

**MINUTES OF THE MEETING OF THE  
ROWAN COUNTY BOARD OF COMMISSIONERS  
April 5, 2004 – 9:00 AM  
J. NEWTON COHEN, SR. ROOM, ADMINISTRATION BUILDING**

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

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

Chairman Andrews convened the meeting at 9:00 am.

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

**ADDITIONS**

- Commissioner Tadlock requested to add discussion about some concerns brought to his attention regarding the Rowan County Landfill located off of Woodleaf Road.

**LIAISON REPORTS**

- Commissioner Belk praised the Rowan County Parks and Recreation Department on the amount of increase in revenues received by Dan Nicholas Park.

**CONSIDERATION OF CONSENT AGENDA**

Commissioner Tadlock moved to approve the Consent Agenda as presented. Commissioner Blount seconded the motion and the motion carried unanimously.

The Consent Agenda consisted of the following items:

- A. Approval of the March 1, 2004 minutes
- B. Approval of the March 15, 2004 minutes
- C. Approval of bid from Tommy Long for the property on Richard Street
- D. Set a public hearing for Z-02-04 and CUP-04-04, request from Metrolina Development Corp.
- E. Set a public hearing for CUP-06-02 Amendment, to allow for placement of Horse Barn
- F. Approval to set a public hearing for CUP-05-04 to create a new lot in a CBI district to sell
- G. Approval to appoint Review Officer
- H. Budget Amendments

**RECOGNITION OF NORTH ROWAN HIGH SCHOOL BOYS TRACK TEAM AND SALISBURY HIGH SCHOOL GIRLS BASKETBALL TEAM**

Chairman Andrews welcomed the North Rowan High School (NRHS) Men's Indoor Track Team and the Salisbury High School (SHS) Lady Hornets Basketball Team. Chairman Andrews declared it to be an "outstanding privilege" to welcome two (2) State Championship teams that had demonstrated the highest level of sportsmanship and athletic skills.

Chairman Andrews read a Proclamation honoring the North Rowan High School Indoor Track Team and Staff for their superior season.

Commissioner Mitchell moved to accept the Proclamation as read. The motion was seconded by Commissioner Blount and passed unanimously.

Chairman Andrews recognized the individual track team participants, as well as the Coaching Staff and NRHS Principal Bill Mauldin. A round of applause followed the recognition.

Chairman Andrews praised Coach Steele and said the team was fortunate to have the leadership of one of the top Track & Field coaches in the "whole United States."

A second round of applause followed the presenting of the proclamation to each team member.

Chairman Andrews said it was a special privilege to recognize the SHS Lady Hornets for their State Championship. Chairman Andrews said he had taught and coached at SHS and that he remembered when Coach Shoaf first began coaching. Chairman Andrews said it was an exciting time for him to have shared in those beginning moments as well as share the excitement of recognizing the team for its accomplishments. Chairman

Andrews took special pride in the SHS Lady Hornets as the first Rowan County women's basketball team to win a State Championship.

Chairman Andrews read a Proclamation honoring the SHS Lady Hornets for their extraordinary performance and dedication.

Commissioner Tadlock moved to approve the Proclamation as read. The motion was seconded by Commissioner Belk and passed unanimously.

Chairman Andrews recognized each team member, the Coaching Staff, Team Managers and SHS Principal Dr. Windsor Eagle. A round of applause followed the recognition.

A second round of applause followed the presenting of the proclamation to each team member.

Chairman Andrews declared that winning state championships require a lot of hard work and dedication and commended both teams for the compliments received concerning their demonstration of leadership and good sportsmanship.

Chairman Andrews called for a short break at 9:25.

Chairman Andrews reconvened the meeting at 9:35 am.

### **PRESENTATION ON THE ANNUAL REPORT FROM CAC**

Hillary Kaylor of the Ombudsman Program through the Centralina Area on Aging provided the Board with the annual report for the Community Advisory Committee Members.

Ms. Kaylor explained that there are two (2) committees for the Nursing Home – the Community Advisory Committee (CAC) and Adult Care Homes.

Ms. Kaylor discussed the activities, strengths, challenges and support of both committees.

Commissioner Belk praised the two (2) committees and said the public does not realize the services they provide. Commissioner Belk felt there were retirees available to serve on the committees and she encouraged the press to assist with the getting the word out.

### **PRESENTATION FROM PIEDMONT BEHAVIORAL HEALTHCARE**

Dan Coughlin, Area Director/CEO from Piedmont Behavioral Healthcare (PBHC) provided the Board with PBHC Second Quarterly Report of FY 03-04. Mr. Coughlin said the General Statutes require the reports to be provided to the Commissioners on a quarterly basis.

