

**MINUTES OF THE MEETING OF THE  
ROWAN COUNTY BOARD OF COMMISSIONERS  
February 18, 2008 – 7:00 PM  
J. NEWTON COHEN, SR. ROOM, ADMINISTRATION BUILDING**

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Present: Arnold S. Chamberlain, Chairman  
Jon Barber, Member  
Tina Hall, Member  
Jim Sides, Member

Absent: Chad Mitchell, Vice-Chairman

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 7:00 pm.

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

Chairman Chamberlain announced that Vice-Chairman Mitchell was currently in New York chaperoning students from East Rowan High School and that he would be missed during the Commission Meeting.

**CONSIDER APPROVAL OF THE MINUTES**

Commissioner Barber moved, Commissioner Sides seconded and the vote to approve the minutes of the February 4, 2008 and February 7, 2008 Commission Meetings passed unanimously (4-0).

**CONSIDER ADDITIONS TO THE AGENDA**

- Commissioner Sides moved to add an item to the Consent Agenda regarding the hiring of Hobbs, Upchurch & Associates, P.A., to provide administration of the County's Housing & Rehabilitation Assistance Programs. The administration would cover three (3) programs consisting of CDBG funding, HOME Program and the SFR Program. Commissioner Barber seconded and the motion passed unanimously (4-0). Chairman Chamberlain added the issue as Consent Agenda item #1.

- Commissioner Sides moved to add a Resolution to the Consent Agenda in Support of Duke Energy’s Generation Facility Upgrade at the Buck Steam Plant Site. The motion was seconded by Commissioner Barber and carried unanimously (4-0). Chairman Chamberlain added the issue to the Consent Agenda as item #J.
- Commissioner Sides moved to add approval of an application for the 2008 Special HAVA Grant from the Board of Elections. The motion was seconded by Commissioners Barber and Hall and passed unanimously (4-0). Chairman Chamberlain added the issue to the Consent Agenda as item #K.

**CONSIDER DELETIONS FROM THE AGENDA**

Commissioner Sides moved, Commissioner Hall seconded and the vote to remove agenda item #7 (Discussion Regarding Proposed Relocation of RTS Offices) from the agenda passed unanimously.

**CONSIDER APPROVAL OF THE AGENDA**

Commissioner Sides moved approval of the agenda. The motion was seconded by Commissioner Hall and passed unanimously.

**1. CONSIDER APPROVAL OF CONSENT AGENDA**

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

The Consent Agenda consisted of the following items:

- A. Approval to Award Service Sidearm to Retiring Sheriff’s Lieutenant John G. Noble
- B. Approval of Proclamation for Relay for Life “Paint the County Purple” Day
- C. Approval of Resolution Recognizing the Month of March as American Red Cross Month
- D. Set Public Hearing for March 3, 2008 for FY 2008-09 HOME Grant Application
- E. Set Public Hearing for March 3, 2008 for Condemnation Hearing for Structure at 114 Eastbrook Circle
- F. Set Quasi-Judicial Hearing for March 3, 2008 for PCUR 03-07 for Request by KKA Architecture
- G. Set Public Hearing for March 3, 2008 for Z 08-07 for Request by Cornerstone Church
- H. Approval of Joint Resolution Celebrating 100 Years of County Unity

**2. PUBLIC COMMENT PERIOD**

Chairman Chamberlain opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. Due to the large crowd in attendance, Chairman Chamberlain requested that speakers limit their

comments to three (3) minutes each and to address the Board as a whole, as opposed to individual Commissioners.

