

**MINUTES OF THE MEETING OF THE  
ROWAN COUNTY BOARD OF COMMISSIONERS  
JANUARY 6, 2003 – 9:00 AM  
J. NEWTON COHEN, SR. ROOM, ADMINISTRATION BUILDING**

Present: Steve Blount, Chairman  
Gus Andrews, Vice-Chairman  
Leda Belk, Member  
Chad Mitchell, Member  
Frank Tadlock, Member

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

Chairman Blount convened the meeting at 9:00 am.

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

**ADDITIONS:**

- Commissioner Tadlock requested to add discussion pertaining to a paintball facility.
- Commissioner Andrews requested to add a discussion on billboards.
- Commissioner Andrews also called for discussion regarding FERC and information relating to High Rock Lake.
- Chairman Blount requested to brief the Board concerning a meeting held with NC Monroe Contractors.
- Commissioner Belk added a discussion on motorcross track.
- Chairman Blount added a resolution for a Quarter Midget Racetrack.
- Chairman Blount distributed a grant request from the Sheriff's Department to be considered as part of the Consent Agenda.

**LIAISON REPORTS:**

Commissioner Belk stated that she had contacted EMS Director Wayne Ashworth to coordinate a meeting regarding Emergency Preparedness.

Chairman Blount mentioned that Margaret Basinger, who was injured during preparations for the 250Fest Celebration, was doing well. Chairman Blount asked the Board to continue to keep Ms. Basinger in their prayers. Chairman Blount stated that Commissioner Tadlock's son was still in the hospital, recovering from surgery and requested continued prayers for Brian.

**CONSIDERATION OF CONSENT AGENDA:**

Chairman Blount called for a motion to approve the Consent Agenda, including the grant request from the Sheriff's Department, asking that the request be listed as **Item H**.

Commissioner Tadlock mentioned the grant request was a non-matching grant.

Commissioner Mitchell made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Tadlock and passed unanimously.

The Consent Agenda consisted of the following items:

- A. Approval of the 12/16/2002 minutes
- B. Approval of the reappointment of the Rowan County Tax Collector
- C. Approval of the Proclamation honoring Martin Luther King, Jr. Day
- D. Approval to adopt a resolution to set a public hearing for a road closing
- E. Approval to set a public hearing for three telecommunication towers
- F. 2002 Annual Report from the Register of Deeds Office
- G. Budget Amendments
- H. **Grant Request from Sheriff's Department**

**PUBLIC HEARING TO APPROVE THE RESOLUTION FOR WALK-ON PRODUCTS:**

Randy Harrell, Director of the Economic Development Commission, requested that the Board approve the incentive grant for Walk-On Products.

Chairman Blount opened the public hearing at 9:10 am to entertain citizen comment on the economic incentives. With no citizens wishing to address the Board, Chairman Blount closed the public hearing at 9:10 am.

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

Due to the employee of the month being detained, Chairman Blount delayed the recognition for later in the meeting.

## **ADDITIONS:**

### **Paintball**

Commissioner Tadlock referred to a previous conversation of a paintball facility that was found to be out of compliance and stated that he had received complaints from citizens concerning the facility. Commissioner Tadlock questioned Marion Lytle, County Planner, as to the County's "next step" in correcting the problem.

Mr. Lytle informed the Board that staff had received an advertisement last week from an Internet site that announced a proposed tournament for Saturday. Mr. Lytle stated that a Notice of Violation was issued and that he and Staff had visited the site on Friday and there appeared to be no activity. Mr. Lytle continued by saying he had received a call on Saturday from a citizen that the facility was operating. Mr. Lytle said he was unwilling to visit the site alone due to the people being "pretty hot-headed" and Mr. Phillips, the property owner, had asked the operations to cease and was told no. Mr. Lytle said the property owner would like to take action against the operators of the paintball facility. Mr. Lytle said staff would continue to issue violations, which would eventually be turned over to the county attorney. Mr. Lytle said according to the property owner, individuals at the paintball site are conveying threats towards the neighbors.

In response to a query from Commissioner Tadlock, Mr. Lytle stated that a Notice of Violation was sent via certified mail on December 31, but a return receipt had not been received. Mr. Lytle felt the violation had been received due to Mr. Phillips contacting staff, announcing that the tournament would not be held.