Mr. Coughlin distributed a handout and provided the report using a power point presentation. The presentation provided the background of PBHC, populations served, financial information and services provided.

Mr. Coughlin also explained the formation of Daymark Recovery Services, Inc.

### **PUBLIC HEARING FOR THE ROAP GRANT APPLICATION**

Clyde Fahnestock, Director of Senior Services, and Sandra Wilkes, Director of the Department of Social Services (DSS), presented the grant recommendation for the fiscal year 2005 Rural Operating Assistance Program (ROAP). Mr. Fahnestock explained that the ROAP grant application requires the Board to hold a public hearing to receive comments on the local disbursement of ROAP funding. Mr. Fahnestock said that the Commissioners are the only eligible applicant for the funds.

Mr. Fahnestock referred to the information in the agenda packet and explained the application as “four (4) pots of money:”

- Elderly & Disabled Transportation Program (EDTAP) - \$77,553, no match required.
- Rural General Public (RGP) - \$ 88,377, requiring a 10% match in the amount of \$9,280. Mr. Fahnestock said much of the match would be represented in the RTS operating budget to be presented to the Commissioners. Mr. Fahnestock said passenger fares would help recover a portion of the match.
- Workfirst Employment Program – Ms. Wilkes said DSS expects to receive \$12,706, which is 100% grant funding. Ms. Wilkes said the funds are used to assist families in paying for work-related transportation costs and the maximum received by one family cannot exceed \$500.

In response to a query from Commissioner Tadlock, Mr. Fahnestock said the 10% match for the RGP funds would be submitted in the county budget, as had been done in the past. Mr. Fahnestock said the passenger fares also assist with the required match.

Chairman Andrews opened the public hearing to entertain citizen input regarding the ROAP grant application.

1. Dewayne Holt, President of Helping Hands Specialized Transport, Inc., said his business is currently contracted with DSS to provide services. Mr. Holt explained that his business is a private organization that had been in practice for five (5) years. Mr. Holt reported that 98% of the services his business provides are medically related. Mr. Holt said he believes in free enterprise and that the grant will create a detriment to his business. Mr. Holt said he had not spoken directly with Mr. Fahnestock but that he understood his contract was in jeopardy. Mr. Holt said his agency provides an excellent service and that other transportation agencies are also concerned with the situation. Mr. Holt said he and other transportation providers would appreciate an opportunity “to come to the table” to

discuss the issue. Mr. Holt felt the public and private sectors could work together to provide quality service to clients in Rowan County.

Commissioner Belk said the county's Risk Assessment Officer, Tony Hilton, has asked the companies providing transportation, to supply the county with a Certificate of Insurance. Commissioner Belk said the county would still be contracting with private transportation providers and was not trying to put anyone out of business. Commissioner Belk asked Mr. Fahnestock and Ms. Wilkes to bring the private carriers together to discuss the situation.

Mr. Fahnestock said Mr. Holt was referring to Medicaid transportation services and said that the grant application "has nothing to do with that directly." Mr. Fahnestock said the public hearing was for the subject of the ROAP application.

Mr. Fahnestock explained that the EDTAP funds go directly to human service agencies and the monies are used to purchase transportation from "our system." Mr. Fahnestock also explained that the RGP funds must provide transportation services to the rural public or otherwise, the county would not qualify for administrative or capital funds.

Mr. Fahnestock said he would be more than happy to meet with Mr. Holt but stressed that his comments were "not so much to do with this application as it does with Medicaid."

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

Commissioner Belk moved to approve the ROAP application as presented. Commissioner Tadlock seconded the motion and the motion passed unanimously.

**PRESENTATION AND UPDATE ON THE CHILD ABUSE PREVENTION MONTH, THE CHILD ABUSE PREVENTION TASK FORCE MEETING AND APPROVAL OF A PROCLAMATION FOR CHILD ABUSE PREVENTION MONTH**

Sandra Wilkes, Director of the Department of Social Services (DSS) and Tom Brewer, Program Administrator for Children's Services at DSS were present to discuss Child Abuse Prevention.

Ms. Wilkes referred to the Proclamation declaring the month of April as Child Abuse Prevention Month. Ms. Wilkes stressed that all residents are required by law to report signs of child abuse and neglect to law enforcement agencies or to DSS.

Ms. Wilkes reported on the Child Abuse Prevention Task Force meeting and said during the past twelve (12) months there had been approximately 2300 child protective service reports made to DSS. Ms. Wilkes said many of the previous concerns had been addressed, including the lines of communication between agencies.

