

MINUTES OF THE MEETING OF  
ROWAN COUNTY COMMISSIONERS  
MAY 5, 1997 - 9:00 A.M.  
COMMISSIONER'S MEETING ROOM, ADMINISTRATION BUILDING

PRESENT: Jim Neely, Chairman  
J. Newton Cohen, Vice-Chairman  
Steve Blount, Member  
Dave Rowland, Member  
Frank Tadlock, Member

The County Manager, Finance Director and County Attorney were also present. Chairman Neely called the meeting to order and Commissioner Cohen provided the invocation.

ADDITIONS TO THE AGENDA:

- Commissioner Blount asked to discuss the upcoming public hearing concerning the area code change.
- Mr. Russell asked the Board to consider a revised agreement with the City of Salisbury to provide water/sewer services to the Standard Aero site at the airport.
- Mr. Russell also asked to bring the Board up to date on the shoreline management project.

CONSIDERATION OF CONSENT AGENDA:

Commissioner Tadlock asked to make a change to the April 21, 1997 minutes. He stated that page three under the approval of bid for new landfill road, the price submitted from Jim L. Bost Construction should be \$288,032 instead of \$238,032. There being no other changes Commissioner Tadlock moved to approve the consent agenda. Commissioner Blount seconded and the motion passed unanimously.

The consent agenda consisted of the following items:

- (A) Approval of Minutes from 4/7/97 and 4/21/97 Meetings
- (B) Approval of Refunds Totaling \$50.00
- (C) Finance Interest Report
- (D) Establish Public Hearing on May 19, 1997 at 7:15 p.m. for Salisbury ETJ Appointments
- (E) Establish Public Hearing on May 19, 1997 at 7:20 p.m. for Road Name Petition of *Messick Farm Road*
- (F) Approval to Add *Reading Road, Riting Lane* and *Rithmetic Circle* to the NCDOT Secondary Road System for Maintenance

PUBLIC HEARING: APPLICATIONS FOR CLEVELAND AND CHINA GROVE PLANNING AND ZONING BOARD OF ADJUSTMENTS ETJ REPRESENTATION:

Commissioner Blount moved to open the public hearing for applications to the Town's of Cleveland and China Grove planning and zoning board of adjustment. Commissioner Rowland seconded and the motion carried.

A question was raised from the audience about nominating Harry Karriker. Mr. Russell noted that Mr. Karriker had to actually apply himself so the application could not be accepted.

There being no further business, Commissioner Blount moved to close the public hearing. Commissioner Rowland seconded and the motion carried.

Commissioner Blount moved to appoint Harry Corriher, Joel Thompson and Billy Deal as ETJ representatives to the China Grove planning board and James Carter to the zoning board of adjustment. He also moved to appoint Charles Barber and Ray Davies as regular members of the Cleveland board of adjustments with Jennings Nelson and Richard Graham serving as alternates. Commissioner Rowland seconded the motion and the it passed by unanimous vote.

YADKIN/PEE DEE LAKES PRESENTATION:

Mr. Alex Cousins from the Yadkin/Pee Dee Lakes region and Mrs. Patricia Rickard, a member of their board, spoke to the Board about the funding request for the upcoming fiscal year. Mr. Cousins showed a video describing the work being performed in the Yadkin/Pee Dee Lakes Region. They requested continued support from the Board in the amount of \$3,500.

Commissioner Blount asked Mr. Cousins for a copy of the video and moved to approve the request subject to the funds being available during the budget process. Commissioner Cohen seconded the motion and it passed unanimously.

PUBLIC HEARING: PROPOSED CHANGE TO LANDIS FIRE DISTRICT:

Commissioner Blount moved to open the public hearing for comments on the proposed change to move the residents in the East Landis Water System, Inc. from the Mt. Mitchell fire protection area to the Town of Landis. Commissioner Cohen seconded and the motion carried.

There being no public comment, Commissioner Blount moved to close the public hearing. Commissioner Cohen seconded and the motion passed unanimously. Commissioner Blount then moved to approve the change in districts. Commissioner Cohen seconded and the motion carried.

SMART START PRESENTATION:

Ms. Marlene Anthony, executive director of Smart Start, addressed the Board with a funding request for a new program titled "Parents as Teachers". She stated this would be a home based program and anticipated working with 100 families at a cost of \$600-1,000 per family. She requested the Board consider funding the program for \$75,000.

Commissioner Rowland moved to refer the request to the budget worksession for consideration. Commissioner Cohen seconded the motion and it passed unanimously.

COMMUNITY SERVICE QUARTERLY REPORT:

Ms. Janet Ruffin talked with the Board about the number of cases handled by the community service division. She stated that a total of 8,742 hours had been worked by the community service workers creating a savings to the County of \$41,524.50 (using minimum wage). She noted that the workers worked mostly at the convenience sites for environmental services under direct supervision.

