

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
November 17, 2003 – 9:00 AM
J. NEWTON COHEN, SR. ROOM, ADMINISTRATION BUILDING**

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

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

Chairman Blount called the meeting to order at 7:00 pm. Chairman Blount asked everyone to join him in a silent prayer on behalf of Planning Board Chairman Steve Johnson, who remained in critical condition due to a sudden illness. Chairman Blount led the Pledge of Allegiance.

ADDITIONS:

Mr. Russell requested the addition of a personnel announcement. Chairman Blount added the announcement as Agenda Item 9.1.

LIAISONS:

Commissioner Belk reported that the Department of Social Services (DSS) had held its third Interagency Roundtable Meeting with the faith community. Commissioner Belk said the agency is looking at how the faith community could partner with the Health Department and DSS in bridging the gap for the needs of seniors. Commissioner Belk added that this was a good meeting.

CONSENT AGENDA:

Commissioner Tadlock moved to approve the Consent Agenda, followed by a second from Commissioner Belk. The motion carried unanimously. The Consent Agenda consisted of the following items:

- A. Approval of the October 20, 2003 “Workshop” minutes
- B. Approval of the November 3, 2003 minutes
- C. Approval of Cafeteria Plan effective January 1, 2004
- D. Approval to set a public hearing for the majority petition of the proposed road name of Jasper Drive
- E. Approval to set a public hearing for the unanimous petition of the proposed road name of Kennibeck Drive
- F. Approval to set a public hearing for CUP-34-03/FSW-05-03
- G. Approval to set a public hearing for CUP-33-03
- H. Budget Amendments

PRESENTATION OF “PATRIOT’S AWARD”

Chairman Blount turned the meeting over to Army Command Sergeant Major (CSM) Lloyd Murray for a presentation of the Patriot’s Award.

CSM Murray said he had been in the military for thirty-three (33) years and that anytime he hears the Pledge of Allegiance, it gives him “cold chills” to reflect on what it means and the sacrifices that it represents.

CSM Murray said his business with the Board was twofold. First, he reminded local government officials, businesses and residents that soldiers were “scattered all over the world serving in the name of freedom.” CSM Murray asked that the soldiers be remembered and kept foremost in everyone’s mind. CSM Murray provided statistics regarding the number of Army National Guardsmen mobilized and those pending mobilization. CSM Murray said he had just returned from Operation Iraqi Freedom and asked again that the soldiers and their families be remembered. CSM Murray said that the needs of the soldiers are met by the military but that families are often left to “fend for themselves.”

Secondly, CSM Murray said his presentation was on behalf of the soldiers employed by Rowan County and First Sergeant Eddie Kluttz, First Sergeant of a Transportation Unit currently in Kuwait. CSM Murray praised the missions of First Sergeant Kluttz’ unit.

CSM Murray said the award was being presented by the National Council for Employer Support for the Guard and Reserve (ESGR), which were established in 1972.

CSM Murray read the award and called Sheriff George Wilhelm and Chairman Blount forward. CSM Murray also called Lori Kluttz, wife of First Sergeant Eddie Kluttz forward. Ms. Kluttz presented the awards to Sheriff Wilhelm and Chairman Blount. A round of applause followed the presentation.

Chairman Blount thanked CSM Murray “for all you do for our country and for our citizens.” Chairman Blount said he had a son who is a Marine Reservist and that he has “a personal contact with what you’re doing.”

ISSUE CONCERNING AN APPLICATION FEE

Attorney Jay Dees said he was representing John Meadows, who had begun the permitting process through NCDENR for a landfill approximately three (3) acres in size. Attorney Dees said the landfill would be for construction debris such as concrete and bricks. Attorney Dees said what changes the status of the application from a conditional use permit aspect is the inclusion of trees stumps and tree limbs.

Attorney Dees requested that the Board review staff’s decision to establish an application fee for Hazardous or Solid Waste dumps at a fee of \$100,000.

