

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
May 20, 2013 – 6:00 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 6:00 p.m.

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

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Pierce seconded and the vote to approve the minutes of the May 6, 2013 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

Commissioner Caskey moved to add a discussion regarding a temporary Economic Development Task Force. Commissioner Caskey requested the Task Force be discussed today and voted on at the June 3, 2013 meeting.

The motion was seconded by Commissioner Pierce and passed unanimously.

Chairman Sides added the issue as agenda item #7a.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

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

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Sides pointed out there were quite a few resolutions on the Consent Agenda. Chairman Sides said when he receives the resolutions, he places them on the Consent Agenda if he felt he could support the resolutions. Commissioner Sides said the resolutions are for the Board's consideration and for the board members to make their own decisions.

Commissioner Pierce moved to add the property description to the lease for Consent Agenda item K. The motion was seconded by Commissioner Barber and passed unanimously.

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

The Consent Agenda consisted of the following:

- A. 2012 Local Emergency Planning Committee Annual Report
- B. Set Quasi Judicial Hearing for CUP 05-13 for June 3, 2013
- C. Proclamation Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; *and*
WHEREAS, the members of our local emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; *and*
WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; *and*
WHEREAS, emergency medical services providers have traditionally served as the safety net of America's health care system; *and*
WHEREAS, locally our emergency medical services system consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; *and*
WHEREAS, approximately two-thirds of all emergency medical services providers in the nation are volunteers; *and*
WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; *and*
WHEREAS, citizens of Rowan County and its municipalities benefit daily from the knowledge and skills of these highly trained individuals; *and*
WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; *and*
WHEREAS, injury prevention and the appropriate use of the EMS system will help reduce national health care costs.
NOW, THEREFORE BE IT RESOLVED that the Rowan County Board of Commissioners, in recognition of this event does hereby proclaim the week of May 19-25, 2013 as *EMERGENCY MEDICAL SERVICES WEEK* and encourages the community to observe this week with appropriate programs, ceremonies and

activities.

- D.CDBG Procurement: Lead Based Paint Inspection Services
- E. National Guard Land Request for Helicopter Aquatic Rescue Team (HART) Training Facility
- F. Approval of Lessee Resolution
- G. Resolution Supporting Senate Bill 352 - Black Bear Management

WHEREAS, Senate Bill 352 – A BILL TO BE ENTITLED “AN ACT TO ESTABLISH A BLACK BEAR MANAGEMENT STAMP THAT MUST BE PROCURED BEFORE TAKING BEAR WITHIN THE STATE AND TO AMEND THE LAW RESTRICTING THE TAKING OF BLACK BEAR WITH BAIT” sponsored by Senators Brown and Newton has been presented to the North Carolina General Assembly – Session 2013 for approval; and
WHEREAS, Section 2. G.S. 113-291.1(b) [Edition 1 - (2) lines 18 – 21] reads as rewritten: No black bear may be taken with the use or aid of any salt, salt lick, grain, fruit, honey, sugar-based material, animal parts or products, or other bait, ~~and no~~ except as provided by the rules of the Wildlife Resources Commission; and
WHEREAS, Sections 1 and 4 of this act become effective July 1, 2014 and the remainder of this act is effective when it becomes law; and
WHEREAS, recreational hunting is important to the economy of Rowan County; and
WHEREAS, the Rowan County Board of Commissioners supports transfer of control of black bear hunting in the State to the North Carolina Wildlife Resources Commission.
NOW, THEREFORE, BE IT RESOLVED that the Rowan County Board of Commissioners supports A Bill To Be Entitled “An Act To Establish A Black Bear Management Stamp That Must Be Procured Before Taking Bear Within The State And To Amend The Law Restricting The Taking Of Black Bear With Bait”.
BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Senator Harry Brown, Senator E. S. (Buck) Newton, and Gordon Myers, Executive Director, NCWRC, as well as the Rowan County Legislative Delegation.

