

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
APRIL 18, 2005 – 7:00 PM
J. NEWTON COHEN, SR. ROOM, ADMINISTRATION BUILDING**

Present: Frank Tadlock, Chairman
Arnold Chamberlain, Vice-Chairman
Steve Blount, Member
Chad Mitchell, Member
Jim Sides, Member

County Manager Tim Russell, Clerk to the Board Rita Foil, County Attorney John Holshouser and Finance Director Leslie Heidrick were also present.

Chairman Tadlock recognized County Manager Tim Russell as the “newest grandfather in the house.” Chairman Tadlock asked Mr. Russell to provide an update on the birth of his first grandchild. Mr. Russell humorously responded that he was “sleepy” and explained that his grandson was born at 1:00 am “this morning” and weighed 5 pounds 10 ½ ounces. Mr. Russell said the baby was born three (3) weeks premature and that mother, baby and father were all doing well.

Chairman Tadlock jokingly asked Mr. Russell if the new baby had hair and Mr. Russell said, “a little bit more than I do.”

Chairman Tadlock called the meeting to order at 7:00 pm. Chairman Tadlock provided the Invocation and Commissioner Blount led the Pledge of Allegiance.

ADDITIONS/APPROVAL OF THE AGENDA:

Commissioner Sides moved to add the following items to the agenda for discussion:

- Department of Social Services Board Appointments
- Listing/Usage of County Vehicles
- Letter Received from Jury Commission and Jail Improvements

- Schools Presentation Regarding a New Building

Chairman Tadlock mentioned the building for the school system and said the Board of Education would discuss the issue “tonight” during the Board of Education meeting.

Chairman Tadlock called for a second to the motion.

Commissioner Chamberlain said if the Board did not “break it down into individual” items, then he would have to “vote against all of them.”

Commissioner Sides questioned his right as a Commissioner to add items to the agenda. Chairman Tadlock explained that the motion had been made and that procedure called for a second and a vote on the motion. Chairman Tadlock said that once the agenda has been “printed,” a motion, a second and three (3) votes are required to add an issue to the agenda.

Commissioner Blount reminded the Board that at a previous Commission meeting, he asked to add an item to the agenda and the Board decided at that time to take a vote on additions to the agenda and with a majority vote the item would be added to the agenda.

Commissioner Sides withdrew his motion and asked the clerk to add his name to speak during the public comment period.

Commissioner Blount moved to approve the agenda as presented. Commissioner Chamberlain seconded and the motion carried on a 4-1 vote with Commissioner Sides voting no.

CONSIDERATION OF THE CONSENT AGENDA:

Chairman Tadlock called for a motion to approve the Consent Agenda. Commissioner Sides said there were several items in the Consent Agenda, which he would like to discuss. Commissioner Sides requested discussion for the following:

- Item E, Limited Fixed Base Operator Agreement
- Item F, Budget Amendments.

Chairman Tadlock explained that Langley Drive had inadvertently been omitted from being listed as part of Item D, but the information was included in the Commission packets.

Commissioner Blount moved to approve Consent Agenda Items A-D with the correction as mentioned by Chairman Tadlock for Item D. The motion was seconded by Commissioner Chamberlain and passed unanimously.

Chairman Tadlock said the items pulled by Commissioner Sides would be discussed as Item 13b.

The Consent Agenda consisted of the following:

- A. Approval of the April 4, 2005 minutes
- B. Approval to set a public hearing for CUP-03-05, a request from Wayne Rorvig
- C. Approval to set a public hearing for Z-06-05, a request from Thomas Satterwhite
- D. Approval to set a public hearing for Special Consideration for the road name Helms Drive
- E. Approval of long term lease for airport hangar for Silverman Enterprises
- F. Budget Amendments

RECOGNITION OF THE ROWAN COUNTY RESCUE SQUAD ON RECENT CERTIFICATIONS:

Coyt Karriker, Manager of the Rowan County Rescue Squad, distributed a handout and said a plan had been delivered to a previous Board pertaining to how the Rescue Squad would progress with personnel training, standards and certifications, as well as updating the equipment.

Mr. Karriker introduced Scott McCastle of the NC State Association of Rescue/EMS. Mr. Karriker informed the Board that Mr. McCastle had inspected the Rowan facility's training records, equipment and vehicles to insure that the facility met the certification criteria for eleven (11) different standards of rescue.