The following individuals addressed the Board:

- Jeff Matthews of 185 Waterford Drive in the Neel Estates subdivision addressed the Board in opposition to the proposed annexation by the City of Salisbury. Mr. Matthews said he stood with the majority of the Neel Estates residents that were in strong opposition to annexation. Mr. Matthews said he relocated to Rowan County 20 years ago to pursue employment opportunities. Mr. Matthews said he and his wife had chosen to raise their children in the county due to the safe and affordable housing that was available, along with adequate law enforcement and fire protection. Mr. Matthews said he and his wife had tried to be good citizens in their neighborhood, and in the County by paying taxes, being active in schools attended by their children, involvement in church and civic activities and also by making their voices heard in every election for which they were eligible to vote. Mr. Matthews said citizens depend on their elected officials to hear the voice of the people to serve the greater good of the citizens. Mr. Matthews said he is now part of a group of citizens who face a local government action for which they had no voice or elected representation. Mr. Matthews said at no time had he requested to be annexed or have city services extended to his residence. Mr. Matthews said the Salisbury City Council had blatantly begun the process to impose additional taxation without his ability to participate in the process. Mr. Matthews said while the action by the City may be within the North Carolina General Statutes, he felt it was irresponsible and immoral; especially when the cities and towns that wanted to incorporate were required to have a vote of the people. Mr. Matthews said there was an inaccurate and unhealthy assumption by the City Council regarding the cost versus benefit ratio. Mr. Matthews asked the Board to hear the voices of the impacted citizens and to exercise all means at the Board's disposal to stop the "un-American action of forced taxation without representation, otherwise known as involuntary annexation masquerading in the uniform of city benevolence and good will."
- Peggy Pratt Brown of 225 Scott Trace in the Glen Heather subdivision asked who would benefit from the annexation of her subdivision. Ms. Brown said the Glen Heather residents had adequate city lighting paid for through annual dues. Ms. Brown said each home had its own private well and septic system in place; each homeowner pays for weekly garbage pick-up and was also well-served by the Rowan County Sheriff's Department. Ms. Brown said providing these services would be a substantial monetary expense for the City of Salisbury and to defray these costs, the City would rely on water/sewer tap fees and monthly usage fees. Ms. Brown said if the majority of homeowners in the Glen Heather subdivision chose not to tap on to the City's water/sewer services, the City

would experience no return on the water/sewer investment. Ms. Brown said if annexed, the Glen Heather homeowners would pay double their current tax liability for services they did not need or want. Ms. Brown said the homeowners would not be the ones to benefit from the annexation.

- Jane Lackey of 106 Brook Street in Salisbury sought the Board's assistance with condemnation of the structure at 114 Eastbrook Circle. Ms. Lackey said the structure had been in a state of decay and mostly abandonment for approximately ten (10) years. Ms. Lackey said there had been a fire at the structure 1-½ years ago and the structure was now a shell. Ms. Lackey expressed her gratitude to County Attorney Jay Dees and Planning and Development Director Ed Muire for their assistance in guiding the surrounding homeowners through the condemnation process. At the conclusion of Ms. Lackey's comments, Chairman Chamberlain informed her that the Board had scheduled a public hearing for March 18, 2008 regarding condemnation of the property.
- Ed Conley of 1040 Quail Circle spoke in opposition to forced annexation. Mr. Conley said there was no democracy in forced annexation and he discussed the increased taxation that would occur if the annexation were approved. Mr. Conley said the services the residents currently had were better than the services the City could provide. Mr. Conley said the County would lose needed revenues for the schools if the annexation took place. Mr. Conley encouraged all citizens in the proposed area to fight the forced annexation together. (A round of applause followed Mr. Conley's comments).
- Rod Whedbee of 502 South Church Street expressed appreciation to Senator Andrew Brock and Representative Fred Steen for their attendance at the Commission Meeting. Mr. Whedbee then asked the citizens in opposition to forced annexation to please stand; it appeared that the entire audience stood.

Chairman Chamberlain interjected and asked those in the audience that were in favor of forced annexation to please stand; no one stood.

