

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
AUGUST 6, 2012 – 3:00 PM**

J. NEWTON COHEN, SR. ROOM

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

County Manager Gary Page, County Attorney Jay Dees, Administrative Secretary Peggy Whitley and Finance Director Leslie Heidrick were present. Clerk to the Board Carolyn Athey was absent.

Chairman Mitchell convened the meeting at 3:00 p.m.

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

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Ford seconded and the vote to approve the minutes of the July 2, 2012 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

Commissioner Ford moved to add a Closed Session for the purpose of attorney-client privileged communication. The motion was seconded by Commissioner Barber and passed unanimously.

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 Sides requested to move item F (Resolution Adopting the Interlocal Agreement for a Group Self-Insurance Fund for Risk Sharing or Group Purchase of Coverage) to the regular Agenda in order to make a comment but with no changes to the document.

Chairman Mitchell placed Consent Agenda Item F on the regular agenda as Item #2b.

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

The Consent Agenda consisted of the following:

A. Resolution Dissolving the Rowan County Criminal Justice Partnership Board

WHEREAS, pursuant to North Carolina General Statute § 143B-273.10, the Rowan County Board of Commissioners established the membership and terms for the Criminal Justice Partnership Board in 1999; *and*

WHEREAS, the Criminal Justice Partnership Program was funded solely by the State of North Carolina through grant awards; *and*

WHEREAS, the State has repealed the Criminal Justice Partnership Program, effective, June 30, 2012.

NOW, THEREFORE BE IT RESOLVED that the Rowan County Board of Commissioners hereby dissolves the current Criminal Justice Partnership Board.

BE IT FURTHER RESOLVED that a copy of this Resolution and a letter of appreciation be submitted to the members of the Rowan County Criminal Justice Partnership Board for their dedication and service to the community.

B. Resolution Dissolving the Rowan County Cablevision Board of Directors

WHEREAS, the Rowan County Board of Commissioners adopted a Resolution on March 7, 2005 in support of establishing the Rowan Cablevision Board of Directors to control the use of a government/education channel; *and*

WHEREAS, in 2005 the General Assembly amended Chapter 66 of the North Carolina General Statutes by adding Article 42, "State Franchise for Cable Television Service"; *and*

WHEREAS, effective January 1, 2007, the Secretary of State was designated the exclusive franchising authority in this State for cable service provided over a cable system and the designation replaced the authorization for counties to award a franchise for cable service.

NOW, THEREFORE BE IT RESOLVED that the Rowan County Board of Commissioners hereby dissolves the Rowan Cablevision Board of Directors.

BE IT FURTHER RESOLVED that a copy of this Resolution and a letter of appreciation be submitted to the members of the Rowan Cablevision Board of Directors for their dedication and service to the community.

- C. Annual Agreement for the Cabarrus/Iredell/Rowan Consortium
- D. Resolution Approving the Tax Administrator's Annual Settlement for FY 2011-12

BE IT RESOLVED by the Board of County Commissioners of Rowan County that the following documents attached hereto are received and approved, consisting of the following:

- (1) Tax Collections Manager's Cumulative Collections Tax Report
- (2) Tax Collections Manager's Collections Summary
- (3) Tax Collections Manager's Real and Personal Property Tax Report
- (4) Tax Collections Manager's Utility Tax Report
- (5) Tax Collections Manager's Vehicle Tax Report
- (6) Tax Collections Manager's Table of Insolvents (2001)

- E. SouthTecAviation Limited FBO Agreement
- F. Resolution Adopting the Interlocal Agreement for a Group Self-Insurance Fund for Risk Sharing or Group Purchase of Coverage (Moved to Item 2b)

WHEREAS, _____ (County or local government agency) desires to pool the retention of their risks, liabilities and/or payments, or for the group purchase of coverage, and has completed a Pre-Audit Certification in compliance with N.C.G.S. §159-28; and

WHEREAS, the North Carolina Counties Risk Management Agency d.b.a. NCACC Risk Management Pools (hereinafter called the "Risk Pool"), has been established pursuant to G.S. §153A-445 (a)(1) and G.S. §160-A-460 through §160A-464; and

WHEREAS, it is desirable for _____ (County or local government agency) to join the Risk Pool to obtain the opportunity for risk sharing and/or group purchase of coverage;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners or Governing Board of _____ (County or local government agency) hereby adopts the foregoing Interlocal Agreement and hereby joins and agrees to participate in the Risk Pool as indicated:

North Carolina Workers' Compensation Joint Risk Management Agency d.b.a.
NCACC Workers' Compensation Pool

BE IT FURTHER RESOLVED that _____ (authorized county or entity official) is duly authorized to execute the application to join the Risk Pool and hereby executes the Agreement on behalf of _____ (County or local government agency).

