

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
August 21, 2006 – 7:00 PM
J. NEWTON COHEN, SR. ROOM, ADMINISTRATION BUILDING**

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

County Manager William Cowan, Clerk to the Board Carolyn Athey, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Chamberlain convened the meeting at 7:00 pm.

Commissioner Sides provided the Invocation and also led the Pledge of Allegiance.

ADDITIONS/DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

APPROVAL OF THE AGENDA

Commissioner Mitchell moved, Commissioner Blount seconded and the vote to approve the agenda passed unanimously.

APPROVAL OF THE MINUTES

Commissioner Mitchell moved to approve the minutes of the August 7, 2006 meeting. Commissioner Blount seconded and the motion carried unanimously.

1. CONSIDERATION OF THE CONSENT AGENDA

Commissioner Sides referred to Item B listed in the Consent Agenda regarding Pre-tax Premium Plan Compliance. Commissioner Sides noted that the word "dependent" was defined differently in the various documents and he also pointed out that the date on the documents should be changed to reflect 2006.

Commissioner Blount moved, Commissioner Mitchell seconded and the vote to approve the Consent Agenda passed unanimously.

The Consent Agenda consisted of the following items:

- A. Award Service Side Arm to Retiring Sheriff's First Sergeant Thomas A. Swing
- B. Approval of Pre-Tax Premium Plan Compliance
- C. Approval of Records Retention & Disposition Schedules for County Management, Sheriff's Office & Tax Administration
- D. Approval of Operational Agreement between US Dept. of Agriculture, Natural Resources Conservation Service, Rowan Soil & Water Conservation District & Rowan County
- E. Approval of Increased Grant Award for Criminal Justice Partnership Program
- F. Approval of Resolution Recognizing the Economic Importance of the NC Transportation Museum
- G. Approval of Subdivision Guarantee for (1) Road in The Reserve at High Rock (S 01-06)

2. PUBLIC HEARING FOR MAJORITY PETITION FOR PROPOSED ROAD NAME OF BAREFOOT TRAIL

Ed Muire, Rowan County Planning Manager, presented the Majority Petition for the proposed road name of Barefoot Trail. Mr. Muire said Staff had received a petition from Frances Vanhoy to rename the road and that Staff had verified the accuracy of the petition. Staff recommended approval of the proposed road name for Barefoot Trail. Mr. Muire also recommended that the property owners' bear the expense of placing the sign at the road entrance since the proposed change was not required by the County.

In response to a query from Commissioner Mitchell, Mr. Muire said (3) addresses would be changed if the petition were approved.

Commissioner Sides asked if the property owners were notified that they would be asked to bear the cost of the sign and Mr. Muire said he was unsure.

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

Commissioner Sides moved to approve the road name of Barefoot Trail along with the request that the property owners' bear the cost for the placement of the sign. Commissioner Mitchell seconded and motion the passed unanimously.

3. PUBLIC HEARING FOR Z 04-06

John Hanes of the Rowan County Planning Department presented the Staff Report and explained that Mark and Christy Stiller were requesting to rezone Tax

Parcel 511-098 from Rural Agricultural (RA) to Neighborhood Business (NB) to allow for building a new restaurant on Liberty Road. Mr. Hanes provided a power point presentation to depict the site and the surrounding areas.

Mr. Hanes reported that Staff recommended approval of the rezoning request and also that the Planning Board had voted unanimously to forward the Commissioners with a favorable recommendation.

Chairman Chamberlain opened the public hearing to entertain citizen input and with no one wishing to address the Board, Chairman Chamberlain closed the public hearing.

Commissioner Mitchell moved for approval of the Statement of Consistency and Statement of Reasonableness as proposed by the Planning Board. Commissioner Sides seconded and the motion passed unanimously.

The above referenced Statement of Consistency was listed in the Staff Report as follows: The rezoning proposal is consistent with the projected growth for service-oriented businesses and highway retail sectors for the transportation analysis zones contained in the County's adopted Thoroughfare Plan for this crossroads community.

The above referenced Statement of Reasonableness was listed in the Staff Report as follows: The decision is in the public interest because the proposed district fits within the varied CBI and RA uses in the crossroads community.

