

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

August 3, 2009 – 4:00 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 4:00 pm.

Chairman Ford provided the Invocation and also led the Pledge of Allegiance.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to approve the minutes of the Commission Meetings for March 30, 2009, May 11, 2009, May 27, 2009, June 29, 2009, July 6, 2009 and July 20, 2009 passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

Commissioner Coltrain said the County had received an offer in the amount of \$225,000 for county-owned property located at 6205 Mooresville Highway. Commissioner Coltrain moved to add the offer to the Consent Agenda. The motion was seconded by Commissioner Barber and passed unanimously.

Chairman Ford added the issue to the Consent Agenda as item N.

CONSIDER DELETIONS FROM THE AGENDA

Commissioner Hall requested that Consent Agenda items E, F and J be removed for discussion.

Chairman Ford placed the items on the agenda for discussion as follows:

- Consent Agenda item E (Consider Approval of Resolution Supporting One-Quarter Cent County Sales Tax Referendum) moved to agenda item #5a.
- Consent Agenda item F (Approval of Agreement with Moseley Architects for Design and Construction of New Jail Annex) moved to agenda item #4a.
- Consent Agenda item J (Approval of Resolution Awarding Contract for Purchase of Two Ambulances for Emergency Services) moved to agenda item #5b.

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

The Consent Agenda consisted of the following:

- A. Set Quasi-Judicial Hearing for CUP 01-09 for Albert Ray Kepley on August 17, 2009
- B. Set Public Hearing for August 17, 2009 for Proposed Road Name of Wisconsin Drive
- C. Set Public Hearing for August 17, 2009 for Proposed Road Name of Foggy Hollow Road
- D. Approval of Proclamation Honoring Dr. Catreliia Hunter
- E. Consider Approval of Resolution Supporting One-Quarter Cent County Sales Tax Referendum (moved to agenda item #5a)
- F. Approval of Agreement With Moseley Architects for Design and Construction of New Jail Annex (moved to agenda item #4a)
- G. Approval of Agreement With HDR Engineering, Inc. for Rowan County Landfill Engineering Services
- H. Approval to Purchase Integrated Land Records System for Register of Deeds Office
- I. Approval of Resolution Awarding Contract for Purchase of Landfill Compactor for Environmental Management

RESOLUTION AWARDING CONTRACT
FOR THE PURCHASE OF A LANDFILL COMPACTOR
FOR THE ROWAN COUNTY
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

WHEREAS, after due advertisement for the waiver of competitive bidding for the purchase of a landfill compactor for the Rowan County Department of Environmental Management, it is the recommendation of the Department of Environmental Management and the Finance Department that the contract be awarded to Road Machinery Services, Inc.;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Rowan County to award a contract for the purchase of a landfill compactor for the Rowan County Department of Environmental Management from Road Machinery Services, Inc. at a total cost, including trade-ins, not to exceed \$497,898.

- J. Approval of Resolution Awarding Contract for Purchase of Two Ambulances for Emergency Services (moved to agenda item #5b)
- K. Approval of Resolution Awarding Contract for Purchase of Electronic Document Management System for Department of Social Services

RESOLUTION AWARDING CONTRACT
FOR THE PURCHASE AND IMPLEMENTATION
OF AN ELECTRONIC DOCUMENT MANAGEMENT SYSTEM
FOR THE ROWAN COUNTY
DEPARTMENT OF SOCIAL SERVICES

WHEREAS, after due advertisement for the waiver of competitive bidding for the purchase and implementation of an Electronic Document Management System for the Rowan County Department of Social Services, it is the recommendation of the Department of Social Services and the Finance Department that the contract be awarded to Northwoods Consulting Partners;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Rowan County to award a contract for the purchase and implementation of an Electronic Document Management System for the Rowan County Department of Social Services from Northwoods Consulting Partners at a total cost not to exceed \$456,670.