- H. Resolution Supporting Senate Bill 164 An Act to Increase North Carolina Medical Examiner Autopsy Fees and Opposing Proposed Move of Autopsy Services From Greenville to Raleigh

WHEREAS, currently, autopsies are performed in Greenville, North Carolina at the Brody School of Medicine, located at Vidant Medical Center; and
WHEREAS, effectively June 1, 2013, supplemental funds provided via a federal grant through the Office of the Chief Medical Examiner to East Carolina University will expire; and
WHEREAS, after June 1, 2013, in pursuant of North Carolina General Statute §130A-389.1, the Brody School of Medicine will receive only \$1,000 for each of the nearly 530 autopsies it performs annually, which cost approximately \$1,700 per procedure; and
WHEREAS, Senator Earline W. Parmon, of Forsyth County, has introduced legislation (Senate Bill 164) to increase reimbursement autopsy fees to the North Carolina Examiner from \$1,000 to \$1,500; and
WHEREAS, according to an April 24, 2013 article in The Republic, taken from the Associated Press, East Carolina pathology officials say the increase would allow them to continue doing more local autopsies.
NOW, THEREFORE BE IT RESOLVED, that the Rowan County Board of Commissioners strongly appeals to Governor McCrory and members of the General Assembly to adopt Senate Bill 164 and encourage East Carolina University to continue the service of pathology to all of the surrounding counties it currently serves.

- I. Resolution Supporting Senate Bill 321 - Contain Counties Inmate Medical

Costs

WHEREAS, Counties are responsible for medical costs when inmates are incarcerated in county jails, and counties often pay full, non-negotiated rates for inmate medical care, resulting in great expense to counties; and
WHEREAS, State reimbursement rates have been capped in recent state budget provisions, and Rowan County seeks the same cap on inmate medical expenses to save taxpayer dollars on these costs; and
WHEREAS, Rowan County seeks legislation that would authorize medical care providers to charge counties for inmate medical services at a rate not to exceed the rates paid by the State Department of Public Safety to inmate medical providers; and
WHEREAS, Senate Bill 321 would put County jail inmate costs processes on par with that afforded to State prisons by limiting County reimbursements to medical providers and facilities for jail inmate treatment to the lesser of seventy (70%) percent of the provider's prevailing charge or twice the Medicaid rate; and
WHEREAS, Senate Bill 321 would also allow counties to amend their medical care plans to allow for Medicaid reimbursement for those inmates deemed eligible for Medicaid and receiving inpatient hospitalization services.
NOW, THEREFORE, BE IT RESOLVED, that the Rowan County Board of Commissioners urges the North Carolina General Assembly to grant relief to counties from medical costs for inmates by enacting Senate Bill 321.

J. Resolution Opposing North Carolina Senate Bill 224 That Would Permit Sunday Hunting

WHEREAS, North Carolina General Statute §103-2 currently prohibits hunting on Sundays with a shotgun, rifle or pistol; and
WHEREAS, Senate Bill 224 of the 2013 Session of the North Carolina General Assembly would remove the current prohibition by permitting Sunday hunting on private lands; and
WHEREAS, a 2006 survey by Virginia Tech for a cost of \$143,000 commissioned by the North Carolina Resources Commission released the following information: 65% of the general population opposes legalized hunting on Sunday and only 25% of the general population supported Sunday hunting; and
WHEREAS, there have been no studies that would determine the effect on the resources of adding another hunting day to the week; and
WHEREAS, Sunday hunting compromises the safe enjoyment of many outdoor recreational activities; and
WHEREAS, the current ban protects rural churches from disruptions that would be caused by Sunday hunting; and
WHEREAS, no hunting on Sunday serves as a lay day for the conservation of North Carolina's wildlife resources and their habitats; and
WHEREAS, the addition of Sunday waterfowl hunting will reduce the season up to nine days.
NOW, THEREFORE BE IT RESOLVED, that the Rowan County Board of Commissioners opposes Senate Bill 224 of the 2013 Session of the North Carolina General Assembly.

