

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
APRIL 15, 2002 – 7:00 PM
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 Finance Director and the County Attorney were also present.

Chairman Blount called the meeting to order at 7:00 pm.

Commissioner Chamberlain provided the Invocation and Commissioner Tadlock led the Pledge of Allegiance.

ADDITIONS TO THE AGENDA:

- Chairman Blount added a request for financial support from the Soil & Water Conservation.
- Chairman Blount added staff recommendations concerning rezoning of the High Rock Lake area.
- Commissioner Chamberlain requested to add a discussion for Project Jump Start.

COMMISSIONER LIAISON REPORTS:

Commissioner Belk referred to the blue ribbon symbolizing April as Child Abuse Prevention Month and stated, “We need remember this and take care of our kids.”

Chairman Blount reported briefly to the Board that the EDC had held its first meeting concerning Project Jump Start.

CONSIDERATION OF THE CONSENT AGENDA:

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

The Consent Agenda consisted of the following:

- A. Approval of the 3/18/02 minutes
- B. Approval of the 4/01/02 minutes
- C. Approval of a unanimous petition for road name of Uphill Drive
- D. Approval of a Proclamation honoring J. Fred Corriher, Jr.
- E. Budget Amendments
- F. Approval of updated client fee schedule for the Health Department

PROCLAMATION FOR THE NATIONAL DAY OF PRAYER:

Commissioner Chamberlain explained that the President had declared May 2, 2002 as National Day of Prayer. Commissioner Chamberlain read the Proclamation declaring May 2, 2002 as a Day of Prayer for Rowan County. Commissioner Chamberlain encouraged anyone wishing to participate, to gather at the Bell Tower or Gazebo, for a time of prayer on May 2, 2002.

Commissioner Chamberlain made a motion to approve the Proclamation as read, followed by a second from Commissioner Tadlock. The motion passed unanimously.

ADDITION:

Chairman Blount stated that the Planning Board held a special meeting to receive recommendations from staff and to discuss the rezoning at the High Rock Lake area. Chairman Blount mentioned that the split vote from the Planning Board was an indication of the controversy surrounding the case.

Ed Muire, Assistant County Planner, informed the Board that a public hearing concerning the rezoning was held March 25, 2002 at the Planning Board meeting. Mr. Muire reported that public comment received at the hearing was divided, with residents of Crane Cove, Anchor Downs and one property owner from the Middle Oaks subdivision, in favor of the request. Those speaking in opposition to the rezoning were Margaret Rabon, Jack Fisher (representative for Mary Lamb) and Eleanor Potts.

Mr. Muire explained that he and Marion Lytle had studied three (3) areas concerning the case on the Long Ferry peninsula and forwarded recommendations to the Planning Board, based on soil characteristics, road frontage, adjacent land uses and view sheds, which Mr. Muire defined as “if you couldn’t see it, it didn’t really affect your property values.”

Mr. Muire referred to the handout and the maps, reviewing in detail the three different areas proposed to the Planning Board for rezoning.

Chairman Blount mentioned that the County Tax Assessor, Jerry Rowland, stated the rezoning change from RA to RS should not cause the tax value to increase. Mr. Lytle also responded to a question from Chairman Blount that he did not have any reason to believe there would be an increase in evaluation.

Chairman Blount stated another rezoning option would be using the Agricultural Overlay (AO) designation and requested Mr. Lytle to brief the Board on the effects the AO would have on the area.

Mr. Lytle said the AO basically leaves the property open as farm and farm-type uses, family subdivisions and mobile home parks. Mr. Lytle described the overlay as removing the uses allowed in the RS business designation, as well as removing the ability to subdivide into commercial lots. Mr. Lytle stated rezoning would be required in order to subdivide the land in the AO district.

Chairman Blount asked if subdividing property in the AO district required rezoning or a conditional use permit? Mr. Lytle responded the property would have to be rezoned to a district that allows subdivisions.

Chairman Blount referenced an article in the Salisbury Post indicating the owners of the Lambe property did not wish to develop their land. Mr. Lytle responded that he had not read the article and had only heard comments at the public hearing.

Mr. Lytle explained the RS district as being the most restrictive and the IND district being the least restrictive. Mr. Lytle gave the following options for the Board to consider:

1. Grant the zoning with modifications including recommendations for a more restrictive district.
2. Refer the application with modifications back to the Planning Board.