- L. Approval to Award Service Sidearm to Retiring Sheriff's Lieutenant Register Bost
- M. Approval to Award Service Sidearm to Retiring Sheriff's Chief Deputy Steve Schenk
- N. Consider Offer to Purchase Property Located at 6205 Mooresville Highway (addition to the agenda)

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:

- Will Pleasants showed the hat worn by members of the American Legion and the hat worn by veterans of foreign wars. Mr. Pleasants said the hats were earned and not arbitrarily given. Mr. Pleasants said he was speaking on behalf of veterans and he expressed concern with various problems and needs faced by veterans in Rowan County.
- Rod Whedbee said many citizens were disenfranchised with the political process and leaders that were supposed to represent them. Mr. Whedbee said it seemed the Board was dedicated to a spend and tax strategy. Mr. Whedbee said the Board could not continue to raise taxes and increase government regulations in hopes that it would stimulate the economy.
- Bill Wallin showed the Board a hat and said he was a lifetime member of Vietnam Veterans of America. Mr. Wallin asked the Board to form a Rowan County Veterans Advisory Board. Mr. Wallin said there was a backlog in the VA system to provide veterans with benefits they had earned. Mr. Wallin encouraged the Board to do all it could at the local level to ensure that claims for veterans were being filed in a timely manner.

- Rodney Cress said the veterans in Rowan County were not receiving the services they deserved. Mr. Cress expressed appreciation for the County's budget increase for the Veterans Services Office. Mr. Cress asked the Board to establish a Veterans Advisory Board.
- Larry Wright said the Board would be discussing whether to delay the revaluation of property values and that he felt the revaluation should take place as scheduled. Mr. Wright said the Board would also discuss selection of a chair for the ABC Board and that he felt new leadership was needed on the ABC Board.
- John Burke encouraged the Commissioners to appoint Linda Lowman as Chair of the ABC Board.

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

3. PUBLIC HEARING FOR FY 2010 RURAL OPERATING ASSISTANCE PROGRAM

Senior Services Director Clyde Fahnestock and Department of Social Services Director Sandra Wilkes reviewed the Rural Operating Assistance Program (ROAP), which consolidated three (3) different transportation programs into a single application.

The Rowan Transit System (RTS) Advisory Committee had made the following recommendations:

1. Apply for \$124,492 in Elderly & Disabled Transportation Assistance Program (EDTAP) funds. No matching funds are required. The following sub-allocations were recommended for Human Service Agencies:

Senior Services	\$37,616	Therapeutic Recreation	\$8,783
Vo. Opportunities	\$40,840	Piedmont Behavioral	\$3,925

2. Apply for \$158,491 in Rural General Public (RGP), which requires a match of \$15,994, or 10%.

3. Apply for \$33,894 in the Employment Transportation. No match required.

Chairman Ford opened the public hearing to receive citizen input regarding the ROAP application. With no one wishing to address the Board, Chairman Ford closed the public hearing.

Commissioner Mitchell moved to authorize the Chairman to execute the NCDOT Grant Certification Statement containing the standard assurances that Rowan County would use the ROAP funding in a manner consistent with applicable federal and state legislature. Commissioner Barber seconded and the motion passed unanimously.

4. PRESENTATION OF COMMUNITY STEWARDSHIP REPORT FOR LUTHERAN SERVICES FOR THE AGING

Mary Ann Johnson, Director of Church and Community Relations for Lutheran Services for the Aging (LSA) introduced the agency's Chief Operating Officer, Debbie Mathis.

Ms. Mathis highlighted the 2008-09 Community Stewardship Report for LSA. Ms. Mathis described stewardship as taking care of what belongs to someone else and she said for LSA it meant being entrusted with the care of elders in North Carolina.

The Board members praised LSA for its work in the community and for providing services to enhance the quality of life for Rowan County's citizens.

4a. Approval of Agreement with Moseley Architects for Design and Construction of New Jail Annex (pulled from Consent Agenda, item F)

County Manager Gary Page said that several firms had been interviewed to assist with the design and construction of a new jail annex.

Mr. Page explained that the County currently had a contract with Sampson County to house up to forty (40) of Rowan County's prisoners. Mr. Page said the proposed jail annex would house 160 prisoners in a dormitory style facility. Mr. Page said he and Finance Staff had discussed financing the first phase of the project for a period of ten (10) years. Mr. Page said the new facility would alleviate sending the inmates to Sampson County.

