

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

August 18, 2014 – 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 Mitchell provided the Invocation and also led the Pledge of Allegiance.

CONSIDER ADDITIONS TO THE AGENDA

Commissioner Barber requested that Consent Agenda item G be moved to the regular agenda.

Chairman Sides moved the issue to 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.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Pierce moved, Commissioner Barber seconded and the vote to approve the minutes of the August 4, 2014 Commission Meeting passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

The Consent Agenda consisted of the following:

A. Proclamation for RumbleQuake III

The Proclamation read as follows:

WHEREAS, RumbleQuake III is the parade route of a special motorcycle tribute to acknowledge, honor and remember all those who took the oath and served our country in the United States military; and

WHEREAS, the special tribute is called a "Rumble Quake" and will be the Opening Act for Uncle Sam's USO show and Celebration for the Veterans and their family and friends; and

WHEREAS, the thirty-four mile long parade route, known as The Purple Heart Trail, begins in Salisbury at the intersection of Statesville Boulevard and US Hwy 70 and travels west to The BOAT, at 800 Bailey Farm Road, Bailey Hills, NC, a community in Iredell County; and

WHEREAS, the celebration will begin at approximately 11:00 a.m. Saturday, November 8, 2014, arriving at The BOAT at approximately 12:00 noon.

NOW, THEREFORE BE IT PROCLAIMED that the Rowan County Board of Commissioners does hereby call upon the citizens of Rowan County to participate in and support "The Ride of Pride" and to remember the sacrifices of all those who fought so valiantly on the seas, in the air, and on foreign shores to preserve our heritage of freedom.

B. CTP Section 5311 FY 2015 Resolution

C. Approval for Veterans Banquet to Be Held in Former JC Penney's Location at West End Plaza

D. Set Quasi-judicial Hearing for CUP 04-14 for September 2, 2014

E. West End Plaza Amended Lease for Super Nails

F. West End Plaza Amended Lease for Bath and Body

G. Resolution on Re-Settling of Illegal Immigrants Including Unaccompanied Minors (moved to agenda item #2a).

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

- Before continuing to the next agenda item, Chairman Sides announced that County Manager Gary Page was retiring at the end of August as County Manager. Chairman Sides took the opportunity to recognize and thank Mr. Page for his dedication and many years of government service.

Chairman Sides presented Mr. Page with a plaque and gift from the Board of Commissioners and citizens of Rowan County. The presentation was followed by a round of applause and a standing ovation.

Chairman Sides said he would also like to gift Mr. Page the electronic equipment issued by the County.

Mr. Page thanked the Board and talked about his start with local government and the different counties in which he had worked. Mr. Page said he had thought finishing his career in Rowan County would be the easiest years of service; however they had proved to be the most

challenging due to the recession. Mr. Page highlighted the good things that had happened in Rowan County over the last six (6) years, including construction of a new 911 Telecommunications Center, consolidating DSS, building a new jail and purchasing new radios for the fire departments. Mr. Page discussed all the measures that had been taken during the recession to ensure the County could provide the needed services and live within its means..

Mr. Page voiced appreciation for the Rowan County Board of Commissioners that hired him, as well as the current Board, the legislators, his staff, family and especially his wife, Julie.

Chairman Sides introduced Representative Carl Ford, who came forward with a special presentation for Mr. Page.

Representative Ford thanked Mr. Page for his many years of service. Representative Ford then presented Mr. Page with the Order of the Long Leaf Pine Award from Governor Pat McCrory. The presentation was followed by a round of applause and a standing ovation.

Commissioner Pierce moved to grant Mr. Page his county phone and computer to take with him when he retires. The motion was seconded by Chairman Sides and passed unanimously.

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:

- John Lee Morrison, Past President of the Fire and Rescue Association. Talked about appreciation for the work of retiring County Manager Gary Page. Mr. Morrison felt Mr. Page had done an excellent job and he highlighted some of the good that resulted from Mr. Page's dedication and leadership.
- Karen Puckett asked the Board to reject the Resolution on Re-settling of illegal Immigrants Including Unaccompanied Minors.
- Ted Goins, of Lutheran Services Carolina, congratulated retiring County Manager Gary Page. Mr. Goins then spoke regarding the Resolution on Re-settling of illegal Immigrants Including Unaccompanied Minors. Mr. Goins asked the Board to instead address the humanitarian issue and the political side dealing with immigration.
- Michael Martelli spoke in opposition to the Resolution on Re-settling of illegal Immigrants Including Unaccompanied Minors.
- Andy Stevens representing Grass Roots NC with regards to proposed text amendments for concealed carry and agreed with repealing the ordinance.