- G. Set Public Hearing for August 20, 2012 for CUP 01-12
- H. Authorization to Purchase County Vehicles
- I. Annual Agreement for the Execution of the HOME Investment Partnerships Program and Related Budget Amendment
- J. Set Public Hearing for August 20, 2012 for Project "Green"

2. PUBLIC COMMENT PERIOD

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

- Michael Decker spoke in favor of the County selling the fairgrounds property.
- David Correll spoke in favor of the County selling the fairgrounds property.

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

2b. RESOLUTION ADOPTING THE INTERLOCAL AGREEMENT FOR A GROUP SELF-INSURANCE FUND FOR RISK SHARING OR GROUP PURCHASE OF COVERAGE (Moved from Consent)

Commissioner Sides said on page 5 of the agreement dealing with the North Carolina Association of County Commissioners (NCACC) Risk Management Pool, there were two pools; one for Workers Compensation and another for Counties Liability and Property. Commissioner Sides said the NCACC was a large corporation with approximately 53 counties involved in the Workers Compensation pool. Commissioner Sides said he was curious as to why Rowan County was only going with the Worker's Compensation pool. Commissioner Sides said that he had spoken with the County's Risk Manager Yvonne Moebes, and the County was in the process of doing a study to determine what the savings would be if the County joined the Liability and Property Risk Management pool.

Commissioner Sides moved to approve the agreement. Commissioner Barber seconded and the motion passed unanimously.

3. REQUEST FROM THE AIRPORT ADVISORY BOARD TO SEEK PRIVATE FUNDING FOR THE COMMUNITY HANGAR

Airport Advisory Board (AAB) Chairman Craig Pierce said when the proposal was originally presented by Talbert and Bright, Inc. (TBI), the proposal was not presented the way the Commissioners had wished. Mr. Pierce said the hangar the AAB had spent over a year looking at was best for the Airport's future and was being recommended. Mr. Pierce said the proposal did not include an office or a parking lot on the side, but simply the hangar structure. Mr. Pierce said the AAB was able to bring in a proposal for \$1.25 million. Mr. Pierce said the rest of the proposal was for improvements to the right side of the tarmac. Mr. Pierce said the road to be paved in the rear was something that could be done later and could possibly be done with federal funding. Mr. Pierce said moving the sewer and water should be the City of Salisbury's (City) responsibility since the City gained tax dollars for the aircraft on the airport property.

Mr. Pierce said the two additional figures totaling almost \$400,000 should not be dollars the County would have to spend nor should they be in the proposal. Mr. Pierce said the AAB was asking the Commissioners to put the community hangar out for bid so that a hard number could be received on what the actual cost would be or to give permission to the AAB to put it out for bid using private funding. Mr. Pierce said either way the AAB felt the community hangar was a necessity for the Airport to move to the next level and get away from being strictly a community airport. Mr. Pierce said a golden opportunity was being missed as the airspace over Charlotte and Concord continued to expand causing more traffic to want an alternative place to hangar their aircraft, as well as to have service and buy fuel. Mr. Pierce said if Rowan County wanted to bring in the large industries that were desperately needed, the hangar would be a key point the County must have for those industries to consider coming to Rowan County. Mr. Pierce closed by saying the request from the AAB was to move forward with the hangar either with the County funding the proposal or allowing the AAB to seek private funds for the project.

