

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
May 21, 2007 – 7:00 PM
J. NEWTON COHEN, SR. ROOM, ADMINISTRATION BUILDING**

Present: Arnold S. Chamberlain, Chairman
Chad Mitchell, Vice-Chairman
Jon Barber, Member
Tina Hall, Member
Jim Sides, 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 Barber provided the Invocation and also led the Pledge of Allegiance.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Sides moved, Commissioner Barber seconded and the vote to approve the minutes of the May 7, 2007 Commission Meeting passed unanimously.

Commissioner Mitchell moved for approval of the minutes of the May 10, 2007 Commission Meeting. The motion was seconded by Commissioner Barber and passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

- Chairman Chamberlain moved to add a discussion regarding a gang summit as agenda item #14a. The motion was seconded by Commissioner Sides and passed unanimously.

- Chairman Chamberlain moved to add a discussion regarding parking spaces that had been negotiated for employees. Commissioner Sides seconded and the motion carried unanimously.

Chairman Chamberlain added the discussion as agenda item #14b.

- Commissioner Sides moved to add a discussion regarding the offer to purchase property located off Dunn's Mountain Road. The motion was seconded by Commissioner Hall and passed unanimously.

Chairman Chamberlain added the issue as agenda item #9a.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

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

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Sides referred to Consent Agenda item #G and said he wanted to make certain that the County was provided with the required insurance coverage from Daymark Recovery Services if the Board planned to renew the contract.

Commissioner Sides moved, Commissioner Hall seconded and the vote to approve the Consent Agenda passed unanimously.

Chairman Chamberlain said he understood that the motion had been made with the stipulation that either the County Manager or County Attorney ensure that the proper insurance information was received.

The Consent Agenda consisted of the following items:

- A. Approval of Juvenile Crime Prevention Council Funding Recommendations for Fiscal Year 2007-08
- B. Set Public Hearing for June 11, 2007 for HLC 01-07
- C. Set Quasi-Judicial Hearing for June 11, 2007 for CUP 02-07 for Request from Makenzie Properties
- D. Set Quasi-Judicial Hearing for June 11, 2007 for CUP 04-07 for Request from Dan Fisher
- E. Set Public Hearing for June 11, 2007 for Unanimous Petition for Dog Days Lane
- F. Set Public Hearing for June 18, 2007 for Fiscal Year 2007-08 Rural Operating Assistance Program (ROAP) Application
- G. Approval to Renew Annual Contract with Daymark Recovery Services for July 1, 2007 through June 30, 2008

2. PUBLIC COMMENT PERIOD

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

The following individuals came forward:

- Bill Wallin of 175 Francis Street in Salisbury expressed concern with the air quality issues in Rowan County. Mr. Wallin recalled that in June 2003 Rowan County had been labeled by the American Lung Association as having the worst air quality in the state. Mr. Wallin said the County's air quality was also listed as the 16th worst in the country. Mr. Wallin appealed to the Board to take action to remove the County from the Environmental Protection Agency's non-attainable list.
- Jack Fisher of Long Ferry Road referred to additional layoffs taking place in the County and he asked the Board to focus on a job program for Rowan County.
- Mike Brinkley of Granite Quarry discussed current delays with the plan review process in the Rowan County Inspections Department. Mr. Brinkley said it was disheartening for contractors to have to wait so long for plans to be reviewed. Mr. Brinkley said contractors lose money when they cannot obtain building permits. Mr. Brinkley asked the Board to consider the needs of the Inspection Department and to consider the situation in terms of economic development by being a County friendly to development.

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

3. PUBLIC HEARING FOR UNANIMOUS PETITION FOR KELLER FARM ROAD

Fredda Greer of the Rowan County Planning & Development Department presented the unanimous petition for Keller Farm Road. Ms. Greer said the property owner purchased Tax Parcel 259 056 and intended to subdivide the property for his family members. Ms. Greer said there would be 3 structures along the road. A completed petition was submitted for the proposed road name of Keller Farm Road. Staff recommended approval of the request.

