

MINUTES OF THE MEETING OF THE BOARD OF
ROWAN COUNTY COMMISSIONERS
NOVEMBER 16, 1998 – 7:00 P.M.
COMMISSIONER'S MEETING ROOM, ADMINISTRATION BUILDING

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

Chairman Neely called the meeting to order and Commissioner Cohen opened with prayer.

ADDITIONS TO THE AGENDA:

- Commissioner Blount stated the Board needed to add a closed session to discuss a personnel issue.
- Mr. Russell stated that the Board also needed to briefly discuss the purchase of property concerning the Salisbury Building during closed session.
- Mr. Russell also asked the Board to consider a request from Sheriff Bob Martin for his service weapon upon his retirement as well as for Major Ed Haupt, since both had the needed years of service.

CONSIDERATION OF CONSENT AGENDA:

Commissioner Rowland asked to pull item "c" from the consent agenda for discussion. Commissioner Blount moved to approve items a & b as submitted. Commissioner Rowland seconded and the motion carried.

The consent agenda consisted of the following items:

- (A) Approval of Budget Amendment for Additional Funds for Health Check and NC Health Choice Programs
- (B) Approval of Budget Amendment for Computer Purchase at Health Department
- (C) Approval of Entrance Sign for Summit Corporate Center

ITEM C – APPROVAL OF ENTRANCE SIGN FOR SUMMIT CORPORATE CENTER:

Mr. Bill Burgin and Dan Norman from Ramsey, Burgin Architects reviewed the design for the signs at the industrial park. He noted that the main entrance sign was constructed from granite while the large sign along I-85 would be made from split block. He explained the reason for the difference was that the sign on 85 would be 300 feet from the road while the granite sign was approximately 30 to 50 feet from the main entrance road.

Commissioner Rowland stated he didn't feel the Board should spend \$40,000 extra to use granite on the main sign. Commissioner Blount stated that the park had been developed as an upscale park and warranted a sign that coincided with the businesses to locate there.

Mr. Russell noted that the landscaping portion of the bid had been removed and the landscaping would be done by staff.

Commissioner Blount moved to approve the bid as presented for 119,716. Commissioner Cohen seconded and the motion passed by a vote for 4/1 with Commissioner Rowland voting against.

PUBLIC HEARING: REZONING REQUEST FOR MSMC HOLDINGS:

Assistant Planner Ed Muire presented staff's report on the rezoning request for Mid State Machine Company noting the findings that were in accordance with the Rowan County Zoning Ordinance.

Ms. Nancy Smith, Company Representative, stated that the company had been in business for 35 years and only wished to expand their current business not change it.

Chairman Neely opened the public hearing and called for comment. There being none offered, he then closed the public hearing.

Commissioner Rowland moved to approve the rezoning request. Commissioner Blount seconded the motion and it passed unanimously.

EMPLOYEE OF THE MONTH AWARDS:

Library Director Phil Barton introduced Jeff Hall who was chosen as employee of the month for November. Mr. Barton described all of the projects Mr. Hall works with at the Library and joined the Board in thanking him for his dedication to the County.

Mr. Don Conner introduced Ronelle Harding who was the October employee of the month. He stated that Ms. Harding was a convenience site operator who had made a big impact in the past six months of employment.

Chairman Neely presented Mr. Hall and Ms. Harding with certificates of appreciation and the Board thanked them for their work for the County.

SNIA PERMIT APPLICATION:

Mr. Muire presented the Board with an application for an SNIA permit for MSMC Holding, LLC. A site plan was submitted and staff recommended approval.

Commissioner Blount moved for approval of the permit application. Commissioner Cohen seconded and the motion carried.

PUBLIC HEARING: SCHEDULES, STANDARDS AND VALUES FOR 1999 REVALUATION:

County Assessor Jerry Rowland reviewed with the Board the schedules, standards and values that will be followed for the 1999 revaluation.

Chairman Neely opened the public hearing and asked anyone who wished to speak on the proposed values to please come forward. Citizens who addressed the Board were:

Unidentified Citizen- stated he lived on Balfour Road and questioned the possibility of receiving a reduction in value on the properties surrounding operational quarries. He stated the properties will not sell because of the quarries and have been greatly devalued.

Chairman Neely stated he felt this was a very important issue and would like the Board to look into studying this issue. Other Board members agreed that the quarries were definitely a problem and did indeed reduce the value of a property.

Mr. Rowland stated that they could not reduce the value on the listing but they would work with the landowners to review each case during the appeal process.

There being no other speakers, Chairman Neely closed the public hearing.

Commissioner Rowland moved to accept the standards as presented. Commissioner Tadlock seconded and the motion carried.

CONDITIONAL USE PERMIT FOR EXPANSION OF NEW LONDON BRICK:

Mr. Muire stated that New London brick has requested a conditional use permit in order to expand their existing facility. He asked the Board to set a public hearing for consideration of the request.

Commissioner Blount moved to set the public hearing for December 7, 1998 at 11:00 a.m. Commissioner Rowland seconded and the motion carried.

UPDATE & RESOLUTION ON WATER QUALITY INITIATIVES IN THE YADKIN RIVER BASIN:

Environmental Specialist Greg Greene discussed with the Board initiatives created by the Yadkin Pee Dee River Association. He stated that the Association wished to apply for a grant from the State Clean Water Management Trust Fund to help pay for some of the programs put in place for Grants Creek.

Commissioner Rowland asked the clarify that the resolution did not commit the Board to any funds but just showed the Board's endorsement. Mr. Greene stated that the resolution was only an endorsement.

Commissioner Blount moved to adopt a resolution of support for seeking grant funds from the State Clean Water Management Trust Fund. Commissioner Tadlock seconded and the motion passed by a vote of 4/1 with Commissioner Cohen voting against.

