

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

**September 21, 2009 – 7:00 PM**

**J. NEWTON COHEN, SR. ROOM**

**J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING**  
.....

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 7:00 pm.

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

**CONSIDER APPROVAL OF THE MINUTES**

Commissioner Mitchell moved, Commissioner Barber seconded and the vote to approve the minutes of the September 8, 2009 Commission Meeting passed unanimously.

**CONSIDER ADDITIONS TO THE AGENDA**

There were no additions to the agenda.

**CONSIDER DELETIONS FROM THE AGENDA**

There were no deletions from the agenda.

**CONSIDER APPROVAL OF THE AGENDA**

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

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

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

The Consent Agenda consisted of the following:

- A. Set Quasi-Judicial Hearing for CUP 03-09 for October 5, 2009
- B. Approval of Resolution Authorizing Sale of Surplus Property

Resolution Authorizing Sale of Surplus Property by Public Auction

Whereas, G.S. 160-270(b) allows the Board of Commissioners to sell personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the property at public auction;

Whereas, the County Manager has recommended that the property listed on the attached Exhibit A should be sold at public auction as surplus property and that authority be given to the Director of Administration to be allowed to sign vehicle titles, on the County's behalf, on the day of the auction; now therefore,

Be it resolved, by the Rowan County Board of Commissioners that the County Manager or his designee is authorized to sell by public auction in October 2009 the surplus property described on Exhibit A in accordance with G.S 160A-270(b) and that authority be given to the Director of Administration to sign vehicle titles, on the County's behalf, on the day of the auction. The County Manager or his designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

- C. Approval for Rowan County Health Department to Accept Funds from the North Carolina H1N1 Aid to County Grant Program
- D. Approval to Add Silk & Tassel Row, Calico Farm Court and Hard Scrabble Court to the State's Secondary Road System for Maintenance
- E. Approval of Funding Revisions for Juvenile Crime Prevention Council for FY 2009-10
- F. Approval of Proclamation for Fire Prevention Week

PROCLAMATION  
FIRE PREVENTION WEEK  
OCTOBER 4-10, 2009

WHEREAS, Rowan County is committed to ensuring the safety and security of all those living in and visiting Rowan County; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, roughly 3,000 people die as a result of home fires and burns and more than 200,000 individuals are seen in the nation's emergency rooms for burn injuries; and

WHEREAS, thermal burns outnumber scalds nearly two-to-one, but for children ages five and under, scalds outnumber burns roughly two-to-one; and

WHEREAS, cooking is the leading cause of home fires and home fire injuries, while heating equipment and smoking are the leading causes of home fire deaths; and

WHEREAS, Rowan County's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Rowan's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, the 2009 Fire Prevention Week theme, "Stay Fire Smart! Don't Get Burned" effectively serves to remind us all of the simple actions we can take to stay safer from fire year round during Fire Prevention Week.

NOW, THEREFORE BE IT RESOLVED that the Rowan County Board of Commissioners, do hereby proclaim October 4-10, 2009 as Fire Prevention Week throughout Rowan County, and urges all citizens to protect their homes and families by heeding the important safety messages of Fire Prevention Week 2009, and to support the many public safety activities and efforts of Rowan's fire and emergency services.

## **2. PUBLIC COMMENT PERIOD**

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

- Jim Sides referred to the September 8, 2009 Commission Meeting and the comments he felt had been made in an unprofessional manner by a local businessman. Mr. Sides said the comments had been aimed to discredit Commissioner Hall while he personally felt she had been doing her job and representing the interests of the County's taxpayers. Mr. Sides concluded by encouraging the Board to keep issues public.

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

## **3. RECOGNITION OF ROWAN COUNTY AMERICAN LEGION TEAM**

Chairman Ford read a Proclamation honoring the Rowan County American Legion Team for its outstanding 2009 baseball season and for its amazing rank of third in the nation at the American Legion World Series.

