

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
JULY 7, 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, 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.

ADDITIONS

The following additions were made to the agenda:

- Commissioner Belk requested to add a discussion on recent activities at the Rowan County Fairgrounds
- Commissioner Belk also request to add a discussion on Summit Corporate Center.
- Commissioner Andrews requested to add a discussion concerning Alcoa providing a recreational area on the lake.
- County Manager Tim Russell requested an Executive Session to discuss a legal issue.

COMMISSIONER LIAISON REPORTS

Commissioner Belk informed the Board that DSS was sponsoring an “Interagency Roundtable” to discuss senior issues. Commissioner Belk encouraged any agencies that wished to participate to contact DSS Director Sandra Wilkes.

CONSIDERATION OF CONSENT AGENDA

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

The Consent Agenda consisted of the following items:

- A. Approval of the June 2, 2003 minutes
- B. Approval of the June 2, 2003 budget minutes
- C. Approval of the June 3, 2003 budget minutes
- D. Approval of the June 9, 2003 budget minutes
- E. Approval of reappointment of County Tax Assessor
- F. Set a public hearing for the proposed road name of Little Branch Road
- G. Set a public hearing for CUP-17-03, a request from Salisbury Media, LLC
- H. Set a public hearing for Z-14-03, a request from Brian and Karen Collins
- I. Set a public hearing for Z-15-03 (CUP-16-03), a request from Mary Alice Carpenter
- J. Set a public hearing for the approval of the recodification of the Rowan County Code of Ordinances
- K. Approval of the Health Department Client Fee Schedule for FY 2003-04
- L. Budget Amendments

RECOGNITION OF JULY EMPLOYEE OF THE MONTH

The Board recognized Patty Heilig of the Health Department as the July Employee of the Month. Health Department Director Leonard Wood was also present. Chairman Blount described Ms. Heilig as an “outstanding employee” and illustrated her duties, which involved working with the County Finance Department in state reporting issues to make certain that the Health Department remains in compliance with all financial matters. Chairman Blount said Ms. Heilig also works with the Board of Health to ensure that the agenda and all pertinent information is provided to the Board. Chairman Blount presented Ms. Heilig with a certificate and congratulated for being selected as the July Employee of the Month. A round of applause followed the presentation.

ANNOUNCEMENT OF FUNDING FROM JIM FOLTZ

As Jim Foltz was preparing to address the Board, Chairman Blount announced that Mr. Foltz would be turning 70 years of age the next day. The announcement was followed by a round of applause.

Mr. Foltz reported on the Rowan Nature and Learning Center and informed the Board of a donation received by Cheerwine, which is to be designated towards the aquarium. Mr. Foltz said the donation would be in the amount of \$50,000 “up front” with an additional \$5,000 per year for ten (10) years.

Mr. Foltz said the parks system had also received funding for the “Bobcat” facility and felt that the parks already had enough funds for the “Bald Eagle” facility. Mr. Foltz said another donation had been received but was not yet designated.

Mr. Foltz said that other contacts had been made and that he would report back to the Board as to the progress.

Chairman Blount thanked Mr. Foltz for the update and also expressed appreciation to Cheerwine for the generous contribution.

PUBLIC HEARING FOR APPROVAL OF THE PROPOSED PLAN FOR THE SECONDARY ROAD SYSTEM

Chris Corriher and Chuck White from the Department of Transportation (DOT) were present to discuss the proposed plan for the secondary road system.

Mr. Corriher relayed some “good news” from Pat Ivey, of the Division of Engineering, that Rowan County would receive “some reimbursement money” for the road off of Porter Road. Mr. Corriher estimated the reimbursement would be approximately \$300,000.

Mr. Corriher discussed the proposed plans and the funding for the secondary road system. Using maps, Mr. Corriher pointed out the residential and rural roads for paving. Mr. Corriher said Chenault Road is 2.1 miles long and was proposed for widening due to larger truck traffic.”

Mr. Corriher asked the Board to approve the program as proposed.