Chairman Chamberlain opened the public hearing to entertain citizen input regarding the proposed road name of Keller Farm Road.

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

Commissioner Mitchell moved, Commissioner Barber seconded and the vote to approve the road name of Keller Farm Road passed unanimously.

4. QUASI-JUDICIAL PUBLIC HEARING FOR PCUR 01-07

Chairman Chamberlain read the Chairman's Speech (Exhibit A) and declared the public hearing for PCUR 01-07 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 Institutional to Commercial, Business, Industrial to allow the placement of a single-wide mobile home in addition to their previously approved 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.

Senior Planner Shane Stewart of the Rowan County Planning & Development Department presented the Staff Report (Exhibit B).

Mr. Stewart said the Board heard from the applicants 9 months ago regarding their property located off the 4100 block of Woodleaf-Barber Rd. Mr. Stewart used a power point presentation (Exhibit C) to show the property in question. Mr. Stewart said the request 9 months ago was to rezone a one (1) acre portion of the property to Institutional to allow expansion of an existing community center. Using the power point presentation (Exhibit C), Mr. Stewart showed a portion of the property that was low and unsuitable for building. Mr. Stewart said the applicant intended to place a mobile home on the property and the Institutional zoning and the site plans that were previously approved did not include a mobile home. Mr. Stewart said Staff had encouraged Ms. Blackwell to apply for rezoning since Commercial, Business, Industrial (CBI) was more open and would allow a mobile home. Mr. Stewart explained that the request was for an amendment to the conditional use permit and for a rezoning change to CBI, which would allow the same expansion of the community center and a singlewide on the property. Mr. Stewart continued with the power point presentation (Exhibit C) to show that the site-specific plan would stay the same and he pointed out where the expansion for the community center would occur, as well as the location for the proposed singlewide. Mr. Stewart pointed out that the request was for a mobile home and approving the request would not be out of character with the surrounding area. Mr. Stewart stated the Planning Board had voted unanimously to approve the request. Mr. Stewart said that Attachment C of the Staff Report (Exhibit B) contained the Planning Board's recommendations for the Statement of Consistency and the Statement of Reasonableness. Mr. Stewart said Staff recommended approval of the request with the same 3 conditions that were previously adopted for the plan and were identified in the Staff Report (Exhibit B) at the bottom of page 4.

Ms. Blackwell, the applicant, requested that the Board change the zoning to allow for the mobile home and to enlarge the center for the children.

With no further testimony, Chairman Chamberlain closed the public hearing.

Commissioner Sides moved to approve the Statements of Consistency and Reasonableness (as listed in the Staff Report, Exhibit B). The motion was seconded by Commissioner Mitchell and passed unanimously.

The Statement of Consistency read as follows:

Although the County does not have an adopted land-use plan, the CBI zoning district has provisions for small-scale requests that have been evaluated and deemed to not have significant impacts on surrounding properties. The community center was approved in a previous request and deemed compatible by serving the surrounding community for over 10 years. CBI districts are not intended for significant residential activity but does have provisions for individual homes on vacant lots and homes for on-site businesses.

The Statement of Reasonableness read 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. This conditional use district ensures the property will only be used for the community center and a single-wide mobile home.

Commissioner Sides moved, Commissioner Mitchell seconded and the vote to approve PCUR 01-07 with Staff recommendations passed unanimously. Chairman Chamberlain provided the Clerk with the Findings of Fact (Exhibit D) for the case. The Findings of Fact (Exhibit D) were listed as follows:

1. The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety.

***FACT:** According to the Rowan Partnership for Children, the community center is not subject to the licensing requirement under the State of North Carolina Child Care Laws suggesting the proposed activity and site use complies with all applicable safety regulations pertaining to childcare.*

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;

***FACT:** Based on information from the Tax Department and the applicant, a retail store has operated on site from 1954 through the mid 1990's and later was used as a community center suggesting this site has served the surrounding community for over 50 years.*

***FACT:** No information or testimony was given suggesting property values would be affected.*

***FACT:** Surrounding properties contain a similar residential unit proposed by the applicants.*

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 plans.