Chairman Ford called Team Manager Bob Lowman and members of the baseball team forward to present the Proclamation. A round of applause and a standing ovation followed the recognition.

The Proclamation read as follows:

PROCLAMATION  
HONORING THE 2009  
ROWAN COUNTY AMERICAN LEGION BASEBALL TEAM

WHEREAS, the Rowan County American Legion Baseball Team, under Coach Jim Gantt and Staff, is to be recognized and honored for their outstanding 2009 baseball season; and

WHEREAS, by their extraordinary efforts, this dynamic team won Area 3 and progressed to achieving the State Championship, winning the Southeast Regional Tournament and ending the season with an amazing rank of third in the nation at the American Legion World Series; and

WHEREAS, the individual efforts of all team members was crucial to the successful season, and the commitment and excellent performance of these young men, along with their coaching staff, have proven to be a source of inspiration to the citizens of this County.

NOW, THEREFORE BE IT PROCLAIMED, that the Rowan County Board of Commissioners does hereby honor the Rowan County American Legion Team and Coaching Staff for their outstanding achievements and to commend them for their display of sportsmanship and leadership as they represented Rowan County.

#### **4. PUBLIC HEARING FOR CUP 02-09 FOR REQUEST FROM WILLIAM M. YOST**

Chairman Ford read the Chairman's Speech (Exhibit A) and declared the public hearing for CUP 02-09 to be in session. Chairman Ford said the hearing would focus on an application submitted by William M. Yost for the property located at the end of Cauble Farm Road. The purpose of the request was to allow for the construction of a 3500 square foot structure that would house the winery and retail operations of Cauble Creek Vineyard located on Tax Parcel 465 068.

The Clerk swore in those wishing to provide testimony in the case.

Planner Andy Goodall presented the Staff Report (Exhibit B) and said Mr. Yost had requested a conditional use permit for the construction of a 3500 square foot structure for Cauble Creek Vineyard. Mr. Goodall said the structure would house a winery and a wine-tasting room/retail operation.

Mr. Goodall provided a power point presentation (Exhibit C), which depicted the site, surrounding area and also a rendering of the site plan. Mr. Goodall said the surrounding areas were zoned Agricultural with the exception of a few residences in the area. Mr. Goodall pointed out the road to the vineyard, which he said would have to be improved in order to provide access to the winery.

Mr. Goodall said Staff felt the applicant had met the requirements of the Specific Conditional Use Criteria and the Conditional Use Criteria, both of which were listed in the Staff Report (Exhibit B).

Staff recommended approval of the request with the following conditions:

- That the proper easement widths (20-30 feet) are obtained in order to complete the construction of the gravel road between the end of state maintenance on Cauble Farm Road (SR 1732) and the proposed structure and parking area.
- That the site plan is updated to show this change.

Commissioner Coltrain asked if the road expansion would cause the applicant to expand into the soybean fields that were shown in the power point (Exhibit C). Mr. Goodall said yes and explained the expansion was necessary to allow cars to travel in both directions. Mr. Goodall said Mr. Yost would have to obtain easements.

Attorney Jeremy Carter came forward to represent the applicant. Mr. Carter referred to the requirements of the Rowan County Zoning Code and asked Mr. Goodall if the application met the requirements to allow the permit to be granted. Mr. Goodall responded yes.

Mr. Carter questioned Mr. Goodall's expertise that allowed him to render such an opinion. Mr. Goodall said the applicant had satisfactorily met each of the criteria listed in the Staff Report (Exhibit B).

Mr. Carter asked if Mr. Goodall had prior experience dealing with such applications and Mr. Goodall responded yes.

Mr. Carter questioned Mr. Goodall's education in regards to evaluating the applications. Mr. Goodall said he had received a bachelor's and a master's degree in geography from the University of North Carolina in Charlotte.

Mr. Carter requested that the Board consider Mr. Goodall an expert based upon his education and experience. Chairman Ford declared Mr. Goodall to be an expert.