Mr. McCastle reported that Rowan Rescue had been found to be in full compliance with the North Carolina "heavy-duty rescue standard" and therefore certification was awarded. Mr. McCastle said the certification had placed Rowan Rescue in the top one-half of one percent of all agencies in the State of North Carolina and that to date, less than 30 agencies had reached the standard. Mr. McCastle said Rowan Rescue was to be highly commended not just for their response in Rowan County but also for their assistance in neighboring counties. Mr. McCastle praised the members of Rowan Rescue as extremely professional and well trained. Mr. McCastle the competence and the ability of the men and women who "arrive on the scene" are remarkable. Mr. McCastle said the agency is to be highly commended and that the Board should be extremely proud of its ability to serve the citizens of Rowan County.

Mr. Karriker expressed appreciation to Commissioner Chamberlain, the Board's liaison to the Rescue Squad, for his support of the agency.

Commissioner Chamberlain said as liaison to emergency services, he is seeing the highest level of cooperation between the emergency agencies working together. Commissioner Chamberlain pointed out there is only one (1) Rescue Squad compared to numerous "wonderful fire and rescue people."

Commissioner Chamberlain said he was of the opinion that the Rowan Rescue was the best in the state and said he was very proud of the agency and recognized the members of the Rescue Squad that were in the audience by asking them to stand.

REQUEST FOR APPROVAL OF BIOTERRORISM FUNDS FROM THE HEALTH DEPARTMENT:

Health Department Director Leonard Wood said a request had been submitted for approximately \$80,000 in Bioterrorism funds. Mr. Wood said notification was received that Rowan County was being awarded \$47,764 of the \$374,000 funds available. Mr. Wood said the State had approved the list of requested items in the Board's agenda packets and he highlighted the need for the items on the list. Mr. Wood requested approval to accept \$47,764 and said the funds must be utilized by May 30, 2005. Mr. Wood said there were needs that had been identified and the funds would improve public health services.

Commissioner Mitchell asked if the funds had been received and Mr. Wood said the monies would not be expended until contracts were signed.

Commissioner Blount moved to approve the request to accept the bioterrorism funds. Commissioner Chamberlain seconded.

Commissioner Chamberlain questioned Commissioner Mitchell as to his opinion of the request since he serves as liaison for the Board of Health. Commissioner Mitchell responded that during the Board of Health meeting, Mr. Wood had demonstrated the need for all of the items "and probably more." Commissioner Mitchell felt the requested items were "a good start to help us prepare for a disaster that hopefully never happens."

Commissioner Sides expressed concern that the funds must be spent by May 30, 2005. Commissioner Sides said he did not like the idea of spending tax money "just because somebody says it's available."

Mr. Wood agreed with Commissioner Sides and commented that if the funds were not used by Rowan County then another county would use them.

Commissioner Mitchell asked if the State funds were not available, would the department request to purchase the items with County funds? Mr. Wood said expansion items "are very difficult to come by" and there are items on the list that the department "absolutely feels like we need to have to meet any disaster."

Upon being put to a vote, the motion carried 4-1 with Commissioner Sides voting no.

**REPORT ON THE CHILD ABUSE PREVENTION TASK FORCE MEETING
AND APPROVAL OF CHANGES TO THE PROTOCOL:**

Sandra Wilkes, Director of the Department of Social Services, discussed the annual protocol task force meeting held on April 4, 2005. Ms. Wilkes said all of the committee task force members were present and there had been an open discussion and exchange of information. Ms. Wilkes said she witnessed a spirit of cooperation and teamwork and a genuine desire for all agencies to work together. Ms. Wilkes said the protocol is being followed and the committee members are well aware of the Board's expectations that the protocol will be followed.

Ms. Wilkes said many task force members are in contact throughout the year and if there are issues to be resolved, they are resolved immediately.

Ms. Wilkes said earlier "this year" several task force members were together and realized the need for an extra safety step in the protocol. Ms. Wilkes referred to page 12 of the information in the agenda packet and pointed out the last bullet as the revision, which added the assurance that all parties be part of the debriefing before the child leaves the hospital.

In response to a query from Chairman Tadlock, Ms. Wilkes said the revision is the first revision to the protocol since 1997.

Commissioner Chamberlain referred to page 12 and read a portion of the revision: "before law enforcement, DSS, or the child leaves the hospital". Commissioner Chamberlain alluded to a previous situation and said, "we dodged a bullet and a child did not have to pay" and something good has come out of it for children in the future. Commissioner Chamberlain was of the opinion that "this is the most important document" going on in Rowan County.

Ms. Wilkes pointed out the revisions on pages 11, which referenced inclusions to be placed in the "Neglect" category. And page 13, which addressed an inclusion to the "On-Call Policy".

