

MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
OCTOBER 4, 1999 – 9:00 P.M.

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

ABSENT: Dave Rowland, Member

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

Chairman Cohen called the meeting to order at 9:03 am. Commissioner Tadlock provided the invocation and Commissioner Blount led the Pledge of Allegiance.

ADDITIONS TO THE AGENDA:

Commissioner Chamberlain added:
1) Purchasing of park tickets
2) Public Comment

CONSIDERATION OF CONSENT AGENDA:

The consent agenda consisted of the following items:

- 1) Approval of minutes of the Rowan County Board of Commissioners meeting from September 7, 1999
- 2) Approval of minutes of the Rowan County Board of Commissioners meeting from September 20, 1999
- 3) Correspondence from:
 - a. Commissioner David Odom from Rutherford County requesting the passage of a resolution. The purpose of the resolution is to influence the state legislature to change the General Statute that requires local health department to provide birth control to minors without parental consent.
 - b. Correspondence from Iredell County Manager Joel Mashburn concerning participation by Rowan County in dam repairs.
 - c. Notification that Rufty-Holmes Senior Center has been certified by NC Division of Aging as the state's first Senior Center of Excellence.

d. Budget Amendments in the amounts of \$2,250 for Murtis Nicholas Memorial fund and \$46,294.00 for Sheriff's Department Local Law Enforcement Block Grant.

Commissioner Tadlock requested to amend the minutes from September 20, 1999 with one date correction.

Commissioner Chamberlain urged the Board to pass the resolution as presented.

With a motion by Commissioner Chamberlain to accept the consent agenda, with one date correction, and a second by Commissioner Blount, the consent agenda was accepted as presented.

C & D LANDFILL ENGINEERING STUDY

Don Conner, Director of Environmental Services, was present to discuss a proposal by S&ME to bring the county demolition landfill into compliance. The engineering study will take approximately nine (9) months to complete, at a proposed cost of \$57,978.

Commissioner Chamberlain questioned Mr. Conner as to whether other bids were received. Mr. Conner stated no. County Manager Tim Russell stated S&ME has been employed by Rowan County since the mid 1980's with a good history.

Commissioner Blount made a motion to accept the proposal from S&ME in the amount of \$57,978 for the engineering study as presented. Commissioner Tadlock seconded the motion. Commissioner Chamberlain voted against awarding the contract due to other bids not being received. The motion carried.

PUBLIC HEARING: REQUEST TO REZONE SHINN PROPERTY

A request was received for rezoning of Shinn Property, Case Z-17-99.

The Board scheduled a public hearing for the next Board Meeting to be held Monday, October 18, 1999, with the time to be determined by the Interim Clerk.

SCHEDULE PUBLIC HEARINGS: REZONINGS

The Board scheduled a public hearing for the next Board Meeting, to be held Monday, October 18, 1999, with the time to be determined by the Interim Clerk.

The following rezonings will be considered:

1. Case Z-18-99, Lucille Kester, Owner, 3350 Old Mocksville Road: RA to CBI.
2. Case Z-19-99, Martha Agner, Owner, 3411 Old Mocksville Road: RA to CBI.
3. Case Z-20-99, Rowan Wildlife Club, 650 Majolica Road: RA to CBI.
4. Case Z-21-99, Margaret Kirby, Owner & Agent, CBI to RS.

Commissioner Blount suggested the Board take time to discuss zoning overall. Commissioner Blount feels there are areas where the Board may want to consider changing the zoning to protect specific commercial and industrial areas.

Commissioner Chamberlain feels more planning emphasis needs to be along the I-85 corridor.

Commissioner Blount made a motion for the Planning Board to look into ideas for possible zoning changes to present to the Board of Commissioners. The Board will then set a public hearing to receive public input.

Commissioner Chamberlain seconded and more discussion followed.

County Manager Tim Russell stated the I-85 corridor should be considered immediately by the Planning Department. Otherwise, with all of the current subdivision growth, industries will have a hard time locating along an interchange.

Commissioner Blount modified the motion for the Planning Board to concentrate on the I-85 corridor and present the results of their study to the Board of Commissioners. Commissioner Chamberlain seconded the motion. Carried unanimously.

PUBLIC HEARING: BLAZE DRIVE

Chairman Cohen opened the public hearing at 9:38 am to consider a road name change request. The road is located East off 100 block of Cool Creek Lane (originates in Iredell County). With no public present to address the issue, the public hearing was closed at 9:39 pm.

Commissioner Blount made a motion to change the unnamed road to Blaze Drive with a second by Commissioner Tadlock. The motion carried unanimously.

PUBLIC HEARING: PROPOSED TEXT AMENDMENTS

County Planner Marion Lytle presented proposed the following zoning and subdivision text amendments to the Board:

- Amend Article XII, Section 3 of the zoning ordinance to clarify requirements to locate multiple single family dwellings on a lot.
- Amend Article IV, Section 6 of the zoning ordinance to require all lots in a new or expanded manufactured home park to be served by an interior paved street.
- Amend Article VI, "Table of Uses" of the zoning ordinance to require a conditional use permit for multifamily developments.
- Amend Section 21-79 of the subdivision ordinance to clarify requirements for creation of lots to serve minor utility facilities.