K. Bowman Land Acquisition and Lease Agreement

L. Change Order #4 for New Corporate Hangar

M. Resolution to Support 2013-15 Funding for Clean Water Management Trust Fund

WHEREAS, the 1996 General Assembly established the Clean Water Management Trust Fund to provide an innovative and non-regulatory approach to the protection and restoration of the surface waters all across the state; and
WHEREAS, the Clean Water Management Trust Fund is a non-regulatory program

established to help meet infrastructure needs of municipalities and counties, restore degraded surface water, protect watersheds, increase recreational opportunities, and enhance quality of life in this state, all critical components for communities to obtain a competitive edge in their economic development; and

WHEREAS, the Clean Water Management Trust Fund has funded 452 infrastructure projects to assist North Carolina communities balance infrastructure needs with environmental protection and to help struggling communities become self reliant with future infrastructure needs; and

WHEREAS, infrastructure needs across the state addressing drinking water, wastewater, and stormwater are estimated at \$16.6 billion between 2005 and 2030; and

WHEREAS, the Clean Water Management Trust Fund has leveraged more than \$1 Billion of private, local and federal funds to support projects; and

WHEREAS, the General Assembly has reduced funding for the Clean Water Management Trust Fund by 78% since 2012; and

WHEREAS, limited funding for the Clean Water Management Trust Fund left 88% of 2012 critical local needs unmet; and

WHEREAS, our economic vitality, health and ability to sustain ourselves and the natural environment all rely on clean water; and

WHEREAS, surface water must be protected to ensure sufficient drinking water supply for the state's growing industrial base and population; and

WHEREAS, Clean Water Management Trust Fund has provided grant(s) to various cities and towns to protect, restore or enhance surface water quality for the benefit of the state's agriculture, military, recreation and tourism economies and to protect our natural heritage for the benefit of all North Carolinians.

NOW, THEREFORE, BE IT RESOLVED that the Rowan County Board of Commissioners supports the Clean Water Management Trust Fund and that the Fund receive an increase in recurring funding from the Governor and the North Carolina General Assembly for the 2013-2015 biennial budget.

N. Resolution Supporting NC Parks and Recreation Trust Fund (PARTF)

WHEREAS, North Carolina is known for its unique and scenic natural resources and opportunities for recreation with a long tradition of its citizens and visitors enjoying parks, mountains, rivers, greenways, beaches, and more. Generations of residents and visitors have delighted in these landscapes and park facilities; and

WHEREAS, the Parks and Recreation Trust Fund (PARTF) was established with bi-partisan support on July 16, 1994 to fund improvements in the state's park system, to fund grants for local governments and to increase the public's access to the state's beaches and coastal waterways; and

WHEREAS, since its inception the Parks and Recreation Trust Fund has provided \$161 million via 722 grants to 370 local governments in 99 counties and has been matched with \$312 million of local and private dollars for the purchase of local park land, building and renovation of facilities, and development of greenways and trails; and

WHEREAS, North Carolina's population has grown to make it the 10th most populous state in the nation with projections for the significant growth to continue in the coming decades, and more state and local parks are needed to meet the increased demands; and

WHEREAS, parks are identified as key contributors to North Carolina's tourism industry that generates nearly \$20 billion in annual economic impact; and

WHEREAS, parks in North Carolina are experiencing record visitation levels including over 14.25 million to state parks in both 2011 and 2012; and

WHEREAS, the Parks and Recreation Trust Fund has leveraged funds that allowed our State to acquire land for state parks and state natural areas and protected nearly 83,000 acres and made major additions to the Mountains-to-Sea State Trail; and

WHEREAS, the Parks and Recreation Trust Fund has funded capital improvement projects in the state parks such as visitor centers and exhibit halls which provide tremendous

opportunities to educate students and all citizens about North Carolina's outstanding natural resources, and other capital projects including campgrounds, picnic areas, boating facilities, trails and swimming beaches; and local capital projects including construction of community centers, athletic fields and greenways; and
WHEREAS, the annual economic impact to local economies of all tourists visiting the state parks system was estimated at more than \$400 million in sales and income, as well as nearly 5,000 jobs, according to a 2008 study; and
WHEREAS, a portion of the Parks and Recreation Trust Fund is designated for the Public Beach and Coastal Waterfront Access Program to improve access to beaches and coastal waterways by funding public boat ramps and public beach accesses; and
WHEREAS, access to parks, recreation facilities and open space provides cost-effective opportunities for citizens of all ages to participate in health and wellness activities thereby reducing costs associated with obesity, heart disease, diabetes, and high blood pressure; and
WHEREAS, research has documented that structured park and recreational opportunities in local communities can prevent crime and provide positive activities and directions for young people; and
WHEREAS, dedicated, recurring funding of the Parks and Recreation Trust Fund allows for structured and objective planning and efficient management of the system at both the state and local levels for today and future generations; and
WHEREAS, the success of the Parks and Recreation Trust Fund is due to the dedicated funding source provided by a portion of the deed stamp tax, and is recognized nationally as a model for efficiency and accountability.
NOW, THEREFORE, BE IT RESOLVED, that the Rowan County Board of Commissioners hereby encourages members of the General Assembly to maintain dedicated revenues generated by seventy-five cents of the deed stamp tax for the Parks and Recreation Trust Fund.