Chairman Blount confirmed with County Manager Tim Russell that the Board had approved the schedule of fees in the late 1980’s.

Attorney Dees said the language of the ordinance indicates the \$100,000 was not a set fee and could be set at the discretion of the Board. Attorney Dees said there was no justification sent to his client to indicate what the fee consisted of and asked that the Board look at the underlying costs of processing the application, saying the application is really processed through the DENR.

Chairman Blount pointed out that County Attorney John Holshouser was absent and asked Mr. Russell if the County was required to justify the fee. Mr. Russell responded that the County Attorney would need to answer the question.

Chairman Blount asked if there would be someone at the landfill to monitor what was put in the landfill. Mr. Meadows said according to DENR he could legally dump debris on his own property. Mr. Meadows said he had hired an

engineer to verify that the property was not a wetland, which was the first step of the process. Mr. Meadows said he had not gotten to the “other part, which is the application fee.” Mr. Meadows said there were only two (2) houses on the 150-acre tract and that he would employ someone at the landfill “or have some type of system set up” to monitor what was dumped.

Chairman Blount said the Board would seek advice from Attorney Holshouser and deferred the issue to the December 1, 2003 meeting.

APPROVAL OF RE-INSPECTION FEE SCHEDULE

Don Conner, Director of Environmental Services, introduced the Board to Barry Motsinger, Codes Enforcement Supervisor and asked Mr. Motsinger to discuss the fee schedule.

Mr. Motsinger said inspectors could actually provide four (4) inspections at one site by providing building, mechanical, plumbing and electrical inspections. Mr. Motsinger explained the inspection and re-inspection process, saying that each inspector covers approximately 170 square miles.

Mr. Motsinger said Rowan County does not currently have a charge for unnecessary trips or for re-inspections. Mr. Motsinger said cutting back on the number of re-inspections would cut back on the job load.

Mr. Motsinger referred to the survey of the re-inspection fees of surrounding counties and proposed that the county provide the initial inspection and one follow up inspection as part of the original permit fee. Each additional re-inspection would incur a fee not to exceed the cost of the original permit, or \$50, whichever is less. Each of the fees would be paid before the next inspection is scheduled. Mr. Motsinger requested that the fees go in effect January 1, 2004.

In response to a query from Commissioner Tadlock, Mr. Conner reviewed the permit fees, saying the minimum permit fee is \$30 and the maximum building permit is based on the projected value of the structure.

Commissioner Belk moved to approve the request to implement a \$50 second re-inspection fee, effective January 1, 2004. Commissioner Tadlock seconded the motion and the motion passed unanimously.

APPROVAL OF FSW-04-03

Ed Muire of the Rowan County Planning Department said Mr. Nelson L. Smith owned property on Miller Road and that in 2001 the family had

divided the “parent” tract into four (4) tracts. Mr. Muire said a further division of the property warrants consideration of a Family Subdivision Waiver (FSW).

Mr. Muire reviewed the Staff Report, which highlighted the language of the Rowan County Subdivision Ordinance.

Mr. Muire said the decision for approval of the FSW was based upon consideration of the issues contained in the family subdivision waiver text:

- Nature of the proposed subdivision
- Existing use of the land in the vicinity
- Number of persons to reside or work in the proposed subdivision
- Probable effect of the proposed subdivision upon traffic conditions in the vicinity

Mr. Muire referred to the attachments in the Staff Report to point out the parcel in question, as well as the surrounding properties. In response to a query from Chairman Blount concerning an access road to the sites, Mr. Muire referenced the map confirming that there is an access road.

Commissioner Mitchell moved to approve FSW-04-03 as requested. Commissioner Belk seconded the motion and the motion passed unanimously.

UPDATES ON THE FOLLOWING COMMITTEES: GREENWAY, FARMLAND PRESERVATION, LAND USE PLAN, FAIR STUDY, STRATEGIC PLAN

The following updates were provided to the Board pertaining to various committees.