Mr. Lytle suggested sending the property back to the Planning Board for review, before rezoning to RA/AO.

In response to a concern from Commissioner Andrews, Mr. Lytle pointed out that Rowan County zoning is more liberal than most municipalities by allowing non-conforming uses to be replaced, as long as the replacement takes place within 365 days.

Commissioner Tadlock stated the lakefront properties are a valuable resource and stressed the need for more input.

Chairman Blount stated the goal is to protect the existing residential subdivision from inappropriate uses on adjacent land. Chairman Blount was of the opinion that the RS designation would help the AO district, requiring each subdivision to come before the Board for review. Chairman Blount questioned Marion Lytle about implementing a more strict zoning without “going back through the process,” and clarified whether Mr. Lytle felt the AO would be stricter. Mr. Lytle responded that RS is the most restricted and was uncertain how the overlay would fit in.

Chairman Blount asked if an overlay added more restrictions to the underlying zoning designation. Mr. Lytle stated an overlay is more restrictive in most ways but would defer the question to the County Attorney, John Holshouser.

Mr. Holshouser requested time to review the information.

Chairman Blount revisited the options, which were scheduling a public hearing for comments on the proposed rezoning as forwarded by the Planning Board, or request that other considerations be made and sent back to the Planning Board for review.

Commissioner Chamberlain stated he would like to see the Board proceed with scheduling a public hearing for the second meeting in May.

Chairman Blount verified that Mr. Holshouser and staff would have ample time to review and prepare for the public hearing. Mr. Lytle suggested advertising the public hearing for four (4) consecutive weeks, and to also include a map of the area being considered for rezoning. Mr. Lytle stated that advertising for four (4) consecutive weeks eliminated the requirement for notifying property owners by mail.

Chairman Blount requested that the ad also explain the AO district.

Commissioner Andrews requested clarification on the zoning discussion to take place at the public hearing in May. Chairman Blount explained the public hearing would consider the proposed rezoning that received the split vote from the Planning Board, with the possibility of the Board of Commissioners changing some of the districts to AO, depending on the ruling from Mr. Holshouser. Chairman Blount continued to explain, that if Mr. Holshouser ruled against the AO rezoning, the public hearing would focus on the recommendations as presented.

Mr. Holshouser was concerned with how Mr. Lytle could present a map and illustrate the overlay.

Chairman Blount suggested a similar map as presented to the Board, with a footnote indicating the possibility that some of the areas suggested for rezoning to RS, could actually be zoned AO. The footnote would include a description of what AO entails. Chairman Blount requested Mr. Lytle to verify that all legal requirements are met when advertising.

Mr. Lytle stated there were no posting requirements; the legal requirement is to run the ad for four (4) consecutive weeks. Mr. Lytle stated that staff would post notices and perform a mailing, as a courtesy.

Commissioner Andrews asked how the Board would designate which properties should fall under the AO zoning. Chairman Blount said the ad would note that all parcels under consideration could possibly be zoned AO instead of RS.

Commissioner Chamberlain stated the AO designation would require property owners to come before the Board with requests to develop their land and said “I do not like that.”

Commissioner Andrews referred to the Board’s original directive and questioned if the Board were setting a precedent for “the rest of the lake” with the AO designation.

Chairman Blount responded that staff would review the entire area around the lake and make recommendations to the Planning Board in the same manner as the area presented before the Board today. Chairman Blount stated the first step in the process would be to have a public hearing to receive input from staff and the public.

Commissioner Chamberlain made a motion to set a public hearing to receive comment on the proposed rezoning on May 20, 2002, with the time to be designated by the Clerk. Commissioner Tadlock seconded the motion.

Mr. Lytle asked if the motion was to include the potential RA/AO in the ad. Chairman Blount responded, yes, depending upon Mr. Holshouser’s interpretation.

The motion passed unanimously.

PUBLIC HEARING FOR THE PROPOSED ROAD NAME OF STARNES FARM LANE:

Fredda Greer of the Planning Department presented a majority petition for Starnes Farm Lane and stated that the road had been identified by ASI, Inc. and staff, in the “pilot area,” as needing to be named. Ms. Greer explained that all residents were notified and five (5) of six (6) owners agreed on a name.

