

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

April 20, 2009 – 6:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Carl Ford, Chairman
Jon Barber, Vice-Chairman
Raymond Coltrain, Member
Tina Hall, Member
Chad Mitchell, Member

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

Chairman Ford convened the meeting at 6:00 pm.

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

CONSIDER APPROVAL OF THE MINUTES

Commissioner Coltrain referred to his comments on page 11 of the April 6, 2009 minutes. The excerpt from the minutes read: Commissioner Coltrain added that approximately 90% of farmland was rented and 10% of farmers owned the land they worked on.

Commissioner Coltrain clarified that his comments should read: "The farmers own only approximately 10% of the land that they are actually farming and they rent the other 90%".

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to approve the minutes of the April 6, 2009 Commission Meeting with the change passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

- Commissioner Mitchell moved to add a request to set two (2) public hearings as outlined in a memo from Robert Van Geons, Economic

Development Director. The motion was seconded by Commissioner Barber and passed unanimously.

Chairman Ford added the issue as agenda item #6a.

- Commissioner Mitchell moved to add a discussion on a recommendation from the Airport Advisory Committee. Commissioner Barber seconded and the motion carried unanimously.

Chairman Ford added the issue as agenda item #6b.

- Commissioner Mitchell moved to add a budget amendment as outlined in the handout that had been provided to the Board prior to the meeting. The motion was seconded by Commissioner Barber and passed unanimously.

Chairman Ford said the budget amendment would be added to agenda item #7 with the other budget amendments.

- Commissioner Mitchell moved to add an update regarding the Animal Control consolidation with the City of Salisbury. The motion was seconded by Commissioner Hall and passed unanimously.

Chairman Ford added the issue as agenda item #2a.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

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

1. CONSIDER APPROVAL OF CONSENT AGENDA

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

The Consent Agenda consisted of the following:

- A. Proclamation Designating May 10-16, 2009 as Law Enforcement Week

PROCLAMATION LAW ENFORCEMENT WEEK

WHEREAS, the Congress and President of the United States have designated May 10 through May 16, 2009 as LAW ENFORCEMENT WEEK; and

WHEREAS, the members of all the law enforcements agencies in Rowan County play an essential role in safeguarding the rights and freedoms of all our citizens; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement agencies; and

WHEREAS, members of our law enforcement agencies recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, law enforcement officers, past and present, have faithfully and loyally rendered a dedicated service to this County and have established for themselves an enviable and enduring reputation to preserving the rights and security of all citizens; and

THEREFORE BE IT PROCLAIMED that the Rowan County Board of Commissioners does hereby proclaim May 10-16, 2009 as **LAW ENFORCEMENT WEEK**.

NOW, THEREFORE BE IT FURTHER PROCLAIMED that the Rowan County Board of Commissioners calls upon all citizens of Rowan County to observe May 12, 2009 as **PEACE OFFICERS' MEMORIAL DAY** in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

B. Proclamation to Establish May as Shield A Badge With Prayer Awareness Month

PROCLAMATION
TO ESTABLISH MAY AS
SHIELD-A-BADGE WITH PRAYER AWARENESS MONTH

WHEREAS, the *Shield-A-Badge With Prayer* program works to affirm the commitment of Rowan County Law Enforcement Officers and encourages citizen awareness and appreciation for these officers; and

WHEREAS, the program invites citizens to commit to pray for an officer every day for one year and to send birthday cards and notes of thanks to these officers; and

WHEREAS, through the generosity of individuals, businesses and churches that have donated services and fundraisers, 10,000 Bibles, 2,000 Shield-A-Badge Bible Promise Books and 8,000 New Testaments have been purchased to be given away; and

WHEREAS, the *Shield-A-Badge With Prayer* program began in Rowan County, by Chaplain Michael Taylor and has begun to expand statewide, reaching out to other counties, municipalities, colleges, hospitals, correctional facilities, 911 communicators, probations officers and animal control officers; state highway patrol troopers; fire departments; and

WHEREAS, through the dedication and travels of Chaplain Taylor, counties from across the state are receiving encouragement and training for chaplains.

NOW, THEREFORE BE IT PROCLAIMED that the Rowan County Board of Commissioners does hereby establish the month of May as ***Shield-A-Badge With Prayer Awareness Month***.

