

MINUTES OF THE MEETING OF  
ROWAN COUNTY BOARD OF COMMISSIONERS  
JANUARY 19, 1998 - 7:00 P.M.  
COMMISSIONER'S MEETING ROOM, ADMINISTRATION BUILDING

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

ABSENT: Dave Rowland, Member

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

ADDITIONS TO THE AGENDA:

\* Chairman Neely recognized Library Director Phil Barton who announced that the Rowan Public Library had been named the 1998 National Library of the Future recipient. He noted that the Rowan Library was the only recipient for the award through the entire nation. He noted that the Library was recognized for its efforts to bring information technologies to the public and noted that Information Systems was the other department responsible for the success. Carole Brooke, Chairman of the Library Board, thanked the Board for their continued support of the Library. The Board thanked Mr. Barton, Mr. Boling and Mrs. Brooke for their efforts and work that brought the national recognition.

\* Commissioner Cohen asked to discuss a recent report on roads that listed Rowan County last with the roads in the poorest condition.

\* Mr. Russell told the Board that he had two reports from staff and the personnel and building committees that he wished to review with the Board.

\* Mr. Russell asked the Board to consider a boundary line clarification as submitted by John Holshouser.

CONSIDERATION OF CONSENT AGENDA:

Commissioner Tadlock asked to clarify that item “c” (approval of bid from Corriher Sand and Stone for surplus radios) was actually a bid of \$750.00 and not \$750.000 as incorrectly listed on the agenda. He then moved to approve the consent agenda with the correction noted. Commissioner Blount seconded and the motion carried.

The consent agenda consisted of the following items:

- (A) Authorization for Finance to Open a New Investment Account with The North Carolina Capital Management Trust
- (B) Approval of Policy to Allow Purchasing Agent to Determine Surplus Property as “Worthless” for Disposal
- (C) Approval of Bid from Corriher Sand & Stone for \$750.000 for Surplus Radios from Telecommunications
- (D) Approval of Unanimous Road Name Changes of *Country Garden Lane* and *Webbwood Lane*
- (E) Approval of Refunds totaling \$94.00

PUBLIC HEARING: SNIA OVERLAY:

Commissioner Blount moved to open the public hearing for comments on a proposed SNIA overlay designation. Commissioner Tadlock seconded the motion and it passed unanimously.

Chairman Neely called for public comment and none being offered, Commissioner Blount moved to close the public hearing. Commissioner Tadlock seconded and the motion carried.

Commissioner Cohen moved to approve the SNIA overlay designation for a .593 acre parcel located on Upright Road. Commissioner Blount seconded the motion and it passed by unanimous vote.

PUBLIC HEARING: SNIA PERMIT APPLICATION:

Commissioner Blount moved to open the public hearing for comments on a SNIA permit application for VYVX, Inc. in the Back Creek/Sloan’s Creek watershed. Commissioner Tadlock seconded the motion and it passed on unanimous vote.

Chairman Neely called for public comment. An unidentified citizens asked staff what type of business would locate on the parcel and expressed concerns about the construction of a radio tower. Ed Muire stated that the facility would be an unmanned telecommunication facility and at this time no plans had been approved for the construction of a tower.

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

Commissioner Blount then moved to approve the permit application subject to the condition that the Board was not approving a tower. Commissioner Cohen seconded and the motion passed by unanimous vote.

#### PUBLIC HEARING: ROAD NAME CHANGE:

Commissioner Blount moved to open the public hearing for the proposed road name change of Blackbeard Lane. Commissioner Tadlock seconded the motion and it passed by unanimous vote.

Chairman Neely called for comment and none being offered, Commissioner Blount moved to close the public hearing. Commissioner Tadlock seconded and the motion carried.

Commissioner Cohen then moved to approve the road name of Blackbeard Lane. Commissioner Blount seconded and the motion passed unanimously.

#### HEALTH FACILITIES REPORT:

Mr. Jim Powell, architect for Atkinson, Dyer & Watson, presented the Board with a facilities study report for the Health and Mental Health offices in the former Brendle's building.

Mr. Powell reviewed the process for working with the Health and Mental Health staffs to determine the space needs and the space available. He also reviewed a proposed time line for the project and estimated a completion date of March 1999.

Mr. Powell noted that he was still waiting to determine how the Carolina Access program would fit into the project. He added that the Health Board had yet to make a decision about the program and he would proceed with plans as is in the essence of time.

Commissioner Cohen and other members of the Board asked Mr. Powell to work to try to complete the early stages of the project ahead of schedule in order to finish the project earlier than anticipated.

Commissioner Blount asked Mr. Powell to provide the Board with figures for the project in order for appropriations to be made in the next fiscal budget. Mr. Powell stated that he felt he would be able to provide good figures in time for the budget process.

