

**MINUTES OF THE MEETING OF THE  
ROWAN COUNTY BOARD OF COMMISSIONERS  
JUNE 17, 2002 – 7:00 PM  
J. NEWTON COHEN, SR. ROOM, ADMINISTRATION BUILDING**

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

Chairman Blount requested to add the following items for discussion:

- a. ½ cent sales tax
- b. YMCA logging project
- c. School Bond issue
- d. Update on the recent NCACC meeting

**LIAISONS:**

Commissioner Andrews commended the Health Board for its continued efforts during the budget cutbacks.

Commissioner Chamberlain mentioned several fires that had occurred over the weekend, as well as an accident involving an ambulance. Commissioner Chamberlain praised the Fire & Rescue departments for their ability to work together. Commissioner Chamberlain stated that the Rescue Squad has made an ambulance available to the China Grove Fire Department while the wrecked ambulance is out of service.

Commissioner Belk praised the Department of Social Services for a “terrific job” during such difficult economic times.

**CONSIDERATION OF CONSENT AGENDA:**

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

The Consent Agenda consisted of the following:

- A. Approval of the 6/03/02 minutes
- B. Approval of JCPC FY 2002-2003 program funding
- C. Request from Rowan Vocational Opportunities, Inc.
- D. Approval to set a public hearing for a Special Consideration for the proposed road name of Drye Road
- E. Approval to set a public hearing for CUP-12-02, a request for a Residential Storage Facility
- F. Approval to set a public hearing for Z-10-02 (CUP-14-02) a request from Bryan Edwards
- G. Approval of a Resolution to support the continuation of existing scrap tire advance disposal fees
- H. Budget Amendments

**PROCLAMATION HONORING THE WEST ROWAN HIGH SCHOOL SOFTBALL TEAM:**

Chairman Blount recognized the West Rowan High School Softball Team for its accomplishments during the 2001-2002 softball season. Chairman Blount praised the team’s overall GPA of 4.03, declaring the girls to be not only great athletes, but also great scholars. The revelation of the team’s GPA brought a round of applause. Chairman Blount read a Proclamation declaring the achievements of the team, including the 3A State Championship title. Chairman Blount requested the Board to rise and give another round of applause to the team. Each team member, along with the coaches and Principal Henry Kluttz, were presented with a copy of the Proclamation.

As the team was leaving, Commissioner Chamberlain joked with pitcher Devon Williams and giving credit for Devon’s pitching ability to her piano teacher, who happened to be his daughter-in-law. Commissioner Chamberlain also joked and congratulated Stephanie Athey, daughter of the Assistant Clerk.

**PUBLIC COMMENT:**

Dana DiMarzo had signed up to address the Board. Mrs. DiMarzo’s husband, Brian DiMarzo, spoke to the Board concerning a motor track on Black Road. Mr. DiMarzo distributed a handout, along with photographs, stating the couple had exhausted all efforts to stop the track. Mr. DiMarzo emphasized the dust, noise, garbage and health problems

the track imposes on his family and neighbors and mentioned the drinking/driving of those attending the race, witnessed by his family from their property, as well as expressing concern over the trespassing that occurs on the properties surrounding the track when races are held. Mr. DiMarzo reported a proposal by the track owners is to have twelve (12) races per year, which would generate approximately 4,000 people to a personal business being operated in a rural agricultural neighborhood. Mr. DiMarzo stated he was presenting the Board with the evidence collected, and seeking the Board's assistance on how to close this business.

Chairman Blount thanked Mr. DiMarzo for bringing the matter before the Board and asked Marion Lytle, County Planner, if he was prepared to answer questions concerning the track.

Chairman Blount inquired if the business was zoned commercial, would it be acceptable in an RA district. Mr. Lytle responded "no" and stated that codes enforcement officers had visited the track and there were no charges at that time, which is how staff determines the definition of a business.

Chairman Blount requested the county attorney to consider the waiver form. Chairman Blount stated the track appeared to be "a very organized situation if it's not a business."

Mr. Lytle stated the SIC code uses the term "economic enterprise."

Commissioner Chamberlain inquired where the selling of snacks would fall under economic enterprise. Mr. Lytle stated that when codes enforcement visited the track, the owner was charging for snacks, but then said he stopped.

Chairman Blount requested staff to present the Board with a report at the next meeting.

John Holshouser felt certain there could be private action for nuisance and that most individuals did not want to bear that expense. Chairman Blount responded that the Board should take action if a business is operating illegally according to zoning ordinance and requested staff for this update.

Commissioner Andrews queried Mr. Lytle if the county had any basis for enforcement if there was no money being exchanged at the track. Mr. Lytle responded the capabilities are not in the county's ordinance.