C. Proclamation Designating May 17-23, 2009 as Emergency Medical Services Week

PROCLAMATION
EMERGENCY MEDICAL SERVICES WEEK
MAY 17-23, 2009

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services providers have traditionally served as the safety net of America's health care system; and

WHEREAS, emergency medical services teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, approximately two-thirds of all emergency medical services providers in the nation are volunteers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating **Emergency Medical Services Week**; and

WHEREAS, injury prevention and the appropriate use of the EMS system will help reduce national health care costs; and

NOW, THEREFORE BE IT RESOLVED that the Rowan County Board of Commissioners, in recognition of this event do hereby proclaim the week of May 17-23, 2009 as EMERGENCY MEDICAL SERVICES WEEK and encourage the community to observe this week with appropriate programs, ceremonies and activities.

- D. Set Public Hearing for May 18, 2009 for Unanimous Petition for Proposed Road Name of Highland Hills Trail
- E. Set Public Hearing for May 4, 2009 for Financing of Rowan Cabarrus Community College

2. PUBLIC COMMENT PERIOD

Chairman Ford opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. The following individuals came forward:

- Larry Wright, a Rowan County resident, said efforts to get annexation laws changed in North Carolina had been underway for approximately one (1)

year. Mr. Wright invited those interested in favor of property rights to attend a rally in Raleigh on May 6, 2009.

- Marie Howell, a resident of Neel Estates, thanked the Board for recognizing the injustice of annexation laws that put county residents under the jurisdiction of a city council without a vote of those residents. Ms. Howell also encouraged those in favor of property rights to attend the rally in Raleigh on May 6, 2009.

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

ADDITION

2A. ANIMAL CONTROL CONSOLIDATION WITH CITY OF SALISBURY

Commissioner Mitchell provided an update on discussions to consolidate Rowan County Animal Control and the City of Salisbury's Animal Control Department. Commissioner Mitchell emphasized that a decision had not yet been made and the consolidation could not occur without approval from both the County and City. Commissioner Mitchell said the County currently provided animal control services for the County and all of its municipalities, with the exception of the City of Salisbury. Commissioner Mitchell said it had been the choice of the City to provide its own animal control services and the City could stop providing those services at any time.

Commissioner Mitchell said the proposed agreement allowed the County to receive a paid position from the City for one (1) year; in year two (2) Rowan County would receive half of a paid position for \$30,000; in year three (3) Rowan County would receive \$15,000 towards the purchase of a new truck. Commissioner Mitchell said the proposal would lessen the blow that could potentially be immediate to the County, if the County and City did not enter into an agreement. Commissioner Mitchell said the City could back out at any time and the County would have to pick up the provision of those services. Commissioner Mitchell said County and City Staff had been working to develop the transition, which would ultimately be a county expense.

In response to a query from Chairman Ford, Commissioner Mitchell said the County would be obligated to provide animal control services to the City, as it did to the other municipalities. Commissioner Mitchell said the County currently housed the animals picked up by the City.

Commissioner Coltrain questioned the effective date for the changes and Commissioner Mitchell said the proposal was for July 1, 2009.

Commissioner Hall asked for an update on the issue of euthanasia and Commissioner Mitchell said the Board of Health (BOH) had discussed several items regarding animal euthanasia, with the first being a viewing policy. Commissioner Mitchell said the BOH had put a moratorium on all viewings of

euthanasia at the shelter until a committee could come back with a recommendation. Commissioner Mitchell said the BOH was trying to develop a policy that would:

1. Provide for the safety of employees
2. Allow euthanasia process to go as smoothly as possible.

Commissioner Mitchell said the BOH had also discussed the fact that young puppies and kittens would not be able to be euthanized with the current method. Commissioner Mitchell said training would occur in order to allow Animal Control Officers to become certified euthanasia technicians that would allow them to administer lethal injections to certain animals as opposed to carbon monoxide. Commissioner Mitchell said the training for administering lethal injections was not available and therefore the rule for lethal injections could not be effective yet. Commissioner Mitchell said euthanizing animals under the age of six (6) weeks, or euthanizing pregnant animals, would eventually be done by lethal injection.