"Spot zoning" issues were not seen as valid, based upon review of this criteria:

1. Tract Size – Comparable in size to those in area
2. Compatibility with comprehensive plan – County's adopted Thoroughfare Plan projects growth in service sectors for this area.
3. Impact on landowner, neighbors, community – the proposed NB district is more restrictive on landowner than adjoining RA tracts
4. Relationship of uses in NB district versus RA district – NB allows 64 uses; 105 in RA

Commissioner Mitchell moved, Commissioner Sides seconded and the vote for approval of Z 04-06 passed unanimously.

4. QUASI-JUDICIAL PUBLIC HEARING FOR Z 02-06 & CUP 03-06

Chairman Chamberlain read the Chairman's Speech (Exhibit A) and declared the public hearing for Z 02-06 and CUP 03-06 to be in session. Chairman Chamberlain said the hearing would focus on an application submitted by David and Libby Blackwell for their property located at 4135 Woodleaf-Barber Road in the Cleveland Township. The purpose of the application is to rezone a portion of their tract from Rural Agricultural (RA) to Institutional (INST) and allow an

expansion of the existing community center on their 2.28-acre tract referenced as Tax Parcel 269-058.

The Clerk swore in those wishing to provide testimony in the case.

Shane Stewart of the Rowan County Planning Department presented the Staff Report (Exhibit B). Mr. Stewart said Planning Staff had met with the Blackwells several months ago concerning a change in zoning for property off Woodleaf-Barber Road. Mr. Stewart used a power point presentation (Exhibit C) to show the property in question. Mr. Stewart said the tax maps were a little off in terms of the property line locations due to a deed of many years ago. Mr. Stewart said the proposed rezoning was for a one-acre portion of the 2¼-acre tract that contains an approximate 750 square foot building on the front. Mr. Stewart reported that in 1954 the building housed Cuthbertson Groceries, which ceased operations approximately 35 years later when it changed functions. Mr. Stewart said the Honor the Lord Club started in 1996 as a summer camp for children offering on-site recreational and educational programs. Mr. Stewart said the program is now known as B&C Outreach Community. Mr. Stewart said the current RA zoning did not allow for expansion. Mr. Stewart said the rezoning to INST would have to take place first; a conditional use permit would follow to allow the expansion of that use.

Mr. Stewart highlighted the Site Characteristics listed in the Staff Report (Exhibit B) and said approximately 20 children ranging from 3 to 14 years of age participate in the summer camp program. Mr. Stewart said no overnight stay is provided. Mr. Stewart referred to Attachment A of the Staff Report (Exhibit B), which documented Staff's discussion with Beth Blair of the Rowan Partnership for Children. Mr. Stewart said due to Item 4 on page 2 of the Staff Report, B&C Outreach would not be subject to the licensing requirements under the childcare law.

Mr. Stewart continued with the power point presentation (Exhibit C) as he discussed the following Zoning Criteria contained in the Staff Report (Exhibit B):

- Item #2 – Consistency with the requested zoning district's purpose and intent. Mr. Stewart said the district was created approximately 3 years ago by the Board to create an INST zoning district for a small-scale change for a daycare. Mr. Stewart said if the character of the area was intact after the rezoning, it could be considered a small-scale change.
- Item #3 – Compatibility of uses. Mr. Stewart said most uses found in the INST district are also allowed under special requirements in RA and some through the conditional use process. Mr. Stewart said there should not be a lot of change. Mr. Stewart said there were not many residences nearby. Mr. Stewart used the power point presentation (Exhibit C) to show the houses/businesses in the vicinity.

Mr. Stewart highlighted as follows, the applicant's response to the evaluation criteria, which was listed as Attachment E in the Staff Report (Exhibit B):

- *Adequate transportation access to the site exists.* Mr. Stewart said there was an existing driveway connection from 1954 for the grocery store. Mr. Stewart said the NCDOT said the driveway did not meet current site distant requirements for safe traffic movements. The NCDOT recommends moving the driveway 50' to the north and to also restrict some parking in front of the building.
- *Hazardous safety conditions will not result.* Mr. Stewart said Staff felt it debatable whether obtaining 50 additional feet of visibility would significantly enhance site safety. Mr. Stewart said Staff did agree with the NCDOT as to restricting the parking.
- *Excessive traffic or parking problems will not result.* Mr. Stewart said the existing approximate number of trips for 20 students is 90. Each student added to the current 20 could create an additional 5 trips per day.