Commissioner Chamberlain made a motion to approve the changes to the Child Abuse Prevention Task Force Protocol as presented on pages 11, 12 and 13 and to replace the current pages. Commissioner Blount seconded and the motion passed unanimously.

Chairman Tadlock thanked Ms. Wilkes and her staff, along with Commissioner Chamberlain for continuously renewing the effort to protect the children and for not letting the protocol document "stay on the shelf and collect dust."

APPROVAL OF REORGANIZATION FOR DSS:

Social Services Director Sandra Wilkes and Ken Deal, Director of Administration came before the Board to make a request for approval of reorganization for DSS with a total cost of \$6,800 in county funds.

Mr. Deal referred to the information in the agenda packets and said the Personnel Board had met on April 12, 2005 and approved the reorganization.

Commissioner Sides said since the Personnel Board meeting had taken place, he had met with Jeff Morris, Chair of the DSS Board, and Ms. Wilkes. Commissioner Sides said there were two (2) items out of the six (6) that he and Mr. Morris would like to defer.

Commissioner Sides said if the two (2) items could be deferred to the next Board meeting, he would move to approve the other parts of the reorganization. Commissioner Sides said the two (2) items he would like deferred are the Social Work Program Administrator I and the Budget Analyst to DSS Assistant Director.

Commissioner Chamberlain seconded the motion and pointed out that Commissioner Sides is also on the DSS Board.

The motion passed unanimously.

PUBLIC HEARING FOR THE UNANIMOUS ROAD NAME PETITIONS FOR MOORE VILLAGE ROAD AND BOSTON GRACE LANE:

Fredda Greer from the Planning Department provided the presentation on the following Unanimous road name petitions:

Proposed Name:	Moore Village Rd
Currently Known As:	(unnamed)
Location:	S off 7900 block Old Beatty Ford Rd
Property Owners:	2 out of 2 signed petition

Ms. Greer reviewed the Staff Notes stating that during the permitting process for the second structure on parcel 020, it was noted that this road requires a name and both property owners along the road signed the petition. Ms. Greer said that the road name is acceptable; therefore staff recommends approval.

Ms. Greer then provided information on the following:

Proposed Name:	Boston Grace Ln
Currently Known As:	No name
Location:	S off 9300 block Smith Rd
Property Owners:	2 out of 2 signed petition

Ms. Greer reviewed the Staff Notes stating that Mr. Frank Wright talked with staff about subdividing some of the properties he owns along this road and said that he was informed that the road would be required to be named. Ms. Greer said that therefore, Mr. Wright returned a road name petition with unanimous signatures and the name is acceptable; therefore, staff recommends approval.

Chairman Tadlock opened the public hearing to entertain comments regarding the proposed road names.

With no one wishing to address the Board, Chairman Tadlock closed the public hearing.

Commissioner Mitchell made a motion to approve the unanimous road name petitions for Moore Village Road and Boston Grace Lane. Commissioner Blount seconded and the motion passed unanimously.

CONTINUATION OF APPROVAL FOR A MAJORITY ROAD NAME PETITION FOR COWAN DRIVE:

Fredda Greer, from the Planning Department, presented the Board with the majority road name petition for Cowan Drive, which was continued from the previous meeting.

Ms. Greer said for the continuation she had investigated the County Assessor's office and she had found that parcel 33 had subdivisions that had not reached the GIS system when the first map for April 4th was presented. Ms. Greer referred to Map 1 in the packet and pointed out the subdivisions on the property. Ms. Greer said the subdivision now totals ten (10) property owners along the road and the petition leader did not have the updated map.

Ms. Greer said staff makes no recommendation for or against the naming of the road. Ms. Greer said the road name change would require several addresses along the road to change and the change was not required by the County.

Map 1 shows these new parcel lines are being shown as dotted lines. Names and addresses are shown in the lower box on that map. We note that with this addition of property owners, the petition is no longer a majority petition since there are 5 out of 10 signatures. (In defense of the petition leader however, he obtained an incorrect map with property owners through staff using GIS. They actually thought they had enough signatures).

Map 2 shows the residence structures and current addresses and we note that there are several addresses that would be changed with a road name change.

Ms. Greer also included in the packets were the original map, petition, and the March 30, 2005 letter addressing the Board of Commissioners voicing opposition to the road name change.

Ms. Greer said she had received one (1) phone call from the husband of the property owner who had submitted the letter, Mr. Ted Luther. Ms. Greer said all property owners were notified of the continuation of the public hearing.