Mr. Lytle responded to a query from Commissioner Belk that the county's noise ordinance is lax regarding motorized vehicles.

Chairman Blount requested the Clerk to put the track on the agenda for the Board's next meeting.

Commissioner Chamberlain expressed the need to figure out a way to assist Mr. DiMarzo.

**PUBLIC HEARING FOR CUP-11-02 FOR A FAMILY SUBDIVISION IN THE CBI DISTRICT, A REQUEST FROM FRANCIS BARBEE:**

Chairman Blount read the Chairman's speech (Exhibit A), declaring the hearing for consideration of CUP-11-02 to be in session. Chairman Blount stated the hearing would focus on an application (Exhibit C) submitted by Ms. Francis Barbee for subdividing one (1) tract from Tax Parcel 316-011 currently zoned Commercial, Business, Industrial (CBI). The parent tract is located at the intersection of Statesville Blvd. and Barringer Road in Franklin Township.

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

Matt Ward, Assistant Planner, presented the background (Exhibit B) for the case. Mr. Ward stated the subdivision was for a one-acre tract on the back of the property. Mr. Ward informed the Board that he had visited the site and there appeared to be no problems with transportation, parking or obstructions of view. Mr. Ward stated that staff supports the request for the family subdivision.

Mr. Ward responded to a query from Commissioner Belk that the homes on Ms. Barbee's property are being affected by the widening of Highway 70.

Chairman Blount opened the public hearing at 7:30 pm to entertain citizen input. With no citizens present to address the Board, Chairman Blount closed the public hearing.

Commissioner Chamberlain made a motion to grant the CUP for Francis Barbee's property. Commissioners Andrews and Tadlock seconded the motion and the motion passed unanimously.

Chairman Blount declared the following staff evaluation criteria to be the **Findings of Fact**:

- A. Adequate transportation access to the site exists
- B. The use will not significantly detract from the character of the surrounding area
- C. Hazardous safety conditions will not result
- D. The use will not generate significant noise, odor, glare or dust
- E. Excessive traffic or parking problems will not result
- F. The use will not create significant visual impacts for adjoining properties or passersby.

**PUBLIC HEARING FOR THE NEIGHBORHOOD BUSINESS ZONING DESIGNATION:**

Mr. Lytle stated the purpose of the proposed zoning text was to prevent excessive CBI/CUD zonings and create text more appropriate for the rural areas of the County. Mr. Lytle pointed out the text that was changed or added.

Chairman Blount opened the public hearing at 7:32 pm to entertain citizen input and with no citizens wishing to address the Board, Chairman Blount closed the public hearing.

Chairman Blount took a moment to recognize and welcome Commissioner Andrews' family members, including his wife and mother.

Commissioner Tadlock made a motion to approve the text amendment as submitted followed by a second from Commissioner Belk. The motion carried unanimously.

**PUBLIC HEARING FOR Z-08-02 (CUP-10-02) A REQUEST FOR MHO:**

Chairman Blount declared the public hearing for consideration of Z-08-02 and CUP-10-02 to be in session and reviewed the Chairman's speech (Exhibit A). Chairman Blount added that the purpose of the hearing focused on applications (Exhibit B and Exhibit C) submitted by property owner, Mr. Aaron Evans, for establishment of a Manufactured Home Overlay (MHO) on TP 542-050.

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

Mr. Lytle presented the background (Exhibit D) for the case, explaining that Mr. Evans had purchased the property on Hwy 52 "a couple of months after rules changed," which prevented a singlewide mobile home from being placed on the property. Mr. Lytle stated that there is a septic tank in place, as well as power service on the site and because the home was vacated for more than 180 days, it must come into a conforming use.

Mr. Lytle highlighted that the site does fit with the area; the site across the road is industrial, as well as industrial behind the site, with a house beside the site. Mr. Lytle informed the Board that the house beside the site belongs to Ms. Clara Mae Basinger, who is present for the hearing. Mr. Lytle reported that Mr. Evans and his fiancée, along with Ms. Basinger spoke in favor of the request at the courtesy hearing. Mr. Lytle stated that the Planning Board voted unanimously to forward a favorable recommendation to the Board.

Commissioner Chamberlain verified that there was previously a singlewide mobile home on the site.

Mr. Lytle responded to a query from Chairman Blount that the MHO is on the .68-acre tract and not the entire tract.

Chairman Blount opened the public hearing to entertain citizen input.

