

MINUTES OF THE MEETING OF
ROWAN COUNTY COMMISSIONERS
JULY 1, 1996 - 9:00 A.M.
COMMISSIONER'S MEETING ROOM, ADMINISTRATION BUILDING

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

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

ADDITIONS TO THE AGENDA:

* Commissioner Blount stated he would like to add the purchase of land to the closed session. He also noted that Rowan County had received a certificate of Appreciation from Downtown Salisbury for the work on the Old Post Office Renovation.

* Mr. Russell stated that Jack Bradshaw from Friendship Cable wanted to discuss a transfer of ownership to the Genesis Cable Company.

* Mr. Russell stated that he had proposed regulations dealing with self-fueling regulations and the fuel flowage fee. The Board agreed to discuss the issue at 1:30 p.m.

* Mr. Russell also noted that John Shaw would discuss the Arthritis Pool Therapy program fee.

CONSIDERATION OF CONSENT AGENDA:

Commissioner Neely moved to approve the consent agenda as submitted. Commissioner Blount seconded and the motion carried. The consent agenda

consisted of the following items:

- (a) Approval of Minutes from 6/3/96, 6/4/96 and 6/17/96 meetings
- (b) Establish Public Hearing for SNIA Permit Application for July 15, 1996 at 7:15 p.m.
- (c) Approval of Refunds totaling \$670.00
- (d) Approval to Write off \$3,112.39 debt incurred by Family Planning 1/1/94 to 12/30/94.
- (e) Approval to add Darlington Drive Extension to the NCDOT Secondary Road System for Maintenance
- (f) Approve Unanimous Road Name Changes of Leisure Point Road and Cozy Lane. Establish a public hearing for Old Tulip Farm Road for July 15, 1996 at 7:10 p.m.

NEW MEDICAL FEES FOR FY96:

Health Director John Shaw notified the Board of the new Medicaid reimbursement rates for the next fiscal year. He stated that the Health Department could expect revenues to increase from \$816,891 to \$852,505. He added that the additional money realized in these funds would be used to offset losses in other state and federal cuts. Commissioner Blount moved to approve the new rate schedule. Commissioner Webb seconded and the motion passed unanimously.

Mr. Shaw discussed with the Board the arthritis pool therapy program. He stated that this program would receive no federal or state funds. He requested the Board to implement a fee of \$25.00 for a ten week session. He stated that only those who could pay would pay and those who could not would not be denied. He stated funds raised from other sources would be used to pay for those who could not afford the program. Commissioner Neely stated he did not feel this was a fair way to charge fees and he was against any fee at all and felt that the Board should pay for the program. Commissioner Blount stated that many programs would have state and federal cuts and the Board could not pick up one program and not the others. Commissioner Webb stated he felt it was fair for the fee to come from the users of the program. He then moved to approve the fee structure for the arthritis pool program. Commissioner Blount seconded and the motion passed by a vote of 4/1, with Commissioner Neely voting against.

CONSIDERATION OF BY-LAWS FOR THE CREATION OF A LANDMARK COMMISSION:

Mrs. Betty Mickle discussed with the Board the ordinance which would create a Landmark Commission from the Historic Properties Commission. She stated that the Board of Commissioners would have the final decision in designating a landmark as historic. She stated that only \$1700 would be lost

through tax credits if all sites listed were designated as historic sites. She requested the Board to schedule a public hearing as part of the process for the creation of the Commission. Commissioner Blount moved to schedule the hearing for the Board's next meeting at 7:30 p.m. Chairman Cohen seconded and the motion carried.

SUBDIVISION WAIVER:

Marion Lytle, Staff Planner, presented the Board with two requests for variances to the Subdivision Ordinance. The first request was from Dan Flow and the Cambridge Estate subdivision located off of Yates Rd. He requested a change to create one extra lot. Staff recommended approval. Commissioner Blount moved to approve the variance. Commissioner Webb seconded and the motion passed unanimously.

The second request was from Beaver Construction Company for a subdivision located off of Miller Chapel Road. The request was for a reduction in lot size and depth for lots 1 and 2. Staff recommended approving the request. Commissioner Blount moved to grant the variance. Commissioner Webb seconded and the motion carried.

RESOLUTION REQUESTING AMENDMENTS TO 1997 TIP:

Marion Lytle stated that the 1997 Transportation Improvement Plan had been released and several projects were not included. He asked the Board to approve a resolution requesting the projects of the realignment of NC 152 in China Grove and the Construction of an Interchange on Old Beattys Ford Rd be added to the TIP. Mr. Lytle stated they also wanted to encourage the state to begin construction for the improvements of the 5 points intersection in China Grove which had been approved in an earlier TIP. Commissioner Blount moved to approve the resolution. Commissioner Webb seconded and the motion carried.

REVISIONS TO THE SALISBURY THOROUGHFARE PLAN:

Mr. Lytle presented a request from the Mayor of Granite Quarry to revise the Salisbury Thoroughfare Plan to include a better connection from Granite Quarry to US 52 via Brown Road. He added the Board must approve the request since the location was outside of the Granite Quarry planning jurisdiction. Commissioner Blount moved to approve the revision. Commissioner Neely seconded and the motion passed by unanimous vote.

ADDITION TO THE AGENDA:

* Chairman Cohen recognized Jack Bradshaw who requested approval from the Board for the sale of Friendship Cable to Genesis Communications and the transfer of their current franchise agreement. Mel Welch president of Genesis

Communications introduced himself to the Board. The Board discussed the possibility of negotiating changes as it transferred the franchise agreement, however Mr. Holshouser stated he did not feel the Board could make those type of changes at this time. He added that the Board should hold a second reading before approving the transfer. Commissioner Blount moved to approve the transfer and to schedule a second reading on July 15 with recommendations for any changes that might be applicable. Chairman Cohen seconded the motion and it passed unanimously.