Commissioner Andrews verified that the property owner is receiving citations for the violations of a paintball operation. Mr. Lytle responded that Mr. Phillips gave the paintball operations a lease and is ultimately responsible.

Attorney Holshouser said he would meet with Mr. Lytle to review the situation and send correspondence "today." Mr. Holshouser said legal action would be taken, if warranted.

Commissioner Belk said she had received complaints regarding the motorcross track and was concerned on the impact the track could have on Eagles Nest Park. Commissioner Belk said the noise is disrupting the sanctuary of the park on a daily basis.

Jim Foltz, Director of Parks and Recreation, said that no one had mentioned any complaints to him.

Chairman Blount stated that the "noise" issue has been a tough issue to regulate. The Board by consensus requested that the Planning Board look into an "overlay" for the parks in an effort to control sound.

Mr. Russell suggested also considering other areas that are "sound sensitive" throughout the County.

Mr. Lytle stated that staff is currently not structured to be “on call” on weekends and discussed the dangers for enforcing an “overlay.”

Chairman Blount suggested restructuring the “overlay” into the Noise Ordinance for enforcement by the Sheriff’s Department.

### **Billboards**

Commissioner Andrews stated that he noticed that billboards are “doubling up” and questioned if the ordinance allows “multiple billboards on one pole.” Mr. Lytle said that current standards do not allow “double-tiered” billboards and the billboards Commissioner Andrews were referring to were pre-existing. Commissioner Andrews said the billboards appear to be “fairly new” and Mr. Lytle stated that he would investigate.

Commissioner Tadlock said no “double-tiered” billboards had been erected since the Sign Ordinance went into effect and the signs Commissioner Andrews was referring to have been in place for some time, before zoning was implemented.

Commissioner Andrews requested that the issue be looked into. Chairman Blount asked Mr. Lytle to review the issue and also asked that the issue be placed on the agenda for discussion at the next Board meeting.

### **PRESENTATION OF THE FY FINANCIAL AUDIT/POTTER & COMPANY:**

Sam Leder, auditor from Potter and Company, P.A., presented the results of the June 30, 2002 Audited Financial Statements. Mr. Leder thanked the Board for allowing the company the opportunity to perform the audit for its sixth year. Mr. Leder commended the Finance Department for the dramatic improvements in the financial report from the time of its first audit in 1997. Mr. Leder continued by stating the report is an unqualified report, which is the highest level of assurance that a CPA firm could issue on the financial statements.

Mr. Leder referred to reports pertaining to compliance and stated the audit was the first year that no findings were found at the Department of Social Services. Mr. Leder congratulated Sandra Wilkes and Pat Spears at DSS for the organization of the department.

Mr. Leder reviewed Rowan County’s Financial Position on page 3 of the audit report, stating that there was an increase at year-end, of cash on hand.

Mr. Leder analyzed page 4, pointing out that the county went over in revenues.

Mr. Leder discussed page 5 regarding the Landfill, which was self-supporting. Mr. Leder also explained that the Sports Authority was “not quite supporting itself.”

Mr. Leder went over various graphs depicting the Governmental Fund Type Revenues and Expenditures, Property Tax Levies and Collections, and the General Fund Balance. Mr. Leder pointed out that Rowan County's largest percentage (51.6%) of revenue comes from the Ad Valorem Tax and the largest consumption of expenditures is for the schools and human services. Mr. Leder proceeded to discuss different reports encompassing Potter and Company's responsibilities, the County's policy and the County's financial records.

In response to queries from Commissioner Andrews, Mr. Leder explained that the Debt Service in the Governmental Fund Type Expenditures was "in line" based on the previous four-year trend. Mr. Leder stated that the Local Government Commission says counties "may not have more debt than 8% of the valuation." Mr. Russell pointed out the figure was \$357 million. Mr. Leder reported that capital outlay has varied over the years regarding schools, construction and other projects. Mr. Leder described Rowan County to be "in line" based on size and compared to other municipalities. Mr. Leder confirmed to Commissioner Andrews that Rowan County was "on the conservative side."

Chairman Blount referred to the chart indicating the classifications where the growth had doubled in past ten (10) years.

