

MINUTES OF THE MEETING OF THE  
ROWAN COUNTY BOARD OF COMMISSIONERS  
AUGUST 16, 1999 – 7:00 P.M.  
COMMISSIONER'S MEETING ROOM, ADMINISTRATION BUILDING

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 Board to order and Commissioner Blount provided the invocation. Commissioner Rowland led the Board in the Pledge of Allegiance.

ADDITIONS TO THE AGENDA:

\* Mr. Russell asked the Board to set a public hearing for an application for transportation grant funds.

\* Mr. Russell also asked to give the Board an update on the Norman's property concerning the state's certification for no contamination.

CONSIDERATION OF CONSENT AGENDA:

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

The consent agenda consisted of the following items:

- (A) Approval to add *Catawba Drive Extension* to the NCDOT

- Secondary Road System for Maintenance
- (B) Refunds totaling \$72.00
- (C) Approval of Budget Amendments for:
  - Recognize Robertson Grant for Health Ed II
  - To Budget Remainder of Special Adoption Funds from FY99
  - To Budget Smart Start Funds for Income Maintenance Technician Position

PUBLIC HEARING: PROPOSED ROAD NAME CHANGES:

Chairman Cohen opened a public hearing for comments on the following road name changes: Bird Haven Lane, Central Street, Dream Lane, Orbison Road, Sunset Field Drive & Brooks Link Road.

Citizens who addressed the Board were:

James Alexander – provided a petition from property owners on Central Street who requested the name not be changed.

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

Commissioner Blount asked staff if keeping the Central Street duplication would affect the response for E911 calls. Marion Lytle, County Planner, stated that there are several duplications within in the County and he did not feel it would create an eminent danger.

Commissioner Rowland moved to approve the road names as submitted. Commissioner Chamberlain seconded and the motion carried.

CHANGE SCHEDULE FOR SEPTEMBER MEETING:

Commissioner Tadlock moved to reschedule the first meeting in September to Tuesday, September 7, 1999 at 9:00 a.m. Commissioner Blount seconded and the motion carried.

SCHEDULE PUBLIC HEARINGS:

Commissioner Tadlock moved to set a public hearing for the transportation grant funds application at 9:15 a.m. on September 7, 1999. Commissioner Blount seconded the motion and it passed by unanimous vote.

Commissioner Blount moved to set a public hearing for a zoning designation change request for September 7, 1999 at a time to be determined by the Clerk. Commissioner Tadlock seconded the motion and it passed unanimously.

ADDITION TO THE AGENDA:

Mr. Russell told the Board that part of the agreement with Paul Fisher for the sale of the Norman's property was that the County would obtain a Brownfield Agreement. He said that working through that process it was discovered that a Brownfield Agreement wasn't applicable to this property. The State instead has forwarded two letters of notice that no further action was necessary concerning any type of site contamination. Rowan County will now have to notify the surrounding property owners that no further action would be taken, as well as cap the five wells on the property permanently.

PROPOSALS FOR PAVING HEALTH/MENTAL HEALTH PARKING LOT:

Mr. Russell told the Board that bids had been received for paving and drainage work on the Health/Mental Health parking lot. Bids were received from:

REA Construction	\$73,392.80
APAC	93,291.05
Paterson Paving	107,950.00
Blacks Grading	119,300.00

Commissioner Blount moved to award the bid to REA Construction for \$73,392.80. Commissioner Tadlock seconded and the motion carried.

BOARD APPOINTMENTS

Adult Care Home Community Committee – Commissioner Rowland moved to appoint Freida Nikolai and Don Law to the Committee. Commissioner Blount seconded and the motion carried.

DISCUSSION OF MANUFACTURED HOME APPEARANCE AND SITE DEVELOPMENT STANDARDS:

Marion Lytle discussed the development of manufactured home appearance and site development standards. He told the Board that he had spoken with Richard Drucker with the Institute of Government who felt that the standards would be too tenuous to apply to site built homes.

Commissioner Blount stated that the Board had had good intentions with developing the appearance standards but didn't feel it was fair to impose standards on manufactured homes that could be imposed on site built homes.

The Board agreed by consensus to no longer pursue the appearance standards.

PUBLIC HEARING: CONDITIONAL USE PERMIT FOR CP&L:

Chairman Cohen stated that the Board had received an application for a conditional use permit from Carolina Power and Light for a facility to be built in Western Rowan.

Marion Lytle reviewed the staff findings and stated that the application met all criteria and all technical requirements of the Zoning Ordinance.

Mr. Jerry Letchworth, CP & L representative, told the Board that the company had a tentative closing date on the property for September 29<sup>th</sup>, and should all permits in place at the time of the closing.

Chairman Cohen then opened the public hearing for comments on the application. Citizens who addressed the Board were:

Luther Sowers – stated he was opposed to the location of the plant.

Ann Blankenship – stated she lived across from the proposed site and would like CP & L to legally guarantee the protection of the buffers around the facility.

