

**MINUTES OF THE MEETING OF THE  
ROWAN COUNTY BOARD OF COMMISSIONERS  
May 5, 2014 – 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.

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

**CONSIDER ADDITIONS TO THE AGENDA**

Commissioner Barber moved to add a discussion to issue a public apology to Mr. Jake Alexander, Mr. Clay Lindsay, Mr. Mark Lewis, Mr. Paul Fisher, Mr. Todd Paris, Mr. Doug Paris, Ms. Elizabeth Cook, Mr. Carl Prine, Mr. John Blair, Ms. GeoRene Jones, and Mr. Julian Torrey. The motion failed due to a lack of a second.

Commissioner Barber moved to add a discussion to thank the following citizens for their continuous involvement in community affairs: Mr. Jake Alexander, Mr. Clay Lindsay, Mr. Mark Lewis, Mr. Paul Fisher, Mr. Todd Paris, Mr. Doug Paris, Ms. Elizabeth Cook, Mr. Carl Prine, Mr. John Blair, Ms. GeoRene Jones, and Mr. Julian Torrey. The motion died for lack of a second.

**CONSIDER DELETIONS FROM THE AGENDA**

There were no deletions from the agenda.

**CONSIDER APPROVAL OF THE AGENDA**

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

**CONSIDER APPROVAL OF THE MINUTES**

Commissioner Pierce moved, Commissioner Barber seconded and the vote to approve the minutes of the April 21, 2014 Commission Meeting passed unanimously.

**1. CONSIDER APPROVAL OF CONSENT AGENDA**

Commissioner Barber requested to add Consent Agenda item E to the regular agenda.

Chairman Sides added the issue as agenda item #3a.

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. Planning Services Contract With Town of China Grove
- B. Juvenile Crime Prevention Council Funding Allocation for FY 14-15
- C. Approval of Professional Engineering Services for the Gildan Yarns Roadway and Waterline Projects
- D. Approval of Bid for the Purchase of Materials Baler
- E. Request for Public Hearing and Approval of Resolution for Financing of West End Plaza (placed on the agenda as item #3a for discussion)
- F. FY 2014 Vehicles Financing Proposals
- G. Proclamation for Community Action Month
- H. Revised Sewer Easement for Rowan County Fair Association
- I. Proclamation for Law Enforcement Week
- J. Proclamation for Shield-A-Badge With Prayer Awareness Month
- K. First Amendment to Purchase and Sale Agreement for Hutton Growth
- L. Road Abandonment Request From NCDOT for SR 2175 (Dukeville Road)

**2. ANNOUNCEMENTS**

Chairman Sides said the Rowan County 2014 Annual Special Waste Recycling Event would be held on May 7, 2014 from 7:00 a.m. to 7:00 p.m. The event is sponsored by the Rowan County Sheriff's Department, NC Department of Agriculture and Consumer Services, and Rowan County Environmental Management. The event is free to Rowan County citizens and will be held at the Rowan County Recycling Processing Center, 1102 North Long Street Extension in East Spencer, NC.

### **3. 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:

- Robert Kent Smith spoke in opposition to the purchase of the former Salisbury Mall.
- Joanne Stewart highlighted what she felt was a list of “do’s and don’ts” for being a County Commissioner.
- GeoRene Jones spoke regarding past comments she said were directed to her by some members of the Board, as well as comments written about her to the Salisbury Post by citizens in the community.
- Barbara Burgess discussed a proposed tax increase with regards to the former Salisbury Mall purchase and the 2015 revaluation.
- Rick Johnson spoke regarding the issue of prayer. Mr. Johnson read a portion of the Supreme Court’s Opinion on prayer issued this date. Mr. Johnson thanked the Board for its position on prayer.
- James Kirks felt the Board should revisit the Salisbury Mall purchase.
- Joe Coladarci thanked the Board for its position on prayer. Mr. Coladarci also thanked the Board for de-annexing the Rowan County Airport and purchasing the former Salisbury Mall.
- Larry Wright spoke regarding what he felt were evil forces working against the Board of Commissioners.

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

### **ADDITION**

#### **3a. REQUEST FOR PUBLIC HEARING AND APPROVAL OF RESOLUTION FOR FINANCING OF WEST END PLAZA**

Commissioner Barber stated the BOC would be acting on a Resolution asking the Local Government Commission (LGC) to allow the Board to borrow \$3.9 million for the Salisbury Mall. Commissioner Barber said the memo accompanying the Resolution stated that there would be a public hearing on May 19, 2014 where the public could share with the Board the favor or concerns with the borrowing of \$3.9 million in the applications submitted to the LGC.

Commissioner Barber went on to read item #5 in the Resolution, “The increase in property taxes necessary to meet the sums to fall due under the proposed contract will be one-half cent per \$100 valuation and is not deemed to be excessive.”

Commissioner Barber moved to strike #5 from the Resolution. Commissioner Barber said the Resolution was not binding because the votes that would be taken once the budget was passed would set the tax rate. Commissioner Barber

said he saw no need to have the statement in the Resolution, which was why he was asking for it to be stricken.