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

1. Lee Simmons of 185 North Gifford Lane, located off of River Road, petitioned the Board to have SR 2152 River Road widened and paved. Mr. Simmons described the road as only sixteen (16) feet wide and a “danger” for traveling. Mr. Simmons said that due to the drought at High Rock Lake, the traffic had increased on River Road from the people traveling to the Tuckertown Reservoir. Mr. Simmons stated that in one day there were sixty-nine (69) trailers and people in the parking lot of the Wildlife Access at Tuckertown. Mr. Simmons showed photographs to illustrate his comments. Mr. Simmons said the road is being torn up and that he is aware of at least five (5) times since January that the state has attempted to repair the road and potholes. Mr. Simmons showed the Board photographs of a line of cars trying to “pass on a 16-foot wide road.” Mr. Simmons emphasized that the “dangerous situation” needed to be taken care of. Mr. Simmons said that as an engineer, he understood priorities and asked that River Road be considered and placed on the list.

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

Mr. Corriher agreed with Mr. Simmons' comments that a 16' road is dangerous. Mr. Corriher said a portion of the road was paved approximately five (5) years ago to 20 feet. Mr. Corriher said there are "too many" 16-foot wide roads in Rowan County. Mr. Corriher said that his boss, Mike Patton, sets up the NC Moving Ahead Program and that Mr. Patton had proposed Rowan and Davidson Counties more funding than the other three (3) counties in the district. Mr. Corriher said the DOT tries to identify the roads that need to be widened by using crash data, traffic analysis and maps and the last traffic count on the section of River Road that remains at 16-feet was approximately 150-300 cars. Mr. Corriher said that every road, which was proposed to be widened under the "NC Moving Ahead Program," had a traffic count of well over 1,000 vehicles per day. Mr. Corriher said he looked forward to the day when Rowan County had no 16' wide roads.

Commissioner Andrews asked if additional asphalt was added to the roads that were identified as having heavy truck traffic. Mr. Corriher said additional base or asphalt depths were added if the DOT was aware of the truck traffic prior to paving.

Commissioner Belk pointed out there would be a greater danger for a school bus driver of passing a truck versus a car. Commissioner Belk questioned if the truck traffic increased the priority level for paving the road. Mr. Corriher said truck traffic is taken into consideration and mentioned that most paved roads do carry school buses.

Commissioner Tadlock suggested that the DOT obtain a current traffic count for River Road and said the road shoulders could possibly be strengthened at a minimum cost. Commissioner Tadlock also suggested reducing the speed limit to ensure safer traveling. Mr. Corriher said he would put the request in writing and forward it to the proper department.

Commissioner Tadlock moved to approve the proposed secondary roads as listed in the presentation by the DOT. Commissioner Belk seconded the motion and the motion passed unanimously.

APPROVAL OF AMBULANCE FRANCHISE APPLICATIONS

EMS Director Wayne Ashworth said the Board had approved the rewriting of the Ambulance Franchise Ordinance several months back. Mr. Ashworth added that the county had continued the present franchisees under the old ordinances and recommended the following four (4):

- Rowan County Rescue Squad
- Enochville Fire and Rescue
- China Grove Fire Department
- KoSa

Mr. Ashworth also recommended approval of the Rockwell Rural Fire Department as a new ambulance franchise in the county.

Mr. Ashworth explained that the approvals would be for a four (4) year period ending June 30, 2007.

Mr. Ashworth said two (2) of the five (5) franchises, Rowan County Rescue Squad and KoSa, had incurred difficulty in obtaining the required motor vehicles history.

Mr. Ashworth recommend approval of all five (5) with the two (2) mentioned above being contingent upon the county receiving and approving the motor vehicles history.

Mr. Ashworth responded to a query from Commissioner Tadlock and said that a CDL was not required.

Commissioner Mitchell moved to approve the recommendations as submitted, followed by a second from Commissioner Andrews.

Chairman Blount repeated the motion and stated that approval included two (2) being conditional.

Commissioner Belk thanked Mr. Ashworth for working with Rockwell to expedite the franchise.

The motion passed unanimously.

PRESENTATION ON PROPOSAL TO ESTABLISH ROWAN COUNTY AS A MODEL FOR IMPROVING AIR QUALITY

Dr. John Wear, Jr., Director, Catawba College Center for the Environment, addressed the Board regarding the air quality in Rowan County. Dr. Wear cited several statistics including an announcement by the American Lung Association that 14,327 people were at risk due to existing respiratory illness or emphysema. Dr. Wear quoted a statistic pertaining to children and the elderly, saying that a total of 45,235 are adversely affected by air pollution.