Mr. Carter referred to the road right of way and pointed out that the map for the entire tract showed two (2) existing 15' foot right of ways. Mr. Goodall used the power point presentation (Exhibit C) to show the map in question. Mr. Carter asked if the plat already showed a total 30' right of way entering into the property. Mr. Goodall said there were actually two (2) 15' easements with different deed book and page numbers. Mr. Goodall said the 30' would be sufficient, which was Staff's recommendation – for a 30' right of way. Mr. Goodall apologized for the misread by Staff. Mr. Goodall said the drive would not have to be extended.

Mr. Carter asked if Mr. Yost would be in compliance with what the Board expected if he were to acquire an easement over the existing 30' total and Mr. Goodall said yes.

With no further testimony to be provided, Chairman Ford closed the public hearing.

Commissioner Mitchell moved approval of CUP 02-09 with the recommended conditions and that the example Findings of Fact (Exhibit D) be entered into the record. The motion was seconded by Commissioner Coltrain.

Chairman Ford stated that the applicants were great people and that he had been to their farm; however, he said he would vote against the application due to the alcohol/wine tasting room.

Upon being put to a vote, the motion on the floor passed 4-1 with Chairman Ford dissenting.

The Findings of Fact (Exhibit D) read as follows:

1. The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety.

FACT: The owner/applicant has indicated that beginning from the of end of state maintenance on Cauble Farm Road (SR 1732) and continuing to the proposed structure and parking area, a new gravel road will be constructed using the footprint of an existing farm road.

FACT: The road will be constructed using #67 Washed-stone gravel or Crush & run gravel, and will be 16-18 feet in width with a minimum depth of 4-6 inches.

2. That the development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property, or that the development is a public necessity, and;

FACT: No material evidence was presented suggesting this proposal would injure property values for adjoining lots.

3. That the location and character of the development in accordance with proposed conditions will be in general harmony with the area in which it is located and in general conformity with any adopted county plans.

FACT: The structure will be located approximately 900 feet from any non-agricultural structure and will incorporate design elements that are not only meant to fit the character of the surrounding area, but also to enhance it.

FACT: The operations of a vineyard, winery and wine-tasting room are consistent with the recommendation found in the Western Area Land Use Plan that encourages agri-business and natural resource-related industries in rural areas.

##### **5. CONSIDER APPROVAL OF PE 04-09 FROM TAMARAC LLC**

Planner Andy Goodall said Tamarac LLC requested a permit to exceed the County's Noise Ordinance for the Battle of the Bands event at Tamarac Marina on October 10, 2009 from 3:00 pm to 1:00 am. Tamarac Marina is located at

9120 Bringle Ferry Road. The event would feature over a dozen local bands competing for a grand prize with a percentage of the proceeds donated to Rowan Helping Ministries.

Mr. Goodall said Staff had received one (1) call from Brenda Overcash who had not been concerned about the event but rather the duration of the event.

Commissioner Mitchell asked for confirmation that all previous non-compliance issues had been resolved by the applicant, Dan Black, and Mr. Goodall said yes.

Commissioner Hall questioned how many homes might be affected by the duration of the event. Mr. Goodall said there were no homes near the stage area.

Chairman Ford asked if the applicant would have a problem with ending the event at midnight. A representative came to the podium to address the Board; however, he did not identify himself for the record. The gentleman said the activities were planned to end at midnight and that everyone would be out of the area by 1:00 am.

Commissioner Mitchell said he was willing to allow the event to run for one (1) year and if complaints were received, the Board might not approve the request in the future.

Chairman Ford opened the floor to allow input from citizens wishing to speak on the matter. With no one wishing to address the Board, Chairman Ford closed the floor to public comment.

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to approve PE 04-09 passed unanimously.

## **6. PRESENTATION REGARDING SMALL COMMUNITY AIR SERVICE DEVELOPMENT GRANT APPLICATION**

Dave Thomas, Air Service Program Manager for the North Carolina Department of Transportation (DOT) Division of Aviation, provided a power point presentation and discussed the Small Community Air Service Development Grant.