Mr. Whedbee compared the current City Council's plans to involuntarily annex much of Rowan County to fascism. Mr. Whedbee said involuntary annexation that would raise taxes by over 100% would only add to the number of citizens in financial crisis. Mr. Whedbee said involuntary annexation would increase the chance of foreclosure to those that would have their tax rate increased. Mr. Whedbee said, "Having to go outside of the City and forcibly annex property just to keep the financial books in the black is a sign of poor fiscal stewardship" by the Salisbury City Council. (Applause from the audience). Mr. Whedbee said involuntary annexation was poor stewardship of vital resources and encouraged spending on programs that citizens neither want nor need. Mr. Whedbee said the County was in a drought and to involuntarily annex more property would

further strain the water system. Mr. Whedbee finished by quoting Mussolini (another round of applause followed).

Commissioner Sides noted that Representative Lorene Coates was also present and that she had stood in opposition to forced annexation. (A round of applause followed the recognition of Representative Coates).

- Ray Paradowski of 55 Nottingham Road in the Neel Estates subdivision echoed the comments of previous speakers. Mr. Paradowski expressed concern that no plans had been submitted to the citizens. Mr. Paradowski said he would like to see the legislative study committee complete its task and present a recommendation. Mr. Paradowski thanked the Board and the other elected representatives for their support in opposition to forced annexation. (A round of applause followed Mr. Paradowski's comments).

Chairman Chamberlain to a moment to recognize Patty Overcash, PTA President, who was in the audience.

- Harry Rivera of 180 Laurel Lane in the Summerfield subdivision spoke in opposition to forced annexation. Mr. Rivera said he was one of several Hispanic homeowners in the area. Mr. Rivera said his family had chosen to raise their children in Rowan County because "everything about it said home". Mr. Rivera said the City was trying to double taxes and make promises they could not keep and had not been able to keep in other areas. Mr. Rivera said the City was blatantly attempting to take money from the taxpayers of the west side. Mr. Rivera said he could see two (2) things happening, 1) the City was destroying a way of life that had been traditional way before he came to the County, and 2) the families that were settling in the County would not want to stay because of the double taxation. Mr. Rivera said the citizens were depending on the Commissioners to stop the action of the City. Mr. Rivera said he had served in the military and had been twice decorated. Mr. Rivera said he would still protect the US Flag and he asked the Board to protect its citizens. (A round of applause followed Mr. Rivera's comments).

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

### **3. PUBLIC HEARING TO CONSIDER INCREASE IN PLANNING BOARD MEMBERSHIP**

Chairman Chamberlain said the Board had scheduled a public hearing to consider increasing the membership of the Rowan County Planning Board from nine (9) members to an eleven (11)-member board. Chairman Chamberlain said the proposed ordinance text was in the agenda packets.

Chairman Chamberlain opened the public hearing to receive citizen input regarding an increase in the Planning Board membership from nine (9) members to an eleven (11)-member board.

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

Commissioner Sides moved to adopt the text amendment increasing the Planning Board membership from nine (9) members to eleven (11) members. The motion was seconded by Commissioner Hall and passed unanimously (4-0).

Chairman Chamberlain suggested the Commissioners appoint four (4) members to the Planning Board.

Commissioner Hall nominated John Linker and the nomination carried unanimously (4-0).

Commissioner Barber nominated Greg Edds and the nomination passed unanimously (4-0).

Commissioner Sides nominated Steve Russell and the nomination failed 1-3 with Commissioners Chamberlain, Hall and Barber dissenting.

Commissioner Hall nominated Mike Caskey and the nomination passed unanimously (4-0).

Chairman Chamberlain nominated Dr. Ann Furr and the nomination passed unanimously (4-0).

#### **4. UPDATE ON LEGISLATIVE COMMITTEE'S REVIEW OF FORCED ANNEXATION**

Chairman Chamberlain recognized Senator Andrew Brock, Representative Lorene Coates and Representative Fred Steen.

Representative Fred Steen, who was currently serving on the House Select Committee on Annexations, provided the Board with an update regarding the legislative committee's review of forced annexation.

Representative Steen said the Committee was charged with looking at the current annexation laws and making recommendations to the full House in May.

Representative Steen said the Committee was currently obtaining information concerning annexation in other states. Representative Steen said his research indicated that the state needed to change the 50-year law in North Carolina (applause). Representative Steen said the Committee had learned that 28 states out of 43 had annexation laws that required a vote of the people being annexed.