- Barbara Garwood asked the Board to reconsider the Resolution on Re-settling of illegal Immigrants Including Unaccompanied Minors.
- Will McCubbins said the Board was willfully telling the citizens they could come onto their own property and be armed to defend themselves. Mr. McCubbins expressed appreciation to the Board for its support to allow citizens to carry weapons
- Larry Wright thanked the Board for the Resolution on Re-settling of illegal Immigrants Including Unaccompanied Minors.
- Reverend Rhodes Woolly spoke in opposition to the Resolution on Re-settling of illegal Immigrants Including Unaccompanied Minors.
- Eva GeoRene Jones spoke in opposition to the Resolution on Re-settling of illegal Immigrants Including Unaccompanied Minors.
- James Kirks expressed appreciation to retiring County Manager for his service. Mr. Kirks asked Mr. Page how he felt he was leaving Rowan County as he retired.
- Rick Johnson provided a handout and spoke in support of the proposed text amendments for concealed carry.
- Geoffrey Hoy spoke concerning the proposed text amendments for concealed carry.

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

2A. RESOLUTION ON RE-SETTLING OF ILLEGAL IMMIGRANTS INCLUDING UNACCOMPANIED MINORS.

Chairman Sides read the Resolution on Re-settling of Illegal Immigrants Including Unaccompanied Minors as follows:

WHEREAS, the citizens of Rowan County, North Carolina recognize their duty as law-abiding citizens to act in accordance with the U.S. Constitution and the North Carolina Constitution, and are endowed with rights to life, liberty and the pursuit of happiness, which our government has been instituted to secure; *and*

WHEREAS, the federal government is failing to protect the borders of our country in accordance with Article 1, Section 8 of the U.S. Constitution; *and*

WHEREAS, it is estimated that more than 90,000 illegal alien minors will arrive in the United States during 2014 and an additional 145,000 illegal alien minors during 2015; *and*

WHEREAS, this country is a nation of immigrants, save a current minority, and in its earlier days, accepted individuals of any and every location, age, hue, combination and variety; *and*

WHEREAS, that door of opportunity remains open for many of the poor, tired, huddled masses, yearning to be free, the presence of so many, now totaling over 250 million, has caused a tightening of the requirements for entry, to preserve the quality of life, a lifestyle unequalled anywhere in the world; *and*

WHEREAS, this country has never experienced this type of crisis before, as those having sought entry generally valued the integrity of the family and honored the protection of their own children; *and*

WHEREAS, the economic plight of countries sharing the continent have now allowed and encouraged minors to travel alone at great peril, preventing the American assimilation

process, founded upon principles of labor and education, and straining the already overburdened facilities, employees, and funding of the naturalization community; *and* **WHEREAS**, the influx of school-age minors will have an adverse effect on our local school district educational funding, resources, campus security, public health and safety, as well as all county resources; *and* **WHEREAS**, this forced emergency reveals its hyperbole in that now the illegal entrants run to the arms of the immigration officials, instead of trying to secret oneself; *and* **WHEREAS**, this issue is not of Rowan County's making, and is much larger than Rowan County, and Rowan County does not have the excess resources necessary for relief. **NOW THEREFORE BE IT RESOLVED**, the Rowan County Commissioners does hereby urge its government to uphold the laws of the land, cease any practices that would encourage minors and adults fleeing to this country for economic reasons, expand from contiguous jurisdictions immediate removal of any applicants while their case awaits a hearing, and refrain from housing any unaccompanied minors and adults in Rowan County.

Chairman Sides stated the Resolution was not a law and carried no weight other than what was stated in the Resolution. Chairman Sides said he was personally opposed to illegal immigration but not opposed to immigration. Chairman Sides said it was a political issue and he felt the government was not doing what needed to be done to protect our country's borders.