Mr. Stewart reported that 3 individuals spoke in favor of the request at the Planning Board Meeting, which was held on July 24, 2006. The Planning Board voted unanimously to recommend approval of the request with the following 3 conditions:

1. Existing structure must comply with applicable building codes.
2. No parking in restricted area indicated on the driveway permit.
3. Building additions should be no closer to the road than existing structure's setbacks.

Mr. Stewart referred to the findings of fact listed in the Staff Report (Exhibit B) and said the Board's decision should be based on these findings. Mr. Stewart also referred to Attachment G contained in the Staff Report (Exhibit B) regarding the Planning Board's recommendations for a Statement of Reasonableness and a Statement of Consistency.

With no other citizens having been sworn to provide testimony in the case, Chairman Chamberlain closed the public hearing.

Commissioner Sides moved for approval of the rezoning request from RA to INST for Z 02-06. Commissioner Mitchell seconded and the motion carried unanimously.

Commissioner Sides moved for adoption of the Statement of Consistency and the Statement of Reasonableness as presented by Staff. Commissioner Blount seconded and the motion passed unanimously.

The Statement of Consistency was listed in the Staff Report (Exhibit B) as follows: Although the County does not have an adopted land-use plan, the INST zoning district allows for many small businesses within the allowable uses

suggesting small-scale requests can be consistent with the district's purpose and intent as referenced in the Rowan County Zoning Ordinance.

The Statement of Reasonableness was listed in the Staff Report (Exhibit B) as follows:

1. The site was first established as a retail center in 1954 serving the community population and currently serves as a community center that has operated for 10 years.
2. Approving this request would allow applicant to enlarge the existing building and make the existing use conforming through a conditional use permit. Regardless of the intended use, many of the permitted and conditional uses allowed in the INST district are also allowed in RA.

Commissioner Sides moved for approval of the conditional use permit 03-06 with the conditions as set forth by Staff. The motion was seconded by Commissioner Mitchell and passed unanimously.

For the record, Chairman Chamberlain instructed the Clerk that the findings of fact were listed in the Staff Report (Exhibit B) on pages 6 and 7. The findings of fact were as follows:

1. The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety, and
2. That the development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property, or that the development is a public necessity, and
3. That the location and character of the development in accordance with the proposed conditions will be in general harmony with the area in which it is located and in general conformity with any adopted county plans.

5. PUBLIC HEARING FOR FAMILY SUBDIVISION WAIVER 03-06

Shane Stewart of the Rowan County Planning Department reviewed the Staff Report for Family Subdivision Waiver (FSW) 03-06. Mr. Stewart reported that Board approval of the request would allow the applicant, Toby Honeycutt, to convey a one-acre parcel containing a residence to his nephew, Oliver Greene. Mr. Stewart explained that because Mr. Greene is not a direct family member, a waiver is required from the Board.

Mr. Stewart highlighted the General Criteria of the Rowan County Subdivision Ordinance, Article II Section 21-54 and said Staff recommends approval of the request.

Chairman Chamberlain opened the public hearing to entertain citizen input regarding FSW 03-06. With no citizens wishing to address the Board, Chairman Chamberlain closed the public hearing.

Commissioner Mitchell moved, Commissioner Blount seconded and the vote to approve Family Subdivision Waiver 03-06 passed unanimously.

6. PUBLIC HEARING FOR Z 03-06

Shane Stewart of the Rowan County Planning Department presented the Staff Report for Z 03-06. Mr. Stewart explained that in December of 2004 the Planning Board had approved a Planned Development Subdivision (PDS) request by the Sunset Pointe partners for a mixed-use concept plan composed of single-family lots, multi-family units, patio home lots, recreational uses, and a commercial development at the 6700 block of Goodman Lake Road.

Mr. Stewart pointed out the proposed development by using a power point presentation.

Mr. Stewart reported that the Commissioners had approved the rezoning of approximately 40 acres to Multi-Family Residential (MFR) based on the concept plan. Mr. Stewart said the plans for the condo area had changed causing a need for zone changes. The 4.58-acre area located on the corner of Sunset Pointe Drive and Marina Pointe Road would be changed to MFR. The 25-acre area located on Sunset Pointe Drive bordering the clubhouse would remain as zoned to include future multi-family uses along with patio lots. The remainder of the 15-acre portion not devoted to the proposed boat storage area was encouraged by Staff to be rezoned back to RA. Both properties are proposed to accommodate future patio lots through a residential clustering concept also requiring conditional use permit approval.

