

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

**January 7, 2013 – 3:00 PM**

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

**J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING**  
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Present: Jim Sides, Chairman  
Craig Pierce, Vice-Chairman  
Jon Barber, Member  
Mike Caskey, Member  
Chad Mitchell, Member

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

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

Chairman Sides 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 December 3, 2012 Commission Meeting passed unanimously.

**CONSIDER ADDITIONS TO THE AGENDA**

Commissioner Barber requested to add a courtesy discussion regarding the meeting held on January 3, 2013 between the Board of Education and City of Salisbury. The motion was seconded by Commissioner Pierce and passed 3-2 with Commissioners Sides and Caskey dissenting.

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

**CONSIDER DELETIONS FROM THE AGENDA**

There were no deletions from the agenda.

**CONSIDER APPROVAL OF THE AGENDA**

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

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

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

The Consent Agenda consisted of the following:

- A. Proclamation for January 21, 2013 as Dr. Martin Luther King, Jr. Day in Rowan County
- B. Resolution to Support A Bond, Stamp and Coin Program to Benefit American Warriors and Their Families
- C. Acceptance of Community Services Block Grant Documentation for Anti-Poverty Plan
- D. Authorize Property Transfer to Salisbury Housing Authority
- E. Authorize Purchase of Seven Vehicles for the Sheriff's Office
- F. Set Public Hearing for January 22, 2013 for CDBG-ED Grant for CanAm-Yarns
- G. Set Public Hearing for January 22, 2013 for ZTA 01-12
- H. Set Public Hearing for January 22, 2013 for PCUR 01-12
- I. Set Public Hearing for January 22, 2013 for Z 07-12
- J. Authorize Removal of Asset and Approval of Vehicle Transfer to Safe-Kids Rowan
- K. Authorize RTS to Apply for FY'13 Mobile Source Emission Reduction Grant
- L. Authorize RTS Fleet Conversion to a Dual Fuel System of Propane and Gasoline
- M. Agreement to Participate in the Statewide Misdemeanant Confinement Program
- N. Revised Ambulance Fee Schedule
- O. Change Administration of County's Current Property & Liability Program to NCACC
- P. Amendment to John C. Schofield Lease for NC Probation and Parole Offices

## **2. PUBLIC COMMENT PERIOD**

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

- Richard Miller, Chairman of the Board of Education, provided a handout of his comments as he sought support for the location of a new central office in downtown Salisbury.
- Larry Wright discussed comments made in a recent editorial in the Salisbury Post pertaining to the proposed central office for the Board of Education.

Chairman Sides acknowledged Congresswoman Virginia Fox who was in the audience.

Congresswoman Fox said Rowan County was new to her district and she wanted to offer her assistance in any way. Congresswoman Fox recognized Aaron Whitener, her North Carolina District Director, who has worked with her for eight (8) years. Congresswoman Fox said she planned to spend a lot of time in Rowan County and she would come to as many events as her schedule would permit. Congresswoman Fox said she wanted the citizens to know she was accessible and available.

Chairman Sides expressed pleasure at having Congresswoman Fox in attendance and said he looked forward to working with her.

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

## **2a. ADDITION**

### **DISCUSSION REGARDING JOINT MEETING WITH ROWAN-SALISBURY SCHOOL SYSTEM AND CITY OF SALISBURY**

Commissioner Barber provided an overview of the recent meeting between the Rowan-Salisbury Schools (RSS) Board of Education (BOE) and the City of Salisbury (City). Commissioner Barber said the meeting pertained to the location of a central office for RSS downtown. Commissioner Barber said the main point from the meeting was the possibility of joint financing, which he felt could be a “game changer” for the project. Commissioner Barber said another meeting was to take place and he assumed the Board of Commissioners (BOC) would be invited, as well. Commissioner Barber asked if the BOC had a preference as to when it would like to begin discussions for any local joint financing to begin or was the BOC still waiting on the 60 days (time period discussed by the BOC on December 3, 2012).

Chairman Sides said a vote was taken on December 3, 2012 and he had stated publicly that a meeting would be scheduled between the BOE and the BOC to discuss how and when the process would go forward.

Chairman Sides explained that a meeting had been scheduled for January 10, 2013 with the Chairs of the BOC and BOE, as well as with the Vice-Chairs to address an email submitted by the Chair of the BOE. Chairman Sides said he was given discretion by the BOC on December 3, 2012 to arrange a joint meeting with the BOE, unless the BOC wished to vote to do otherwise.

Commissioner Barber asked if the joint financing option would be discussed on January 10<sup>th</sup> and he also asked if the meeting was open to the public. Chairman Sides responded that the meeting would not be a public meeting.