Mr. Thomas invited Rowan County to join six (6) other communities in a united interest to improve air service available for their residents and business communities. Mr. Thomas said the program would be designed to provide an education and awareness program for airports in the following seven (7) communities: Franklin County, Sanford/Lee County, Burlington/Alamance County, Winston-Salem/Smith Reynolds Airport, Rowan County, Concord/Charlotte Reliever, and Charlotte-Monroe Executive Airport/Charlotte Reliever.

Mr. Thomas said the grant application stemmed from an economic analysis that had been done regarding aviation for the State of North Carolina. Mr. Thomas said the economic impact of aviation and airports were viewed from the following perspectives: jobs, expenditures, transportation access and economic development.

Mr. Thomas noted the economic analysis revealed that from 1996 to 2006, the growth of aviation went from \$180,000,000 to \$1.8 million. The total investment in infrastructure was approximately \$320 million with local investments of \$33,591,211.

Mr. Thomas said the Rowan County Airport (Airport) impacted 232 jobs with an annual economic impact of \$22,915,500. Mr. Thomas said investing in the Airport had been very productive for the local economy.

Mr. Thomas explained that with marketing on-demand air service, the customer sets the schedule and determines the routing. The customer also has the ability to use local airports. Mr. Thomas said developers, business travelers and upper scale vacationers were examples of people who would utilize the airport, all contributing to economic development of the area.

Mr. Thomas said the Small Community Air Service Development Grant would be used as a marketing tool to inform people of services available. Mr. Thomas reported that the grant application had been submitted in August 2009 for a total of \$490,000 with \$50,000 going to each community from the federal government, \$10,000 from the State, and a \$10,000 match from each community from either the local government or private parties, or a combination thereof.

Mr. Thomas stated Ted Alman, Special Projects Manager, was also present to answer any questions the Board might have.

Commissioner Mitchell questioned the \$10,000 local match and Mr. Thomas said the contribution was the total for two (2) years.

Commissioner Mitchell asked how "time sensitive" the proposal was and Mr. Thomas said the proposal was already being considered by the United States Department of Transportation (USDOT). Mr. Thomas said the deadline for the grant was August 28, 2009 and a decision would be needed by the Board sometime before the end of the year if the grant was selected by the USDOT. Mr. Thomas suggested the Board contact representatives in Washington if the Commissioners were interested in the project.

Commissioner Mitchell said he would like for the Airport Advisory Board and the Economic Development Commission (EDC) to consider the proposal before the Commissioners made a decision.

EDC Executive Director Robert Van Geons said he would be happy to meet jointly with the Airport Advisory Board and to also make direct contacts with the appropriate federal offices regarding the application. Mr. Van Geons said the EDC had expressed an interest in partnering and potentially finding available funds to assist with the request; however, the EDC had not yet held formal discussions on the matter.

Commissioner Mitchell said he would move to refer the matter to the Airport Advisory Board, or the Chairman could order the issue to the Airport Advisory Board without a motion.

The Board agreed to receive input from the EDC and the Airport Advisory Board regarding the grant and that the information be brought back to the Commissioners during the second meeting in October.

## **7. UPDATE REGARDING EAST ROWAN EXPRESS**

Senior Services Director Clyde Fahnestock provided an overview for the proposed East Rowan Express. Mr. Fahnestock said the Board held a public hearing on August 3, 2009 for fiscal year 2010 Rural Operating Assistance Program (ROAP) funds. Mr. Fahnestock recalled that there were three (3) different pools of money for the program: (1) Disabled Transportation Assistance Program (EDTAP), (2) Employment Transportation Assistance Program and (3) Rural General Public.

Mr. Fahnestock said the proposed new service, East Rowan Express, would be a fixed route transportation service through the towns of the east Rowan area with stops at the Health Department and Department of Social Services. Mr. Fahnestock said the Board was being asked to endorse the new route, as well as use its influence to help get an additional light transit vehicle (LTV).