Commissioner Sides said he had wanted to see the project move forward. Commissioner Sides said the project was originally discussed the possibility was building ten (10) additional T-hangars at an approximate cost of \$400,000 to \$450,000. Commissioner Sides said the thirty (30) T-hangars that had been previously built were all rented and paid for. Commissioner Sides said the T-hangars had been a positive income for the Airport for a number of years. Commissioner Sides said the initial price submitted at around \$1.6 million was too high. Commissioner Sides said part of the problem was items that were included, which were benefits that could be done at another time. Commissioner Sides stated that a lot of money had already been spent to develop the property to a point where it was ready to build hangars. Commissioner Sides felt it was foolish to have spent the money and not move forward. Commissioner Sides said he still felt strongly that within a few years of the hangar being built some corporation would come along and take it and the County would be looking to build another one. Commissioner Sides said he wanted to see the project move forward; however, he did not want to see the County using the property on the side of the hangars for parking. Commissioner Sides felt the parking should be elsewhere and the space should be maintained for additional hangars. Commissioner Sides said he felt the hangar could be built for much less money than what had been proposed and he would like to see the County seek bids.

Commissioner Sides went on to say that in July of next year the County would have \$60,000 coming from the sale of the ballpark that would be income for the next forty (40) years or so. Commissioner Sides said he would like to see that money, plus the projected income, allocated towards building the hangar. Commissioner Sides said that would be more than enough funds to cover the debt service for the building of the hangar whether it was financed for ten (10) or fifteen (15) years.

Commissioner Sides made a motion to approve allowing the Airport Advisory Board to seek a Request for Proposals (RFP) for building a hangar. Commissioner Ford seconded the motion.

Commissioner Barber asked if the motion opened up the options for both County funding and private funding and Commissioner Sides responded the motion was strictly County funding. Commissioner Sides said he was not interested in private funding at this point.

Commissioner Barber said he was not going to support the proposal. Commissioner Barber said there were still issues with extending the runway, buying the additional property needed, soil contamination and other issues. Commissioner Barber stated that on June 25, 2012 the Board of Commissioners voted 3-2 vote to pass a budget that did not include funding for the Airport. Commissioner Barber said the Commissioners were now talking about a budget item that could be anywhere from \$1 million to \$1.6 million. Commissioner Barber felt such an expenditure should have been part of the budget discussions. Commissioner Barber said he was not going to vote for the proposal and not because he did not believe in it, but rather because he had voted for a budget that did not include the hangar. Commissioner Barber said he favored seeking private funding versus the County building the hangar. Commissioner Barber said with private funding the County would not be required to manage the hangar, there would be no risk in occupancies and there would only be the developer to deal with. Commissioner Barber said if the County could afford to do the project, the County could have afforded to give the citizens a tax cut during the budget process.

Chairman Mitchell mentioned the complex agreements that had occurred in the past when dealing with private/public partnerships at the Airport. Chairman Mitchell said the County could not give a perpetual lease by State law. Chairman Mitchell said it was his opinion not to use private funding as long as the County could leverage the rental fees from the hangar and leverage the purchase fees from the ballpark to pay for the hangar.

Commissioner Coltrain said all avenues of government had to explore private partnerships to accomplish projects. Commissioner Coltrain felt there had been some positive history with the previous approach for an entity to build a hangar and after twenty (20) years the hangar became the property of the County. Commissioner Coltrain said a private partnership would be his first choice. Commissioner Coltrain felt the AAB could go ahead and put the proposal out for bid, determine the figures and see what the possibilities would be.

Commissioner Ford said it did not matter to him if funding was public or private - he wanted to get the hangar built. Commissioner Ford said according to some of the Airport staff and some members of the AAB, the hangar was needed now. Commissioner Ford mentioned a letter of intent from a client for the hangar and

said there were others who also wanted the hangar. Commissioner Ford felt the Airport was missing out on fuel sales and taxable income from the jets and other aircraft.

Chairman Mitchell said the motion did not technically close the door on a private partnership should someone come forward; however, at least with the motion, the Commissioners were not requesting the AAB go out and seek the partnerships.

Commissioner Coltrain asked if Commissioner Sides would include, as part of the motion, to let the AAB explore the possibilities and Commissioner Sides responded that was not part of his motion. Commissioner Sides said he was not closing the door on considering a public/private partnership. Commissioner Sides brought up a previous presentation made by an attorney in Charlotte who provided good reasons as to why the County would not want somebody else building hangars on the County's property. Commissioner Sides said he felt it was time to move forward and build this one hangar. Commissioner Sides said he was willing to stake his political career on the hangar. Commissioner Sides felt the price would be in the neighborhood of \$850,000. Commissioner Sides said in a couple of years some company would take the hangar and the County would be looking to build another. Commissioner Sides felt it was time to move forward since the funding was in place. Commissioner Sides realized it was not in the budget but the project was in discussions at the time and not ready to be presented.

