

**MINUTES OF THE MEETING OF THE  
ROWAN COUNTY BOARD OF COMMISSIONERS  
MARCH 4, 2002 – 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 and the County Attorney were also present. Finance Director Leslie Heidrick was absent.

Chairman Blount called the meeting to order at 9:00 a.m.

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

Chairman Blount discussed an item of correspondence the Board had received from Colonel Locke's Militia. Chairman Blount stated that he would respond to the letter indicating the issue needs to be handled by staff. Chairman Blount asked that staff work with the organization in any way possible.

**ADDITIONS TO THE AGENDA:**

- Commissioner Andrews requested to add a zoning issue at High Rock Lake.
- Chairman Blount requested to add discussion concerning getting information out to County Commission candidates.
- County Manger Tim Russell announced the proposed budget review schedule was ready for approval.
- Mr. Russell also requested to add an Executive Session for current litigation.

## **COMMISSIONER LIAISON REPORTS:**

Commissioner Belk informed the Board that the Parks Board would be meeting this week to accept proposals for Nick's Playground, a handicapped playground, which will be an exciting addition to Dan Nicholas Park.

Chairman Blount stated that he and Commissioner Chamberlain had attended the Firemen's Memorial Service over the weekend that was sponsored by the City of Salisbury. Chairman Blount described the service to be a very moving experience. Chairman Blount continued by saying a fireman from New York, along with his wife, were present and discussed the 9-1-1 events.

## **CONSIDERATION OF THE CONSENT AGENDA:**

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

The Consent Agenda consisted of the following:

- A. Approval of the 02/18/2002 minutes.
- B. Approval of the NC DOT request to add Crooked Creek Lane, Bent Branch Circle and Wood Creek Circle to the State Secondary Road System for maintenance.
- C. Approval of the NC DOT request to add Birchwood Drive to the State Secondary Road System for maintenance.
- D. Approval to set a public hearing for the proposed road naming in the new addressing in the pilot area.
- E. Approval to set a public hearing for the ROAP grant application.
- F. Approval of the CJPP grant application.
- G. Approval to set a public hearing and adopt a resolution authorizing the filing of an application for the financing of the South Rowan Water Extension Project.
- H. Approval to set a public hearing for Z-28-01 and CUP-04-02 (CUD) RA to CBI, Jack Phillips, Jr., owner.
- I. Approval to set a public hearing for CUP-05-02 for the expansion of Little Acres Mobile Home Park.
- J. Approval to set a public hearing for text amendments for Accessory Structures & Residential Storage Facilities.
- K. Approval to set a public hearing for the addition of ambulance stations as permitted uses in all zoning districts.
- L. Approval to set a public hearing for special consideration of the following proposed road names: Afton Road, Bamboo Lane and Cade Lane.
- M. Approval Budget Amendments.

**PUBLIC HEARING FOR CUP-03-02, A REQUEST FOR A FAMILY  
SUBDIVISION OF PROPERTY IN THE CBI DISTRICT:**

Chairman Blount read the Chairman's speech (Exhibit "A") and declared the quasi-judicial hearing for consideration of CUP-03-02 to be in session. Chairman Blount stated that Mr. Phillip Shook, Sr. has submitted an application for consideration of a family subdivision of property in the Commercial, Business and Industrial (CBI) district. The property is located south off the 400 block of Yost Road on a private road named Alpha Drive and is identified as Rowan County Tax Parcel 415-142.

The Clerk swore in those that came forward to provide testimony in this case.

Ed Muire, Planner for Rowan County, presented his review (Exhibit "B") to the Board and pointed out that CUP requests were fairly routine in the CBI district. Mr. Muire described the CBI district to be the area between Grants Creek and Old Concord Road.

Mr. Muire explained that Mr. Shook had submitted an application (Exhibit "C") requesting a family subdivision approval for a 1.84-acre tract located off of Yost Road. Mr. Muire continued by stating Mr. Shook proposed to subdivide a 1.0-acre tract for his son, Phillip Shook, Jr. and referred to the survey (Exhibit "D") depicting the dimensions of the lot and stated this is a conforming lot for residential purposes.

Mr. Muire referenced to the development requirements outlined in Exhibit B and stated staff recommended the conditional use permit based on the required findings that were also listed in Exhibit B.

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

Commissioner Chamberlain made a motion to grant the conditional use permit for family subdivision of property in the CBI district. Commissioner Tadlock seconded the motion. The motion passed unanimously.

Chairman Blount declared the three issues indicated by staff in Exhibit B were to be used as findings of fact.