Commissioner Barber said there were currently over forty (40) different languages spoken in Rowan-Salisbury School System (RSSS). Commissioner Barber said The North Carolina Constitution said every child deserved a quality education and he felt it was the County's legal responsibility to educate these students. Commissioner Barber said the issue was the federal government not holding up their end of the Constitution and when these children show up, the County had no option but to help the children. Commissioner Barber said he also was opposed to illegal immigration but the fact of the matter was that was not the Commission's job. The Resolution was not a law nor was it enforceable and Commissioner Barber said the County had already been serving these children. Commissioner Barber said the County could send the concerns to the state and federal legislators without having to pass a Resolution.

Commissioner Caskey moved to accept the Resolution as written. Chairman Sides seconded the motion.

Commissioner Caskey read a portion of the Resolution, "Therefore be it resolved the Rowan County Commissioners does hereby urge its government to uphold the laws of the land" and reiterated the Board was telling its state representatives it wanted them to uphold the laws already in place. Commissioner Caskey said there are a lot of folks in the United States that needed support, and until the United States secured its borders, it would never be able to help the people already here, or the people that wanted to come. Commissioner Caskey stressed the Board was only telling its legislative representatives that it wanted them to enforce the laws already in place.

Commissioner Mitchell said he had two (2) issues with the Resolution as it was written. The first issue Commissioner Mitchell said was dealing with the wording “expand from contiguous jurisdictions immediate removal of any applicants while their case awaits a hearing”. Commissioner Mitchell said if the sentence could be struck, he could support it. Secondly, Commissioner Mitchell referred to the last portion of the Resolution and said he would be willing to support the Resolution if instead it read “refrain from housing any **additional** unaccompanied minors and adults in Rowan County”. Commissioner Mitchell expressed that what was wanted was for the federal government to stop moving these individuals into counties jurisdictions and compounding counties problems.

Commissioner Caskey accepted the amendments and Chairman Sides seconded the amendments.

Commissioner Pierce said he did not see the purpose of the Resolution, as it carried no weight. Commissioner Pierce felt the federal government knew its responsibilities and knew the borders needed to be secured. Commissioner Pierce said he could not support the Resolution as he felt it would accomplish nothing and was a waste of time.

The amendment passed 3-2 with Commissioners Barber and Pierce dissenting.

The motion to approve the Resolution carried 3-2 with Commissioners Barber and Pierce dissenting.

3. CONSIDER CONCEALED CARRY TEXT AMENDMENTS

Planning and Development Director Ed Muire presented the Planning Board’s recommendations regarding the concealed carry proposed text amendments for compliance with House Bill 937/Session Law 2013-369 effective October 2013. Mr. Muire said the directive from the Board of Commissioners had also been to consider allowing employees that have concealed carry permits to carry handguns to work.

Mr. Muire reviewed the text amendments as follows:

Excerpts from Chapter 15 [Offenses] of the Rowan County Code of Ordinances

Sec. 15-1. Loitering, etc.

It shall be unlawful for any person to loiter, sleep or otherwise impede the flow of traffic on any steps or in any passageways in any public buildings or on sidewalks, drives or streets owned by the county.

Sec. 15-2. Weapons prohibited on county property.

(a) Except as provided in subsection (b) below, all persons are prohibited from possessing concealed weapons as defined in G.S. 14-269 in any building or recreational parks owned or operated by the county. ~~excluding parking lots and campsites.~~

(b) This prohibition shall not apply to the following persons:

(1) Officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties as such and acting under orders requiring them to carry weapons.

(2) Civil officers of the United States while in the discharge of their official duties.

(3) Officers and soldiers of the militia and national guard when called into actual service.

(4) Sworn law enforcement officers.

(5) Animal control officers when in discharge of their official duties as such and acting under governmental policies or regulation authorizing them to carry weapons.

(6) Any other person who has ~~proven a specific need and has received written permission from majority vote of the county commissioners~~ **a valid concealed handgun permit issued in accordance with Chapter 14 Article 54B of the North Carolina General Statutes or considered valid under NCGS-14-415.24, and the person is carrying the concealed handgun in accordance with scope of the handgun permit as set out in NCGS 14-415.11(c). This provision does not otherwise authorize said person to carry or possess a concealed or deadly weapon(s) itemized in NCGS 14-269(a).**

(7) **Any other person authorized to carry concealed weapons pursuant to NCGS 14-269(b) (as amended).**

~~(c) A conspicuous notice shall be posted at each entrance to any property set forth in subsection (a) above stating, "Possession of Weapon(s) or Carrying a Concealed Handgun is Prohibited.~~

A conspicuous notice shall be posted at each entrance to any County-owned property set forth in subsection (a) above stating, "Possession of a Concealed Handgun is Allowed Pursuant to NCGS 14-54B. All other Weapons Prohibited."