Again, staff makes no recommendation toward this road name change however notes that the petition is no longer considered a majority petition but would have been presented as a special consideration by the Commission.

In response to a query from Commissioner Chamberlain, Ms. Greer confirmed that five (5) of ten (10) property owners signed the petition. Ms. Greer also confirmed that the County was not requiring the road name change. Commissioner Chamberlain acknowledged several citizens in the back of the meeting room and asked if they wanted the road name changed. The citizens said no.

Commissioner Chamberlain made a motion to leave the road name as Joe Rankin Road. Commissioner Mitchell seconded and the motion passed unanimously.

PUBLIC HEARING FOR Z-05-05, TOWN OF SPENCER ETJ BOUNDARY ADJUSTMENT:

Ed Muire, Planning Department Manager, provided a power point presentation on the request for Z-05-05, which is initiated by the Planning Board seeking to zone twenty-two (22) plus acre portion of property owned by NC Warehouse, LLC, which is currently located in the Town of Spencer's Extraterritorial Jurisdiction (ETJ).

Mr. Muire proved the background stating that a request for a conditional use permit was received from the High Rock International Raceway on property formerly owned by Color Tex and NC Finishing Company. Mr. Muire explained that this proposed project is located between Rowan County and the Town of Spencer's ETJ. Mr. Muire referred to the power point presentation to reflect the boundaries. Mr. Muire said that the jurisdictional issue was one of several inadequacies contained in the request from Mr. Frank McGuire, who received a favorable recommendation the Town of Spencer to amend their ETJ for 60 days or until the county assumes zoning jurisdiction over the area.

Mr. Muire said the issue was a "jurisdictional" issue and "we're swapping like for like."

Mr. Muire referred to Page 3 of the information in the agenda packet and pointed out the five (5) actions that could be taken by the Board.

Mr. Muire said the Planning Board forwarded a favorable recommendation to the Board and staff also recommends approval of the rezoning as requested.

Chairman Tadlock opened the public hearing to entertain comments from those in attendance.

1. Jack Fisher addressed the Board and said he was one of the heirs of the land that borders the property being discussed. Mr. Fisher said there were approximately 94 acres plus and additional 128 acres across I-85. Mr. Fisher said he was very much in favor of the request. Mr. Fisher said, "We think this would be a nice economical situation for the county as well as for Spencer." Mr. Fisher said the northern end of the county would be enhanced and he encouraged the Board to support the request. Mr. Fisher said he looked forward to the day the racetrack was started.

Chairman Tadlock closed the public hearing.

Commissioner Mitchell made a motion to approve the request as presented. Commissioner Chamberlain seconded and the motion passed unanimously.

APPROVAL OF PE-01-05 FOR RELAY FOR LIFE:

Planning Manager Ed Muire provided the presentation on the request for the Permit to Exceed the Noise Standards from Relay for Life.

Mr. Muire explained that this is the 7th annual Relay for Life event held at the Rowan County Fairgrounds at the end of April. Mr. Muire said all adjoining property owners are notified of the event and in the past no negative complaints from adjoining property owners had been heard. Mr. Muire said that this area is in the City of Salisbury's ETJ, but is governed by the Rowan County noise standards. Mr. Muire added that the noise ordinance provides an opportunity to exceed the amplified sound standards in the form of a "permit to exceed" when the event is open to the public and the Sheriff Department does enforce. Mr. Muire referred to the map, which shows the number of homes and people affected.

Mr. Muire said staff recommends approval based on the following:

1. The timeliness of the application
Finding: The proposed event is scheduled for April 30- May 1, 2004 and the application has been submitted well in advance for consideration by the Board and for adjoining property owners to be notified and make adjustments to their schedules as necessary.
2. The nature of the requested activity
Finding: As evidenced by the attached site plan, the event will feature various types of family activities, music from bands and a DJ to raise money for cancer research.
3. Previous experience with the applicant.
Finding: PE-01-02, PE-01-03 and PE-01-04 were approved for the applicant and no complaints were received concerning previous events.

4. The time of the event.
Finding: Event hours are proposed from 6:00 p.m. Friday, April 29 until 9:00 a.m. Saturday, April 30, 2005.
5. Other activities in the vicinity of the proposed event.
Finding: None to date.
6. Frequency of the event.
Finding: This event is held annually.
7. Cultural or social benefits of the proposed event.
Finding: The number of anticipated attendees has grown to over ten thousand (10,000) people that participate in a family-oriented social event to raise money for cancer research.
8. The effect of the activity on any adjacent residential area.
Finding: See attached cadastral information for land use and property owner information.
9. Previous violations, if any, by the applicant.
Finding: None to date.
10. Adjoining property owners surrounding the location are notified by the Planning Department or applicant at least seventy-two (72) hours prior to consideration by the Board of Commissioners.
Finding: The Planning Department sent mailed notice to the accompanying list of adjoining property owners on Thursday, April 14, 2005 regarding this application (see attached notice and vicinity map).