Commissioner Barber said he remembered the presentation and while the consultant did encourage for an airport master plan to be controlled by the County itself, the airport master plan was just a guide. Commissioner Barber said a decision could always be made to do projects through private development, which he was in favor of. Commissioner Barber said if it was turned over to a corporate client, the client would want office space, and therefore add \$400,000 to \$600,000 to the cost. Commissioner Barber said his main issue was that he voted on a budget that did not include a major expenditure such as the hangar. Commissioner Barber said he had to live by the budget he voted on until the Commissioners passed the next budget and for that reason he would not support the request.

Commissioner Coltrain said he had always been in favor of the Airport. Commissioner Coltrain said he understood, while not a part of the motion, the door was open for further discussions, depending upon how the bids came in. Commissioner Coltrain said in order to get the process going, he would support the proposal, but with the reservations he had stated.

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

4. CONSIDER ADOPTION OF POLICIES, PROCEDURES, AND BUDGET ORDINANCE FOR THE 2012 URGENT REPAIR PROGRAM

Planning and Development Director Ed Muire said the County had recently been notified that the County's grant application for the Urgent Repair Program (URP12) had been awarded. Mr. Muire explained that the grant was identical to the URP11 currently being administered where owner occupied homes in Rowan County, excluding those located within the city limits of Kannapolis and Salisbury, were eligible for participation.

Mr. Muire said the URP12 program would focus on home repairs of an urgent nature such as window replacement, roof replacement, handicapped ramps, etc. not to exceed \$6000 per unit. Mr. Muire said the total budget was \$75,000 and allowable administrative costs associated were \$8400. Mr. Muire said the program anticipated serving fourteen (14) units.

Mr. Muire stated that Hobbs Upchurch and Associated (HUA) prepared the application for the grant on behalf of Rowan County and Staff was recommending HUA be awarded the contract to administer the program in conjunction with HOME programs currently in effect.

Mr. Muire said there was no public hearing required for the program. Mr. Muire said Staff recommended adoption of the Assistance Policy, Budget Ordinance and Procurement Policy for the 2012 Urgent Repair Program and to authorize Chairman Mitchell to sign a contract with Hobbs Upchurch and Associates to administer the grants upon the review of the Finance Director.

Commissioner Sides moved to adopt the Assistance Policy, Budget Ordinance and Procurement Policy for the 2012 Urgent Repair Program and to authorize Chairman Mitchell to sign a contract with Hobbs Upchurch and Associates to administer the grants upon the review of the Finance Director. Commissioner Coltrain seconded and the motion to passed unanimously.

5. CONSIDER APPROVAL OF CONTRACT FOR PURCHASE OF FAIRGROUNDS PROPERTY

County Attorney Jay Dees presented the term sheet Letter of Intent (LOI) that was drafted for consideration based on discussions with John Love, Rowan County Fair Association (RCFA) Manager. Mr. Dees said the RCFA wanted to get the document before the Board in an effort to agree on terms. Mr. Dees said the document could then be moved into the form of a contract.

Chairman Mitchell said the document prepared by the RCFA Attorney, Carl M. Short, Jr., had been approved by the RCFA and if the Commissioners worked off of that document, there could possibly be a final decision, Chairman Mitchell recommended the conversation begin around the Contract to Sell and Purchase Real Estate (Contract) prepared by Mr. Short.