Chairman Blount opened the public hearing to receive citizen input. With no citizens wishing to address the Board, Chairman Blount closed the public hearing.

Commissioner Chamberlain made a motion to approve the name of Starnes Farm Lane. Commissioner Tadlock seconded the motion and the motion passed unanimously.

PUBLIC HEARING FOR THE ROAD NAME OF BOSTIAN OAKS LANE:

Ms. Greer referred to the map in the handout and pointed out the proposed road. Ms. Greer reported that ASI, Inc., and staff had verified the road to be in the “pilot area.” Ms. Greer described the area and explained that property owners had assumed the name “Crooked Oak Lane,” when in fact the road runs north of Crooked Oak Lane, and needs to be named separately. Ms. Greer stated that six (6) out of ten (10) property owners signed a petition to rename the road.

Chairman Blount opened the public hearing to receive citizen input. With no citizens wishing to address the Board, Chairman Blount closed the public hearing.

Commissioner Tadlock made a motion to accept the recommendation of staff to rename the road to Bostian Oaks Lane. Commissioner Andrews seconded the motion and the motion carried unanimously.

PUBLIC HEARING FOR THE ROAD NAME CHANGE OF BROOKLYN DRIVE:

Ms. Greer stated the proposed road name change was initiated by a resident of Greenfield Road, due to a fork in the road causing confusion with emergency vehicles and mail delivery. Ms. Greer reported that staff had reviewed the situation and found the longer portion of the road to be in place prior to the shorter portion. Ms. Greer continued by saying property owners on the shorter portion of the road were notified, giving them the opportunity to submit a petition for renaming the road. Ms. Greer mentioned that property owner David Watkins requested a petition, but the petition was never returned back to staff. Ms. Greer stated that Cynthia Ennis requested and submitted a petition at a later date, obtaining three (3) of four (4) signatures in support of naming the road Brooklyn Drive. Ms. Greer informed the Board that Mr. Watkins had contacted her today, stating he did not agree with the Brooklyn Drive road name and that he wished to submit a petition for a different name. Ms. Greer said she informed Mr. Watkins that the majority of property owners had signed the petition in support of Brooklyn Drive and the process must be decided upon, before his petition could be entertained. Mr. Watkins disclosed to Ms. Greer that Tracy Yow is no longer a property owner. After researching the matter, Ms. Greer learned that Tracy Yow was the property owner in October 2001 when the signatures were obtained. Ms. Greer also supplied the Board with a corrected parcel number of 209, for Betty S. Ritchie on the petition for Brooklyn Drive.

In response to a question from Chairman Blount, Ms. Greer stated that Terry Sherrill now owns the Yow property.

Chairman Blount opened the public hearing to consider the road name change.

1. David Watkins addressed the Board, stating he had “lived here” for fourteen (14) years and for twelve (12) of those years, he had maintained the road, putting down \$2,000 - \$3,000 in stone, without any donations from neighbors. Mr. Watkins stated that in the past year he had spent \$70,000 and “paved the road.” Mr. Watkins said he owned the property at the beginning of the road, with the next property owner, being his best friend, Eric Robertson. Mr. Watkins continued by stating Tracy Yow had been the next property owner, until selling the property to Terry Sherrill. Mr. Watkins described Mr. Sherrill as being another good friend. Mr. Watkins stated that he had obtained Mr. Sherrill’s signature, along with Mr. Robertson’s. Mr. Watkins explained that he owned three pieces of property, with the road coming to a dead end at the end of his property.

Commissioner Chamberlain verified that Mr. Watkins had spent \$70,000 to pave the road and asked Mr. Watkins what he wanted to name the road. Mr. Watkins responded with “Thunder Road,” stating the name related to his business of building hot rods.

Ms. Greer, in response to a question from Commissioner Chamberlain, stated Mr. Watkins had never returned his petition to her and because Ms. Ennis had returned her petition, this is the one that staff considered.

Chairman Blount asked if some of the property owners had changed. Ms. Greer stated that according to the Tax Assessor, Tracy Yow no longer owned the property.

Mr. Watkins said he had spoken with Ms. Yow approximately three (3) hours earlier and reported “she said she never signed any piece of paper.”

Chairman Blount requested staff to “go through the process” one more time, acquiring signatures of current property owners.

Chairman Blount thanked those who had addressed the Board and closed the public hearing.