Mr. Fahnestock reviewed the proposed route which would provide four (4) roundtrips in the morning and four (4) roundtrips in the afternoon.

Mr. Fahnestock said the stakeholders unanimously supported the project. Mr. Fahnestock said the current RTS budgets were not yet reflective of the awarded contracts to Rowan County due to not being presented the award letters. Mr. Fahnestock said the RTS consultant was impressed with the Express already in place and that he had recommended approval of the \$74,000 for the project. Mr. Fahnestock said the funds were in place to continue the project.

Mr. Fahnestock said the stakeholders had already adopted budgets for this fiscal year and it would be difficult for them to add matching funds for this year. Mr. Fahnestock said in fiscal year 2011, the towns should have some buy-in costs that were affordable.

Mr. Fahnestock introduced Mayor Mary Ponds from the Town of Granite Quarry.

Mayor Ponds said the Town of Granite Quarry fully endorsed East Rowan Express, which she described as cost-effective, a safer option for the individuals who walked along Highway 152 and also as a business enhancement. Mayor Ponds said she did not foresee any negatives in forming a partnership for the program.

Commissioner Barber inquired on the ridership for the south route and Mr. Fahnestock said the average was 25 riders per day; however, the East Rowan Route would help build the south route.

Commissioner Barber said currently the municipalities were being asked to help market the program and would be asked to contribute financially in the next budget cycle based upon a formula.

Commissioner Hall thanked Mr. Fahnestock and Phil Conrad of the Metropolitan Planning Organization for their work and she also recognized the officials from the other municipalities that were in the audience.

Commissioner Coltrain asked if Mr. Fahnestock was confident funds would be received. Mr. Fahnestock said he was very confident the funds would be received and he did not anticipate asking the Board to put another dollar into the program.

Commissioner Coltrain noted the County was part of the non-attainment area for the Metro-Charlotte region and said there may be additional funding options available.

Chairman Ford questioned the cost for the program in the event that grants were not available in the future. Mr. Conrad said there would be other funding sources available and he discussed those options. Mr. Conrad said if the program was not successful after a few years it could be re-evaluated. Mr. Conrad said the initial investment was fairly conservative and the County would have the control over services and costs in the long run.

Commissioner Barber moved, Commissioner Hall seconded and the vote to approve the Resolution supporting East Rowan Express passed unanimously.

The Resolution read as follows:

RESOLUTION SUPPORTING  
EAST ROWAN EXPRESS

WHEREAS, the Rural Operating Assistance Program (ROAP) is a state funded grant program administered by the North Carolina Department of Transportation Public Transportation Division; and

WHEREAS, on August 3, 2009, Rowan County submitted the FY'2010 ROAP application requesting the full allocation of "supplemental funding" in the amount of \$74,161 for the Rural General Public (RGP) transit services; and

WHEREAS, RGP guidelines require supplemental funding to be used for new or expanded transit services for passengers living in non-urbanized areas; and

WHEREAS, Rowan County proposes to establish a new East Rowan Express route serving the towns of Granite Quarry, Rockwell and Faith with stops at the East Rowan YMCA, Health Department and Department of Social Services providing a connecting link with the Salisbury Transit System.

NOW, THEREFORE, BE IT RESOLVED that the Rowan County Board of Commissioners hereby endorses the expansion of Rowan Express and respectfully requests that North Carolina Department of Transportation Board of Transportation approve one "expansion" Light Transit Vehicle for RTS; which is necessary for RTS to have the fleet capacity to expand general public transportation in the East Rowan area.

Chairman Ford called for a recess at 8:25 pm.

Chairman Ford reconvened the meeting at 8:40 pm.