Ms. Wilkes highlighted several new initiatives for dealing with child abuse prevention such as the addition of two (2) new deputies assigned to abuse and neglect cases. Ms. Wilkes said the addition of the deputies provides coverage 24/7.

Ms. Wilkes discussed new laws pertaining to domestic violence, the Multiple Response System (MRS) and the strengthened procedures for DSS foster home visits. Ms. Wilkes thanked the Board for leasing the former administration building of Nazareth Children's Home to be used as a family visitation center.

Ms. Wilkes said the task force is looking forward to the following new initiatives:

- Establishment of a Child Advocacy Center
- Development of a Safe Surrender Policy
- Child Care Room in the Courthouse
- Protocol to be Developed by the Medical Facilities
- Training for Service Providers Regarding Methamphetamine Home Laboratories

Ms. Wilkes referred to the Child Protective Services Data Card that was prepared by the Child Advocacy Institute and highlighted the data provided in the report.

Ms. Wilkes read statistics regarding 32,883 child abuse/neglect-substantiated cases reported in North Carolina in 2000-01 and said if child abuse/neglect "were an illness it would be called an epidemic."

Ms. Wilkes thanked the Board for providing the staff and tools for to enable DSS to perform its job. Ms. Wilkes also thanked the Board for the Proclamation that would declare April as Child Abuse Prevention Awareness Month.

In response to a query from Chairman Andrews, Ms. Wilkes explained the "blue ribbon" as symbolic to child abuse awareness.

Commissioner Belk said the task force had realized that emergency rooms at other hospitals don't have the protocol or "safety net" for reporting child abuse. Commissioner Belk said she would be contacting and encouraging the State Hospital Association them to have their members establish a protocol for dealing with child abuse. Commissioner Belk said the task force would be coming before Commissioners to ask for expansion of its membership to include probation parole officers. Commissioner Belk expressed her appreciation for the task force.

Chairman Andrews praised the progress and "positive strides" of the task force. Chairman Andrews read the Proclamation declaring April as Child Abuse Prevention Month.

Mr. Brewer expressed his appreciation to the Board for its continued support. Mr. Brewer said it was the foresight of the Commissioners that the first day of April would always be declared as, "Remember Our Children's Day." Mr. Brewer asked for the Board's continued support to insure that the children of Rowan County are protected.

Commissioner Mitchell moved to approve the Proclamation as read. The motion was seconded by Commissioner Tadlock and passed unanimously.

**PUBLIC HEARING FOR A UNANIMOUS PETITION FOR OLD STAGE COACH ROAD**

Columbus Hawks of the Planning Department presented the Unanimous Petition for Old Stage. Mr. Hawks said the road is located off of the 300 block of Arcadia Road and meets the road naming criteria. Mr. Hawks said the property owner had submitted the petition to name the road and that staff recommends approval as submitted.

Chairman Andrews opened the public hearing to entertain citizen input regarding the road name.

With no citizens wishing to address the Board, Chairman Andrews closed the public hearing.

Commissioner Mitchell moved to approve the petition as submitted. Commissioner Tadlock seconded the motion and the motion carried unanimously.

**PUBLIC HEARING FOR A MAJORITY ROAD PETITION FOR LITTLE CREEK DRIVE**

Fredda Greer of the Planning Department presented the Majority Petition for Little Creek Drive. Ms. Greer said the road runs east off of the 3800 block of Miller Road and that six (6) of seven (7) property owners had signed the petition. Ms. Greer explained that the request is the result of a family subdivision.

Ms. Greer said the proposed name is acceptable staff recommends approval of the request.

Chairman Andrews opened the public hearing to entertain citizen input regarding the proposed road name. With no citizens wishing to address the Board, Chairman Andrews closed the public hearing.

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

**CONSIDERATION OF PE-01-04, REQUEST FOR PERMIT TO EXCEED THE NOISE ORDINANCE FROM RELAY FOR LIFE**

Ed Muire of the Planning Department presented the request for the sixth annual Relay for Life event in Rowan County. Mr. Muire said the event would be held April 30<sup>th</sup> through May 1<sup>st</sup>, 2004.

Mr. Muire said the event is to be held at the Rowan County Fairgrounds, which is in the City of Salisbury's zoning jurisdiction, however the County's noise standards are applicable.

Mr. Muire referred to Item #3 in the information included in the agenda packets. Mr. Muire pointed out that staff had no comments regarding the previous experience with the applicant and also said that no complaints were received for either event held in 2002 and 2003.

