

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
JUNE 2, 2003 – 9:00 AM
J. NEWTON COHEN, SR. ROOM, ADMINISTRATION BUILDING**

*A reception was held at 8:30 am to honor the
North Rowan High School Men's Track Team.*

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

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

Chairman Blount convened the meeting at 9:00 am

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

Chairman Blount distributed correspondence from UNC-Charlotte that expressed appreciation to the Board for adopting a resolution in support of the university.

CORRESPONDENCE

Chairman Blount asked Board members to refer to correspondence from Clyde Fahnestock in Senior Services for the award from the Robertson Foundation for their SAFE Program.

COMMISSIONER LIAISON REPORTS

Chairman Blount informed the Board of recently attending a meeting of the South Rowan MPO and had an opportunity to hear from a state speaker. Chairman Blount stated he would like to invite this speaker to attend a meeting in Rowan County.

CONSIDERATION OF CONSENT AGENDA

Chairman Blount said Item G should also state “approval to set a public hearing.”

Commissioner Andrews requested to pull the Budget Amendment for the Library Fund for a brief discussion. Commissioner Andrews questioned the funds that were “left over” from book sales and made a motion to deny the budget request and list as a budget item for later discussion. Commissioner Mitchell seconded the motion.

Commissioner Tadlock recalled that “left over” funds normally go into the General Fund to be used as needed and questioned making an exception with the library funds. Commissioner Tadlock said he would be against setting up special accounts for “left over money.”

Chairman Blount clarified that it would not be setting up a special account, but would be “transferring from one account to another.” Chairman Blount said the request is to use the money for something not budgeted.

Upon being put to a vote, the motion was defeated 2-3, with Commissioners Blount, Belk and Tadlock opposed. The item was placed back in the Consent Agenda.

Commissioner Tadlock moved to approve the Consent Agenda as presented. The motion was seconded by Commissioner Belk and passed unanimously.

The Consent Agenda consisted of the following items:

- A. Approval of the 4/21/03 minutes
- B. Approval of the 4/28/03 minutes
- C. Approval of the 5/05/03 minutes
- D. Approval to set a public hearing for a majority road petition for Daybreak Lane
- E. NCDOT request to add Woodwedge Circle to the State Secondary Road System for maintenance
- F. Approval of request from Town of Rockwell for right-of-way agreement
- G. Amendment to the site plan for Carolina Stalite, CUP-03-01 to set a public hearing
- H. Approval to set a public hearing for Z-13-03 for a rezoning
- I. Approval to set a public hearing for Z-04-03 and CUP-15-03, a request from Jack Phillips
- J. Budget Amendments

RECOGNITION AND APPROVAL OF A PROCLAMATION FOR THE NORTH ROWAN STATE CHAMPIONSHIP TRACK TEAM

Chairman Blount read a Proclamation honoring the accomplishments of the North Rowan High School Men’s Track Team. The Proclamation recognized Coach Steele as Coach of

the Year and Terry Wood who was the top performer in the 2A Central Carolina Conference. The team was praised for capturing 12 of the 13 meets entered during the year.

Commissioner Andrews moved to approve the Proclamation as read. The motion was seconded by several Board members and passed unanimously.

A round of applause and a standing ovation followed the reading of the Proclamation.

Chairman Blount presented the track team and the coaching staff with a copy of the Proclamation. The presentation was followed by another round of applause.

Commissioner Andrews praised Coach Steele and the accomplishments he had achieved. Commissioner Andrews said there was no question regarding the positive influence that Coach Steele had on the children in Rowan County. Commissioner Andrews applauded the tireless efforts of Coach Steele and paid special recognition to him. The comments by Commissioner Andrews drew another round of applause.

Coach Steele expressed his appreciation to the Board for recognizing the team.

PRESENTATION FOR “GEARED UP 4 SUCCESS”

Carl Repsher, Chair of the Workforce Development Committee for the Chamber of Commerce, along with Eric Leazer, Workforce Development Director for the Rowan-Salisbury Schools, provided the Board with a power point presentation pertaining to Geared Up 4 Success.

Mr. Repsher highlighted three (3) areas of concern that were discussed at a previous board meeting. Those areas were:

- Educating students currently in school to the changing workforce
- People in the workforce that lack skills
- Language and skill issues concerning the Hispanic population

Mr. Repsher continued by explaining that the majority of today’s employers are placing declining emphasis on academic credentials and more interest in skill capabilities.

Mr. Repsher outlined the Partnership Approach, which had the full endorsement of the Rowan-Salisbury Schools and Rowan Cabarrus Community College (RCCC).

Mr. Leazer highlighted the various activities and courses taking place within the school system that assist with the transition into the workforce.