(c) ~~(d)~~ Penalties:

(1) Any person in violation of this ~~section~~ **section** shall be guilty of a misdemeanor and upon conviction shall be fined five hundred dollars (\$500.00) or imprisoned for six (6) months or both.

(2) Weapons possessed in violation of this section are hereby declared to be contraband. The sheriff or his designee shall hold such weapon for

disposal pursuant to court order. In the absence of any court order, the weapon ~~shall be destroyed~~ **may be disposed of in a manner authorized by NCGS 14-269.1.**

- (3) Should any provision of this section be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the section as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Sec. 15-3. Registered sex offenders prohibited from entering Rowan County parks, recreation areas, fairgrounds and public libraries.

- (a) For purposes of this **subsection**, the following definitions shall apply:
- (1) *Registered sex offender.* An individual who is registered by a state or federal agency as a sex offender and whose name is published on any state or federal registered sex offender listing, including, but not limited to, the sex offender registry established in [Chapter 14](#), Article 27.1 of the North Carolina General Statutes.
 - (2) *Rowan County parks, recreation areas, fairgrounds, public libraries.* Any county owned, leased, operated or maintained land which is designated by the County of Rowan as a park, recreation facility, fairground, or library and any parks, recreation facilities, fairgrounds, or libraries in the unincorporated areas of Rowan County and designated by resolution by the Rowan County Board of Commissioners with support and approval of the Rowan County Sheriff.
- (b) No registered sex offender shall enter into or upon any Rowan County parks, recreation area, fairgrounds, or public libraries operated by the County of Rowan. Each entry into such areas, regardless of the time period between such entries, shall constitute a separate offense under this section. An exception is provided when such facility, if used as a polling place for an election, the registered sex offender may enter for the limited purpose of voting if he/she qualifies to do so at that polling place.
- (c) This section shall be enforced by the Rowan County Sheriff's Department or other law enforcement agency with jurisdiction pursuant to any mutual aid agreement then in place providing for such enforcement responsibility.
- (d) Anyone who is found in violation of this section shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00) per offense and/or thirty (30) days in jail as set forth in G.S. [14-4](#), or as such statute may be amended from time to time.
- (e) The county manager or his designee shall post this regulation at the main entrance of each park, recreation area, fairground and public library within thirty (30) days of passage of this section.

Secs. 15-4—15-25. Reserved.

Excerpts from Chapter 16 [Parks and Recreation] of the Rowan County Code of Ordinances

Sec. 16-26. Definitions.

Whenever used in this article or in any Rowan County park or recreation center regulation, the following respective terms, unless otherwise therein expressly defined, shall mean and include each of the meanings herein respectively set forth.

Bathing area means any beach or water area designated by the commission as a bathing area.

Bridle path or trail means any path or trail maintained for persons riding on horseback.

Commission means the county parks and recreation commission.

Foot path or trail means any path or trail maintained for pedestrians.

Owner means any person owning, leasing, operating or having the exclusive use of a vehicle, animal or any other property under a lease or otherwise.

Park means, unless specifically limited **herein**, includes all designated parks, parkways, sites and other recreational areas under the jurisdiction of the county parks and recreation commission.

Permits means any written license issued by or under authority of the commission, permitting the performance of a specified act or acts.

Person means any natural person, corporation, company, association, joint stock association, firm or copartnership.

Recreation facility, as defined in NCGS 14-415.23 (c) and (d) regarding carry of a concealed handgun, includes only the following:

- (1) An athletic field, including any appurtenant facilities such as restrooms, during an organized athletic event if the field had been scheduled for use with the Rowan County Parks and Recreation Department.***
- (2) A swimming pool, including any appurtenant facilities used for dressing, storage of personal items, or other uses relating to the swimming pool.***

extracurricular activity sponsored by the Rowan-Salisbury School System or other similar educational entity that may render all or some designated areas as “educational property” defined in NCGS 14-269.2(a)(1). In these instances, possession of a concealed weapon, handgun or otherwise, in the park or designated areas during these activities may constitute a misdemeanor or felony as provided in NCGS 14-269.2. Conspicuous notice of the extracurricular activity and its duration shall be posted at the entrance to the park the day of the event by the Parks and Recreation Department.