3. CONSIDER APPROVAL OF RESOLUTION AWARDING CONTRACT TO PROVIDE AND INSTALL COURTROOM SEATING AND FURNITURE FOR ROWAN COUNTY DISTRICT COURTROOMS

Finance Director Leslie Heidrick reported that three (3) proposals had been received to provide and install courtroom seating and furniture for the two (2) new Rowan County District Courtrooms. The proposals were from Church Outlet, \$40,254; Church Interiors, \$49,000; and Kivett's, \$61,920.

Staff recommended awarding the contract to Church Outlet at a cost not to exceed \$40,254.

Commissioner Coltrain moved approval of the request as presented. The motion was seconded by Commissioner Mitchell.

Commissioner Mitchell asked when the project would be completed and County Manager Gary Page estimated 6 weeks. Mr. Page said delivery of the pews might take another 4 to 5 weeks.

Commissioner Mitchell asked if the front doors of the courthouse would open concurrently with the opening of the new facility on the third floor and Mr. Page responded yes.

Commissioner Mitchell questioned the status of the budget for the project and Ms. Heidrick said the project was within budget and Mr. Page said there was approximately \$100,000 unspent in contingency funds.

The vote to approve the Resolution awarding the Contract to Church Outlet passed unanimously.

The Resolution read as follows:

RESOLUTION AWARDING CONTRACT
TO PROVIDE AND INSTALL
COURTROOM SEATING AND FURNITURE FOR
ROWAN COUNTY DISTRICT COURTROOMS

WHEREAS, after due advertisement for request for proposals to provide and install courtroom seating and furniture for the two new Rowan County District Courtrooms, it is the recommendation of the Department of Administration and the Finance Department that the contract be awarded to Church Outlet, at a cost not to exceed \$40,254; and

WHEREAS, the Board of Commissioners is convened in a regular meeting;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Rowan County to award a contract to Church Outlet, to provide and install courtroom seating and furniture for two Rowan County District Courtrooms at a cost not to exceed \$40,254.

4. CONSIDER APPROVAL OF RESOLUTION TO AWARD BID FOR AUDITING SERVICES

Finance Director Leslie Heidrick said the Finance Department had received and evaluated proposals for auditing services. The Department distributed seven (7) Requests for Proposals (RFP) and received two (2) bids from certified public accounting firms. Several local CPA firms were contacted but declined to bid.

Ms. Heidrick said both Martin, Starnes & Associates, CPAs, P.A. and Potter & Company, P.A. met the RFP service requirements. Martin Starnes proposed the lowest annual service costs of \$40,000, \$41,200 and \$42,400 for fiscal years 2009, 2010 and 2011, respectively. For comparison purposes, Ms. Heidrick said Potter & Company had audited the County's books for the past twelve (12) years and charged a fee of \$41,500 for fiscal year ending June 30, 2008.

Ms. Heidrick praised the work of Potter & Company over the past twelve (12) years.

Staff recommended approval of the resolution awarding the contract to Martin Starnes & Associates for auditing services, at a first year cost not to exceed \$40,000.

Commissioner Coltrain moved, Commissioner Barber seconded and the vote to approve the resolution awarding the contract to Martin Starnes & Associates passed unanimously.

The Resolution read as follows:

RESOLUTION
AWARDING CONTRACT FOR AUDITING SERVICES

WHEREAS, after due advertisement for a request for bids for auditing services and analysis of the bids received, it is the recommendation of the Finance Department that the contract be awarded to Martin Starnes & Associates, CPAs, P.A., and

WHEREAS, the Board of Commissioners is convened in a regular meeting;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Rowan County to award a contract to Martin Starnes & Associates, CPAs, P.A. for auditing services, at a first year cost not to exceed \$40,000.

**5. UPDATE REGARDING NACO PRESCRIPTION DRUG CARD PROGRAM
AND UPDATE REGARDING EFFICIENCY SUGGESTION FORM ON WEBSITE**

Commissioner Barber updated the Board regarding the discount drug card program sponsored by the National Association of Counties (NACo) to help consumers with the high price of prescription drugs. Commissioner Barber said to date, the discount card had saved Rowan residents approximately \$254,682 since its inception in August 2007. Commissioner Barber reported the total number of times the cards had been used since August 2007 was 20,131.

Commissioner Barber said the County needed to create more awareness of the card during the difficult economic times. Commissioner Barber said he would like for the County Manager and the Director of Administration to ensure that the cards would be on display and offered to people at the upcoming United Way Layoff Food Fair.