Mr. Muire referred to Item #10 and said the adjoining property owners were mailed a notice regarding the Board's consideration of the application. Mr. Muire said the notice provides the property owners with approximately one (1) month to modify their plans for any conflicts the event might cause. Mr. Muire reported that one property owner, Mr. Earl Holt, who lives in Gastonia, always responds to the notices concerning the event. Mr. Muire said Mr. Holt called "this morning" and said he was unable to attend the meeting but wanted the Board to be aware of his concerns pertaining to the Relay for Life. Mr. Holt said he has tenants that might be affected by the event.

Mr. Muire said staff recommends approval of the request.

Commissioner Tadlock moved to approve the request as submitted. Commissioner Blount seconded the motion and the motion carried unanimously.

### **PUBLIC HEARING FOR CUP-03-04, CLEVELAND BELIEVERS FELLOWSHIP**

Chairman Andrews read the Chairman's Speech (Exhibit A) and declared the public hearing for CUP-03-04 to be in session. Chairman Andrews said the hearing would focus on an application submitted by Cleveland Believers Fellowship via Mr. James Gizzard, for placement of a 6-unit RV Park to provide spaces for visiting ministries, congregants, etc. The property is located at 3700 South River Church Road.

The Clerk swore in those wishing to provide testimony regarding the case. (One person was sworn in).

Marion Lytle, County Planner, presented the Staff Report (Exhibit B) and said Cleveland Believers Fellowship, located on South River Church Road in the far northwest corner of the county, had requested to add six (6) RV camper spaces. Mr. Lytle said the purpose of the park was to provide spaces for visiting ministries, congregants and other guests of the church.

Mr. Lytle said Mr. Westbrooks, a deacon of the church, was available to answer any questions.

Mr. Lytle reviewed the requirements in the Staff Report (Exhibit B) concerning the following specific criteria and findings for campgrounds:

- Minimum lot size of two acres. The site is 23.36 acres in size. Mr. Lytle said there were some septic tank issues and that he had met with several of the deacons and minister concerning parking.
- Setbacks:
 

Front	50 ft.
Side Street	30 ft.
Side	20 ft.
Rear	20 ft.

The sites are close to the eastern property line and that staff will insure that the side setback is observed.

Mr. Lytle said the only condition staff felt would be appropriate is to limit the use to church-related visitors. Mr. Lytle said the church was comfortable with that condition.

Mr. Lytle referred to the Findings of Fact (Exhibit B) and asked that they be submitted for the record for approval.

Commissioner Blount asked if regulations listed the maximum length of stay allowed in an RV park. Mr. Lytle responded no and said the condition could be added for approval.

Commissioner Belk expressed concern with the length of stay issue and suggested putting a “safeguard” in place.

Commissioner Blount requested that the deacon representing the church come forward and be sworn in.

Scott Westbrooks, Deacon of Cleveland Believers Fellowship, said the purpose of the RV sites were to facilitate those who come for special meetings. Mr. Westbrooks said the meetings could run in length from one (1) weekend to one (1) week. Mr. Westbrooks reported that in October there are weeklong meetings held in China Grove and the sites would facilitate those that would like to come. Mr. Westbrooks said there were no plans for anyone to stay more than two (2) weeks and the church had no plans for anyone “moving in.” Mr. Westbrooks said there is a mobile home the church plans to hook up to the same septic system that could facilitate “a temporary residence.”

Commissioner Blount asked Mr. Westbrooks if it would be acceptable to the church for the Board to add the condition that the sites could not be occupied for more than four (4) consecutive weeks. Mr. Westbrooks responded that the condition would be acceptable.

Commissioner Blount asked if there were any plans to rent the sites. Mr. Westbrooks said there would be no charge for the sites.

In response to a query from Chairman Andrews, Mr. Lytle said the church had been issued a permit for the mobile home and that there was no other residence on the lot. Mr. Lytle said the mobile home “had been treated like a parsonage” and that it was not yet set up. Mr. Lytle said the zoning permit for the mobile home was issued “several months ago.”

Chairman Andrews asked how staff would “govern” the situation. Mr. Lytle said that it would not be an issue unless complaints were received.

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

Commissioner Blount moved to approve the conditional use permit subject to the additional language that they have a maximum of four (4) weeks of continuous occupation of any space and they not be used for rental purposes. Commissioner Belk seconded the motion and the motion carried unanimously.

Chairman Andrews declared the **Findings of Fact** to be as listed in the Staff Report (Exhibit B):

1. The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety.
2. The development of property in accordance with proposed conditions will not substantially injure the value of adjoining property.
3. The location and character of the development in accordance with the proposed conditions will be in general harmony with the area.