Mr. Muire said no hearing is required but people are allowed to provide feedback.

Chairman Tadlock opened the public comment period to allow citizens the opportunity to speak on the issue. With no one wishing to address the Board, Chairman Tadlock closed the public comment period.

Commissioner Chamberlain made a motion to approve the request as presented. Commissioner Mitchell seconded and the motion passed unanimously.

PRESENTATION ON THE VOICE OVER IP:

Information Systems Director David Boling and staff member Randy Cress addressed the Board regarding the current Voice and Data communications used by Rowan County.

Mr. Boling listed the following problems being experienced by the County:

1. Outdated and unserviceable equipment
2. Non-standard phone systems across county agencies
3. High recurring cost for telephone and data lines

Mr. Boling said that replacing the current system with a VoIP solution and installing fiber between the largest downtown agencies would address each of the problems and put Rowan County in a good position for the future. Mr. Boling

said that this change would ultimately reduce the county's recurring costs by 65%.

Mr. Boling said that after three bids have been received from vendors, staff is recommending financing this project over 60 months and completely paying for this solution by redirecting the funds for the current telephone-operating budget and without any additional funding. Mr. Boling added that other county locations would be included as funds permit.

Commissioner Mitchell referred to the chart and questioned the cost of several items, and in particular, the column that totaled \$22,758.31. Mr. Boling explained that a site included in the \$22,758.31 had been dropped in the final plan total.

Commissioner Sides questioned borrowing the money and Mr. Boling said he had included a financing cost of 4%. Ms. Heidrick added that the estimated savings would cover the debt of the payment.

Commissioner Sides asked if the total monthly cost for 60 months, included the finance charges at 4%. Mr. Boling responded yes.

Mr. Boling pointed out the replacement/repair costs if one of the "old systems went out."

Commissioner Sides mentioned that the change was not only a maintenance issue but also an upgrade.

Commissioner Sides questioned savings with the phone companies in regards to rate increases. Mr. Boling said that altogether there would be only four (4) incoming items to substantiate a price increase as opposed to "hundreds of things they could raise the price on."

Commissioner Chamberlain questioned the most notable areas that would not be affected? Mr. Boling said the areas in gray with the exception of Dan Nicholas Park, which could not be justified as a savings.

Commissioner Mitchell asked if there would be "anytime in the interim" that the County would have to make a debt service payment in addition to the current phone bill? Mr. Boling said it would depend on how the financing was handled. Mr. Boling said he currently has funds that were budgeted for "data equipment" and if the request is approved, he could cover the debt service with the budgeted funds since the funds would not be needed for the equipment.

Commissioner Chamberlain asked if Mr. Russell supported the proposal. Mr. Russell said he fully supported the concept as it would bring the county savings in the long run and would eliminate the need to add a new phone system.

Commissioner Sides made a motion to accept the plan. Commissioner Mitchell seconded and the motion passed unanimously.

Mr. Boling praised Mr. Cress for his research and effort in working on the project. Mr. Boling said Telecommunications Director Rob Robinson also assisted on the project.

Chairman Tadlock expressed his appreciation for the combined effort of staff in putting the information together.

APPROVAL OF SECURITY POLICIES AND PROCEDURES FOR THE HEALTH INSURANCE AND PORTABILITY ACT (HIPA) OF 1996:

David Boling, Information Systems Director, provided the Board with the request for approval of the security policies and procedures for the Health Insurance and Portability Act (HIPAA) of 1996.

Mr. Boling said the Board had previously (last year) approved the privacy policy for HIPAA and the federal law is now requiring that a security policy be implemented that would protect the electronic personal health information (PHI). Mr. Boling said the policy addressed the security of desktops, servers and network. Mr. Boling said the policy also established a training plan for staff about HIPAA.

Mr. Boling said the policy had been sent to the departments for review and comments. Mr. Boling said the policy meets the HIPAA requirements and there is very little cost associated with the policy. Mr. Boling said he felt “we’re ahead of the curve” on the policy. Mr. Boling said the policy was included in the agenda packets and he jokingly added that he would refer any questions to staff member, Randy Cress. The comment was followed by laughter.