Representative Steen said prior to the law changing in 1959, North Carolina required an election for the municipal assimilation to occur if 15% of the area's voters requested it.

Representative Steen expressed concern that "we" are not allowing the affected people to be heard properly. Representative Steen said the right to voice and vote your opinion is a basic American principle.

Representative Steen said the people that live in the County should have a say on whether they want to be in the city or not. Representative Steen said he would propose a recommendation to the Committee for a voting mechanism for involuntary annexations by the proposed area residents as well as the current residents inside the municipality.

Representative Steen said when a municipality annexes, a cost of extending services must be included in the service plan. However, this only related to trunk lines and water mains. Representative Steen said his second recommendation would be to provide all services (water and sewer) to the property line and defer any municipal taxes until all services were in place.

Representative Steen said another recommendation would protect the current municipal citizens as well as the proposed area citizens. Representative Steen said it should be required by statute, that the Local Government Commission (LGC) has oversight over annexing towns and cities for verification that the annexing municipality had the financial means to accomplish the annexation on time. Representative Steen said the oversight process should be done prior to the annexation.

Representative Steen said the Commissioners could support its delegation, which was in agreement, to see a moratorium of some type until the Committee could make its final recommendation. Representative Steen also suggested that counties work with their municipalities to find common ground. Representative Steen said some states require cities and counties to work together concerning municipal growth and he asked why the counties could not work with all municipalities to find answers to areas to be annexed and place it on the county's land use plan.

Representative Steen announced that the House Select Committee on Annexations would be holding a public hearing on March 19, 2008 at 5:00 pm in Asheville at Ferguson Hall at Asheville Buncombe Tech. Representative Steen said for more information, citizens could contact 919-733-5146. Representative Steen said there would be another public hearing in April in Raleigh.

Commissioner Barber expressed appreciation to the local delegation for attending. Commissioner Barber praised Representative Steen for his courage in a debate for which he had constituents on both side of issue.

In response to a query from Commissioner Barber, Representative Steen confirmed that state law that governs annexations and allows municipalities to annex if they meet certain criteria.

Commissioner Barber asked Representative Steen if he felt the Committee would take its assignment seriously and make recommendations to the full legislature in a timely manner. Representative Steen said he was uncertain how many of his recommendations would be heard or passed. Representative Steen said the Chairman of the Committee wanted to have a recommendation by May, or early in the session, to be presented to the full House. Representative Steen said other Committee members he had talked with were committed to making significant changes. Representative Steen said there was much talk statewide about a moratorium until the Committee could make a final recommendation.

Commissioner Barber asked if there was a chance a moratorium would be enacted in the interim to give the Committee time to make its recommendations. Representative Steen said it would be an uphill battle regarding the changes and even to put a moratorium in place. Representative Steen said the “people in power who are upset with the current annexation laws do want to see some things change.”

Commissioner Barber asked how the local delegation would direct the Board and Representative Steen said by supporting the delegation.

Commissioner Sides expressed concern that the Committee was in the “information gathering” stages with two (2) public hearings scheduled regarding forced annexation. Commissioner Sides said forced annexation was a statewide issue. Commissioner Sides said up until the Board had requested that the local delegation attend the meeting, the Board had not had a lot of input on the issue. Commissioner Sides said he would like to request a local bill for a moratorium for Rowan County to stop forced annexation until such time as the Committee had completed its study on the matter. Commissioner Sides said whatever action the Board takes tonight would not prevent the City from submitting other applications or Resolutions of Intent for Annexation.

Commissioner Sides moved to ask the delegation to introduce a local bill for Rowan County for a moratorium on annexation in Rowan County until such time as the Committee had presented its findings and the legislature takes action. Chairman Chamberlain seconded and the motion passed unanimously (4-0). A huge round of applause followed the motion/vote.

Representative Steen said since all three (3) delegates were in agreement, the local bill should be eligible for the short session.

