

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
November 6, 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, and the Clerk to the Board were also present.

Chairman Cohen called the meeting to order at 9:00 am. Commissioner Tadlock provided the Invocation and the Commissioners lead the Pledge of Allegiance.

ADDITIONS TO THE AGENDA:

There were no additions to the agenda.

CONSIDERATION OF THE CONSENT AGENDA:

Commissioner Rowland asked to abstain from voting on item “F” on the Consent Agenda, due to a conflict of interest.

Commissioner Blount made a motion to approve the Consent Agenda, except for item “F”. Commissioner Tadlock seconded and the motion carried unanimously.

Commissioner Blount made a motion to approve item “F” on the Consent Agenda. Commissioner Tadlock seconded and the motion carried with Commissioner Rowland abstaining from voting.

The Consent Agenda consisted of the following:

- A. Approval of the minutes for the 10/16/00 Commission meeting.
- B. Approval of the Revised Animal Control Rules to the Rowan County Ordinance.
- C. To set a public hearing for Z-20-00, MHP to RA, a request from Jack Phillips.
- D. Approval of the NCDOT request for Erwin Temple Church Road Extension to be added to the Secondary Road System for maintenance.
- E. Approval of the NCDOT request for Kiowa Court in the Sleca-WA Subdivision to be added to the Secondary Road System for maintenance.
- F. Approval of the NCDOT request for Fox Grove Lane and Fox Chase Court in the Fox Ridge Subdivision to be added to the Secondary Road System for maintenance.
- G. To set a public hearing for CUP-8-00, a request from Hut Strickland.
- H. To set a public hearing for CUP-10-00, a request from Arnold Abernathy.
- I. Approval of the Budget Amendments

PUBLIC COMMENT PERIOD:

Chairman Cohen declared the Public Comment Period open to entertain comments from those who wished to address the Board.

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

RECOMMENDATIONS FROM THE LLEBG ADVISORY BOARD:

District Attorney Bill Kenerly and Major Tim Bost outlined the planned usage of the Local Law Enforcement Block Grant (LLEBG) for 1999 and 2000, which totals approximately \$86,000.

Mr. Kenerly and Major Bost explained that the proposed funding for the 1999 LLEBG will be used to acquire a color digital imaging system to be used for mugshot photos, suspect lineups and other data. The proposed funding 2000 LLEBG will be to acquire laptop computers with mobile data capability used

to prepare field reports, store and retrieve suspects data, to prepare search warrant affidavits and to have internet access to retrieve driver's license information and to communicate on the statewide network.

Commissioner Blount made a motion to approve the recommendations from the LLEBG Advisory Board and to set a public hearing for the approval of the allocation of funds. Commissioner Rowland seconded and the motion carried unanimously.

UPDATE ON CELL TOWERS AND EXTENSION OF THE CELL TOWER MORATORIUM:

Ed Muire, from the Planning Department, reviewed with the Board that on May 15, 2000 a 90-day Cell Tower Moratorium was enacted to accept no new applications. On August 7, 2000, the moratorium was extended for an additional 90-day period, which would end on November 11, 2000 if the Board takes no further action. On July 6, 2000, Paul Meyer, the Assistant General Counsel from the North Carolina Association of County Commissioners (NCACC), updated the Board on Cell Tower Issues and recommended that the Board consider hiring a consultant.

Mr. Muire informed the Board that a subcommittee of the Planning Board and Staff met on two occasions to discuss these issues and to prepare a suggested text for revisions to the zoning ordinance. Staff also contacted a consultant that was recommended by the NCACC. This consultant would provide marketing and management of potential tower locations on county owned property. Staff was not comfortable to recommend this consultant since a telecommunications group owns them. Another consultant has been contacted, but there has been no response to date.

Commissioner Tadlock made a motion to extend the moratorium for an additional 90-days to get through the holiday season and to study the City of Salisbury's plan. Chairman Cohen seconded the motion.

Commissioner Blount asked Mr. Muire to bring the City of Salisbury's plan to the next meeting to give the Commissioners an opportunity to study this plan and modify it to meet the County's needs. Mr. Muire emphasized that he had reservations about the City of Salisbury's ordinance. Commissioner Rowland felt that there was no need to write an ordinance when there was already an ordinance available. He stated that all the Board would need to do is hold a public hearing and adopt the ordinance.

The motion passed unanimously.

SNIA-4-00 AND SNIA-5-00 PERMITS:

Mr. Muire reviewed with the Board two SNIA permits. SNIA-4-00 is a request from Larry McReynolds, the crew chief of Mike Skinner's Nascar team, who wants to buy a lot at the Gateway Motor Sports Park. This will be an unmanned facility to store cars and a motor coach. The size of the lot and the proposed building will exceed the 12 percent allowable for a structure. Mr. McReynold's would like to increase this percentage to approximately 27 percent.

SNIA-5-00 is a request from Mr. Harold Elliot to move an existing paint shop to a site in a new industrial subdivision. Mr. Elliot and Greg Green, from the Environmental Services Department, are working on a site and erosion control plan. Approval will allow Mr. Elliot to start with this project.

Staff recommends approval of both SNIA request for development in the Coddle Creek watershed based on compliance with the Industrial (IND) district standards and their respective site plans.

Commissioner Rowland moved for approval of both of these request. Commissioner Blount seconded and the motion carried unanimously.

UNPAVED ROAD IMPROVEMENT PILOT PROGRAM:

Mr. Russell informed the Board that the General Assembly, in the year 2000, passed House Bill 1840, which is a pilot program with the Department of Transportation (DOT). This program looks at the number of unpaved, non-state system roads within the state. Rowan County is one of the 14 counties selected to receive approximately \$105,000, based on the non-system miles of private roads listed in 1996.

Mr. Russell explained that the purpose of this program is to look at ways to improve these roads. DOT is asking Rowan County to participate by allowing this program to be in Rowan County with the condition that the Board of Commissioners would, by policy, not allow any additional subdivision development to take place without the roads being brought to state standards. Rowan County does have this policy in place, but waivers have been granted in Family Subdivisions.

Don Conner, Director of Environmental Services, confirmed that up to three lots, in Family Subdivisions, are allowed without a state standard road. These roads are unpaved and do not have a twenty-foot right-of-way. Mr. Conner spoke with Mr. Goins, the Chief Engineer of Operations with DOT,

and he stated that this would be acceptable. Mr. Goins requested that a letter be sent stating that Rowan County complies with this standard.

Mr. Russell explained that this is a State project and they will determine the priority. They will also allocate \$30,000 per mile with a limit of three and one-half miles per county.

Mr. Conner added that DOT is to report to the General Assembly the number of private unpaved roads in the State and the estimated cost to bring them up to state standards. Mr. Lytle estimated that there is between 150 to 250 miles of non-state unpaved roads in Rowan County.

Commissioner Blount made a motion to approve this program, subject to DOT allowing Rowan County to continue the policy on Family Subdivisions. Commissioner Rowland seconded and the motion carried unanimously.

BOARD APPOINTMENTS:

Granite Quarry ETJ Board:

Maggie Reid was appointed to serve the unexpired term of Darrell Ellum on the Granite Quarry ETJ Board by a unanimous vote on a motion made by Commissioner Blount.

There being no further business, the meeting adjourned at 9:40 a.m.

Respectfully Submitted,

Rita K. Foil
Clerk to the Board