FACT: *As indicated by the Planning Staff Report, the CBI zoning district has provisions for allowing small non-residential uses that benefit the surrounding properties and permit single-wide manufactured homes on lots established prior to 1999.*

FACT: *Testimony previously presented suggested the surrounding community would greatly benefit by having an educational and recreational resource within the area.*

5. PUBLIC HEARING FOR Z-04-07 FOR REQUEST FROM UNITED VENTURES INTERNATIONAL, LLC

Senior Planner Shane Stewart of the Rowan County Planning & Development Department reported that David Arey owned approximately 25 acres along the 2600 block of Providence Church Road bordering High Rock Lake containing the High Rock Boat and Ski Club, a 5,000 square foot building housing a trucking and grading business, and a single-family residence. Mr. Stewart provided a power point presentation as he explained that Jeff Jordan, manager of United Ventures International, LLC, purchased over 15 acres of this property that included the above uses in the fall of 2006. Mr. Arey created 7 waterfront lots for residential use with the balance of the acreage. Mr. Stewart said that after the property lines were adjusted, it was determined that a 2 1/3 acre portion containing the trucking and grading company was zoned Rural Agricultural (RA) while the remaining property was zoned Commercial, Business, Industrial (CBI).

Mr. Stewart explained that Mr. Jordan wished to rezone the 2 1/3 acre portion of his 12-acre tract from RA to CBI to remove the multiple zoning designations and make the existing business a conforming use. Staff recommended approval.

Chairman Chamberlain opened the public hearing to entertain citizen input regarding Z-04-07.

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

Commissioner Mitchell moved, Commissioner Sides seconded and the vote to adopt the Statement of Consistency passed unanimously.

The Statement of Consistency read as follows:

Although the County does not have an adopted land use plan, a 12-acre portion of this property was identified during the initial countywide zoning process a decade ago as an area to establish for CBI use due to the existing business and the general conformity with surrounding properties. The Zoning Ordinance

indicates the CBI district contains provisions for establishing zones in rural locations if the overall community is not jeopardized. Much of the surrounding properties have developed after the establishment of these uses suggesting a harmony has been formed between the properties.

Commissioner Mitchell moved, Commissioner Sides seconded and the vote to approve Z 04-07 passed unanimously.

6. PUBLIC HEARING FOR PROPOSED TEXT AMENDMENTS TO PARKS & RECREATION ORDINANCE

County Attorney Jay Dees explained that based on the Board's recent approval of text amendments to the Alcoholic Beverages Ordinance, the Board had scheduled the current public hearing to consider repealing Section 16-44 of the County's Parks & Recreation Ordinance. The ordinance currently allows the Parks and Recreation Commission to grant permission for beer, or unfortified wine to be sold within the confines of County parks.

Chairman Chamberlain opened the public hearing to entertain citizen input regarding the proposed text amendments to the Parks & Recreation Ordinance. With no one wishing to address the Board, Chairman Chamberlain closed the public hearing.

Commissioner Sides moved to repeal Section 16-44, Alcoholic Beverages, Article II - Use and Operation of Parks and Recreation Centers. The motion was seconded by Commissioner Hall and carried unanimously.

7. CONSIDER APPROVAL OF PROPOSED 2007-08 LANDFILL RATE INCREASE

County Manager William Cowan reported that the Department of Environmental Management was recommending a two-tiered rate increase to go into effect July 1, 2007 due to the increase in daily operational expenses, State Environmental Protection Agency (EPA) (North Carolina Department of Natural Resources - NCDENR) Closure and Post-Closure expenses.

Mr. Cowan noted one item that did not pass in the House but was favored by the Senate, was a \$2.00 charge on every landfill to help close some of the old landfills, several of which are located in the County.

Mr. Cowan discussed the Board's options, which included adopting the increase now or adopting the increase as part of the budget process. The fees would not be effective until July 1, 2007.

Chairman Chamberlain read from the email and asked why the Board should not wait. Mr. Cowan responded that waiting was an option but he pointed out that history shows it could be past July 1, 2007 before the Legislators make a decision.