O. Resolution Opposing a Bill to be Entitled An Act to Designate Red Drum, Spotted Sea Trout, and Striped Bass as Coastal Game Fish; to Prohibit the Taking of Coastal Game Fish other than by Hook-and-Line; to Prohibit the Sale of Coastal Game Fish; and to Compensate Commercial Fishermen for Certain Losses Due to the Designation and Prohibition

WHEREAS, the Preamble of the North Carolina Fisheries Reform Act states that the North Carolina Legislature empowered the North Carolina Marine Fisheries Commission (MFC) and the North Carolina Division of Marine Fisheries (DMF) to manage fish stocks for all North Carolina user groups; and
WHEREAS, commercial harvest of Red Drum and Speckled Sea Trout have been curtailed significantly over the last three years. In the case of Red Drum, total stock biomass and spawning biomass are at NCDMF target levels and there has been very strong recruitment over the last three years. Speckled Sea Trout Fishery Management Plan (FMP) has given the NCDMF Director Proclamation authority to manage the stock for cold stuns and commercial harvests have been significantly reduced. It is estimated that the recreational by-catch mortality now exceeds the commercial catches of Red Drum and Speckled Sea Trout; and
WHEREAS, North Carolina Legislature has spent considerable time and money to establish branding campaigns and advertise "NC Fresh" products to foster more consumption of North Carolina seafood by residents and tourists. Red Drum, Speckled Sea Trout and Striped Bass are perennial favorites and great strives have been made to find ways to get seafood further west so more state residents can enjoy North Carolina seafood; and
WHEREAS, Coastal Conservative Association (CCA) valuations for the Red Drum, Speckled Sea Trout and Striped Bass fisheries are economic multiplier associated with commercial fishing. Some examples include: boat and motor purchases, jobs associated with harvesting, packing out, shipping and retail, purchases of gear, sales tax from tourism and maintaining the coastal fishing families and their income is a key to many businesses staying open during the

winter months. Family members are also a large part of the local labor pool that businesses depend upon during the summer months; and

WHEREAS, commercial and recreational fishing play a role in county and statewide economy. North Carolina needs every job to keep unemployment down. CCA projections of increased tourism are unrealistic and the loss of jobs will be destructive to our coastal communities; and WHEREAS, while not harvested in significant numbers, Red Drum, Speckled Sea Trout and Striped Bass provide fishing families income during late fall, winter and spring when fishermen need it most.

NOW, THEREFORE, BE IT RESOLVED that the Rowan County Board of Commissioners, along with the Working Watermen's Association and N. C. Watermen's United, strongly endorse support of a resolution against upcoming HB983 – game fish bill. The game fish status is not needed to maintain healthy fish stocks. HB983 will have a devastating impact on commercial fishing families income; eliminate availability of the state fish, a public resource, to North Carolina residents, tourists, restaurants and seafood retail.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Governor Pat McCrory and the Rowan County Legislative Delegation to the North Carolina General Assembly.

P. Resolution Appointing Review Officer

WHEREAS, S.L. 1997-309 (S875) makes a number of significant changes in the procedures for recording maps and plats; and

WHEREAS, the main purpose of the law is to transfer the responsibility for reviewing plats to determine whether they meet recording requirements from the Register of Deeds to a Review Officer; and

WHEREAS, the new G.S. 47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint a person to serve as Review Officer to review each plat before it is recorded and certify that it meets the statutory requirements for recording, and WHEREAS, it is the desire of the Rowan County Board of Commissioners to insure an expeditious review of all maps and plats as required by G.S. 47-30.2 before they are presented to the Register of Deeds for recording.