Mr. Repsher referred to the information in the packets and described the Geared up 4 Success program. Mr. Repsher said the purpose of the program is to create awareness and discussed the information sources for the program.

Mr. Repsher requested the Board's "formal support" and recognition of the program and said the next area of effort would focus on the lack of skills in the Hispanic community.

Dr. King said he was extremely proud to have such a unique program in Rowan County and praised the opportunity for businesses and students to work together to prepare students for the workplace.

Commissioner Andrews shared the excitement expressed by Dr. King and agreed that job skills would create an opportunity for greater incomes.

Commissioner Belk thanked Mr. Repsher and said the program helped to "close the gap" by assisting students to obtain job skills. Commissioner Belk applauded the efforts of the partnership.

Commissioner Tadlock said the program was a "giant step" in challenging kids to stay in school and capitalize on quality training for the workplace. Commissioner Tadlock applauded the efforts of the program.

Commissioner Mitchell said he was excited to see a program that would allow students to see that a four-year degree is not for everyone.

Commissioner Belk moved to offer support for the program. The motion was seconded by Commissioner Mitchell and passed unanimously.

APPROVAL OF ARCHITECT FEES FOR SCHOOL BONDS

Dr. Wiley Doby, Superintendent of the Rowan-Salisbury Schools presented information regarding architectural fees for school construction projects. Dr. Doby introduced Jim Christy, Assistant Superintendent of Support Services to present the information.

Mr. Christy discussed the fixed rate architect fees for the establishment of the base budget. Mr. Christy said the fees totaling \$451,285 from Ramsey, Burgin & Smith Architects, included the additions and renovation projects at Isenberg, Salisbury, Cleveland and Woodleaf schools.

Mr. Christy said the fees totaling \$650,000 from Boney, PLLC, included the additions and renovation projects at Erwin, North and West Rowan schools.

Mr. Christy emphasized that the fees were fixed rate fees and not percentages. Mr. Christy confirmed to Chairman Blount that the fees would not change regardless of whether the quotes came in higher or lower.

In response to a query from Commissioner Belk, Mr. Christy said the fees would not change unless there was a change with the scope of work.

Commissioner Andrews commented that normally the quote for a job is lowered when it involves “two” or more projects. Commissioner Andrews questioned the fees as opposed to the number of number of projects covered by each architect.

Mr. Christy clarified that the fees proposed by Boney, PLLC, were for three (3) separate projects. Mr. Christy pointed out that the multipurpose building at Woodleaf Elementary was a “prototype” and therefore a “much smaller fee.” Mr. Christy explained that two (2) of the projects for Ramsey, Burgin, & Smith were replications for multipurpose buildings and stated that renovations would have been more expensive.

Commissioner Andrews asked how Construction Control Corporation (CCC), the construction management firm, had justified the costs from the architects and also if there had been any savings based on that justification.

Mr. Christy asked how “in-depth” the Board would like future presentations to be. Commissioner Andrews said he had requested for the County Manager to have CCC present to provide facts as opposed to a “lump fee.” Commissioner Andrews clarified his question to be, “Where do we save money with the architect and management company being on board?”

Mr. Lee McClure of CCC, stated that the fees were well under market and the Boney had come down considerably and was well under budget.

Chairman Blount asked how the fees compare to past school projects. Mr. Christy said, “I have no idea.”

Mr. Russell responded to Chairman Blount that the fees were “very much in line.”

Mr. McClure confirmed to Commissioner Andrews that the architectural fees had been well within the market.

Commissioner Andrews asked if CCC was handling the responsibilities of the architectural firms for the process being presented before the Board. Mr. McClure stated that a large part is handled by CCC.

Commissioner Andrews said the projects had been referred to as “small projects” and pointed out that the entire \$70-plus million plan was geared to small projects, with the exception of the new high school.

Chairman Blount referred to the original architectural fees to indicate the savings to the county.

Commissioner Mitchell moved to approve the architectural fees for the projects as presented, followed by a second from Commissioner Tadlock. The motion passed unanimously.

APPROVAL OF MPO MOU-RESOLUTION

Chairman Blount stated that the Board had previously approved the concept of joining the South Rowan Cabarrus MPO and working to involve more of the Rowan County's municipalities.

Chairman Blount explained that the MOU being presented listed the various governmental bodies interested in joining the organization.

Chairman Blount mentioned that he had been serving as the Board's liaison to the MPO and asked for the Board's approval of the MOU.

Commissioner Belk moved to approve the MOU and applauded Rowan County for stepping forward and participating. The motion was seconded by Commissioner Tadlock and passed unanimously.