Commissioner Tadlock pointed out the \$150 million investment in education over a ten-year period.

Chairman Blount praised the dedication and hard work of the Finance Department and thanked Mr. Leder and Potter and Company for the audit report.

**APPROVAL TO ACCEPT THE PROPOSAL FOR ARCHITECTURAL DESIGN OF PHASE I AND PHASE II:**

Jim Foltz, Director of Parks and Recreation, and staff member, Bob Pendergrass, sought approval for the next step in improvements on the Nature Center. Mr. Pendergrass explained that Phase I is the new Bear Habitat and Phase II is the new entry building. Mr. Pendergrass explained that the next step would be the architectural and engineering design work. The funds would come from state and federal grants already received. Mr. Pendergrass requested the Board's approval to move forward.

Chairman Blount inquired if the committee working on the improvements recommended approval.

Commissioner Belk expressed her pleasure with the progress and the fact that a local contractor was working to oversee the project as well.

Commissioner Andrews questioned the original plan and the procedure for handling the project. Mr. Pendergrass stated that the county had contracted with an architectural firm in Tennessee to do the master plan and the schematic design phase. Mr. Pendergrass explained the issue before the Board was for the engineering and design work.

Commissioner Belk made a motion to allow staff to proceed with the project, followed by a second from Commissioner Tadlock. The motion passed unanimously.

**PUBLIC HEARING FOR A SPECIAL CONSIDERATION FOR RAINWOOD DRIVE AND A UNANIMOUS PETITION FOR POLLIANA DRIVE:**

Fredda Greer of the Planning Department described Rainwood Drive and Polliana Drive as interior roads in a mobile home park (MHP) off of Rainey Road. Ms. Greer stated that both roads were identified by ASI, Inc., as roads needing to be named. Ms. Greer reported that both roads were scheduled for public hearings in September, however, the property owner, Jerrell Fisher, pointed out that the road was misidentified. The process was delayed. The property owner later submitted petitions for the two (2) roads, one being Rainwood and one being Polliana. Due to the misidentification, Staff failed to identify one of the property owners, Randy Patton. Mr. Patton was notified of the petition submitted by Ms. Fisher. Ms. Greer stated that staff had received no comments and staff recommended approval of the proposed road names.

Chairman Blount opened the public hearing to entertain citizen comment.

1. Randy Patton stated that he had received a notice concerning the public hearing and questioned the reason for the naming of the road.

Chairman Blount explained the purpose of naming the road was for the 911 Emergency System to have accurate addresses for all residences in Rowan County to insure prompt emergency response time. The road was previously unnamed.

With no further citizen input, Chairman Blount closed the public hearing.

Commissioner Tadlock made a motion to approve the road names of Rainwood Drive and Polliana Drive as recommended by staff. Commissioner Belk seconded the motion and the motion passed unanimously.

**MORATORIUM ON GROUP HOMES:**

Marion Lytle reviewed the background regarding the moratorium on group homes. Mr. Lytle stated the current status for determining exemptions is based on whether the clients are dangerous to others as defined in G.S. 122C-3(11)b. Mr. Lytle reviewed the classification levels of the homes and reported there are 69 group homes located in Rowan County.

Mr. Lytle stated that much of the discussion regarding group homes concerns the types of treatment received in the homes. Mr. Lytle continued by saying regulation of the treatment is the responsibility of the state, with the safety and effects on the neighborhood being the responsibility of the county.

Mr. Lytle stated that SIC 8361 and 8322 should be left the same. Mr. Lytle said the definition of Family Care Homes has been modified to include children in addition to adults and staff recommended modification of zoning text to reflect the change. Staff also recommended a review of the current 400' separation, which the state allows to be up to 2650 feet. Mr. Lytle suggested reviewing the effects on a community by a facility that provides overnight, long-term care. Mr. Lytle mentioned the debate over whether the County's group home standard is legal and stated that staff feels comfortable with the definitions.

Commissioner Belk questioned the County's ability to know when an agency stays within its permitted level. Mr. Lytle said, "we don't." Commissioner Belk asked what the County could do to protect the citizens from a home that is "out of compliance." Mr. Lytle stated that unless there was a complaint, staff wouldn't know. Mr. Lytle said the County could write an ordinance that would require the home to certify each individual child.

