

MINUTES OF THE BOARD OF
ROWAN COUNTY COMMISSIONERS
FEBRUARY 19, 1996 - 3:00 P.M.
SETH MURDOCH AUDITORIUM, AGRICULTURE BUILDING

PRESENT: J. Newton Cohen, Chairman
Jim Neely, Vice-Chairman
Todd Arey, Member
Steve Blount, Member
Tom Webb, Member (arrived 9:20 p.m.)

The County Manager and Clerk to the Board were also present. Chairman Cohen welcomed Mr. Bob Goforth from the Leake-Goforth Company. Mr. Goforth presented a preliminary report and update on the Industrial Park to the Board. He noted that the outer boundaries were set for the park but the interior of the park was subject to change. Mr. Goforth distributed a list of subjects to be covered in the covenants the company would recommend to the Board for adoption.

Mr. Goforth recommended to the Board to establishing a governing board to set policies for the park and “look” after the park for the Board.

The Board discussed water and sewer service to the industrial park site with Mr. John Vest from the City of Salisbury’s water department. Mr. Goforth stated the Board needed to hire an engineer to estimate the cost of the sewage lines, streets, etc. The Board agreed that Mr. Goforth would have the final plan for the park to the Board by Monday, February 26, 1996. Commissioner Blount asked Mr. Goforth to provide sample by-laws for industrial park authorities so the Board can begin work on establishing an authority for the Rowan park.

There being no further discussion Commissioner Neely moved to enter closed session to discuss economic development. Commissioner Blount seconded the motion and it passed unanimously.

Upon conclusion of closed session Commissioner Blount moved to return to open session Commissioner Arey seconded and the motion passed unanimously.

Commissioner Arey moved to authorize the County Manager to enter an option agreement with Harry Heilig to purchase land for \$7,000 and acre. Commissioner Blount seconded and the motion passed unanimously.

Commissioner Arey moved to adjourn the meeting until 7:00 p.m. Commissioner Cohen seconded the motion and it passed by a unanimous vote.

At 7:00 p.m. Chairman Cohen called the meeting back to order and Commissioner Blount gave the invocation.

ADDITIONS TO THE AGENDA:

No additions to the agenda were offered, however, Chairman Cohen stated that the Board will hold a second public hearing for the noise ordinance at a later date, but anyone in attendance who wished to speak could have their comments recorded in the record. He added that the Board would also receive general public comments at that time.

CONSIDERATION OF CONSENT AGENDA:

Commissioner Arey moved to approve the consent agenda as submitted. Commissioner Blount seconded the motion and it passed by a unanimous vote. The consent agenda consisted of the following items:

- (a) Request to abandon Mirrow Lake Road from the Secondary Road System
- (b) Approval of Unanimous Road Name Changes for *Highland Woods Dr, Cedar Creek Rd, Forest Ridge Dr and Graystone Rd*. Set a public hearing for March 7, 1996 at 9:15 a.m. for *Correll Loop Road*.
- (c) Approval to set a public hearing for March 7, 1996 at 9:30 a.m. for SNIA Overlay Request from Centenary Methodist Church

APPROVAL TO AUTHORIZE EXPENDITURE TO PAVE PARKING LOT:

Mr. Russell asked the Board to appropriate funds to complete paving the parking lot at the baseball stadium. He stated that the City of Kannapolis zoning ordinance required the lot to be paved. He stated Tom Bost has originally submitted a proposal to pave the lot and would still pave the lot for the same price. Commissioner Arey moved to authorize funds to pave the parking lot. Commissioner Blount seconded the motion and it passed unanimously. The Board agreed to seek funds from the City of Kannapolis for a joint effort in this project.

PUBLIC HEARING: ROAD CLOSING:

Commissioner Blount moved to open the public hearing for comment on closing an unnamed portion of road located off of Yates Road. Commissioner Arey seconded the motion and it passed unanimously. Attorney Ed Parrott reviewed the process leading to the public hearing and showed the Board a diagram of the area in question. The Chair called for comments from the public and there being none offered, Commissioner Arey moved to close the public hearing. Commissioner Blount seconded the motion and it passed unanimously. Commissioner Arey then moved to approve closing the section of road requested. Commissioner Blount seconded and the vote was unanimous.

