

MINUTES OF THE MEETING OF
ROWAN COUNTY COMMISSIONERS
FEBRUARY 16, 1998 – 7:00 P.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, Clerk to the Board, County Attorney, and Finance Director were also present. Chairman Neely called the meeting to order and Commissioner Cohen provided the invocation.

ADDITIONS TO THE AGENDA:

- Commissioner Blount asked to have a brief discussion on Yadkin, Inc.'s shoreline management plan as well as a discussion about the City of Salisbury's water/sewer extension policy proposal.
- John Holshouser stated that a public hearing had been advertised for Harmony Labs who were making financing application through the Industrial Facilities Authority and asked that the public hearing be added to the agenda.
- Commissioner Rowland stated he would like to formally adopt plans on the school board funding proposal, a moratorium on subdivisions and funding an efficiency study for the schools, as discussed at the Board's retreat.
- Mr. Russell noted that the Board had received a Resolution from Davidson County requesting support for a feasibility study on dredging at High Rock lake.

CONSIDERATION OF CONSENT AGENDA:

Commissioner Rowland moved to adopt the consent agenda as submitted. Commissioner Blount seconded and the motion carried. The consent agenda consisted of the following items:

- (A) Approval of Refunds totaling \$4,572.35
- (B) Request to Add *Hilltop Drive Extension, Overview Road Extension, Ashland Court, and Woodbine Drive* to the NCDOT Secondary Road System for Maintenance
- (C) Re-establish Public Hearing for Re-zoning Request from Ervin Construction from March 2, 1998 to March 4, 1998.
- (D) Approval of Unanimous Road Name Petition for *Chasity Lane*

RESOLUTION SUPPORTING SENATE BILL 594:

Commissioner Rowland moved to add Rowan County's name to the House version of Senate Bill 594 in support of legislation for a local option sales tax to support the schools. Commissioner Tadlock seconded and the motion passed on unanimous vote.

Mr. Russell noted that Catawba County had sent a resolution seeking support for the local option sales tax, but asked to be able to use the proceeds for various other functions besides the schools.

Commissioner Rowland stated he did not feel it would pass the House subcommittee if the bill did not require a public vote on the levy of the tax and that the proceeds be used for the schools.

Mr. Russell noted that the current version of S594 did not require a referendum to establish the \$.01 sales tax and if Rowan put that requirement into their resolution it would differ from the original and would splinter the building support. Commissioner Rowland agreed and stated that he would leave his motion as passed.

Commissioner Blount moved to reject the request from Catawba County to support their resolution and asked that the County Manager send a letter explaining the Board's position. Commissioner Rowland seconded the motion and it passed unanimously.

PUBLIC HEARING: ROAD NAME CHANGE:

Commissioner Rowland moved to open the public hearing for comments on the road name change of Russell Ridge Road (currently known as Bobby Gene Road). Commissioner Blount seconded and the motion carried.

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

Commissioner Rowland then moved to approve the road name change as submitted. Commissioner Blount seconded the motion and it passed on unanimous vote.

PUBLIC HEARING: SNIA PERMIT APPLICATION:

Commissioner Rowland moved to open the public hearing for comments on an SNIA permit application. Commissioner Tadlock seconded the motion and it passed unanimously.

Ed Muire told the Board that the application was for a parcel of property on Shinn Farm Road and would be used in a race related business. He noted that in reviewing the application they found it would require a 50' set back instead of the original 30' and asked that the Board approve that change.

Chairman Neely called for comment and none being offered, Commissioner Rowland moved to close the public hearing. Commissioner Blount seconded the motion and it passed unanimously.

Commissioner Blount then moved to approve the SNIA permit application subject to compliance with the staff requirement of a 50' setback. Commissioner Tadlock seconded and the motion carried.

FAITH ZONING BOARD OF ADJUSTMENT:

Commissioner Blount moved to appoint Tim Brown and Jim Mundy as alternated members to the Faith Zoning Board of Adjustment as requested. Commissioner Tadlock seconded the motion and it passed by unanimous vote.

ADDITIONS TO THE AGENDA:

- Mr. Holshouser stated that Harmony Labs had made application with the Industrial Facilities Pollution Control Authority to make application for revenue bonds to the Local Government Commission. He stated that they had advertised for a public hearing on the application.

Commissioner Blount moved to open the public hearing on the application for Harmony Labs. Commissioner Tadlock seconded the motion and it passed on unanimous vote.

Mr. Mike Gorman, representing Harmony Labs, described the application process and the type of work the company provides. He noted that the company was located in Landis and that they were eligible to apply for up to \$175,000 of bond money per new employee. He added that they were also required to maintain a certain wage level which was higher than the current environment.

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

Commissioner Rowland then moved to approve the resolution for Harmony Labs for application for financing. Commissioner Blount seconded the motion and it passed by unanimous vote.