* The Board had discussed canceling its second July meeting, but Commissioner Webb moved to hold the meeting as scheduled. Commissioner Blount seconded and the motion carried.

SNIA OVERLAY REQUEST:

Ed Muire presented a request from David Jackson for an SNIA Overlay designation of a 22 acre tract of land on NC 152. He stated the property would be developed as a small subdivision similar to the Mooresville Motor Sports Complex. Commissioner Webb moved to set a public hearing for the designation on July 15, at 7:15 p.m. Commissioner Blount seconded and the motion passed by unanimous vote.

REQUEST TO TRANSFER PROPERTY FROM THE SCHOOL BOARD TO DEPARTMENT OF VETERAN AFFAIRS:

Mr. Russell reviewed a request from Mr. Gene Miller to donate and transfer ownership of a portion of property located on Shaver St. The property was owned by the School Board and as required by General Statutes, the School Board must offer the property to the County before the transfer could take place. The portion of land was approximately .661 acres of a 5 acre parcel and was to be used by the National Cemetery. Commissioner Neely moved to approve the donation and transfer. Commissioner Blount seconded the motion and it passed by unanimous vote.

REQUEST TO BUY COUNTY PROPERTY:

The Board received a request to purchase a one acre parcel currently owned by Rowan County. The property is located on Amity Hill Road (map 278 parcel 14). The request came from Mr. Jonathan Ramsey, who offered \$700.00 for the property. Mr. Russell noted that the property had a tax value of approximately \$4,300 and the Board had turned down an offer of \$1,000 in 1991 for the same parcel. Commissioner Neely moved to reject the offer and to put all surplus properties owned by the County to auction. Commissioner Blount seconded and the motion carried.

BOARD APPOINTMENTS:

Alcoholic Beverage Control Board - Commissioner Webb moved to reappoint Mr. Henry Palmer. There being no other nominations, Mr. Palmer was unanimously reappointed.

Region F EMS - Commissioner Blount moved to reappoint Mr. Coyt Karriker and Dr. Gary Fink to the board. Commissioner Neely seconded and the motion passed unanimously.

Centralina Private Industry Council - The Board moved to delay this appointment until a replacement for Mr. Corry could be found.

CBA Task Force - Commissioner Blount moved to reappoint Lisa Kluttz, Charles Johnson, Willette Johnson, Jeannie Helms and Jeffrey Insley. Commissioner Webb seconded and the motion carried.

Rowan Cabarrus Community College - Commissioner Neely moved to reappoint Mr. Danny Williams to the Community College Board. Commissioner Blount seconded and the motion carried.

Bostian Heights Volunteer Fire Department - Commissioner Blount moved to appoint Mr. C.J. Henzy as a fire commissioner. Commissioner Neely seconded and the motion carried.

REQUEST FOR SUPPORT FOR SOUTHEASTERN REGIONAL TOURNAMENT:

Mr. Scott Treadway addressed the Board to request additional money in order to meet the budget for the Southeastern Regional Tournament. The Board previously appropriated \$7,500. The Board discussed with Mr. Treadway the capital needs of the legion stadium and cost of the tournament. As no motion was made, Chairman Cohen accepted the request as information.

ADDITION TO THE AGENDA:

Mr. Russell discussed a proposal for the procedures for the control of handling and reporting people who self fuel on the airport. He reviewed the procedures for making application to self-fuel and the form for reporting the fuel flowage fee. Commissioner Neely moved to approve the policy. Commissioner Arey seconded the motion. Chairman Cohen opened the floor for discussion and recognized Glenn Dixon from Food Lion. Mr. Dixon stated they felt they were not given enough notification of the flowage fee and stated they would call it a tax. He stated that they had paid approximately \$40,000 in ad valorem taxes last year and would pay that much on their plane wherever it was based on January, 1997. He added that he felt Food Lion did not receive services to warrant the fee.

Commissioner Arey told Mr. Dixon that he would not respond to threats. He also noted the installation of the ILS, ramp expansion and terminal renovation as a few of the additions the County had made to the Airport and asked Mr. Dixon why he felt these services did not benefit his company. Commissioner Neely stated that he felt the flowage fee should have been more than ten cents and he did not appreciate being threatened by Mr. Dixon. Mr. Brian Pease from Food Lion apologized to the Board and stated that they would work with the Board but would like to have had input in the process leading to the fuel flowage fee.

Mr. Larry Jones also addressed the Board with his concerns over the fuel flowage fee stating he felt it would drive users away from the airport.

Commissioner Neely called for the question and the motion passed unanimously.

* John Holshouser and Marion Lytle reviewed the latest edition of the Covenants for the industrial park. They stated they had received no substantial changes from Atlantic American Properties' attorney. The Board discussed changes AAP may want to make in the future and decided changes could be incorporated by the Board at any time. Commissioner Arey moved to approve the covenants as presented. Commissioner Neely seconded the motion and it passed by a unanimous vote.

The Board also reviewed the Development Agreement with Atlantic American Properties and with no changes being offered, Commissioner Arey moved to approve the Agreement. Commissioner Blount seconded and the motion carried.

There being no further business, Commissioner Webb moved to adjourn the meeting. Commissioner Blount seconded and the motion passed by a unanimous vote.

Respectfully Submitted,

Kelly Dickinson,
Clerk to the Board