

MINUTES OF THE BOARD OF  
ROWAN COUNTY COMMISSIONERS  
OCTOBER 7, 1996 - 9:00 A.M.  
COMMISSIONER'S MEETING ROOM, ADMINISTRATION BUILDING

PRESENT: J. Newton Cohen, Chairman  
Jim Neely, Vice-Chairman  
Thomas M. Webb (11:00 a.m.)  
Todd Arey, Member  
Steve Blount, Member

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

ADDITIONS TO THE AGENDA:

\* Commissioner Blount announced that the Chamber of Commerce would be hosting a candidates forum on October 10, 1996 at 7:30 a.m. and encouraged any member who wished to attend to call the Chamber to make reservations.

\* Commissioner Arey asked to discuss and industrial park matter.

CONSIDERATION OF CONSENT AGENDA:

Commissioner Arey moved to approve the consent agenda as presented. Commissioner Blount seconded and the motion carried. The consent agenda consisted of the following items:

- (A) Approval of Minutes from 9/9/96 Meeting
- (B) Approval of Interest Report from Finance
- (C) Approval of Refunds totaling \$ 1,565.64
- (D) Approval of Unanimous Petition for the Road Name Change of *Versailles Road* and Set Public Hearing for *Juke Box Road* on

- October 21, 1996 at 7:20 p.m.  
(E) Set Public Hearing for October 21, 1996 at 7:15 p.m. for  
SNIA Permit Application

CONSIDERATION OF RESOLUTION TO CONDEMN THE BURNING AND  
DESTRUCTION OF CHURCHES IN THE UNITED STATES:

Commissioner Arey moved to approve a resolution to condemn the burning and destruction of churches in the United States stating support was needed to address this serious matter. Commissioner Neely seconded and the motion passed unanimously.

DISCUSSION OF THE IMPACT OF THE ROAD BOND ISSUE:

Mr. George Higgins, Mecklenburg County Commissioner and COG Treasurer, reviewed with the Board the road bond issue to be on the November 5, 1996 ballot. He stated that the bonds would general \$950 million to be used to pave dirt roads, accelerate four laning infrastructure roads and accelerate loops in urban regions of the state. Mayor Margaret Kluttz also reviewed the projects and described how they would affect Rowan County. Commissioner Arey stated he would like the Board to go on record in support of the bonds. Mayor Kluttz reminded Commissioner Arey that the Board had passed a resolution of support at an earlier meeting and thanked the Board for their support.

DISCUSSION ON CAROUSEL AT DAN NICHOLAS PARK:

Parks Director Jim Foltz distributed an information sheet to the Board showing the revenues generated by the little train. Mr. Foltz stated that the Park Board had set its number one priority for the year the purchase of a carousel for the park. He then announced that an anonymous donor had pledged a \$150,000 gift if it would be matched by the County. Mr. Foltz stated that his figures were just estimates, but he felt sure he could purchase and refurbish a carousel for \$300,000. Chairman Cohen stated he would like to see a study done by the Finance Department on the trains costs and revenues before starting another project. Commissioner Blount moved to ask Mr. Foltz to work with the County Manager to determine the actual costs for the carousel and to make a recommendation to the Board. Commissioner Arey seconded and the motion passed unanimously.

REQUEST TO RELOCATE ENVIRONMENTAL HEALTH TO 402 N. MAIN ST.:

Mr. Russell reviewed a request to relocate the environmental health section to the vacant space at the 402 N. Main St. Office building. He noted that this would provide centralized permit process while freeing some much needed space at the

health department. Commissioner Arey moved to approve the Manager's request. Commissioner Blount seconded and the motion passed by unanimous vote.