Commissioner Andrews recalled an email that he had read regarding an unsuccessful MPO in the Atlanta region. Commissioner Andrews asked if there had been any discussion in getting a look at the regional package as opposed to Cabarrus and Rowan joining an MPO package.

Chairman Blount stated that the information Commissioner Andrews was referring to had originated from the Charlotte Observer. Chairman Blount agreed that there was "a danger of disconnect between the various organizations" but said the point from the article was more of a disconnect of various groups doing different tasks.

PRESENTATION OF THE PROPOSED FARMLAND PRESERVATION ADVISORY COMMITTEE

Marion Lytle presented the background regarding the proposed Farmland Preservation Advisory Committee. Mr. Lytle discussed the committee, which would be responsible for making recommendations to the Board regarding spending funds for conservation easements, etc.

Mr. Lytle referred to page 3 of the handout and highlighted the nine (9) proposed members of the board.

Chairman Blount reminded the Board that it had returned from its retreat with the request for staff to make recommendations to establish the committee. Chairman Blount stated that there are currently no funds earmarked for the program.

Discussion ensued pertaining to various suggested committee members. The Board agreed to strike staff's suggested two (2) at large members and expand the recommendation to an eleven (11)-member committee.

Chairman Blount read the proposed committee members as follows:

- (2) Fulltime farmers
- (1) Large Rowan County landowner who resides in Rowan County
- (1) Farmer Agriculture related businessman
- (1) Banker/Financial person with expertise in farm finance
- (1) NRCS Board Member
- (1) Board of Commissioner member or designee
- (1) Planning Board Chair or designee
- (1) EDC Chair or designee
- (1) SCDC Chair or designee
- (1) Land Trust Chair or designee

Commissioner Belk moved to approve the eleven (11)-member board as suggested. Commissioner Tadlock seconded the motion and the motion carried unanimously.

APPROVAL OF THE MUNICIPAL SOLID WASTE AGREEMENT WITH DAVIE COUNTY

Don Conner informed the Board that the proposed agreement would allow Rowan County to accept the municipal solid waste (MSW) from Davie County.

Mr. Conner verified to Commissioner Tadlock that permits were “in place” for the process.

Commissioner Andrews questioned the impact on the current landfill. Mr. Conner said the impact would be minimal. Mr. Conner mentioned that the Board had previously approved the active solicitation of other county waste. Mr. Conner stated that at the current level of disposal, there was approximately 150 years of space at the landfill. Mr. Conner projected that in 20-30 years landfills would be obsolete and other methods of disposal would have been implemented.

Mr. Conner reported there would be no direct costs relating to the acceptance of Davie County’s MSW, however, the indirect cost would be that Rowan’s landfill would “use up our space a little bit faster.”

Mr. Russell said staff had researched the issue of a compost facility at the landfill as a part of conservation with reduction at the landfill. Mr. Russell said the added revenue from additional waste would generate additional revenue that could possibly be allocated towards a compost facility in the future.

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

In response to a query from Commissioner Andrews, Mr. Conner stated that a cash register receipt is generated for each customer and if the customer asks, the customer would be given a receipt. Mr. Conner said the receipt is generated regardless of the payment method.

PRESENTATION ON AIR QUALITY

Commissioner Belk expressed her appreciation to Al Sharp, Rebecca Yarborough and Sheila Holman for their willingness to make a presentation regarding air quality to the Board. Commissioner Belk said that COG (Centralina Council of Government) is addressing the needs of the area as well as the smaller towns.

Sheila Holman from the Division of Air Quality discussed the Clean Air Act and the standards implemented to protect public health. Ms. Holman explained the requirements for non-attainment as follows:

1. State - If there is an air quality problem, the state will determine the source of the problem and a method to correct the problem.
2. Transportation conformity-if the area has been designated as non-attainment, the plan must be evaluated to understand the impacts on air quality.
3. Economic Development Sector – Any new major industrial sources must meet a new permitting requirement, implementing the most stringent level of controls, and find an offset for emissions.

Ms. Holman highlighted the formation of the ozone, how the ozone affects the population, and the affects of repeated ozone exposure.

Ms. Holman used maps to demonstrate the location of monitors and explained the color-coding used to depict the areas in violation of the 8-hour standard.

Ms. Holman reported on action by the state to address some of the ozone issues.

Rebecca Yarborough discussed SEQUEL, a program that addressed possible action at the local level that could implement changes.

Ms. Yarborough explained that SEQUEL is a partnership between not only Centralina and the EPA but also Catawba Regional Council of Governments in South Carolina.