**The FINDINGS OF FACT** were listed as follows:

1. Placement and set-up of a manufactured home according to NC Building Code standards on this proposed 1-acre tract will not materially endanger the public health or safety.
2. Development of the property in accordance with the proposed family subdivision plan will not substantially injure the value of adjoining properties.
3. Set-up of a manufactured home will be in general harmony with the surrounding area.

**UPDATE ON FISCAL YEAR (FY) 2002-2003 MEDICAID COSTS:**

Mr. Russell alerted the Board of the rapid increase in Medicaid expenditures as Rowan County approaches the budget cycle for FY 2002-2003. Mr. Russell stated the County pays 5% of Medicaid expenditures and continued by stating Medicaid expenditures are anticipated to exceed \$123 million for FY 2002-2003. Mr. Russell explained the County's share would be approximately \$6.9 million and the share for the current fiscal year is budgeted at approximately \$5.5 million dollars. Mr. Russell expressed the shortfall for FY 2002-2003, for Rowan County alone, would be \$1.4 million dollars, which is over a 25% increase. Mr. Russell asked the Board to keep the additional required increase of \$1.4 million for Medicaid in mind as the Board prepares for the budget process.

Commissioner Chamberlain requested clarification concerning the County being required to spend funds. Mr. Russell responded that this is a mandated service and the state certifies eligibility through the Rowan County Department of Social Services (DSS) employees. The employees serve the clients through medical assistance and the County is billed for its share. Mr. Russell explained that the citizens of Rowan County would be expected to pick up the \$1.4 million shortfall for next year.

**RESOLUTION REQUESTING THE RELEASE OF REIMBURSEMENTS FROM THE STATE:**

Chairman Blount stated that a large amount of monies have been withheld from the counties and cities by the state. Chairman Blount continued by saying the state association is working behind the scenes to convince the Governor and his staff to make it a priority to release the monies if the state finds other sources of revenue. Chairman Blount requested that the Board approve a Resolution to officially go on record as requesting the money back.

Commissioner Tadlock inquired as to the exact amount of money being withheld. Mr. Russell responded that \$1.2 million dollars is being withheld from Rowan County.

In response to a query from Commissioner Tadlock, Mr. Russell explained that the one-half cent sales tax would be received July 1, 2003. Mr. Russell stated that Rowan County would basically be even for the first year without the makeup money and the County's total reimbursements that would be lost would be equal to the one-half cent sales tax. Mr. Russell reminded the Board that as the economy grows, the sales tax revenue would increase as well.

Chairman Blount stated that Charlotte Gardner, who is currently holding a staff position for the Department of Labor, in Raleigh, mentioned they are being told at the staff level that counties are sitting on a pot of money. Counties may be expected to help balance the state budget by spending their fund reserves. Chairman Blount pointed out the fund balances are mandated by state law in order for counties to take care of county shortfalls, not state shortfalls.

Commissioner Tadlock made a motion to approve the Resolution as presented, followed by second from Commissioner Belk. The motion passed unanimously.

**BOARD APPOINTMENTS:**

Juvenile Crime Prevention Council:

Jon Corriher was unanimously appointed to serve as the Business member, replacing Eddie Chamberlain.

Allison Myers was unanimously appointed to serve as the Under Age 21 member, replacing Kisha Somers.

Piedmont Behavioral Healthcare

Commissioner Chamberlain acknowledged the resignation of C. Kenneth Ingram and requested that the Board of Commissioners send Mr. Ingram a certificate of appreciation for the years of dedication he served on the Board.

John P. Burke was unanimously approved to serve on this board.

Nursing Home Advisory Committee

Chairman Blount stated that Bill Owens has resigned from this committee and the Board will work diligently to find someone to fill this position.

**ADDITIONS:**

**Subdivisions on High Rock Lake:**

Commissioner Andrews stated that the current zoning process established for Rowan County does not take care of all of the County's need for growth. Commissioner Andrews felt that more emphasis concerning zoning had been placed on the main corridors, including I-85 and Highway 70 and continued by saying, in the past few weeks, attention had been placed on the High Rock Lake and the Yadkin River areas. Commissioner Andrews stated that property along the waterfront in this area is probably the most valuable property in Rowan County. Commissioner Andrews felt the County needed to take steps to protect its number one water resource and to make sure that the County is able to retain the value of being established on the lake.

Commissioner Andrews made a motion to initiate a rezoning process for all properties adjacent to stickbuilt subdivisions located on High Rock Lake to the RS zoning classification. Commissioner Belk seconded the motion.