### **3. PUBLIC HEARING FOR HUTTON GROWTH ONE, LLC**

Rowan County Economic Development Director Robert Van Geons presented the economic impact analysis for Hutton Growth One, L.L.C. (Hutton). Mr. Van Geons said Hutton was seeking high visibility sites in North Carolina to acquire for commercial and retail development. The Company is interested in an option to purchase approximately 54.42 acres in Summit Corporate Center (SCC) and once the land is under option, Hutton would seek a well-known retailer to anchor a new commercial development on the site.

Mr. Van Geons reported the proposed project would represent a minimum of \$20 million in new investment in Rowan County and would conservatively generate approximately \$2 million per year in new property and sales tax revenue. The proposed project would also generate in excess of 250 jobs in Rowan County.

The acreage Hutton wishes to acquire is approximately 54.52 acres comprised of three (3) parcels (402C001, 402 063 and 402C002) within SCC. The property is a North Carolina Certified Site.

Mr. Van Geons reported that Hutton was requesting an option to purchase the land at a price of \$40,000 per acre. The current tax value is \$27,800 per acre.

The 18-month option to purchase included the following proposed terms:

- The Company would make a deposit toward the purchase price in the amount of \$55,000.
- After twelve (12) months, the County would retain \$25,000 of the deposit, regardless of the final outcome of the project.
- For each of the next six (6) months, the County would retain an additional \$5,000 of the deposit.
- Should the Company wish to purchase less than the total property optioned, the County would have to approve the requested change in size.
- If, after one year, the Company does not have a letter of interest from a retail anchor considering a project larger than 55,000 square feet, Rowan County may elect to end the option agreement.

Mr. Van Geons introduced Steve Tingle with Hutton. Mr. Tingle discussed his work history and also provided additional information for the proposed project. Mr. Tingle said it would be premature to name the company at this time; however, he said the company was a national tenant. Mr. Tingle concluded by stating Hutton would love the opportunity to work in Salisbury and he expressed hope the Board would give the Company the chance to do so.

Mr. Van Geons said if Hutton purchased all 54.42 acres, the proposed price would generate over \$2.17 million in revenue for Rowan County, in addition to the potential property tax and sales tax revenue.

Mr. Van Geons said while the property was zoned appropriately for its current use, Commercial, Business and Industrial (CBI), the restrictive covenants for SCC prohibit commercial uses for the property. The covenants would either need to be amended to allow commercial uses or the parcels under consideration could be “removed” as an official part of SCC and no longer be subject to the covenants. Mr. Van Geons said the Company would work with the applicable staff for the appropriate review and permitting process.

Chairman Sides opened the public hearing to receive citizen input regarding the request from Hutton.

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

Commissioner Barber asked if the request was approved, would Hutton continue to move forward in the process while the Board was changing the restrictive covenants. Mr. Tingle responded that Hutton was “chomping at the bit” to get started.

Commissioner Barber discussed the multiplier effect from the project. Mr. Tingle added that Hutton had been extremely conservative with the job creation numbers, as well as with the potential for a larger facility.

In response to an inquiry from Commissioner Pierce, Mr. Van Geons discussed the zoning for SCC and said the proposed project would compliment SCC very well.

Both Commissioners Caskey and Mitchell expressed appreciation for the potential job opportunities in Rowan County.

Chairman Sides felt the Board should do all it could to help lower unemployment, whether through retail or industrial jobs. Chairman Sides said the County looked forward to working with Hutton.

Chairman Sides said the motion should include information related to the next steps for the project.

Chairman Mitchell moved approval of the request as recommended by the Economic Development Commission (terms listed above). The motion was seconded by Commissioner Barber and passed unanimously.

#### **4. CONSIDER REQUEST FROM ROCKWELL RURAL VOLUNTEER FIRE DEPARTMENT**

Chairman Sides discussed the request in the agenda packets from the Rockwell Rural Volunteer Fire Department (VFD). The VFD was in the process of pursuing refinancing of an older loan and financing of a new loan. The VFD was

currently financing a 2010 Pierce fire engine at a rate of 5.5%. In seeking a loan for a new tanker, which was previously listed in the budget, members of the VFD met with Park-Sterling Bank in Salisbury, who offered a 2.76% rate on a \$150,000 note for the new tanker. Since the rate was so good, the VFD had asked about refinancing another loan, which came back with an interest rate of 2.59%. Chairman Sides said on the refinanced loan, the VFD would not be lessening its monthly payment.

Chairman Sides said based on his conversation with the VFD Fire Chief, Allen Cress, there would be no projected tax increase due to new debt service payments.

Chairman Sides moved to approve the request. The motion was seconded by Commissioner Barber and passed unanimously.