Commissioner Barber referred to the mock advertisement in the agenda packet, and said after he made changes to the ad, he would like for staff to see if the Salisbury Post would place the ad in the newspaper at no charge. If not, Commissioner Barber said he would like for the Board to pay for an ad to be published in order to continue to create awareness of the discount card program. Commissioner Barber said the last time the cost for an ad was priced, it was approximately \$400.

Chairman Ford said he had been asked by a citizen if the card directed business to one national pharmacy chain. Commissioner Barber said the card was available to over 58 participating pharmacies within a 25 mile radius of Salisbury.

Chairman Ford said one local pharmacist had contacted him to complain about the card, saying that the card cost him \$1 each time someone showed the card.

Commissioner Hall said there appeared to be a drop in the total number of people utilizing the card from January through March of 2008 for the same timeframe of January through March of 2009. Commissioner Barber said the drop was one reason for the County to provide more exposure of the program.

Chairman Ford said a pharmacist had also said that if the card was used on some prescriptions, it actually cost citizens more than if the pharmacy rate was used. Chairman Ford said the pharmacist was explaining the price difference to the customers.

Commissioner Barber said the purpose for the new efficiency suggestion form on the County's website was to allow citizens a method for providing suggestions on operational improvements, productivity gains or other ways to make Rowan County more efficient. Commissioner Barber said information regarding the link was listed on Access 16.

Information Systems Director David Boling praised county employee John Shaver for creating the link. Mr. Boling explained that the link should only be used for suggestions to the Efficiency Committee. Mr. Boling then highlighted the process for submitting suggestions. Mr. Boling said the forms are sent to the County Manager and also to the Clerk to the Board. Mr. Boling said the Clerk to the Board would save the forms for future reference.

Commissioner Mitchell asked if the submissions were anonymous and Mr. Boling said no.

Commissioner Mitchell asked how long the link had been active and County Manager Gary Page said ten (10) days.

Commissioner Mitchell asked if any suggestions had been received and Mr. Page said three (3); however, only two (2) had actually provided suggestions.

Mr. Boling showed power point slides that were proposed for viewing on Access 16 and he also recommended showing the slides on Channel 22 in between the breaks in the Commission Meetings.

Chairman Ford agreed with Mr. Boling's suggestion to show the slides on Channel 22.

Commissioner Coltrain asked Mr. Page if he would copy the Commissioners via email on the replies for efficiency suggestions. Mr. Page said the Clerk was keeping the responses and that he would also be glad to provide the information to the Board.

6. CONSIDERATION OF OFFER TO PURCHASE PROPERTY LOCATED AT 6205 MOORESVILLE HIGHWAY

Chairman Ford said the County had received an offer in the amount of \$225,000 from Selwyn Scherer for the purchase of county-owned property identified as Tax Parcel 768-054, located at 6205 Mooresville Highway.

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to accept the offer from Mr. Scherer, obtain a 5% deposit and allow the Clerk to advertise for upset bids passed unanimously.

ADDITION

6a. Consider Request to Set (2) Public Hearings for Economic Development Projects

Robert Van Geons, Executive Director of the Economic Development Commission (EDC), asked the Board to consider scheduling two (2) public hearings for May 4, 2009 for two (2) projects that could bring over 320 new jobs to Rowan County. Mr. Van Geons said the projects were competitive with multiple states working to secure the investment and job creation.

Mr. Van Geons described the first project as "Project Waste" and said it would bring over 220 jobs and \$10 million of new investment to one of the County's municipalities.

The second project, known as "Project Stick" would create over 100 jobs paying an average wage exceeding \$50,000 per year and invest approximately \$20 million in buildings, equipment and development costs to expand an existing facility in Salisbury. The project would also retain 85 existing positions that would potentially be lost if the expansion were to be located at another North American facility.

Mr. Van Geons said both projects would not exceed the guidelines set forth in the Rowan County Investment Grant Program.

Commissioner Coltrain moved to set the public hearings for May 4, 2009. The motion was seconded by Commissioner Barber.

Commissioner Barber said the competition was fierce during the tough economic times and he thanked Mr. Van Geons and the EDC Board of Directors for the background work that had gone into the projects.

Commissioner Hall also expressed appreciation to Mr. Van Geons for his efforts to bring jobs to Rowan County. Commissioner Hall said the Board looked forward to seeing the projects become reality.