NOW THEREFORE, BE IT RESOLVED, effective May 20, 2013, Jennifer Goble is hereby appointed to perform all responsibilities as required for Review Officer under the appropriate North Carolina General Statutes.

BE IT FURTHER RESOLVED that a copy of this Resolution designating the appointment of Review Officer be recorded in the Rowan County Register of Deeds Office and indexed in the name of the Review Officer.

2. NC FARM TO SCHOOL: RECOGNITION OF STUDENTS AND TEACHERS

Commissioner Barber explained the Farm to School Program that has been supplying school cafeterias across the state with the freshest, locally grown produce from NC farms since 1997.

Commissioner Barber said that students had participated in a statewide artwork competition for the NC Farm to School Annual Calendar for the last several years. Commissioner Barber said two (2) Rowan County students had their artwork chosen for the 2012-13 calendar and two (2) additional students had their artwork selected for the 2013-14 calendar. Commissioner Barber pointed out that there had been several thousand entries in the artwork competition and it was an honor to have been selected.

The students honored with a certificate were as follows: Marissa Blackwelder and Logan Wilbanks for the 2012-13 calendar, and Heaven Thornton and Ashton Brown for the 2013-14 calendar. The teachers honored with a certificate were Amy Parsons and Kimberly Nance.

A round of applause followed the presentations.

3. LIFETIME ACHIEVEMENT AWARD PRESENTATION TO EDWIN KOONTZ

Donna Fayko, Department of Social Services (DSS) Director, said former longtime Rowan County DSS Director, Edwin Koontz, was honored with the Lifetime Achievement Award presented by the North Carolina Association of County Directors of Social Services (Association). Ms. Fayko said each year the Association chooses a recipient for this highest honor and on April 11, 2013 it was bestowed on Edwin Koontz. Ms. Fayko said Mr. Koontz began working for Rowan County in 1954 and after a series of promotions he was appointed as DSS Director in 1973 where he served until his retirement in January of 1995. Ms. Fayko then highlighted Mr. Koontz' community involvement and also shared comments of praise made by various citizens regarding Mr. Koontz and his service.

Chairman Sides said he personally was a county employee from 1973 to 1980 and was in charge of data processing. Chairman Sides said he worked with Mr. Koontz and his department during those years. Chairman Sides described the demeanor of Mr. Koontz as low key and as a low profile individual. Chairman Sides then read a plaque, which he presented to Mr. Koontz. The presentation was followed by a standing ovation and round of applause.

Mr. Koontz talked about receiving the call notifying him of the award by the Association. Mr. Koontz took the opportunity to introduce his family members in attendance and also asked retired employees of DSS to stand. Mr. Koontz expressed appreciation for the events of the evening and went on to say he had enjoyed working and also was enjoying his retirement.

Mr. Koontz' comments were followed by another round of applause.

4. 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:

- R. Howard Andrews spoke in opposition to Jesus and to religion.
- William McCubbins spoke in support of the Board opening meetings with sectarian prayer.
- Larry Wright expressed appreciation to Rowan County's legislative delegation for their support on various issues.

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

- At this point in the meeting, Chairman Sides turned the meeting over to Vice-Chairman Pierce. Vice-Chairman Pierce said there had been a lot of presentations made during the meeting and he went on to say it was also important to recognize individuals for a job that was outstanding.

Vice-Chairman Pierce said the Board had a good staff that took care of the County Commission, recognizing the fact that Rowan County had a good County Manager, a good Finance Director and a good County Attorney. Vice-Chairman Pierce went on to single out and recognize the Clerk to the Board, Carolyn Barger, for her recent election as President of the North Carolina Association of County Clerks (NCACC). Vice-Chairman Pierce said that out of all 100 counties, Rowan County had the best clerk. Vice-Chairman Pierce presented Ms. Barger with a bouquet of flowers on behalf of the Board.

A round of applause and standing ovation by the Board followed.

Ms. Barger thanked the Board and said she could not perform her duties without the support of the Board.

