

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
JUNE 5, 2000 – 9:00 AM
COMMISSIONER’S MEETING ROOM, ADMINISTRATION BUILDING**

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

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

Chairman Cohen called the meeting to order at 9:15 am. Commissioner Tadlock provided the Invocation and Commissioner Blount led the Pledge of Allegiance.

ADDITIONS TO THE AGENDA:

- Tim Russell, County Manager, asked to have additional budget amendments added to the Consent Agenda.
- Mr. Russell asked to add a request from a retired Rowan County Sheriff’s Deputy to retain the official duty weapon issued to him.
- Chairman Cohen asked to add a report from the Rowan-Salisbury School Board on the State Average Per Pupil Appropriation.
- Commissioner Tadlock requested to add a report on the land acquisition from the Library Board.
- County Attorney, John Holshouser, requested to go into executive session for the purpose of a legal concern.

ADDITION: SCHOOL BOARD INFORMATION ON THE STATE PPA:

Chairman Cohen reviewed a memo distributed to all Commissioners concerning the 2000-2001 State Average Per Pupil Appropriation and discussed the amount of funding the schools would also receive for teacher supplies. Chairman Cohen voiced concern over what actually goes into the teachers hands and how much discretion they have in applying these funds.

Dr. Betty Starr, Chairman of the School Board, stated that the \$325,000 for teacher supplies, which the Commissioners fund, will be at the teachers discretion. Dr. Starr continued to express the appreciation to the Commissioners for their commitment to meet the State Average Per Pupil Appropriations and for the Teacher Supplies funding.

Commissioner Rowland explained that Rowan County departments and employees are suffering because of the funding going to the schools.

Dr. Joe McCann reviewed with the Board a summary sheet for revenues and expenditures for accepting the Commissioner's proposal and not accepting the Commissioner's proposal. Dr. McCann also reviewed spreadsheets showing the funding necessary to increase supplements to the current state average per pupil and pointed out the areas that directly impact students and teachers. Dr. McCann expressed his appreciation for the commitment of the Commissioners for the school funding.

Chairman Cohen made a motion that if the School Board increased the funding for Teacher Supplies, then the Commissioners would increase their funding. This motion failed for a lack of a second.

ADDITION: DEPUTY TO RETAIN THE OFFICIAL DUTY WEAPON:

Chairman Cohen explained that when a Deputy with the Sheriff's Department retires, they may retain the official duty weapon upon request.

Commissioner Tadlock made a motion to accept the request from Lt. C. W. Harrington to retain his weapon. Chairman Cohen seconded and the motion carried. Commissioner Blount was absent for this vote.

ADDITION: BUDGET AMENDMENTS:

Mr. Russell reviewed with the Board the additional Budget Amendments for:

1. To budget funds to be received for approved projects from the Public School Building Capital Fund.

2. To appropriate funds from the Murtis Nicholas Memorial Fund for Playground equipment.
3. To cover over expenditures in Concession supplies for the Parks.
4. To budget funds for “Kid’s Day “ for the Parks.

Commissioner Tadlock made a motion to approve the additional budget amendments. Commissioner Blount seconded and the motion carried unanimously.

CONSIDERATION OF CONSENT AGENDA:

Commissioner Blount moved to approve the Consent Agenda as submitted. Commissioner Tadlock seconded the motion. Chairman Cohen noted the correction to Item B, which should read \$110,577.00 and not \$110.57. This was noted and corrected. The motion carried unanimously.

The Consent Agenda consisted of the following:

- A. Approval of the 5/15/2000 minutes.
- B. To set a public hearing for approval of the NCDOT ROAP State Grant.
- C. To set a public hearing for approval of the Solid Waste Management Plan.
- D. To set a public hearing for Z-10-00 for a request from Darius Hedrick.
- E. Approve a Resolution of an Ordinance fore a Tax Levy on Lease or Rental of Motor Vehicles.
- F. To approve a Resolution for the issue of remote sales tax.
- G. To approve a Resolution for Working with the Federal Emergency Management Agency (FEMA).
- H. A change Order for CP&L.
- I. To approve Budget Amendments.

ADDITION: MERIT PAY AND OTHER CHANGES TO THE PROPOSED BUDGET:

Commissioner Chamberlain stated that he had reviewed the four proposals given by the County Manager and he questioned why Employee Merit allocations were not included in priority one. Since money has been located in the Landfill Enterprise Fund, Commissioner Chamberlain would like to have \$250,000, for Employee Merit, to be put back in the budget. Commissioner Chamberlain continued to explained that he had received a number of anonymous letters from employees concerning the Merit and he strongly expressed that he does not like anonymous letters.

