

MINUTES OF THE MEETING OF THE BOARD OF
ROWAN COUNTY COMMISSIONERS
MAY 3, 1999 – 9:00 A.M.
COMMISSIONER'S MEETING ROOM, ADMINISTRATION BUILDING

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

The County Manager, Clerk to the Board, County Attorney and Finance Director were also present. Chairman Cohen called the meeting to order. Commissioner Chamberlain provided the invocation and Commissioner Rowland led the Pledge of Allegiance.

ADDITIONS TO THE AGENDA:

Commissioner Blount recognized Randy Harrell, new EDC Director, who introduced himself to the Board. He thanked them for their support and stated he looked forward to working together in the future.

Mr. Russell asked the Board to allow a short presentation from Don Conner and Greg Greene concerning a grant award. He also asked the Board to hold a short closed session in order to discuss two economic development projects.

CONSIDERATION OF CONSENT AGENDA:

Commissioner Tadlock 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 for April 5 and April 19 Meetings

- (b) Approval of Refunds Totaling \$1,287.96
- (c) Approval of Health Fee Schedule to Reflect Changes for Medicaid, Medicare and Insurance
- (d) Approval of Home & Community Care Block Grant Proposal for Submission to Centralina
- (e) Set Public Hearing for Road Name Change of *Suzanne's Road*
- (f) Approval of Budget Amendments for:
 - Sheriff - Local Law Enforcement Block Grant
 - Social Services- Head Start & Food Stamp Funds
 - Parks – Grant money for Sloan Park

PROCLAMATION TO ESTABLISH MAY 6, 1999 AS “DAY OF PRAYER IN ROWAN COUNTY”

Commissioner Chamberlain moved to approve a proclamation to establish May 6, 1999 as a Day of Prayer in Rowan County. Commissioner Rowland seconded the motion and it passed by unanimous vote.

CORRESPONDENCE:

Mr. Russell discussed a letter from the County Commissioners Association concerning the proposal to eliminate state reimbursements for cities and counties. He reviewed the type of taxes the legislature proposed to eliminate and how they would impact Rowan County.

Commissioner Blount suggested that the Board send a letter to our legislators opposing the possibility of the proposal as well as talk to them personally when the Board traveled to Raleigh on May 5th.

Commissioner Chamberlain told the Board that they should all take advantage of speaking to state representatives whenever they had the opportunity.

PROCLAMATION ESTABLISHING MAY 9-15 AS INFORMATION & REFERRAL WEEK:

Commissioner Blount moved to approve a proclamation to establish May 9-15 as Information & Referral Week. Commissioner Chamberlain seconded and the motion carried.

SCHEDULE PUBLIC HEARING FOR CONDITIONAL USE PERMIT REQUEST FROM AMERICAN TOWER CORPORATION:

Ed Muire presented a request for a conditional use permit from American Tower Corporation.

Commissioner Rowland stated he would like to find a way to limit towers to areas where they could show a need and not allow them to be built just as speculative towers.

Commissioner Blount asked if staff could prepare a map showing where all cell towers were located within the county. Mr. Muire stated they had been working on a map and would try to get something together.

The Board discussed the range of towers and what type of criteria was required in the Zoning ordinance.

Commissioner Blount moved to delay the request until June 7 so that more information could be obtained and to schedule the public hearing on June 21. Commissioner Tadlock seconded and the motion carried.

REVIEW OF SUBDIVISION PROJECTS AFFECTED BY MORATORIUM:

Marion Lytle and Ed Muire presented the Board with a map that showed current manufactured home subdivisions affected by the moratorium. They noted that about 301 lots were affected.

Mr. Lytle stated that two of the subdivisions, Quail Point and Hidden Circle, had requested an appeal from the ZBA Board to determine if they were vested from the proposed manufactured home overlay. He stated that these two subdivisions had already completed a first phase and were working on their second.

Commissioner Rowland stated he did not feel that it was fair to stop work on these two subdivisions and that they should be exempted from the moratorium. He then moved to lift the moratorium on the second and third phases of these two mobile home parks to allow them to finish their development. The motion died for lack of a second.

Commissioner Chamberlain stated that if these two were allowed to continue others would also want a special exception.

Commissioner Blount stated he could support the County paying the expense of the rezoning request for these two subdivisions should the manufactured home overlay be adopted.

Commissioner Tadlock moved to leave the moratorium in effect as is and to keep the public hearing on schedule in order to evaluate everything after having

public input. Commissioner Blount seconded the motion. The motion passed by a vote of 4/1 with Commissioner Rowland voting no.

The Board discussed the need for a second meeting after the public hearing on May 17th to hold other public hearings for rezoning requests. Commissioner Blount moved to hold a public hearing for Z-6-99 at 5:00 p.m. on May 17th with ZBA to be at 5:30 and then the public hearing at South Rowan at 7:00 p.m. Commissioner Tadlock seconded the motion and it passed by unanimous vote.

REPORT ON THE USE OF COUNTY SPECIAL APPROPRIATIONS FOR CLASSROOM SUPPLIES:

Superintendent Dr. Joe McCann and teachers Linda Merrill and Patty Seacrest talked to the Board about the use of the special allocation for classroom supplies during the past school year.