Greenway Committee:

Bob Pendergrass reported that a public hearing was held on November 6, 2003 to provide educational information and to provide citizens and landowners the opportunity to address any concerns they might have regarding the Greenway along Grants Creek.

Mr. Pendergrass praised the introductory speech provided by Chairman Blount at the public hearing as well as the speech provided by John Henderlite. Mr. Pendergrass said Chuck Flint of Greenways Incorporated spoke at hearing about the positive aspects of having greenways in communities.

Mr. Pendergrass said the main goal of the public hearing was to receive public input. Mr. Pendergrass said he felt most citizens left with a better understanding of the Greenway project.

Mr. Pendergrass said the funding for the Greenways “long term” would come through the Department of Transportation funds.

Mr. Pendergrass said information would be finalized for the TIP funding meeting in January and additional public hearings would be held to continue citizen involvement in the project.

Mr. Pendergrass verified with Chairman Blount that the China Grove Rotary Club had made a major funding commitment to assist with the Greenway.

Farmland Preservation Committee:

Marion Lytle said the Farmland Preservation Committee had met several times and had reviewed the point system plan and accepted it to be used in the process.

Mr. Lytle discussed a recent meeting in which approximately fifty-five (55) farmers and landowners had attended, including Chairman Blount and Commissioner Belk.

Mr. Lytle said the tentative deadline for applications is December 1, 2003, which might possibly be extended.

Mr. Lytle said the Farmland Preservation Committee planned to meet on December 13, 2003 for a preliminary ranking of the applications.

Chairman Blount reminded the Board that it had earmarked \$140,000 for the process and that the Landtrust had earmarked \$250,000, for a total of \$390,000. Mr. Lytle said the \$250,000 was federal money and that certain criteria would have to be met for applicable farms.

Land Use Plan Committee:

Mr. Lytle said the membership for the committee was almost completely appointed, with the exception of one position.

Mr. Lytle mentioned that three (3) prospective vendors had made presentations regarding the plan and that staff had followed up on references for the vendors. Mr. Lytle highlighted the committee votes for the vendors saying, that the Urban Institute received seven votes, with Woolpert receiving five and Land Design did not receive any votes.

Mr. Lytle said the Board would have to authorize the committee to begin contract negotiations with one of the firms. Mr. Lytle said a contract would be presented to the Board for approval.

Chairman Blount asked the Board to be prepared to make a decision on the issue at the next meeting.

Fair Study Committee:

Tim Russell reported that the committee had met one time and a second meeting was scheduled for later in the week.

Mr. Russell explained that the purpose of the committee was to determine the value of the county fair to Rowan County, to the agricultural community, to the economy and to tourism.

Mr. Russell said the committee was comprised of members who were “users” of the fair and they would provide information as to how the fair benefits programs, make recommendations for improving the fair, and provide information concerning the strengths of the fair.

Mr. Russell said the committee was performing a survey of surrounding counties their involvement with fairs and that the committee would also estimate the cost of relocating the fair to adequate facilities.

Mr. Russell said a report should be made to the Board in March.

Chairman Blount thanked Commissioner Tadlock for arranging the Agricultural Business Council Vice President to attend our prior meeting.

Strategic Plan Committee:

Chairman Blount said the executive committee had been meeting to review the original plan and that the group would make a presentation to the Board at its annual planning retreat. Chairman Blount said he would provide the Board with the history of the original plan prior to the presentation.

ASSIGNMENT OF FBO AGREEMENT TO SKY HARBOR AVIATION

Mr. Russell said a request had been received from the current FBO provider asking the Board to transfer the existing FBO lease from Salisbury Air Service, Inc. to Sky Harbor Aviation.

Mr. Russell referred to page 11 of the lease, Article XIII and discussed the assignment of the lease.

Mr. Russell recalled that in 2001, the assignment was made to Star Aircraft, LLC, with two (2) conditions. The first condition required the company to be competent to provide the airport with professional services, and secondly, have the financial stability through personal holdings. The Board approved the transfer subject to securing the information from the new owner that they were financially strong to continue operations of the FBO.