REQUES FOR WAIVER OF OCCUPANCY TAX PENALTIES:

Mr. John Whittington owner of Palmetto Hotels addressed the Board to ask for a waiver or reduction in the amount of penalties assessed for late occupancy tax payments. He stated that an outside firm had been responsible for paying the tax, but did not. Mr. Whittington stated that he accepted responsibility for the late tax payments but felt they were excessive.

Leslie Earnhardt, Finance Director, stated that at the same Mr. Whittington's hotel was penalized along with eleven other hotels for late payments.

Commissioner Blount stated that he felt the penalty seemed to be excessive for the amount of tax due and thought it should be reduced.

Commissioner Rowland stated that the Federal and State governments assessed penalties for late payments without waiving the fees.

Commissioner Tadlock moved to declare the penalty due and payable and to deny the request to waive the amount due. Commissioner Rowland seconded and the motion passed by a vote of 4/1 with Commissioner Blount voting against.

REIMBURSEMENT IN LIEU OF FIREMEN'S RELIEF FUND PAYMENT:

Fire Marshal Randall Faggart along with representatives from Bostian Heights and Gold Hill Volunteer Fire Departments addressed the Board concerning a firemen's relief payment.

He stated that the volunteer fire departments are eligible to received funds from the state Firemen's Relief Fund, but must file a report that has to be verified by the Finance Office. He stated that Bostian Heights had sent their form to the Finance Office but it was lost in transit, therefore they did not receive their check of \$1,489.17. Gold Hill asserts that the submitted their financial statement to the Finance Office rather than the State office and then did not receive their check for \$877.37.

Mr. Faggart asked the Board to make up the difference for the two fire departments.

Commissioner Rowland moved to approve the funds for the two fire departments. Commissioner Tadlock seconded and the motion carried.

Ms. Earnhardt stated that the Finance Office now required these forms to be submitted through certified mail to ensure receipt.

APPROVAL OF PROPOSALS FOR BANKING SERVICES:

Ms. Earnhardt stated that she had received proposals for banking services for the County. She noted that the request for proposals was approximately twenty pages long, so the results were very detailed.

Central Carolina Bank and First Union provided the lowest quotes, however, Central Carolina Bank could provide a direct access service that First Union could not and Ms. Earnhardt recommended they be awarded the contract for services.

Commissioner Blount moved to approve the staff recommendation for Central Carolina Bank to provide banking services. Commissioner Cohen seconded and the motion passed by a vote of 4/1 with Commissioner Rowland voting against.

PROPOSALS FOR FINANCING COMMUNICATIONS EQUIPMENT:

Ms. Earnhardt stated that she had received bids for financing the purchase of 435 800 Mhz radios. The bids received were:

<u>Financial Institution</u>	<u>Interest</u>	<u>Total Cost</u>
Centura Corp. Banking	3.64%	\$1,216,724.86
Wachovia Leasing Corp.	3.79%	1,220,479.44
Craigie Governmental Finance	3.94%	1,223,241.34
NationsBank	3.99%	1,224,330.34
Farmers & Merchants Bank	4.129%	1,227,361.90
Banc One Leasing Corp.	4.16%	1,228,038.88
LaSalle National Bank	4.18%	1,228,475.86
First Union National Bank	4.21%	1,229,131.48
Central Carolina Bank	4.43%	1,233,896.90
Koch Financial Corp.	4.44%	1,234,167.90

Ms. Earnhardt recommended awarding the bid to Centura Bank with a 3.64% interest rate.

Commissioner Cohen moved to award the bid to Centura Bank. Commissioner Blount seconded and the motion carried.

Ms. Earnhardt asked the Board to approve a resolution for an Installment Agreement and Declaration of Intent to reimburse to coincide with the financing approval.

Commissioner Blount moved to approve the resolution and the declaration. Commissioner Tadlock seconded and the motion passed by unanimous vote.

DISCUSSION OF LEGISLATIVE APPROVAL TO ADD NEW DISTRICT COURT JUDGE:

Mr. Russell told the Board the he had received notification that the General Assembly had approve a new district court judge for Rowan County. He stated that

in addition to a new office and equipment the judge would definitely need a new courtroom.

He asked the Board to approve a proposal to work with court officials and architect Bill Burgin to develop a plan to provide adequate court space by utilizing the unfinished portions of the building.

Commissioner Rowland stated he felt the architect fees should not be very high sense most of the space was partially finished and just needed to be upfitted.

Commissioner Blount moved to accept the proposal to create a task force of court representatives to develop a space needs plan. Commissioner Rowland seconded and the motion carried.

Commissioners Blount and Cohen agreed to participate in the development process.

ADDITION TO THE AGENDA:

Commissioner Blount moved to grant a twelve month conditional use for Laura Pollock of 155 Rocky Point for the required masonry underpinning to be in place. He added that if the property was sold during the twelve month extension it was to be brought into compliance immediately. Commissioner Cohen seconded and the motion carried.

PUBLIC COMMENT:

No comment was offered.

Commissioner Blount moved to enter closed session to discuss a personnel issue and the purchase of property concerning the Salisbury Building on W. Council Street. Commissioner Tadlock seconded and the motion carried.

Upon conclusion of closed session, Commissioner Blount moved to return to open session. Commissioner Cohen seconded. No action was taken during closed session.

Commissioner Rowland moved to continue the current Sheriff's salary of \$76,749.71 for the newly elected Sheriff. Commissioner Tadlock seconded and the motion passed by a vote of 4/1 with Commissioner Cohen voting against.

Commissioner Blount moved to give service weapons to Sheriff Martin and Major Ed Haupt upon leaving office. Commissioner Cohen seconded and the motion carried.

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

Respectfully Submitted,

Kelly Dickinson, CMC
Clerk to the Board