Chairman Sides said Ms. Barger did a great job for the Commission. Chairman Sides said Ms. Barger fields a lot of phone calls and takes a lot of heat off the Commission due to just handling the situation, rather than passing the issue on. Chairman Sides commended Ms. Barger on doing research and being able to secure information without delay. Chairman Sides said he appreciated Ms. Barger's hard work and knowledge of the job.

Commissioner Caskey said he had only been on the Commission a short time but the transition had been a good one. Commissioner Caskey thanked Ms. Barger for the assistance she had provided.

Commissioner Mitchell said the Clerk to the Board was often the face of Rowan County Government, especially when there was a need for an answer to a question. Commissioner Mitchell said Ms. Barger does a great job and deserves to be President of the NCACC.

Commissioner Barber said the Board was statutorily required to appoint the Clerk to the Board, the County Attorney, the County Manager, and the Tax Administrator. Commissioner Barber said one of the most critically appointed positions was the County Clerk. Commissioner Barber went on to say that commissioners and county managers come and go, while the County Clerk was the consistent face for citizens. Commissioner Barber said Ms. Barger had an extremely tough job with the types of issues she

was involved in on a daily basis. Commissioner Barber extended appreciation for Ms. Barger bringing the Annual County Clerk's Conference to Rowan County in 2010, which he felt had set the stage among her peers to show her abilities to be President.

5. QUASI-JUDICIAL HEARING FOR PCUR 01-13

Chairman Sides read the Chairman's Speech (Exhibit A) and declared the public hearing for PCUR 01-13 to be in session. Chairman Sides said the hearing would focus on an application by Rafael Garcia's for property located at 15185 US Hwy 52. The purpose of the application was to request a parallel conditional use rezoning of Rowan County Tax Parcels 542-045 and 044 from Rural Agricultural (RA) to Commercial, Business, Industrial (CBI) with an accompanying Conditional Use District (CBI-CUD) to operate an auto sales business.

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

Planner Julian Burton explained that the request began with the submission of the application by Mr. Rafael Garcia. Mr. Garcia had since moved and Mr. Oziel Escamilla was now acting as the applicant.

Mr. Burton presented Staff Report (Exhibit B) and also a power point presentation (Exhibit C) as he discussed the request. Mr. Burton explained that the request was to accommodate an auto sales business. Mr. Burton said if the parcels in question are changed from RA to CBI, then the zoning will no longer be contiguous with the surrounding parcels on the same side of US 52. However, the parallel conditional use request ensures that the property use will be restricted to auto sales, and future changes in use will require subsequent approval from the Board of Commissioners.

Mr. Burton said the CBI zone allows for a wide range of activities which provide goods and services. Mr. Burton said Highway 52 is a major transportation corridor in Rowan County, making CBI appropriate for many areas along the thoroughfare.

Mr. Burton explained the RA zoning district provided a wide range of business options for properties, but all retail uses are limited by special requirements. Mr. Burton went on to state that Auto Sales are allowed within the RA zoning district but the display area cannot exceed 5000 square feet, and the owner must live on site, which Mr. Escamilla does not. Mr. Burton said that all of the parcels contiguous to Mr. Escamilla's property are zoned RA.

Mr. Burton said the Planning Board met on April 2, 2013 and voted unanimously to recommend approval based on the following recommended statements:

STATEMENT OF REASONABLENESS

- 1) The Rezoning request PCUR-01-13 is consistent with the Eastern Land Use Plan because the parcels under consideration are within the Highway 52 Commercial and Industrial Corridor and encouraged the intended use.
- 2) Property across the highway provides a variety of uses that are considered low intensity.
- 3) The CBI district allows uses that provide goods and services based on accessibility to the public.

STATEMENT OF CONSISTENCY

- 1) The proposed PCUR-01-13 is consistent with the Eastern Land Use Plan.
- 2) The request would be consistent with the surrounding area and the mixture of uses found.

Commissioner Pierce said Mr. Escamilla owned the property next door to the property being discussed. Commissioner Pierce asked if Mr. Escamilla could have the properties resurveyed and combined in order to meet the requirement of living on the property. Mr. Burton responded that it would limit the display area to only 5,000 feet and the rezoning would allow Mr. Escamilla better use of the property.

