

**MINUTES OF THE MEETING OF THE  
ROWAN COUNTY BOARD OF COMMISSIONERS  
February 4, 2008 – 4:00 PM  
J. NEWTON COHEN, SR. ROOM, ADMINISTRATION BUILDING**

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Present: Arnold S. Chamberlain, Chairman  
Chad Mitchell, Vice-Chairman  
Jon Barber, Member  
Tina Hall, Member  
Jim Sides, Member

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

Chairman Chamberlain convened the meeting at 4:00 pm.

Commissioner Mitchell 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 January 22, 2008 Commission Meeting passed unanimously.

**CONSIDER ADDITIONS TO THE AGENDA**

- Commissioner Mitchell moved to set a public hearing to consider increasing the Planning Board membership to eleven (11) members. The motion was seconded by Commissioner Barber and passed unanimously.
  
- Commissioner Mitchell moved to add a brief discussion regarding proposed annexation by the City of Salisbury. The motion was seconded by Commissioner Sides and passed unanimously.

**CONSIDER DELETIONS FROM THE AGENDA**

There were no deletions from the agenda; however, Chairman Chamberlain pulled Consent Agenda item #1A (Approval of Relocation and Expansion Assistance Agreement) for discussion and he placed the issue as item #2a on the regular agenda.

## **CONSIDER APPROVAL OF THE AGENDA**

Commissioner Mitchell moved approval of the agenda. The motion was seconded by Commissioner Barber and passed unanimously.

### **1. CONSIDER APPROVAL OF THE CONSENT AGENDA**

Commissioner Mitchell moved approval of the Consent Agenda with the “movement” of the Relocation and Expansion Assistance Agreement (Consent Agenda item #1A) to the regular agenda; and with the addition of setting the public hearing (see additions to the agenda). The motion was seconded by Commissioner Barber and passed unanimously.

The Consent Agenda consisted of the following:

- A. Approval of Relocation and Expansion Assistance Agreement (removed for discussion).
- B. Approval for Rowan Public Library to Apply for EZ Basic Equipment Grant for Computer Resources and Furniture for East Branch
- C. Approval for Rowan Public Library to Apply for Woodson Foundation Grant to Purchase Large Print Books
- D. Approval of Licensing Agreement with North Carolina Administrative Office of the Courts

### **2. PUBLIC COMMENT PERIOD**

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

The following individual addressed the Board:

- Rodney Whedbee, 502 South Church Street in Salisbury, discussed the proposed involuntary annexation by the City of Salisbury and said the City was looking to double its land mass and increase its taxation by 100% for citizens without a vote. Mr. Whedbee said the Commissioners were the voice of the citizens who would be hurt the most by the annexation in such a bad economy. Mr. Whedbee asked the Board to consider options to stop involuntary annexation in Rowan County.

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

### **2a. APPROVAL OF RELOCATION AND EXPANSION ASSISTANCE AGREEMENT ITEM**

This item was pulled from the Consent Agenda for a discussion/vote.

Commissioner Mitchell moved approval of the Relocation and Expansion Assistance Agreement. The motion was seconded by Commissioner Barber and passed 4-1 with Commissioner Sides dissenting.

At this point, Chairman Chamberlain moved the discussion regarding annexation (addition to the agenda) to agenda item #5a.

**3. PUBLIC HEARING FOR MAJORITY PETITION FOR ANTLER RIDGE DRIVE**

Planning Technician Fredda Greer reported that when a zoning permit was issued in October for Tax Parcel 260 010, it was noted that the road servicing the parcel should be named prior to building inspection final approval. Staff received a completed petition for the name of Antler Ridge Drive. Staff found the name acceptable and recommended approval.

Chairman Chamberlain opened the public hearing to receive citizen input regarding the proposed road name of Antler Ridge Drive.

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

Commissioner Sides moved, Commissioner Hall seconded and the vote to approve the road name of Antler Ridge Drive passed unanimously.

**4. PUBLIC HEARING FOR SPECIAL CONSIDERATION OF ADDRESS CHANGE REQUEST ON GOLD KNOB ROAD**

Planning Technician Fredda Greer explained that the Telecommunications Department had alerted Staff to an address situation pertaining to Tax Parcel 637 063. Ms. Greer said the parcel is addressed with a Gold Knob Road address when the structure is accessed from St. Peters Church Road. Staff recommended that the address be changed to 3350 St. Peters Church Road.

Chairman Chamberlain opened the public hearing to entertain citizen input regarding the address change from 2650 Gold Knob Road to 3350 St. Peters Church Road.

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

Commissioner Sides moved, Commissioner Hall seconded and the vote to approve the address change from 2650 Gold Knob Road to 3350 St. Peters Church Road passed unanimously.

**5. CONSIDERATION OF OFFER TO PURCHASE PROPERTY AT 1127 SOUTH MAIN STREET**

Chairman Chamberlain said the Board had received a written offer in the amount of \$59,000 from Carlos Parra for county-owned property located at 1127 South Main Street.