Commissioner Rowland expressed his concern that this is a recurring item and the Landfill Fund has been “hit” hard for additional items.

Commissioner Chamberlain made a motion to reinstate the Employee Merit Pay and Commissioner Tadlock seconded. Commissioner Chamberlain stated that any changes in the Merit Pay, should be done at the “front” not at the “end”. Commissioners discussed looking further into providing a “Bonus Pay” instead of a “Merit Pay”. The motion carried by a 4/1 vote with Commissioner Rowland voting no. Commissioner Rowland stated that he voted “no” due to the funds coming from the Landfill Enterprise fund.

In response to Commissioners asking Mr. Russell his feelings on using the Landfill Enterprise fund, he stated that this fund has been used for the schools in the past. Mr. Russell cautioned that this should not routinely be seen as a “gold mine” and to be cautious of how revenue is generated. Mr. Russell stated that using this fund is acceptable since there was a large increase allocated to the schools.

Commissioner Tadlock stated that this fund was used to avoid increasing taxes. Commissioner Tadlock also asked to withdraw the proposed amount of \$10,323 for the Social Worker II and to add \$250,000 for the Parks. Also the amount of \$361,828 for the 300 Block of North Main was reduced to \$200,000.

Commissioner Tadlock made a motion to accept the changes as recommended by the Commissioners. Commissioner Chamberlain seconded and the motion carried by a 4/1 vote with Commissioner Rowland voting no.

PUBLIC COMMENT PERIOD:

Chairman Cohen declared the Public Comment Period open to entertain comments from those who wished to address the Board. Those who chose to speak are as follows:

1. Mike Zimmerman, a resident on the Southern part of Rowan County, expressed concern for an area on Barber Junction Road where there is no room for vehicles to pass and he voiced concern about a railroad crossing located in this area. There are no culverts or ditches and he expressed his concern for log trucks, which travel this road and often have logs that fall from the truck. He feels that this road should be abandoned, dead-ended or the State or County should pave and widen the road.

There being no further comments, Chairman Cohen closed the Public Comment Period.

PUBLIC HEARING FOR SECONDARY ROADS PAVING PROGRAM:

Chris Corriher and Mike Patton, from the State Department of Transportation, presented the yearly report on the Secondary Roads Paving Program for 2000-2001.

Mr. Corriher stated that there were less funds this year, since there is no available bond money. Maps were passed out to the Commissioners along with handouts. Mr. Corriher stated that, subject to available funds, funds are allocated for road improvements and road widening.

Commissioner Tadlock questioned that numerous road shoulders are in terrible shape and need maintenance. Mr. Corriher stated that this would fall under the road widening allocations.

Mr. Cohen expressed concern if these improvements will address the low rating that Rowan County has received. Mr. Corriher stated that this issued is totally separate, but Rowan County will have more paved roads.

Ms. Margaret Kluttz was present but had to leave early to attend a meeting in Raleigh.

Chairman Cohen opened the public hearing to entertain comments. There being no one in attendance who wished to address the Board, Chairman Cohen closed the public hearing.

Commissioner Tadlock made a motion to pass a resolution to support the Secondary Road Paving Program. Commissioner Blount seconded and the motion carried unanimously.

REQUEST FOR FUNDING THE CHINA GROVE PROJECT:

Mike Patton presented to the Board a project in the China Grove area. This project will align the intersections of East Church St. and NC 152 and close the railroad crossings at Chapel St. and Liberty St. in China Grove. This project is part of the Federal Crossing Hazard Elimination program and the South End Traffic Separation Study, with an estimated start date of two and one-half years.

The General Statues require a resolution from the County Commissioners endorsing the project before the funds can be allocated.

Chairman Cohen made a motion to pass a resolution to support the project in the China Grove area. Commissioner Chamberlain seconded and the motion carried.

APPROVAL OF THE RIVERPARK PROJECT:

Jane Simpson and Ken Sales from the Davie County Chamber of Commerce, explained to the Board a plan to develop a low impact, nature park on both sides of the South Yadkin River located at Cooleemee Falls to be named "Riverpark". This park will encompass approximately 80 acres in both Davie and Rowan Counties. Commissioners were given packets, which detailed information on this project. The Riverpark Task Force, according to the availability of funds, has identified portions of the project to be completed in different phases.