Ms. Yarborough reviewed the goals of the SEQUEL project as:

- 1) To implement the environmental initiatives that were developed by the jurisdictions in the EPA sustainability project
- 2) To engage an ongoing integrated environmental planning
- 3) To help local governments to find ways to institutionalize consideration of environmental impacts in their decision making

Ms. Yarborough reviewed the actions that had been included in the original Phase I of the project that could be done at the local level to improve air quality.

Ms. Yarborough discussed the potential ways SEQUEL could assist Rowan County, the non-governmental agencies the program is also working with, funding and the possibility of providing data to help measure success.

Mr. Sharp explained the interest of the EPA in working with the local governments to address ways of addressing the issue.

Commissioner Belk expressed hope that the Board would work with COG to create a “better Rowan.”

Commissioner Tadlock praised the presentation.

Commissioner Andrews said he had not realized that the county had monitors for air quality and asked if the state was responsible for the monitors. Ms. Holman responded that the state had placed the monitors in the county in 1993.

Ms. Holman said the monitors in Rockwell were installed to test the extent of the ozone pollution in and around Charlotte.

Commissioner Andrews said there is a real concern with the air quality in the county. Commissioner Andrews asked what would happen if Rowan County complied with every possible guideline to clean the air and yet the monitors demonstrated that the air quality had remained the same. Ms. Holman said the answer would be to determine where the pollution is coming from and said a lot of the focus would be on Mecklenburg County. Ms. Holman stated that looking at the issue from a long-term standpoint, it would require a combination of federal, state and local efforts to solve the problem.

Ms. Holman said funding is lost based on a comparison of vehicle growth under the transportation plan compared to what was already accounted for.

Mr. Sharp added that there has been a growth pattern change and that Union, Cabarrus, Rowan and Lincolnton Counties are major contributors “community patterns.”

Commissioner Andrews expressed concern over the immediate impact on Rowan County as a result of the air quality report, saying this “has hit us right in the chin.” Commissioner Andrews mentioned that a group of community leaders would be meeting in the next week to review the issue. Commissioner Andrews asked who had the expertise from the State and from COG to serve on the board in order to provide direction to the group.

Ms. Holman said that Centralina had staff that could assist the group and that she would be a primary contact.

Mr. Sharp responded to Commissioner Andrews that staff members would be available to the committee. Mr. Sharp stated that, “We are here to help, not to intrude.”

Chairman Blount said the Board had adopted the resolution to support the Clean Cities Program and questioned the possibility of the program being changed to the Clean Cities and Counties Program. Chairman Blount said it was more than just cities and that he hoped COG would keep that in mind.

Chairman Blount said that vehicle travel per person had greatly increased and asked if the county could reduce air pollution problems by reducing vehicle mileage travel problems by reducing “sprawl.” Ms. Holman responded yes.

Chairman Blount thanked the group for its presentation.

Chairman Blount called for a short break at 11:30 am.

The meeting was reconvened at 11:35 am.

PUBLIC HEARING ON PROPOSED TEXT AMENDMENTS TO CHAPTER 2 OF THE ROWAN COUNTY CODE OF ORDINANCES

Ken Deal, Director of Administration, was present for any questions concerning the proposed text amendments. Mr. Deal pointed out the proposed changes dealing with the listing of holidays.

Chairman Blount opened the public hearing to entertain citizen comment on Chapter 2 amendments as proposed by staff. With no citizens wishing to address the Board, Chairman Blount closed the public hearing.

Commissioner Andrews moved to accept the recommended changes as submitted by staff. Commissioner Mitchell seconded the motion and the motion carried unanimously.

BOARD APPOINTMENTS

Rowan County Tourism Development Authority

Commissioner Andrews moved to approve Nash Patel and Millie Cress. The motion carried.

Rowan County Parks & Recreation

Commissioner Andrews moved to appoint George Everhart and the motion carried.

City of Kannapolis Board of Adjustment ETJ

Commissioner Tadlock moved to re-appoint Martha Harrell. The motion carried.

Salisbury-Rowan Economic Development Commission

Chairman Blount requested that the representative for this commission be delayed to the next meeting.

Rowan County Planning Board

There were no applications submitted to fill a replacement on this board.

Industrial Facilities & Pollution Control Finance Authority

It was noted that there are two vacancies on this board.

Rowan County Rescue Squad

It was noted that there are two vacancies on this board.

PUBLIC COMMENT PERIOD

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

CLOSED SESSION

The Board went into Closed Session at 11:45 am for discussion regarding Economic Development.

The Board returned to Open Session at 12:20 pm

RECESS MEETING

Chairman Blount recessed the meeting until 1:30 pm. to begin the review of the Continuation Budget for FY 2003-2004.

Respectfully Submitted,

Rita K. Foil, CMC
Clerk to the Board