

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
October 1, 2007 – 4:00 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 4:00 pm.

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

CONSIDER APPROVAL OF THE MINUTES

Commissioner Sides moved approval of the minutes of the September 17, 2007 Commission Meeting. The motion was seconded by Commissioner Barber and passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

There were no additions to the agenda.

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 THE CONSENT AGENDA

Commissioner Mitchell moved, Commissioner Hall seconded and the motion to approve the Consent Agenda passed unanimously.

The Consent Agenda consisted of the following items:

- A. Set Public Hearing for October 22, 2007 for Unanimous Petition for Pat's Loop
- B. Set Public Hearing for October 22, 2007 for Majority Petition for Cottonwood Road
- C. Approval for Rowan Public Library to Submit Grant Application to Salisbury-Rowan Community Foundation
- D. Approval of Request to Transfer Gift to Rowan Public Library Foundation
- E. Approval for Health Department to Accept Grant from NC Department of Health & Human Services

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. CONSIDER REQUEST TO REMOVE FEE FOR FIRE INSPECTION OF FOSTER HOMES

Department of Social Services Director Sandra Wilkes expressed concern that the \$50 inspection fee required for foster homes would be detrimental in recruiting and retaining foster parents. The Board approved the fee in May 2007. Ms. Wilkes said foster homes are inspected before a license is issued and again every 2 years. Ms. Wilkes said the state provides the form for the inspection and foster parents are placed under scrutiny to determine safety prior to placing children in the home. Ms. Wilkes asked the Board to consider waiving the \$50 inspection fee.

Fire Marshal Tom Murphy said his office did not have a concern with the request and was in favor of waiving the fee for the inspection.

Commissioner Sides moved to waive the \$50 inspection and re-inspection fees for foster homes. The motion was seconded by Commissioner Hall and passed unanimously.

4. CONSIDER APPROVAL OF PURCHASE & SALE AGREEMENT FOR PROPERTY ON AIRPORT ROAD

County Attorney Jay Dees discussed the proposed Purchase and Sale Agreement for property located at 425 Airport Road, also known as the former Silver Eagle property. Mr. Dees said an environmental assessment would be

conducted during the 75-day due diligence period and any lease issues could be handled during that time. Mr. Dees said the contract provided the County with the option to walk away by December 15, 2007 if there were any unresolved issues.

Commissioner Sides said most of the costs would be borne by state and federal monies and purchase of the property was crucial for future expansion of the runway.

Commissioner Sides moved to approve the purchase and sale agreement for the property on Airport Road. Commissioner Mitchell seconded the motion.

Commissioner Barber questioned approval of the contract without having all the facts since the purchase price did not include the environmental assessment. Mr. Dees explained that federal guidelines set the parameters regarding the value the government will pay and these guidelines do not take into account the environmental conditions. Mr. Dees said the Board would find out what conditions and exposures were present from the environmental assessment and could then pull the contract.

In response to Commissioner Hall's inquiry, Mr. Dees explained that there was one blind appraisal that assessed the building and its contents but did not include the environmental assessment. Mr. Dees said a review appraisal was conducted to "review the process of the blind appraisal".

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

5. CONSIDER APPROVAL OF PROPOSAL FROM S&ME TO PERFORM PHASE I ENVIRONMENTAL SITE ASSESSEMENT & ASBESTOS INSPECTION FOR PROPERTY ON AIRPORT ROAD

County Attorney Jay Dees discussed the Phase 1 Environmental Site Assessment required for the purchase of property located at 425 Airport Road. Mr. Dees said Phase 1 is more of a paper research process and a site visit without any drilling or soil testing. Mr. Dees said Staff was aware that an underground storage tank was removed from the site; however, the site had been cleared from further action. Mr. Dees said Phase 1 implicated the possibility of a Phase 2 from a cost standpoint.

Commissioner Mitchell asked if the cost for Phase 1 was \$8100 and Mr. Dees said yes.

Commissioner Sides asked if work previously performed by S&ME for Silver Eagle was the same as what would be provided for the County. Mr. Dees said S&ME's prior work pertained to the underground storage tank issue.

Commissioner Sides inquired if separate motions were needed and the Chairman responded yes.

Commissioner Sides moved to accept the Conflict Waiver Letter and to recognize that there is no conflict. Commissioner Mitchell seconded and the motion passed unanimously.

Commissioner Sides moved to accept the proposal from S&ME to perform a Phase 1 Environmental Site Assessment at the proposed cost. The motion was seconded by Commissioner Mitchell.

In response to a query from Commissioner Hall, Mr. Dees said the Phase 1 Assessment would determine the next steps for the County. Kathryn Jolly, Environmental Management Director, also discussed the assessment process, which would provide conclusions and recommendations.

Commissioner Sides said the Board should keep in mind the property would be used to build a runway extension.

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

6. CONSIDER APPROVAL OF BUDGET AMENDMENTS

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

- Health – To recognize reserved funds from FY 2007 - \$36,350
- Parks – Ellis Park does not expect to receive the restricted donation for ball field lights- \$15,740
- Sheriff's Department – Budget excess revenue to the account and to budget excess to the expense account (Comm. Relations Drug Enforcement) - \$100
- Social Services – Allocation for State Adult Day Care was less than state originally estimated - \$2,499
- Social Services – Crisis Intervention Payments - \$15,007

Commissioner Hall inquired on the decrease for the State Adult Care allocation. Ms. Heidrick explained the State's previous estimate had been more than what the County would actually receive.