Mr. Aaron Evans stated that he and his fiancée, Jamie Morgan, wish to place a singlewide mobile home on the site until it's determined where the Highway 52 bypass will come through in a few years. Mr. Evans continued by saying it was their intent to start with a singlewide and build a house in 3-5 years, if the road does not come through. Mr. Evans stated they would like to start with the singlewide to conserve money and that he had

purchased the site from Ms. Basinger and her now deceased husband. Mr. Evans stated he bought the property unaware of the County's rezoning and the singlewide would be upgraded from the previous home.

Ms. Basinger stated, "I really need these neighbors."

Mr. Evans stated his fiancée is a schoolteacher in Rowan County and that denial of the request would cause them to have to relocate in another county. Mr. Evans emphasized that his fiancée preferred to teach here and stay in Rowan County.

Jamie Morgan added "All of my kids passed the EOG, if that helps." This comment brought chuckles as well as praise from the Board.

Chairman Blount closed the public hearing at 7:40 pm

Commissioner Tadlock made a motion to approve the request as submitted followed by a second from Commissioner Chamberlain.

Chairman Blount verified with staff that the rezoning and CUP could be done under one (1) motion.

The motion passed unanimously.

Chairman Blount declared staff's written report as the **Findings of Fact**:

1. Relationship and conformity with any plans and policies.
2. Consistency with the requested zoning district's purpose and intent.
3. Compatibility of all uses within the proposed district classification with other properties and conditions in the vicinity.
4. Potential impact on facilities such as roads, utilities and schools.

**PUBLIC HEARING FOR CUP-09-02 REQUEST FOR APPROVAL OF A RESIDENTIAL STORAGE FACILITY:**

Chairman Blount declared the public hearing for consideration of CUP-09-02 to be in session and read from the Chairman's speech (Exhibit A). Chairman Blount stated the hearing would focus on applications (Exhibit B) submitted by property owners, Linus and Ann Holstein for establishment of a Residential Storage Facility on TP 626-024, located at 391 Poole Road in Salisbury.

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

Mr. Lytle presented the background (Exhibit C) and explained that Mr. & Mrs. Holstein had purchased the property on Poole Road in 2001 and had pulled in a portable storage building on the site and attempted to obtain a permit to wire the building. Mr. Lytle stated the intent of the Holsteins is to build a house and some of the grading has already

been done. Mr. Lytle pointed out the applicants currently reside in Pineville and it would be difficult to build the new house without a facility for storage. Staff recommended approval of the request. Mr. Lytle stated the property was posted and neighbors were notified of the public hearing. Staff received two (2) calls concerning the request and both were in favor of the request.

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

Commissioner Andrews made a motion to approve the request as submitted. Commissioner Chamberlain seconded the request and the motion passed unanimously.

Chairman Blount declared staff's report to be the **Findings of Fact**:

1. The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety.
2. 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.
3. The location and character of the development of the property 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.

**PUBLIC HEARING FOR UNANIMOUS ROAD PETITIONS FOR WITHERS ROAD, DINO DRIVE AND EL CARDENAL FARM LANE:**

Fredda Greer, of the Planning Department, explained the proposed name of Withers Road to be for an internal road into a mobile home park off Goodson Road. Ms. Greer stated the property owners had submitted a petition for naming the road Withers Road and staff supported the name.

Ms. Greer stated that the proposed name of Dino Drive was also for an unnamed road within a mobile home park. Ms. Greer stated the owners had submitted a unanimous petition to name the road Dino Drive. Staff supported the request.

Ms. Greer informed the Board that the proposed name of El Cardenal Farm Lane is a private road belonging to Ernie Irvan Enterprises. Ms. Greer stated there are several structures on the road and when asked for a name for the road, the owners submitted a petition for El Cardenal Farm. Ms. Greer stated the owners had been notified concerning the thoroughfare abbreviation of Lane being added to the name. Due to no response concerning the thoroughfare abbreviation, staff supported the naming of El Cardenal Farm Lane.

In response to a query from Chairman Blount, Ms. Greer confirmed the spelling for the road name.

Chairman Blount opened the public hearing at 7:45 pm for consideration of Withers Road, Dino Drive and El Cardenal Farm Lane. With no citizens present to address the Board, Chairman Blount closed the public hearing.

Commissioner Tadlock made a motion to approve the road names as submitted. Commissioner Chamberlain seconded the motion and the motion passed unanimously.

**PUBLIC HEARING FOR MAJORITY ROAD PETITIONS FOR WITHROW CREEK LANE, DUSTY FARM ROAD AND SHEETS LANE:**

Ms. Greer stated that the proposed road of Withrow Creek Lane met the criteria for needing to be named and that Bryan Kluttz agreed to be the petition leader. Mr. Kluttz obtained a majority of signatures agreeing on Withrow Creek Lane and staff supports the name. Ms. Greer informed the Board that on June 4, 2002, the petitioner called to say that an “s” should have been added for Withrows Creek Lane and requested this change. Ms. Greer stated that no calls were received when notification was sent to property owners concerning the naming of the road.

