

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
May 7, 2001 – 9:00 AM
J. NEWTON COHEN SR. ROOM, ADMINISTRATION BUILDING**

Present: Steve Blount, Chairman
Gus Andrews, Vice-Chairman
Arnold Chamberlain, Member
Frank Tadlock, Member
Leda Belk, Member

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

Chairman Blount called the meeting to order at 9:00 am. Commissioner Tadlock provided the Invocation and Commissioner Belk led the Pledge of Allegiance.

ADDITIONS TO THE AGENDA:

- Chairman Blount asked to add a discussion from Leonard Wood, Health Department Director, on current Mosquito concerns.
- Chairman Blount asked to add approval of a Proclamation for Law Enforcement Week.
- Chairman Blount asked to add an update from Marion Lytle, Planning Department, on the projects waiting to be addressed at the Board meetings.
- Chairman Blount requested to add a discussion on building in the Flood Plain areas.
- John Holshouser, County Attorney, requested to go into Closed Session to give an update on the EMS Lawsuit Status.
- Mr. Russell asked to add the approval of the proposed budget schedule.

COMMISSIONER LIAISON BOARD REPORT:

Commissioner Belk reported that the Parks and Recreation Board continue to work hard and are a most active group and that the DSS Board continues to do a fantastic job.

Commissioner Chamberlain reminded everyone about the upcoming workshop on “billboards” and encouraged everyone to “come to speed” by June 18, 2001.

Chairman Blount reported on a recent Mayor’s Association meeting in Charlotte. Farmland Preservation was discussed and Chairman Blount mentioned that it was good to see Charlotte aware of the need to be involved in saving land.

CONSIDERATION OF THE CONSENT AGENDA:

Commissioner Tadlock made a motion to approve the Consent Agenda as presented. Commissioner Belk seconded and the motion carried unanimously.

The Consent Agenda consisted of the following:

- A. Approval of the 04/16/2001 Board of Commission minutes.
- B. Approval of the HCCBG funding plan for FY’2002.
- C. Approval to set a public hearing for Z-09-01, RA to CBI.
- D. Approval to set a public hearing for Zoning Text Amendments.
- E. Approval to set a public hearing for CUP-09-01.
- F. Approval to set a public hearing for a proposed road name change to Hamby Way.
- G. Approval to set a public hearing for a proposed road name change to Penny Lane.
- H. Approval to set a public hearing for proposed name change to Burchette Drive.
- I. Approval of a unanimous road name change of Tigger Lane.
- J. Approval of a unanimous road name change of Cranfield Lane.
- K. Acceptance of offer from Newness of Life Inspirational Church to purchase property.
- L. Approval for allocations of JCPC (Juvenile Crime Prevention Council) Grant Funding.
- M. Approval of Budget Amendments

FSW-02-01, A REQUEST FROM LINDA SHARPE:

Marion Lytle, from the Planning Department, reviewed with the Board the background for this Family Subdivision Waiver request from Susan Swing. This tract in question was sold to Ms. Swing by her cousin Linda Butler. Ms. Swing was denied a zoning permit for the placement of a singlewide manufactured home, with future plans for the construction of a home in the future.

After reviewing this issue and based on the findings, staff recommended to grant a waiver.

Commissioner Tadlock made a motion to accept staff's recommendation and approve FSW-02-01. Commissioner Andrews seconded and the motion passed unanimously.

It was stated that there would be no need for a public hearing.

ADDITION: UPDATE FROM MARION LYTLE ON PROJECTS WAITING TO COME BEFORE THE COMMISSION:

Marion Lytle, from the Planning Department, presented an update on the following issues and topics waiting to be addressed before the Board:

1. The Solid Waste Ordinance
2. Abandon Structure Ordinance
3. I-85 Study Area
4. Various Text Amendments
5. Flood Plain modification

PRESENTATION FROM THE CHILD ABUSE PREVENTION TASK FORCE:

Commissioner Chamberlain reviewed with the Board the recent meeting of the Child Abuse Prevention Task Force (CAPTF) stating that in comparison to previous meetings, this meeting was a pleasure and very productive.

Sandra Wilkes, Department of Social Services (DSS) director, explained to the Board that since 1983, April has been proclaimed as Child Abuse Prevention Month. During this past month, numerous events had taken place, such as, a parade and candle vigil.

Ms. Wilkes reviewed with the Board the recent CAPTF meeting emphasizing the major concerns brought before the task force.