Mr. Russell said that he and Chairman Blount had met with the prospective new owners and had concluded they appeared to present competent expertise in dealing with airports.

Mr. Russell said the current lease provides a ten-year lease subject to expire July 1, 2006. Mr. Russell said two five-year extensions could be added to the lease, subject to the FBO providing competent services.

Chairman Blount said the perspective new owners seemed “very professional” and their facility in Jacksonville was well known.

Commissioner Tadlock moved to approve assignment of the existing FBO lease to Sky Harbor Aviation. The motion was seconded by Commissioner Mitchell and carried unanimously.

CONTINUATION OF BOARD DISCUSSION ON JOBS

Mr. Russell summarized a meeting that had been held concerning a partnership between the Chamber of Commerce, Economic Development and the County. The purpose is to focus on existing businesses in an effort to notify them of the county’s interest to work with them on a case-by-case basis to determine if they have plans for expansion, retention of existing employees or adding additional employees. If so, the partnership would visit the company and reiterate the commitment to work with them to meet their needs.

Mr. Russell said Randy Harrell felt that the EDC is already doing what the Board is trying to address with the local businesses. Mr. Russell said Mr. Harrell outlined the EDC’s plan and had also agreed to meet with the Chamber.

Commissioner Belk expressed her excitement in the working unity among the Board, Chamber and EDC and at the efforts of not only bringing in new jobs, but also retaining current jobs.

Commissioner Tadlock said Mr. Harrell had made an aggressive effort to address the job situation.

Chairman Blount announced that Commissioner Andrews would be attending a meeting on November 24, 2003 with Department of Commerce representatives in Raleigh.

Commissioner Tadlock commended the Department of Social Services Board and Commissioner Belk for the aggressive efforts to communicate with the faith community regarding assistance with jobs.

Mr. Russell showed pictures and highlighted examples of part-time employees hired to work at county parks and added that these workers are encouraged to seek full time employment.

Chairman Blount referred to an article and an ad in North Carolina Magazine pertaining to Biotech Industry. Chairman Blount found it interesting that North Carolina was pursuing the Biotech Industry and provided the Board with a website for more information.

DISCUSSION OF RETREAT ISSUES

Chairman Blount said the retreat is structured around issues the Board wishes to discuss. Chairman Blount said he was asking the Strategic Planning Committee to make a presentation and that the EDC would make a presentation and also the Rowan-Salisbury Schools would be expected to make a presentation.

Chairman Blount said a meeting was scheduled for Thursday morning with staff concerning the retreat.

Chairman Blount suggested that Board members inform staff of any issues they might wish to add to the retreat agenda.

Commissioner Tadlock requested that the municipalities be included in the retreat again this year.

ADDITIONS:

Mr. Russell distributed a letter and discussed the upcoming retirement of EMS Director Wayne Ashworth, effective December 31, 2003. Mr. Russell said he planned to begin advertising for qualified applicants immediately. Mr. Russell said the county would miss Mr. Ashworth and wished him well.

In response to a query from Commissioner Tadlock, Mr. Russell said Mr. Ashworth was primarily responsible for: EMS, Fire Marshal, Homeland

Security, and Hazmat. Mr. Russell said the “biggest issue” is Homeland Security.

Commissioner Belk said she had great respect for Mr. Ashworth and what his staff does. Commissioner Belk expressed pleasure at the support of the agencies working together and attributed part of that success to Mr. Ashworth.

PUBLIC COMMENT

There were no citizens present to address the Board.

ADJOURNMENT

Chairman Blount reminded the Board of the upcoming Christmas parades and that staff would be providing more detailed information to each Commissioner.

With no further business, Chairman Blount adjourned the meeting at 8:15 pm.

Respectfully Submitted,

Rita K. Foil, CMC
Clerk to the Board