They are asking that Rowan County and Davie County each to contribute \$25,000 to establish the Master Plan, which is being developed by Pilot View, Inc. Plans are to include parking, restrooms, campgrounds, picnic areas, hiking and biking trails, a park entrance, a sandwich shop, and availability for tubing and canoeing.

Commissioner Blount expressed that the Commissioners would need time to think about this project before making a commitment.

Chairman Cohen called for a break at 10:50 am.

Chairman Cohen reconvened the meeting at 11:05.

DISCUSSION ON THE PROPERTY FOR THE VOCATIONAL REHABILITATION WORKSHOP:

Commissioner Chamberlain discussed with the Board the options, which were presented by the Rowan Vocational Opportunities, Inc., for a property agreement between Rowan Vocational Opportunities, Inc. and the Rowan County Commissioners.

Commissioner Chamberlain made a motion to extend the original agreement, without interest, for a period of 12 months and to end no later than June 30, would be reverted to Rowan County at the time of the sale. Commissioner Tadlock seconded and the motion carried 2001. Should any part of the property be sold during this time, those funds would revert to Rowan County.

Terry Osborne, Executive Director, addressed the Board that they are “not sitting on their laurels”. He reported on the activities working with students who have “fallen through the cracks”. Training is offered to these students, with assistance from the schools and Rowan Cabarrus Community College. Mr. Osborne exclaimed that it is a “win, win” situation.

APPOINT A VOTING DELEGATE AND ALTERNATE FOR THE NACo CONFERENCE IN CHARLOTTE:

Commissioner Rowland nominated Chairman Cohen to serve as the voting delegate and Commissioner Blount as the alternate at the upcoming NACo Annual Conference to be held in Charlotte in July. Commissioner Tadlock seconded and the motion carried unanimously.

RESOLUTION TO APPROVE THE LOCAL WATER SUPPLY PLAN:

Don Conner, Environmental Services Director, presented the Local Water Supply Plan for Rowan County and reviewed the packet of information given to the Commissioners. This packet included information on water use, water supply sources, wastewater, water demand projections, future water supply needs. Mr. Conner explained that there is a formula used to calculate the average daily values and the maximum daily values.

Commissioner Blount made a motion to approve the Resolution for the Local Water Supply Plan. Commissioner Chamberlain seconded and the motion carried unanimously.

DISCUSSION OF WATER & SEWER RATE INCREASE:

Mr. Conner reviewed with the Board an increase of 11.1% on utility rates effective July 1, 2000 for the City of Salisbury. This will increase the water that we resell from the Highway 70 water line. Mr. Conner requested that Rowan County’s water rate be increased from \$2.86 to \$3.17 per 1,000 gallons to cover this increase.

Commissioner Blount moved to approve the increase in the water and sewer rates. Commissioner Tadlock seconded and the motion carried by a unanimous vote.

APPROVE A MULTI-UNIT DEVELOPMENT – REQUEST FROM L.G. BEAVER:

Ed Muire, from the Planning Department, presented to the Board a request from L. G. Beaver of a site plan for the Cedar Village at Grants Creek project to be considered for approval as a multi-unit development.

Mr. Muire reviewed the staff findings explaining that this project is a forty lot multi-family development and is located on eleven tax parcels currently zoned MFR and consists of 15.517 acres. The Overall project and submittal complies with the requirements of the Rowan County Zoning Ordinance.

Mr. Muire explained that fourteen of the forty lots are located partially or entirely within the 100-year flood plain. Flood insurance is widely available.

Commissioner Rowland stated that he had to struggle with approving 14 units in a flood plain.

Commissioner Blount asked for staff to work on recommendations for construction in the flood plain.

Commissioner Blount moved to establish a two-foot flood elevation in the 100-year flood plain. Also, to either retain the 50-foot set back as a natural buffer or to place the residual tract of 8.091 acres as a conservatory easement to the Land Trust. Commissioner Tadlock seconded and the motion carried unanimously.

ACCEPTANCE TO PURCHASE PROPERTY FROM CYNTHIA GARCIA:

Commissioner Chamberlain reviewed with the Board a vacant lot jointly owned by Rowan County and the Town of Spencer. Ms. Cynthia Garcia lives next to this lot and has offered the County \$2,900.00 for this property, which lists at a value of \$6,360.00. Ms Garcia has been partially maintaining the lot and paying monthly exterminator fees. Ms. Garcia operates a daycare and she is concerned about rats that have been discovered in a dead tree . Commissioner Chamberlain stated that he visited this property, as well as Don Conner. Ken Deal, Director of Administration, had the property cleaned-up, at which time a bed of snakes was also discovered.