PUBLIC HEARING FOR SPECIAL CONSIDERATION (IN THE PILOT AREA)
WESLEY WOODS LANE:

Ms. Greer declared the road to be in the pilot area, having been identified by ASI, Inc. and staff, as needing a road name. Ms. Greer stated that property owners were notified of the process to name the road, with no response from any of the owners. Ms. Greer reported staff proposes the road name of Wesley Woods Lane.

Commissioner Chamberlain asked why staff did not consider the name of Camp Wesley Road. Ms. Greer replied that another road is to be presented as Camp Wesley Drive.

Chairman Blount opened the public hearing to entertain citizen input. With no citizens wishing to address the Board, Chairman Blount closed the public hearing.

Commissioner Belk made a motion to name the road in question Wesley Woods Lane. Commissioner Tadlock seconded the motion. The motion carried unanimously.

PUBLIC HEARING FOR SPECIAL CONSIDERATION (IN THE PILOT AREA)
EATON LANE:

Ms. Greer reported the road to be in the pilot area, having been identified as needing to be named. Ms. Greer stated that property owners were notified of the process to name the road, with no response from any of the owners, until a call today, from Ms. Jo Bailey. Ms. Greer stated that Ms. Bailey had a petition for a road name but did not have the required number of signatures on the petition. Ms. Greer recommended that the Board delay naming the road in question.

Chairman Blount opened the public hearing to receive citizen input. With no citizens to address the Board on the issue, Chairman Blount closed the public hearing.

Chairman Blount requested staff to present the road name change once all applications are received.

PUBLIC HEARING FOR SPECIAL CONSIDERATION (IN THE PILOT AREA)
CAMP WESLEY DRIVE:

Ms. Greer explained that the road in question runs off of Wesley Woods Lane and runs into the camp, owned by the Wesleyan denomination. Ms. Greer stated that the property owner, Trent Patterson, was notified and he contacted staff requesting that “Drive” be used instead of “Road.” Ms. Greer expressed that staff supports Mr. Patterson’s suggestion.

Chairman Blount opened the public hearing for the naming of Camp Wesley Drive. With no citizens to address the Board, Chairman Blount closed the public hearing.

Commissioner Andrews made a motion to accept Staff’s recommendation of Camp Wesley Drive followed by a second from Commissioner Belk. The motion passed unanimously.

PUBLIC HEARING FOR SPECIAL CONSIDERATION (IN THE PILOT AREA)
STRUCTURE READDRESSING:

Ms. Greer explained that staff has verified suggested changes from ASI, Inc., in the pilot area and that all residents and property owners were notified of the need to reassign addresses. Ms. Greer highlighted three (3) phone calls that staff had received concerning the address changes:

1. Farlis Whitley had disclosed health problems and after reviewing the address, Adrian Rollans, of the Planning Department, determined Mr. Whitley’s address could be left as is. Staff withdrew the request to change this address.
2. The Pastor of Unity Methodist Church was initially opposed to the address change. Once staff explained the need for the readdressing, the Pastor was in agreement and stated he would discuss the issue with church members. Ms. Greer stated the Pastor has not called back. Staff recommends the address change.
3. Tisa Therrell contacted staff and stated the proposed address is actually a garage used for storage. Staff agrees this address can be left as is.

Chairman Blount opened the public hearing to entertain citizen input. The following citizens expressed their concerns.

1. Chris Overcash, of 9240 Unity Church Road. Mr. Overcash stated that his mailbox was out of sequence. Mr. Overcash described his residence as being on the roadfront and as being located in front the resident at 9250 Unity Church

Road. Mr. Overcash continued by explaining these two residences share the same driveway.

Chairman Blount pointed out that Mr. Overcash was not on the list before the Board. Ms. Greer clarified the address being shown as A.F. Walter, Jr., of 9250 Unity Church Road. Mr. Overcash stated moving the mailbox would correct the address sequence.

Ms. Greer suggested moving the mailbox. Mr. Overcash responded that he would rather put numbers on his house than to move the mailbox.

Chairman Blount asked staff to pull this address from the list and come back with a recommendation.

2. Hugh Hardy, of 8645 Danfield Drive, declared his residence to be on the left side of the road and mentioned that he had documents and pictures to substantiate this information.

Ms. Greer responded that Mr. Hardy is out of sequence and should actually have an even numbered address.