- It was explained that Child Protective Service (CPS) referrals, which are screened out, go through two reviews and a check of previous files to be sure that all calls are handled properly.
- The need for a North Carolina Criminal Background Check, which is a system that is not in place at this time.
- The need to keep foster parents informed as much as possible about the children.
- The need to keep track of children when they move to other locations.
- The need for childcare for children under 16 years of age at the courthouse. This would help tremendously while parents are attending court.
- There was a concern that schools are often placed “in the middle” when parents are not notified that their children have been taken into protective custody. It was suggested that the principal and guidance counselor, at the schools, provide a contact for the parents to call for information.
- There is a need for clergy to educate their congregations.
- Revisions were noted to be made in the Protocol: to add the Library and Internet as sources of information,
- The task force agreed that the need for prevention is a community problem.

The Board voiced appreciation to Ms. Wilkes for this report and noted the strong commitment that came from this Protocol.

PROCLAMATION FOR FOSTER CARE MONTH:

Ms. Wilkes stated that 500,000 children are in foster care in America. These children need special care on a temporary basis. Ms. Wilkes acknowledged Tom Brewer, Child Protective Services Program Administrator and Beverly Mobley, Social Work Coordinator, as being present during this meeting.

Commissioner Belk made a motion to approve the proclamation to proclaim May as Foster Care Month. Commissioner Chamberlain seconded and the motion passed unanimously.

PRESENTATION OF THE PROCLAMATION ESTABLISHING MAY, 2001 AS “INFORMATION AND REFERRAL AWARENESS MONTH”:

Suzanne Storch, Director of Information and Referral, explained that this agency is a United Way Agency and is a “link” agency that receives much support from DSS and other agencies. Ms. Storch informed the Board of the number of citizens in Rowan County that are assisted through this program.

Commissioner Tadlock made a motion to approve the proclamation as written to proclaim May as “Information and Referral Month”. Commissioner Andrews seconded and the motion passed unanimously.

ANNUAL REPORT FROM THE OMBUDSMAN PROGRAM ON THE COMMUNITY ADVISORY COMMITTEE:

Cindy Kincaid, the Ombudsman from Centralina Council of Government, (COG) recognized the many volunteers for the Nursing Home Advisory Committee and the Adult Care Home Community Advisory Committee that were present. Ms. Kincaid expressed what a wonderful job they were all committed to do for our citizens. Ms. Kincaid thanked Clyde Fahnestock, the director of Senior Services and DSS for all the assistance they provide.

Ms. Kincaid reviewed the Annual Report presented to the Board in their packets. Ms. Kincaid stated the difficulty in recruitment and retention of volunteers and the difficulty in receiving assistance from churches.

Ms. Kincaid mentioned that May 13th through May 19th is National Nursing Home Week.

Chairman Blount thanked Ms. Kincaid and the volunteers for all they do.

UPDATE ON THE ANIMAL SHELTER WEB PAGE:

Leonard Wood, Director of the Health Department, Clai Martin, Animal Shelter Supervisor and Mona Moscardini, Animal Shelter Attendant, addressed the Board about the new Animal Shelter Web Page and thanked Tim Russell, County Manager for all his support and work.

Mr. Martin reviewed with the Board that in September 2000, the County Manager requested an Animal Shelter Web Page. In January 2001, Ms. Moscardini began working on this page and on March 6, 2001, the Animal Shelter Page went “online”. The group acknowledged David Boling, Director of Information Systems, for his tremendous help. Mr. Martin sees this page as an asset since people do not like to go to the shelter and do not realize about adoption of these animals.

Ms. Moscardini explained that the site addresses both dogs and cats. The web pages address issues by:

- explaining how to adopt the animals,
- answering frequently asked questions,
- informing about rabies
- informing about leash laws

- informing about how to prevent dog bites
- informing about what happens at the shelter
- informing about the animal control policy
- informing about how to treat pets
- giving a data page

Ms. Moscardini explained that future plans would include pictures of the staff and posters about the web page would be placed in veterinarian offices. The page is to be updated every two weeks.

Commissioner Tadlock mentioned that this would give animals a second chance and voiced his appreciation of this venture.

ADDITION: ADDRESSING MOSQUITO CONCERNS:

Chairman Blount stated that the Board had received numerous calls about concerns addressing mosquitoes. Leonard Wood and Lyn Aldridge, Environmental Health Supervisor, were asked to address the issue.

Mr. Aldridge explained that the County did have a “fogger” program, which consisted of a part-time worker and a machine that would spray various neighborhoods. This program had not been in operation for several years. Environmental concerns about spraying and the drifting of this spray were discussed. Mr. Aldridge explained that literature is available for the public and he also informed the Board that as the weather becomes hotter and dryer, there would be less of a problem with mosquitoes. Mr. Wood and Mr. Aldridge expressed that Spring is the worst time of the year for mosquitoes.