Commissioner Sides felt there would be no choice but to raise rates at the landfill due to the new requirements and also due to the need to build 2 cells at one time. Commissioner Sides commented that he was uncomfortable with the way Staff had presented the information. Commissioner Sides said he would rather see rates raised based on projections by Staff as opposed to basing rates on what other counties are charging. Commissioner Sides preferred to table the discussion and allow Staff to provide the Board with additional information.

In response to a query from Commissioner Mitchell, Mr. Cowan responded that rates could be changed mid-year.

Commissioner Hall said the expense of building new cells and bringing in trash from other counties could impact the current situation. Commissioner Hall said the County should look at its own projections and possibly stop accepting out of county waste.

By consensus, the Board tabled a vote on the issue.

Commissioner Sides stated that the new regulations coming from the State and Federal levels require construction materials to be dumped into a lined area. Commissioner Sides pointed out that that the County would be responsible for funding the new requirements.

8. CONSIDER APPOINTMENTS TO LAND USE PLAN STEERING COMMITTEE

Chairman Chamberlain explained the nomination process for applicants to serve on the Land Use Plan (LUP) Steering Committee. The Steering Committee would consist of 11 members.

The nominations were as follows:

1. **Salisbury Township** - Chairman Chamberlain noted that the Board had not received applications from qualified individuals to serve for the townships of China Grove or Salisbury. Chairman Chamberlain said in order to start the process, he would nominate Jeff Morris to represent the Salisbury Township. Mr. Morris resides in the Town of Spencer. The nomination passed unanimously.
2. **China Grove Township** - Commissioner Mitchell said in following the same logic for the Salisbury Township, he would nominate Paula Holte for the China Grove Township. Ms. Holt resides in the extraterritorial jurisdiction of China Grove. The nomination passed unanimously.
3. **Locke Township** - Commissioner Sides nominated Steve Poteat and the nomination passed unanimously.
4. **Steele Township** – Commissioner Barber nominated Ben Knox and the nomination passed unanimously.

5. **Cleveland Township** – Commissioner Hall nominated Richard Shaver and the nomination carried 3-2 with Commissioners Chamberlain and Barber dissenting.
6. **Franklin Township** – Chairman Chamberlain nominated Chris Cohen and the nomination passed 3-2 with Commissioners Sides and Hall dissenting.
7. **Planning Board Member** – Commissioner Mitchell nominated Rick Hudson and the nomination carried 4-1 with Commissioner Sides dissenting.
8. **Mount Ulla Township** – Commissioner Sides nominated Richard Parker. Chairman Chamberlain mentioned the applicants in the Mount Ulla Township who might have a conflict in serving on the Steering Committee due to their involvement with a pending broadcast tower issue. Commissioner Mitchell pointed out that there would be very few individuals in the area that had not been affected by the broadcast tower application/hearing.

After a brief discussion, the nomination failed with Commissioners Chamberlain, Barber and Hall dissenting.

Commissioner Sides nominated James Rollans and the nomination carried 3-2 with Commissioners Chamberlain and Barber dissenting.

9. **Unity Township** – Commissioner Barber nominated Artie Watson. The nomination passed unanimously.
10. **Scotch Irish Township** – Commissioner Hall nominated Eric Pence and the nomination passed unanimously.
11. **Atwell Township** – Commissioner Hall nominated Wendy Wilson. The nomination carried unanimously.

Commissioner Sides stated that he was opposed to the LUP process but that he felt it his duty as a Commissioner to take an active part in the actions by and through the Steering Committee.

Chairman Chamberlain then reviewed the list of members just appointed by the Board.

Chairman Chamberlain instructed the Clerk and Planning and Development Director Ed Muire to work together in notifying the applicants.

9. CONSIDER OFFER TO PURCHASE PROPERTY LOCATED AT 915 NORTH MAIN STREET IN KANNAPOLIS

County Manager William Cowan recalled that the Board had voted during regular session on March 19, 2007 to declare the property located at 915 North Main Street in Kannapolis as surplus, proposed to accept an offer to purchase, obtain a deposit and advertise for upset bid. Mr. Cowan said the process was followed and the high bid received was from Sharon Kimberlin in the amount of \$75,900.