Commissioner Mitchell moved approval of the budget amendments as submitted. The motion was seconded by Commissioner Barber and passed unanimously.

7. CONSIDER REQUEST TO AWARD CONSTRUCTION CONTRACT FOR EMS PROJECT

Karen Alexander from KKA Architecture and EMS Director Frank Thomason discussed the bids for the EMS Project. Ms. Alexander reported that six (6) bids were received on September 18, 2007 from the following:

- Bar Construction Co., Inc. - \$1,121,000
- HM Kern Corporation - \$1,093,000
- JK Hogan, Inc. - \$1,269,000
- Kearey Builders, Inc. - \$1,288,000
- LaFave's Construction Co., Inc. - \$1,134,000
- Summit Developers, Inc. - \$965,000

Ms. Alexander stated the low bidder was Summit Developers at a base bid of \$965,000. Ms. Alexander said the original budget was \$901,800 and the difference between the 2 numbers is the result of two issues that arose after the project scope was determined. Ms. Alexander said the first issue was the State's requirement for a sprinkler system and the second issue had to do with the reclassification of the site from a D classification to an E classification. Ms. Alexander said the changes had put the project over budget at a cost of \$115,263. Ms. Alexander said the unknowns of the project could not have been anticipated by anyone. Ms. Alexander stated there were 4 Alternates in the bid packets.

In response to a query from Commissioner Hall, Ms. Alexander explained why the site analysis could not have been performed before the building was designed and the bid documents prepared.

Commissioner Sides recommended that the Board proceed with the project but to leave off Alternate #2, which was for the wall covering.

Commissioner Barber agreed with Commissioner Sides, saying that he would hate for the County to make cuts on the project when the needs were the same.

Commissioner Mitchell asked why the alternate was listed as a long-range maintenance reduction cost. Ms. Alexander responded that commercial buildings normally have to be repainted in three years; with a facility of this kind, the individuals are more focused on saving lives and not as worried about scraping a wall as they rush to an emergency. Ms. Alexander said the cost for re-painting later would be more than the cost for wall covering now.

Bill Cowan, County Manager, said the wall covering is a finish at the end of the project. Mr. Cowan said a \$25,000 contingency fund is in the contract that would allow the Board to authorize the architect to lock in that price and if there is money left at the end, the Board could use the contingency funds to provide the wall covering.

Chairman Chamberlain called for a short break at 4:45 pm.

Chairman Chamberlain reconvened the meeting at 4:50 pm.

Commissioner Mitchell moved to award the contract to Summit Developers and to add the costs for the sprinkler and re-classification. The alternate #2 will be added close to the end of the project if the project contingency of \$25,000 has not been used. The motion was seconded by Commissioner Hall and passed unanimously.

8. CONSIDER APPROVAL OF BOARD APPOINTMENTS

ROWAN COUNTY PERSONNEL COMMISSION

Fred Evans, Rick Eldridge and Ronnie Smith completed their terms of service. In order for Mr. Evans, Mr. Eldridge and Mr. Smith to be reappointed, the Board would need to waive the term limits in the Resolution adopted by the Board in 1999. If approved, the term would be for 4 years beginning October 1, 2007 and expiring on September 30, 2011.

Commissioner Sides nominated Fred Evans and Rick Eldridge. Commissioner Mitchell seconded and the nominated passed unanimously.

Karen Ingram and Greg Edds submitted applications for the remaining vacant position on the Personnel Commission. The term would be for four (4) years beginning October 1, 2007, expiring on September 30, 2011.

Commissioner Mitchell nominated Karen Ingram and Greg Edds and the nomination passed unanimously.

ROWAN COUNTY JUVENILE CRIME PREVENTION COUNCIL (JCPC)

The following applications have been received to fill vacant positions on the JCPC:

- Linda Beaty- At Large Member
- John Gray- Business Community Member
- Jesse Mayorga- Youth At Large Member

The terms would be for two (2) years beginning October 1, 2007, expiring on September 30, 2009.

Commissioner Sides nominated Linda Beaty, John Gray and Jesse Mayorga and the nomination passed unanimously.

SALISBURY-ROWAN COMMUNITY ACTION AGENCY

Rodney Queen has submitted an application to serve on the Salisbury-Rowan Community Action Agency. The term would be for two (2) years beginning November 1, 2007, expiring October 31, 2007.

Chairman Chamberlain said he wished to receive more information regarding the agency under consideration.

Commissioner Sides moved to defer the appointment until the next meeting. Commissioner Barber seconded and the motion passed unanimously.

ADULT CARE HOME ADVISORY COMMITTEE (ACH)

Jena Hare has submitted an application for appointment to the ACH. The term would begin October 1, 2007, expiring June 30, 2008.

Commissioner Mitchell nominated Jena Hare and the nomination passed unanimously.

9. ADJOURNMENT

There being no further business to come before the Board, Commissioner Barber moved to adjourn at 4:50 pm. The motion was seconded by Commissioner Chad and passed unanimously.

Respectfully Submitted,

Carolyn Athey
Clerk to the Board