

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
September 17, 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 Mitchell said it was worthy to mention it was Constitution Day.

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

CONSIDER APPROVAL OF THE MINUTES

Commissioner Mitchell moved, Commissioner Barber seconded and the vote to approve the minutes of the September 4, 2007 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

There were no additions to the agenda.

CONSIDER DELETIONS FROM THE AGENDA

Commissioner Sides moved to pull item agenda item #3 (Presentation Regarding Rowan Express). The motion was seconded by Commissioner Mitchell and passed unanimously.

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 Mitchell moved approval of the Consent Agenda. The motion was seconded by Commissioner Sides and passed unanimously.

The Consent Agenda consisted of the following:

- A. Approval of Proclamation declaring October 7–13, 2007 as Mental Illness Awareness Week

2. PUBLIC COMMENT PERIOD

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

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

3. PRESENTATION REGARDING ROWAN EXPRESS

This item was deleted from the agenda.

4. CONSIDER APPROVAL OF ROWAN COUNTY'S SINGLE FAMILY REHABILITATION APPLICATION

Gary Wilson and Alicia Broadway of Benchmark CMR, Inc. were present to discuss the County's Single Family Rehabilitation Application. Mr. Wilson said 24 counties had been selected for funding in 2008. Rowan County is eligible to receive up to \$400,000 under the program, which targets low and moderate income homeowners needing housing rehabilitation.

Mr. Wilson asked the Board to consider authorizing submittal of the application on October 12, 2007. Mr. Wilson said there is an application fee of \$50 and the County should receive information regarding funding of the project in December. Mr. Wilson anticipated the project would start in April of 2008 with a 2-year period to expend the \$400,000.

Mr. Wilson said the emphasis of the program is to serve the elderly and handicapped and ultimately provide those citizens with savings on their energy bills once the rehabilitation projects are complete.

Commissioner Sides moved, Commissioner Hall seconded and the vote to authorize submittal of the Single Family Rehabilitation Application passed unanimously.

5. CONSIDER ADOPTION OF BUDGET ORDINANCE AND APPROVAL OF SUB-RECIPIENT AGREEMENT AND ADMINISTRATIVE CONTRACT FOR FY 07-08 HOME GRANT

Gary Wilson and Alicia Broadway of Benchmark CMR, Inc. were present to discuss the FY 2007-08 HOME Program. Mr. Wilson said the Chairman had signed a grant agreement with the City of Concord for \$106,000 HOME grant for

next year. The grant provides rehabilitation funds for 1-2 dwellings, new construction/gap financing funds to Prosperity Unlimited, Inc. to construct 4 new homes in East Spencer and down payment assistance for one first-time home purchaser. Mr. Wilson said the Project Budget Ordinance in the agenda packet outlined the activities as follows:

Rehabilitation	\$42,000
Down Payment Assistance	\$ 5,000
New Construction/Gap Financing	\$52,439
Administration	\$ 6,629

Planning & Development Director Ed Muire reported that he, County Attorney Jay Dees and Finance Director Leslie Heidrick had reviewed the information in the agenda packets earlier in the day and there were some minor issues to present before the vote was taken. Mr. Muire referred to page 2 of the Project Budget Ordinance, item #10, and suggested that the terminology for County Finance Officer be changed to reflect the County Budget Officer or County Manager.

Mr. Dees referred to paragraph 2 of the Agreement for Administrative Services and noted that compensation is listed at \$10,829. Mr. Dees said the grant itself provides \$6,629 for administrative fees and based on that discrepancy there is a question as to the \$4,200 difference. Mr. Dees suggested modifying the paragraph to list two types of compensation; a base administration fee of \$6,629 per the grant, and additional compensation of \$4,200 to be reimbursed through grant funds for which the local government would not be obligated to Benchmark. Mr. Dees explained that it is an accounting issue that Benchmark gets approval on administrative costs that are related directly to a specific project. Mr. Dees said if they are not approved for those specific administrative costs, there was a question of whether the County would be obligated to pay Benchmark.

Mr. Wilson asked Mr. Dees to send him the proposed language.

Mr. Wilson said the Sub Recipient Agreement was a legal agreement with Prosperity Unlimited for their role in the project.