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

ADDITION

6b. CONSIDER RECOMMENDATIONS FROM AIRPORT ADVISORY BOARD

Commissioner Mitchell said at the recent Airport Advisory Board meeting, there was discussion regarding how to make the airport more profitable to the County. Commissioner Mitchell said one of the issues raised was the establishment of airport economic development zone. Commissioner Mitchell said discussions

with the City of Salisbury (City) had previously started but had possibly stopped at this point.

Commissioner Mitchell said the Airport Advisory Board recommended that the Commissioners consider establishing a committee to re-enter negotiations with the City, or allow staff to enter the negotiations. Commissioner Mitchell provided a handout and said the County had a combined tax rate that was higher than any local airport in the region. Commissioner Mitchell said people were not willing to pay the higher rate to locate their aircraft at the Rowan County Airport.

Commissioner Mitchell pointed out that if the tax rate was reduced, revenues would be less in the short term with the hope to recoup those revenues from new planes that would locate at the airport. Commissioner Mitchell said the County Manager had estimated it would take sixteen (16) planes to recoup the lost revenue if the tax rate were cut in half. Commissioner Mitchell also pointed out that increased fuel sales for new planes would help recoup lost revenues.

Commissioner Mitchell finished by saying the unanimous recommendation from the Airport Advisory Board included the County taking part of the tax revenues from the airport and put them into a fund for minor capital improvements, which would avoid waiting on the federal or state government for funds.

Chairman Ford asked if the Airport Advisory Board could discuss the issue with the City. Commissioner Mitchell responded that he felt it was within the Airport Advisory Board's ability to handle the task; however, he said the Airport Advisory Board was not scheduled to meet again until May. Commissioner Mitchell said the Airport Advisory Board would need to meet immediately in order to reach a resolution before July.

Commissioner Coltrain suggested allowing Commissioner Mitchell and County Manager Gary Page to take the lead with the City through the Airport Advisory Board to work out the scenario best for the County.

Chairman Ford said he would like for Commissioner Mitchell and Mr. Page to work through the Advisory Board.

Commissioner Mitchell said he and Mr. Page could develop a plan to present to the Airport Advisory Board at its May meeting, which would still leave time to get the information back to the Commissioners for the second meeting in June.

Commissioner Barber questioned the need to have the issue resolved by July 1, 2009 and Commissioner Mitchell responded the tax rate. Commissioner Mitchell explained that once the tax rate was set, the County was locked in to that rate for the year.

Commissioner Mitchell said if both the County and the City were to cut their tax rate to \$.41, it would equal a rate of \$.82 and be lower than other rates in the region, with the exception of Stanly and Lincoln counties. Commissioner Mitchell said the Airport Advisory Board would need to look at those counties to determine if Rowan needed to be competitive with them as well.

Commissioner Coltrain asked if City Manager Dave Treme was still in the audience. Doug Paris, Assistant to the City Manager, said the City would be glad to meet and discuss the issue within the County's time schedule. Mr. Paris said he thought the way to implement would be described as an incentive grant program. Mr. Paris said there could still be a way to implement after July 1, 2009 based on an incentive grant set up.

Commissioner Mitchell said he preferred a directive from the Board based on the amount of staff time that would be involved.

Commissioner Mitchell moved that he and the County Manager be allowed to negotiate with City staff in order to take an outlined plan back to the Airport Advisory Board for input. Chairman Ford seconded and said he agreed that Commissioner Mitchell and Mr. Page should work on the issue and take the information back to the Airport Advisory Board. The motion passed unanimously.

7. CONSIDER APPROVAL OF BUDGET AMENDMENTS

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

- Library – The State Library has informed Rowan Public Library that our state aid allocation will be decreased by \$4,197. Since State aid is used to buy library books, expenses are being decreased to cover the lost revenue - \$4,197
- Social Services – This amendment is to budget an increase in funds DSS was authorized to receive from the Division of Child Development for child care payments for low income families - \$60,000
- Finance (addition to the agenda) – To appropriate funds for the United Way Layoff Food Fair - \$3,850

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

Commissioner Barber discussed a recent discovery audit check from Freightliner in the amount of \$365,000, less the outside auditor's fee, for a total of approximately \$270,000.