Commissioner Sides moved to accept the high bid from Sharon Kimberlin in the amount of \$75,900. The motion was seconded by Commissioners Mitchell and Hall and passed unanimously.

9a. CONSIDER OFFER TO PURCHASE PROPERTY LOCATED OFF DUNN'S MOUNTAIN ROAD

County Manager William Cowan stated that the Board had voted to declare the property located off Dunn's Mountain Road as surplus, proposed to accept an offer to purchase, obtain a deposit and advertise for upset bid. Mr. Cowan said the high bid received was from Johnny Morgan in the amount of \$44,202.50.

Commissioner Sides moved to accept the high bid of \$44,202.50 from Johnny Morgan. The motion was seconded by Commissioner Hall and passed unanimously.

Chairman Chamberlain called for a break at 8:00 pm.

Chairman Chamberlain reconvened the meeting at 8:10 pm.

10. DISCUSSION REGARDING PUBLIC HEARING FOR PROPOSED BUDGET FOR FISCAL YEAR 2007-08

Chairman Chamberlain said the County Manager had suggested that the Board hold a public hearing at 6:00 pm on June 11, 2007 for the proposed budget. Chairman Chamberlain felt the Board should set a work session prior to the suggested meeting date.

Commissioner Sides suggested Thursday May 31, 2007 at 4:00 pm in the J. Newton Cohen Sr., Room.

Commissioner Mitchell moved to set the public hearing for the proposed budget for fiscal year 2007-08 for June 11, 2007 at 6:00 pm. The motion was seconded by Commissioner Barber and passed unanimously.

11. DISCUSSION REGARDING FIELDCREST CANNON STADIUM

Chairman Chamberlain reported that an appraiser, Scott Robinson, had begun looking at the stadium property but that the process for the appraisal needed to be discussed and finalized.

Mr. Cowan said the Board had approved an equity agreement during the Planning Retreat, which had been submitted to the City of Kannapolis for execution. Mr. Cowan referenced an email from the County Attorney, which explained the current status of the equity agreement.

Mr. Cowan said the proposed agreement with the appraiser, Scott Robinson, was under the County Attorney's supervision.

County Attorney Jay Dees said he has been very clear that an appraisal would serve several functions including a comparison of use for the stadium from a value standpoint, as well as alternate uses. Mr. Dees commented that the modified agreement with Smith Family Baseball was coming to an end and the appraisal process would assist in determining what a fair market lease rate would be for the minor league baseball stadium. Mr. Dees estimated that the appraisal would not be complete until September, as it was very complex. Mr. Dees also explained that his law firm would contract with Mr. Robinson in order to protect the information until the Board was ready to release it.

In response to concerns from Commissioner Sides regarding the price of the contract, Mr. Dees explained that the original proposal had come in 3 stages at a cost of \$14,000. Mr. Dees reported that he and Mr. Cowan negotiated with Mr. Robinson for a flat rate of \$10,000. Mr. Dees stated again that the appraisal was complex in nature because there are not many baseball stadiums in the area.

Commissioner Sides also mentioned that he was uncomfortable with the language of the proposal that allowed for the appraiser to use employees or independent contractors at the appraiser's discretion. Mr. Dees said the language could be clarified with Mr. Robinson and changed. Commissioner Sides added that he wanted to make sure that the County dealt specifically with Mr. Robinson.

Chairman Chamberlain asked if the contract was a boilerplate type contract and Mr. Dees responded that it was somewhat boilerplate but had been tailored to meet Mr. Robinson's needs.

Commissioner Sides referred to another paragraph in the contract and stated that the ownership of the work product concerned him. Mr. Dees stated that Mr. Robinson would turn the finished product over to the County.

Commissioner Sides questioned the indemnification clause for Mr. Robinson and Mr. Dees explained that the indemnity did not have to be included because no liability would be created. Commissioner Sides stated he would like the indemnification clause removed from the contract.