Mr. Wilson referred to Attachment A of the Administrative Contract, which defined the administrative and service delivery (soft cost) to be rendered by Benchmark on the project.

Commissioner Sides moved approval of the Budget Ordinance. The motion was seconded by Commissioner Mitchell and passed unanimously.

Commissioner Sides moved approval of the Sub Recipient Agreement with Prosperity, Inc. The motion was seconded by Commissioner Hall and passed unanimously.

Commissioner Sides moved approval of the Administrative Contract with Benchmark CMR, Inc. with the changes offered by the County Attorney. The motion was seconded by Commissioners Mitchell and Hall and passed unanimously.

6. CONSIDER AMENDMENT TO FY 06-07 HOME GRANT ACTIVITIES

Alicia Broadway of Benchmark CMR, Inc. reported that the County must submit a formal amendment letter to the City of Concord to formalize the allocation of \$25,000 from the down payment assistance program to the single-family rehabilitation program and the creation of a new program, entitled new construction. The new construction program is in cooperation with Prosperity, Inc. for new home construction in East Spencer.

Commissioner Sides moved to allow the Chairman to sign the letter as presented. The motion was seconded by Commissioner Barber and passed unanimously.

7. DISCUSSION REGARDING REDUCTION IN SPEED LIMIT FOR SCHOOL ZONE AT JESSE CARSON HIGH SCHOOL

Commissioner Sides said the Board had previously discussed a reduction in the speed limit at Jesse Carson High School (JCHS) as a stopgap measure while waiting on a traffic light study. Commissioner Sides said he had discussed the issue with Representatives Fred Steen and Lorene Coates. Commissioner Sides reported that the Board of Education and the Town of China Grove had passed resolutions on the matter. Commissioner Sides asked the Board to consider reducing the current speed limit in the school zone from 45 mph to 35 mph under North Carolina General Statute §20-141.1.

Commissioner Mitchell said he would like to see the speed limit lowered but that he would like for someone to confirm that lowering the speed limit wouldn't cause "more of a mess out there than we currently have". Commissioner Mitchell said he had been told that Department of Transportation (DOT) officials had claimed lowering the speed limit would potentially back up traffic to I-85. Commissioner Mitchell said he did not know enough about traffic and its patterns to make a decision without a traffic study/evidence.

Commissioner Hall expressed concern for the safety of the officer directing the traffic at the school. Commissioner Hall said the signs do not give enough notice of the school zone and she felt it was important that drivers be given more notice of the school zone.

Commissioner Barber agreed that the Board should try to get the speed limit lowered. Commissioner Barber asked how many other unsafe school zones exist and he continued by saying he would like for the Board of Education (BOE) to be engaged in the issue. Commissioner Barber said the DOT was conducting

a professional study regarding a traffic light at JCHS and he said a study should also be done for lowering the speed limit.

Commissioner Mitchell stressed that he would be more willing to vote to reduce the speed limit if someone would assure him that the County would not make the traffic situation worse.

Commissioner Hall said the drivers should be warned of the upcoming school zone with signage or flashing signs. Commissioner Hall said the speed limit should have already been lowered for the safety of the traffic officer.

Commissioner Barber asked if any Board members had received feedback from the Sheriff as to how well the traffic officer was helping the situation. Chairman Chamberlain said he had talked with the Sheriff and that the traffic officer was indeed helping the situation.

Chairman Chamberlain discussed a conversation with J.P. Couch from the DOT office in Winston-Salem. Chairman Chamberlain said Mr. Couch had stated that no traffic study had been done at JCHS; however, Mr. Couch said that he had performed a 15 to 20 minute evaluation of the site but had not generated any documentation pertaining to his evaluation. Mr. Couch said the speed limit had been lowered to 45 mph for one hour in the a.m. and one hour in the p.m. The speed limit was lowered sometime between the end of last school year and the start of the current school year. Chairman Chamberlain said while he agreed with Commissioners Sides and Hall, he felt the Board should have an analysis and an expert to advise the Board on whether the speed limit should be lowered.

Commissioner Mitchell emphasized that a professional study should be performed to determine what traffic precautions are necessary at JCHS.