Commissioner Barber moved that the money from the discovery audit (\$270,000) from Freightliner be used to pay for:

- United Way Layoff Food Fair (\$3,850)

- Avoid third furlough day for county employees (approximately \$130,000)
- Use remainder (approximately \$130,000) to further reduce the amount to be returned from Rowan-Salisbury Schools

The motion was seconded by Commissioner Coltrain.

Commissioner Hall discussed the current economic situation and said she felt the County should hold the \$270,000 in Fund Balance as a tool for the County Manager during budget preparation. Commissioner Hall said she could not support the motion at this time.

Commissioner Mitchell said while he would like to be able to reinstate the budget cuts the Board had made, it had been the Board's original intent to only reinstate items if the economy had turned around. Commissioner Mitchell said the \$270,000 was one-time funds and that he did not feel now was the time to reinstate cuts that had been made.

Chairman Ford said he felt Commissioner Barber did not intend the suggestion as a surprise but that he personally did not like surprises. Chairman Ford agreed with Commissioners Hall and Mitchell that the County should hold the discovery audit funds.

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

Commissioner Mitchell moved that those two (2) items go in the Fund Balance (funds from the Freightliner discovery audit and funds from agenda item #6, the sale of the surplus property located at 6205 Mooresville Highway). The motion was seconded by Commissioner Hall and passed unanimously.

8. COUNTY MANAGER'S MONTHLY ACTIVITY REPORT TO THE BOARD

County Manager Gary Page provided the Board with a monthly activity report in the agenda packets for the various activities and projects being implemented by staff. Mr. Page deferred to any questions the Board might have.

Commissioner Hall expressed appreciation to Mr. Page, as well as the Department Directors for the information contained in the report.

Chairman Ford called for a recess at 7:10 pm.

Chairman Ford reconvened the meeting at 7:20 pm.

9. COURTESY HEARING FOR LAND USE PLAN FOR THE TOWNSHIPS WEST OF I-85

Chairman Ford instructed everyone to remain courteous throughout the courtesy hearing for the Land Use Plan (LUP) and not to address one (1) particular individual or Board member, and to please limit comments to three (3) minutes.

Commissioner Coltrain shared comments from a meeting he had attended the previous week. The focus of the comments was about helping your neighbor and the fact that all are interconnected.

Chairman Ford opened the courtesy hearing to entertain citizen input regarding the proposed land use plan for the townships west of I-85. The following citizens came forward:

- Rod Whedbee of Salisbury asked the Board to vote no on both versions of the LUP.
- Jeff Morris, a member of the former LUP Steering Committee, said he was in favor of the Committee's plan but that no plan would be preferable.
- Gene Myers said if the Board had to adopt a plan, he favored the LUP from the Planning Board above that of the Steering Committee.
- Dale Wagstaff felt the County did not need a LUP.
- Larry Wright expressed hope that if a LUP was to be adopted, it would be that of the Planning Board.
- Jack Fisher of Long Ferry Road, co-founder of Rowan County Property Rights Authority, said any LUP would need to be changed over time and he asked the Board to remember property rights.
- Coite Jenkins said he did not want restrictions on his property.
- Susan Hoffner discussed farmland preservation and asked the Board to make it possible for farmers to continue farming.
- Barbara Earnhardt said she would prefer no LUP but if a plan were necessary she would prefer a plan that preserved farmland.
- Dennis Isaacson of Landis asked if the Board had the proper tools and staff to evaluate and enforce a LUP. Mr. Isaacson discussed a previous issue with the County's GIS system and said the County should ensure the GIS system was accurate before adopting any LUP.
- Jane Patterson, of Patterson Farms, asked the Board to consider the economic value of farming and to consider the LUP submitted by the Steering Committee in conjunction with the version submitted by the Planning Board.
- Carlyle Sherrill of Mount Ulla said he supported farmland preservation and that a LUP would be a good start towards a comprehensive plan.
- Edwin Hammill said he was not in favor of the revised LUP from the Planning Board.
- Terry Stevens voiced concerns with the lack of a vital LUP in the County. Mr. Stevens said he was in favor of less development and more preservation.
- Adele Goodman, a western Rowan resident, encouraged the Board to develop a balanced plan using the plans that had been submitted by both the Steering Committee and the Planning Board. Ms. Goodman supported farmland preservation.
- Irene Miller, representing Miller Farm, supported farmland preservation and expressed concern with the loss of farmland in North Carolina.