Chairman Chamberlain agreed with Commissioner Sides' suggestion to remove the indemnification clause from the contract.

Chairman Chamberlain asked if the Board wished to approve the contract with the suggested changes included or to ask the County Attorney to make the changes and bring the contract back for approval.

Mr. Dees suggested that the Board approve the cost and scope of work and that he bring the finalized contract back at the June 11, 2007 Commission Meeting.

Commissioner Mitchell asked if the initial money needed upfront was budgeted from fiscal year 06-07?

Commissioner Sides suggested using part of the money from surplus funds and not budgeting new funds.

Mr. Cowan responded that the funds would still have to be appropriated and that the Board would have to approve a budget amendment.

Commissioner Mitchell stated his personal preference was to approve the funds in the budget process. Commissioner Mitchell said he realized there were funds available from the sale of the surplus properties but that he would prefer to wait and include the money in the budget process.

Commissioner Barber said the equity agreement with Kannapolis did not need to be delayed. Commissioner Barber said the Board should make it clear to Kannapolis that the County wanted to get the agreement executed as soon as possible. Commissioner Barber also stated that he understood the appraisal was complex and that the Board should invest the \$10,000 for the appraisal to move forward. Commissioner Barber said there are other properties the Board needed to make decisions on, including Summit Corporate Center and the fairgrounds property. Commissioner Barber said the Board was prepared to spend \$10,000 for the appraisal and he expressed hope that the Board would find a way to resolve some of the other projects and move forward.

Commissioner Hall inquired as to when the County could expect the equity agreement with Kannapolis to be executed. Mr. Dees suggested that the County communicate with Kannapolis by attending one of their council meetings.

Commissioner Sides moved to approve the contract based on cost, scope of the work and the changes requested, with Mr. Dees presenting the contract for approval at the next meeting. Commissioner Barber seconded and the motion passed unanimously.

Mr. Cowan asked for clarification on the source of funds.

Commissioner Sides stated the Board was only approving the contract and not allocating funds at this time.

Chairman Chamberlain referred to the Planning Retreat and reminded the Board of its discussions pertaining to selling the stadium. Chairman Chamberlain noted that Mr. Robinson's appraisal was going to provide the information needed to determine the value of the property and what the value would be in future years. Chairman Chamberlain emphasized that the equity agreement had nothing to do with the appraisal of the property. Chairman Chamberlain then appointed Mr.

Dees, Mr. Cowan and himself to contact Kannapolis in an effort to get the equity agreement executed.

12. DISCUSSION REGARDING INVESTMENT GRANT PROGRAM

Commissioner Hall discussed her reasons for placing the Investment Grant Program on the agenda. The first reason was due to the scheduled layoffs in July at the Freightliner plant. Commissioner Hall expressed concern for the “ripple affect” of the layoffs on the local economy. Secondly, Commissioner Hall discussed a potential Economic Development Commission (EDC) project, which would request tax incentives for 6 years. The current Investment Grant Program allows incentives for only 5 years. Commissioner Hall said the project would create less than 2 dozen jobs with most coming from outside Rowan County.

Commissioner Hall referred to page 4 of the Investment Grant Program and discussed the requirements for the Grantee to provide the Board with “detailed information on assets to be considered as part of the grant application process, inclusive of anticipated depreciation schedules, etc.” Commissioner Hall also read from page 5 of the Investment Grant Program stating that the “grantee shall provide documentation in support of the fact that the County’s Investment Program was an important factor in its decision to locate or expand facilities in Rowan County.” Commissioner Hall pointed out that the Board had not received any such documentation for the recently approved request for tax incentives for Toyota. Commissioner Hall stated that the Investment Grant Program also requires the EDC to provide the Board with a fiscal analysis of the project’s impact upon the community. Commissioner Hall stressed that the Board should receive a proposal that addresses any impact questions. Commissioner Hall added that the Investment Grant Program requires acceptance by the Board and is not automatic. Commissioner Hall said she would like for the requirements of the Investment Grant Program to be addressed prior to the Board receiving any future incentive requests.