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

Chairman Cohen stated that due to a staff error the Board would adjourn its meeting until August 17, 1999 at 7:30 p.m. to allow any resident who may have been confused about the notice discrepancy a chance to address the Board. He stated that the Board would take action on the application at that time.

PUBLIC HEARING: REZONING REQUEST FROM ODELL BARE

A rezoning request was received from Odell Bare for tax parcel 471-160 in the Little Acres mobile home park. A change from CBI to MHP was requested because a 2.25 acres had been approved for division into four lots. In order to rent the new lots in the CBI district the manufactured home would be required to have masonry underpinning.

Staff recommended approving the request since it conformed with the surrounding property uses.

Chairman Cohen opened the public hearing for comments on the rezoning request.

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

Commissioner Rowland moved to approve rezoning the submitted parcel of land from CBI to MHP. Commissioner Blount seconded the motion and it passed on unanimous vote.

PUBLIC HEARING: REZONING REQUEST FROM A.H. INC. & QUARTERSTONE:

A rezoning request was received from A.H. Inc. and Quarterstone Partners for Southwood, a 28 lot subdivision with frontage on Camp Road and Weatherstone, a 148 subdivision adjacent to Little Acres Mobile Home Park for a change from MHP to CBI.

A portion of the tax parcels in the subdivision were zoned MHP and required different setbacks. The owners wished to change to CBI to ensure uniform setbacks. Ed Muire, Assistant County Planner, noted that the lots would be sold to individual owners and were not rentals as in most MHP zoned areas.

Chairman Cohen opened the public hearing for comments on the rezoning. Citizens who addressed the Board were:

David Wood – owner of A.H. Inc stated they wished to make their subdivision unified.

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

Commissioner Chamberlain moved to grant the rezoning request as submitted. Commissioner Blount seconded and the motion carried.

THIRD CREEK WATERSHED:

Tommy Bowles, Iredell County Commissioner and Wade Carrigan, Iredell Soil & Water Board addressed the Board concerning dam maintenance in the Third Creek Watershed.

Mr. Bowles told the Board that Iredell and Rowan had entered an agreement in October, 1974 for the maintenance of the watershed district with Iredell paying 70% and Rowan 30%.

He stated that Iredell County had twice been to the Board with a request to fund repairs to the mostly severely damaged dams, but were turned down. He stated that Iredell County had decided to pursue the repairs. He submitted a bill to the Board for \$127,060.80 for Rowan County's 30% share of the cost of the repairs.

Commissioner Chamberlain asked if this request was the same request brought before the Board in 1996. Jim Summer, Iredell Soil & Water supervisor stated that it was. Commissioner Chamberlain asked when work had begun and why the Board had not been notified. Mr. Summers stated that the contracts were signed and work begun in July, 1999.

Commissioner Blount stated he would like to know how many people and properties in Rowan County were affected by the watershed area and dams. He stated it seemed unfair to ask the entire county to pay for something that will only benefit a small number of people or properties.

Commissioner Tadlock asked about the initial grant money that was received to install the dams and added that he would be reluctant to commit money without determining other revenue sources. He stated he felt the land in this area was only good for farming and he did not want to over burden the farmers with a district tax.

Joel Mashburn, Iredell County Manager stated that he felt there were opportunities for others to participate in the cost of the repairs and added that this cost only addressed the three most critical repairs.

The Board accepted the information and Commissioner Blount asked staff to determine if the County was mandated to maintain the dams and the legality of abandoning them.

#### DONATION FOR SLOAN PARK:

Jim Foltz, Parks Director and Mark Bonnell, Sloan Park Supervisor talked to the Board about the Famous & Historic Tree Trail and the Alice Stanback trail at Sloan Park. Mr. Bonnell told the Board that they had a problem irrigating the trees and had been offered a \$10,000 donation to build a bond to help with the irrigation.

Commissioner Rowland asked what size lake they anticipated building. Mr. Foltz said they weren't sure about the size of the pond but that they would not exceed \$10,000. Commissioner Rowland stated he would like them to investigate building a lake that would meet needs for years to come. Mr. Foltz told the Board

he would research the size of lake feasible for the park and the cost and return to the Board at a later date.

AMBULANCE FRANCHISE FOR THE TOWN OF CHINA GROVE:

Wayne Ashworth, EMS Director stated that Rowan County required a franchise for anyone who provided ambulance services within the County. He stated that a request for a franchise was received from the Town of China Grove to operate in a backup capacity for the County EMS. He stated that the Town had a vehicle and would operate under the County's guidelines for medical care.

Commissioner Chamberlain asked about the liability for the service. Mr. Ashworth stated that he felt both parties would accept liability but he did not feel it would be any greater than currently assumed when First Responders are dispatched.

Commissioner Tadlock moved to grant an ambulance franchise to the Town of China Grove, Commissioner Rowland seconded and the motion carried.

John Miller, China Grove Town Alderman thanked the Board for their consideration.

There being no further business, Chairman Cohen adjourned the meeting until August 17, 1999 at 7:30 p.m.

Respectfully Submitted,

Kelly Dickinson, CMC  
Clerk to the Board