Mr. Page said Moseley Architects felt the County could meet the first phase needs and handle 160 prisoners at an estimated cost of \$5.8 million.

Chairman Ford called Sheriff Wilhelm forward. Sheriff Wilhelm discussed the inmate population, which he said at times exceeded 300 inmates. Sheriff Wilhelm said when the new pod opened in September, the Detention Center would house 210 inmates and it appeared that another 100 beds would already be needed when the new pod was completed. Sheriff Wilhelm said the County was currently paying someone to house its prisoners and if the new jail annex were to be large enough, the County could house them.

Mr. Page said the cheapest option was to continue renting space; however, the option was not a long-term solution. Mr. Page said the County would eventually be pushed out of Sampson County with no place to house the inmates.

Commissioner Barber moved approval of the agreement with Moseley Architects. The motion was seconded by Commissioner Coltrain and passed unanimously.

5. DISCUSSION REGARDING REVALUATION SCHEDULE

Commissioner Barber, Tax Administrator Jerry Rowland and Real and Personal Property Manager Barbara McGuire discussed the revaluation schedule.

Commissioner Barber referred to the January 5, 2009 Commission Meeting when discussions took place regarding revaluation. Commissioner Barber said the Board had decided to see if there was enough time to look at current sales data to determine if a possible delay in the revaluation schedule was necessary. Commissioner Barber said Mr. Rowland had stated that he had never been a proponent for delaying revaluation.

Mr. Rowland said his Staff spent time reviewing sales, values and what the markets were doing locally. Mr. Rowland said his office was charged with determining full market value and not with looking at sales data that was not representative of the real market.

Ms. McGuire referenced the North Carolina General Statutes regarding uniform appraisal standards. Ms. McGuire said for the first six (6) months of 2009, there had only been 250 "good" sales to consider, when in a normal revaluation year, there are 3,000 to 3,500 sales.

Ms. McGuire said the Tax Administrator's Office was asking the Board to delay the revaluation to let the economy stabilize.

Discussion ensued regarding the revaluation process with Mr. Rowland and Ms. McGuire answering questions from Commissioners pertaining to the sales data available, the legality of proceeding with the revaluation and the potential for an increased number of appeals.

Commissioner Mitchell moved to keep the revaluation schedule as is. The motion was seconded by Commissioner Hall and carried 3-2 with Commissioners Coltrain and Barber dissenting.

Chairman Ford called for a recess at 5:52 pm.

Chairman Ford reconvened the meeting at 6:04 pm.

5a. Consider Approval of Resolution Supporting One-Quarter Cent County Sales Tax Referendum (moved from Consent Agenda, item E)

County Manager Gary Page said the Board heard presentations at its 2009 annual planning retreat regarding the need for new emergency radio equipment and a new jail annex.

Mr. Page said the question had been raised as to how the County would pay \$18 million for these two (2) projects. Mr. Page said the options were to raise taxes by 2 cents or cut government. Mr. Page explained that schools take a huge portion of the budget; 1/3 of the budget was mandated services and 1/3 of the

budget local services. Mr. Page continued by saying the legislature allowed governments to levy a sales tax, which was voter approved and did not put the burden on the property owners.

Mr. Page said the County had no choice but to upgrade the radio equipment due to a federal mandate and he also discussed the need for the new jail annex.

Mr. Page said with approval of the proposed Resolution to support the one-quarter cent sales tax, the Board of Elections would place the issue on the ballot in November providing citizens with the opportunity to vote on the sales tax.

After a brief discussion, Commissioner Barber moved, Commissioner Coltrain seconded and the vote to approve the Resolution passed unanimously.