Chairman Blount pointed out that the moratorium ends soon and confirmed with Mr. Lytle that it would take several months to change the text in the ordinance.

The Board continued to discuss the suggested text amendments.

Commissioner Andrews requested that staff pursue creating a special use for schools to identify within zoning for control purposes.

By consensus, the Board agreed to allow staff to begin the process for the recommended text changes.

Commissioner Belk made a motion to extend the moratorium for boarding facilities only for an additional ninety (90) days. Commissioner Tadlock seconded the motion and the motion passed unanimously.

Chairman Blount called for a short break at 10:15 am.

Chairman reconvened the meeting at 10:30 am.

**RECOGNITION FOR JANUARY EMPLOYEE OF THE MONTH:**

Beth Connell, of EMS, recognized Carole Dellinger as the January Employee of the Month. Ms. Connell described Ms. Dellinger's dedication and involvement with various agencies throughout the County. Ms. Dellinger has been employed by Rowan County for fourteen (14) years and Ms. Connell expressed her appreciation to the Board for acknowledging Ms. Connell.

Chairman also expressed appreciation for Ms. Dellinger's hard work and dedication and presented her with a certificate of appreciation. A round of applause followed the presentation.

## **ACCEPTANCE OF SURETY FOR SUBDIVISION IMPROVEMENTS:**

Ed Muire, Assistant County Planner, explained that staff had received a request from Mr. Charles Hass for consideration of posting a letter of credit or cash security guaranteeing completion of drainage improvements at Deal Estates for \$5,000.

Commissioner Tadlock made a motion to accept a letter of credit as surety for completion of the drainage improvements. Commissioner Andrews seconded the motion and the motion carried unanimously.

## **RECOMMENDATION OF THE SCHOOL SYSTEM BOND FACILITIES PHASING:**

Chairman Blount welcomed David Aycoth, Jim Christie and Dr. Doby from the Rowan Salisbury Schools, as well as several Board of Education members in the audience (Jim Shuping and Martha West).

David Aycoth distributed a handout and stated the overall purpose of the briefing was to provide the Board with feedback requested by the Commissioners when the two boards met on December 16, 2002. Mr. Aycoth said three areas were planned to be discussed:

- 1) School Board approved bond facility phasing schedule;
- 2) Proposed construction/renovation management plan;
- 3) Proposed management committee structure, which includes a joint management process with the Board of Commissioners, Board of Education, and staff, working together to oversee and manage the expenditure and construction of \$72.7 million.

Mr. Aycoth referred to the first page of the handout, stating the projects were listed in priority sequence. Mr. Aycoth pointed out the first page also included the \$4.1 million for the Kannapolis City Schools.

Dr. Doby discussed the oversight of the construction on a daily basis, explaining that the school system currently employs Herman Troutman, Director of Capital Projects, “a half-time” employee. Dr. Doby proposed that the school system employ a fulltime individual person to oversee the construction.

Dr. Doby discussed the proposed committees outlined in the handout, which listed the various individuals suggested to serve on the committees.

Chairman Blount questioned the Architect Interview Committee and asked if there would be multiple architects to handle the “whole package.” Dr. Doby responded that the number of architects would be determined based on the interviews.

Chairman Blount asked if a County Commissioner would serve on the Design Team Committee. Dr. Doby stated a commissioner could be included, however the Design

Team would be more of an “inside thing” pertaining to renovations and additions, which would involve individuals at the school. Chairman Blount stated that the role of the Commissioners is primarily viewed as controlling the “purse strings,” ensuring that issues are handled as economically as possible. Chairman Blount felt that a Commissioner should represent the Board on the Design Team.

Mr. Aycoth added that the projects were a “joint venture” and the Commissioners and/or staff were welcome to attend any committee meetings.

Commissioner Belk referred to comments regarding the hiring of an individual to oversee the daily construction. Commissioner Belk asked if the Boards were beyond hiring a firm to oversee the construction. Chairman Blount replied “no” and said the issue would be discussed at the end of the meeting.

Mr. Aycoth discussed the Possible Site Visits to various schools listed in the handout and invited any available Commissioners to visit the sites as well.