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

Commissioner Barber moved to adopt Statements of Reasonableness and Consistency as presented. The motion was seconded by Commissioner Pierce and passed unanimously.

Commissioner Barber moved that the development of the property in accordance with the proposed conditions will not materially endanger the public health or safety based on the following fact:

FACT: Adhering to the approved NCDOT commercial driveway permit suggests this site will provide safe access to the general public and not adversely impact traffic along US Hwy 52.

The motion was seconded by Commissioner Pierce and passed unanimously.

Commissioner Barber moved 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 based on the following fact:

FACT: No material evidence was presented suggesting this request would injure property values. The adjoining lot to the NW of the property is also owned by Mr. Escamilla and the properties abutting the property are wooded and undeveloped.

Commissioner Mitchell seconded and the motion passed unanimously.

Commissioner Barber moved that the location and character of the development in accordance with the proposed conditions will be in general harmony with the area in which it is located and in general conformity with any adopted county plans, based on the following facts:

FACT: US 52 is a major transportation corridor and according to the Zoning Ordinance, CBI zoning districts are typically applied in densely developed areas, along major transportation corridors, and in major cross-roads communities. The surrounding community rendered no opposition at either the Planning Board or Board of Commissioners' meeting.

FACT: The area is not solely residential, and currently includes Industrial, and Neighborhood Business zones.

FACT: Trip estimations found in the Institute of Transportation Engineers manual (7th edition) state that an auto sales business of this size would not create any more than 30 trips per day. Therefore, this business will not negatively impact the level of service for US 52 or any nearby right of ways.

FACT: Site Parcels 542-044 & 045 are located directly on Highway US 52, and are designated as a part of the US 52 commercial and industrial corridor within the Eastern Land Use Plan. The plan states that "commercial and industrial uses having need for rail and US highway availability are encouraged within the US 52 corridor planning area" (ELUP, p. 31).

Commissioner Pierce seconded and the motion passed unanimously.

Commissioner Barber moved approval of PCUR 01-13. The motion was seconded by Commissioner Pierce and passed unanimously.

6. PUBLIC HEARING FOR Z 02-13

Chairman Sides said he would need to recuse himself as the public hearing for Z 02-13 involved property he owned.

Vice-Chairman Pierce presided over the public hearing.

Senior Planner Shane Stewart presented the request from James Sides, Jr. and Phyllis Sides for the rezoning of approximately 7.1 acres located along the 100 block of Henkle Craig Farm Road Tax parcels 334A-012, 123, 127, and 274. Mr. Stewart explained the request was to rezone from Commercial, Business, Industrial (CBI) and Manufactured Home Park (MHP) to Rural Agricultural (RA).

Mr. Stewart presented Staff Report and also provided a power point presentation as he discussed the request.

Mr. Stewart explained that the Western Area Land Use Plan indicates this property is located within area Two, which encourages medium density residential development and the Highway Corridor Overlay for US 70. Mr. Stewart said there was consistency with the requested zoning district's purpose and intent.

Mr. Stewart said the Planning Board met April 22, 2013 and recommended unanimous approval based on the following:

Statement of Reasonableness

1. The proposed rezoning Z-02-13 is consistent with the Western Land Use Plan
2. The request would be consistent with the surrounding area properties
3. The request would have no negative impacts on roads, schools, or utilities

Statement of Consistency

1. The rezoning request Z-02-13 is consistent with the Western Land Use Plan based on the encouraged medium density residential development for the area:
2. MHP and CBI districts permit residential uses and the proposed RA rezoning request is compatible with the other uses in the area and will have no imposed impact on Henkle Craig Farm Road, Goodson Road, or any surrounding roads
3. The property under consideration no longer contains two or more manufactured homes and no longer meets the requirements of a MHP
4. The request will have no impact on schools, road, or utilities

Vice-Chairman Pierce opened the public hearing to receive citizen input regarding Z-02-13. With no one wishing to address the Board, Vice-Chairman Pierce closed the public hearing.

Commissioner Mitchell moved to approve the Statements of Reasonableness and Consistency as submitted. The motion was seconded by Commissioner Barber and passed unanimously (4-0).

Commissioner Mitchell moved to approve Z-02-13. Commissioner Barber seconded and the motion passed unanimously (4-0).