Dr. Wear said one (1) county could not solve the situation but that Rowan County was in the position to be a model. Dr. Wear said the county was in a unique position for two (2) reasons: (1) the Sustainable Community Development Commission (SCDC), and (2) Rowan County is the only county in the region with a Center for the Environment. Dr. Wear said the “two parts can work together.”

Dr. Wear highlighted four (4) areas in which he felt Rowan County could be used as a model:

- Education
- Partnership with the SCDC and the Catawba College Center for the Environment
- Assist in promoting and initiating
- Work towards creating a model for improving air quality

Dr. Wear said the plan was for the center to work with the Rowan County SCDC on the Rowan County Clean Air Initiative, and to work cooperatively with existing groups.

Dr. Wear emphasized that Rowan County needs a clean air policy and discussed:

- Educating the community through literature
- Hosting conferences
- Speakers who had dealt with the same issues
- Developing a website

Dr. Wear discussed funding and said he planned to approach foundations for support and explained the basic needs for the project would be approximately \$70,000 per year. Dr. Wear said he planned to set a goal of approximately \$40,000 before initiating the Center for the Environment's portion. Dr. Wear described the project as a "true challenge" and said the Board had already demonstrated its commitment.

Commissioner Belk applauded the efforts of the Catawba College Center for the Environment. Commissioner Belk agreed that it must be a "grass roots" project and that Rowan County would be a great model for the region.

Commissioner Andrews said the county was fortunate to have the resources available through the Catawba College Center for the Environment and Dr. Wear - and particularly fortunate for the "vision" expressed years ago through the SCDC. Commissioner Andrews commended the efforts of those committed to improving the air quality of the county.

Chairman Blount asked Dr. Wear if he could provide the Board with information to consider during the Board's retreat in February. Dr. Wear said "yes."

Chairman Blount stated that the Board had "earmarked" \$10,000 in the budget for the project and thanked Dr. Wear for the presentation.

APPROVAL OF ROWAN-SALISBURY SCHOOLS REFINANCING OF MOBILE UNIT LEASES

Jim Christy of the Rowan-Salisbury Schools requested that the Board approve a resolution that would allow the school system to finance/refinance 54 mobile classrooms.

Mr. Christy stated that forty-nine (49) of the units are being financed at an interest rate of 7 percent and the school system would like to refinance the units at a rate of 2.37 percent for three (3) years.

Mr. Christy reported that the lower interest rate would result in a savings of \$49,508.36.

In response to a query from Commissioner Mitchell, Mr. Christy stated the agreement is a lease/purchase.

Commissioner Andrews moved to approve the request as submitted. Commissioner Mitchell seconded the motion and the motion passed unanimously.

Mr. Christy updated the Board on additional savings the school system was incurring, such as, waste management savings of \$30,000 per year, the telephone land line contract at a savings of \$20,000 in equipment plus an additional \$600-\$700 per month. Mr. Christy reported that a new contract for maintenance uniforms would save approximately \$13,000 per year and a consolidated cell phone contract that would lower costs. Mr. Christy said the school system was taking advantage of every savings opportunity possible.

Mr. Christy thanked the Board for its continued support.

Chairman Blount inquired about the success of the selection of the new school sites. Mr. Christy responded that the appraisals should be received "this week" and that negotiations were expected to begin in the near future.

APPROVAL OF PROPOSAL FOR CONTRACTOR FOR RTS

Clyde Fahnestock, Director of Senior Services, discussed the transportation management contract. Mr. Fahnestock recommended that the contract be awarded to MV Transportation, Inc. Mr. Fahnestock mentioned that two (2) officials were present from MV Transportation in the event the Board should have any questions.

Mr. Fahnestock said RTS has a fleet of thirty-one (31) vehicles that drive approximately 500,000 miles per year, providing 106,000 one-way trips. Mr. Fahnestock highlighted the needs of patients that are transported.

Mr. Fahnestock said RTS had always used a private transportation company and that once again it appears to be more cost-effective to use a private provider.

Mr. Fahnestock said COACH USA, the current transportation management company, had provided RTS with a ninety-day notice that they intended to terminate the contract with the county on July 31, 2003.

Mr. Fahnestock highlighted the proposals received and said the biggest variable was in the area of insurance due to the types of vehicles used.