The Board thanked Mr. Powell for his work and urged him to speed the project completion date.

#### APPROVAL OF COUNTY WELFARE REFORM PLAN:

Mr. Rick Travis reminded the Board that he had presented them with the proposed welfare reform plan at their last meeting, and that the DSS Board had held a public hearing that day. He noted that eleven citizens attended the workshop and provided productive comments on the plan.

Mr. Travis asked the Board to approve the plan noting that no text changes had been made since it was first presented.

Commissioner Tadlock moved to approve the proposal as submitted. Commissioner Blount seconded the motion.

Commissioner Cohen asked Mr. Travis about the allocation in the plan for birth control and what type of birth control was to be used. Mr. Travis stated that that was a Health Department issue but it was his understanding that the plan only used \$25,000 in grant funds which were allocated for a part time position to aid in the education to prevent out of wedlock births.

There being no further comments, Chairman Neely called for the question and the motion passed by a vote of 3/1 with Commissioner Cohen voting against.

#### REVIEW OF ZONING MAP CHANGES:

Marion Lytle presented the Board with several requests for zoning map designation changes. Commissioner Tadlock asked the Board to be excused for the first request due to a conflict of interest. The Board agreed by consensus.

The first request was

TP: 128-069/071/074.1 owned by Frank Tadlock

TP: 134-054 owned by Frank Corriher Beef & Sausage

TP: 147-071 owned by Frank Tadlock

The request was to change the parcels from Rural Agriculture to Commercial, Business and Light Industrial.

Commissioner Blount moved accept the designation change. Commissioner Cohen seconded and the motion carried.

Commissioner Tadlock rejoined the meeting and the other requests were presented as follows:

TP: 231-077 owned by G.W. Leazer - a change from Rural Agriculture to Industrial

TP: 140-001/1202/17/63/143

TP: 811-16/17/18/21/21/23/31/33/37/40/41

TP: 812-21/22/36/63 all owned by Martin Marrietta with a request to change from Rural Agriculture to Industrial.

Staff also gave the Board a memorandum for a request from Larry Ford to change property on West 152 to CBI.

Commissioner Blount moved to accept the changes as recommended. Commissioner Tadlock seconded the motion and it passed unanimously.

Staff also gave the Board a request from David for property on Camp Road for a change from CBI to RR for the frontage and MHP for the remainder of the tract. Mr. Wood proposed to build a 226 lot mobile home park on the property.

Commissioner Cohen stated he was concerned that creating 226 would put a burden on the already crowded school serving that area. Chairman Neely agreed that the issue should be studied further by staff to determine the impact. The Board agreed by consensus to delay any action on the request.

Staff also provided the Board with a list of all registered and taxed mobile home parks in the County. They stated that this list would be used to determined which parks are grandfathered in the zoning ordinance as existing parks. Commissioner Blount moved to accept the list as submitted. Commissioner Tadlock seconded and the motion passed by unanimous vote.

### Map Changes

Mr. Lytle reviewed the map for the Patterson Road petition. He noted that it had been modified after opposition to the change was received from residents on Weaver Road. He stated staff recommend approving the zoning classification change, deleting those areas who opposed it, as shown on the map.

Commissioner stated that the purpose of the 70/70 policy was to allow a group of property owners to determine the control over their property and since the remaining property met the policy he moved to accept Patterson Road petition as

rural residential as shown on the areas with hatched areas being removed. Commissioner Cohen seconded the motion and it passed unanimously.

Mr. Lytle next reviewed the Saw Road petition and recommended approving the change for all those property owners who signed a petition in favor of the rural residential classification. Commissioner Blount moved to approve the area of those who wished to have the change and to remove those who did not want the rural residential classification. Commissioner Cohen seconded the motion and it passed unanimously.

The last petition considered by the Board was from the Corriher Grange area. He noted that letters had been sent to those who had signed the petition in favor of the change but due to an error those who did not sign the petition did not receive their letter until late last week. He noted that there was a petition turned into staff in opposition to the change. He recommended that the Board not rezone the area at the time since removing the property owners in opposition would disqualify the remaining areas based on the 70/70 policy. He added that homeowners who wished to be zoned differently should work with staff to request a change a later date.

Commissioner Blount moved to leave the Corriher Grange area as rural and to allow property owners in that particular area to request a rezoning as a commissioner initiate changed at a later date. Commissioner Cohen seconded the motion and it passed unanimously.

Commissioner Cohen stated that since Commissioner Rowland was absent he would like to give him the courtesy of delaying a vote on the ordinance until a later date and moved to delay any action until the first meeting in February. Commissioner Tadlock seconded the motion.