Chairman Blount mentioned that pamphlets were passed around the community that listed all the Commissioners and their phone numbers, to contact to address mosquito concerns. Chairman Blount asked Jesse Burchette, the Salisbury Post reporter, to put the Health Department names and phone numbers in the paper so citizens would know where to address their concerns in the future.

Commissioner Belk thanked Mr. Wood and his staff for their prompt and courteous response to this issue.

Mr. Wood also stated that viruses, such as the “West Nile Virus”, are being reported and the public needs to be educated and aware of this.

ACCEPTANCE OF OFFER OF LAND FROM THE ELLIS SADDLE CLUB:

Jim Foltz, Parks and Recreation Director and Terry Fries, Parks and Recreation Board member, informed the Board that ten acres of property, across from Ellis Park, had been offered to Rowan County from the Ellis Saddle Club. Mr. Foltz provided the Board with a map and additional information about the location. Mr. Foltz stated that this property would be an asset to the parks and recommended accepting this offer.

Commissioner Andrews expressed that it was “outstanding” that this property was offered to Rowan County as a gift.

Mr. Fries stated that members of the Saddle Club were “aging” and wanted to see the land go to good use for the community and wanted to see that it would be accessible for everyone. Mr. Fries mentioned that there is a free flowing spring on this property and the water had been tested.

Mr. Russell acknowledged the gift would be acceptable, subject to an acceptable environmental review.

Commissioner Chamberlain made a motion to accept the offer subject to an acceptable Category I Environmental Review. Commissioner Tadlock seconded and the motion passed unanimously.

UPDATE ON THE RECEIPT OF FUNDING FOR “NICK’S PLAYGROUND AT DAN NICHOLAS PARK:

Mr. Foltz showed the Board a poster of the proposed playground, which is designed to serve handicapped children that are blind, deaf and/or have other disabilities. Mr. Foltz explained that the equipment is metal with a cushion floor and has an exercise area at one end. There would also be brail speakers available. Mr. Foltz emphasized that a great deal of work had gone into this project, which began about one year ago. To date, \$36,000 had been received in grants for this project.

Commissioner Belk applauded the positive, energetic group at he Parks. Commissioner Chamberlain and Andrews also complimented the Parks.

REPORT OF GRANT FUNDING RECEIVED FROM THE BLANCHE AND JULIAN ROBERTSON FOUNDATION:

Mr. Russell reported that notification of the following grants, to receive funding from the Blanche and Julian Robertson Foundation, had been received:

- \$10,000 for “Nick’s Playground Inc., at Dan Nicholas Park.
- \$20,000 for the 4-H Club through the Cooperative Extension Service.
- \$10,000 for Rowan County’s 250th Birthday Celebration.
- \$10,000 for home security and fire safety checks through the Senior Services Department.

APPROVAL FOR ROWAN COUNTY TO BE THE LEAD AGENCY FOR RTS:

Clyde Fahnestock, Senior Services Director, presented background information and made a recommendation that the Board be the legal applicant for all capital, administrative and operating grants to rural public transportation projects that are funded by the North Carolina Department of Transportation in Rowan County.

Commissioner Chamberlain made a motion to approve the adoption the resolution to make the Rowan County Board of Commissioners the legal applicant for RTS. Commissioner Tadlock seconded and the motion carried unanimously.

Chairman Blount called for a break at 10:20 am.

Chairman Blount reconvened the meeting at 10:35 am.

RECOGNITION OF COUNTY EMPLOYEE GRADUATES OF THE COUNTY ADMINISTRATION COURSE:

Mr. Russell gave the Board an overview of the County Administration Course, offered by the Institute of Government at Chapel Hill. The course is an overview of County Government and helps to make better employees by becoming more diverse and better spokespersons for the County. Mr. Russell acknowledged that this year Rita Foil, Clerk to the Board and David Boling, Information Systems Director had completed the course.

Mr. Russell stated that department directors are encouraged to attend and noted several directors that have previously competed the course.

Mr. Boling and Ms. Foil received a “thank you” for this accomplishment.

DISCUSSION OF ISSUES FROM SHERIFF WILHELM:

Sheriff Wilhelm presented the board with a handout from the State of North Carolina Department of Justice that addressed fiscal control and permitted use of money and property received by local law enforcement agencies. Sheriff Wilhelm read from this document, highlighting the requirements and procedures for the transfer of federally forfeited cash and tangible property to state and local law enforcement agencies.

Chairman Blount explained that there had been a group meeting to address courthouse security and there is a need to start thinking about the sources of funding, since this will be a recurring budget item.

