

MINUTES OF THE MEETING OF
ROWAN COUNTY COMMISSIONERS
MARCH 15, 1999 – 7:00 P.M.
COMMISSIONER'S MEETING ROOM, ADMINISTRATION BUILDING

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

The County Manager, Clerk to the Board, Finance Officer and County Attorney were also present.

Chairman Cohen called the meeting to order. Commissioner Tadlock provided the invocation and Commissioner Chamberlain led the Pledge of Allegiance.

ADDITIONS TO THE AGNEDA:

Commissioner Chamberlain asked to discuss courtrooms and jail space when appropriate.

CONSIDERATION OF CONSENT AGENDA:

Chairman Cohen asked if the Board wished to approve the consent agenda as submitted or if anyone would like to pull an item for discussion.

Commissioner Chamberlain asked to discuss item "I" – Set public hearing for proposed rezoning for Hill Mini-Warehouses. He stated he felt that building mini warehouses in that area was not the best use of property and he wanted to call the Board's attention to that request.

Commissioner Blount noted that by setting the public hearing the Board could hear public input about the situation and then take action to consider allowing the rezoning.

Commissioner Chamberlain moved to approve the consent agenda as submitted. Commissioner Blount seconded and the motion carried.

The consent agenda consisted of the following items:

- (a) Approval of Minutes from 2/1/99 and 2/15/99 meetings
- (b) Approval of Refunds Totaling \$3,318.94
- (c) Approval to Authorize the Rowan Public Library to Sell Withdrawn Library Materials on April 17, 1999.
- (d) Request to Add *Brookshire Drive* and *Carriage Lane* to the Secondary Road System for Maintenance
- (e) Approval of Articles of Association and Resolution Approving the Articles of Association for the Centralina Workforce Development Consortium.
- (f) Approval of Resolution for Board of Health Reorganization Through the State Division of Environmental Health
- (g) Approval of Budget Amendments
- (h) Approval of Unanimous Road Petitions for *Robinwood Drive* and *Harley Pond Road*
- (i) Set Public Hearings for April 19, 1999 for:
 - Conditional Use Permits – 7:15 p.m.
 - Proposed Rezoning for Adam Noblitt – 7:20 p.m.
 - Proposed Rezoning for Hill Mini-Warehouses – 7:30 p.m.

NEW HEALTH DEPARTMENT DIRECTOR:

Chairman Cohen introduced Mr. Leonard Wood who recently took over responsibilities as new Health Department Director. Mr. Wood thanked the Board for the opportunity to work with them and thanked staff for their assistance in assimilation.

RECOGNITION OF EMPLOYEE OF THE MONTH:

The Board recognized Ms. Robin Cook as employee of the month for March, 1999. Ms. Cook works with Animal Control and was instrumental in caring for abused horses and bringing them back to health.

Mr. Wood accepted the certificate in Ms. Cook's absence.

DECLARATION FOR APRIL AS CHILD ABUSE PREVENTION MONTH:

Chairman Cohen read a request from the Department of Social Services to declare April as Child Abuse Prevention Month in Rowan County.

Commissioner Chamberlain moved to approve a proclamation establishing April as Child Abuse Prevention Month in Rowan County. Commissioner Blount seconded the motion and the proclamation was passed by unanimous vote.

Commissioner Chamberlain urged the Board to participate in upcoming events with various agencies, to recognize Child Abuse Prevention Month.

PROPOSAL TO ESTABLISH CHILDREN'S DAY:

Mrs. Elizabeth Smith presented the Board with a request to support an effort for the establishment of Children's Day by an act of Congress. She stated that the national day of recognition should come in the spring before Mother's Day and Father's Day. She presented the Board with a sample resolution and gave historical information about such a day.

Mrs. Smith recommended the Board support April 30th as National Children's Day.

Chairman Cohen stated he felt this was a very noble cause and asked Commissioner Chamberlain to work with Mrs. Smith on this cause.

Commissioner Chamberlain moved to adopt a resolution of support in requesting Congress to establish April 30th as National Children's Day. Commissioner Blount seconded the motion and it passed on unanimous vote.

DISCUSSION ON RA ZONING CLASSIFICATION:

Commissioner Blount discussed the designation of home businesses in the Rural Agricultural zoning district. He stated that the Zoning Ordinance does not specify that a home business be located at the actual place of residence. He noted a recent case in which this issue was brought to attention and noted that this loophole would be abused if a change in the text was not made.

Commissioner Blount also discussed the size allowed in the RA district for these home business, stating that he felt the 10% built upon was too large.

He asked the Board to consider sending these two issues to the Planning Board for revision.

Commissioner Rowland stated that he had no problem with changing text to specify that a home business had to be located at the place of residence or on contiguous property but that he did not want to lower the business size allowed.

Commissioner Chamberlain stated he also supported changing the definition for home businesses.