~~(b)~~ ***(c) Concealed or Deadly Weapons. No person may possess or carry concealed or deadly weapons as defined in NCGS 14-269(a) in a Rowan County Park.***

~~(c)~~ ***(d) Explosives.*** No person shall bring into or have in any park any explosive or explosive substance

~~(d)~~ ***(e) Fires, lighted cigarettes, etc.*** No person shall kindle, build, maintain or use a fire other than in places provided or designated for such purposes except by special permit. Any fire shall be continuously under the care and direction of a competent person over sixteen (16) years of age from the time it is kindled until it is extinguished. No person within the confines of any park shall throw away or discard any lighted match, cigarette, cigar or other burning object. Any lighted match, cigarette, cigar or other burning object must be entirely extinguished before being thrown away or discarded.

(f) Smoking. No person shall smoke in any structure or place in any park where smoking is prohibited. Smoking may be forbidden by the commission or its authorized agent in any part of any park when it is deemed the fire hazard makes such action advisable.

Commissioner Mitchell asked how people would be notified concerning school events being held at the parks, which would prohibit concealed handguns. Mr. Muire responded that while researching the issue, he learned the coursework for the concealed carry classes was quite extensive.

Commissioner Mitchell asked if a school event at the park would prohibit handguns in only the portion of the park being used or if the entire park would be off limits while the school event was held. Mr. Muire said only the area affected by the educational activity.

In response to an inquiry from Commissioner Caskey, Mr. Muire stated with the way the ordinance was currently written enforcement was left up to parks staff.

Commissioner Mitchell stressed the County needed to ensure the law was clear to the citizens carrying concealed weapons, as Dan Nicholas Park was popular for school field trips.

County Attorney Jay Dees said the County could post a conspicuous notice at the front of the park. Mr. Dees pointed out school children were at the park everyday.

An in-depth discussion followed. Mr. Muire suggested that he and the County Attorney look further into the issue prior to the public hearing and also get an idea from the Sheriff with regards to his vision for enforcement.

Commissioner Pierce felt that property designated as a park should not become a “moving component” just because an education event was being held in the park. Commissioner Pierce asked how citizens could be expected to keep up with the events. Mr. Dees responded that permit holders are trained and if they see signs posted conspicuously, they would know what areas to avoid.

Mr. Dees suggested the Board allow him to take the issue under advisement with Mr. Muire and to research the matter prior to the public hearing.

Commissioner Caskey stated the Board was debating state law, which it could not change. Commissioner Caskey stressed several times that those with permits had to take responsibility for carrying their handguns after they had taken the course.

Commissioner Barber said parks were not the only area in question since schools also scheduled events at the public library. Commissioner Caskey responded that schools were only using the library facility; however, the school system actually took over the space at the park. Commissioner Caskey said once a spot was reserved by the schools at the park, it became educational.

Commissioner Barber pointed out there were summer reading programs at the library and Commissioner Mitchell raised the question of whether a busload of children showing up at a county building made it an education site.

Mr. Muire asked the Board to consider scheduling the public hearing and allowing him to work with the County Attorney until the hearing to research the questions that had been asked.

Commissioner Mitchell moved to set a public hearing for September 2, 2014 at 3:00 p.m. Commissioner Pierce seconded the motion and the motion passed unanimously.

4. PERSONNEL POLICY CONSIDERATIONS FOR CONCEALED CARRY

Planning and Development Director Ed Muire said a group of department directors met to consider the concealed carry topic as related to customer service and employee practices. Mr. Muire said the group looked at policies from adjoining counties and those across the state, of which there were only three (3). The primary concern from the group of directors was the liability the County may experience if an accident occurred without a personnel policy in place.

Mr. Muire said the considerations were grouped into the following three (3) areas: Immediate actions, short term actions and long term actions.

Mr. Muire stated the immediate actions would be to amend Chapter 16, the Parks and Recreation Ordinance, and to acquire legal expertise to update personnel policies.