Mr. Christie reviewed page 1 of the handout and discussed the project phases and approximate completion dates.

Chairman Blount asked Mr. Russell if the money must be “in hand” when entering into a contract. Mr. Russell stated that there must be a project ordinance developed and was unsure if the bonds had to actually be sold. Mr. Russell continued by saying a bond sale should be scheduled, as the money is needed. Mr. Russell said the County could “up front the money” and reimburse it as needed.

Mr. Christie stated that several of the projects have changed according to a schedule previously presented.

Mr. Russell said the Commissioners need the revised schedule and with the Finance Director’s assistance it would be determined when money would be needed. Mr. Russell continued by saying the County would like to coincide to sell bonds closely with the need of the money. Mr. Russell said if the County had to advance funds for the school projects, the County would lose interest on its investments. Mr. Russell said the first step would be to agree upon which projects should come first.

Commissioner Belk stated that she had attended the public forums concerning the bond issue and that dire needs were emphasized at West, Salisbury and North Rowan High Schools. Commissioner Belk questioned what had changed to cause these schools to be “last” in the construction/renovation phasing. Commissioner Belk asked if it would relieve some of the “pressure” for the immediate start of a new high school, if the needs at those schools were addressed. Mr. Christie responded that all five of the current high schools are “critical needs.” Mr. Christie explained that students would have to be moved “twice” with redistricting and said the most relief would come in the southern and eastern portions of the County with the opening of the new high school.

Mr. Aycoth said Commissioner Belk's question had also been discussed at a called board meeting the previous Friday. Mr. Aycoth said, "If we could do all of these projects, right now, we would like to sit here and tell you we need \$72 million right now so we can get started, because we are way behind in our facility needs." Mr. Aycoth said the projects were viewed based on the growth standpoint and where the immediate needs are. Mr. Aycoth said the south area, southeast corridor and to some degree, the southwest corridor had the most growth and the largest number of students.

Dr. Doby discussed the mobile units at North Rowan High School and said the growth is not as great in that area. Dr. Doby informed the Board that school staff had met with Town of East Spencer staff approximately one (1) year ago and an agreement was reached to keep the mobile units in place for three (3) years. Dr. Doby said that after three (3) years, if the buildings are not completed, there must be an alternative for dealing with the students - "possibly classrooms at the Dunbar Center."

Mr. Aycoth stated the new high school was imperative due to the growth in that area. Mr. Aycoth said the projections from County Planning Staff for the south area was for 2.45% growth, while the north area was at 1% growth.

In response to a query from Commissioner Mitchell, Mr. Aycoth stated that the estimated cost for the southeast elementary school would be less if everyone agreed that the elementary school should be located at the southeast middle school location.

Commissioner Andrews discussed the purpose of building the new high school immediately, which would avoid moving students several times.

Chairman Blount questioned the possibility of redistricting to alleviate the overcrowding at Enochville. Mr. Christie stated there are eleven (11) mobile units at Enochville Elementary and students could be moved from Landis to Southeast and from Enochville to Landis.

Mr. Aycoth expressed hopes for cost saving measures by having all three (3) elementary schools designed at the same time.

Commissioner Andrews asked if building the Southeast High School within a 2-year time frame would this alleviate classroom needs West Rowan and Salisbury High Schools.

Mr. Aycoth stated that, based on the population growth at Salisbury and North Rowan, there would still be a need for classroom space. Mr. Aycoth discussed the projected populations for each area.

Commissioner Andrews suggested working with the community college for classroom space while the proposed projects were under construction.

By consensus, the Commissioners agreed to hold a workshop on January 13<sup>th</sup>, 2003 at 7:00 pm to consider the proposals.

Mr. Aycoth requested the Commissioners to consider approving the Isenberg project at its workshop. Mr. Aycoth thanked the Board for its time and consideration.

**UPDATE ON OFFER FOR PROPERTY ON NAZARETH HOME ROAD:**

Rita Foil, Clerk to the Board, highlighted the background concerning the Board's decision to accept \$2,200 as a fair market counter-offer for Tax Parcel 357A 022. Ms. Foil stated that when contacted regarding the counter-offer, Herman Kepley stood firm on his offer of \$1,500.