Commissioner Sides moved to have the speed limit reduced to 35 mph. Commissioner Sides said the Board understood that the DOT was in the process of doing a traffic study of the area, which he felt would be an all-encompassing study, not just to determine if a traffic light was needed.

Commissioner Mitchell asked if Commissioner Sides was proposing a public hearing and Commissioner Sides said no, as the request was within the police powers of the County.

Commissioner Hall seconded the motion and again emphasized the importance of the safety issue for parents, children and the traffic officer.

In response to a query from Chairman Chamberlain, Major Tim Bost of the Sheriff's Department said all comments from the Board were correct. Major Bost felt there is not enough approach warning leading up to the site. Major Bost said it would give people more time to react if the DOT could go farther from the

school zone and erect signs warning drivers to reduce their speed due to the school zone ahead. Major Bost did not feel the speed limit should be reduced until a study had been completed.

Commissioner Sides repeated that his motion was to reduce the speed limit in the Carson High School speed zone to 35 mph. Upon being put to a vote the motion failed 2-3 with Commissioners Chamberlain, Mitchell and Barber dissenting.

Chairman Chamberlain stressed that he wanted to reduce the speed limit to 35 mph once a study had shown that it should be reduced. Chairman Chamberlain requested that the County Manager contact the DOT regarding installation of signs further back until a traffic study was received from the DOT.

County Attorney Jay Dees asked if the Board would like for staff to put out an RFP for a study in the area to determine how much the study would cost. Commissioner Sides said he had no problem with the suggestion.

County Manager William Cowan suggested that the Board first allow staff to contact the DOT to see if they would perform a traffic study.

Chairman Chamberlain instructed Mr. Cowan to contact the DOT and based on the response, prepare an RFP for a traffic study and to also request that signs be placed farther back warning of the upcoming school zone.

Commissioner Mitchell said he did not want the issue to “drag on” and if the DOT was not going to perform the study, he wanted the County to do so.

8. CONSIDER APPROVAL TO PURCHASE VEHICLES FOR EMS

Emergency Services (EMS) Director Frank Thomason reported that EMS was approved to purchase 4 vehicles in the 2008 Budget, two each for the EMS Division and Fire Division. After due advertisement, bids for the purchase were received on August 27, 2007. Four bid packages were distributed and three bids were received, two from Cloninger Ford and one from Ilderton Dodge. The vendors were informed that the County was interested in vehicles similar to the Ford Explorer or the Dodge Durango. Cloninger Ford submitted bids for the Ford Explorer and Expedition and Ilderton’s bid was for the Durango. Ilderton Dodge submitted the low bid; however, the vehicles cannot be delivered for 3 to 4 months. Two of the vehicles are needed before the end of September for two new employees in the Fire Division. Therefore, the Finance and EMS Directors recommend that the contract be awarded to Cloninger Ford for four Ford Explorers at a cost not to exceed \$93,711.

Mr. Thomason said once the vehicles are purchased, they must be upfitted with accessories, including radios. Mr. Thomason said the County would incur

savings through the accessory packages by purchasing 4 of the same vehicles. Mr. Thomason also discussed potential fuel savings.

Commissioner Sides discussed purchasing the most cost-effective vehicles for the County. Commissioner Sides said the County has limited options when considering the purchase of vehicles that must travel at high speeds; however, he did not feel the most economical vehicles had been considered for the fire inspectors. Commissioner Sides expressed concern with buying higher priced vehicles when a lower bid had been submitted. Commissioner Sides suggested buying 2 vehicles now for the fire inspectors and purchasing the remaining 2 vehicles at a lesser cost by waiting until they were available.

Commissioner Mitchell questioned the condition of the 2 vehicles scheduled for replacement. Mr. Thomason responded that one of the vehicles currently worked and there was a major recall on one. Mr. Thomason referred to Commissioner Sides' concerns and said the purchase of the accessories would come close to offsetting the costs of purchasing 4 of the same vehicles.

Commissioner Hall asked why the department was switching from the type of vehicles currently used. Mr. Thomason said the sedan carries 5 people and the new vehicle comes with a third row seat, which will accommodate 8 people and avoid the need to take 2 vehicles to training sessions.