### **PUBLIC HEARING FOR CUP-09-04, A REQUEST FROM GARY OVERCASH**

Chairman Andrews declared the public hearing for CUP-09-04, a request from Gary Overcash, to be in session. Chairman Andrews said the hearing was a quasi-judicial hearing and explained that he would not read the Chairman’s Speech (Exhibit A) since the procedures were reviewed in the last hearing.

The Clerk swore in those wishing to provide testimony in the case (4 people were sworn in).

Marion Lytle, County Planner, reviewed the Background (Exhibit B), explaining that the campground located at 570 Needmore Road was approved in 2001. Mr. Lytle said staff had received a complaint regarding campers on the site that had not been approved by the county. Mr. Lytle said staff contacted Mr. Overcash concerning the complaint. Mr. Overcash submitted a conditional use permit application to approve the seven (7) existing sites plus ten (10) additional sites. Mr. Lytle referred to the original site plan (Exhibit B) that was part of the original approval.

Mr. Lytle said on March 21, 2001 the Board approved a Certificate of Approval subject to the following restrictions:

1. The existing spaces are brought up to building code and environmental health standards.
2. A Category 1 buffer be placed along the front and on the south side of the property by November 15, 2001. This will allow the applicant to wait until planting season to landscape.

3. Noise generated (other than that required for maintenance and construction of the park) shall be unnoticeable at the property line.
4. The applicant obtains a commercial driveway permit.
5. The facility ceases operation when no longer owned by the applicant.

Mr. Lytle reported that Item 2 was not in compliance.

Mr. Lytle said staff had talked with Mr. Overcash and James Rowland, contractor that will build the house, if approved. Mr. Lytle said Mr. Overcash is aware that the plantings must take place.

Mr. Lytle said he had received a call from Mr. Frank Everhart, an adjoining property owner, who expressed concerns that the units were being used as full-time residences. Mr. Everhart had stated that he was not at the first public hearing due to being told by Mr. Overcash that the sites were to be used for construction workers at KOSA and Progress Energy. Mr. Everhart also discussed whether a wooden fence could be installed adjacent to his property. Mr. Lytle said staff recommends that Mr. Everhart's concerns be addressed prior to approval of the CUP amendment. Mr. Lytle said Mr. Overcash is also aware of the concerns.

Mr. Lytle said staff has no "real issues with Mr. Overcash putting a house there" but felt that the "other things need to be corrected."

Mr. Lytle said there are no standards in the Zoning Ordinance that limit the amount of time someone can stay in a campsite.

Chairman Andrews opened the public hearing to entertain citizen comment.

1. Gary Overcash, owner of the site in question, said Mr. Lytle had contacted him "Friday morning" and informed him of the issue regarding the buffer. Mr. Overcash said, "I'm sure that the county told me to do it beforehand, but you won't believe this, but it slipped my mind." Mr. Overcash said since the call, he had bought 210 Lillian Cypress, with 120 of those already planted. Mr. Overcash said the remainder was being planted "today."

Mr. Overcash referred to the issue of permanent campers and said he had one (1) worker that had been there almost three (3) years. Mr. Overcash said he had one other worker that had lived in a camper for over a year and the remaining workers stay anywhere from 2 days to 6 months. Mr. Overcash said there are currently fifteen (15) workers at the campground and that he has three empty campers. Mr. Overcash said the workers pay \$100 per month just to park in the campground. Mr. Overcash said the workers are from out of town and periodically come back to CP& L to work.

Commissioner Blount asked if Mr. Overcash owned any of the RV's. Mr. Overcash responded that he owned one (1). Mr. Overcash said a shop owner next to his property owns two (2) of the units and rents one (1) unit to a construction worker at Freightliner.

2. Mr. Frank Earnhardt said he was an adjoining property owner to Mr. Overcash. Mr. Earnhardt said he was not concerned about the building of the house but in order to have a nice community, you must have a "nice-looking" community. Mr. Earnhardt said he understood that some of the people in the RV's were "not even working" but "living there," maybe retired. Mr. Earnhardt said the property was an eyesore to the community and asked that a buffer/and or a fence be installed.

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

Commissioner Belk said RV campgrounds are a "bear to regulate" and questioned the enforcement of determining whether someone is "living" in an RV. Commissioner Belk said an RV park is normally for one (1) week to ten (10) days and the property does not appear to be an RV park but a semi-permanent campground. Commissioner Belk asked how the county could ensure the neighbors that the park would be kept to standards in order that their property values would not be diminished.