Mr. Stewart reviewed the Zoning Criteria that was listed in the Staff Report and he also used a power point presentation to show the property and the surrounding areas.

Mr. Stewart said 2 individuals had addressed the Planning Board at its meeting on July 24, 2006. Mr. Stewart said the applicant, Dan Fisher, spoke in favor of the request and Jody Allen had suggested switching the multi-family zone with the proposed commercial rezoning. Mr. Stewart said the Planning Board voted unanimously to approve the rezoning request and he mentioned that page 5 contained the Planning Board's recommendations.

Chairman Chamberlain opened the public hearing to entertain citizen input regarding Z 03-06. With no one wishing to address the Board, Chairman Chamberlain closed the public hearing.

Commissioner Sides moved, Commissioner Blount seconded and the vote to approve Z 03-06 passed unanimously.

Commissioner Sides moved for approval of the adoption of the Statement of Consistency and the Statement of Reasonableness as presented by Staff. The motion was seconded by Commissioner Blount and passed unanimously.

The above referenced Statement of Consistency was listed in the Staff Report as follows: Although the county does not have an adopted land-use plan, the request complies with the MFR district's intent of locating on a collector street as referenced in the Rowan County Zoning Ordinance. If multi-family uses are not requested, allowed uses mimic those found in the RA district.

The above referenced Statement of Reasonableness was listed in the Staff Report as follows:

1. Multi-family part of an approved Planned Development Subdivision
2. Request is essentially downzoning the development from 15 acres to 4.58 acres.
3. Since permitted uses in MFR and RA are the same, the rezoning can be viewed as a placeholder for a site-specific request it may be made through a conditional use permit.

7. CONSIDER APPROVAL OF SNIA 05-06 PERMIT APPLICATION

Shane Stewart of the Rowan County Planning Department presented the Staff Report for Special Non-Residential Intensity Allocation (SNIA) 05-06.

Mr. Stewart reported that the applicant, Robert Blake, wished to construct an 8750 square foot metal building/warehouse on Gateway Drive. Mr. Stewart said the impervious coverage available was 70% and the applicant would use 51%.

Commissioner Mitchell moved, Commissioner Sides seconded and the vote to approve SNIA 05-06 passed unanimously.

8. CONSIDER APPROVAL OF SNIA 06-06 PERMIT APPLICATION

Shane Stewart of the Rowan County Planning Department presented the Staff Report for Special Non-Residential Intensity Allocation (SNIA) 06-06. Mr.

Stewart said the applicant, Robert Blake, had another prototype building the same size as the request just approved by the Board. Mr. Stewart said the impervious coverage available was 70% and the applicant would use 48%.

Commissioner Sides moved, Commissioner Blount seconded and the vote to approve SNIA 06-06 passed unanimously.

9. RECEIVE UPDATE FROM CONSTRUCTION CONTROL CORPORATION REGARDING SCHOOL CONSTRUCTION PROJECTS

Ed Watson from Construction Control Corporation (CCC) updated the Board on the school construction projects.

Mr. Watson reported that the contract with CCC would expire at the end of August however he assured the Board that CCC would remain fulltime until the

end of September to close out the projects. Mr. Watson said he had enjoyed working with the County and Rowan-Salisbury Schools (RSS). Mr. Watson said despite the challenges to the construction costs, the projects had been successful. Mr. Watson said CCC would not leave the County with any unresolved issues and that he would be available if needed.

Commissioner Sides asked Mr. Watson to elaborate on why the parking lot at Jesse Carson High School was not paved. Mr. Watson explained that the CCC had recommended that the contractor pave all parking lots “early on” but the contractor had elected to wait until towards the end of the project to do the rock/paving. Mr. Watson said that there would be no increased cost to the County for the paving.

In response to a query from Commissioner Sides pertaining to a recent flooding incident at the new Elizabeth Duncan Koontz Elementary School, Mr. Watson said no additional expenses had been incurred from the flooding and that he did not anticipate additional expenses. Mr. Watson said significant changes had been made to ensure that the flooding did not reoccur. Mr. Watson said the flooding incident had been documented and would be monitored.