Commissioner Mitchell made a motion to approve the request as presented. Commissioner Blount seconded and the motion passed unanimously.

Mr. Boling informed the Board that he might be back in the future with a few changes for a countywide policy.

APPROVAL OF THE FINAL RESOLUTION FOR THE REFUNDING BONDS, SERIES 2005 AND OTHER BOND INFORMATION:

Finance Director Leslie Heidrick provided the presentation requesting approval of the final resolution for the refunding bonds series 2005.

Leslie Heidrick, Finance Director, reviewed with the Board the items included in the Commission packets as follows:

* * * * *

_____ introduced the following resolution which was read at length:

WHEREAS, the Local Government Commission of North Carolina has informed the Board of Commissioners of the sale of the County of Rowan \$6,635,000 Refunding Bonds, Series 2005, dated April 1, 2005 (the "Bonds") and that the contract of sale contemplates that the Bonds shall be payable and bear interest as hereinafter provided; and

WHEREAS, the Board of Commissioners of the County of Rowan (the "Issuer") desires to take such actions as are necessary to approve the terms of such sale, to approve the official statement and final official statement circulated in connection therewith and to authorize and/or confirm such other documents and actions contemplated by such sale: NOW THEREFORE,

BE IT RESOLVED by the Board of Commissioners of the Issuer, as follows:

1. The Board of Commissioners approves the sale of the Bonds to First Tryon Securities. The Bonds shall mature on February 1 in the years and principal amounts and bear interest from their date payable on August 1, 2005 and semi-annually thereafter on February 1 and August 1 at the rates per annum, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2006	\$ 105,000	3.25%
2007	640,000	3.25
2008	630,000	3.25
2009	620,000	3.50
2010	610,000	3.50
2011	600,000	3.75
2012	590,000	4.00
2013	580,000	3.75
2014	570,000	4.25
2015	560,000	4.50
2016	1,130,000	4.00

The refunding bond resolution adopted by the Board of Commissioners on March 21, 2005 shall be amended accordingly.

2. The Official Statement dated March 24, 2005 setting forth financial and statistical data in connection with the offering of the Bonds, which was circulated

with the Notice of Sale thereof, and the Final Official Statement dated April 5, 2005, are hereby approved. In connection with this approval, the Board of Commissioners of the Issuer has examined copies of the Official Statement and the Final Official Statement and has, to the extent and in the manner it has deemed necessary, discussed the contents thereof with officers of the administration of the Issuer. The Board of Commissioners of the Issuer does hereby recite that, upon its examination and discussions, nothing has come to its attention which would lead it to believe that said Official Statement or said Final Official Statement contains any untrue statement of a material fact or omits to state any material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading, provided that the Board of Commissioners makes no recitation with respect to consideration of information supplied by, or which should have been supplied by, the successful bidder for the Bonds. The execution of the Official Statement and the Final Official Statement by the Chairman of the Board of Commissioners, the County Manager and the Finance Director is hereby authorized and approved.

3. The Chairman of the Board of Commissioners, the County Manager, the Finance Director and other officers of the Issuer are hereby authorized and directed to take all other actions necessary in connection with the sale and issuance of the Bonds and the effectuation of the purposes for which the Bonds are being issued.

4. This resolution shall become effective upon its adoption.

_____ seconded the motion, and the motion was adopted. The vote on the adoption of the resolution was as follows:

AYES:

NAYS:

* * * * *

Ms. Heidrick reviewed the documents from the Local Government Commission (LGC) confirming the sale of the school bonds for \$45.3 million, Series 2005, which show the bonds will mature in 2020 with a net interest cost of 4.1173%.

Ms. Heidrick highlighted the County's ratings listed in the handout. Ms. Heidrick noted the County's excellent rate of 4.1173% as compared to the Bond Buyer's Index of 4.61%. Ms. Heidrick said the bonds settle on April 26.

Ms. Heidrick reviewed the confirmation for sale of refunding bonds. Ms. Heidrick referred to the second page, which referenced the bidders and the savings. The winning bidder is Morgan Stanley & Co. Inc.

Ms. Heidrick requested that one additional item be approved, which was not listed in the agenda packets. Ms. Heidrick asked for Board approval that RBC Centura be named the official depository for the new school bond proceeds.

Commissioner Sides moved to approve RBC Centura followed by a second from Commissioner Chamberlain. The motion was approved unanimously.