- Laura Hoffner discussed the importance of agriculture and farmland preservation.
- Darryl Corriher, a western Rowan resident, felt the Planning Board's LUP did not give guidance or encouragement to open land, while the Steering Committee's plan did. Mr. Corriher asked the Board not to make a decision now but to go back and review both plans.
- Henry Goodnight supported the LUP submitted by the Steering Committee and asked the Board to take more time to bring the two (2) plans together.

Chairman Ford called for a recess at 8:20 pm.

Chairman Ford reconvened the meeting at 8:30 pm.

- Kenneth LaCasse urged the Board to support the LUP submitted by the Steering Committee.
- James Rollans felt the Planning Board's LUP ignored environmental stewardship and emphasized growth. Mr. Rollans urged the Board to use the information in the study as a foundation for a balanced LUP.
- Marian Rollans encouraged the Board to vote against the Planning Board's version of the LUP.
- Joe Teeter, property owner in eastern Rowan, said a LUP was not just about farming and the real question was about who would control property in Rowan County.
- Earl Pruitt said he had a small farm in western Rowan and he asked the Board to remember property rights when considering a LUP.
- Larry Burns of western Rowan spoke in favor of property rights.
- Richard "Jimbo" Shaver thanked the Board for allowing him to serve on the LUP Steering Committee. Mr. Shaver said a LUP would be a guideline and he felt the Steering Committee's version would be good for the residents of western Rowan.
- Lora Owens of East Ridge Road said she felt the voice of agriculture was not being heard but more the voice of the pro-development side. Ms. Owens encouraged farmland preservation and urged the Board to not make a decision until a more farmer friendly version of the LUP could be developed.
- Dr. Ada Fisher said she would like to see amendments inserted into the LUP to ensure that land was being adequately used. Dr. Fisher discussed the unparalleled growth that was occurring and placed emphasis on the importance of preserving forests and farmland.
- Eric Pence, a farmer from the Scotch-Irish Township and a former Steering Committee member, supported preserving the rural character of the outlying land. Mr. Pence urged the Board to take its time in creating the right LUP for Rowan County.
- Chris Cohen, a resident of the western study area and also a former member of the Steering Committee, felt the LUP presented by the Steering Committee best represented the people in the study area. Mr.

Cohen said the Commissioners had time to complete the study and come up with a plan that represented all taxpayers of Rowan County

With no one else wishing to address the Board, Chairman Ford opened the floor for discussion amongst the Commissioners.

Commissioner Mitchell said he was one hundred percent in favor of preserving farmland; however, he felt it was up to property owners to determine how they wished to use their land. Commissioner Mitchell said economics was the key and allowed the people to make the decision. Commissioner Mitchell said he did not support any plan that took the control from the property owners (applause from audience). Commissioner Mitchell said the County had a Zoning Ordinance and that he did not want to encroach further into controlling property. Commissioner Mitchell said the LUP should have been implemented before zoning was put into place. Commissioner Mitchell said a LUP would put into place what the county envisioned for a particular area but not “handtie” an individual to do certain things with their land (applause from audience). Commissioner Mitchell said he supported voluntary protection of farmland, and other programs that allowed for voluntary preservation and conservation easements, as long as it was implemented by the property owner. Commissioner Mitchell said the Board had assigned the task of creating a LUP to the Steering Committee, who in turn submitted the plan to the Planning Board. Commissioner Mitchell said the Planning Board had reviewed the document and made recommendations to the Commissioners. Commissioner Mitchell said he did not support the plan submitted by the Steering Committee. Commissioner Mitchell said he never thought he would support a LUP; however, he mentioned a meeting regarding funding for the Rowan County Airport and the fact that a LUP was a requirement in order to receive federal and state money for the Rowan County Airport. Commissioner Mitchell said a LUP would change; he said the first step was for the County to get a plan “on the books” and it could be amended to add voluntary protections.