Under the short term actions, Mr. Muire said the recommendation would be to delay implementation of the amendments to Chapter 15, update the signage on County property and buildings, provide resources for Human Resources (HR) and Risk Management for employee training, and to provide the option for law enforcement office presence in terminations.

Mr. Muire said the long term actions would be to provide for metal detectors and law enforcement officers at these stations.

Mr. Muire said there were obvious costs associated with these and concerns were more suggestive than directive to the Commission.

Mr. Muire said the Planning Board reviewed the recommendations and shared their perspective on what the directors had suggested. Mr. Muire highlighted the Planning Board's paraphrasing as "persons who hold a valid NC concealed carry handgun permit are allowed to carry their concealed handgun on all Rowan County property, where it is permitted by state statute".

Mr. Muire said he did not deal with personnel policy and the immediate reaction was there should be someone, or a group, well versed on the matter and how to deal with it. Mr. Muire said there needed to be representation for the employees, as well as children when dealing with educational issues.

Chairman Sides discussed the insurance aspect. Chairman Sides said the insurance company would review the policy over a period of time and based on number of incidents, there could be an increase.

Chairman Sides said the personnel policy had to mirror the text amendments.

Mr. Dees said the short answer was, whether the County's premium goes up or not, the County needed to address the way it handle this substantial change with regards to internal policies.

Chairman Sides said the insurance company was not concerned since there was no history with claims at this time. Chairman Sides went on to say one of things pointed out was the insurance company would look at what policies were adopted regarding training employees and what policies were in place. Chairman Sides agreed the County should have a written policy.

Commissioner Pierce asked Mr. Muire if there could be a policy stating employees had to attend a training provided by the County in order to be able to carry concealed handguns. Commissioner Pierce said the training would identify which employees had a gun and outline disciplinary actions. Commissioner Pierce said there was nothing that stated the County could not have its own layer of training.

Mr. Dees said there were different liability issues with the public coming in. Mr. Dees said there were there are different issues with securing the weapon in the workplace. Mr. Dees recommended that employees have training beyond the concealed carry class with regards to the workplace.

Commissioner Pierce said one item of concern to him was the scenario of a female employee who laid her purse down to get coffee - and someone steals the purse. Commissioner Pierce said there should be protocol as to whether the gun should be on your person or at least where it cannot be accessible to someone else.

Mr. Dees responded by saying Commissioner Pierce's comments consistent with questions raised by directors.

Commissioner Caskey stated safety issues were covered in the concealed carry class itself, but there should be a document for all employees verifying they understood the issues. Commissioner Caskey pointed out that common sense should tell you that if you have a weapon you are responsible for it. Commissioner Caskey said he did not like the idea of knowing which employees had a weapon just like he did not need to know which citizens carried a gun. Commissioner Caskey said he felt that every county employee should read the policy and sign it, as opposed to just those who carried a handgun.

Mr. Dees said what needed to be realized from a liability standpoint, was the issue created a substantial new level of liability for county government and how to deal with reducing that exposure to claims. Mr. Dees said the question does arise as to whether directors should know who has a gun in their office.

Commissioner Pierce compared a required training session to that of the County's required health assessments. If the County has an information class requiring people to attend, Commissioner Pierce said it would help keep premiums low.

Commissioner Caskey felt if the concealed carry class was acceptable for the concealed carry holder, why single out the employee for County training. Commissioner Caskey said all employees should take the County's training class and it should not just be required for those carrying a concealed weapon.

Commissioner Pierce said he had no problem with everyone taking the class.

Commissioner Caskey said he did not want to hold up the implementation of the proposed changes.

Commissioner Pierce stated that time was needed to put rules and regulations together to protect employees while at work, as well as making sure the County had provided proper information.

Chairman Sides questioned who the Board should task with developing the training, policies and procedures for the County. Chairman Sides said he had talked with the Risk Manager and part of the training could be handled through Risk Management; however some of the training would have to come from elsewhere. Chairman Sides felt a lot of the training could be online.

Commissioner Pierce moved to assign these policy procedures back to HR to be refined and to mirror the state requirements and have back to us with a recommendation by October 6, 2014. Commissioner Barber seconded the motion and the motion passed unanimously.

Chairman Sides called for a recess at 8:03 p.m.