- Marion Lytle presented the Board with a draft placing a moratorium on all subdivisions with 50 lots or more. He noted that this moratorium would allow staff time to develop an Adequate Public Facilities Ordinance. He added that the moratorium would be effective when enacted until April 21, 1998.

Commissioner Rowland asked staff if they felt the Adequate Facilities Ordinance could be developed faster than the sixty day moratorium in order to remove the moratorium. Mr. Lytle stated that he already had several good models and he would definitely try to finish early. He asked the Board to select two members to serve as an informal committee to work with staff while developing the ordinance. Chairman Neely asked Commissioners Rowland and Blount to serve as the informal committee, and the Board agreed by consensus.

Commissioner Rowland stated that he did not favor moratoriums but felt that one was necessary in this situation since the pressure that large subdivisions placed on schools was astronomical. He added that he did not want to stop subdivision construction but that he did not want to place sudden undue burdens on the schools.

Commissioner Cohen stated that with mobile home subdivision's the cost of services outweigh the tax paid by the owners.

Commissioner Blount moved to adopt the moratorium based on a repeal date of April 21, 1998 to stop all subdivision development of 50 lots or more as presented by staff. Commissioner Cohen seconded and the motion carried.

- Commissioner Rowland stated that the Board had spoken with representatives of the school board during the planning retreat concerning an efficiency study for the schools use of its appropriations. He stated that since the County funds the schools and as good will gesture, he moved to have the County pay for the full cost of the study subject to Board approval once a consultant was found and a proposal made. Commissioner Blount seconded the motion and it passed unanimously.

Commissioner Rowland then moved to direct the County Manager to draft a letter to the school board to specifically state the Board of Commissioner's position and to ask for an efficiency study as well as asking the school board to develop a proposal for how they propose to spend the additional funds necessary to bring the schools to state average. Commissioner Blount seconded the motion and it passed by unanimous vote.

- Commissioner Blount stated that the Board had received a copy of the proposed water/sewer extension policy being considered by the City of Salisbury. He moved for the County Manager to send a letter to City Council to ask them to delay a vote on the proposal until the two boards could hold a joint meeting. Commissioner Cohen seconded and the motion carried.
- Commissioner Blount noted that Yadkin Incorporated had made changes to its shoreline management plan after receiving public comment. He stated that they had failed to make any changes to the 100' buffer and added that he felt that was one of the original problems the public had with the plan. He asked Mr. Russell to send a letter reiterating the County's feeling on that specific issue. The Board agreed by consensus to send the letter.
- Mr. Russell noted that the Board had received a letter from Davidson County requesting support for a feasibility study on dredging at High Rock Lake. He added that he did not feel that \$5,000 was a lot of money considering the number of Rowan County residents living around the lake. He then moved to accept the resolution and to participate in the amount of \$5,000 for the study. Commissioner Blount seconded the motion and it passed by unanimous vote.

PUBLIC COMMENT:

Citizens who addressed the Board were:

Jack Casey – stated he opposed the moratorium, but was glad that the Board had directed it to all subdivisions and not just manufactured housing. He stated that he felt the impact on the schools had been exaggerated since many of the manufactured home owners already lived in Rowan County.

Ed Hayden – stated he hoped Board members would work with the consultants doing the efficiency study on the schools and that they provided a complete study on where the school stands financially. He added that senior citizens and those fixed incomes could not afford a tax increase to support the schools.

Eric Wood – stated he worked with manufactured housing and felt the moratorium was short sighted and hasty. He stated that most movement in manufactured housing happened within the same county and usually in the same school district. He offered to work with the Board to spread the manufactured subdivisions around the county instead of concentrating in one area.

David Wood – stated his concern about the moratorium and added that he had a subdivision submitted that should not be delayed because the only piece of the application that wasn't complete was the erosion control plan. He stated working with the County and the Town of Faith had delayed action on the plan and he should not be penalized by the moratorium. Staff responded saying that Mr. Wood had not completed his application. After several minutes of discussion, Commissioner Tadlock moved to ask staff to verify the dates on the plan for the Faith Woods subdivision and to make a recommendation to the Board at its next meeting.

Pete Hoffman – asked the Board to consider its action when the moratorium was lifted and asked the Board not to subsidize the system for those who don't pay their share.

There being no further public comment, Commissioner Rowland moved to enter closed session to discuss litigation against the county by A.H. Incorporated. Commissioner Blount seconded and the motion carried.

Upon conclusion of closed session, Commissioner Cohen moved to return to open session. Commissioner Blount seconded the motion and it passed unanimously. No action was taken during closed session.

There being no further business, Commissioner Cohen moved to adjourn the meeting. Commissioner Rowland seconded and the motion carried.

Respectfully Submitted,

Kelly Dickinson, CMC
Clerk to the Board