Commissioner Sides said he had felt for a long time that the County should not sell the fair property since it would be worth a lot more money over time. Commissioner Sides said each year the Board faced criticism if the County did not support a fair. Commissioner Sides said he did not feel the fair was the responsibility of the County and the RCFA had taken over the duty. Commissioner Sides said he had known for along time there was a 3-2 vote to sell the fairgrounds and that he wanted to try to get terms that would protect the taxpayers as best he could. Commissioner Sides said he had fought for some of the terms contained in the contract. Commissioner Sides asked Commissioners to look at Item #8 in the contract, Parking Easement. Commissioner Sides said the last two (2) sentences stated that “for a period of seven years from the closing unless Seller sells Tracts A or B”. Commissioner Sides said he would like for the sentences to state “sells or finds another use for Tracts A or B earlier than seven years, at which time Seller will attempt to provide alternative land for parking.” Commissioner Sides said if the County found a use for the two (2) tracts, he did not know of any where the additional parking would be provided other than allowing the use of the Agricultural Center property or somewhere similar. Commissioner Sides said he did not want the County tied up in saying it had to be sold or offered for the next seven years. Commissioner Sides went on to say he did not anticipate any use for the property in the next short period of time and that he wanted the Fair Association to be able to use it for parking as long as there was no other use; however, he would like to change the word sells and add “or finds another use for”. Commissioner Sides also said instead of requiring the County to provide alternative land for parking, he felt the County could make every attempt to assist in finding alternative land for parking.

Commissioner Sides went on to discuss Item #9 in the contract, Right of First Refusal. Commissioner Sides said what was being done was selling the RCFA twenty-five (25) acres. Commissioner Sides said there was an additional twenty-four (24) to twenty-eight (28) acres available behind the property that the Fair Association was receiving the right of first refusal on. Commissioner Sides said in the last sentence it stated that “should buyer (Fair Association) choose not to exercise the right of first refusal, Seller (County) agrees to reimburse Buyer for any improvements Buyer may have made on the twenty-eight (28) acres”. Commissioner Sides said he did not anticipate allowing the Fair Association to make any improvements on the acreage unless they were to own it. Commissioner Sides said he did not think the Fair Association wanted to make any improvements on land they did not own. Commissioner Sides said he would like for that sentence to be struck.

Chairman Mitchell moved approval of the Contract to Sell and Purchase Real Estate with the two (2) changes that Commissioner Side mentioned, Item #8, sell or finds another use, and make effort to find other parking and in striking the last sentence in Item #9. Commissioner Coltrain seconded the motion.

Mr. Dees said the LOI did not deal with the actual interest payments during the course of seven (7) years and it did not state when it was to begin. Mr. Dees said the Contract said the interest payment would be paid annually.

Commissioner Barber said his opinion had always been that the County should sell the property to the RCFA. Commissioner Barber said if there was an economic impact analysis done on the Agricultural Fair itself, Relay for Life, or the Coon Hunters Event, it would be a surprise as to what the events did for the economy. Commissioner Barber said agriculture was still the single largest industry in Rowan County, and the RCFA was going to continue to foster the agricultural development of the County. Commissioner Barber said he wished Mr. Love and every single volunteer who helped make the agricultural fair happen all of the success in the world.

Chairman Mitchell said that he wanted to point out to the public, based on a phone call he had received, that for as long as the RCFA owned the property, the organization would put on an Agricultural Fair.

Mr. Dees noted that paragraph #10 was different in the Contract than in the LOI and he wanted to make certain the Commissioners were aware of that difference. Mr. Dees noted that the question was Paragraph #6 in the LOI. Mr. Dees said there were three (3) conditions that dictated the date saying it would be the earlier of either of those three (3).

Upon being put to a vote, the motion to approve the contract as amended passed unanimously.

6. CONSIDER THE APPOINTMENT OF A NEW TAX ADMINISTRATOR

County Manager Gary Page explained that the Board had interviewed and negotiated employment with a final candidate for the position of Rowan County Tax Administrator. Mr. Page offered the name of Kelvin Byrd to the Commissioners as the next Tax Administrator. Mr. Page said the salary would be \$110,000 per year with a four year appointment. Mr. Page said all of the other terms commensurate with being a full time County employee had been negotiated.

Commissioner Sides moved to appoint Kelvin Byrd Tax Administrator of Rowan County for a four year appointment at \$110,000 a year, with the benefits as agreed to, effective August 27, 2012. Commissioner Ford seconded the motion.

Commissioner Barber noted that all the employees of both the Assessor's Office and Collector's Office had done an extremely good job and that their jobs were probably one of the toughest jobs of any county employee. Commissioner Barber said while he would have preferred to see succession planning to show current employees that there was a career path within Rowan County Government, Mr. Byrd was qualified for the job.

Upon being put to a vote the motion to approve Kelvin Byrd as the new Tax Administrator passed unanimously.