Commissioner Rowland stated he did not want to send the review of size requirements to the Planning Board because the Board had discussed this several times in the past before reaching the 10% agreement.

Chairman Cohen asked the Planning Staff & Planning Board to review the change in text for the definition of a home business and asked that staff only review the size requirements and report back to the Board. The Board agreed by consensus.

CITIZENS FOR RESPONSIBLE GROWTH:

Carla Pence addressed the Board concerning controlling growth in the Cleveland area. She urged the Board to pass an Adequate Facilities Ordinance and to develop a proper land use plan. She stated that a developer, as well as the County, needed to determine the infrastructure needs a new development would create and whether those needs could be supported.

Eric Pence also addressed the Board concerning the growth in the Western end of the County. He stated that the agriculture areas needed to be protected from uncontrolled growth.

Andy Hinson, representing the Citizens for Responsible Growth, addressed the Board and presented them with a list of changes to subdivision rules that the group felt needed to be made. The changes discussed were an Adequate Public Facilities Ordinance, change the allowable uses in an RA district, develop overlay areas to exclude single and double wide subdivisions and a moratorium on all new subdivisions until the text of the ordinance could be modified.

Commissioner Chamberlain told Mr. Hinson that he appreciated the groups efforts but that the Board was not prepared to deliberate such complex issues at this meeting. He suggested that two members of the Board meet with the group to work on the suggestions.

Commissioner Tadlock asked Mr. Hinson how many members were in the group and how the land in question came to be available to the developers. Mr. Hinson stated that the group had approximately 25 members and that the land was being sold by farmers who needed money or by absentee land owners.

Commissioner Blount moved to remand the report by the Concerned Citizens Group to the Planning Board and staff for review and for the Board to look at locating mobile home subdivisions in the areas of the county where appropriate. He added that the Board should look into the use of overlay districts for these types of subdivision. Commissioner Chamberlain seconded and the motion passed by a vote of 4/0. Commissioner Rowland was not present for the vote.

SNIA PERMIT APPLICATIONS:

Ed Muire presented the Board with two requests for SNIA permits. The applications were received from

L.W. Miller
202 Performance Road
 Mooresville, NC 28115
Tax Parcel 239-028

Eddie Arnold
1138 Gateway Drive
 Mooresville, NC 28115
Tax Parcel 230C-035

Commissioner Blount moved to approve the two applications. Commissioner Chamberlain seconded the motion and it passed by unanimous vote.

REVIEW SITE PLAN FOR EXPANSION OF MOBILE HOME PARK:

Lloyd Pace presented the Board with a request for approval of expansion for an existing mobile home park. Mr. Pace stated that Moore's Mobile Home Park was registered as an existing park in 1990 and was permitted for a total of 8 spaces. He stated that in February the Planning Department initially approved a zoning permit to allow a 1983 home to be placed in the park, but upon staff investigation they found that the permitted space would be the 12th mobile home in the park (which was only permitted for 8). He stated that if the Board granted the requested expansion of four spaces, it would bring the 3 existing homes into compliance and allow the placement of the 12th home as originally requested. Mr. Pace noted that the expansion would be within the existing mobile home park which was zoned properly.

Commissioner Blount moved to approve the mobile home expansion. Commissioner Tadlock seconded the motion and it passed by unanimous vote.

REVIEW STANDARDS FOR POLITICAL SIGNS & ON PREMISES BILLBOARDS ON I-85:

Marion Lytle stated that Commissioner Rowland had asked the Planning Board to look into two issues concerning signs. The first being political signs and the second concerning changes to billboard regulations for I-85 in order to match NCDOT regulations.

Mr. Lytle stated that as far as political sign requirements, the Planning Board voted not to recommend new regulations because the signs were temporary, most were in the right-of-ways and these were regulated by NCDOT and utility companies, and the new rules would be difficult and time consuming to enforce.

Commissioner Chamberlain stated he felt that the political sign issue must absolutely be addressed in order to stop the number of signs being placed and left around the county during a campaign.

Commissioner Rowland stated that if the signs could be controlled it would help a candidate know how many signs he needed to purchase and how many could be spread throughout the County.

Commissioner Blount moved to accept the Planning Board's recommendation for no change to the political sign regulations. Chairman Cohen seconded the motion for discussion. The motion failed by a vote of 1/4, with Commissioner Blount voting in favor and Commissioners Chamberlain, Cohen, Tadlock and Rowland voting against.

Concerning changes to regulations for billboards on I-85, Commissioner Chamberlain stated he had a problem with the County creating something to supercede state or federal regulations. He added that since the County could only regulate outside the municipalities, the standards should be those of NCDOT.

Commissioner Rowland moved to change the sign requirements in the Zoning Ordinance to match those of NCDOT for billboards on I-85 and to set a public hearing for the proposed changes to the Zoning Ordinance for April 19th at 7:45 p.m. Chairman Cohen seconded the motion and it passed by unanimous vote.