Chairman Blount requested staff to pull this address from the list and come back with a recommendation.

With no further questions from citizens, Chairman Blount closed the public hearing.

Commissioner Belk made a motion to accept the proposed address changes with the exception of those that were pulled. Commissioner Tadlock seconded the motion. The motion passed unanimously.

PUBLIC HEARING FOR AN AMENDMENT TO CUP-27-01 FROM OWNERS JOSEPH & DONNA KEENER:

Marion Lytle, County Planner, presented the background (Exhibit A) and reviewed the map (Exhibit B) depicting lot lines of the campground property. Mr. Lytle stated staff recommends approval of the site plan amendment to the conditional use permit (Exhibit C) with the following two (2) conditions:

1. Environmental Health and Planning Department staff verify that the required 10-foot separation between the septic tank drain field and repair area be met.
2. Compliance with all subdivision standards.

Chairman Blount pointed out that the law requires conditional use permits to be conducted as a quasi-judicial hearing and all testimony must be sworn testimony.

The Clerk swore in those wishing to provide testimony in the case.

Marion Lytle was sworn in and attested his previous statements in the case to be true.

Chairman Blount opened the public hearing to receive citizen comments. With no citizens present to address the Board, Chairman Blount closed the public hearing.

Commissioner Tadlock made a motion to accept staff recommendations for the realignment of the conditional use permit with the two (2) conditions as indicated. Commissioner Chamberlain seconded the motion and the motion carried unanimously.

Chairman Blount listed the **FINDING OF FACT** as:
The approval, in no way, caused harm to the surrounding area/neighborhood.

**PUBLIC HEARING FOR Z-02-02 FOR A REZONING FROM CBI TO RA,
FROM OWNERS JOHN AND LOUISE MADURES:**

Marion Lytle presented the background, identifying the property as being located on US Hwy 70 near the West Rowan Middle School. Mr. Lytle stated the owners are seeking the RA designation to reflect the present use and future intent for the property. The Madures' have no interest or plans to sell the property.

Chairman Blount requested any citizens wishing to address this issue to please come forward.

1. John Derickson, son of the Madures', wished to reiterate the fact that the residence was the family home place and would not be sold. Mr. Madures described 41-acres of the property to be in permanent timber, with an additional 11-acres of trees having been planted on April 1st. Mr. Madures stated the RA designation would reflect a better use of the property.

Chairman Blount opened the public hearing to entertain citizen input. With no citizens to address the Board, Chairman Blount closed the public hearing.

Commissioner Andrews made a motion to allow the rezoning to RA. Commissioner Belk seconded the motion and the motion passed unanimously.

**PUBLIC HEARING FOR Z-05-02 AND CUP-12-99 AMENDMENT, A REQUEST
FROM STATESVILLE BRICK COMPANY:**

Chairman Blount stated this to be a quasi-judicial hearing.

The Clerk swore in those wishing to provide testimony in the case.

Mr. Lytle reviewed the background (Exhibit A) and stated the company had met all of the requirements for the original conditional use permit (Exhibit B). Mr. Lytle explained that when mine operations began, the company found a layer of needed shale material. The company purchased this additional tract for future use and is requesting to rezone the

property to IND. Statesville Brick is also requesting to amend the associated conditional use permit (Exhibit B) to include the tract. Mr. Lytle stated that the company is requesting that cell towers be allowed on the property. Mr. Lytle reported that staff recommends approval of the request.

Chairman Blount questioned why the cell towers were being approved ahead of time. Mr. Lytle responded the cell towers were being listed as a permitted use in the district. Mr. Lytle stated that the Board is not actually approving the cell towers, but the potential for putting the towers on the property. Mr. Lytle stated the company would still need to go through the approval process for the cell towers.

Chairman Blount opened the public hearing and with no citizens wishing to address the Board, Chairman Blount closed the public hearing.

Commissioner Belk made a motion to grant the rezoning and the amendment to the conditional use permit as requested. Commissioner Tadlock seconded the motion. The motion carried unanimously.

FINDING OF FACT:

Based on information provided by staff, this in no way negatively impacts the existing neighborhood.

PUBLIC HEARING FOR CUP-07-02 FOR A RESIDENTIAL STORAGE BUILDING, A REQUEST FROM WILLIAM LOMAX:

The Clerk swore in those who wished to provide testimony in the case.