Commissioner Blount agreed with Commissioner Belk that an RV park is a recreational park and is not for low-income housing. Commissioner Blount said the Recreational Park Ordinance "is not that strict" because it is considered purely for recreational purposes, "in and out in a short period of time." Commissioner Blount said the Board had denied two (2) applications for an RV park in the last two (2) years because they did not fit in the community.

Chairman Andrews said he was a Board member when "this first came across the table" and concerns had been expressed at that time. Chairman Andrews said a major concern was enforcement. Chairman Andrews said the application was approved based on buffers, non-permanent residences, and based on information provided to the Board regarding the management of the park. Chairman Andrews said if the buffering had been implemented in 2001, the issue would not be before the Board. Chairman Andrews said he was most concerned about "people living there," whether it was one (1) person or ten (10). Chairman Andrews said the original concept was good in providing a place for construction workers but when abused, the other property owners are violated. Chairman Andrews stressed that enforcement was an issue.

Commissioner Blount pointed out that the application was not affecting the park but was asking to build a house on the same property.

Commissioner Belk asked if the fact that the buffer had not been implemented, would allow the Board to address the conditional use permit. Commissioner Blount responded that the whole permit could be reviewed.

In response to a query from Commissioner Belk regarding enforcement, Mr. Lytle said the Enforcement Officers could drive through the park 3-4 times per month to perform a visual inspection. Mr. Lytle said limiting the time in the campground would be a “touchy” issue. Mr. Lytle said some people “live in RV’s” and that he was unsure as to the answer. Mr. Lytle said there were numerous grandfathered campgrounds at the lake that Staff strongly suspects are being used for “people that can’t afford anywhere else to live.”

Mr. Lytle said the screening issue could be addressed. Mr. Lytle said that Mr. Earnhardt did not address the screening adjacent to his property line. Mr. Lytle said Mr. Earnhardt’s concern focused on the length of stay in the campground. Mr. Lytle said the Board could implement time limitations.

Commissioner Blount said the Board had thirty (30) days to render a decision on the issue and asked if staff could bring recommendations to the Board at its next meeting.

Commissioner Blount moved to delay the issue and to ask Planning Staff to come back within thirty (30) days for recommendations concerning the screening and timeframe issues. Commissioner Belk seconded the motion and the motion passed unanimously.

### **GREENWAY PROJECTS FOR NCDOT FUNDING**

Marion Lytle, County Planner, reported that the Cabarrus-Rowan MPO was in the final stages of developing the Grants Creek Greenway Master Plan.

Mr. Lytle explained that during the MPO meetings, a process had taken place of ranking “Non-Highway Projects,” such as street scaping, greenways, etc. that could structure the projects to be funded under a NCDOT funding formula.

Mr. Lytle referred to the information in the agenda packets and reviewed the map, highlighting the priorities and costs for the project.

Mr. Lytle asked for the Board’s endorsement before the final consideration of the MPO and submission to the Board of Transportation.

Mr. Lytle said the list would provide enough projects to seek TIP funding for approximately 3-5 years.

Commissioner Blount, the Board’s representative for the MPO, said the plan had received unanimous preliminary approval from the MPO Board. Commissioner Blount complimented Salisbury Post reporter Jessie Burchette for the recent, positive article concerning the Greenways.

Commissioner Blount moved to approve the priority list as presented by staff. Commissioner Belk seconded the motion and the motion passed unanimously.

Chairman Andrews called for a short break at 11.25 am.

Chairman Andrews reconvened the meeting at 11:30 am.

**PRESENTATION OF A PROPOSAL FOR PARTICIPATION IN THE I-85  
CORRIDOR SEWER LINE (WOULD SERVE THE NEW HIGH SCHOOL)  
FROM THE TOWN OF CHINA GROVE**

Chairman Andrews welcomed the Town of China Grove Manager Eric Davis and Don Garbrick.

Mr. Davis said, “We are here today asking for money” and to talk about the development of I-85/sewer corridor. Mr. Davis distributed maps and provided the Board with the history of the project and stated that approximately one year ago the Town had begun to study the feasibility of installing sewer into the I-85 corridor just outside its corporate limits. Mr. Davis reported that around the time the study began, staff from the county had contacted the Town of China Grove regarding the location of a new high school. Mr. Davis referred to the map to indicate where the new southeastern high school would be located.

Mr. Davis said the whole project “dove-tailed” together, beginning with the opening of the I-85 corridor for sewer.