DECISION ON ORDINANCE TO CREATE LANDMARK COMMISSION:

Planner Ed Muire reviewed the draft ordinance with the Board, noting the staff changes. Commissioner Neely stated that the ordinance concerned him and he felt there were other ways to have property designated as historical. He asked if a motion could be made to table the ordinance indefinitely. Commissioner Arey stated staff had worked for a year on the ordinance and added that he hoped the Board would have a consensus of support before asking staff to spend so much time on something the Board did not intend to pass. Commissioner Blount moved to adopt the Landmark Commission Ordinance as presented. Commissioner Arey seconded the motion; however, the motion died in a tie as Commissioner Neely and Chairman Cohen voted "no".

APPROVAL OF GUARANTEE BOND FOR IMPROVEMENTS TO STAFFORD ESTATES:

Planner Marion Lytle reviewed a request from Samuel L. King, Jr. for a surety bond for the cost of improvements (approximately \$193,750). Mr. Lytle recommended approving the guarantee. Commissioner Arey moved to approve the request for the surety bond. Commissioner Blount seconded and the motion carried.

RECOMMENDATIONS FOR TIP PROGRAM:

Mr. Lytle told the Board that the North Carolina Department of Transportation would be holding their Division 9 public hearing for TIP programs on November 6, 1996 at 2:00 p.m. in the Stanback Auditorium in the Public Library. He then reviewed the schedule for projects that don't have complete funding and asked the Board to think about prioritizing the list. He also asked the Board to approve a resolution which would be presented to each municipality for adoption to support the countywide transportation projects. Commissioner Blount moved for approval of the resolution. Commissioner Arey seconded and the motion carried.

\*\*Chairman Cohen recognized Mr. Mark Perry who thanked the Board for the use of their meeting room on September 27 for the annual Preservation North Carolina Conference. He stated that their conference was a great success and many good things would be passed on about the county's historic preservation efforts.

\*\*Mr. Lytle asked the Board to recognize Cooperative Extension Horticulture Agent, Daryl Blackwelder. Mr. Blackwelder discussed the Board question on the type of tree to be planted in the industrial park common thoroughfares to maintain a uniform look. He reviewed the types of trees listed in the restrictive covenants

and the options the Board had for planting. Mr. Russell suggested the Board ask Mr. Blackwelder to do a landscape design according to the final drawings of the park and bring back to the Board. Mr. Blackwelder agreed to work on the plans and return to the Board.

#### DISCUSSION ON NOISE ORDINANCE:

Mr. Lytle discussed the current draft of the amendment to the noise ordinance. He noted that staff had modified the time frames for decibel readings and reviewed those with the Board. Commissioner Blount stated that he supported the ordinance but did not feel that these changes would solve the problems. The Board discussed passing the ordinance with various time frames for expiration. Commissioner Blount moved to adopt the ordinance as presented striking the clause for the number of permits to exceed, to be effective February 1, 1997, all fines to be waived for the first six months at which time staff will report to the Board with a recommendation on the effectiveness of the ordinance as written.

#### DISCUSSION ON COUNTY ADVERTISEMENT:

Commissioner Blount stated he had been contacted by Judy Newman, Convention & Visitors Bureau Director, on the possibility of the County participating in advertising in the Charlotte Business Journal. He stated that the County would divide the cost of the ad with the CVB, City of Salisbury, Downtown Salisbury, Chamber of Commerce and the EDC. He moved to authorize the expenditure of up to \$5,000 for advertisement in the Business Journal with final details to be brought back to the Board. Commissioner Arey seconded and the motion carried.

#### UPDATE ON UTILITIES TO SUMMIT CORPORATE CENTER:

Mr. Don Conner provided the Board with an update on the utilities extension to Draftex, American LaFrance and the industrial park. Mr. Russell noted that most projects were running on schedule and added that a report would be added to the Board's consent agenda each month for information.

#### REPORT ON HANGAR CONSTRUCTION:

Mr. Russell reviewed the results of a survey of hangar needs and the prices those responding indicated they wished to pay. Mr. Jim Morton reviewed the different types of hangars available and their construction costs. Mr. Russell reviewed an amortization schedule for the cost of hangar construction and the cost to repay over different time periods. He recommended to the Board to building 20 T-hangars having a 50% commitment upfront, to establish a fair pricing schedule for all hangars, to consider the sale of T-hangars, to work with the Highway Patrol to provide a hangar for their operations and to approve the FBO's request to erect

six port-a-port hangars on the ramp area. He noted that the stated had approve the port-a-port erection on the ramp as long as they understood it was temporary until a private space was available for the hangars. Commissioner Blount moved to accept the County Manager's recommendations. Chairman Cohen seconded and the motion passed unanimously.