Commissioner Belk inquired if the property would be of any future value to the County. Mr. Russell responded that the property was a 25' x 200' lot, with two (2) neighbors on either side. Mr. Russell felt that Mr. Kepley's intentions were to acquire the lot to insure control of the large tract in the back. Mr. Russell stated that other than the access, the property had no use.

By consensus the Board agreed to reject Mr. Kepley's offer.

**DISCUSSION OF CASE REGARDING THE RECOVERY OF COUNTY FUNDS WITHHELD BY THE SECRETARY OF REVENUE:**

Chairman Blount referred to correspondence concerning the recovery of county and municipal funds withheld by the Secretary of Revenue. Chairman Blount mentioned two issues: 1) The lawsuit would not become a class action suit – if the lawsuit is successful, those are the counties that will be rewarded, and 2) There is a deadline of January 31<sup>st</sup> for any additional counties to join in the lawsuit. Chairman Blount stated that the NCACC had previously advised that municipalities have a better chance of winning the lawsuit and “you may win the lawsuit, but you will lose the war.”

Commissioner Mitchell pointed out that the counties in the lawsuit would not be singled out if the state found other ways to “get their money back.”

In response to a query from Commissioner Andrews, Attorney Holshouser said the lawsuit would set a precedent if won by the counties.

Mr. Russell stated that NCACC has endorsed legislation to prohibit the Governor from withholding funds from cities and counties in the future. Mr. Russell continued by explaining that the General Assembly could have legally prepared a budget amendment during the year and taken the funds from the cities and counties. Mr. Russell did not feel the same process is allowable for the Governor. Mr. Russell said if the Commissioners felt that the case was a worthwhile cause, the County should join the initial lawsuit.

Mr. Russell emphasized that the Governor's authority needed to be resolved, whether in court in or in the General Assembly.

Mr. Holshouser responded to a question by Commissioner Mitchell, that the lawsuit would not resolve the issue but “would bring it into focus.”

Commissioner Mitchell made a motion to join the lawsuit against the Secretary of Revenue. Commissioner Belk seconded the motion.

Commissioner Andrews verified that the financial commitment to join the lawsuit would be \$1,000 or less, and after additional discussion, Commissioner Mitchell amended the motion to include a cap of \$1,000.

Mr. Russell stated that the county stood to gain \$1.2 million from joining the lawsuit.

Chairman Blount pointed out that the State does not have \$1.2 million to give back and explained that the State would make adjustments elsewhere in the budget for funds to give back. Chairman Blount said he was not personally sure “we would accomplish a great deal even if we win the suite.”

Commissioner Mitchell felt it would be more important to make the State realize it could no longer withhold funds, and that if the lawsuit were won, that goal would have been accomplished.

Upon being put to the vote, the motion failed 3-2 with Commissioners Blount, Andrews and Tadlock voting against.

**DISCUSSION OF CHANGING THE JANUARY 20<sup>TH</sup> MEETING DATE TO JANUARY 21<sup>ST</sup>:**

Due to the Martin Luther King, Jr. holiday, the Board of Commissioners meeting was rescheduled for Tuesday, January 21, 2003.

**DISCUSSION OF LEGISLATIVE GOALS:**

Chairman Blount reminded the Board that Commissioner Andrews was selected to represent Rowan County. Chairman Blount referred to the Legislative Goals in the agenda packet for which Commissioner Andrews would be voting upon.

Mr. Russell recalled that the issue of Charter Schools had previously raised controversy to encourage an increased number of charter schools throughout the state. There is currently a cap for 100 schools.

Commissioner Andrews felt the cap is good. Chairman Blount also stated that some of the charter schools are in financial hardships.

Mr. Russell referred to page 2 regarding the 911 fees. Mr. Russell stated that many counties are trying to expand the flexibility for the use of .65 cents as a revenue source.

Mr. Russell stated the fees would be a good source of revenue for updating the telecommunications system.

Mr. Russell mentioned page 5 pertaining to Public Education, supporting Items 1, 2, and 4.

Mr. Russell also mentioned page 6 concerning Criminal Justice and seeking of legislation to increase the civil service process fee from \$5 to \$25 over a five-year period. Mr. Russell said Item 1 needed to be defined to determine if the funds are local or state.

