

MINUTES OF THE MEETING OF  
ROWAN COUNTY COMMISSIONERS  
JUNE 10, 1998 – 1:00 P.M. CALLED MEETING  
1<sup>ST</sup> FLOOR CONFERENCE ROOM, ADMINISTRATION BUILDING

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

The County Manager, County Attorney and Clerk to the Board were also present. Chairman Neely called the meeting to order to discuss an offer to sell property known as the Norman's property.

Paul Fisher, Dan Williams, Steve Fisher and Bill Kluttz were present representing Farmers and Merchants Bank. Mr. Fisher addressed the Board and reviewed the circumstances that led to the offer of sale being made to F&M Bank and their acceptance of the offer. He stated he had attempted to deliver documents to continue the process to close the deal to Mr. Russell earlier in the day, but Mr. Russell refused on the advice of counsel. He reminded the Board that on June 2<sup>nd</sup> they had made an offer to Mr. Fisher and urged him to go back to his board and think about it. He stated he did everything the Board had asked and did not understand why the Board was not now standing by their offer.

Commissioner Blount stated that he, Commissioner Cohen and Mr. Russell had met with Mr. Fisher two years ago on the initial idea of the project and were excited about it and encouraged Mr. Fisher to move forward. He stated the offer to sell the property should have ended after the vote was taken and he was embarrassed that it came back to this. He stated that although it was legal for the Board to rescind an offer they needed to live up to higher expectations and do more than just what is legal.

Commissioner Tadlock stated that it was his understanding that the property was originally purchased to be utilized for parking. He added that he County did not have adequate parking to meet the needs of the employees and would like to be assured that the county would have parking in one of the areas in question. He stated that he felt good about the project but felt that additional study needed to be done to ensure adequate parking for the county. He said since Mr. Fisher did not accept the offer at the time it was made he did not feel that they had a “done deal”.

Chairman Neely stated he understood the need for parking but that the Board had looked at the budget and there weren't enough funds to do what needed to be done, he added that he had no intentions of putting additional money into parking when the County had so many other needs. Commissioner Rowland asked Chairman Neely if he had not voted to buy the property for parking needs. Chairman Neely stated yes, he had, but that the needs had changed and he did not know where the money would be found.

Commissioner Rowland stated he always assumed that an offer to buy the property would be made at tax value. He stated that real estate laws in North Carolina were very specific that there was no such thing as a verbal agreement and nothing was final until signed.

Danny Williams told the Board that if they voted to rescind the offer to sell that it would have chilling effects on future business dealings with the County. Steve Fisher added that the County could not expect to deal with a business by requiring them to have all contracts drawn at the time of an offer.

Commissioner Cohen stated he was willing to negotiate with F&M for the Main Street frontage, but he was not willing to sell the entire property because of county needs. Commissioner Rowland added that they had to make the decisions they felt best were in the best interest of the citizens. He said he would be willing to sell the property if the offer was close to tax value, and that he felt if it were actively put on the market it would sell for over \$1 million.

Mr. Fisher stated that the issue on the table was a 4/1 vote by the Board on June 2<sup>nd</sup> to offer the property for sale for \$625,000. Commissioner Tadlock stated that when the meeting ended on June 2<sup>nd</sup> the Board had no indication that F&M would accept the offer. Mr. Williams stated that the Board had asked F&M to consider the offer and had not put in a time limit for response.

Steve Fisher asked if anyone in the room denied that an offer was made. Commissioner Tadlock said that yes and offer was made but that it was not officially accepted at that time. Mr. Williams added that it was not rejected either.

Commissioner Cohen moved to rescind the offer to sell the Norman's Property for \$625,000 made on June 2<sup>nd</sup> and to further study the issue of county parking needs. Commissioner Tadlock seconded and the motion passed by a vote of 3/2 with Chairman Neely and Commissioner Blount voting against.

Commissioner Rowland moved to add a closed session for economic development and a discussion on the ABC Board to the meeting. Commissioner Blount seconded the motion and it passed unanimously.

\* Commissioner Rowland stated that the ABC Board had scheduled a called meeting to try to pass an employment contract for their manager. He stated that he could not verify it, but that he had been told the contract would guarantee employment until the age of 62. He asked the Board to convey their displeasure with the length of the contract and asked that it not be approved. He also asked the Board to request the County attorney be allowed to review the contract.

Commissioner Rowland moved to send a letter to the ABC Board stating the County's opposition to any kind of employment contract that guaranteed anything beyond normal severance terms. Commissioner Blount seconded the motion and it passed by unanimous vote.

Commissioner Rowland then moved to send a request to the ABC Board to allow the County Attorney an opportunity to review any employment contract that it considered. Commissioner Blount seconded and the motion carried.

There being no further business, Commissioner Blount moved to enter closed session to discuss economic development. Commissioner Rowland seconded and the motion carried.

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

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

Respectfully Submitted,

Kelly Dickinson, CMC  
Clerk to the Board