PUBLIC HEARING: SNIA OVERLAY REQUEST:

Commissioner Blount moved to open a public hearing for comments on a requested SNIA overlay on the 1000 block of East NC 152. Chairman Cohen seconded the motion and it passed by a unanimous vote. There being no public comments, Commissioner Neely moved to close the public hearing. Commissioner Blount seconded and the motion carried. Commissioner Blount moved to approve the SNIA overlay request. Chairman Cohen seconded and the motion passed unanimously.

NOISE ORDINANCE PUBLIC COMMENT & GENERAL PUBLIC COMMENT:

Persons addressing the Board were:

Robert Freeman - stated the City of Kannapolis had not prorated their taxes and asked the Board to investigate.

Bill Leer - stated he represented the Wildlife Commission and would like an exemption from the ordinance for their target shooting.

Nelson White - stated he was concerned that the noise ordinance didn't have provisions for firing firearms and the complaints to be investigated should be from neighbors at a minimum distance.

Barbara Earnhardt - stated she was concerned that the noise ordinance infringed on gun rights.

Mike Sherman - stated he was concerned about how the ordinance came about and he felt it was infringing on the citizens constitutional rights.

Wayne Cline - stated he was against the ordinance

Harry Lippard - stated if the ordinance was really necessary it should be passed with no exceptions.

Pete Snider - stated he was against the noise ordinance and did not feel there was a noise problem.

Grady Ross - stated he lived off Cauble Road and his neighbor lived 800' away and his loud music still shook his house. He stated people needed some control around them.

Richard Whitner - stated he also had a noise problem with his neighbor and it was not fair that there was no control.

Bob Cress, Sr. - stated the restrictions on taxpayers were going too far.

Several other unidentified people also addressed the Board concerning the noise ordinance.

FINAL CONSIDERATION OF SALISBURY THOROUGHFARE PLAN:

Marion Lytle presented the final plan for the Salisbury Thoroughfare plan for presentation to the State. Commissioner Arey moved to approve the resolution for the plan and study. Commissioner Blount seconded the motion and it passed unanimously.

REQUEST FOR SUBDIVISION WAIVER:

Mr. Lytle presented a request to the Board for a waiver to the Subdivision Ordinance concerning Family Subdivisions. He stated that the under family subdivisions a tract can be divided up to 8 tracts. The Cutherbertson family who was seeking the waiver consisted of thirteen children. The lots would be approximately 2-3 acres each. He requested a waiver for the number of lot divisions as well as a waiver for the right of way requirement with a road maintenance agreement. Commissioner Arey moved to approve the waivers. Commissioner Blount seconded the motion and it passed unanimously.

NOISE ORDINANCE WORKSESSION:

Ed Muire reviewed with the Board the process that led to the amendments to the current noise ordinance. The Board discussed the process for investigating complaints and the involvement of the Environmental Services Department and the Sheriff's Office. Commissioner Neely stated he felt the ordinance needed to limit the time during church hours for excessive noise. Commissioner Webb stated that perhaps the time needed to be extended for holiday celebrations. Chairman Cohen suggested having a workshop in the field to measure different noises at different

times. He then asked the County Manager to set up a meeting with Joe Gamewell to use a noise meter to measure different sounds around the county. The Board agreed by consensus.

PROPOSAL FOR COUNTY RUN AIRPORT:

Mr. Russell submitted a proposal to the Board with an estimated budget for a county operated airport with the same service and number of employees currently at the airport. Commissioner Neely stated he still did not know what revenues the County received from the airport. Mr. Russell stated that the County received between \$5,00-7,000 per year and the proposal would only deal with the FBO revenues since the County would still collect the same revenues as they did now. Commissioner Neely stated he still did not feel the problems at the airport had been addressed. Commissioner Blount stated the county's main objective of the airport was not to make money but to increase airport usage and quality and to attract business. Commissioner Blount then moved to proceed with a county operated airport for at least two years at which time the Board would consider readvertising for an FBO. Commissioner Webb seconded the motion and it passed by a vote of 3/2 with Chairman Cohen and Commissioner Neely voting against.

There being no further business, Commissioner Blount moved to adjourn the meeting. Commissioner Webb seconded and the motion passed unanimously.

Respectfully Submitted,

Kelly Dickinson,
Clerk to the Board