Marion Lytle highlighted the background (Exhibit A) on the case and explained that Mr. William Lomax is seeking approval for a residential storage facility (Exhibit B) located on a lot he owns near his residence.

Mr. Lytle reviewed the requirements of the recent text amendments for residential storage facilities.

The **findings of fact**, cited by Mr. Lytle were as follows:

1. The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety. That the development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property, or that the development is a public necessity, and lake front property in Rowan County is a scarce commodity.
2. The location and character of the development in accordance with the proposed conditions will be in general harmony with the area in which it is located and in general conformity with any adopted county plans.

Mr. Lytle stated that no citizens had called concerning the request and that staff recommends approval.

Chairman Blount verified that a business couldn't be conducted from an accessory structure. Mr. Lytle stated that a bathroom would not be allowed without a septic tank permit.

In response to a query from Commissioner Andrews, Mr. Lytle informed the Board that an advertisement ran in the newspaper, notices were put up, as well as notifications sent to adjoining property owners.

Chairman Blount confirmed with Mr. Lytle that after the Board's approval, Mr. Lomax must go through the normal inspection and construction permitting process, which has not been done.

Commissioner Belk verified that the front of the accessory structure would not be used for storage.

Chairman Blount opened the public hearing to entertain citizen input. With no citizens present to address the Board on this issue, Chairman Blount closed the public hearing.

Commissioner Andrews pointed out that there had been much discussion concerning this issue and pointed out the difficulties that arise when procedures are not followed. Commissioner Andrews stated that Mr. Lomax had been fortunate with the adjustments made to the zoning ordinance that allowed Mr. Lomax to keep his building.

Commissioner Tadlock asked if the procedures for acquiring permits had been followed. Mr. Lytle responded that the permitting process had not yet begun.

Commissioner Andrews made a motion to approve the conditional use permit as requested and suggested by staff. Commissioner Tadlock seconded the motion and the motion passed unanimously.

FINDING OF FACT:

As previously listed in the report from staff.

PUBLIC HEARING FOR CUP-06-02 FOR A RESIDENTIAL STORAGE BUILDING, A REQUEST FROM DANIEL TUTTLE:

The Clerk swore in those wishing to provide testimony in the case.

Mr. Lytle presented the background (Exhibit A)and explained that Mr. Tuttle lives at 485 Murray Drive, Tax Parcel 612A-031, and owns a lot directly across the road. Mr. Lytle stated there are several small storage buildings on the lot. Mr. Lytle referred to the site plan (Exhibit B) and reported that Mr. Tuttle had purchased an adjacent property. Mr. Lytle continued by saying the properties have been combined into a single tract.

Mr. Lytle reviewed the requirements for residential storage facilities. Mr. Lytle pointed out that the Board would need to give careful consideration to the tax value of surrounding property.

Mr. Lytle stated that no citizens had called regarding the request. Mr. Lytle mentioned that staff had visited the site and discussed the project with a neighbor, Mr. Clements. Mr. Clements thought the proposed building was fine. Staff recommended approval of the request.

Mr. Tuttle was present and stated he would be glad to answer any questions.

Commissioner Andrews asked if there were any covenants for the area. Mr. Tuttle responded that the covenants applied only to the lakefront properties in Wildwood Acres.

Chairman Blount opened the public hearing to receive citizen input.

1. Hans Sturvine (spelling uncertain) spoke in favor of Mr. Tuttle's request, stating Mr. Tuttle should have the freedom to "do what he likes" as long as there is no opposition. Mr. Sturvine stated he was confident whatever Mr. Tuttle did would be in perfect order and of a private use.

Chairman Blount closed the public hearing.

Commissioner Chamberlain made a motion to grant the conditional use permit for construction of a residential storage facility on Murray Drive. Commissioner Andrews seconded the motion. The motion passed unanimously.

FINDING OF FACT:

Based on information provided by staff, this in no way negatively impacts the existing neighborhood.

APPROVAL OF THE LEASE AGREEMENT FOR EAGLE POINT ON BLACK ROAD:

Jim Foltz, Director of Rowan County Parks & Recreation, along with staff member Bob Pendergrass and Gene Ellis of Alcoa, addressed the Board concerning the proposed lease and permit.