The Resolution read as follows:

RESOLUTION
SUPPORTING ONE-QUARTER CENT (1/4¢)
COUNTY SALES TAX REFERENDUM

WHEREAS, The General Assembly has authorized County Boards of Commissioners across the State of North Carolina to levy a one-quarter percent (.25%) county sales and use tax under the Current Operations and Capital Improvements Appropriations Act of 2007; and

WHEREAS, the Board is faced with the responsibility of financing the construction of additional jail facilities, the replacement of emergency communication radios and construction of communication antennae; and

WHEREAS, capital improvements related to the jail facilities, communications equipment and three (3) new antennae have a direct effect on Rowan County's future safety; and

WHEREAS, the Board wishes to avoid placing an additional burden on property tax payers for these additional capital needs; and

WHEREAS, projected revenue generated by the ¼-cent sales tax over the next ten (10) years could fund the identified capital and equipment needs; and

WHEREAS, the Rowan County Board of Commissioners does hereby direct the Rowan County Board of Elections to conduct an advisory referendum on the question of whether to levy the One-Quarter Cent (1/4¢) County Sales Tax in Rowan County on the 3rd day of November 2009.

NOW, THEREFORE BE IT RESOLVED by the Rowan County Board of Commissioners that this Resolution is effective upon its adoption.

5b. Approval of Resolution Awarding Contract for Purchase of Two Ambulances for Emergency Services (moved from Consent Agenda item J)

County Manager Gary Page discussed the request for the purchase of two (2) 2008 ambulances for the Rowan County Emergency Services Department. Based on North Carolina General Statutes, the County can piggyback off a contract that had been awarded within the past twelve (12) months if the County would receive the same or a better price. Mr. Page said the County could

purchase the ambulances now at the same price paid in May as opposed to waiting until next spring. The ambulances would replace two (2) Ford units that had major problems.

Commissioner Hall asked if the County should put additional miles on the existing ambulances before trading them. Mr. Page said the County had a policy regarding mileage for trade-ins and that one (1) ambulance had 155,000 miles while the other had 123,000. Mr. Page said the delay might cause the County to have to pay for additional repairs.

In response to a query from Chairman Ford, Emergency Services Director Frank Thomason said he had been working with County Attorney Jay Dees on a class action lawsuit regarding the Ford units.

Commissioner Coltrain mentioned the high repair costs and savings on future purchases. Commissioner Coltrain then moved to approve the purchase of two (2) ambulances this year. The motion was seconded by Commissioner Barber and passed unanimously.

The Resolution awarding the contract for the purchase of the ambulances read as follows:

RESOLUTION AWARDING CONTRACT
FOR THE PURCHASE OF TWO AMBULANCES
FOR THE ROWAN COUNTY
EMERGENCY SERVICES DEPARTMENT

WHEREAS, after due advertisement for the waiver of competitive bidding for the purchase of two ambulances for the Rowan County Emergency Services Department, it is the recommendation of the Emergency Services Department and the Finance Department that the contract be awarded to Northwestern Emergency Vehicles;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Rowan County to award a contract for the purchase of two 2008 Dodge ambulances for the Rowan County Emergency Services Department from Northwestern Emergency Vehicles at a total cost, including trade-ins, not to exceed \$233,600.

6. CONSIDER SELECTION OF VOTING DELEGATE FOR NCACC ANNUAL CONFERENCE

County Manager Gary Page said the Board was asked to select a voting delegate to represent the Board during the North Carolina Association of County Commissioners (NCACC) annual conference. Mr. Page said he did not yet have an agenda to advise what issues would be considered.

Commissioner Coltrain said he planned to attend the conference and would attend the business session on Saturday afternoon if there were issues of significance on the agenda.

Commissioner Hall asked if annexation would be discussed and Mr. Page said it was possible. Mr. Page said once the agenda was received, it would be shared with the Board.

Commissioner Hall expressed hope that the County would take a strong stand against annexation.

Commissioner Mitchell moved that Commissioner Coltrain be selected as the County's voting delegate. The motion was seconded by Commissioner Hall and passed unanimously.

7. DISCUSSION REGARDING SEPTEMBER MEETING SCHEDULE

Chairman Ford said the first regularly scheduled Commission Meeting in September fell on the Labor Day holiday. Chairman Ford suggested that the Board reschedule the meeting for the following day, which would be Tuesday, September 8, 2009.

Commissioner Barber moved, Commissioner Mitchell seconded and the vote to reschedule the September 7, 2009 Commission Meeting to September 8, 2009 at 4:00 pm passed unanimously.