Mr. Davis said that to date, the school system had approved \$465,000 for water/sewer for the project. Mr. Davis proposed a three-way partnership of approximately \$1.4 million for the cost of constructing the sewer lines in the I-85 corridor.

Mr. Garbrick discussed the technical assets of the project for the entire region, reviewed the maps and highlighted the potential areas for development. Mr. Garbrick said the state is currently reviewing the environmental plans for the project.

Mr. Davis said the project began when the Town of China Grove realized it needed to do something for its tax base. Mr. Davis discussed the zoning for parcels within the project area.

Commissioner Tadlock asked to be excused from the discussion due to being a landowner in the areas being discussed. The Board unanimously approved the request.

In response to a query from Chairman Andrews, Mr. Davis pointed out the various boundaries including the corporate limits, ETJ area and China Grove city limits.

Commissioner Belk asked about future expansion and questioned the cost of upgrading the plans. Mr. Garbrick responded and discussed the preliminary figures for increasing the force main for Daughtery Road would be approximately \$900,000 in additional costs. Mr. Garbrick said there would be an additional cost of approximately \$1.8 million to

extend the main to Beatty Ford Road. Mr. Garbrick said the size of the line would be different for the base project compared to an extension to Daugherty Road.

Mr. Davis said the timeline for having the project “operational” was the spring of 2006.

Mr. Garbrick emphasized that the preliminary evaluation was estimated at approximately \$1.4 million and that a more accurate cost could be provided at the appropriate time. Mr. Garbrick suggested that if the Board preferred to do something other than the “base project,” that he be allowed to come back with the costs at that time.

Mr. Garbrick said there was still an obligation to provide water/sewer due to the timeline of the high school opening. Mr. Garbrick asked for the Board’s approval to begin the “base project.”

Mr. Garbrick provided revenue projections as follows:

Base project – based on the current population - \$260,000/annually

Daugherty Service Area – additional \$100,000

Beatty Ford Service Area – additional \$165,000

Mr. Garbrick also said incorporating the entire area with a pump station, over a half million dollars could be generated in fees coming from the users of the system.

Mr. Garbrick verified to Commissioner Blount that the projected \$260,000 would come from customers who currently have septic tanks.

Commissioner Blount asked if there would be additional costs to extend sewer to “those neighborhoods.” Mr. Davis said the developers would extend the lines and Mr. Garbrick clarified that the lines would not be extended out to the smaller subdivisions. Mr. Garbrick said the line for the high school property might allow for customers to “tap on directly.”

Commissioner Blount asked, “Whose revenue is that?” and Mr. Davis responded it would be the town’s. Mr. Davis said he had talked to staff about a type of “revenue sharing” if the Board wished to get into a larger project.

Commissioner Blount questioned the timeframe for receiving the Board’s approval for the project. Mr. Davis responded that the school system and the Town of China Grove had already agreed to the project. Mr. Garbrick added that the partnership should be completed by May 1, 2004.

Chairman Andrews referred to the recent spike in costs for school construction projects and asked if construction increases were factored into the projections. Mr. Garbrick said the costs being considered were several months old and did not include several recent materials increases. Mr. Garbrick stressed that the project needs to go to the “next step” in order to be able to provide accurate figures.

Chairman Andrews questioned the impact on the project if the high school is not built for several years. Mr. Davis responded that he understood the original timeline for the high school was 2005 and was then pushed to 2006. Mr. Davis said the construction for the sewer line would take place during the same eighteen (18) months the high school would be built. Mr. Davis said he understood the high school was a number one project for the county.

Chairman Andrews expressed the Board's desire to see the project work and said the Board would work towards providing an answer to the request. Chairman Andrews said that circumstances are tied around the bond package and the bidding process at this particular time.

After further discussion the Board asked for projected costs for the next two (2) phases of the project in order to make a final decision. Commissioner Belk asked if the costs could be made available by April 13, 2004 when the Board will meet with the school system.

Mr. Garbrick said the projections would be available by the April 13<sup>th</sup> date.

## **ADDITIONS**

### **Landfill**

Commissioner Tadlock reported that he had recently received calls and complaints concerning the litter that is strewn along Woodleaf Road from individuals in transit to the Rowan County Landfill. Commissioner Tadlock said regulations required that trucks be covered to prevent the litter from falling off and evidently the trucks are not being covered. Commissioner Tadlock said the issue has been brought to the Board's attention in the past. Commissioner Tadlock suggested that the Board request the Sheriff's Department to assist with those in violation.