Ms. Greer stated that the proposed road name of Dusty Farm Road had been identified by ASI as a road needing to be named. Ms. Greer explained that property owners were contacted and given the opportunity to name the road. Ms. Greer informed the Board that Staff had received a petition with 6 out of 7 signatures in favor of Dusty Farm Road. Staff supports the petition request.

Ms. Greer explained that the proposed road of Sheets Lane had been identified by ASI as a road needing to be named. Ms. Greer stated that property owners were contacted and given the opportunity to name the road. The owners responded with a petition containing 4 out of 5 signatures in agreement for Sheets Lane. Staff supports the petition.

Chairman Blount opened the public hearing to entertain citizen input for the road names as presented.

Tina Loflin stated she was a resident on the “farm land” and that she did not want the road named and did not want to change her address. Ms. Loflin continued by saying the property was family-owned farmland of 200 acres or more, with only three (3) homes on the property. Ms. Loflin informed the Board that one (1) of those homes is a trailer owned by her uncle, Bryan Kluttz, and the trailer is going to be moved. Ms. Loflin stated she owned a private business in her home and didn’t want to have to go to the trouble of changing the address. Ms. Loflin stated that Mr. Kluttz also owned his own business.

In response to a query from Chairman Blount, Ms. Loflin stated that her current address is 9530 NC 801 Highway.

An unidentified individual stated that family members live on the land and the family felt the road had to be named due to Mr. Kluttz building his new home.

Chairman Blount verified with staff that three (3) residents on the road require the road to be named.

Ms. Loflin and the unidentified speaker asked if the road could be named and leave the addresses the same.

Chairman Blount informed the citizens that leaving their address the same would result in not receiving their mail and a possible delay for emergency services. Chairman Blount explained the readdressing was being done throughout the county.

Ms. Loflin continued to question the process of naming the road.

Commissioners Andrews and Belk questioned the location of the third residence and confirmed with Ms. Loflin that three (3) residences share the road/driveway.

Commissioner Belk made a motion to rename the roads as presented. Commissioner Andrews seconded the request. The motion carried unanimously.

**PUBLIC HEARING FOR SPECIAL CONSIDERATION FOR CABIN CREEK ROAD:**

Ms. Greer presented a road name petition received by staff from Ms. Donald Hyatt for naming a portion of roadway running south at the end of Corinth Church Road. Ms. Greer informed the Board that it had been difficult determining actual property owners along the road. Ms. Greer stated that she had received assistance from Ed Muire in reviewing deeds.

Ms. Greer explained that she had notified all property owners, with only one (1) response, from Mr. Joel Galliher, which was in opposition. Staff received no additional response concerning the public hearing.

Commissioner Andrews confirmed all property owners were contacted.

In response to a query from Chairman Blount, Ms. Greer confirmed the request was an unsolicited request for a road name.

Chairman Blount opened the public hearing at 8:00 pm to entertain citizen input.

Alise and Donald Hyatt addressed the Board stating they resided, down from the road in question, for fourteen (14) years. Mr. Hyatt explained the confusion that had occurred with the County and the DMV concerning the address for a plot of land recently recorded/deeded.

Commissioner Andrews questioned if the road name of Cabin Creek was fine with the Hyatt's. Mr. Hyatt responded yes.

Chairman Blount closed the public hearing.

Commissioner Chamberlain made a motion to approve the name of Cabin Creek Road as requested. Commissioner Tadlock seconded the motion and the motion passed unanimously.

**PUBLIC HEARING FOR STRUCTURE READDRESSING:**

Adrian Rollans, Planning Department, presented the Board with the addresses recommended by ASI Landmark, Inc. for readdressing in the southwestern part of the County. Mr. Rollans stated that staff had notified all property owners of the need for an address correction.

Mr. Rollans stated that staff had received several calls and had noted those changes on the maps received by the Board. Mr. Rollans pointed out a change on Map #2 with the address listed at 2295 London Road. Mr. Rollans informed the Board this was a business and not a separate residence. Staff recommended the property be left at 2295 London Road.

Mr. Rollans referenced Map #5 and reported that he had received a call from Ms. Lowery concerning the business of Robbie Morrison. Ms. Lowery requested to leave the business address at 295 and change the residence to 245. Staff recommended approval of Ms. Lowery's request.