Mr. Fahnestock said the rate for MV Transportation was negotiated to \$1.36 per mile, with a savings of \$33,000 from the initial bid.

Mr. Fahnestock mentioned that the driver-starting wages must be a minimum of \$8.00 per hour.

Mr. Fahnestock said the RTS Advisory Committee had reviewed the proposals and recommended that the Board of Commissioners award the Rowan County Transportation Management Contract to MV Transportation, Inc.

In response to a query from Commissioner Belk, Mr. Fahnestock said the state's Capital Improvement Program allows RTS to request a replacement vehicle "as soon as our van hits 100,000 miles." Mr. Fahnestock said it could take up to a year to get the new vehicle.

Commissioner Belk moved to approve the contract as presented followed by a second from Commissioner Mitchell. The motion carried unanimously.

APPROVAL OF SNIA PERMIT APPLICATION

Ed Muire, Assistant County Planner presented the SNIA permit application, stating that it was an "impervious cover allocation in one of the state designated water supply watersheds." Mr. Muire said the building was located at 12903 Mooresville Road.

Mr. Muire referred to the map on page 2 and explained that Mid-State Machine Company currently uses the building for storage and is looking at adding 7500 square feet. Mr. Muire explained that approximately the same amount of impervious cover would "most likely be gravel." Mr. Muire reported that this falls in line with the 70% that could be allocated for the lot.

Mr. Muire said staff recommended approval of the request.

Commissioner Tadlock moved to approve the request as submitted. Commissioner Belk seconded the motion and the motion passed unanimously.

APPROVAL OF FSW-02-03

Marion Lytle, County Planner, presented the request from Margaret Lyerly Deal. Mr. Lytle described the land in question as a 59-acre tract located off Parks Road on Dreamfield Drive.

Mr. Lytle explained the purpose of the family subdivision is to convey lots to immediate family members for the use and occupancy by the family. Mr. Lytle said he knew of ten (10) family subdivision waivers that had been requested since approval of the subdivision ordinance nine (9) years ago. Mr. Lytle recalled that two (2) of the requests had been approved for cousins, and not immediate family members.

Mr. Lytle said the current request was for a grandniece and that the proposed subdivision, for residential use is appropriate for the area and the single household will have negligible effect on the road system. Staff was of the opinion the proposed use was compatible with the surrounding area and would not be detrimental.

Staff recommended approval of the request. Ms. Deal was present to answer any questions from the Board.

Commissioner Mitchell moved to approve the family subdivision waiver as requested, followed by a second from Commissioner Tadlock. The motion carried unanimously.

CONSIDER REQUEST TO APPROVE SETTING A PUBLIC HEARING FOR A NO WAKE ZONE AT DUTCHMAN POINT COVE

Mr. Broadus Murph conveyed his concerns regarding the safety at Dutchman Point Cove. Mr. Murph requested to establish a no-wake zone in the cove and stated that the residents of Dutchman Point Cove were willing to pay for the markers to indicate the no-wake zone.

Chairman Blount asked County Manager Tim Russell if staff should review the issue before scheduling a public hearing. Mr. Russell responded that a Wildlife Officer must conclude that the area is a danger and suggested that a Wildlife Officer make a recommendation to the Board.

Chairman Blount asked Mr. Russell to contact a Wildlife Officer and report back.

BOARD APPOINTMENTS

Alcoholic Beverage Control Board

Commissioner Belk moved to reappoint Frank Tadlock and the motion carried.

Juvenile Crime Prevention Council

Commissioner Tadlock moved to appoint Angie Banther to the Substance Abuse Professional's slot. The motion carried.

Commissioner Mitchell moved to reappoint Rev. Bobby Smith, Bob Lippard, Phyllis Cornelison and Michael Adkins. The motion carried.

Commissioner Andrews moved to approve the following terms for various council members. The motion carried.

Bonnie Harrell	1-31-2006	to	6-30-2003
Michael Adkins	8-01-2003	to	6-30-2003
Victoria Slusser	7-31-2004	to	6-30-2004
Jon Corriher	2-28-2004	to	6-30-2004
David Allen	7-31-2005	to	6-30-2004

Salisbury-Rowan Economic Development Commission

Chairman Blount explained that Jim Morton had served his terms on the commission and was not eligible for reappointment. Chairman Blount requested that a letter of appreciation be sent to Mr. Morton.