7. NCACC SOLICITATION OF COUNTY LEGISLATIVE GOALS PROPOSALS FOR 2013-14

Chairman Mitchell said the Board received a letter from the North Carolina Association of County Commissioners (NCACC) asking counties to provide input as to what they considered legislative priorities. Chairman Mitchell said the document contained the outlines for the goals for 2011-2012 and whether or not they were completely accomplished, partially accomplished, or not met. Chairman Mitchell said he assumed the NCACC would keep the ones they were not able to get into. Chairman Mitchell noted that if there were additional proposals they could be sent in to the NCACC.

Commissioner Sides said that rather than present proposals at the time, he would like to make the motion that each Commissioner prepare whatever proposals they had for the next meeting in August and at that point, whatever would be voted on the Chairman would write a letter to the NCACC with those proposals. Commissioner Barber seconded and the motion passed unanimously.

8. DESIGNATION OF VOTING DELEGATE FOR THE NCACC ANNUAL CONFERENCE

Commissioner Ford nominated Commissioner Sides as Rowan County's voting delegate for the North Carolina Association of County Commissioners (NCACC) Annual Conference. The nomination was seconded by Commissioner Barber.

Commissioner Sides said since he was the only one attending he would be glad to accept the responsibility as the voting delegate.

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

9. CONSIDER APPROVAL OF BUDGET AMENDMENTS

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

- Finance – Carry forward the Homeland Security Grant budget. The Homeland Security Grant does not require a County match - \$7,850.
- Emergency Services – Receive funds from Cannon Foundation/Hayes Charitable Trust for QCPR initiative project approved by the BOC on 3-19-2012 - \$40,000.
- Health Department – Budget revenues and expenses to reflect a \$42,000 Grant Eat Smart Move More Community FY 12-13 – \$42,000.
- Library – To budget additional revenue for State Aid to go towards the purchase of books for the library - \$5,151.

- Finance – Appropriate reserve funds and budget the expenditure to replace the multi-temperature water chiller for the aquarium at the Nature Center - \$8,160.
- Finance – Adjust the County’s budget with the Title V program budget received from the State. These funds no longer pass through the County to Rufty Holmes, who will administer the program - \$238,204.
- Finance – Adjust revenues and expenditures budgeted in FY 2013 for USDA food distribution. The program is now being run through Rowan Helping Ministries - \$50,000.
- Social Services – Received a funding authorization for Administration for the Crisis Intervention Program. Increase the salary and revenue line items. There is no County money required - \$13,168.

Commissioner Coltrain moved approval of the budget amendments as presented. The motion was seconded by Commissioner Ford and passed unanimously.

10. CONSIDER APPROVAL OF BOARD APPOINTMENTS
SALISBURY-ROWAN COMMUNITY ACTION AGENCY

- Jeffrey Douglas Jahnke submitted an application for consideration representing the Public Sector dealing with poverty related issues.

The term would be for two (2) years beginning August 1, 2012 and expiring July 31, 2014.

Commissioner Barber nominated Mr. Jahnke and the nomination passed unanimously.

JUVENILE CRIME PREVENTION COUNCIL

- Justin Holmes submitted an application as a Youth Under Age 18.
- Nancy R. Gaines has submitted an application as the Juvenile Defense Attorney representative.

There are currently two (2) vacancies for At-Large members.

- Karen Barbee has submitted an application as an At-Large representative.
- John C. Spidell has submitted an application for reappointment as an At-Large representative. In order to be considered, the Board would need to waive the term limits set forth in the Resolution adopted September 2009.

The terms would be for two (2) years beginning August 1, 2012 and expiring June 30, 2014.

Commissioner Barber nominated Justin Holmes and Nancy Gaines. The nominations passed unanimously.

Commissioner Barber moved to waive the term limits for John Spidell. Commissioner Coltrain seconded and the motion passed 4-1 with Commissioner Ford dissenting.

Commissioner Barber nominated Karen Barbee and John Spidell and the nominations carried unanimously.

ROWAN COUNTY TOURISM AND DEVELOPMENT AUTHORITY

There are three (3) vacancies and the following applications were received:

- Amie Morgan Baudoin representing Sites and Attractions
- Daniel Willis Peters representing an At-Large seat
- James Wesley Thompson as a reappointment to an At-Large seat

The terms would be for two (2) years beginning August 1, 2012 and expiring July 31, 2014.