7. DISCUSSION REGARDING DATE/TIME FOR PUBLIC HEARING FOR FY 2013-14 PROPOSED BUDGET

County Manager Gary Page presented the FY 2013-14 proposed budget to the Board. Mr. Page said the Board must hold a public hearing to allow for citizen input on the proposed budget before the Board could adopt the budget ordinance. Mr. Page asked the Board to consider setting a date/time for the public hearing, as well as any budget work sessions the Board might feel were necessary.

Chairman Sides moved for the Board to hold its regular meeting on June 3, 2013 at 3:00 p.m., call for a recess and come back at 5:30 p.m. to hold the public hearing for the proposed FY 2013-14 budget. The motion was seconded by Commissioner Pierce.

After a brief discussion as to whether to schedule a work session, the Board agreed to wait until after the June 3, 2013 meeting and determine if a work session was needed.

Commissioner Barber expressed appreciation to staff for their dedication and hard work in preparing the proposed budget.

ADDITION

7a. DISCUSSION ON THE FORMATION OF A TEMPORARY ECONOMIC DEVELOPMENT TASK FORCE

Commissioner Caskey discussed a temporary Economic Development Task Force (Task Force) to hold sessions between July and December to make recommendations to the Commission concerning policies and procedures. Commissioner Caskey said the Task Force would report on any changes that would be beneficial to Rowan County to make the County more competitive. Commissioner Caskey recommended the Task Force look at the unique advantages and resources in Rowan County to determine if there were better ways to utilize the available resources.

Commissioner Caskey said there should be no elected officials on this Task Force from the municipalities or county government, but rather a stand alone Task Force to freely discuss amongst themselves. Commissioner Caskey said he had received several suggested changes from fellow board members.

Commissioner Caskey outlined the proposed makeup of the Task Force as a 25 member group, consisting of business leaders from the top five (5) private sector employers, Food Lion, Freightliner, Rowan Regional, Magna and Wal-Mart. Commissioner Caskey said the Commissioners would appoint five (5) members, each municipality would appoint one (1) member and the Economic Development Commission (EDC) would appoint four (4) members to the Task Force.

Commissioner Caskey said his initial thoughts were to appoint the Task Force on June 3, 2013 with the County appointing its members at the July meeting. Commissioner Caskey stated the EDC would be the facilitator.

Commissioner Caskey said the Task Force was to make recommendations only and that the Board would not be obligated to implement any of the suggestions.

Chairman Sides said he had one or two concerns about the make up of the Task Force and asked that each Commissioner spend some time over the next couple of weeks studying the concept. Commissioner Sides recommended that if there

were other ideas, those needed to be passed on to Commissioner Caskey to make changes as he desired for the next meeting.

8. NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS LEGISLATIVE VIDEO

The North Carolina Association of County Commissioners (NCACC) created a legislative update video, which highlighted the NCACC's goals on behalf of all counties. Chairman Sides had the video played for the public to view. The video encouraged locally elected boards of commissioners to speak with their locally elected legislators on matters of importance and the video also encouraged boards of commissioners to attend County Assembly Day on May 22, 2013.

9. CONSIDER APPROVAL OF BUDGET AMENDMENTS

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

- Finance – To adjust Home and Community Care Block Grant (HCCBG) based on budget revisions - \$7,319
- Health – Receive additional Healthy Community funding to develop and implement policy, systems, and environmental change interventions that improve local food systems, increase food security, promote active living through planning, reduce and prevent tobacco use, and prevent chronic diseases, violence and injury - \$12,480
- Social Services – Revise expenditures and revenues based on sequestration cuts applied to the HCCBG program - \$1,197
- Social Services – To budget for adoption incentive money that has been received due to successful placements - \$30,000
- Finance – To record revenues and expenditures for preparation of RTS Facility propane site - \$10,000
- Finance – To set up a new budget for propane purchases at the RTS Facility and reimbursement revenues - \$19,080

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

ADJOURNMENT

There being no further business to come before the Board, Commissioner Barber moved to adjourn at 7:12 p.m. The motion was seconded by Commissioner Pierce and passed unanimously.

Respectfully Submitted,

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