Commissioner Chamberlain moved to sell this property to Ms. Garcia for \$2,900.00, subject to an upset bid. Chairman Cohen seconded and the motion carried unanimously

ADDITION: LIBRARY PROPERTY:

Commissioner Tadlock made a motion to ask the County Manager to conduct an evaluation, negotiation and appraisal of the property in the South Rowan area, which is being considered for the site of the new South Rowan Library. Commissioner Blount seconded the motion, giving the County Manager “free reign” up to \$200,000.00. The motion carried unanimously.

BOARD APPOINTMENTS:

Commissioner Chamberlain asked to have the Adult Care Home Community Advisory Committee and the Alcohol Beverage and Control Board (ABC Board) appointments “tabled” until next month’s meeting.

Arnold Chamberlain made a motion to appoint the following as the County Representative on the Salisbury-Rowan Human Relations Council.

- Darlene Boling

Commissioner Tadlock seconded and the motion carried unanimously.

Commissioner Tadlock made a motion to appoint and re-appoint the following to the Juvenile Crime Prevention Council.

To be appointed:

- Maria Soler
- Tony Burton
- Terry King
- Rev. Michael Taylor
- Rev. Bobby Smith
- William Hogan

To be re-appointed:

- Jeff McCombs
- Eddie Chamberlain
- Bob Lippard
- Phyllis Cornelison

Commissioner Blount seconded and the motion carried by a 4/1 vote. Commissioner Chamberlain declined to vote due to the fact that his son Eddie Chamberlain is requesting re-appointment.

Commissioner Blount made a motion to approve the following for appointments to the Criminal Justice Partnership Advisory Board.

- Rev. Michael Taylor
- Sean Walker

Commissioner Chamberlain seconded and the motion carried unanimously.

Commissioner Tadlock made a motion to approve the following to the City of Kannapolis Board of Adjustment.

- Charles Clawson

Commissioner Blount seconded and the motion carried unanimously.

ADDITION: NC LEGISLATIVE WEEKLY REPORT:

Chairman Cohen stated that there is a proposal in the State Budget to place a \$5.00 per ton surcharge on anything brought to the Landfill. Chairman Cohen asked that this be vigorously opposed.

Commissioner Rowland stated that the “Landfill is being raided and taxed to death”.

Chairman Cohen made a motion to have a letter sent to the legislators to reject this proposal and also to ask the State Association to establish a statewide Resolution in opposition of the surcharge. Commissioner Tadlock seconded and the motion carried.

Chairman Cohen adjourned the meeting at 12:05 p.m. to go into Executive Session to discuss a legal issue.

Chairman Cohen reconvened the meeting to Open Session.

Commissioner Blount made a motion to advertise for a public hearing to receive additional information on a prior request by SBA Towers to build a cell tower and also to ask staff to do a presentation on cell towers. Commissioner Tadlock seconded and the motion carried by a 3/2 vote with Commissioner Chamberlain and Commissioner Rowland voting no.

Commissioner Chamberlain made a motion to have one meeting during the month of July to be held at 7:00 p.m. on July 10, 2000. Commissioner Tadlock seconded and the motion carried unanimously.

There being no further business, Chairman Cohen adjourned the meeting until 7:00 p.m. for the public hearing on the proposed 2000-2001 budget.

PUBLIC HEARING:

Chairman Cohen reconvened the meeting and opened the public hearing at 7:00 p.m. to hear comments on the proposed 2000-2001 budget.

Citizens who addressed the Board were:

1. Sandra Wilkes, Director of DSS, expressed her appreciation to the Commissioners for the reinstatement of the Merit Plan. Ms. Wilkes stated that the Merit Plan plays a key role for recognition and support to employees. She expressed her concern for the turnover rate, but now that employees can be assured of a Merit, turnover will decrease.
2. Leonard Wood, Director of the Health Department, said "Thank You" for their recognition of employees. Mr. Wood stated that he knows this was a difficult task and it is greatly appreciated.
3. Wayne Ashworth, Director of EMS, wished to echo Ms. Wilkes and Mr. Wood's appreciation of reinstating the Merit for employees. Mr. Ashworth thanked the Commissioners for their dedication to the "most valuable resource – our employees". Mr. Ashworth voiced his concern about funding the Rescue Squad when funds are limited and it is hard to see money go to an outside agency. Mr. Ashworth also expressed that the Southwest Ambulance Station is still an important need and he applauded the four new Telecommunicator positions to be added. Mr. Ashworth stated that "if we are going to criticize, then we should also say thank you".
4. Jeff Hall, Rowan Public Library Employee, expressed his thanks to the Board for their commitment to the Merit Plan. He stated that this plan is needed in order to retain the best employees. Merit keeps us competitive.
5. Mike Holshouser informed the Board that he is a ten year member of the Rescue Squad and expressed his thanks and support with the budget and funding. This funding will help with staffing and enable a quicker response time.
6. John Morrison, from the West Rowan Fire Department, expressed his support of the Rowan County Rescue Squad. He stated that this is money "well spent". He also expressed his appreciation for the new Telecommunicator positions.