Chairman Tadlock expressed his appreciation to the Salisbury Post and Reporter Jessie Burchette for the positive newspaper article regarding the school bond issue. Chairman Tadlock praised Mr. Russell and Ms. Heidrick for their “hard work” on putting together a bond proposal for the bonding companies in New York. Chairman Tadlock said the Board was “well represented” in New York and that Mr. Russell did a great job in describing the stability of Rowan County. Chairman Tadlock said that he felt the presentations by Mr. Russell and Ms. Heidrick helped to increase the county’s bond rating and the trip was financially rewarding for Rowan County.

BOARD APPOINTMENT

Child Abuse Prevention Task Force:

Commissioner Chamberlain made a motion to appoint Dr. Kathy Russo, Medical Advisor for the Child Advocacy Center, to the membership of this task force and the motion passed unanimously.

City of Salisbury ETJ Alternate for the Zoning Board of Adjustment:

Commissioner Blount made a motion to appoint Randy Reamer to this board and the motion passed unanimously.

City of Salisbury ETJ Planning Board:

Commissioner Blount made a motion to appoint Charlie Walters and Bryan Duncan to serve on this Board and the motion passed unanimously.

In response to a query from Chairman Tadlock, Rita Foil, Clerk to the Board, mentioned that an effort is underway to list board vacancies on the county’s website and some “quirks” are being addressed before this item goes live.

ADDITIONS 13 B -

Commissioner Sides discussed Item E of the Consent Agenda and reviewed Article VI of the Fixed Base Operator Agreement. Commissioner Sides expressed concern that the Board had previously approved the agreement to read “10% or greater” and that changes had been made without prior notice to the Board to read “or less”.

Commissioner Sides asked if Mr. Silverman had initially agreed to the first proposal, which had stated “10% or greater?” Chairman Tadlock and Mr. Russell explained that the initial agreement was a proposal provided by the County to Mr.

Silverman. Chairman Tadlock said when the agreement was negotiated, Mr. Silverman had requested to “cap it at 10% or less.”

Commissioner Sides moved that the agreement read, “the consumer price index for the previous 5 years or 10% whichever is greater.” Commissioner Chamberlain seconded the motion for the purpose of discussion.

Commissioner Chamberlain asked, “Is that going to be a sticking point?” Mr. Russell said he did not know and that he would have to ask Mr. Silverman.

Commissioner Mitchell questioned the recent CPI? Mr. Russell said last year was 3.3% and the year before was 1.9%.

Commissioner Sides stressed that his point was that the Board was presented a proposed plan, to which the Board agreed. Commissioner Sides said the Board was now being asked to “vote on the same basic issue” and there were changes made without notations to the Commissioners as to the changes. Commissioner Sides said if he had not compared the two (2) documents, he would have voted on something different. Commissioner Sides said, “It bothers me that I come back now and I’m voting on something entirely different.”

Commissioner Mitchell said he did not have a problem with the negotiated agreement but that he did agree with Commissioner Sides regarding changes to issues previously voted upon and then being placed in the Consent Agenda. Commissioner Mitchell was of the opinion that the Consent Agenda was for issues that were “completely non-debatable.” Commissioner Mitchell said that the agreement contained a change and that “procedure needs to be that whenever changes are made in that fashion, that a notation needs to be made” to draw attention to the changes.

Chairman Tadlock said Commissioner Mitchell’s point was “well made.” Chairman Tadlock said the Board had agreed on an offer and the contract before the Board was what Mr. Silverman was willing to do. Chairman Tadlock said he would support changes being “highlighted” and the Board being informed of such changes.

Chairman Tadlock said the issue before the Board was approval of the contract that Mr. Silverman was presenting, which contained a “little” different wording.

In response to Chairman Tadlock, Mr. Russell said the county would have to propose the changes back to Mr. Silverman.

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

Commissioner Blount moved to approve the contract as presented. Commissioner Mitchell seconded the motion and the motion carried on a 3-2 vote with Commissioners Chamberlain and Sides voting against the motion.

Addition – Budget Amendments

Commissioner Sides said he had noted in previous board meetings that he was opposed to having budget amendments placed in the Consent Agenda.

Commissioner Sides questioned the budget amendments for Animal Control and the School Construction Fund. When reviewing the budget amendment for the School Construction Fund, Commissioner Sides emphasized that he did not like handling “budget matters of this magnitude” in the Consent Agenda. Commissioner Sides reiterated the same to be true for the budget amendment included for the Processing Center.

In response to Commissioner Sides’ request to see a written explanation providing greater detail for budget amendments, Commissioner Blount said in the past the Board had directed questions pertaining to budget amendments to the Finance Director and/or County Manager during the meeting for explanation.