Chairman Blount read the current and proposed addresses as follows:

**Map 4677**

**Map (1)**

Boyd Wright

Current: 145 London Road Mooresville, NC 28115  
Proposed: 2668 London Road

James C. Little

Current: 153 London Road Mooresville, NC 28115  
Proposed: 2650 London Road

Harry Allen Sloop, Jr.

Current: 2620 London Road Mooresville, NC 28115  
Proposed: 2621 London Road

Timothy R. Bradshaw

Kathy Bradshaw  
Current: 2565 London Road Mooresville, NC 28115  
Proposed: 2560 London Road

Margaret S. Bradshaw  
Current: 2545 London Road Mooresville, NC 28115  
Proposed: 2540 London Road

Delphin J. Sherrill  
Current: 205 London Road Mooresville, NC 28115  
Proposed: 2688 London Road

**Map 4687**  
**Map (2)**

Harry Powers  
Current: 2295 London Road Mooresville, NC 28115  
Proposed: 2297 London Road

Current RESIDENT  
Current: 2295 London Road Mooresville, NC 28115  
Proposed: ~~2297 London Road~~ 2295 London Road

Harry Powers  
Current: 275 Powers Farm Road Mooresville, NC 28115  
Proposed: 250 Powers Farm Road

Harry Powers  
Current: 285 Powers Farm Road Mooresville, NC 28115  
Proposed: 270 Powers Farm Road

**Map 4697**  
**Map (3)**

Charles Leroy Brown  
Current: 590 Meadow Lane Mooresville, NC 28115  
Proposed: 570 Meadow Lane

Billy E. Munson, Jr.  
Current: 570 Meadow Lane Mooresville, NC 28115  
Proposed: 588 Meadow Lane

Maude E. Cannon  
Current: 540 Meadow Lane Mooresville, NC 28115  
Proposed: 544 Meadow Lane for Mobile Home in the Rear

**Map (4)**

Roney Borrás

Current: 450 Karrimont Road Mooresville, NC 28115

Proposed: 280 Karrimont Road

Hoke Karriker

Current: 495 Karrimont Road Mooresville, NC 28115

Proposed: 291 Karrimont Road

Katrina Holshouser

Current: 499 Karrimont Road Mooresville, NC 28115

Proposed: 287 Karrimont Road

Hoke Karriker

Current: 497 Karrimont Road Mooresville, NC 28115

Proposed: 315 Karrimont Road

**Map (5)**

Braddie Lowery

Current: 295 Mile Long Road Mooresville, NC 28115

Proposed: 295 Mile Long Road for Robbie Morris Heat/AC  
245 Mile Long Road for Lowery Residence

James Reece

Current: 435 Wal Hollow Lane Mooresville, NC 28115

Proposed: 415 Wal Hollow Lane

**Map (6)**

Boyce Pressley Freeze

Current: 199 Upright Avenue Mooresville, NC 28115

Proposed: 385 Upright Avenue

Boyce Pressley Freeze

Current: 235 Upright Avenue Mooresville, NC 28115

Proposed: 1250 Country Stroll  
Owner wants Upright Ave. 517 assigned

Chairman Blount verified with Mr. Rollans that 517 Upright Avenue is acceptable.

Boyce Pressley Freeze

Current: 255 Upright Avenue Mooresville, NC 28115

Owner wants Upright Ave. 595 assigned

## **Map (7)**

Howard G. Goodnight

Current: 310 Corriher Grange Road Mooresville, NC 28115  
Mobile Home at Rear Should Be 306 Corriher Grange Road

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

Mr. Rollans reminded Chairman Blount to strike the second item listed for Map (2) and leave as 2295 London Road.

Commissioner Andrews made a motion to approve the readdressing with the changes as submitted. Commissioner Belk seconded the motion. The motion passed unanimously.

### **PUBLIC HEARING FOR Z-07-02 (CUP-08-02), A REQUEST FOR MHO:**

Chairman Blount declared the public hearing for consideration of Z-07-02 and CUP-08-02 to be in session for the establishment of a MHO. Chairman Blount referred to the Chairman's speech (Exhibit A) and stated the property being considered was located at 295 Twin Creeks Drive in Salisbury. The applications were attached to the packets (Exhibit B and Exhibit C).

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

Matt Ward, Assistant County Planner, presented the background (Exhibit D) explaining that four ten-acre tracts were subdivided in 1999 as an exception to the County's Subdivision Ordinance. Mr. Ward reported that in December 1999, Patricia Cromwell purchased tract 3 and in March of 2000 placed a doublewide on the property. Mr. Ward stated that in August of 2001, Ms. Cromwell was allowed placement of a singlewide manufactured home for her father for temporary use as a medical hardship. Mr. Ward continued by describing the area as heavily wooded and stated that Ed Muire of the Planning Department, felt there would be no economic impact on the area. Staff supported the request.