#### **8. CONSIDER REQUEST FROM HEALTH DEPARTMENT FOR IMAGING PATIENT RECORDS**

Health Department Director Leonard Wood asked the Board to consider allowing the department to use leftover escrow funds to image approximately 750,000 documents. Mr. Wood said records had been imaged through 2004 and he was proposing to use the funds to image records for 2005, 2006 and 2007. Mr. Wood said the imaged documents would be accessible through the current electronic medical records system that had been in place for approximately six (6) weeks. Mr. Wood said it would cost approximately \$48,400 to image three (3) years worth of documents.

After a brief discussion, Commissioner Coltrain moved to approve the request to use \$48,400 to perform the imaging in order to free up storage space. The motion was seconded by Commissioner Mitchell.

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

#### **9. CONSIDER REQUEST FOR STORAGE SPACE FOR HEALTH DEPARTMENT**

Health Department Director Leonard Wood reported that when the Department of Social Services (DSS) relocated to the Health Department's site, he would lose a large area currently used for record storage.

Mr. Wood asked the Board to consider approval for the use of \$3,000 of the Health Department's Medicaid Escrow Reserve funds to pay for six (6) months of rental space at the nearby Suntrust property on Avalon Drive. Mr. Wood said the timeframe would be January 1, 2010 through June 30, 2010 and would be a

temporary solution to the storage issue. Mr. Wood added that the approval would also give the County first option on leasing parking spaces at Suntrust. Mr. Wood said with the DSS move, nearly all available parking spaces would be used during the day. Mr. Wood concluded by saying the Board would work out the parking issue during the next budget year.

Commissioner Hall said she would like to visit the site to review the situation.

After further discussion, the Board agreed to delay the issue concerning storage space to the next meeting. Chairman Ford said the Board would consider the parking issue at a later time.

#### **10. DISCUSSION REGARDING TOURISM DEVELOPMENT AUTHORITY**

County Manager Gary Page explained that the City of Salisbury (City) adopted an ordinance on September 1, 2009 to create a Tourism Development Authority (TDA) and adopted a resolution to levy an additional 3% occupancy tax to become effective on or about November 1, 2009.

Mr. Page said the City would have a separate TDA and funding stream from the County's TDA. Mr. Page said City officials had indicated they would like to appoint common members who could sit on both boards for continuity of effort, the City's TDA could contract with the County's TDA to administer the use and accounting of the new funds, and assist with the payment of overhead in order to prevent the duplication of effort and maximize resources.

Mr. Page said the Board might wish to provide direction for the County's TDA and he stated that James Meacham, Rowan County TDA Director, was present to provide additional information.

Commissioner Coltrain said he was glad the City was willing to work with the Rowan County TDA for continuity of effort and to reduce overhead and operating costs. Commissioner Coltrain said he would support the Rowan County TDA working with the City TDA in a joint effort.

Commissioner Mitchell said it was the Board's responsibility to ensure that tax dollars were spent wisely. Commissioner Mitchell felt it important to note that funds for the City TDA could be used for capital expenses where the County's could not. Commissioner Mitchell said there could not be a merger of funds. Commissioner Mitchell said he would like to see what is proposed, whether by the City or through establishing a committee with two (2) people from the County, two (2) from the City and two (2) from the TDA, along with TDA Executive Director James Meacham. Commissioner Mitchell said the committee could make a recommendation as to how the two (2) TDA's could work "in concert". Commissioner Mitchell concluded by saying he would like to wait for a proposal, or work with the City to develop a committee to generate a proposal that all parties could be in agreement with.

Chairman Ford agreed with Commissioner Mitchell. Chairman Ford said he was currently leaning towards two (2) boards and two (2) staffs. Chairman Ford said he wanted the Rowan County TDA to promote the County as a whole, including Salisbury; however, he pointed out that Salisbury would be promoting Salisbury, as they should.

Commissioner Barber also agreed with Commissioner Mitchell and said he would like to see a proposal. Commissioner Barber said he would like to see what the make-up would be for one (1) board as opposed to two (2) and how that board would work. Commissioner Barber said one (1) board could be accomplished through promotion of a local bill by both local governments for an administrative change in Raleigh. Commissioner Barber said he preferred to avoid a duplication of effort and resources.