Chairman Chamberlain recognized and welcomed Dr. Judy Grissom in the audience, Superintendent of RSS.

Jim Christy, Assistant Superintendent from RSS requested that the budget line item for water/sewer for East Elementary be increased from \$1.3 million to \$1.7 million. Mr. Christy said the purpose was to get a developer involved in the project and that there would not be any additional funds required from the County or RSS. Mr. Christy said RSS would have an irrevocable letter of credit from a bank for \$400,000 for DRJ Developers.

Commissioner Sides moved, Commissioner Blount seconded and the vote to approve the request as presented passed unanimously.

10. JESSE CARSON HIGH SCHOOL SEWER PROJECT

County Manager William Cowan discussed the revised costs for the sewer extension to Jesse Carson High School. Mr. Cowan recalled that the Board had addressed the issue in February based on bids received at an estimated cost of \$2,405,214. Mr. Cowan said the Board had voted in February to appropriate \$994,248 to the project. Mr. Cowan said RSS had appropriated \$609,228, which was a shortfall on their part of \$192,510. The figures were based on a 1/3 split between the Town of China Grove, the County and RSS. Mr. Cowan said the County and RSS were to enter into negotiations at a later date to determine the responsible party for the \$192,510 shortfall. Mr. Cowan continued by highlighting the added changes for the project and said the final cost to date was \$2,919,040. Mr. Cowan said an equal split between the 3 entities would be \$973,013, an increase of \$171,275 to RSS’s total shortage, which then increased

the figure to \$363,785. Mr. Cowan said the County had adequate funds appropriated to cover the County's portion of the project.

Mr. Cowan said RSS did not feel they should be responsible for the cost overruns for the high school sewer project. Mr. Cowan said if it were the Board's position that the project should remain a 1/3 split then the Commissioners would need to help RSS come up with \$363,785.

Commissioner Sides said there was no choice but to proceed and he moved that the County, Town of China Grove and RSS split the costs and that each entity come up with 1/3 of the funds to complete the project. Commissioner Blount seconded the motion.

Discussion ensued as to whether RSS had the funds available for their portion of the project. Mr. Cowan explained that each year there are funds appropriated from restricted sales tax for school construction/construction related costs. Mr. Cowan said Finance Director Leslie Heidrick felt it would be legitimate to use the restricted sales tax funds for the sewer project.

Commissioner Blount said he would be willing to support the motion on the floor concerning the 1/3 split between entities, which he said left the question of an estimated \$1 million left over from the projects. Commissioner Blount said he would like to see the \$1 million go back into the RSS technology budget from the original plan.

Commissioner Sides repeated his motion for each party to come up with 1/3 and he said if the schools want to take it from surplus or if they want to take it from this fund, that's fine.

Upon being put to a vote, the motion on the floor passed unanimously.

Chairman Chamberlain commented that he didn't see how there could be a \$1 million surplus from a bond package "when you're still in the bond package." Chairman Chamberlain added that now was not the time to discuss putting the \$1 million back into the technology program.

11. PRESENTATION ROWAN COUNTY 2006 HEALTH & HUMAN SERVICE NEEDS ASSESSMENT

Bob Lippard, Executive Director of the United Way provided the Board with a power point presentation as he discussed the Health and Human Service Needs Assessment. Mr. Lippard said approximately 600 Rowan Countians had participated in the assessment in a collective effort to help identify the health and human service needs in the County. Mr. Lippard said the assessment was the third study performed, with the first being done in 1991 and the second in 1999.

Mr. Lippard recognized the sponsors of the assessment, which were the Alcoa Foundation, City of Salisbury, Healthy Rowan and Rowan County United Way. Mr. Lippard also reviewed the list of community leaders that served on the Advisory Board.

Mr. Lippard discussed the components of the needs assessment, which involved data collection, telephone surveys and focus groups. Mr. Lippard also stated that the areas of change from the previous assessment included, 1) significant growth in the Hispanic population, and 2) a rise in unemployment since 1999. Mr. Lippard reviewed the areas of concern as, 1) education and personal empowerment, 2) medical and dental care accessibility, and 3) job creation and retention.