Commissioner Chamberlain inquired as to whether the blind parent still lived in the singlewide mobile home. Mr. Ward responded, "I believe they still reside there." Commissioner Chamberlain requested clarification, that if the hardship situation had not changed, why the request for the MHO or "make it permanent."

Mr. Lytle stated, "That's a good question." Mr. Lytle explained he understood Ms. Cromwell was interested in "making it a conforming use."

Commissioner Chamberlain felt there was no reason to grant the MHO now but the Board could revisit the issue if the situation with the parent changed.

In response to a query from Chairman Blount, Mr. Lytle stated that it could be a year before Ms. Cromwell could make the request again. Mr. Ward said that initially Ms. Cromwell had wanted to establish a family mobile home park, which was not permissible at that time.

Commissioner Chamberlain pointed out that staff and the Planning Board recommend approval of the request. Commissioner Chamberlain wanted to know if staff or any member of the Planning Board asked the question, “why?” Mr. Lytle stated he did not recall that question being asked.

Commissioner Belk stated that she was not ready to vote without knowing “why.”

Chairman Blount suggested deferring the matter to the next meeting when more information could be provided.

### **APPROVAL OF FINANCING FOR FY 2002 VEHICLES:**

Leslie Heidrick, Finance Director, discussed the financing proposals received for the purchase of two (2) ambulances for EMS and fourteen (14) vehicles for the Sheriff’s Department. Ms. Heidrick reported the amount to be financed at \$315,432.00, for a term of three (3) years. Ms. Heidrick recommended the Board accept the low bid received from First Bank with an interest rate of 3.575% with a total cost of \$333,391.25, excluding legal fees.

Commissioner Chamberlain questioned the “Other Fees” listed by First Bank, to which Ms. Heidrick responded were loan origination fees.

Commissioner Tadlock made a motion to approve the financing package as presented. Commissioner Andrews seconded the motion and the motion passed unanimously.

Chairman Blount called for a short break at 8:20 pm.

Chairman Blount called the meeting back to order at 8:30 pm.

### **PUBLIC HEARING FOR FY 2002-2003 PROPOSED BUDGET:**

Chairman Blount opened the public hearing to entertain citizen input concerning the proposed budget.

1. Riley Jones, a six year old, brought a bag of money and addressed the Board declaring, “I love the bears” and said that she has saving money for the bears since she was two (2). Riley thanked the Board for supporting the bears and requested the Board’s continued support.

Commissioner Chamberlain asked Riley the name of her grandfather. Riley responded, "Papa Frick." Commissioner Chamberlain informed Riley that he had attended school with her grandfather and grandmother.

Commissioner Tadlock asked if the Board would get the money and Riley responded that the money was for the bears. Riley presented the bag of money to Ms. Heidrick, which was followed by a round of applause.

2. Melissa Graham, a first-grade teacher in Rowan County, thanked the Board on behalf of the teachers and students who "love the bears," for the Board's support in the grant received this year.
3. Bea Blount stated that she had held one of the bears when they first arrived as cubs to Dan Nicholas Park. Ms. Blount considered the bears a great asset to the park and expressed appreciation to the Board for helping make the bears more comfortable.

With no further citizens wishing to address the Board, Chairman Blount closed the public hearing at 8:37 pm.

Commissioner Chamberlain reported that Rowan County is not broke and declared the County to be in good financial condition. Ms. Heidrick agreed with Commissioner Chamberlain.

Commissioner Chamberlain continued by saying part of the reason for having an unrestricted fund balance is to use the balance in time of "dire need" and expressed the cuts by the Governor to have created budget needs. Commissioner Chamberlain thanked Ms. Heidrick, Mr. Russell and the Board members for creating a budget without increasing taxes and without laying off employees.

Commissioner Tadlock mentioned the amount being pulled from fund balance for the budget would still leave the County ahead by at least 8% or more in fund balance. Commissioner Tadlock commended staff for a job well done.

Commissioner Chamberlain acknowledged former County Commissioner Newton Cohen, Sr. and Mayor Fred Steen of Landis, stating they could understand the tough budget issues facing the Board. Commissioner Chamberlain expressed appreciation for their attendance.

Chairman Blount reminded the Board that the Manager had presented two (2) other options and adjustments may still have to be made according to the State's final decisions.

Commissioner Andrews stated that while in Raleigh in the last week, the tone of discussions indicated that "we may not be out of the water at this particular time and that

next year is not promised to be any better than where we are at this time, and it could be worse.”