Commissioner Sides asked if the Board could specify a minimum bid for the property and County Attorney Jay Dees responded that the Board could have a minimum bid requirement.

Commissioner Sides said there was quite a disparity between the offer of \$59,000 and assessed tax value of the property. Commissioner Sides felt the Board should set a minimum bid requirement and consider investing funds in advertising for all three (3) properties the Board had recently declared as surplus. Commissioner Sides said he did not feel the Board would receive the tax value for the property at 1127 South Main Street.

Commissioner Mitchell asked if the Board had the estimated costs for yearly maintenance and upkeep for the three (3) properties and Chairman Chamberlain said no.

Chairman Chamberlain said he agreed with Commissioner Sides' statement that the County would probably not receive the tax value for the property at 1127 South Main Street due to veterans' homes being located on either side of the property. Chairman Chamberlain said he would like to set a minimum bid requirement in the amount of \$68,000.

Commissioner Sides moved to not accept the offer of \$59,000 and that the County offer the property at a minimum offer of \$68,000. The motion was seconded by Commissioner Barber and passed unanimously.

Commissioner Hall asked if the Board should set a minimum bid requirement for the other two (2) properties and Chairman Chamberlain said yes.

By consensus, the Board requested that County Assessor Jerry Rowland provide the Board with a suggestion regarding minimum asking prices for the two (2) remaining properties.

## **ADDITION**

### **#5A. DISCUSSION REGARDING CITY OF SALISBURY'S PROPOSED RESOLUTION OF INTENT AND HOW IT RELATES TO THE ROWAN COUNTY AIRPORT**

Commissioner Mitchell said the Board had received a map of the City of Salisbury's proposed Resolution of Intent with regards to their annexation. Commissioner Mitchell said the map had a great number of primary and secondary issues associated with it. Commissioner Mitchell said he understood that if the City of Salisbury followed the laws regarding annexation, there was nothing the Board could do to stop the proposed annexation.

Commissioner Mitchell said he would like for the Commissioners to think about the issue and eventually discuss options with the City of Salisbury regarding the

tax rate at the Rowan County Airport as an economic development resource. Commissioner Mitchell suggested that the Board also look at options to see if there was anything the Board could do other than going on record in opposition to involuntary annexation.

Chairman Chamberlain said the Board had previously gone on record in opposition to involuntary annexation, and that he, as Chairman, wished to go on record again as opposed to involuntary annexation. Chairman Chamberlain said his property was included in the map for proposed annexation; however, he said, "It is not about me; it is about a lot of folks and a school district that could potentially in the future be in chaos if this goes through." Chairman Chamberlain said he intended to hold another discussion with representatives from the City in the near future and discuss the items mentioned by Commissioner Mitchell. Chairman Chamberlain said all issues should be taken into consideration, including conference centers and school buildings.

Commissioner Mitchell said the Board was the representative voice for the individuals shown on the map and the Board needed to make it clear that the Commissioners were opposed to involuntary annexation. Commissioner Mitchell said he would hate to think he was being annexed to receive no more services than what was being offered at this point in time.

Chairman Chamberlain also expressed concern regarding the lack of coverage on the issue by the Salisbury Post.

Commissioner Sides said prior to 1999, the law allowed 15% of the citizens in an area that was to be annexed to sign a petition; the only way the area could be annexed was by a vote of the people. Commissioner Sides said the law changed in 1999 as a matter of convenience because it became too much trouble for municipalities to put up with the petitions. Commissioner Sides reported that in the last six (6) months the legislature had appointed a special commission to study annexation laws. Commissioner Sides said Representative Fred Steen serves on this committee and discussions have touched on taking the issue back to pre-1999 standards. Commissioner Sides said that as representatives of the County, the Commissioners do a lot of things that are intended as good for the County, such as infrastructure improvements. Commissioner Sides expressed concern that when annexation becomes an issue, the County has charged the taxpayers for their own annexation because the taxpayers paid for the infrastructure for water/sewer improvements. Commissioner Sides said the Board should let the legislators know of its concerns pertaining to annexation. Chairman Chamberlain agreed with Commissioner Sides and said it was a good reason for the City of Salisbury to be willing to hold reasonable discussions with the County and talk about the matter before it was time to vote on a Resolution of Intent.

Commissioner Barber said when looking at the Resolution of Intent with the City of Salisbury, one could argue that it might cause the County's other municipalities to more aggressively pursue their annexation plans.

Chairman Chamberlain held up a map and described the proposed annexation area as huge; he also said the annexation would affect the County's distribution of sales tax.

Commissioner Hall said the Salisbury Post had made no mention of the map or the Highway 150 corridor. Commissioner Hall said the City of Salisbury would talk about the issue the next day at their council meeting and she expressed hope that the citizens would find out about the proposed annexation area and make their voices heard at city hall.

Chairman Chamberlain said the Commissioners would be very active and vocal on the issue.