#### **5. CONSIDER DATE/TIME FOR BUDGET WORKSESSION**

County Manager Gary Page stated that for the past few years the Board had held budget worksessions in February that varied in length from several hours to several days. Mr. Page requested that the Board members share priority issues that it wished to see carried out over the next twelve (12) months, such as pay raises, school funding, or capital projects.

Chairman Sides asked the Board's pleasure for scheduling a worksession on January 22<sup>nd</sup> at 3:00 pm to discuss any items to be presented to the County Manager. Chairman Sides said the Board could have a follow up meeting, if necessary.

Commissioner Barber moved to start the meeting on January 22, 2013 at 3:00 p.m. to hold budget discussions, recess and resume the regular scheduled meeting at 6:00 p.m. The motion was seconded by Commissioner Pierce and passed unanimously.

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

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

- Finance – To carry forward balance of EMPG-2011-37129 grant funds received in FY 2012 for Emergency Services - \$13,292
- Finance – To budget additional revenues and expenditures for Animal Control due to an increase in adoptions - \$20,000
- Sheriff – Recognize State Criminal Alien Assistance Program Funds awarded to Sheriff's Office and budget to expense account - \$15,254

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

## **7. CONSIDER APPROVAL OF BOARD APPOINTMENTS**

### **AIRPORT ADVISORY BOARD**

Craig Pierce has been serving on this Board representing the business community; however, since his election as a County Commissioner there is a vacancy. Rip Kersey has submitted an application to fill the unexpired term ending June 30, 2015.

Commissioner Barber nominated Rip Kersey and the nomination passed unanimously.

### **PLANNING BOARD**

Craig Pierce was appointed to an At-Large seat on this Board; however, since his election as a County Commissioner there is a vacancy. The following have submitted applications to fill the unexpired term ending December 31, 2013:

- Karla Foster Constantino
- Jack H. Fisher

Commissioner Pierce nominated Jack Fisher and the nomination passed unanimously.

### **PARKS AND RECREATION COMMISSION**

Randy McCombs has submitted an application to fill the unexpired term of Frank Deal. The term expires December 31, 2013.

Commissioner Mitchell nominated Randy McCombs and the nomination carried unanimously.

### **ROWAN TRANSIT SYSTEM ADVISORY COMMITTEE**

Sheila Holshouser has submitted an application to fill the unexpired term of Kimberly Miller for DSS representation. The term ends June 30, 2014.

Commissioner Mitchell nominated Sheila Holshouser and the nomination passed unanimously.

### **BOSTIAN HEIGHTS VFD COMMISSIONERS**

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

- Nelson Barbee for reappointment
- Bill Shive for reappointment
- Michael D. Sifford for reappointment
- Joel Johnson

The terms are for two years beginning February 1, 2013 and expiring January 31, 2015.

Commissioner Barber nominated Joel Johnson.

Commissioner Caskey nominated Nelson Barbee.

Commissioner Mitchell nominated Bill Shive.

Commissioner Pierce nominated Michael Sifford.

The nomination for Joel Johnson received 2 votes of support from Commissioners Barber and Caskey; therefore, Chairman Sides said the three (3) remaining applicants were appointed.

### **UNION VFD BOARD OF TRUSTEES**

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

- Gary M. Bell
- Kevin W. Kesler
- Rick Waller

The terms are for two (2) years beginning January 1, 2013 and expiring December 31, 2014.

Commissioner Barber nominated Gary Bell and Kevin Kesler.

Commissioner Pierce nominated Rick Waller.

Upon being put to a vote, Gary Bell received two (2) votes of support from Commissioners Barber and Caskey; therefore, Chairman Sides said the other two applicants were appointed.

### **BOARD OF COMMISSIONERS APPOINTMENTS**

The following boards require a commissioner to be appointed by the Board of Commissioners:

- ***Cardinal Innovations Healthcare Solutions***  
Chairman Sides nominated Commissioner Mitchell and the nomination passed unanimously. The term is for three (3) years beginning January 1, 2013 and expiring December 31, 2015.
- ***Tourism Development Authority***  
Chairman Sides nominated Commissioner Barber and the nomination passed unanimously. The term is for two (2) years beginning January 1, 2013 and expiring December 31, 2014.
- ***Juvenile Crime Prevention Council***  
Chairman Sides nominated Commissioner Caskey and the nomination passed unanimously. The term is for two (2) years beginning January 1, 2013 and expiring December 31, 2014.

**8. ADJOURNMENT**

There being no further business to come before the Board, Commissioner Barber moved to adjourn at 3:54 pm. The motion was seconded by Commissioner Mitchell and passed unanimously.

Respectfully Submitted,

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