Mr. Russell outlined the following proposed budget ordinances for fiscal year 2002-2003:

**General Fund 101:** Mr. Russell referenced page 2 concerning Public Schools and the Teacher’s Classroom Supplies Grant and emphasized that this is a separate expense and will not be blended in with the current expense. Mr. Russell stated the total budget for the General Fund is proposed at \$95,843,116.

Mr. Russell referenced pages 4 & 5 for the public schools Current Expense and Reserve Funds. Mr. Russell pointed out the proposed Reserve for Continuation and Expansion set aside in the event the State enacts reductions on local funds.

On page 6, Mr. Russell highlighted the Teacher Supply Fund amount of \$395,987 for three (3) systems. The Board of Education would be required to give the Board of Commissioners a Resolution indicating their willingness to allocate the funds to the teachers for classroom supplies. Mr. Russell stated the monies would be ready for distribution, no later than July 15, 2002, based upon receipt of the Resolution.

Mr. Russell stated the property tax would remain at the rate of 63.5 cents per \$100.00 property valuation, for taxation of \$8.20 billion with an estimated collection rate of 96.5%.

**Fund 201:** Mr. Russell discussed the *Special Fire and Service District Taxes Fund*, which are appropriated and levied by the Board, collected by the County and distributed to the volunteer fire departments. Mr. Russell stated all rates were the same, with the exception one (1) change, which went down one-half cent.

**Fund 202:** Mr. Russell stated the funds for the *Emergency Telephone Assistance Fund*, levied at \$.65 cents per month, per telephone line for the purpose of establishing the emergency telephone service program for Rowan County and is part of the GIS System.

**Fund 501:** Mr. Russell explained the fund as being the *Risk Management Self-Retention Program Fund* for providing the county’s self-insurance for liability and workers compensation, proposed at \$863,536.00.

**Fund 601:** Mr. Russell described the fund as the *Solid Waste Enterprise Fund*, which supports the cost of operations for the disposal of solid waste in the county from fees generated from users of the landfill. The total fund is proposed at \$2,535.00.

**Fund 602:** Mr. Russell reviewed the *Rowan-Kannapolis Sports Consortium Fund*. The purpose of the fund is to receive the debt service funds from the City of Kannapolis and the County and remit those to the county’s debt service and maintain the operations of the Stadium. The proposed expenditures are \$547,000, the debt service would be \$400,000 and \$142,000 is reserved for administration and operations.

Commissioner Andrews made a motion to pass the budget ordinances as presented, followed by a second from Commissioner Belk. The motion passed unanimously.

Commissioner Belk mentioned the Retiree Health Insurance Coverage and would like to continue discussions at the next meeting.

Commissioner Andrews stated that the Board needs to have a clear picture of the objectives to be accomplished. Commissioner Andrews expressed concern about the major cost factor in funding this benefit.

The Board by consensus decided the need to establish goals and to get with staff about concerns.

### **BOARD APPOINTMENTS:**

The Board approved the following board appointment:

#### **Centralina Workforce Development Board:**

Ms. Nancy Billson applied to fill the private sector slot left vacant by Brian Spencer. Commissioner Chamberlain made a motion to appoint Ms. Billson and the motion passed unanimously.

### **ADDITIONS:**

#### **One-Half Cent Sales Tax:**

Chairman Blount reviewed with the Board that the Senate passed a bill to allow counties to raise a one-half cent sales tax with the State keeping the reimbursements. If this bill passes with the House, Rowan County would be at a “break-even” level with the budget and the adopted budget ordinance will continue on with the revenues.

There are two House bills pending. Assuming the House passes these bills, the Board would need to adopt a resolution supporting the one-half cent sales tax by July 15, 2002 and report this approved resolution to the Department of Revenue. Chairman Blount referenced these two bills from the Legislative Bulletin (dated June 13, 2002).

Since the House will not have the bill passed until after the Board’s July 1<sup>st</sup> meeting, the NCACC (North Carolina Association of County Commissioners) has suggested that a continuation of the July 1<sup>st</sup> meeting be held the week of July 8<sup>th</sup>, in order to adopt the one-half cent tax. Due to the time constraints, there will be no requirement for the 10-day notice and public hearing.

The Board agreed to continue the Board meeting early on July 8, 2002.

Chairman Blount emphasized that this is all dependent on the House passing this bill. The NCACC feels that the House will move quickly.