The Board thanked her for report and for the work being done.

CAPITAL ASSISTANCE APPLICATION FOR ROWAN TRANSIT SYSTEM:

Clyde Fahnstock reviewed an application for funds under Section 5310 amounting to \$164,584. He noted that 10% was a local match (\$16,458), 20% state and 70% federal and the funds were to be used to replace the existing vans in the Rowan Transit System fleet that had excessive mileage.

After discussion about the transit service system, Commissioner Cohen moved to approve \$16,458 for the 10% local match. Commissioner Blount seconded and the motion passed unanimously.

Commissioner Rowland stated he would like RTS to raise its mileage cost to cover the costs of the replacement vehicles. Mr. Fahnestock stated he would discuss the issue at the next RTS board meeting and return the Board of Commissioners in June.

#### HOME & COMMUNITY CARE BLOCK GRANT RECOMMENDATIONS:

Ms. Sue Archer, from Centralina COG, and Mr. Clyde Fahnestock presented the recommendations of the HCCBG committee for HCCBG funding for 1997-98. The Committee recommended the following actions:

- To accept \$521,055 of HGGBG funding requiring a 10% or \$57,895 county match.
- To continue funding HCCBG services: transportation, adult day care, respite, congregate/supplemental meals, in-home aide serves, information and case assistance.
- To proportionately reduce the service levels of each program, with some optimism that the proposed NC legislation will make up the deficit in federal revenues
- To convene an HCCBG Advisory Committee meeting again in the fall of the year for the purpose of reviewing performance indicators, and make any necessary adjustments in grant spending.

Commissioner Blount moved to approve the 10% match appropriation and application process. Commissioner Cohen seconded. Commissioner Rowland asked the Board to delay any action until the budget review. Commissioner Blount stated the match would not require any additional funds. The motion passed unanimously.

#### REQUEST FOR SNIA OVERLAY AREA:

Ed Muire presented a request for an SNIA overlay in the Coddle Creek watershed area from Mr. James Shinn. The area consisted of 27.233 acres located at the intersection of Shinn Farm Road and West NC 152.

Commissioner Rowland moved to schedule the necessary public hearing at the Board's May 19, 1997 meeting. Commissioner Cohen seconded and the motion carried.

ASSESSMENT OF CIVIL PENALTIES FOR EROSION CONTROL VIOLATIONS FOR STAFFORD ESTATES AND CROWN POINT PLACE:

Greg Greene and Paul Canup from the Environmental Services staff presented two assessments for civil penalties for erosion control violations.

Stafford Estates - Mr. Green reviewed for the Board the chronology of events that led to the penalty assessment. He stated that they were requesting a \$10,404.30 penalty which was determined by using a \$131.70 daily penalty for 79 days that the project was out of compliance even after the notice of violations had been sent.

Commissioner Rowland questioned the time it took staff to perform the out of compliance inspections. Commissioner Tadlock asked to table the issue until the next meeting. Commissioner Blount stated that this was the process for assessing penalties and was only done as a last resort after both notice of violations and a notice that the item was going before the Board of Commissioners had been sent and unanswered.

Mr. Russell stated that the County could either encourage developers to follow the County's erosion control procedures or turn it over to the State who tended to be more strict in their enforcement and penalty citations.

Commissioner Rowland stated he could not support a \$10,000 penalty without personally reviewing the site. Commissioner Cohen suggested the item be tabled until after lunch to allow the members to visit the site during their break. The Board agreed by consensus to table the item until after lunch.

Crown Point Place - Staff reviewed the events that led to the assessment of penalty for the project. Staff recommended that a \$16,675 penalty be assessed for the 115 days that the project was out of compliance.

Mr. Eddie Beaver spoke on the owners behalf and stated that the run off has not come from this project but from the Papco property adjacent to his. He stated that he would like to have known that there was a serious problem before the penalty was assessed. Commissioner Cohen stated he could not support a penalty for this project until the state fined the adjacent project owner.

Commissioner Rowland questioned why only one notice of violation was sent before the penalty was assessed when the other project brought before the Board received four notice of violations. Commissioner Tadlock moved to table the issue until the next meeting. Commissioner Rowland seconded the motion. He then asked Commissioner Tadlock to withdraw his motion so that the Board could also visit the site at their break when they were to look at the other project. Commissioner Tadlock withdrew his motion.

Commissioner Cohen moved to adjourn for lunch. Commissioner Blount seconded and the motion passed unanimously.

CONSIDERATION OF EROSION CONTROL PENALTIES:

Chairman Neely reconvened the meeting and stated that Board members had visited the sites of the two projects in question.

Commissioner Rowland moved to assess a \$2,000 penalty and to give 30 working days for the site to come into compliance. If they failed to do so \$131.70 would be assessed for each day it was out of compliance. He added that Greg Green should make a weekly inspection and report to Don Conner. Commissioner Blount seconded and the motion passed by unanimous vote.