Mr. Lippard highlighted the goals produced by the Advisory Committee and he invited the Board to be a part of the strategic planning effort. Mr. Lippard said the next step in the process would be to form a task force to address the needs.

Before moving to the next agenda item, Chairman Chamberlain recognized several council members in the audience from the Town of China Grove. The members included Mayor Don Bringle, Aldermen Troy Elliott and Alan Welter. Chairman Chamberlain also recognized Mr. Welter's granddaughter, Alisha.

12. CONSIDER EMPLOYMENT OF ARCHITECTURAL FIRM FOR EMS BUILDING

Chairman Chamberlain said he would like to see the EMS project put on hold and he explained that he had concerns regarding the site being considered. Chairman Chamberlain also said that he would not vote for an architect who was not the low bidder on the project. Chairman Chamberlain said he did want to see the EMS station located in the center of Salisbury.

Commissioner Sides stated that he was not in favor of the selected location.

Commissioner Blount asked Staff's opinion concerning the site selection and Emergency Services Director Frank Thomason responded. Mr. Thomason said that after an extensive survey, the potential sites had been narrowed down to the top 3 and the first one had been unavailable. Mr. Thomason added that sites 2 and 3 were within one block of each other. Mr. Thomason said that he and Staff were of the opinion that once the building was constructed on one of the 2 sites, it would enhance and dramatically change the area.

Commissioner Sides moved to table the issue at least until our next meeting and that the Board be allowed to receive some information from Staff about the various sites that they have selected. Chairman Chamberlain seconded the motion.

Chairman Chamberlain said for the record that the County would have an EMS station in Salisbury because the numbers show the need. Chairman Chamberlain said the delay would provide Staff with time to negotiate with the architects, as the Board would likely support the low bidder.

Upon being put to a vote the motion on the floor passed unanimously.

13. CONSIDERATION OF TOBACCO USE POLICY FOR ROWAN COUNTY DEPARTMENT OF SOCIAL SERVICES

Sandra Wilkes, Director for the Department of Social Services (DSS), was present to address any questions from the Board regarding the Tobacco Use Policy for DSS.

Commissioner Sides, who serves on the DSS Board, said the DSS Board had voted to unanimously approve the policy.

Chairman Chamberlain asked if the policy was identical to what the Board had approved for the Health Department and Ms. Wilkes responded yes.

Commissioner Blount noted that in the case of the Health Department, smoking was banned within 50' of entrances and the proposed policy for DSS banned smoking within 50' of the property.

Commissioner Sides noted that enforcement would be a problem if individuals were smoking on the sidewalks.

Commissioner Blount moved, Commissioner Sides seconded and the vote to approve the Tobacco Free Policy for DSS passed unanimously.

14. CONSIDER APPROVAL OF RESOLUTION & AWARDDING OF CONTRACT FOR 2007 COMPACT PICK UP TRUCKS

Sandy Fisher from the Finance Department presented the bids for the purchase of (3) 2007 compact pick up trucks for Environmental Services. Ms. Fisher said bids were received from Cloninger Ford, Randy Marion Chevrolet and Westside Chrysler Dodge Jeep. The Finance Department recommended that the contract be awarded to the low bidder, Cloninger Ford, for \$14,995 per truck. The bid from Randy Marion Chevrolet was for \$15,708.15 per truck and the bid from Westside Chrysler Dodge Jeep was \$20,418 per truck.

Commissioner Sides moved, Commissioner Mitchell seconded and the vote for approval of the low bid passed unanimously.

Commissioner Mitchell moved for approval of the Resolution awarding the contract. The motion was seconded by Commissioner Blount and passed unanimously.

15. CONSIDER APPROVAL OF RESOLUTION & AWARDING OF CONTRACT FOR PURCHASE & INSTALLATION OF VIDEO ARRAIGNMENT SYSTEM FOR DETENTION CENTER

Sandy Fisher from the Finance Department presented the 2 bids for the purchase and installation of a video arraignment system for the Detention Center. Ms. Fisher said the bids were received from Court Vision Communications, Inc. in the amount of \$39,660.49 and from Spectrum Sales for \$59,160.31. The Finance Department and the Sheriff's Department recommended that the contract be awarded to Court Vision Communications, Inc.

Commissioner Mitchell moved for approval of the low bid. Commissioner Blount seconded and the motion passed unanimously.