Commissioner Barber said he would be voting against the Resolution and directly contacting the LGC to let it be known exactly why he was opposed to the purchase of the Mall and its impact on properly funding projects in the future. Commissioner Barber said he did not know how all of the projects could be funded without a tax increase.

Commissioner Barber repeated his motion to strike item #5 from the "Resolution Authorizing the Filing of an Application for Approval of a Financing Agreement Authorized by North Carolina General Statute 160A-20."

Commissioner Mitchell questioned why the statement read it would require an increase when it did not mean it would necessarily require an increase. Mr. Page responded that when the Board borrowed funds to build the new 911 Center, the radio towers and to replace the radios, one of the questions the LGC asked was how the County proposed to pay the debt back. Mr. Page said that the verbiage on the application was from the LGC and was the standard form used. Mr. Page said the issue was for the LGC to understand how the money would be paid back. Mr. Page said the debt could be dropped if there was something found in the budget that could be cut to cover that cost. Mr. Page said no decisions had been made concerning the budget and this was more a matter of information for the LGC to understand what it would cost and how it would be paid back.

Mr. Page said the revenues would generate enough to cover the overhead, but there was not enough to cover the debt. Mr. Page said if there was something in the budget that could be cut, the Resolution could be amended stating a tax increase would not be required.

Ms. Heidrick confirmed the sentence was in the LGC's template with a blank left for the percentage.

Chairman Sides said the Mall cost \$3.5 million and the County was borrowing an additional half-million dollars to up fit the Mall for the Board of Elections and Veteran Services Office. Chairman Sides said the total was \$3.9 million and the debt had to be paid. Chairman Side said it could be financed over a certain number of years, but there was a direct cost with the purchase of the Mall. Chairman Sides explained that the Mall was paid for out of the County's bank account and money was being borrowed to put back into the account. Chairman Sides said the County borrowed large sums of money, which had to be paid back and the funds had to come from somewhere.

The motion on the floor died for lack of a second.

Commissioner Pierce moved approval for the request to set the Public Hearing and for Approval of the Resolution for Financing of the West End Plaza. Commissioner Caskey seconded and the motion passed 4-1 with Commissioner Barber dissenting.

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

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

- Cooperative Extension – to budget additional revenues and expenditure for fees received for 4-H programs at the Cooperative Extension - \$5,000
- Finance – Budget NC Department of Public Safety-Homeland Security Grant Program. The grant is to facilitate an injury simulation class for CERT teams - \$6,500
- Finance – Budget revenues and expenditures for Vital Records Automated System for Register of Deeds - \$439
- Sheriff – Recognize revenue in asset forfeiture accounts and budget to the proper expense accounts - \$82,068
- Finance – Recognize Katrina reserved funds from FY 2013 for Sheriff's Office. Reserved funds represent money received by a Department for a restricted purpose. Funds that have not been spent by year end are budget for expenditure in the new fiscal year - \$25,550
- Social Services – To use funds from Special Assistance Aged and Special Assistance Disabled lines in order to purchase needed equipment and complete projects. Funds can be used in the current fiscal year which reduces the FY 14-15 budget request. The department will receive reimbursement on the purchases that the department would not have otherwise drawn down being that SAA and SAD funds consist of county dollars - \$30,298
- Social Services – To appropriate OCOC donated revenues to the coordinating expense account - \$2,813
- Finance – Budget revenues and expenditures for FY 2013-14 HOME Program - \$145,883

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

#### **5. CONSIDER APPROVAL OF BOARD APPOINTMENTS** **NURSING HOME ADVISORY BOARD**

- Daniel Robinson was appointed to a three (3) year term on April 7, 2014. The guidelines for the Community Advisory Committee state that committee members shall serve an initial term of one (1) year. The Board of Commissioners is asked to ratify Daniel Robinson's term to end March 31, 2015.

Commissioner Mitchell moved to ratify the term for Daniel Robinson to end March 31, 2015. The motion was seconded by Commissioner Pierce and passed unanimously.

- Matthew Trexler submitted an application for reappointment.

Commissioner Mitchell nominated Matthew Trexler for reappointment and the nomination carried unanimously.

The term is for three (3) years beginning April 1, 2014 and expiring March 31, 2017.

#### **ROWAN-IREDELL VFD FIRE COMMISSIONER**

- Gail Sharpe submitted an application for reappointment.

The term is for two (2) years beginning May 1, 2014 and expiring April 30, 2016.

Commissioner Pierce nominated Gail Sharpe for reappointment and the nomination passed unanimously.

#### **LOCAL EMERGENCY PLANNING COMMITTEE**

- Marcus Koontz has submitted an application representing utilities, replacing Teresa VonCannon.
- Anthony Vann has submitted an application replacing Judy Burris as the community representative.

There are no term limits associated with the committee.

Commissioner Mitchell nominated Marcus Koontz and Anthony Vann. The nomination carried unanimously.

#### **6. ADJOURNMENT**

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 3:36 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