Sheriff Wilhelm requested that the Board consider property, accepted by the Board of Commissioners, to be used as a Rowan County training site for law enforcement officers only. Sheriff Hege, from Lexington, had agreed to split this venture. Sheriff Wilhelm stated that the money for the training facility could come from forfeiture funds to cover the cost. Chairman Blount again mentioned the cost for the courthouse security system. Concerns were expressed whether or not the twelve acres would be adequate for a training site.

Chairman Blount recommended that the County Manager and staff meet with Sheriff Wilhelm and come back to the Board with a report.

Commissioner Chamberlain made a motion to approve the \$12,174.00 for the purchase of a replacement vehicle. Commissioner Tadlock seconded and the motion carried unanimously.

ADDITION: PROCLAMATION ON LAW ENFORCEMENT WEEK:

Commissioner Belk made a motion to approve the proclamation for “Law Enforcement Week” May 13th through May 19th. Commissioner Chamberlain seconded and the motion carried unanimously.

The Board expressed appreciation for the work that law enforcement does for the County.

UPDATE ON THE PILOT AREA ADDRESSING PROGRAM:

Ed Muire, from the Planning Department, explained that the County’s Enhanced 911 system, developed in October 1987, dictated that every

structure in the County, with a telephone, would be assigned a physical address provided in the road naming / addressing ordinance. In 1993, the Planning Department assumed responsibility for the road naming / addressing program. An estimated 95 percent of the state maintained roads in the county had been assigned physical addresses.

Mr. Muire, by referring to printouts and a power point presentation, reviewed with the Board the different scenarios of address inconsistencies throughout the County. These anomalies affect the efficiency of emergency response and also affect other government agencies and service oriented businesses as well as for the general public. Staff recommended updating the structure addressing for the pilot areas with consideration for the following:

1. Updating the existing road naming and addressing ordinance.
2. When possible, allowing staff to correct addressing conflicts administratively.
3. Conducting public hearings for road naming and readdressing in pilot areas.
4. Assigning road names to private drives when owners fail to respond with a completed petition.

Mr. Russell cautioned that the cost factor in changing addresses would be the greatest concern for citizens.

Staff is to research further and report back to the Board with further revisions and to set a public hearing.

Z-08-01 AMENDMENTS TO THE NUISANCE SECTION OF THE ZONING ORDINANCE FOR NOISE STANDARDS:

Mr. Muire reported that an ad hoc committee of the Rowan County Planning Department met to discuss the proposed text amendments for the noise standards of the Rowan County Zoning Ordinance. This committee recommended no additional changes or clarifications to the proposed text amendments.

Mr. Muire stated that the Rowan County Planning Board discussed the recommendations from the ad hoc committee and debated the issue of the measurement location. On a 7/3 vote, the Planning Board recommended obtaining decibel measurements. The Planning Board recommended that the intent would be to recognize the right of mining operations and manufacturing industries to maintain operations of current facilities during first and second shift hours, emphasizing the applicability, sound level measurements and the maximum permitted sound levels.

It was stated that the Rowan County Sheriff's Department would enforce amplified sound issues and this amendment would address manufacturing and mining.

It was decided that a public hearing would take place on May 21, 2001 at a time designated by the Clerk.

REPORT ON RACETRACK REGULATIONS:

Mr. Lytle reported that an ad hoc committee of the Rowan County Planning Board met to discuss regulations on racetracks. The proposed noise standards do not affect existing, expanded, or new speedways. This committee decided to recommend leaving racetracks as a permitted use in the CBI district. The Planning Board on a 6/4 vote decided to recommend leaving racetracks as a permitted use in the CBI district.

By consensus, the Board agreed to draft the document to make racetracks a conditional use in the CBI district.

RESOLUTION IN SUPPORT OF HOUSE BILL HR 62:

Chairman Blount explained the proposed resolution in support Veterans and to request that Representatives and Senators vote against any proposal to move Veterans Day to Election Day.

Commissioner Andrews made a motion to approve the resolution. Commissioner Belk seconded and the motion passed unanimously.

UPDATE ON MOBILE HOME DISPOSAL:

Don Conner, Director of Environmental Services, spoke to the Board concerning the three-month waiver of Landfill fees for the disposal of mobile homes. This waiver period had expired and Mr. Conner was asked by the Board to revisit the possibility of an extension after a request during the public comment period at the April 16, 2001 Commission meeting.

Mr. Conner stated that 20 homes were brought to the Landfill during the three-month waiver period and eight homes had been brought to the Landfill, since this period expired. The \$250 charge had been taken for these eight homes.