7. Chad Kiser, from the West Rowan Fire Department, stated that he also supports the Rescue Squad and said “Thanks”.
8. Becky Waller, from the South Rowan area, stated her support for the Rescue Squad and the EMS department citing that they do a terrific job. She would like to see EMS have a South Rowan Ambulance Station. She expressed concern about the response time.
9. Ed Haden expressed his concern that senior citizens are “sliding through the cracks”. He was concerned that his property increased 20% through revaluation this year. Mr. Haden passed out an article on the schools and expressed his concerns about the classroom supplies. He referenced the school board meeting when Chairman Cohen and the County Manager left the meeting early. Mr. Haden passed out cans of beets to all the Commissioners stating that “if you can’t get blood out of turnips, try beets”.
10. Harold Moorefield, from the Rowan County Rescue Squad, thanked the Commissioners for their consideration for support of the Rescue Squad. He also expressed that this funding will help with time delays. He continued to state his appreciation and realized the struggle the Commissioners have been through.

Mr. Haden interjected to show the Commissioners his prescription bottles and the high price he has to pay to have these filled. Chairman Cohen asked if these were “viagra”.

11. Mike Zimmerman thanked the Commissioners for their support of the Rescue Squad and expressed concern about funding for EMS. He acknowledged the growth the county is facing and the number of emergency calls are increasing. He asked the Commissioners to please consider all emergency requests so that everyone can enjoy “quality of service”.
12. Sheriff Wilhelm, thanked the Commissioners for the Merit and Cost of Living Adjustments (COLA) for employees and that all employees enjoy COLA. He stated that all of Rowan County deserves the best service, especially emergency service. Sheriff Wilhelm gave an update on Deputy Fortune, who was injured in a shooting, stating that the injuries were more serious than expected, but he is recovering.
13. Alfred Price, from the Liberty Fire Department, expressed his support for the Rescue Squad and thanked the Commissioners for the funding.

Chairman Cohen asked Dr. Joe McCann, Superintendent of the Schools to come forward. Dr. McCann thanked the Board and gave an extended thanks from the Board of Education for the support from the Commissioners. He stated that there are areas that will receive funding, that would not have otherwise.

There being no further comments, Chairman Cohen closed the public hearing and declared the discussion for Commissioners open.

Tim Russell, County Manager, stated that there are six funds to approve for the Fiscal Year 2000-2001 for the Rowan County Budget. Mr. Russell added that the money to the schools would be released after July 1, 2000 and after the schools adopt a resolution.

Commissioner Tadlock made a motion to approve the Rowan County Budget Ordinance for the General Fund - Fund 101. Commissioner Chamberlain seconded and the motion carried 4/1 with Commissioner Rowland voting no.

Commissioner Blount moved to approve the Rowan County Budget Ordinance for the Special Fire and Service District Taxes Fund – Fund 201. Commissioner Chamberlain seconded and the motion carried unanimously.

Commissioner Blount moved to approve the Rowan County Budget Ordinance for the Emergency Telephone Assistance Fund – Fund 202. Commissioner Chamberlain seconded and the motion carried unanimously.

Commissioner Blount moved to approve the Rowan County Budget Ordinance for Risk Management Self-Retention Program Fund – Fund 501. Commissioner Chamberlain seconded and the motion carried unanimously.

Commissioner Tadlock moved to approve the Rowan County Budget Ordinance for the Solid Waste Enterprise Fund – Fund 601. Commissioner Chamberlain seconded and the motion carried by a 4/1 vote, with Commissioner Rowland voting no.

Commissioner Blount moved to approve the Rowan County Budget Ordinance for the Rowan-Kannapolis Sports Consortium Fund – Fund 602. Commissioner Tadlock seconded and the vote carried by a 4/1 vote with Commissioner Rowland voting no.

There being no further business, Chairman Cohen adjourned the meeting at 8:00 p.m.

Respectively Submitted,

Rita K. Foil
Clerk to the Board