Commissioner Sides referred to the changed contract and said it should not have been placed in the Consent Agenda and the Board should be notified of these types of changes.

Commissioner Blount said in most cases, the Finance Director and/or County Manager could provide the answers to questions concerning budget amendments during the meeting and that any budget amendment could be pulled for future consideration.

Commissioner Chamberlain said he agreed with Commissioner Mitchell that Consent Agenda items are the items that “need no discussion” and he preferred budget amendments with “that kind of money” not be placed on the Consent Agenda, but appear as the first item of business in the regular agenda and that he would be willing to vote on the issue “if and when the time comes.” Commissioner Chamberlain said he wanted to avoid “the very look of us trying to do something that we shouldn’t do.”

Commissioner Blount moved to approve the budget amendments as presented. Chairman Tadlock seconded the motion and the motion passed unanimously.

PUBLIC COMMENT PERIOD:

Chairman Tadlock opened the Public Comment Period to hear from citizens who had signed up to address the Board.

Ms. Foil informed the Board that Jean Bradley called earlier in the day to withdraw her request to address the Board.

1. Eric Trail, President of the Rowan Salisbury Association of Educators (RSAE), said he was representing the membership of the association who is employed by the Rowan-Salisbury School System. Mr. Trail said RSAE was a division of the National Education Association in the North Carolina Association of Educators, which represents the voices of educators. Mr. Trail read a prepared statement and asked the Board to keep in mind that he was representing the voices of the Rowan County educators and their membership into the association.

Mr. Trail referred to the topic of “Central Office Consolidation” and also highlighted four (4) areas of interest that the membership had taken a position on. The four (4) areas included:

- Park Usage Fees
- Employee Numbers
- County Commissioner Money
- Central Office Consolidation

Mr. Trail said 90% of the membership felt the school system should have a central office for the following reasons:

- Confusion regarding the location of different buildings and one-way streets especially for new teachers.
- A central office in one location would be a savings to tax payers.
- Consolidation would allow funds to be better utilized for other education purposes.
- Consolidation could be used to hire, train and retain teachers and would be a great marketing tool.

Mr. Trail said the educators in the association believe in the vision of central office consolidation and he requested that the Commissioners also “buy into the vision.”

Mr. Trail confirmed to Commissioner Mitchell that 90% of the membership favor the central office consolidation.

Chairman Tadlock mentioned that the Board of Education was also meeting “tonight.”

Commissioner Chamberlain asked if the association had also taken a stand on technology. Mr. Trail responded that the issue would be addressed when the County Commissioner money was discussed.

Chairman Tadlock thanked Mr. Trail for his comments.

2. Jim Sides addressed the Board regarding:

- the appointments for the Department of Social Services (DSS). Mr. Sides said two (2) seats would become vacant on June 30, 2005 with one (1) seat appointed by the State and one (1) seat by the Commissioners. Mr. Sides said he had an application if there was anyone the Board would like to recommend for the State appointment.
- Mr. Sides said he had requested Ms. Foil to supply the Board with a list/assignment of all county vehicles and said his concerns were directed to the vehicles that are driven home and possibly other places by employees. Mr. Sides said due to the price of gasoline, the Board would be looking at greater fuel costs and he would like the Board to consider changes in policies regarding the use of the vehicles. Mr. Sides recommended that all Department Heads stress to staff that no unnecessary trips should be made.
- Mr. Sides discussed the jail improvements and the information received by the Jury Commission. Mr. Sides said the overcrowding issue should not be put off and that he would like to see the Board consider making the needed improvements.
- Mr. Sides addressed what he described as a “pattern developing by the school.” Mr. Sides said the Board funded the schools each year by considerably more than is required. Mr. Sides said the schools are projecting an \$8 million surplus at the end of the year. Mr. Sides said this represents a pattern of over-inflating expenses and under-estimating income in order to build a “war chest.” Mr. Sides said the citizens of Rowan County had been overtaxed 2 ½ cents on the \$100 evaluation for the past three (3) years in allowing the schools to develop an \$8 million surplus. Mr. Sides felt the issue needed to be addressed with the next budget.

With no additional citizen input, Chairman Tadlock closed the Public Comment Period.

Commissioner Blount wished Chairman Tadlock a Happy Birthday.

BOARD ADJOURNS:

There being no further business to be brought before the Board, Chairman Tadlock adjourned the meeting at 9:00 pm.

Respectfully Submitted,

Rita K. Foil, CMC
Clerk to the Board