They explained the type of supplies that were purchased with the allocation and noted that 90% of the funds had been used.

The teachers asked the Board to consider allowing the allocation to be used on supplies that aren't consumable, such as software. The Board agreed by consensus that such items could be purchased. Chairman Cohen said he did have concerns that principals should not be able to buy large items, such as copiers, by combining several of the teachers allocations.

Chairman Cohen asked Dr. McCann for additional information on the classroom construction at East Rowan High School. He said that the County had provided additional funds in order for the classrooms to be completed and usable, but he had heard rumors that they would not have air conditioning and would not be able to be used.

Dr. McCann stated it was his understanding that the classroom were to be completely operational and he would check into the matter and bring more information back to the Board.

The Board thanked Dr. McCann, Ms. Merrill, and Ms. Seacrest for their presentation.

PUBLIC HEARING: CONDITIONAL USE PERMITS FOR SBA COMMUNICATION CELLULAR TOWERS:

Ed Muire presented staff's report on the application for conditional use permits from SBA Communications. He then reviewed aerial maps of the proposed

sites with the Board. Commissioner Blount commended staff on their presentation stating it had everything the Board needed.

SBA representative Bill Bitner and Attorney Jonathon Yates discussed the process for the placement of cellular towers and FCC licensing with the Board.

Commissioner Rowland asked about the general radius of tower coverage. Mr. Yates answered that the radius was usually three miles but some had been able to be pushed to six in Rowan because of the topography.

Commissioner Rowland asked if these were speculative towers. Mr. Bitner answered that they were not, they were built according to BellSouth plans and BellSouth intended to lease the space. He stated they were only speculative in the fact that they hoped other carriers would use the towers in the future.

Chairman Cohen opened the public hearing for comment on the conditional use applications. Citizens who addressed the Board were:

Leonard West – stated that he was in favor of the towers but hoped that the Tax Assessor’s office would take them into consideration when valuing the property.

There being no further comments, Chairman Cohen closed the public hearing.

Commissioner Chamberlain stated that he had visited each of the sites and felt there should be no problem with their placement.

Commissioner Chamberlain moved to grant all five of the conditional use permits subject to compliance with staff’s recommendations. Commissioner Blount seconded the motion and it passed by unanimous vote.

REVIEW OF MANUFACTURED HOME OVERLAY TEXT:

Marion Lytle reviewed the proposed text amendment to the Zoning Ordinance for a manufactured home overlay.

Commissioner Rowland asked him to explain the reasoning behind requiring a minimum of two acres for the overlay.

Mr. Lytle stated that they had used two acres in order to avoid the comparison to spot zoning.

Commissioner Rowland stated he would like to have an exception for single lots so that they would not require rezoning. Mr. Lytle asked about developing a

time frame for the single lot creations if this was changed. He noted that a person could create a single lot per month and eventually have a large park if not limits were placed on the timing of their creation.

Commissioner Rowland stated that there are many home being built that are smaller than most of the doublewides and he did not feel it was fair to impose regulations on the manufactured homes and not the stick built. There was discussion about Commissioner Rowland having a possible conflict of interest with the subject since he develops subdivisions. John Holshouser stated that he felt there would be no conflict since Commissioner Rowland had no current developments which would be affected.

Commissioner Chamberlain stated he was concerned about big subdivisions and their impact but he did not like the idea of intruding on an individual's lifestyle.

Commissioner Rowland moved to take the section requiring a two acre minimum out of the proposed overlay text before the public hearing and to allow minor subdivision to be exempt from the overlay. Commissioner Chamberlain seconded the motion but it failed by a vote of 2/3 with Commissioners Cohen, Tadlock and Blount voting against.

Commissioner Blount said he would like the Board to announce it was considering such a change to the overlay text before the public hearing on May 17, but he would like to hear all public comment.

Chairman Cohen asked staff to look at ways to handle both manufactured and stick-built subdivisions in a fair manner.

BOARD APPOINTMENTS:

Commissioner Rowland moved to reappoint Paul Fisher to the Carolinas Partnership. Commissioner Chamberlain seconded and the vote was unanimous.

The Board discussed the Planning Board vacancies and asked the Clerk to advertise for applications, noting that the Board would like the applicants to reside outside of municipal jurisdictions.

ADDITIONS TO THE AGENDA:

Mr. Greg Greene from the Environmental Services Office announced that the County had been awarded a grant from the Clean Water Management Trust fund in the amount of \$2.27 million. He stated that the grant would be used for the Grants Creek Conservation Corridor and would be administered through the Yadkin/Pee

Dee River Basin Association. He added that most of the funds would be used to purchase easements along the creek to aide in conservation.

Commissioner Tadlock asked if the County would be required to match the funds. Mr. Greene stated that there was no County match and he anticipated no budget requests in the future.

There being no further business, Chairman Cohen declared the Board in Closed Session for the purpose of discussing an economic development project.

Upon conclusion of Closed Session Chairman Cohen declared the Board back in Open Session. No action was taken during Closed Session.

Commissioner Tadlock moved to take lot 1 of Summit Corporate Center off of the market to allow the Board to consider commercial use for the property. Commissioner Blount seconded and the motion carried.

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

Respectively Submitted,

Kelly Dickinson, CMC
Clerk to the Board