

**MINUTES OF THE MEETING OF THE  
ROWAN COUNTY BOARD OF COMMISSIONERS  
February 7, 2000 – 9:00 A.M.  
COMMISSIONER’S MEETING ROOM, ADMINISTRATION BUILDING**

Present: J. Newton Cohen, Chairman  
Steve Blount, Vice-Chairman  
Frank Tadlock, Member  
Arnold 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 Blount led the Pledge of Allegiance.

**ADDITIONS TO THE AGENDA:**

Commissioner Blount stated that he received a letter from Dr. Joe McCann from the schools stating that there were some omissions from the Schools Efficiency Study.

Tim Russell, Manager, asked to go into Executive Session to discuss a legal matter with the County Attorney.

**CONSIDERATION OF THE CONSENT AGENDA:**

Commissioner Blount asked to have item “D” pulled from the Consent Agenda. He questioned the pricing on the subcontractors – HVAC, from the change proposal for the Rowan County Justice Center. Commissioner Blount asked that Ken Deal, Director of Administration, get a breakdown on this amount because it appeared to be extremely high.

Commissioner Tadlock moved to approve the Consent Agenda.  
Commissioner Blount seconded and the motion carried unanimously.

The Consent Agenda consisted of the following:

- A. Approval of minutes for the 12/20/99, 1/3/00, and the 1/17/00 Meeting
- B. Approval to sell Surplus Library Materials
- C. Resolution to support Land and Water Conservation Program
- D. Construction change order for Rowan County Justice Center
- E. To set 3 Public Hearings for: Z-2-00 CBI to RA ( Wiggins request), Z-3-00 MHO overlay (McManus request), CUP-1-00 (Bancroft & Patterson request)
- F. Budget Amendments

**PUBLIC COMMENT PERIOD:**

Chairman Cohen opened the Public Comment Period. Those speaking to the Board were as follows.

1. Wayne Eller, former law enforcement officer, asked the Board for their endorsement on establishing an incentive fund reward program aimed at solving the 30 unsolved murder crimes in Rowan County since 1965. Mr. Eller stated that there would be no cost to the County and he intends to fund the program out of his pocket. This program will compliment the “Crime Stoppers” program and is to offer a reward for information *leading to the arrest* of the murder crime. There will be anonymity for the person providing this information. Commissioner Blount expressed that he would like to hear from the Sheriff’s Department. Commissioner Chamberlain stated that this is a “grand gesture” but too early to make comments. Chairman Cohen asked Mr. Eller to bring more information back to the Board.
2. Calvin Byerly, from the Liberty Fire District, addressed the Board with his concern that more accurate information is needed on establishing a service district. He said that the figures were based on a 1999 tax base and not a 2000 tax base. He concluded that the public at large were not given accurate information. Commissioner Blount explained that the tax rate has not been set. Chairman Cohen commented that the Fire Commission will give the recommendation on the tax rate.
3. Norene Foster, addressed the Board wanting clarity on the tax rate for the Liberty Fire District.

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

**PRESENTATION ON THE SUSTAINABLE COMMUNITY DEVELOPMENT COMMISSION:**

Commissioner Blount applauded this group for their hard work towards growth in Rowan County. He informed the Board that this commission falls under the Strategic Planning Committee and are here to ask the Board to endorse them. Commissioner Blount also clarified that this is not a political commission.

Bill Wagoner, expressed to the Board that this commission began two years ago with a vision process and about one year ago began implementing programs. Mr. Wagoner reviewed the “By Laws” and the “Mission Statement” and the “Guiding Principals” which were previously given to each Commissioner. Strategically thinking, this commission is to affect changes and to get them moving. Mr. Wagoner stated the commission is requesting consideration from the Board to move forward in their endeavors.

Dr. John Wear, reiterated that this commission is to encourage development and implementation of a development strategy that meets the special interest of the entire County. This is not a decision making commission, but rather one of support. The commission is comprised of a broad spectrum of members (eight of which were present), representing a variety of areas to try to resolve conflicts and build consensus. Dr. Wear continued to inform the Board that the commission is examining the I-85 corridor, the greenway system and preservation of farmland and open space.

Commissioner Chamberlain stated that he would like to see two Commissioners on this commission and also voiced his concern that there was not an equal amount of Municipalities represented on this commission.

Mr. Wagoner stated that the Municipalities Association decided on a singular representative and he also voiced caution about having elected officials to serve on this commission.

Commissioner Blount made a motion to endorse the Sustainable Community Development Commission, the by-laws and the issues. Commissioner Tadlock seconded the motion.

Commissioner Chamberlain reiterated his strong concern for equal representation from Municipalities.

The motion passed by a 4/1 vote with Commissioner Chamberlain voting no.

**PUBLIC HEARING FOR THE FINANCING OF THE ALDI WATER SYSTEM IMPROVEMENT PROJECT:**

Chairman Cohen opened the Public Hearing to entertain comments concerning the financing of the ALDI Water System Improvement Project.

There being no one in attendance who wished to address the Board, Chairman Cohen closed the Public Hearing.