Representative Coates said the only annexation she supported was when the people asked for it. (Applause). Representative Coates said based on the people who had stood tonight, they were not in favor of forced annexation. Representative Coates said she and Representative Steen would introduce a local bill to put a moratorium on annexation in Rowan County as requested by the Board. Representative Coates said she would support the bill. Representative Coates said she was totally against forced annexation (applause) and that it was imperative that something be done at the state level (applause).

Senator Brock said before he was elected he had worked with a non-partisan group that organized many communities across North Carolina that were fighting against forced annexation. Senator Brock discussed an annexation case that had gone to the Court of Appeals in the US Supreme Court. Senator Brock said since he had been in office he had continually introduced more legislation to fight against forced annexation. Senator Brock finished by asking the Board to continue to support the local delegation (applause).

Commissioner Hall expressed appreciation to the delegation for pushing the local bill through.

Chairman Chamberlain recalled that on November 5, 2007, the Board had approved a Resolution Opposing Current State Law Allowing Forced Annexation. Chairman Chamberlain said the Board was 5-0 on the issue of forced annexation.

##### **5. DISCUSSION REGARDING PROPOSED ANNEXATION BY CITY OF SALISBURY ALONG HIGHWAY 150 CORRIDOR**

Commissioner Sides said a Resolution of Intent had been presented for the proposed annexation along the Highway 150 corridor and that public hearings had been set to receive public comment on the matter. Commissioner Sides said the “die has already been cast for a particular area in our County to be annexed” and it was not cast by a vote of the people.

Commissioner Sides said that while the Board was currently discussing the Highway 150 corridor, the Board was addressing a much larger issue. Commissioner Sides expressed concern with the City of Salisbury’s aggressive policy and timeline for the proposed annexation. Commissioner Sides also expressed concern with the fact that he felt the City had been quite in doing their work and not letting people know ahead of time what would be taking place. Commissioner Sides said when the Resolution of Intent had been presented to the Salisbury Post, the City had purposely left out the map that exposed the areas to be annexed. Commissioner Sides said, “I think if something is a good idea, you ought to be able to present that information to the people and convince them that it is a good idea.”

Commissioner Sides said there were a number of issues to be addressed in the forced annexation. Commissioner Sides said if annexed, the taxpayers would pay more than double in taxes because they were many services the County provided that the City did not contribute to. Commissioner Sides mentioned a few of those services, which included social services programs, health services, jail, animal shelter, etc. Commissioner Sides asked why the County would bother with a Land Use Plan when the City would control the land.

Chairman Chamberlain read from an email that he had forwarded to a newspaper reporter regarding the proposed annexation. Chairman Chamberlain's email addressed numerous points, including the monies the County would lose through the annexation and the fact that the City did not contribute revenues for the school system, libraries, etc. Chairman Chamberlain said the issue was about what was perceived as right or wrong and he felt that involuntary forced annexation was fundamentally wrong. A round of applause followed Chairman Chamberlain's comments.

Commissioner Barber said the Board had asked its delegation to pass a local bill on Rowan County's behalf and he felt working with the local delegation was the best option for the County. Commissioner Barber said there had been some one-on-one discussions between fellow Commissioners pertaining to slowing down the annexation process by seeking the advice of co-legal counsel. Commissioner Barber felt the Board was talking about three (3) issues: 1) annexation; 2) the precedent of Rowan County government getting involved in what would normally be private litigation; and 3) distribution of sales tax revenue. Commissioner Barber said while he did not think the system was fair to those being annexed, he did not think Rowan County should seek co-legal counsel on the issue. Commissioner Barber said the Board had approved a Resolution opposing forced annexation and that annexation statutes were under review by the Committee in Raleigh. Commissioner Barber felt the Board should allow the process to follow its due course. Secondly, Commissioner Barber felt Rowan County government might not have the legal standing needed to initiate legal action regarding the annexation. Commissioner Barber said legal action could set a dangerous precedent to have the County fight a legal battle over potential private grievances when no county-owned land was owned in the particular annexation. Commissioner Barber said thirdly, the distribution of sales tax revenues is handled by the State and if the County thought the distribution was unfair, the battle should be with the State. Commissioner Barber finished by saying he would like for the Board to continue to work closely with its local delegation.