Chairman Blount stated that it would not be good to impose an extension of the waiver when citizens have been paying these fees, since the waiver expired.

Commissioner Chamberlain suggested that mobile home dealers establish a fund to assist citizens in the disposal of mobile homes.

Commissioner Tadlock reiterated that the three-month extension served its purpose and that the manufacturers and dealers should realize the need to clean up the abandoned mobile homes.

BOARD APPOINTMENTS:

Rowan County Nursing Home Advisory Committee:

The Board unanimously approved the reappointment of Leah McFee on a motion made by Commissioner Tadlock.

Piedmont Behavioral Healthcare Board:

On a motion made by Commissioner Chamberlain, the Board unanimously approved the reappointment of Bill Burgin, C. Kenneth Ingram and Mary Beth Smith.

Centralina Workforce Development Board:

The Board unanimously approved the appointment of Dee Dee Wright on a motion by Commissioner Andrews. This appointment was in response to the fact that Ms. Wright is now the chairman of the Salisbury Communities Service Council.

Riverpark Task Force:

Commissioner Belk made a motion to appoint a Commissioner to this task force. Chairman Blount seconded. Commissioners Andrews, Tadlock and Chamberlain voted against the motion.

Criminal Justice Partnership Advisory Board:

On a motion by Commissioner Tadlock, the Board unanimously approved the reappointment of Sean Walker, Rev. Michael Taylor, Janet Ruffin and Angie Banther.

Juvenile Crime Prevention Council:

Commissioner Tadlock made a motion to approve the reappointment of Rick McCollister, Jeff McCombs, Rev. Bobby Smith, Bob Lippard and Phyllis Cornelison to this board. The Board unanimously approved the motion.

Region F Aging Advisory Committee:

The Board unanimously approved the reappointment of Dot Hauss and Virginia Graves to this committee, on a motion by Commissioner Chamberlain.

COG – Region F Emergency Medical Services Advisory Council:

Commissioner Chamberlain made a motion that was unanimously approved by the Board, to reappoint Wayne Ashworth and Beth Connell to this council.

Rowan County Tourism & Development Authority:

Commissioner Andrews made a motion to reappoint Frank Goodnight to this Authority. The Board unanimously approved.

Rowan-Cabarrus Community College Board of Trustees:

Commissioner Tadlock made a motion to appoint J. Newton Cohen, Sr. Commissioner Andrews made a motion to reappoint Raymond Johnson, Sr.

J. Newton Cohen, Sr. was appointed by votes from Chairman Blount and Commissioners Tadlock and Chamberlain. Commissioners Andrews and Belk voted for Raymond Johnson, Sr.

Salisbury-Rowan Economic Development Commission:

J. Newton Cohen, Sr. was appointed, by a unanimous vote of the Board, on a motion made by Commissioner Tadlock.

Senior Services Advisory Council:

Commissioner Andrews made a motion to reappoint Leah McFee, Virginia Graves and Bea Amendola to this council. The Board unanimously approved.

City of Salisbury ETJ Members:

Lou Manning was appointed to serve as an ETJ member of the Planning Board and Charlie Walters was appointed as an ETJ alternate on the Zoning Board of Adjustments for the City of Salisbury. Commissioner Tadlock made the motions and the Board approved unanimously.

Town of Faith ETJ Member:

Commissioner Andrews made a motion to appoint Mike Reavis as an ETJ member of the Faith Zoning Board of Adjustments. The Board unanimously approved.

ADDITION: BUDGET REVIEW SCHEDULE AND APPROVAL:

Mr. Russell reviewed with the Board the proposed schedule for the proposed budget for FY 2001-2002.

The Board, by consensus, agreed to accept the proposed schedule as submitted by Mr. Russell.

ADDITION: ADDRESSING ISSUES OF BUILDING IN THE FLOODPLAINS:

Chairman Blount made a motion for a six-month moratorium on building homes in the flood plain areas, in order to give staff an opportunity to report back to the Board about concerns in these areas. This moratorium would not include any projects already approved. The moratorium would be for new applications only. Commissioner Tadlock seconded the motion.

Mr. Conner stated that there were not more than ten to fifteen structures per year built in the flood plain areas.

The motion passed unanimously.

Chairman Blount adjourned the regular meeting to go into Closed Session at 11:45 am, in order to receive an update from John Holshouser on the current status of a lawsuit with EMS.

Chairman Blount reconvened the meeting back into Open Session.

There being no further business, Chairman Blount adjourned the meeting at 1:05 pm.

Respectively Submitted,

Rita K. Foil,
Clerk to the Board