### **ADDITIONS:**

#### **FERC**

Commissioner Andrews referred to a press article, which stated that FERC legislation had established that the water level on High Rock Lake would not fall below five (5) feet at full pond. Commissioner Andrews referred to a second article, which ALCOA basically indicated this was policy already in place and ALCOA added twenty-one (21) feet. Commissioner Andrews stated that High Rock Lake is one of the largest assets in Rowan County, and felt that as a Board, the Commissioners should push for what FERC has agreed to.

Chairman Blount referred to a previous Resolution the Board had approved and sent to FERC. Chairman Blount continued by saying that he, along with Mr. Russell and Paul Woodson from the City of Salisbury, had attended a meeting of users of the Yadkin and Pee Dee Lakes. Chairman Blount stated the drinking water towards South Carolina is being rapidly depleted and the users in that area are looking to High Rock Lake as a reservoir.

Commissioner Andrews suggested that the Board stay abreast of a study being performed in Wake County to determine the amount of water left in aquifers.

Chairman Blount informed the Board that he had previously attended a meeting held at the Agricultural Center with NCDEHNR. Chairman Blount reported that NCDEHNR has monitoring wells scattered across North Carolina to monitor ground water levels. Chairman Blount explained that if the drought ended today, “it would take four (4) years for the aquifers to catch up.”

#### **NC Monroe Contractors**

Chairman Blount stated that he, Mr. Russell and Commissioner Andrews had met with NC Monroe Contractors to discuss methods of managing the construction project. Chairman Blount said the issue would be discussed at the workshop scheduled for next week and that decisions would need to be made soon.

### **Resolution Concerning Quarter Midget Racetrack**

Chairman Blount discussed the proposed Quarter Midget Racetrack and the economic benefits of the track for not only Rowan County, but for the region.

Chairman Blount referred to correspondence in the agenda packets and distributed a copy of the Resolution in Opposition to Imposing a Moratorium to Stop the Quarter Midget Racing Facility.

Chairman Blount reviewed the background for the appeal of the Zoning Administrator's decision. Chairman Blount also mentioned the various opportunities for citizens to speak regarding the issue.

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

### **PUBLIC COMMENT PERIOD:**

Dave Smith and an associate of NC Monroe Contractors addressed the Board concerning the bond issue.

Mr. Smith said NC Monroe Contractors is currently running the Guilford County program, which is similar to Rowan County's project. Mr. Smith said that in Guilford County, 28 out of 28 projects have "come in under budget."

Mr. Smith offered to assist in putting together information that would be useful in the Board's meeting scheduled for the following week. Mr. Smith requested to work with Mr. Russell and Ms. Heidrick to discuss figures and put together a schedule that "starts today and takes this program to the occupancy of the last school, and look at monthly cash flow projections." Mr. Smith said NC Monroe Contractors was willing to do this at no cost.

Mr. Russell said he was impressed with the presentation and said if there were to be savings, it would be on the front end on the design process. Mr. Russell said the Board might want to consider a construction manager concept but there may be others the Board would want to interview. Mr. Russell said the project would require "construction expertise" which the County did not have "in house."

Commissioner Belk commented that she did not hear the presentation by NC Monroe and that she would personally like to hear what they have to offer.

Chairman Blount stated that he, Mr. Russell and Commissioner Andrews would discuss their perspective of the benefits and the costs of using "full blown construction management."

Mr. Smith reported the cost savings of the Guilford program as being 60% of design and 40% during construction.

Mr. Smith discussed the performance guarantee associated with the company's services and stated that if the company does not save the Commissioners the amount of the fee, then the Board would only pay for the amount saved.

In response to a query from Commissioner Tadlock, Mr. Russell suggested that Commissioners Belk, Tadlock and Mitchell meet with NC Monroe Contractors for an overview of the company's services.

A meeting was scheduled with NC Monroe Contractors for 9:00 am on Tuesday morning with Commissioners Tadlock and Belk.

**RECESS:**

The Clerk requested that the Board recess the meeting to Monday.

With no further business, Chairman Blount recessed the meeting until 7:00 pm on Monday, January 13, 2003.

Respectfully Submitted,

Rita K. Foil, CMC  
Clerk to the Board