Commissioner Hall felt the City of Salisbury was forcing people into a relationship of city laws, ordinances and taxation. Commissioner Hall said the Salisbury residents had not voted on the annexation plan, which would bring an almost assured tax hike. Commissioner Hall said the citizens in the Highway 150 corridor had not been provided with an opportunity to vote and in a democracy

there should be consent of the government before annexation and taxing. Commissioner Hall said the Highway 150 neighborhood sees double taxation with little to no benefit and therefore, the City would face a bitter fight if it continued on its path of forced annexation (applause).

Commissioner Sides described precedents as not bad or dangerous but rather the very foundation of the legal system (applause). Commissioner Sides felt that there were times when it was important to “be the guy that sets the precedent.” Commissioner Sides discussed the airport annexation as well as the future annexation of the Highway 70 corridor. Commissioner Sides said the citizens of Rowan County paid for the improvements along Highway 70 and those improvements should not be a means by which the city could charge. Commissioner Sides said the precedent being set by the City with its aggressive annexation process was dangerous and he felt the County should work through its local delegation to try and get the laws changed. Commissioner Sides said the County did not have time to wait until May or the short session for action.

Commissioner Sides moved that the Board, representing the entire population of Rowan County, hire an attorney to assist and advise the Board in the matter of stopping the Highway 150 annexation. Commissioner Sides said if the Board did not take this action, the County would lose hundreds of thousands of dollars in revenue starting July 1, 2008. Commissioner Sides said if the County was successful in delaying the annexation, the County would save the taxpayers money over the period of time they were not annexed (applause). Commissioner Sides repeated his motion, which was to hire an attorney to assist the County in the stoppage of the Highway 150 corridor annexation. The motion was seconded by Commissioner Hall and passed 3-1 with Commissioner Barber dissenting (applause).

Commissioner Sides said that it was important to note that due to the timeline the Board should proceed as swiftly as possible in the matter.

Chairman Chamberlain asked County Attorney Jay Dees as well as other Commissioners to bring recommendations to the Board at the next meeting.

Another round of applause followed the end of the discussion.

Chairman Chamberlain called for a short recess at 8:30 pm.

Chairman Chamberlain reconvened the meeting at 8:36 pm.

## **6. DISCUSSION REGARDING ROWAN EXPRESS ROUTE**

Senior Services Director Clyde Fahnestock and Phil Conrad of the Cabarrus-Rowan Metropolitan Planning Organization (MPO) were present to request approval to manage a new public transit service called Rowan Express.

Mr. Fahnestock said the public transit service would operate like a city bus route with the primary purpose of connecting the City of Salisbury transit to the City of Kannapolis Rider System. Mr. Fahnestock said if the Board approved the program, Rowan Transit System (RTS) would have the responsibility to manage the federal grant and provide the vehicles, which RTS currently had the capacity to do. Mr. Fahnestock said the source of funding is from the Congestion Mitigation and Air Quality Improvement Program (CMAQ). Mr. Fahnestock said Rowan Express would operate Monday-Friday beginning at 6am with a bus leaving from Salisbury and Kannapolis with two (2) round trips in the morning and two (2) round trips in the afternoon. Mr. Fahnestock explained the buses would pass each other at mid-point. Mr. Fahnestock said there would be sheltered bus stops created at several stops along the route.

Mr. Fahnestock said it would take a lot of promotion to put the systems together, but he felt the County had the partnership to put it together. Mr. Fahnestock said one of the reasons for recommending the project was that the municipalities had committed matching funds for the CMAQ grant. Mr. Fahnestock said RTS would not be requesting funds from the County.

Mr. Fahnestock said another reason for supporting the program was to help southern residents with mobile transportation options.