## **6. CONSIDER APPROVAL OF BUDGET AMENDMENTS**

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

- Senior Services - To revise budgeted revenues and expenditures to reflect additional HCCBG Funds - \$10,895
- Social Services - For additional allocation of Crisis Intervention funds. The contract with Rowan Helping Ministries is being amended to disperse these funds.

Commissioner Mitchell moved, Commissioner Barber seconded and the vote to approve the budget amendments as submitted passed unanimously.

## **7. CONSIDER APPROVAL OF BOARD APPOINTMENTS**

### **ROWAN COUNTY PLANNING BOARD**

Chairman Chamberlain explained to the audience that the Commissioners were considering changing the current number of nine (9) Planning Board members back to eleven (11). (Earlier in the meeting as an addition to the Consent Agenda, the Board set a public hearing for February 18, 2008 in order to consider a text amendment for the increased membership).

### **ROWAN COUNTY JUVENILE CRIME PREVENTION COUNCIL (JCPC)**

The following applications were submitted for consideration of appointment:

- Jeffrey Lee Kiker
- John Cowan
- John Spidell

There are currently two (2) At Large positions available for terms of two (2) years beginning February 1, 2008 and expiring January 31, 2010.

Commissioner Sides nominated John Cowan and John Spidell and the nomination passed unanimously.

**ROWAN COUNTY SENIOR SERVICES ADVISORY COUNCIL (SSAC)**

Mike Browning submitted an application for consideration. The term would be for three (3) years beginning February 1, 2008 and expiring January 31, 2011.

Commissioner Barber nominated Mike Browning and the nomination carried unanimously.

**ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE (ACH)**

Eldred Wilson and Kate Petherick submitted applications for reappointment. The terms would be for three (3) years beginning February 1, 2008 and expiring January 31, 2011.

Commissioner Mitchell nominated Eldred Wilson and Kate Petherick and the nomination passed unanimously.

**NURSING HOME ADVISORY COMMITTEE**

Lena Sellers-Crook submitted an application for consideration. The term would be for three (3) years beginning March 1, 2008 and expiring February 28, 2011.

Richard Sorensen submitted an application for consideration; the term would be for one (1) year beginning February 1, 2008 and expiring January 31, 2009.

Commissioner Sides nominated Lena Sellers-Crook for a three-year term and Richard Sorensen for a one-year term. The nomination carried unanimously.

**ROWAN COUNTY HISTORIC LANDMARKS COMMISSION (HLC)**

Judy Haire, Darius Hedrick and Rose Lacasse have completed their allowed number of terms. Two (2) applications were received for consideration to fill the vacant positions left by Ms. Haire, Mr. Hedrick or Ms. Lacasse:

- Butch Bivens
- Carl J. Peters

The term would be for three (3) years beginning February 1, 2008 and expiring December 31, 2010.

Also, according to Rowan County HLC Ordinance 9.5-29: Appointment and terms of office, item (b) *“Commission members shall be appointed for three-year staggered terms, but members may continue to serve until their successors have been appointed.”*

The Board was asked to consider allowing Ms. Lacasse to continue to serve until additional applications were received and a successor could be appointed. Staff

contacted Ms. Haire and she was unwilling to continue to serve and Mr. Hedrick could not be reached.

Commissioner Barber nominated Butch Bivens and Carl Peters. The nomination passed unanimously.

Commissioner Sides moved to allow Rose LaCasse to continue in her position on the HLC until additional applications were received for consideration and a new successor could be appointed. The motion was seconded by Commissioner Mitchell and passed unanimously.

### **CABARRUS-ROWAN URBAN AREA METROPOLITAN PLANNING ORGANIZATION (MPO)**

The Cabarrus-Rowan MPO requested the appointment of a staff member to serve on the Technical Coordinating Committee (TCC) for 2008, as well as an alternate.

Ed Muire, Planning and Development Director, requested to continue to serve as the County's representative for the TCC. Mr. Muire also requested that Shane Stewart be appointed to serve as the alternate for 2008.

Commissioner Barber nominated Ed Muire to continue serving as the County's TCC representative and Shane Stewart as an alternate. The nomination carried unanimously.

Commissioner Sides said he had previously given little credence to the MPO; however, at the Rowan County Transportation Summit held on January 30, 2008 he had realized how important the MPO would be in planning for the future of Rowan County. Commissioner Sides said without the MPO the County would have no voice in transportation issues.

Chairman Chamberlain agreed with Commissioner Sides' comments and he encouraged Commissioner Barber to remain busy while serving on the MPO Board. Chairman Chamberlain also praised the expertise and knowledge of Phil Conrad, Director of the MPO.

### **8. ADJOURNMENT**

There being no further business to come before the Board, Commissioner Barber moved, Commissioner Mitchell seconded and the vote to adjourn at 4:40 pm passed unanimously.

Respectfully Submitted,

Carolyn Athey  
Clerk to the Board