Mr. Pendergrass explained that staff had been working with Alcoa in order to double the Eagle Point Nature Preserve. Mr. Pendergrass described Eagle Point as being a passive nature park with hiking trails that have received positive feedback from citizens. Mr. Pendergrass mentioned the generosity and support of Alcoa in allowing access to their land in order for Rowan County to expand this project. Mr. Pendergrass described one of the documents before the Board to be a lease agreement for access to approximately 85-

acres of Alcoa property. Mr. Pendergrass explained the other document to be a multi-use operating permit allowing activity on waterfront property.

In response to a query from Chairman Blount, Mr. Holshouser stated he had reviewed the documents being presented. Mr. Holshouser asked if the legal description Mr. Ellis had sent to his office was the property description for the lease. Mr. Ellis responded yes. Mr. Holshouser asked if the insurance requirements were necessary and questioned how expensive the insurance would be. Mr. Ellis described these to be general requirements for permitted facilities around reservoirs but he would be glad to discuss the issue further.

Commissioner Chamberlain expressed the questions asked by Mr. Holshouser had been his only concern.

Mr. Russell mentioned that the county would not be operating or constructing facilities that had to deal with docks and marinas. Mr. Ellis explained that at one point, a canoe launch had been considered and that Alcoa was more than willing to work on these details.

Chairman Blount referred to previous conversation concerning “petitioning off” water next to the property and questioned the progress for this. Mr. Pendergrass responded that he is still working on the issue.

Commissioner Andrews commended the Parks & Recreation staff and Alcoa for an outstanding presentation and putting together the project.

Mr. Ellis stated that Alcoa had worked long and hard in creating the opportunity for the public to be able to use the property. Mr. Ellis thanked Mr. Foltz and Mr. Pendergrass for their hard work and for the opportunity to work with them.

Commissioner Belk expressed gratitude to Mr. Foltz and staff for working with Alcoa to “make this happen.”

Commissioner Tadlock made a motion to approve the lease agreement and the operating permit as presented. Commissioner Belk seconded the motion and the motion carried unanimously.

CONSIDERATION OF A RESOLUTION IN SUPPORT OF THE CURRENT ABC SYSTEM VS. PRIVATIZATION:

Chairman Blount recognized ABC Board members Faye Porter, Hank Palmer and Frank Tadlock and also acknowledged Linda Lowman and Ray Shuler.

Faye Porter informed the Board that for some time there has been an effort in the state to privatize the sale of alcohol. Ms. Porter explained that the ABC Board strongly feels that Rowan County and the State are better served by the control of the system. Ms. Porter requested approval a resolution in support of the system.

Discussion followed highlighting the differences in control versus privatization and emphasized support of the current system.

Commissioner Belk made a motion to approve the resolution as presented, followed by a second from Commissioner Andrews. The motion carried unanimously.

CONSIDERATION OF THE EXTENTION OF THE MORATORIUM ON BUILDING IN THE FLOODPLAINS:

Don Conner, Director of Environmental Services, requested to extend the moratorium for thirty (30) days.

Commissioner Tadlock made a motion to extend the moratorium for thirty (30) days. Commissioner Belk seconded the motion and the motion passed unanimously. Mr. Conner responded to a query from Chairman Blount that there had been no requests received from citizens wishing to build in the floodplains.

APPROVAL OF THE NEW AMBULANCE FEE SCHEDULE:

Leslie Heidrick, Finance Director, introduced the Board to Wendy Hogrewe, who worked to develop the fee schedule and also introduced Ms. Hogrewe as the newest member of the Finance Department.

Ms. Heidrick reviewed three factors considered when developing the new fee schedule as the new Medicare rate, effective April 1, 2002; rates charged by surrounding counties; and Rowan County Revenues and Expenditures associated with ambulance service.

Ms. Heidrick highlighted the handouts in the Board's packet.

Ms. Heidrick verified to a query from Commissioner Belk that a resident living in Cleveland would pay a higher ambulance rate than a resident living in Salisbury. Ms. Heidrick explained that the rate for everyone within the County is \$5.50 per mile and the higher rate for a Cleveland resident would be because of the distance.

Mr. Russell pointed out that 27% of ambulance calls do not result in transport. Mr. Russell stated that it appears residents are using the ambulance service as a mobile doctor.