Commissioner Mitchell said he was currently leaning towards two (2) boards and two (2) staffs. Commissioner Mitchell said he could not see how the boards could work together but if a committee developed a solution, he would consider the option.

Commissioner Hall said the City TDA would pursue capital projects while the County TDA would not. Commissioner Hall agreed with Chairman Ford and Commissioner Mitchell regarding two (2) separate boards.

Mr. Page said he felt the City's intentions were to appoint a TDA that would in turn sit down with the County's TDA to basically negotiate a proposal that would not involve either elected board. Mr. Page said the funds and boards would have to be kept separate, and the issues were the administrative overhead, office space, etc.

Mr. Meacham said he would not speak for the Chair of the TDA; however, he said both boards would be appointed and would take the recommendations by the City Council and Commissioners seriously.

Commissioner Coltrain said once the City had appointed its TDA, the "committee" would essentially be established.

Commissioner Mitchell said the County's track record had not been good in regards to speaking with other groups, either through the media or through other meetings. Commissioner Mitchell felt the County should be part of the meetings since the Commissioners had an opinion pertaining to membership, etc.

Commissioner Mitchell moved to instruct the Chairman to work with the Rowan County TDA and the Salisbury City Council to attempt to come up with a group to negotiate "how this hybrid animal would look". The motion was seconded by Commissioner Hall and passed unanimously.

## **11. RESOLUTION IN SUPPORT OF LEGISLATION AGAINST INVOLUNTARY ANNEXATION**

Commissioner Mitchell said the Board had taken positions in the past against involuntary annexation, often as a result of an involuntary annexation attempt. Commissioner Mitchell said he was of the opinion that involuntary annexation was taxation without representation.

Commissioner Mitchell said the Resolution in the agenda packets put the Board on record as being opposed to involuntary annexation in general principle and that he felt it wise for the Board to renew its objections to involuntary annexation at least bi-annually.

Commissioner Mitchell moved approval of the Resolution in Support of Legislation Against Involuntary Annexation. The motion was seconded by Commissioner Hall.

Commissioner Coltrain said the law regarding annexation was 50 years old and it needed to be revised. Commissioner Coltrain said cities had to grow and he expressed hope that the General Assembly would make modifications to the law to allow the cities to grow. Commissioner Coltrain also said citizens should have a voice and a vote in regards to being annexed. Commissioner Coltrain said he supported the Resolution in general terms.

Commissioner Hall felt involuntary annexation was a lack of the vote by those affected, a failure to compensate counties for lost sales tax revenues and failure to establish the need for essential services by the annexing authority.

Chairman Ford agreed that citizens should have a vote. Chairman Ford said there were cities in Rowan County that had been annexed and yet six (6) years later people still did not have services.

Commissioner Barber mentioned the issue of voluntary satellite annexation and how once infrastructure was in place, the surrounding areas become involved in involuntary annexation, possibly even by another county.

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

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

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

- Emergency Services – Donation to Fire Marshal's Office to assist in expense of fire prevention supplies - \$500
- Health Department – Increase revenues and expenditures where new state funding for H1N1 Public Health Emergency Response Supplemental Funding has occurred - \$80,000

- Finance – Budget HOME Grant - \$200,919
- Sheriff – Recognize funds from 2009-10 Justice Assistance Recovery Grant - \$53,682
- Social Services – To increase expenditure and revenue line items for travel funded by NCDOT grant for low income individuals - \$33,894

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

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

Commissioner Mitchell moved to accept the County Manager’s monthly activity report to the Board. The motion was seconded by Commissioner Barber and passed unanimously.

**14. ADJOURNMENT**

There being no further business to come before the Board, Commissioner Coltrain moved to adjourn at 9:15 pm. The motion was seconded by Commissioner Barber and passed unanimously.

Respectfully Submitted,

Carolyn Athey, CMC  
Clerk to the Board