Commissioner Sides moved for approval of the Resolution awarding the contract. The motion was seconded by Commissioner Blount and passed unanimously.

16. BUDGET AMENDMENTS

Commissioner Sides referred to a budget amendment that had been in the agenda packet for the Board of Commissioners meeting on August 7, 2006. Commissioner Sides said if he had known he could have voted against the \$200,000 for Farmland Preservation, he would have probably made the motion. Commissioner Sides wished to make it understood that the \$200,000 for Farmland Preservation was not new money but rather money that had been allocated by a previous Board.

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

17. CONSIDER OFFER TO PURCHASE FORMER STANDARD AERO HANGAR

County Attorney Jay Dees reported that no upset bids had been received for the sale of the former Standard Aero hangar. Mr. Dees said \$430,000 was the high bid. Mr. Dees said the County now owned the hangar and could sell it with Board approval. Mr. Dees added that the County would need to give the current tenant 60 days notice as required in their lease.

Commissioner Sides moved to approve the sale of hangar for \$430,000 as presented. Commissioner Mitchell seconded and the motion passed unanimously.

Commissioner Sides asked if the ground lease for the hangar would be different than the previous lease and Mr. Dees responded that the lease would be at fair market value. Mr. Cowan added that County Assessor Jerry Rowland had appraised the property and the ground lease rate would be at \$371.00 per month.

18. DISCUSSION REGARDING PROPOSED GROUND LEASE FROM ALAN WINNINGER (TABLED FROM AUGUST 7, 2006 MEETING)

County Manager William Cowan said that Alan Winninger had submitted a proposal to lease 37,707 square feet at the Rowan County Airport.

County Attorney Jay Dees suggested that the Board discuss construction periods with construction progress updates and payment guarantees, which he said could be built into the terms.

Chairman Chamberlain said he would like to see a requirement for requiring a certain amount of construction within 6 months of the execution of the lease.

In response to a query from Commissioner Sides, Ken Deal, Director of Administration, said the entrance for the proposed hangar would be an existing entrance on Airport Road.

Commissioner Sides asked who would be responsible for water/sewer hookups and Mr. Deal said Mr. Winninger would pay for those costs.

Commissioner Sides questioned the value of the intended building and Alan Winninger came forward to address the Board's questions. Mr. Winninger said the estimated value of the building was \$500,000 and the intent was to build a facility with both office and hangar space. Mr. Winninger mentioned an existing temporary gate and he petitioned the Board to use it as a separate entrance. Mr. Winninger said he would like to pave the entrance and have an additional road at his expense.

Mr. Dees asked Mr. Winninger if he would be willing to commit to minimum size requirements and Mr. Winninger said yes. Mr. Dees said "that part" would come back to the Board for approval.

Commissioner Blount questioned a reversion clause regarding the building's ownership after a certain period of time. Commissioner Sides felt that after 40 years, the ownership of the building should revert back to the County. Commissioner Blount then asked Mr. Winninger if he was agreeable to renewal terms of 25 years, followed by three additional 5-year renewal options. Mr. Winninger said yes.

Mr. Winninger expressed hope of having the construction completed in three months. Mr. Winninger said he felt there was a lot of potential at the Rowan County Airport as it was the most desirable airport in the region.

Commissioner Mitchell said, with the recommendations, he moved for approval. Commissioner Blount seconded and the motion passed unanimously.

Mr. Deal clarified that the temporary gate mentioned by Mr. Winninger was temporary for construction purposes only.

19. PUBLIC COMMENT PERIOD

Chairman Chamberlain opened the Public Comment Period to entertain comments from any citizens who wished to address the Board.

Chairman Chamberlain called Alisha Kahn forward, granddaughter of China Grove Alderman Alan Welter. Ms. Kahn confirmed to Chairman Chamberlain of her interest in politics and Chairman Chamberlain encouraged Ms. Kahn to stay involved.

With no one else wishing to address the Board, Chairman Chamberlain closed the Public Comment Period.

20. ADJOURNMENT

With no further business to come before the Board, Commissioner Mitchell moved to adjourn at 8:53 pm. The motion was seconded by Commissioner Sides and passed unanimously.

Respectfully Submitted,

Carolyn Athey
Clerk to the Board