Commissioner Barber said his concern was one of process management. Commissioner Barber said the Board had directed the Steering Committee to listen to the voice of the citizens in developing a LUP, forward the plan to the Planning Board, who in turn would submit the plan to the Commissioners. Commissioner Barber said he had voted for the process and that his vote was his word. Commissioner Barber said the Board had agreed at the Planning Retreat to be prepared on March 2, 2009 to call for a special meeting in order to review the Planning Board’s recommendations. Commissioner Barber said the citizens deserved a voice and the Steering Committee’s plan was the voice and the process he had supported. Commissioner Barber felt it was in the best interest of the Board to take additional time in reviewing the LUP. Commissioner Barber shared everyone’s concerns for private property rights and said he did not feel land use planning took away those rights. Commissioner Barber said wise development patterns would make property worth more in future. Commissioner

Barber said the LUP developed by the Steering Committee recognized the value of farming as an economic enterprise for the County and the importance of the rural lifestyle and landscape to all citizens. Commissioner Barber said he had no desire to limit anyone's ability to make good and profitable use of their land and that he believed the only way to preserve what was good about the community was through good planning. Commissioner Barber said a compromised version of a LUP created by both the Steering Committee and the Planning Board could help accomplish that goal.

Commissioner Coltrain expressed hope that the Board would move forward with a LUP. Commissioner Coltrain said, "We must respect the different, individual perspectives and not try to impose our personal likes and dislikes on our fellow man." Commissioner Coltrain said he believed a LUP should be a vision of what the Board wanted the County to look like in the future and that the Zoning Ordinance would be a guideline to help achieve the vision. Commissioner Coltrain said the Steering Committee had identified good, long-term visions on what the landscape of Rowan County should look like in the future. Commissioner Coltrain said while the substance of both proposals was similar; there were some differences in the choice of wording for which he felt an agreement could be reached. Commissioner Coltrain discussed various sections and recommendations in the plan and said he did not see any potential detrimental effects from adopting the plan as recommended by the Steering Committee. Commissioner Coltrain said he could not support the plan as recommended by the Planning Board. Commissioner Coltrain said while he believed in having a plan, he did not feel it wise to adopt a plan "just to say we have one". Commissioner Coltrain felt it was the responsibility of the Board to finalize a LUP based on the recommendations from the Steering Committee and the Planning Board along with information received from the citizens. Commissioner Coltrain said if the loss of farmland continued at the current rate, there would not be a place in North Carolina to get locally produced food in 85 years. Commissioner Coltrain said if he were required to vote tonight, he would not support the plan submitted by the Planning Board (applause from audience).

Commissioner Hall discussed the County's previous attempts to create a LUP through the years. Commissioner Hall said the County had again started the process for creation of a LUP with the appointment of the Steering Committee. Commissioner Hall said once the Steering Committee finished with the LUP, it forwarded to the Planning Board for review. Commissioner Hall said the Planning Board had removed sections from the Steering Committee's plan that it felt should not be submitted to the Commissioners. Commissioner Hall said she viewed the Planning Board's recommendations as a continuation of what the Steering Committee had started. Commissioner Hall said while the LUP was not a perfect plan, she did view it as a start. Commissioner Hall said the document was a guide as to where development was likely to go and she described the LUP as a "companion piece" to zoning. Commissioner Hall felt farmland preservation was important and she said perhaps the Board could appoint a

committee to provide additional plans. Commissioner Hall said the County was starting with a basic plan and would have the option to amend the plan. Commissioner Hall said in the meantime, she would like to possibly get a committee to work on farmland preservation.

Chairman Ford said one year ago, he had been against any type of LUP and that he had since learned the Division of Aviation wanted the County to provide a LUP in order for the County to obtain federal and state money for the airport, railway, highway, etc. Chairman Ford discussed the fact that the Planning Board's version of the LUP had been approved by a one-vote decision, which he said was due to some members voting against any type of LUP. Chairman Ford said the Board could not look past individual property rights. Chairman Ford said he supported voluntary farmland preservation and that he did not want to further intrude into the rights of property owners. Chairman Ford said he understood the farmers and farmland preservation; he said he did not want his food or clothes coming from China and that he appreciated the farmers. Chairman Ford said he thought the County needed a LUP that incorporated transportation and infrastructure.

Chairman Ford moved to accept the Planning Board's version of the Land Use Plan. The motion was seconded by Commissioner Hall and passed 3-2 with Commissioners Barber and Coltrain dissenting.

10. ADJOURNMENT

There being no further business to come before the Board, Commissioner Barber moved to adjourn at 9:50 pm. The motion was seconded by Commissioner Coltrain and passed unanimously.

Respectfully Submitted,

Carolyn Athey
Clerk to the Board