Commissioner Blount moved to consider not allowing billboard signs anywhere in the County other than I-85. The motion died for lack of a second.

BIDS FOR TELEPHONE SYSTEM FOR AGRICULTURE/EOC BUILDING:

Assistant Finance Director Vicki McCombs stated that bids were received for a new electronic key telephone system for the Agriculture/EOC building. The bids received were:

Wynn Communications	\$26,934.50
Tri-Com Communications	\$34,786.17
Pinnacle Telephone & Data	\$26,719.14

She recommended the Board award the bid to Wynn Communications, the next lowest bid. She stated that the reason she chose Wynn over the lowest bid was that they could provide a 30 minute response time, and Pinnacle could only provide a one hour response.

Commissioner Blount moved to award the bid to Wynn Communications. Commissioner Chamberlain seconded and the motion carried.

BIDS FOR SHERIFF’S UNIFORMS:

Mrs. McCombs stated that Finance Department had received bids for the purchase of new uniforms for the Sheriff’s Department. The bid received were:

Command Uniforms	\$102,076.30
Showfety’s	\$109,932.50
National Police Supply	\$115,777.80

Commissioner Tadlock moved to award the bid to Command Uniforms. Chairman Cohen seconded and the motion carried.

It was noted that the money to purchase the uniforms was to come from money received from inmate revenues.

The Board asked Mrs. McCombs about selling the old uniforms. She responded that there were three counties interested in the old uniforms, but she wouldn’t know an estimate of their worth until all uniforms were turned in and an inventory made.

The Finance Office also noted that bid for duty gear for the Sheriff’s Office was rejected and will be rebid. Sheriff Wilhelm stated that he had made the decision to reject because they wished to try a different style of duty belt other than what was bid.

REQUEST FROM NATIONAL GUARD TO LEASE PROPERTY AT AIRPORT:

Mr. Russell stated that the National Guard was requesting to lease additional space at the Airport connected with their National Guard Armory. The space will be used to house Blackhawk helicopters for maintenance and for the placement of a fueling facility. The two pieces of property they wished to lease were approximately six acres each.

Commissioner Blount moved to approve the amendment to the lease to increase the leased space. Commissioner Tadlock seconded and the motion carried.

Chairman Cohen stated he did not want to change the length of the current lease, but the property should be added as an amendment to the existing lease.

APPROVAL TO TERMINATE AGREEMENT WITH ATLANTIC AMERICAN PROPERTY:

Mr. Russell discussed an agreement to terminate the development agreement with Atlantic American Properties and Rowan County for the development of speculative buildings in Summit Corporate Center. He noted that they would no longer have exclusive rights to build 100,000 square foot buildings.

Mr. Russell stated that as part of the agreement the County would allow AAP to subdivide their property to section off their spec building and fourteen acres. He noted that the County had final approval of the subdivision plan so they could ensure that the division was equitable for both parties.

Commissioner Blount moved to approve the termination agreement. Commissioner Tadlock seconded and the motion carried.

FINAL APPROVAL FOR COUNTY OWNED PROPERTY:

Mr. Russell told the Board that no upset bids had been received on the sale of the following properties:

Norman's Property sold to F&M Bank \$927,500
Map 500A parcel 591 sold to Annette Robinson \$935.35
Map 149 Parcel 015 sold to David Gaskey - \$2,000

Commissioner Tadlock moved to approval the formal sale of these properties. Commissioner Blount seconded and the motion carried.

RESOLUTION FOR APPLICATION FOR REVENUE BONDS FOR PINNACLE CORPORATION AND TAYLOR CLAY PRODUCTS:

Mr. Holshouser stated that the Board had previously approved the application of these two corporations for revenue bonds through the Industrial Facilities Commission. He noted that the Commission had approved the application and asked the Board to formally approve the resolution.

Commissioner Tadlock moved to approve the resolution of bond issuance for Pinnacle Corporation and Taylor Clay Products. Commissioner Chamberlain seconded and the motion carried.

ADDITION TO THE AGENDA:

Commissioner Chamberlain stated he would like the County to proceed work with an architect to get preliminary drawings and estimates to finish the courtrooms.

The Board discussed holding a worksession with the judicial officials to determine the allocation of space and their space needs.

Commissioner Rowland stated that the Finance Office had estimated the increase in revenues from the increased Court Facility Fees at approximately \$800,000 and felt the Board should work with that amount to provide the additional courtroom space.

Commissioner Blount moved to authorize Mr. Russell to negotiate with Bill Burgin to work on the courtroom space needs with the constraints of remaining within the \$800,000 estimated court facility fees increase. He added that the County Manager should arrange a planning session with the Board and Court officials to discuss the courthouse needs and space allocation. Commissioner Chamberlain seconded the motion and it passed by unanimous vote.

There being no further business before the Board, Chairman Cohen adjourned the meeting.

Respectfully Submitted,

Kelly Dickinson, CMC
Clerk to the Board