unanimously.

Mr. Holshouser asked the Board to approve a note for a three year payment period for the purchase of Hubert Ritchie's property. Commissioner Cohen moved for the Chairman to sign the note for three year payment. Commissioner Blount seconded and the motion passed unanimously.

BOARD APPOINTMENTS:

TAC - Commissioner Cohen moved to reappoint Commissioner Webb to serve as the TAC member. Commissioner Blount seconded and the motion passed unanimously.

Health Board - Chairman Arey nominated Lonnie Goodman. Commissioner Cohen nominated Martha Harrell and Ted James. Commissioner Neely nominated John Wear and Melvin Morgan. It was determined that of the four positions available, one had to be a physician, one an engineer and two from the public. The Board agreed unanimously for Dr. John Wear to fill the physicians vacancy and to table the engineer's vacancy since none of the nominees were licensed engineers. The vote for the two public positions were as follows:

Lonnie Goodman - 2/3
Martha Harrell - 4/1
Ted James - 0
Melvin Morgan - 3/2

Mrs. Harrell and Mr. Morgan were appointed to the Health Board.

Convention & Visitors Bureau - Commissioner Blount moved to reappoint Commissioner Webb to the board. Chairman Arey seconded the motion and it passed unanimously.

Rowan County-Kannapolis Regional Sports Authority - Chairman Arey moved to reappoint Mr. Russell, himself and Jamima DeMarcus to the Sports Authority. There being no other nominations the Board reappointed Mr. Russell, Mr. Arey and Mrs. DeMarcus. (The bylaws state the members have to be the County Manager, a County Commissioner and a private citizen).

ADDITIONS TO THE AGENDA:

* Commissioner Webb stated that the Region F EMS had awarded Rowan County \$350 matching grant to purchase pediatric defibrillators for the ambulances. He then moved to appropriate \$350 to match the grant. Chairman Arey seconded the motion and it passed unanimously.

* Mr. Russell distributed copies of the environmental assessments completed by S & ME on the Norman's Property the county was considering for purchase. He reviewed the findings with the Board concerning asbestos, underground tanks and soil and water contamination. He stated that the current owners had had environment assessments done and S & ME was in the process of trying to get their findings. He stated that if their findings showed contaminated sites then they may be responsible for a portion of the removal costs. He added that the Board had a sixty day window after exercising its option to purchase in which to produce the findings and submit a plan to the state for the states findings for a remedy. The Board stated it did not feel the state would have an answer within sixty days. Commissioner Blount asked if the Board could approach the owners with a 50% liability and ask for an extension from the 60 day period. Mr. Russell stated the Board could also escrow some of their proceeds from the sale to offset the cost. Commissioner Blount moved to authorize the County Manager to negotiate with the seller to find the best possible deal and to push as much responsibility on the owners as possible and to return to the Board with his findings. Commissioner Webb seconded and the motion passed unanimously.

NOISE ORDINANCE WORKSHOP:

Chairman Arey moved to postpone the workshop for revisions to the noise ordinance. Commissioner Webb seconded the motion and it passed unanimously.

* Commissioner Cohen asked the Board to consider postponing meetings to the next business day instead of waiting a week when a meeting date fell on a holiday. The Board agreed by consensus to try this as a standing policy.

Commissioner Blount moved to adjourn the meeting until Friday, January 12, 1996 at 1:00 p.m. Commissioner Cohen seconded and the motion passed unanimously.

Respectfully Submitted,

Kelly Dickinson, Clerk to the Board