Commissioner Coltrain nominated Amie Baudoin, Daniel Peters, and James Thompson and the nominations passed unanimously.

ROWAN COUNTY BOARD OF HEALTH

- Philip Roels has resigned from this board and Charles Noble Davis, Jr. has submitted an application to serve the remainder of the term as the Optometrist Representative.

The term expires December 31, 2012 at which time Dr. Davis will be eligible to be appointed to a full term.

Commissioner Barber moved to accept the resignation of Philip Roels. The motion was seconded by Commissioner Sides and passed unanimously.

Commissioner Sides nominated Charles Davis to serve the remainder of the term and the nomination passed unanimously.

ROWAN COUNTY HOUSING AUTHORITY

- Luther Gene Beaver, Jr. has submitted an application for reappointment.

The term would be for five (5) years beginning September 1, 2012 and expiring August 31, 2017.

Commissioner Ford nominated Luther Beaver and the nomination carried unanimously.

SALISBURY-ROWAN HUMAN RELATIONS COUNCIL

Monica J. Foster has submitted a letter of resignation effective immediately.

Commissioner Coltrain moved to accept Monica Foster's resignation. Chairman Mitchell seconded and the motion passed unanimously.

LOCKE TOWNSHIP VFD FIRE COMMISSIONER

There is one (1) vacancy and the following have submitted applications:

- Ronald Goodnight for reappointment.
- Tony F. Sechler

The term would be for two (2) years beginning July 1, 2012 and expiring June 30, 2014.

Commissioner Barber nominated Ronald Goodnight for reappointment.

Commissioner Sides nominated Tony Sechler.

The nomination for Mr. Goodnight passed 3-2, with Commissioners Sides and Ford dissenting.

EAST GOLD HILL VFD FIRE COMMISSIONER

There are two (2) vacancies and the following applications have been submitted:

- Bob Drew
- John Yelton
- Roger Goforth for reappointment

The terms would be for two (2) years beginning August 1, 2012 and expiring July 31, 2014.

Commissioner Coltrain nominated Bob Drew and John Yelton.

Commissioner Barber nominated Roger Goforth for reappointment.

The nomination for Bob Drew passed unanimously.

The nomination for John Yelton passed 3-2 with Commissioners Mitchell and Barber dissenting.

The nomination for Roger Goforth failed 2-3 with Commissioners Coltrain, Sides, Ford dissenting.

CENTRALINA WORKFORCE DEVELOPMENT BOARD

Tracey Aaron has submitted an application to serve as a representative from the Private Sector. Ms. Aaron works through Rowan Regional Medical Center as the HR Director but is a non-county resident. The term would be for two (2) years beginning August 1, 2012 and expiring June 30, 2014.

Commissioner Sides nominated Tracey Aaron and the nomination carried unanimously.

GRANITE QUARRY ETJ ZONING BOARD OF ADJUSTMENT

Ruth Knighton Corpening has submitted an application for reappointment. The term would be for three (3) years beginning August 1, 2012 and expiring July 31, 2015.

Commissioner Coltrain nominated Ruth Corpening and the nomination passed unanimously.

GRANITE QUARRY ETJ PLANNING BOARD

Carl Stanton Cross, Jr. and Gregory Lowe submitted applications for reappointment. The terms would be for three (3) years beginning August 1, 2012 and expiring July 31, 2015.

Commissioner Coltrain nominated Carl Stanton Cross and Greg Lowe and the nomination passed unanimously.

CLOSED SESSION

Commissioner Ford moved at 3:50 p.m. for the Board to enter Closed Session pursuant to North Carolina General Statute §143-318.11(a)(3) for the purpose of Attorney-Client Privileged Communication. The motion was seconded by Commissioner Sides and passed unanimously.

The Board returned to Open Session at 4:08 pm.

Commissioner Barber moved to accept the retainer agreement, which has no fee and no reimbursement and retain Wallace and Graham to represent Rowan County in potential litigation.

Commissioner Sides seconded and the motion passed unanimously.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Barber moved to adjourn at 4:09 pm. The motion was seconded by Commissioner Ford and passed unanimously.

Respectfully Submitted,

Carolyn Athey, CMC, NCCCC
Clerk to the Board/
Assistant to the County Manager