Chairman Sides reconvened the meeting at 8:09 p.m.

5. DISCUSSION REGARDING TSUNAMI DEVELOPMENT LITERACY PROGRAM

Chris Sifford with Tsunami Development (TD) said he had been an advocate for children for many years and had done so on a "shoestring budget". Mr. Sifford said he had reached out for help to everyone that would listen and it had fallen on deaf ears most of the time. Mr. Sifford said when the move to the West End Plaza (Plaza) became a possibility, everyone wanted to help.

Kenny Hardin thanked the Board for giving TD the vote of confidence (during regular session on August 4, 2014) and said he appreciated the due diligence of the Chairman in asking TD to come back with more information. Mr. Hardin stated he did not want to compromise quality for brevity and stated he would not

read every slide in the power point. Mr. Hardin said he would introduce some of the people involved with TD via the power point.

Mr. Hardin presented the organization summary. Mr. Hardin said TD had a great organizational structure. The non-profit status provided a strong relationship with the Sanctuary of Wilmington, the fiscal sponsor that TD had entered into an agreement with.

Chairman Sides said in referring back to the minutes of the last meeting, one of the reservations he had was whether TD was a 501c3, or non-profit. Mr. Hardin responded that TD was under the auspices of the Sanctuary of Wilmington, which was a 501c3.

Chairman Sides restated that TD was operating under a 501c3, the Sanctuary of Wilmington. Chairman Sides said misinformation had been recently stated that the County would offer twenty percent of the space at the Plaza to nonprofits. Chairman Sides said what was actually stated was the County would possibly offer twenty percent of the space towards education programs, whether nonprofits, RCCC, RSSS or any other entity in the County. Chairman Sides raised the question of whether to contract with the nonprofit or with the local entity. Chairman Sides said he did not want to set a precedent and be flooded with other requests.

Chairman Sides said he would defer to the County Attorney, if there was to be a lease written, who was responsible on the lease, and what would happen if the lease was not fulfilled.

Mr. Hardin said he respected the concerns of Chairman Sides and wanted to make sure the project started off right. Mr. Hardin said the focus was to be on the kids and TD did not want anything that would hamper or hinder the efforts.

Chairman Sides said when looking at TD, it was an unincorporated organization and yet there was a board of directors. County Attorney Jay Dees said any organization could choose how to govern itself, either with officers or a board of directors to provide advisory capacity.

Mr. Hardin explained the delineation of tasks and responsibilities of the officers would be shown later during the power point.

Mr. Hardin corrected a statement in the power point in that the statement should be a missional one and not an organizational one. Mr. Hardin then read the mission statement as wanting to work 3rd, 4th, and 5th grade children in the Salisbury Rowan community, providing tutoring and support. Mr. Hardin discussed his meeting with Rowan Salisbury School System Superintendent (RSSS), Dr. Lynn Moody, with regards to trying to establish partnerships.

Mr. Hardin said an emphasis on service and service above self would also be a highlight. Partnerships would be the stakeholders that would be involved and TD would not be successful without partnerships in the community. Mr. Hardin said TD wanted to work with the school system, county commissioners, city council, and faith leaders.

Mr. Hardin spoke about the board of directors and assigning each person's strengths to a working board title with a specific role. Mr. Hardin noted the board of directors was broken up into two (2) distinctly different groups, one an educational grouping and the other an operations grouping. Mr. Hardin went on to review and provide insight into the background for each member of the board of directors.

Mr. Hardin discussed several target dates for service to get the project going. Pending approval by the Commissioners, Mr. Hardin said the assumption of responsibilities for the Plaza space was September 1, 2014 with services being offered January 12, 2015.

Mr. Hardin presented the days and hours of operation as being four (4) days per week, after school hours from 3:00 p.m. until 7:00 p.m. Mr. Hardin said the parents would choose the available time slots. An afterschool transportation program was one item Mr. Hardin said would be considered down the road. Mr. Hardin then shared future possibilities concerning a mobile vehicle that had been discussed.

Mr. Hardin continued by discussing staffing, market segmentation, educational programs, services offered, as well as other components of TD.

Mr. Hardin said there was a comprehensive plan in place to do a pre-assessment to identify needs for the child's literacy growth and identify specific strategies for each individual child. Goals would then be set and the child would be taught how to chart their own growth and monitor their progress.