Commissioner Cohen indicated that a non-compliance had occurred in the Crown Point Project but added that consideration must be given to the weather and upstream activity. He moved to assess a \$3,000 penalty and 30 days to gain compliance. He added that \$145 a day should be assessed for each day the project is out of compliance after the 30 day deadline. Commissioner Rowland seconded the motion and it passed unanimously.

DISCUSSION ON SOUTH ROWAN LIBRARY FACILITY:

Carole Brook and Phil Barton addressed the Board about studying the need for a new South Rowan Library facility. Ms. Brook noted the increase in library users and the growth in the area. She reviewed the Library Board's plan to study the needs of the area and stated they hoped to return to the Board of Commissioners in the late summer or early fall with a report.

Commissioner Blount moved to authorize the Library Board to proceed with the study for a new South Rowan facility. Commissioner Tadlock seconded the motion and it passed unanimously. Commissioners Rowland and Tadlock stated that the Library Board should understand that Health and Social Services facilities were a top priority right now.

Chairman Neely asked Mr. Barton to think about the idea of the County taking over the Spencer Library and moving the history room to that location. He stated he would just like to know Mr. Barton's thoughts on idea.

CONSIDERATION OF RIGHT-OF-WAY PRUCHASE OFF OF PEELER ROAD BY NCDOT:

Mr. Russell presented the Board with an offer from the NCDOT to purchase a right-of-way on tax map 401 parcel 20 for \$4,300. Mr. Russell stated that this purchase was for the widening of I-85 project.

Commissioner Blount moved to accept the offer of \$4,300. Commissioner Rowland seconded and the motion passed unanimously.

CONSIDERATION OF SUPPORT FOR LEGISLATION TO PROVIDE TAX RELIEF FOR TURKEY FARMERS:

The Board received a resolution from Union County urging legislation to provide tax relief for turkey farmers. The farmers were losing a great number of turkeys to a an epidemic of poult interitis mortality syndrome and were losing their main source of income. This would in turn force them to be removed from the Use Value Deferment Program. The resolution was seeking legislation to provide a two year moratorium on farmers who fail to meet the actual production requirement for the deferment program being removed from consideration.

Commissioner Tadlock moved to endorse the resolution. Commissioner Rowland seconded and the motion carried.

BOARD APPOINTMENTS:

Nursing Home Advisory Committee - Commissioner Blount moved to reappoint Betty Sunding to the committee. Commissioner Tadlock seconded and the motion carried.

ADDITIONS TO THE AGENDA:

\* Commissioner Blount moved to send a letter and representatives to the Utilities Commission public hearing on the area code split on May 19 at 1:00 p.m. Commissioner Tadlock seconded and the motion carried.

The Board agreed to send Commissioner Blount as its representative to the public hearing.

\* Mr. Russell updated the Board on Yadkin Incorporated's proposal for a shoreline management plan. Commissioners Blount and Rowland also told the Board about their visit to Alcoa's facilities to discuss the plan. The Board agreed by consensus that Commissioner Cohen would continue to serve as a member of Yadkin Inc.'s advisory committee and report back to the full Board.

ROWAN/SALISBURY SCHOOLS BUDGET PRESENTATION:

Dr. Joe McCann, Bruce Jones, Vic Bost, Eldridge Williams and Bill Beucher came before the Board to present the 1997-98 budget request.

Mr. Jones thanked the Board for allowing them to make the presentation and turned the meeting over to Bill Beucher. Mr. Beucher presented a video showing the budget needs of the schools. He then presented a summary of the budget request.

Chairman Neely thanked the School Board members for their presentation and stated consideration would be given to the request during the budget work session.

OTHER BUSINESS:

\* Mr. Russell introduced Robert Lorish from the Piedmont Behavioral Health Care to the Board. Mr. Lorish presented the Board with a report on the feasibility of a merger with Rowan County to provide mental health services. He reviewed the report with the Board including services to be provided and estimated costs. The Board thanked Mr. Lorish for discussing the proposal with them. The Board accepted the report for study and thanked Mr. Lorish for the proposal.

\* Mr. Russell asked the Board to consider a revised agreement with the City of Salisbury to provide water/sewer services to the Standard Aero site at the airport. He stated that the Board had approved an agreement at its last meeting but the City had changed the wording concerning the reimbursement of costs by the city. The City agreed to reimburse the County 50% of the costs when the airport was annexed or if the City withdrew its annexation plans. Commissioner Blount moved for approval of the agreement. Commissioner Tadlock seconded and the motion passed by a vote of 4/1 with Commissioner Rowland voting against.

There being no further business, Commissioner Blount moved for approval. Commissioner Cohen seconded the motion and it passed by unanimous vote.

Respectfully Submitted,

Kelly Dickinson, CMC  
Clerk to the Board