Commissioner Blount noted that he would like to delay a vote in order to allow Commissioner Rowland to participate but in order to meet the deadline for the extension of the ETJ area for the City of Kannapolis the Board need to vote tonight. He then moved to approve the zoning maps as submitted with the changes initiated during the meeting. Commissioner Cohen seconded the motion and it passed on unanimous vote.

#### CORRESPONDENCE FROM HOME BUILDERS ASSOCIATION:

Ed Muire reviewed concerns raised by the office of Governmental Affairs who had reviewed the zoning ordinance at the request of the Home Builders Association. Mr. Muire reviewed the three concerns which dealt with the watershed regulations and gave the county's response to each.

Commissioner Cohen stated that he felt the watershed rules should be left as they were because of the well and septic tank requirements. He added that if utilities were available lot sizes would decrease and should not be a problem.

#### FINAL REVIEW OF ZONING ORDINANCE:

Mr. Lytle reviewed with the Board a modified section in the ordinance titled Article IX Signs. He stated that the ordinance would only regulate interstate and all regulations from the other areas had been removed.

Commissioner Blount asked staff to keep tabs on sign construction along the unregulated areas of the county and let the Board know if certain areas have excessive growth.

Commissioner Cohen moved to approve the ordinance with the changes noted to be effective February 16, 1998. Commissioner Tadlock seconded and the motion passed unanimously.

The Board then thanked staff, the planning board and the community for all of the work that went into a document that could meet most people's needs.

#### REVIEW OF WATER RATE SCHEDULE

Don Conner asked the Board to approve a water rate schedule that would be \$2.09/1,000 gallons. He noted that the City had increased the amount it charged the County for the water bought and also increased the minimum purchase to 290,000 gallons per day.

The Board expressed their concerns about being required to purchase water that isn't used. Mr. Russell suggested that this be an issue the Board discuss with the City Council during a joint meeting staff hoped to set after the planning retreat.

Commissioner Blount moved to approve the rate schedule as presented. Commissioner Cohen seconded the motion and it passed by unanimous vote.

#### REPORT FROM PERSONNEL AND PROPERTY COMMITTEES:

Mr. Russell stated that the personnel committee had met earlier in the day to discuss John Shaw's proposal for a reduction in force at the Health Department. The Committee recommended the following:

1. Positions in Personal Health Services that receive Medicaid funds will be examined.
2. Employees will be given the opportunity to voluntarily reduce their work hours.

3. Employees who are eligible to retire will be encouraged to retire through the offering of incentives. Incentives will be approved by the Board of Commissioners.
4. A hiring freeze will be enacted in the Health Department on positions that receive Medicaid funds.
5. Utilize Medicaid reserves to continue the status of employees through the fiscal year 1997-98.
6. Mr. Shaw will present the Board with a balanced budget (1998-99) in March 1998 to reflect the reduction of revenues which could result in the elimination of positions.

Commissioner Tadlock asked if these changes were a direct impact of the Carolina Access program. Mr. Russell stated that Carolina Access did have some impact but it was also a result of a transition in health service providers.

Commissioner Cohen moved to adopt the personnel board recommendations. Commissioner Blount seconded the motion and it passed by unanimous vote.

Mr. Russell then reviewed with the Board the problem of finding space for the eight new probation officers being sent by the State. He reviewed the different options available and noted that the building committee recommended renting office space from Vic Bost for \$1,100.00 per month as a short term solution until the Norman's building could be evaluated.

Commissioner Cohen moved to approve the recommendation. Commissioner Blount seconded and the motion carried.

Commissioner Cohen also moved to send a resolution to the County's legislative delegation and the state association requesting an increase in court facility fees for the county. Commissioner Tadlock seconded and the motion passed unanimously.

#### REVIEW OF PROPERTY BOUNDARY:

Mr. Russell told the Board that property owned by Blanche Julian and directly beside the Health Department was being sold and during the process a surveyor had determined that the existing boundary was incorrect. He requested the Board approve the change to allow the deeds to be properly recorded.

Commissioner Cohen moved to approve the change in boundary lines. Commissioner Tadlock seconded and the motion carried.

Commissioner Cohen expressed his concerns about a recent report listing Rowan County as the county with the poorest roads in the state. The Board agreed

to ask district engineer Chris Corriher to come to the Board's next meeting to explain some of the projects being undertaken.

Commissioner Blount noted a letter received from the Town of Landis asking the County's interest to rent office space be vacated by the Town. He asked the Mr. Russell to review the possibility.

PUBLIC COMMENT:

Citizens who addressed the Board were:

Mike Sherman - he asked the Board to consider the zoning document in its entirety before making any changes to it in the future.

Martha Harrell - thanked the Board for their stand on zoning and expressed her appreciation for the way the Board has handled the situation at the Health Department.

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

Respectfully Submitted,

Kelly Dickinson, CMC  
Clerk to the Board