Don Conner, Director of Environmental Services, confirmed that trucks are required to be covered when they enter the landfill. Mr. Conner said trucks are seen stopping on Campbell Road, just before reaching the landfill and putting tarps over the trucks. Mr. Conner said the "only excuse" that he's heard for the putting the tarps on at this point is due to the drive tearing the tarps. Mr. Conner said, "We can require it when they come in but we can't require it before they get there."

Commissioner Blount said that after the trucks are emptied at the landfill, trash still remains in the truck bed. Mr. Conner reported that it is not a requirement to have the trucks covered when they leave the landfill.

Mr. Russell pointed out that there are state littering laws and Mr. Conner added that if the trucks are seen littering, they could be issued a ticket.

Commissioner Tadlock moved that the Sheriff be notified of the calls received pertaining to excessive litter on Woodleaf Road and all roads leading into the landfill. Commissioner Blount seconded the motion and the motion was approved unanimously.

## **BOARD APPOINTMENTS**

### **Adult Care Home Community Advisory Committee**

Commissioner Blount moved that due to the difficulty of finding citizens to serve on this Board, he would like to see the Board waive the term limits and reappoint Mary Fortin, Lillie Nelson and Ruby Parris. The motion passed unanimously.

### **Juvenile Crime Prevention Council**

Commissioner Mitchell nominated Rick McCollister and Mark Wilhelm. The nomination was approved.

### **Salisbury-Rowan Human Relations Council**

Chairman Andrews reported there are two (2) openings on the Council that need to be filled.

### **Centralina Workforce Development Board**

Commissioner Blount moved to reappoint Nancy Bilson and Pam Cordts. The motion passed unanimously.

### **Zoning Board of Adjustments**

Chairman Andrews reported that Dennis Isaacson had completed his term as an Alternate on the Zoning Board of Adjustments. Chairman Andrews said Mr. Isaacson has now been appointed to the Planning Board. Chairman Andrews said he would personally like to see the Board “hold out” on the Alternate’s position.

Commissioner Tadlock moved to appoint Bruce Miller and Jack Owens and to delay the appointment of Dennis Isaacson. The motion passed unanimously.

Commissioner Belk moved to extend the term of Dennis Isaacson until a replacement is found.

### **City of Salisbury ETJ Zoning Board of Adjustments**

Commissioner Belk moved to appoint Dr. Murray Edwards. The motion passed unanimously.

### **Town of Faith Zoning Board of Adjustments**

Commissioner Mitchell nominated JoAnne Holshouser and Rex Phelps. The nomination carried unanimously.

### **Town of Faith Planning Board**

Commissioner Belk recommended approval of James Hudson. The recommendation carried unanimously.

## **THE FOLLOWING ARE CURRENT ADDITIONAL VACANCIES**

### **Region F Aging Advisory Committee**

Two openings.

**Rowan County Nursing Home Advisory Committee**

One opening.

**Rowan County Landmarks Commission**

One Opening.

**PUBLIC COMMENT PERIOD**

Chairman Andrews opened the Public Comment Period and asked for those wishing to address the Board to come forward.

1. Jonnette Powell expressed concerns with the Rowan County Adult Care Home Committee and the Board's reappointment of several members. Ms. Powell reported that Mary Fortin had never attended a meeting where Ms. Powell had also been in attendance. Ms. Powell said Ruby Parris' eyesight is impaired and prevents her from attending nightly meetings. Ms. Powell said that Lillie Nelson "only goes if Ruby can go." Ms. Powell said Ruby and Lillie are "very faithful" and they, along with herself, are the only members of the committee that are working with the state representative. Ms. Powell said that some members couldn't afford to attend the required educational opportunities provided. Ms. Powell said "they" have asked that money be put aside to enable them to attend the training. Ms. Powell said there is no mileage or reimbursement for the education that is required by the state for membership on the committee and it is a "hardship for some people to serve and pay their way."

Ms. Powell referred to a letter that was distributed to her church regarding North Rowan High School (NRHS). Ms. Powell expressed concerns that NRHS might not get the needed funding for expansions. Ms. Powell said the "Board" had an agreement with the Town of Spencer that the mobile units would be removed by the end of June. Ms. Powell said the northern end of the county had not received "a fair share" as far as monies and other considerations. Ms. Powell said the area was the only community in the county that was within walking distance to "all twelve (12) grades and should be taken into consideration.

**RECESS MEETING TO APRIL 13<sup>TH</sup> AT 4:00 PM**

With no further business, Chairman Andrews recessed the meeting until April 13, 2004 at 4:00 pm.

Respectfully Submitted,

Rita K. Foil, CMC  
Clerk to the Board