Mr. Fahnestock said the project would also improve air quality. Mr. Fahnestock said according to the MPO, the State and Federal formulas estimated Rowan Express as one of the best CMAQ projects for improving air quality due to the low cost of operating the service and reduction of the number of personal vehicles on the road. Mr. Fahnestock said the project would support a goal of the NC Department of Transportation (DOT) in regard to connectivity between communities.

Mr. Conrad said the program was one of approximately 30 projects being funded through the MPO. Mr. Conrad said Rowan County was eligible for CMAQ funds due to a non-attainment designation. Mr. Conrad said the funds would be an 80/20 split with \$120,000 in federal funds and \$30,000 split among the municipalities. Mr. Conrad said the County would serve as the lead administrator and would have the ability to stop the project if necessary. Mr. Conrad said the program was a test and after 3 years if a permanent funding source was not identified, the program would stop.

Commissioner Barber asked if the matching funds could be provided quickly to start the program if the Board were to approve the request. Mr. Conrad replied the funds would be budgeted for 2008-2009.

Commissioner Sides said this item was previously on an agenda in September and he had voted to have the item pulled. Commissioner Sides explained he had concerns at the time that had since been resolved.

Commissioner Sides moved to allow the MPO and Mr. Fahnestock to move forward with Rowan Express project. Commissioner Barber seconded and the motion passed unanimously (4-0).

## **7. DISCUSSION REGARDING PROPOSED RELOCATION OF RTS OFFICES**

This item was deleted from the agenda.

## **8. DISCUSSION REGARDING ROWAN-SALISBURY SCHOOLS CLASSROOM SUPPLY PROGRAM**

Interim County Manager Leslie Heidrick said she received information from Tara Trexler, Finance Director with Rowan-Salisbury Schools, regarding the Classroom Supply Program. Ms. Heidrick noted that Ms. Trexler was in the audience. The ending date for the program for FY 2008 ended January 11, 2008. Ms. Heidrick said the information in the packet indicates that 91% of teachers utilized the program, spending \$322,454.82. The principals were instructed to utilize the remaining funds (\$52,545.18) for items allowed in the program.

Chairman Chamberlain explained that the Classroom Supply Program was the idea of former County Commissioner Frank Tadlock. Chairman Chamberlain said the program was set up for teachers to use in their classrooms and he would like that to continue. Chairman Chamberlain said that last year the Board allowed the school system to use the remaining money instead of the teachers and that he was guilty of "dropping the ball" by allowing the school system to utilize the remaining funds.

Ms. Heidrick said Ms. Trexler provided the same type of information last year. Ms. Heidrick referred to the spreadsheet and pointed out the list for the intended use of the remaining monies. Ms. Heidrick said the Board did not request the money be returned to the County.

Chairman Chamberlain said the school system proceeded this year based on what was done last year. Chairman Chamberlain said he did not want to hurt the school system and would be willing to finish this year with the extra funds, but in no uncertain terms the money was to be used in the future by the teacher in the classroom or be returned to the County.

Commissioner Sides said he would move to leave the program as is, this year, and for it to revert back to the County next year.

Commissioner Barber said in the past the teachers were allocated \$250 but the amount had decreased to \$230 due to increased staffing. Commissioner Barber suggested if there were monies unspent next year that the Board consider reallocating the amount back to \$250.

Chairman Chamberlain said did not ever recall the amount being \$250 per teacher. Chairman Chamberlain said the County allocated a certain amount of money, which the school system divided by the number of teachers. Chairman Chamberlain said he would prefer to keep the allocation the same.

Commissioner Sides said he also preferred to leave the allocation the same.

Commissioner Sides moved that the schools be allowed to do what they have already done this year, but in future years the money would revert back to the County's General Fund. Commissioner Hall seconded the motion.

Commissioner Hall said when she worked for the school system there was a big incentive to make sure all of the funds were spent. Commissioner Hall said allowing the money to roll over to the school administration took away the incentive for the teachers to spend the money.

Upon being put to a vote the motion on the floor passed unanimously (4-0).

Chairman Chamberlain thanked Ms. Trexler for being in attendance.