Commissioner Belk expressed concern on fairness to the residents of the outer portions of the county concerning the mileage issue. Commissioner Belk stated she was hopeful the County would increase the EMS staff to provide the same level of service as far as response.

Mr. Russell emphasized that after reviewing the numbers, 81% of residents would have some form of reimbursement through Medicare, Medicaid or private insurance.

Commissioner Chamberlain expressed his concern over the \$5.50 per mile charge and received agreement from Commissioner Tadlock that it appears to be discrimination against the rural residents of the County.

Mr. Russell responded to a query from Commissioner Tadlock that Medicare would pay for the mileage.

Ms. Hogrewe confirmed to Commissioner Chamberlain that Medicare would pay 80% of the ambulance fee, leaving the patient responsible for 20%. Ms. Heidrick added that a secondary insurance would also pay.

Chairman Blount pointed out that all County services are centrally located and residents who reside in the rural area drive further for those services.

Commissioner Andrews expressed concern over citizens paying taxes for services and the County charging for the services. Commissioner Andrews also stated he had a problem charging for the mileage and said he would like the County to look at a flat mileage fee based on a projected difference received from Medicare. Mr. Russell explained that Medicare rules require everyone to be charged the same rate.

Ms. Heidrick discussed the percentages collected from Medicare and Medicaid and additional discussion ensued.

Commissioner Belk made a motion to approve the rate schedule as presented with the hope of improving Emergency Medical Services in the rural parts of the County. Commissioner Chamberlain seconded the motion and the motion passed unanimously.

ADDTIONS:

Request from the Soil & Water Conservation District:

Chairman Blount discussed the request from the Soil & Water Conservation District for funding of the celebration for the Johnny Moore Farm, which received the Conservation Farm Family Award.

Commissioner Tadlock made a motion to approve the request for \$1,000.00, followed by a second from Commissioner Belk. The motion carried unanimously.

Project Jump Start:

Commissioner Chamberlain discussed the initial meeting on Project Jump Start and questioned Mr. Russell as to County policy for hiring individuals that do not have a high school education. Mr. Russell responded that the County employs those with a high school education or GED.

Commissioner Chamberlain pointed out that Rowan County has named a task force to assist in locating jobs for individuals that may not have a high school education, yet the County will not hire those same individuals.

Chairman Blount stated that information from the Employment Security Commission reports 80% of individuals that come to their office to apply for jobs, have a high school diploma or GED. Chairman Blount highlighted the main purposes of the task force as, 1) to assist in securing jobs for laid off textile workers, possibly middle-aged and without high school diplomas, and 2) to look at future, long-term changes for the economy and what can be done to stay ahead of those changes.

Commissioner Chamberlain requested that the task force be kept “on target” or else the task force be abandoned and the Board pursue “a different direction.”

Commissioner Chamberlain felt the Board should lead the way during these difficult times by hiring individuals that do not have high school diplomas.

Mr. Russell stated that when County policy was created many years ago, there were approximately 6-10 employees that had not obtained a high school diploma. Mr. Russell continued to explain that the County had assisted those employees to receive their GED. Mr. Russell mentioned that many applicants for positions with the County are overqualified.

Commissioner Belk felt the County could hire individuals without diplomas and help them receive their diplomas through the Employee Assistance Program.

Chairman Blount stated when there is one (1) job opening and fifty (50) applicants, the County would hire the most qualified.

Commissioner Chamberlain voiced it to be “no less than hypocritical” for the County to have 800 employees and not accept applications, from individuals that do not have high school diplomas, while encouraging other employers to accept the applications.

Chairman Blount emphasized that the most qualified individuals should be hired. Commissioner Chamberlain agreed and expressed that “during this time” the County should review temporarily making exception and accept all applications.

Commissioner Tadlock stated he is of the opinion that the attitude and determination of the applicant is most important.

Commissioner Andrews discussed Project Jump Start and the need for assisting laid-off textile workers in securing jobs. Commissioner Andrews pointed out that education is a leading tool for employment. Chairman Blount stressed helping the unemployed acquire the education necessary for employment.

Chairman Blount suggested that Board members put ideas into writing to be given to the task force at its next meeting.

PUBLIC COMMENT:

There were no citizens present who wished to address the Board.

With no further business, Chairman Blount adjourned the meeting at 10:00 pm.

Respectfully Submitted,

Rita K. Foil
Clerk to the Board