Commissioner Hall said Chairman Chamberlain had asked her if she would ever vote for incentives. Commissioner Hall explained that she would like to see a project that would create a substantial number of new jobs for the County’s citizens when balanced against the tax incentive. Commissioner Hall then asked Chairman Chamberlain if he would ever vote against a tax incentive. Commissioner Hall asked if the Board could justify giving tax incentives to a new business and not for existing businesses.

Commissioner Hall demonstrated her point by using a tin cup and explaining that the upcoming economic development project would be an 80/20 investment. Commissioner Hall dropped 2 dimes into the tin cup to represent the 20% in taxes the County would receive. Commissioner Hall then dropped in 8 dimes to demonstrate the 80% the County would be asked to provide in incentives.

Commissioner Hall stated that the County needs taxes for schools, infrastructure and essential services. Commissioner Hall added that each time the County gives away tax incentives, someone else must make up the difference.

Commissioner Mitchell agreed with Commissioner Hall that the County needed documentation from the EDC when being asked to approve an investment grant. Commissioner Mitchell warned against physical impact studies, stating that the math involved in the multiplier effect was not reliable. Commissioner Mitchell said he personally did not want to debate about the specifics of a project he had heard nothing about. Commissioner Mitchell stated that the Investment Grant Program was not perfect and that he did not like it. Commissioner Mitchell said unfortunately there are times when one must take things they don't like in order to receive any benefit from the situation.

Chairman Chamberlain stated that he, the County Manager and Randy Harrell, Economic Development Director, had met and reviewed some of the issues of the Investment Grant Program. Chairman Chamberlain said that Mr. Harrell had accepted and understood what the Board was asking for. Chairman Chamberlain suggested that the Board not talk too much publicly about what may or may not happen until proposals have been presented to the Board. Chairman Chamberlain addressed Commissioner Hall's question to him pertaining to whether he would ever vote against an incentive. Chairman Chamberlain said he was looking for a way to vote against incentives. Chairman Chamberlain held up a styrofoam cup and said this is what it sounds like when you say no more incentives (silence).

Commissioner Barber discussed the perception amongst the economic development community and the Department of Commerce that Rowan County was not supportive of economic development. Commissioner Barber expressed concern with an email from the Chairman of the EDC, indicating that the County might have lost the opportunity for a potential economic development project. Commissioner Barber said if the County wanted to bring in more jobs, the county should have "policies in place that we will stick with and that we can agree to."

13. BUDGET AMENDMENTS

Commissioner Sides moved to approve the budget amendments as presented. Commissioner Barber seconded and the motion carried unanimously.

Chairman Chamberlain expressed appreciation to William Stanback and all those who had made donations to the petting barn.

14. PRESENTATION REGARDING ELECTRONIC MONITORING PROGRAM

Commissioner Sides provided the Board with information regarding an Electronic Monitoring Program, which is a cooperative effort between the Department of Social Services (DSS) and the Rowan County Sheriff's Department (RCSD). Commissioner Sides explained that the program had proven beneficial for other

counties and provided cost savings within those counties. Commissioner Sides said the program was developed for establishing an Electronic Monitoring Program for Rowan County residents who are out of compliance with orders for child support and are subject to incarceration in the Rowan County Detention Center. The program was expected to alleviate Detention Center overcrowding, decrease costs of incarceration, decrease recidivism, and increase compliance with child support orders, thereby increasing child support collections.

Commissioner Sides referred to the information in the agenda packet and highlighted the savings of the program.

Commissioner Sides said he understood there were those who believed that he had presented items for Board approval prior to the budget because he planned to vote against the budget. Commissioner Sides said he would vote against the budget if it were not revenue-neutral or if it included particular requests that he did not agree with. Commissioner Sides described the Electronic Monitoring Program as simply a good idea and he said he would like to see program initiated as soon as possible.

Chairman Chamberlain asked who would be responsible if an individual in the Electronic Monitoring Program had a heart attack. Major Tim Bost of the RCSD was in the audience and responded that the County would not be liable.