Mr. Hardin said an integral part of the project would be not leaving the parents out. A reading academy for the parents would take place while the staff would be working with the children to teach the parent how to work with the child.

Mr. Hardin discussed start up costs. Mr. Hardin said there was no anticipation for a lot of out of pocket a startup cost. In looking at the requested area, Mr. Hardin said the group did not see a lot of retrofitting or refurbishing.

Chairman Sides asked if TD would bear the cost to make the space useable and not be an expense to the County. Mr. Hardin agreed and said the only damage appeared to be water damage on the back wall and to some ceiling tiles.

Chairman Sides went on to ask if anyone at the Plaza had indicated to Mr. Hardin's group the condition of the roof over that portion of the building to which Mr. Hardin responded that had not been part of the discussion.

Mr. Hardin said the location was directly across from the Books A Million location, totaling 2700 square feet with an open faced front. Mr. Hardin described how the space would be utilized.

Chairman Sides said the presentation provided a much better overview for what was intended. Chairman Sides said he wanted to see the program succeed and the only way for it to succeed was if there was proper understanding from the beginning.

Chairman Sides said he wanted to be a part, even though he would be leaving the Board. Chairman Sides emphasized that the proposal was an educational undertaking and that he appreciated what these men and women were trying to accomplish in reaching out to the community.

Chairman Sides said, prior to authorizing space in the Plaza, he would like to see a written agreement between the County and the other organization, whether it was to be TD or Sanctuary of Wilmington. Chairman Sides said he would defer to the County Attorney to make that determination. Chairman Sides said he would be happy to sit down with Mr. Dees to ensure some things were included in the lease. Chairman Sides said that by September 15th, if the lease was prepared and agreed upon, it could be voted on and he would be ready for TD to move in.

Chairman Sides said the agreement would be a stand alone agreement with TD for the literacy initiative.

Mr. Hardin said he appreciated all of the questions and not once had the questions been viewed as adversarial. Mr. Hardin went on to say that he would continue to work and he was very appreciative to the Commissioners for providing the assistance, as there had not been a lot of people before who were willing to step up and help.

Chairman Sides said he wanted to make the right decision and wanted to see TD successful. Chairman Sides thanked Mr. Hardin for coming and said he appreciated all of his questions being answered.

Chairman Sides moved to bring the issue back to the Commission with a written lease at the September 15th meeting for a vote to move forward. Commissioner Pierce seconded and the motion passed unanimously.

6. CONSIDERATION OF AWARD OF BIDS ON THE VETERAN SERVICES OFFICE RENOVATIONS AT THE WEST END PLAZA

County Manager Gary Page said a request for bids to renovate the Rowan County Veteran Services office space at the West End Plaza was received on August 14, 2014. Mr. Page said Architect Burl Brady had tabulated the bids to determine the lowest responsible bidder and the results were forwarded to the Board this past Friday, August 15, 2014.

Mr. Page recommended the Board award the bid to the lowest bidder LaFave's Construction in the amount of \$91,700. Mr. Page stated LaFave's was also the company that had been awarded the contract for the Board of Elections renovations.

Chairman Sides inquired as to whether the performance bond of \$1,400 was to be added to any bid and Mr. Page concurred.

Commissioner Mitchell moved approval of the low bidder. Commissioner Pierce seconded and the motion passed 5-0.

7. CONSIDER APPROVAL OF BUDGET AMENDMENTS

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

- Finance – Recognize reserved funds from FY 2014 for Cooperative Extension - \$47,265
- Finance – Recognize reserved funds from FY 2014 for the Library - \$23,867. To appropriate funds for the Library Services and Technology Act grant award to Rowan Public Library - \$119,776
- Finance – Recognize reserved funds from FY 2014 for DSS - \$68,828

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

8. CLOSED SESSION

Commissioner Pierce moved that the Board enter into Closed Session in accordance with North Carolina General Statute § 143-318.11(a)(4) to discuss an economic development issue. The motion was seconded by Commissioner Mitchell and passed 4-1 with Commissioner Barber dissenting.

The Board returned to Open Session at 9:10 p.m.

No action was taken.

9. ADJOURNMENT

There being no further business to come before the Board, Commissioner Barber moved to adjourn at 9:10 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