Commissioner Chamberlain questioned the word adjacent or contiguous in the motion. Commissioner Andrews stated that he is looking at the entire area, which can include property across the road. Commissioner Andrews said the property along the shoreline, the developments that are already in place along the shoreline and sites for future developments and the land adjoining these properties all have a great impact on the property on the shoreline. Commissioner Andrews stated that this concern needs to be addressed as quickly as possible and he requested staff to evaluate the entire area.

Chairman Blount asked Commissioner Andrews if the motion was for any property that is contiguous to a stick built subdivision. Commissioner Andrews responded “yes.” Chairman Blount also asked Commissioner Andrews for clarification that this is not a blanket rezoning of the entire lakefront. Commissioner Andrews responded “not at this time.” Commissioner Chamberlain asked if this is for property that is “touching?” Commissioner Andrews answered, “right now, yes.”

Commissioner Tadlock asked if this motion was for lake frontage property and adjacent/contiguous property. Chairman Blount said the qualification is that the property is adjacent to a stickbuilt subdivision that is on High Rock Lake.

Commissioner Chamberlain asked if there were two different meanings for the words adjacent and contiguous. Chairman Blount responded that he considered both words to mean the same. Commissioner Andrew stated if there is a lake front subdivision and then there is property across the road that does not touch the lake front subdivision, the property across the road does have an impact on what happens in the area and this is what needs to be evaluated.

Chairman Blount reminded the Board that a committee has been established to study Land Use Planning throughout Rowan County and how new subdivisions impact all of Rowan County.

The Board discussed the differences between adjacent and contiguous.

Commissioner Andrews asked to rephrase the motion to initiate a rezoning process on all properties adjacent and contiguous to stickbuilt subdivisions on the lake.

Chairman Blount requested an amendment to the motion to include stickbuilt subdivisions on High Rock Lake not currently zoned RS would be zoned RS. Commissioner Chamberlain seconded and the motion passed unanimously.

Chairman Blount reviewed that the motion includes all property contiguous and adjacent to existing stickbuilt subdivisions on High Rock Lake, including those subdivisions that would be initiated for a rezoning to the RS classification.

The motion passed unanimously.

Commissioner Andrews emphasized that this would be a high priority. Chairman Blount agreed and said that staff understands this.

**Providing Information to Candidates for County Commissioner:**

Chairman Blount reviewed that there are twelve candidates running for three seats on the County Commission and that it is beneficial to share information with these candidates. Chairman Blount asked if the Board agreed, to have the County Manager prepare a packet of information to include the budget and the legislative restraints placed on county commissioners and other issues.

Mr. Russell gave the Board a handout, in the initial format of topics for a workshop, and reviewed the outline, which was taken from the Institute of Government's publication on the role of County Government in North Carolina, according to the General Statutes. Mr. Russell reviewed the responsibilities of county commissioners and county managers highlighting the areas of Public Education, Human Services, Criminal Justice, Economic Development and the county's relationship with the State of North Carolina, other counties and municipalities and the City of Salisbury on Water/Sewer Services. Mr. Russell also mentioned the importance of understanding the Open Meetings Law and the Public Records Law. Mr. Russell also suggested adding information to the packets on the organizational chart, current operating budget and annual budgeting process, financial issues that will impact the budget, local taxes and revenues, and a copy of the goals approved by the Board at the retreat. Mr. Russell stated that staff would be available at anytime to share information.

Commissioner Chamberlain emphasized that the Board is in control of the tax rate, which they are all very concerned about and the budget and other documents are available to the public for their review.

The Board expressed that this was a great idea and they reflected on the enormous amount of information that they discovered once they became commissioners. Many citizens are not aware of the many items that are mandated by the state.

This information will be presented in written form rather than presented in a workshop.

**Budget:**

Mr. Russell passed out to the Board a proposed budget schedule and he explained that this process has already begun. Mr. Russell explained that the dates for the budget reviews by the Board and the budget public hearing are scheduled in June 2002 to coincide with the regular Board meetings. Mr. Russell informed the Board that the proposed budget for FY 2002-2003 is scheduled to be presented to the Board on May 17, 2002.

The Board had consensus that the proposal for the budget is to be for a no tax increase budget.

**PUBLIC COMMENT PERIOD:**

Chairman Blount opened the public hearing to entertain comments of concern to the Board.

There being no one who wished to address the Board, Chairman Blount closed the public comment period.

Chairman Blount declared the Board would go into Closed Session at 9:45 am to discuss a litigation issue.

Chairman Blount reconvened the meeting back into Open Session at 10:10 am.

There being no further business, Chairman Blount adjourned the meeting.

Respectfully Submitted,

Rita K. Foil  
Clerk to the Board