8. CONSIDER APPROVAL OF BUDGET AMENDMENTS

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

- Emergency Services – Budget restricted funds through United Way donation by citizen for EMS equipment/services - \$78
- Finance – To budget revenues and expenditures required to assume Animal Control Officer position from the City of Salisbury during FY 2009-10 - \$60,000
- Health – To reduce amount budgeted for FY 2009-10 for the Susan B. Komen Grant - \$9,000
- Health – Health Link increase - \$12,000
- Health – Increase for WIC Dept. for caseload - \$52,360
- Sheriff – Recognize Check from Carolina Masters Cycling - \$2,000
- Social Services – To increase expenditure and revenue line items for the administrative funds for Low Income Energy Assistance and Crisis Intervention - \$34,421
- Finance – To revise budget to record indirect Cost allocation for Risk Management as an expenditure instead of a transfer - \$28,600
- Finance – To budget in FY 2010 items or services that were encumbered in the prior year but not received - \$318,132

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

9. SELECTION OF ABC BOARD CHAIR

Commissioner Hall said as the liaison to the ABC Board, she felt there was a need for change in the leadership on the ABC Board. Commissioner Hall said the Commissioners had recently experienced obstruction from the ABC Board and that there had also been questions regarding the ABC Board's profit distributions to the County.

Commissioner Hall nominated Linda Lowman as Chair of the ABC Board.

Commissioner Coltrain said reports recently provided to the Commissioners demonstrated that policies implemented by the ABC Board were moving forward in a positive manner. Commissioner Coltrain felt the ABC Board was on the right track and he nominated Marny Hendrick as Chair of the ABC Board.

Upon being put to a vote, the nomination for Linda Lowman as Chair of the ABC Board passed 4-1 with Commissioner Coltrain dissenting.

10. CONSIDER APPROVAL OF BOARD APPOINTMENTS

INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCE AUTHORITY

The term for Don Clement, III ended July 31, 2009. Mr. Clement did not wish to be reappointed leaving three (3) vacancies on the Authority.

Richard Warlick submitted an application. If approved the term would be for six (6) years beginning August 1, 2009 and expiring July 31, 2015.

Commissioner Mitchell nominated Richard Warlick and the nomination passed unanimously.

TOURISM DEVELOPMENT AUTHORITY

The Board voted on July 6, 2009 to postpone the appointment of the hotel representative as it was believed that the applicant David Redden was not a Rowan County resident. At this time, Mr. Redden's application has been the only one received. If approved the term would be for two (2) years beginning July 1, 2009 and expiring June 30, 2011.

Chairman Ford stated that the applicant was not a Rowan County citizen and that the Resolution regarding the board appointment process stated that any Rowan County citizen may serve on a board. Chairman Ford said he could not support the applicant since he was not a Rowan County resident.

Commissioner Mitchell moved to delay the nomination to the TDA. The motion was seconded by Commissioner Barber and passed unanimously.

JUVENILE CRIME PREVENTION COUNCIL

Esther Armstrong submitted an application to be considered as an At-Large member. The term would be for two (2) years beginning July 1, 2009 and expiring June 30, 2011.

Commissioner Mitchell nominated Ester Armstrong and the nomination passed unanimously.

Chairman Ford reviewed the following vacancies, all of which had been advertised at least twice since May:

- Adult Care Home Advisory Committee - 1 vacancy
- Juvenile Crime Prevention Council - 4 vacancies (two (2) At Large Positions, Juvenile Defense Attorney, Faith Community Member)
- Region F Aging Advisory Committee - 1 vacancy (Alternate position)
- Historic Landmarks Commission - 1 vacancy
- Nursing Home Advisory Committee - 4 vacancies
- Zoning Board of Adjustment - 1 vacancy

Commissioner Mitchell suggested that a description of what each board does be listed at the end of each Commission Meeting on the screen behind the Board.

11. ADJOURNMENT

There being no further business to come before the Board, Commissioner Mitchell moved to adjourn at 6:37 pm. The motion was seconded by Commissioner Barber and passed unanimously.

Respectfully Submitted,

Carolyn Athey, CMC
Clerk to the Board