Commissioner Hall mentioned several vehicles that would offer better gas mileage as opposed to four-wheel drive vehicles. Mr. Thomason explained that inspectors are responsible for responding in all-weather situations. Mr. Thomason said as EMS Director he is also responsible for responding in less than safe conditions.

Commissioner Hall asked how often staff travels to training sessions in a year's time. The EMS training officer responded from the audience and said staff attends training approximately 5 to 6 times per year.

Chairman Chamberlain asked Mr. Thomason if staff takes all the Board's questions into consideration when making decisions for vehicle purchases. Mr. Thomason responded that staff performs due-diligence on the requests. Chairman Chamberlain commented that he was uncomfortable with micromanaging the types of vehicles purchased.

Commissioner Sides moved to allow the purchase of the 2 Ford Explorers and the 2 Dodge Durangos.

Commissioner Mitchell asked if the Dodge Durango would meet the Department's needs and in the timeframe they were needed. Mr. Thomason responded, "Sure."

Chairman Chamberlain seconded the motion. Chairman Chamberlain offered Mr. Thomason advice, which he said he hoped would reach all departments. Chairman Chamberlain said anytime staff can buy something less expensive that would do the job, and the only difference is to receive it quicker, "don't even bring that to us."

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

9. CONSIDER APPROVAL OF CONTRACT FOR ARCHITECTURAL SERVICES FOR CONSTRUCTION OF A NEW ROWAN COUNTY DEPARTMENT OF SOCIAL SERVICES FACILITY

Director of Administration Ken Deal reported that Statements of Qualifications were received on August 24, 2007 from architectural firms for the construction of a new Rowan County Department of Social Services (DSS) facility. Requests were distributed to nine (9) firms and placed on the AIA website. The following five (5) firms responded to the request: Ramsay Burgin Smith Architects, ADW Architects, KKA Architecture, Mullins-Sherman Architects and Stewart-Cooper-Newell Architects. A committee consisting of Ken Deal, Sandra Wilkes, Leonard Wood and Sandra Fisher reviewed the qualifications of each firm and is recommending that the County Manager negotiate a contract with Ramsay Burgin Smith for the construction of the new facility.

In response to a query from Chairman Chamberlain, Mr. Deal said the recommendation had been narrowed down to 2 firms, KKA Architecture and Ramsay Burgin Smith Architects. Mr. Deal said both firms were qualified, however Ramsay Burgin Smith had more experience in what the County was looking for based on work they had performed for the County in the past.

Commissioner Mitchell moved to approve the Resolution to authorize the County Manager to negotiate a contract for architectural services for construction of a new Rowan County Department of Social Services facility. Commissioner Barber seconded and the motion passed unanimously.

10. CONSIDER APPROVAL OF BUDGET AMENDMENT

Finance Director Leslie Heidrick submitted the following budget amendment for the Board's consideration:

- Parks – To budget donations received in prior years for playground equipment at Dan Nicholas Park - \$15,000

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

11. DISCUSSION TO CONSIDER CHANGING DATE OF SECOND COMMISSION MEETING IN OCTOBER

Chairman Chamberlain asked the Board to consider changing the date of the second Commission Meeting in October. The purpose of the request was to prevent the Clerk from missing a Commission Meeting and yet allow her to attend one of the required sessions for achieving her certification as a Certified Municipal Clerk (CMC).

Commissioner Sides moved to change the regularly scheduled meeting date from October 15, 2007 to October 22, 2007 at 7:00 pm. The motion was seconded by Commissioner Barber and passed unanimously.

12. COUNTY MANAGER'S MONTHLY ACTIVITY REPORT

Chairman Chamberlain opened the floor for any questions regarding the County Manager's activity report.

Commissioner Hall referred to page 3 and asked if the plans for the McCombs log cabin project had been finalized. County Manager William Cowan responded no and that a recommendation would come before the Commissioners.

Commissioner Mitchell questioned the timeframe to complete the upfitting of the meeting chambers for televising the Board meetings. The Clerk responded that project completion was anticipated in October.

13. ADJOURNMENT

There being no further business to come before the Board, Commissioner Mitchell moved to adjourn at 8:00 pm. The motion was seconded by Commissioner Barber and passed unanimously.

Respectfully Submitted,

Carolyn Athey
Clerk to the Board