Commissioner Andrews moved to appoint Jeanie Moore to the commission and the motion carried.

Rowan County Nursing Home Advisory Committee

Commissioner Belk moved to appoint Ken Beck and Benita Ballard to serve on this committee. The motion carried.

Rowan County Zoning Board of Adjustments

Chairman Blount said a resignation had been received from Raymond Johnson and requested that the Clerk send a letter of appreciation to Mr. Johnson for his service.

Town of Granite Quarry Planning Board

Commissioner Tadlock moved to reappoint Stanton Cross and Greg Lowe. The motion carried.

Town of Granite Quarry Zoning Board of Adjustment

Commissioner Belk moved to reappoint Hugh Teague and Ray Charleston and the motion carried.

Commissioner Andrews emphasized the importance of filling the position vacated by Raymond Johnson on the Zoning Board of Adjustments as well as a recently vacated position on the Planning Board.

ADDITIONS

Fairgrounds

Commissioner Belk said she had received calls of concern from citizens regarding the bikers' event at the fairgrounds. Commissioner Belk said she votes on issues by using the county's motto, "A County Committed to Excellence," as a guideline. Commissioner Belk said she realizes the Rowan County Fairgrounds are leased but emphasized that when the name "Rowan County" is listed on a ticket, she would "assume" it is a family event.

Commissioner Belk said the calls focused on the "lack of dress" by participants at the bikers' event.

Commissioner Belk stated that the county needed to establish standards for behavior. Commissioner Belk said the indecent exposure "should not be allowed."

Mr. Russell said the lease is to allow the Jaycees to take possession of the property, with the only requirement being to conduct the Rowan County Fair. Mr. Russell said the improvements and maintenance is handled by the Jaycees. Mr. Russell described various events the Jaycees hold on the property and said the events allow the Jaycees to increase their revenue, which they in turn donate to various organizations, including the Rowan County Parks. Mr. Russell said other concerns have been raised in the past and the county has been able to work with the Jaycees. Mr. Russell was of the opinion the Jaycees have not violated their lease and the county is within 3-4 years of termination of the lease. Mr. Russell said the county could revisit the lease and see if both parties were agreeable to amend the lease prohibiting items that are not acceptable.

Chairman Blount asked Commissioners Tadlock and Belk to meet with Mr. Russell, Eric Ennis, the Sheriff and Ray Shuler and to come back to the Board with any recommendations.

Summit Corporate Center

Commissioner Belk asked if it would be possible for the EDC to have a proposal for Summit Corporate Center ready for presentation to the Board on August 4th, 2003. Commissioner Belk expressed that due to the economic conditions this was an issue that needed to be addressed.

Chairman Blount requested that Mr. Russell contact the EDC and confirm a date for a presentation.

Alcoa

Commissioner Andrews felt that Rowan County should pursue establishment of a public recreation area on High Rock Lake by Alcoa. Commissioner Andrews said the citizens needed a recreational place to fish, have boat access, etc.

Commissioner Tadlock moved to accept Commissioner Andrews recommendation and to provide a public access area for the citizens of Rowan County and that a meeting be scheduled with Mr. Russell and Commissioner Andrews, as well as with Alcoa officials, to discuss the issue. Commissioner Belk seconded the motion and the motion passed unanimously.

PUBLIC COMMENT

Chairman Blount open the public comment period to entertain comments from those in the audience. Those that came forward are as follows:

1. Earl Holt, owner of property adjoining the Rowan County Fairgrounds, addressed the Board regarding the affects to his property from the events held at the fairground. Mr. Holt gave examples of various incidents he considered to be “illegal” and considered grounds for termination of the contract. Mr. Holt urged the Board to take positive steps to control the activity at the Rowan County

Fairgrounds. Mr. Holt stated that he appreciated the assistance he has received from Mr. Russell.

EXECUTIVE SESSION

Chairman Blount declared the Board to go into Executive Session at 10:45 am to discuss a legal issue.

ADJOURNMENT

Chairman Blount brought the Board back into Open Session and with no further business to be brought before the Board; the meeting was adjourned at 11:00 am.

Respectfully Submitted,

Rita K. Foil, CMC
Clerk to the Board