Commissioner Blount made a motion to approve the funding of this project as presented. Commissioner Tadlock seconded and the motion carried.

**PROPOSAL FOR FINANCING OF THE ALDI WATER SYSTEM IMPROVEMENT PROJECT:**

Commissioner Tadlock made a motion to accept the recommendation for the bid from Central Carolina Bank of \$1,551,519.92 for financing of the ALDI Water System Improvement Project. Commissioner Blount seconded and the motion carried. The bids received are as follows:

1. Central Carolina Bank	\$1,551,519.92
2. First Union	1,558,331.38
3. BB&T Governmental Finance	1,567,171.15
4. Centura Bank	1,573,455.22
5. Bank of America	1,587,299.58
6. Wachovia Bank	1,608,402.67
7. Koch Financial	1,619,803.75

Leslie Earnhardt, Finance Director, asked the Board to give the authority to open a bank account for the loan proceeds.

Commissioner Blount made a motion to approve the opening of a bank account for the loan proceeds, adding the authorization of the Finance Director to execute and deliver the Commitment Letter and the Installment Finance Agreement with Central Carolina Bank, and any other certificates or instruments that may be required. Commissioner Tadlock seconded and the motion carried unanimously.

Chairman Cohen adjourned for a brief break.

Chairman Cohen reconvened the meeting.

**POTTER & COMPANY, P.A. PRESENTATION OF THE JUNE 30,1999  
AUDITED FINANCIAL STATEMENTS:**

Sam Ledder, auditor with Potter and Company, PA, presented the June 30, 1999 Audited Financial Statements to the Commissioners stating that this is an *unqualified audit report*, which is the highest level of assurance that a CPA firm can issue in financial statements. Mr. Ledder stated this was largely in part to the outstanding job of the County Finance Director and her staff.

Mr. Ledder commented that in previous years DSS lacked in being able to produce the proper documentation, record retention, and an inability to locate some of the files they requested. This year there was a tremendous improvement and Mr. Ledder praised Sandra Wilkes and her staff for this “huge” improvement.

Mr. Ledder reviewed the financial position in cash and investments by funds and he also reviewed the changes in Governmental and Enterprise fund types.

Mr. Ledder went over various graphs depicting Governmental Fund Type Revenues and Expenditures, Property Tax Levies and Collections, and the General Fund Balance. He then proceeded to discuss different reports encompassing Potter & Company’s responsibilities, the County’s policy, and the County’s financial records.

Mr. Ledder addressed different areas that needed some improvement, such as minor documentation with DSS, application files missing in Personnel files, and updating the Policy and Procedures Manual.

Commissioners Chamberlain and Rowland questioned the 96.6 percent of taxes collected, which Mr. Russell stated that this was a year end figure and 99.5 percent would actually be collected.

**RESOLUTIONS FOR APPROVAL TO ESTABLISH A SPECIAL FIRE  
SERVICE DISTRICT FOR LIBERTY VOLUNTEER FIRE  
DEPARTMENT AND MERGING CENTENARY AND MT. ULLA-BEAR  
POPLAR FIRE DEPARTMENT:**

Commissioner Blount made a motion to adopt the Resolution to establish a special fire service district for Liberty Volunteer Fire Department and the Resolution to merge Centenary and Mt. Ulla-Bear Poplar Fire Department. Commissioner Rowland seconded the motion.

Chairman Cohen expressed that most of the residents in the Liberty Fire District wanted the tax and he hoped that they would remember to thank Bill Misenheimer for all he has done for the Liberty Volunteer Fire Department.

The motion carried unanimously.

**PROPOSAL FOR FINANCING VOTING EQUIPMENT AND SHERIFF’S DEPARTMENT VEHICLES:**

Leslie Earnhardt, Finance Director, presented to the Board the financial proposals for the purchase of voting equipment and twelve vehicles for the Sheriff’s Department. Ms. Earnhardt recommended the low bid received from Central Carolina Bank for a total cost of \$587,753.05.

The following are the bids received:

1. Central Carolina Bank	\$ 587,753.05
2. First Union National Bank	588,532.77
3. BB&T Governmental Finance	591,498.96
4. Fidelity Bank	591,801.26
5. Wachovia Leasing Corporation	592,883.70
6. Koch Financial Corporation	598,293.31
7. Bank of America	599,355.98

Commissioner Blount made a motion to accept the resolution as presented. Commissioner Tadlock seconded and the motion carried unanimously.

Leslie Earnhardt asked for approval to open accounts at the North Carolina Capital Management Trust.

Commissioner Blount made a motion for approval to open up of these accounts. Commissioner Chamberlain seconded and the motion carried unanimously.

**UPDATE ON DSS MAINTENANCE-OF-EFFORT:**

Mr. Russell gave an update on the Maintenance-Of-Effort (MOE) with the TANF program and the potential risk of losing over \$600,000 of County funds.