#### **9. REVIEW OF INFORMATION PERTAINING TO SURPLUS PROPERTIES**

Chairman Chamberlain referred to the information in the agenda packets from County Tax Assessor, Jerry Rowland. Chairman Chamberlain asked if the Board would like to set a minimum asking price for the properties on Mooresville Road and Carolina Ave.

Commissioner Sides moved to set the minimum offer to the minimum base value range as stated by Mr. Rowland. Commissioner Hall seconded and the motion passed unanimously (4-0).

Commissioner Sides suggested the County advertise the properties.

Ken Deal, Director of Administration, said the information is posted on the Internet and he suggested placing an ad in the newspaper.

The Board instructed Mr. Deal to place an ad in the newspaper listing the property information.

#### **10. CONSIDER OFFER TO PURCHASE PROPERTY AT 1127 SOUTH MAIN STREET**

Chairman Chamberlain reported that the Board had received a second offer from Carlos Parra in the amount of \$70,000 for county-owned property located at 1127 South Main Street. Chairman Chamberlain also reported that the Board had received an offer via email in the amount of \$71,500 from another individual interested in the property.

Commissioner Sides moved to accept the offer of \$71,500 to begin the 10-day upset bid process. The motion was seconded by Commissioners Hall and Barber and passed unanimously.

#### **11. DISCUSSION REGARDING THE KEITH CORPORATION'S OPTION TO PURCHASE PROPERTY IN SUMMIT CORPORATE CENTER**

County Attorney Jay Dees referred to the notice the Board had received from The Keith Corporation (TKC) regarding the company's intent to purchase two (2) remaining tracts that were part of the original Option Agreement from 2004. Mr. Dees suggested the Board consider setting a public hearing to determine if the County wished to sell the property in question. Mr. Dees also said the expected closing deadline was February 29, 2008 and he asked the Board to consider extending that deadline. Mr. Dees finished by suggesting that the public hearing be scheduled for the second meeting in March.

Commissioner Sides moved to allow a 60-day extension from the 29<sup>th</sup> of February 2008, which would have been the normal closing date. Commissioner Sides then clarified the deadline for the extension as May 1, 2008. The motion was seconded by Chairman Chamberlain. Commissioner Sides commented that the outcome depended on the results of the public hearing.

Upon being put to a vote, the motion supporting May 1, 2008 as the deadline for the extension passed unanimously.

Commissioner Barber moved, Commissioner Sides seconded and the vote to set the public hearing for March 17, 2008 passed unanimously.

Mr. Dees said he would contact TKC to advise of the Board's actions.

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

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

- Sheriff's Department – To recognize checks from Wal-Mart to be used to purchase literature and promotional items to increase public awareness of Salisbury/Rowan Crimestoppers Program - \$ 3,000
- Social Services – DSS received Foster Care Visits funding from the state. A new standard is being established that foster care social workers must visit 90% of the children in foster care on a monthly basis. These funds are to be used for the retention and recruitment of foster care social workers. Rowan DSS is establishing a program that foster care social workers will receive a travel incentive bonus they have completed the required visits - \$17,566

Commissioner Sides moved to approve the budget amendments as presented. The motion was seconded by Commissioner Barber and passed unanimously.

**13. INTERIM COUNTY MANAGER’S MONTHLY ACTIVITY REPORT**

Interim County Manager Leslie Heidrick provided the Board with a monthly activity report. There were no questions from the Board members.

Commissioner Sides said the report was informative and valuable in that it provided concise information pertaining to actions across the County. Commissioner Sides credited former County Manager William Cowan for implementing the monthly report.

Chairman Chamberlain expressed appreciation to Ms. Heidrick for her leadership not only as Finance Director but also as Interim County Manager.

**14. ADJOURNMENT**

There being no further business to come before the Board, Commissioner Barber moved to adjourn at 9:05 pm. The motion was seconded by Commissioner Sides and passed unanimously.

Respectfully Submitted,

Carolyn Athey  
Clerk to the Board