REQUEST FOR DUTY WEAPON FROM RETIRING DEPUTY L.A. FRICK:

A request was given to the Board from Deputy L.A. Frick who retired September 30, 1996. Deputy Frick requested the Board to give him his duty weapon upon completion of his nineteen (19) years of service in the Sheriff's Department. Mr. Russell noted that this was allowable by General Statue 20-187.2(a). He added that the County policy required a fifteen (15) year service record. Chairman Cohen moved to honor the request. Commissioner Webb seconded and the motion passed by unanimous vote.

REQUEST TO AMEND THE KANLACON 1996-97 BUDGET APPROPRIATION:

Mr. Russell asked the Board to amend the 1996-97 budget appropriation for the KanLaCon transportation agency. The agency changed its formula for computing the amount to be paid by the participating counties and municipalities based on population and the County's share increased by \$333.35. Commissioner Blount moved to increase the appropriation from \$1,776 to \$2,109.35. Commissioner Webb seconded the motion and it passed by unanimous vote.

REQUEST TO WITHDRAW PROPERTIES FROM SURPLUS PROPERTIES SALE:

Mr. Russell requested the Board withdraw two parcels from the list of surplus properties to be auctioned October 19, 1996. The first parcel was tax map 131B parcel 109 for Gary Wayne Brown. Mr. Russell reviewed the circumstances leading to the foreclosure and asked the Board to sell back to Mr. Brown for the taxes and interest owed. Commissioner Blount moved to accept the Manager's recommendation. Commissioner Webb seconded and the motion carried. The second parcel was map 156 parcel 169A. Mr. Russell explained that the owner, Betty Valentine, had been foreclosed upon but had received a letter from Clarence Kluttz, the County Attorney at that time, stating the County would reconvey the property to Ms. Valentine if she would be the back taxes. Mr. Russell stated that a receipt was found where Ms. Valentine paid what was owed but the property had never been reconveyed. He asked the Board to reconvey the property to Ms. Valentine with no penalties. Commissioner Blount moved to accept the Manager's recommendation. Commissioner Neely seconded the motion and it passed unanimously.

REQUEST TO AMEND RESOLUTION FROM GENESIS CABLE FOR FRANCHISE COLLATERAL USE:

A request was received from Genesis Cable Company seeking an amendment to the franchise ordinance to allow them to use their franchise as collateral for the bank. Mr. Holshouser stated that the Board had already had two hearings and none would be needed. Commissioner Blount moved to approve the amendment to ordinance. Chairman Cohen seconded and the motion passed by unanimous vote.

BOARD APPOINTMENTS:

Centralina Private Industry Council - Commissioner Blount nominated Mr. Spence Broadhurst to replace Mr. Jesse Corry. There being no further nominations, Mr. Broadhurst was unanimously appointed to the board.

Salisbury/Rowan Human Relations Council - Commissioner Blount moved to reappoint Ms. Catherine Rivens to the board. There being no further nominations Ms. Rivens was unanimously appointed.

ADDITIONS TO THE AGENDA:

\* Commissioner Arey moved to authorize the County Manger to determine the feasibility of having County property in the industrial park timbered. Chairman Cohen seconded and the motion carried.

\* Commissioner Arey moved to enter closed session to discuss the acquisition of property and economic development. Commissioner Blount seconded and the motion carried.

No action was taken during closed session and Commissioner Blount moved to return to open session. Commissioner Webb seconded and the motion carried.

Commissioner Webb moved to purchase .43 acres owned by Betty Lou Gibson, located adjacent to the airport. Commissioner Blount seconded and the motion passed unanimously.

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