Commissioner Sides moved to allow these individuals to proceed with implementing this program as soon as possible. The motion was seconded by Commissioner Hall.

Commissioner Mitchell said he felt the program was a great idea, however he expressed concern with supporting it “right now” at a cost of \$24,162. Commissioner Mitchell provided an example of hiring a new teacher or a new employee for \$24,162 as he emphasized his point that worthwhile projects should be “judged” alongside other projects during the budget process.

Commissioner Sides stated that the \$24,162 would not be spent by July 1. Commissioner Sides said the motion was to get the program started with the necessary funds.

Commissioner Mitchell repeated that he would not vote for the program until budget time.

Commissioner Hall questioned the cost of keeping the individuals incarcerated between “now and July 1”. Major Bost said \$45.00 per day but that the cost did not include any medical expenses that might be incurred. Commissioner Hall pointed out that “it’s a bit of a gamble.”

Commissioner Mitchell compared the gamble of the Electronic Monitoring Program to the gamble of an investment grant that might create 40 new jobs.

Upon being put to a vote, the motion on the floor failed 2-3 with Commissioners Chamberlain, Barber and Mitchell dissenting.

14a. DISCUSSION REGARDING GANG SUMMIT

Chairman Chamberlain explained he had attended a luncheon regarding a countywide gang summit. Chairman Chamberlain said the County was asked to become involved in a countywide effort to address the gang situation. Chairman Chamberlain asked the Board to contribute \$5,000 for the effort. Chairman Chamberlain stated that the City of Salisbury had taken the lead on the effort and that Mayor Klutz had asked for the County's help.

Chairman Chamberlain moved to fund the countywide gang summit at \$5,000. The motion was seconded by Commissioner Sides.

Commissioner Sides said as a member of the DSS Board, he had participated in meetings where citizens had addressed the issues of gang recognition and prevention. Commissioner Sides mentioned that his nephew, Salisbury Police Officer Todd Sides, works very heavily in the area of gangs. Commissioner Sides felt the project was worthwhile and he stressed that the Board should take action when there was an immediate need and not have to wait on the budget process.

Commissioner Hall agreed that if the project was worth doing, it was worth doing now.

Chairman Chamberlain mentioned that the Salisbury Mayor did not request funding from the County but that he had proposed the funding.

Commissioner Mitchell referenced his previous argument (agenda item #14) pertaining to considering funding issues during the budget process.

Upon being put to a vote, the motion failed 2-3 with Commissioners Chamberlain, Barber and Mitchell dissenting.

14b. PARKING SPACE RENTAL FROM SALISBURY POST

County Manager William Cowan discussed a proposal from the Salisbury Post, which would address the lack of parking for employees in the County Administration Building and the Library. The proposal would allow the County to rent 35 spaces from the Salisbury Post, with overflow to be handled at the library.

Mr. Cowan said the cost is \$22/per month, per space. Mr. Cowan said one caveat was that the Salisbury Post might need the extra spaces at a future date.

Mr. Cowan said employees had been polled regarding their parking preferences to ensure that the parking spaces would be utilized.

Mr. Cowan said the \$770 required now would be taken out of the current budget.

Commissioner Sides felt the County should provide parking for employees. Commissioner Sides moved to approve the lease, effective immediately. The motion was seconded by Commissioner Hall.

Chairman Chamberlain said for the record that he had suggested some items were being handled outside of the budget process by Commissioner Sides so that Commissioner Sides would not have to vote for/against those items in the budget.

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

15. COUNTY MANAGER'S MONTHLY ACTIVITY REPORT

County Manager William Cowan said he had nothing specific to point out in the report but would entertain any questions from the Board.

Chairman Chamberlain expressed appreciation for the report and Mr. Cowan said the report was indicative of Staff's work.

16. ADJOURNMENT

There being no further business to come before the Board, Commissioner Sides moved to adjourn at 9:17 pm. The motion was seconded by Commissioner Barber and passed unanimously.

Respectfully Submitted,

Carolyn Athey
Clerk to the Board