Commissioner Chamberlain expressed concerns over what actions the County could take to require the mobile home park on Roseman Road to conform to zoning or shut the mobile home park down. Marion Lytle says that as of 2-16-00 underpinning will be required. If owners refuse to cooperate, no new zoning permits will be issued.

Chairman Cohen asked the Planning Department to send notices to all mobile home park owners stating they have until 2-16-00 to have mobile homes underpinned.

Commissioner Blount questioned whether CBI districts should be reconsidered. Marion Lytle stated CBI is a broad district and should be modified, specifically, portions used for industrial use only. Commissioner Blount asked if residential should be taken out of CBI.

Chairman Cohen suggested requiring a conditional use permit to allow residential in a CBI district. Commissioner Blount agreed.

Commissioner Blount would like the public hearing to include citizen input on allowing residential areas in the CBI district.

Commissioner Blount made a motion to modify text amendments presented by requesting all residential in CBI districts be a considered as a conditional use.

Commissioner Tadlock stated he was more inclined to support pulling certain parcels out of CBI that have the biggest potential for industrial locations.

Commissioner Chamberlain seconded the motion. Commissioner Tadlock voted against. The motion carried 3 to 1.

Marion Lytle discussed Subdivision amendments to limit road front development. Commissioner Blount expressed concerns over the loopholes in the ordinance and made the motion to set a public hearing for the proposed text amendments at the next board meeting. Commission Chamberlain seconded the motion which carried unanimously.

UPDATE: FEASIBILITY STUDY FOR REMOVAL OF SEDIMENTATION FROM HIGH ROCK LAKE & BADIN LAKE

County Manager Tim Russell informed the Board of meetings he and the Chairman have attended concerning a proposal that Davidson County initiated on a feasibility study for the removal of sedimentation from High Rock & Badin Lakes. He reminded the Board that several years ago the County approved \$5,000.00 to participate in a feasibility study along with Montgomery, Stanly & Davidson Counties. The study should take approximately nine (9) months at a cost of \$100,000.00 with Rowan County's contribution being \$5,000.00. Chairman Cohen expressed his concern over harmful pollutants that could be found as a result of the study. Any contaminants found would have to be cleaned up thus increasing the price tag of this study. Commissioner Tadlock says he is not in favor of Rowan County continuing in this study. Commissioner McClure of Davidson County has been the coordinator for the solicitation of proposals from interested engineering firms. Commissioner McClure will prepare a proposed news release on the selection of the engineering firm.

BOARD APPOINTMENTS

Adult Care Home Community Advisory Committee – Ms. Betty Kirk with a term of (2-3) years
Rowan County Housing Authority – Mr. Joseph E. Sloop with a five (5) year term
Rowan County Nursing Home Advisory Committee – Ms. Peggy Lipe with one (3) year term

Commissioner Chamberlain made a motion to approve the board appointments as presented. Commissioner Tadlock seconded the motion. The motion carried unanimously.

ADDITIONS TO THE AGENDA

Commissioner Chamberlain asked the Board to consider purchasing three-hundred (300) tickets from Dan Nicholas Park at a price of \$3.75 each. These tickets would be given as an incentive to enroll children in the North Carolina Health Choice Program through the Health Department. Commissioner Chamberlain stated the money would basically be transferred from one department to another. The tickets would include a ride on the train, carousel ride, free game of mini golf and a visit at the petting zoo.

Commissioner Chamberlain made the motion to approve the purchase of three-hundred tickets with a second by Commissioner Blount. The motion carried unanimously.

Commissioner Chamberlain asked the Board consider changing the time of Public Comment at the beginning of the Board Meeting instead of at the end. Commissioner Blount stated the Board could try the change at the next meeting. Commissioner Tadlock suggested a second Public Comment session at the end for those who wish to speak and arrive late to the meeting.

Commissioner Chamberlain made the motion to designate the Public Comment session at 7:10 pm, after the Consent Agenda, with a maximum speaking time of three (3) minutes per person during a fifteen (15) minute period. The motion was seconded by Commissioner Tadlock and carried unanimously. The Interim Clerk was instructed to oversee a sign up sheet and each person who signs up will be addressed by the Chairman to speak at the appropriate time. Commissioner Blount agreed with Commissioner Tadlock that for the first time a second Public Comment session should be held at the end of the meeting. The Board agreed this will be done on a trial basis.

County Manager Tim Russell welcomed Rita Foil, the new Clerk to the Board.

Chairman Cohen adjourned the Board to Executive Session at 11:05 am for the purpose of:

- Purchase of property located in the 300 block of North Main Street, and
- Economic Development

The Board returned to Open Session at 1:08 pm.

Commissioner Blount made a motion to schedule a public hearing for October 18, 1999, for the purpose of discussing the sale of a tract in Summit Corporate Center, for an extended stay facility. The motion was seconded by Commissioner Tadlock and carried unanimously.

With no further business, Chairman Cohen adjourned the meeting at 1:25 pm.

Respectfully Submitted,

Carolyn M. Athey
Interim Clerk to the Board