Leslie Earnhardt, Finance Director, reviewed with the Board the projected expenditures that can be reimbursed by federal funds and what can be applied towards the MOE. Ms. Earnhardt showed that the shortfall of County MOE expenditures is \$414,815. The actual loss to the County of

Federal TANF dollars to be paid from County funds is \$161,986, which shows a savings to the County of \$252,829 which would not be lost.

Mr. Russell stated that if the state granted a waiver, Rowan County would keep the entire \$414, 815. If the state does not grant a waiver, Rowan County will have to re-code the \$161,986 because this is federal money that Rowan County will not be able to earn and Rowan County will have to put County money in its place. So the net savings will be \$252,829.

Commissioner Blount summarized the above by stating that the County could either spend \$414,815 in existing programs or establishing new programs, or be at a loss in the amount of \$161,986.

Commissioner Blount asked if the funds could be used towards education and if funds could be pre-paid and reimbursed. Mr. Russell stated that this could not be pre-paid.

Commissioner Blount made a motion to accept Staff's recommendation to ask for a waiver of these funds. Commissioner Tadlock seconded and the motion carried unanimously.

#### **REPORT ON RENOVATIONS FOR DSS:**

Ken Deal, Director of Administration, reviewed with the Board an itemized list of repairs and the cost of these repairs for property located at 165 Mahaley Avenue which came to a total of \$107,300. This facility will be used for Child Protective Services (CPS) under DSS. CPS has currently been leasing a facility on Corriher Avenue.

Commissioner Rowland suggested to the Board that Rowan County CPS remain at their current location, save the cost of renovations and lease the building on Mahaley Avenue to another source. With the current rate of \$12 to \$13 per square foot to lease property, Rowan County could net about \$50,000 a year from leasing this property.

Commissioner Blount stated that this concept was intriguing and asked Staff to come back with a feasibility study.

Chairman Cohen adjourned the meeting so that the Zoning Board of Adjustments could meet at 11:00 A.M. and also for lunch.

Chair Cohen reconvened the meeting at 1:45 P.M.

**FORMAL PROPOSAL FOR THE JUSTICE CENTER FROM ADW REPRESENTATIVES:**

Richard Atkinson and Brian Gaddis, from Atkinson Dyer Watson Architects of Charlotte presented to the Board a detailed assessment of a space needs study for the Rowan County Justice Center for the courts. They presented to the Board a detailed book showing charts, maps and explanations for possible growth and solutions in these areas.

Mr. Atkinson and Mr. Gaddis described the critical need to relocate the probation and parole offices which are currently in the basement of the courthouse. Probation and parole officers often meet with parolees after regular working hours which leaves the Justice Center unlocked and security is major concern. Records, which are located in the basement of the courthouse, need to be moved to an elevated area so they will not risk being destroyed by water.

The Sheriff's Department has a need for more clerical and detective areas. There is no privacy for detectives in their current office space.

Commissioners voiced their concern as to where the money will come from for these renovations and buildings. These concerns will be addressed at the Commissioner's Planning Retreat.

Ken Deal asked the Board to approve a list of items necessary to upfit the new court rooms and offices on the second floor of the Justice Center. The total cost of the furnishings and the sound system is not to exceed \$42,350.

Commissioner Chamberlain made a motion to approve this request and emphasized that the total amount *is not* to exceed \$42,350. Commissioner Tadlock seconded and the motion passed by a unanimous vote.

**I-85 CORRIDOR STUDY PRESENTATION:**

Marion Lytle, from the Planning Department, presented an updated overview of the I-85 Corridor Study detailing an analysis of land along the I-85 / US 29 Corridor. Mr. Lytle stated that they have been working closely with the Economic Development Commission. Maps were presented with detail information on 19 proposed industrial and commercial areas. Mr. Lytle pointed out the areas which contained poor soil, junk yards and cell towers and those areas which currently have water and sewer. When asked by a Commissioner as to the response planners have received from property owners in this area, Mr. Lytle answered that many people are unaware of the

plan and the potential zoning reclassification. Public input will come at a later date when workshops will be scheduled.

Randy Harrell, Director of the Economic Development Commission, commented that identifying potential sites along the I-85 Corridor is the right course to take in preparing for smart growth for Rowan County.

Commissioners are to take a detailed look at the I-85 Corridor during the Planning Retreat scheduled for the next week.

**BOARD APPOINTMENTS:**

The Board approved the following board appointments by a unanimous vote.

Adult Care Home Community Advisory Committee:

- 1) Pastor Weldon Key

Rowan County Nursing Home Advisory Committee:

- 1) Betty Rufty
- 2) Patricia Hauck Moore

Rowan County Housing Authority:

- 1) Robert Curry

Personnel Commission:

- 1) Rick Eldridge

Chairman Cohen adjourned the meeting at 3:25 p.m. to go into Executive Session for the purpose of:

- A Legal Issue to be discussed by the County Attorney

There being no action taken during the Executive Session, Commissioner Chamberlain made a motion to adjourn the meeting at 3:56 p.m. The motion was seconded by Commissioner Rowland and carried unanimously.

Respectfully Submitted,

Rita K. Foil  
Clerk to the Board