Mr. Russell added that since the Board levy's the tax, most of the municipalities get a portion of the sales tax and they have asked the Board to react in a timely basis. Mr. Russell continued to state that there is a choice. If the States does give the counties this opportunity, they are still taking away the counties reimbursements, which equal \$3.9 million in Rowan County. The Board could decide not to levy the tax. This is not an opportunity for Rowan County to gain anything, rather this is the State Legislature saying they are taking the reimbursements, but also giving the opportunity to levy this tax in place of the reimbursements. Mr. Russell cautioned that if the Board decided not to levy the tax, the "ramifications would be phenomenal."

Commissioner Tadlock said that it was "chicken" on the State's part to penalize the counties and put this option to the counties to vote on a one-half cent sales tax in lieu of the reimbursements. There may be some counties financially secure enough not to enact the one-half sales tax; therefore there would not be continuity across the state. This could have been voted in as a State sales tax and kept the county reimbursements in tact to come back to the counties, instead of placing this burden on the counties. Commissioner Tadlock summarized that it would have been simpler for the State to enact a State sales tax for the State's revenue that would equal what the State is taking from local governments and enables the State to balance the budget. Commissioner Tadlock added expressed his disapproval of the State in handling this issue.

Commissioner Andrews said that the majority in Raleigh does not want to levy a tax increase, so they are shifting this responsibility to the counties.

Mr. Russell added that the consolation in this procedure is that if the State levied the tax, they could keep the funds next year.

Chairman Blount stated that the NCACC position has been for the counties to levy the tax so the State cannot touch it.

Chairman Blount added that there is another bill that will restrict the Governor on "what he can grab and can't grab." This process will take much longer and would probably not protect the counties this year or next year. Chairman Blount suggested that the Board send a resolution to our Legislative Delegation in the House suggesting support of House Bill 1632 and House Bill 1633. Chairman Blount explained that these bills address the "sunset" on the existing one-half sales tax. The other bill authorizes counties to raise a one-half cent sales tax in return for losing the reimbursements.

Commissioner Tadlock added that this would allow the Board to enact the tax once the House passes these bills.

Commissioner Belk made a motion to send a resolution in support of H1632 and H1633. Commissioner Tadlock seconded.

**Farm Use Valuation:**

Chairman Blount went over the complex revision of the existing statute, reminding the Commissioners of how members of the farming community were previously upset because they felt the values were too high. At that time, a committee was established to study the situation during a reevaluation process that is coming up next year. However, if new legislation passes, it will severely restrict what can be done on a local level. A copy of bill S1161 will be passed on to the farming community.

Commissioner Belk added that she knows of farmers who would be willing to serve on the committee.

**Update on the NCACC meeting:**

Chairman Blount stated that the NCACC is aware that questions arise in tough budget times and NCACC is focused on helping the counties and are asking for input on how they can do a better job.

Chairman Blount also stated there are Federal Homeland Security Funds becoming available that are being directed towards the cities. Chairman Blount wants to work with the cities to see if the County can use some of the funds to help out with the courthouse security.

Chairman Blount referenced that students in local high schools operate cable access television in other counties. Chairman Blount wants to set up a committee to look into the Time Warner Cable agreement to see if that can be worked out financially.

**YMCA Issue:**

Chairman Blount addressed concerns from residents in the Milford Hills area about adjacent land owned by the YMCA that is being cleared for a future soccer and baseball field and the “mess” this is causing.

Staff reported that the YMCA is being cited for not having an erosion control permit. Chairman Blount stated that they were not trying to stop the construction, but want to be sure it was done properly. Chairman Blount also stated that the zoning comes under the City of Salisbury.

**School Bond Issue:**

Chairman Blount stated that a workshop needed to be scheduled to discuss the details of the school bond issue among Board members and then to have a joint meeting with the School Board. Chairman Blount expressed that there is an urgency to have these meetings by mid July in order to give the School Board time to meet the August 5<sup>th</sup> deadline to officially request the bond. Mr. Russell emphasized the tight schedule.

By consensus the Board decided to set the date of Tuesday, June 25, 2002 at 3:00 pm for the Commissioner's Workshop for the discussion of the school bond. Chairman Blount requested to invite Dr. Wiley Doby and Gene Miller to the workshop to be available for questions if needed.

By consensus the Board decided to set the date of Monday, July 8, 2002 at 9:00 am as the joint meeting with the School Board.

**July 4<sup>th</sup> Parade:**

The Board decided to participate in the Faith Fourth of July Parade and to ride on the Fire Truck. Commissioner Tadlock asked for this to be coordinated with the Rowan 250 Fest entry. The Clerk was asked to arrange the details and to include "throwing candy."

**PUBLIC COMMENT:**

With no citizens present to address the Board, Chairman Blount recessed the meeting until Tuesday, April 25, 2002 at 3:00 pm.

Respectfully Submitted,

Rita K. Foil  
Clerk to the Board