

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

January 5, 2015 – 3:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING

Present: Greg Edds, Chairman
Jim Greene, Vice-Chairman
Mike Caskey, Member
Judy Klusman, Member
Craig Pierce, Member

County Manager Aaron Church, Clerk to the Board Carolyn Barger, County Attorney Jay Dees and Assistant County Manager/Finance Director Leslie Heidrick were present.

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

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

CONSIDER ADDITIONS TO THE AGENDA

Commissioner Caskey moved to place agenda item #7 on the Consent Agenda. The motion was seconded by Commissioner Pierce and passed unanimously.

Commissioner Pierce moved to place agenda item #10 on the Consent Agenda. The motion was seconded by Commissioner Greene and passed 4-1 with Commissioner Klusman dissenting.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Pierce moved, Commissioner Greene seconded and the vote to approve the agenda as amended passed unanimously.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Pierce moved, Commissioner Klusman seconded and the vote to approve the minutes of the December 15, 2014 Commission Meeting passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

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

The Consent Agenda consisted of the following:

- A. Proclamation Establishing January 19, 2015 as Dr. Martin Luther King, Jr. Day in Rowan County
- B. Resolution for Emergency Repairs to Reopen the St. Matthews Church Road Section Crossing High Rock Lake in Rowan County
- C. Consider Approval of Building Project for South Salisbury Fire Department (this item was moved from the regular agenda [#7])
- D. Consider Conveying Property to Tsunami Development (this item as moved from the regular agenda [#10])

2. PUBLIC COMMENT PERIOD

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

Chaplain Michael Taylor, Pastor of Phaniels Baptist Church and Chaplain of the Rowan County Sheriff's Department, presented the new board members and County Manager with a copy of the Word of God. Chaplain Taylor said prayers were with the Board each day.

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

Chairman Edds asked for prayers of citizens that the Board would make the best decisions for Rowan County.

3. PUBLIC HEARING FOR ZTA 02-14: QUARRY TEXT

Planning Director Ed Muire said Carolina Quarries, Inc. had submitted a text amendment application requesting modification of conditional use standards for existing quarrying operations with regard to setbacks, access and storage of waste material. Mr. Muire said Committee B recommended proposing a new category and standards for operations that existed prior to zoning and that have maintained their mining permits with NCDENR. According to Mr. Muire, new operations or those that had been abandoned or discontinued operations would still be subject to the new facilities criteria. Mr. Muire went on to state that a conditional use permit would be the method of review for a request.

Mr. Muire highlighted the proposed text amendments and reported the Rowan County Planning Board met on October 27, 2014, conducted a courtesy hearing and voted 7-0 to provide a favorable recommendation to the Commissioners.

Chairman Edds opened the public hearing to receive citizen input regarding ZTA 02-14. With no one wishing to address the Board, Chairman Edds closed the public hearing.

Commissioner Pierce moved to adopt the Statement of Consistency as submitted by Planning Board. The motion was seconded by Commissioner Klusman and passed unanimously.

The Statement of Consistency was approved as follows: "The request is consistent with the idea that existing quarry operations have the option to expand and not to treat existing quarry operations as a new quarry."

Commissioner Pierce moved to approve ZTA 02-14. The motion was seconded by Commissioner Klusman and passed unanimously.

The text amendments were presented and approved as follows:

Excerpt of Sec. 21-60. Conditional use requirements for specific uses.

(1) *Mining group: Metal mining (SIC 10), mining and quarrying of non-metallic minerals (SIC 14) except common sand mining.*

a. New Facilities. Facilities regulated under this section are considered to be those operations where no mining or quarrying activity has ever occurred; or operations have been abandoned or discontinued for a period of three hundred sixty (360) consecutive days; or its NC DENR authorized mining permit has expired.

1. *Site plan.* A site plan showing the existing lot, all existing and proposed buildings, quarries, pits, stock piles and other relevant features of the quarry operation.
2. *Access.* Access shall be gained from a principal arterial or major collector. All access roads shall be fifty (50) feet from any property line and maintained in a dust free manner.
3. *Setbacks.* All land disturbing activities shall be located at least three hundred (300) feet from any zone lot line, except uses listed as SIC 1459 "Clay, Ceramic and Refractory Minerals, Not Elsewhere Classified" may reduce the setback to one hundred (100) feet as provided below:
 - i. There is no residence within five hundred (500) feet of the property line.

requesting a conditional use permit to construct a 2,040 square foot residential storage facility to store personal belongings and to construct a single-family dwelling at a later date located at 5940 Old Beatty Ford Road, further described as tax parcel 430-127.

Mr. Gover used the power point presentation (Exhibit C) to illustrate the site in question, as well as the surrounding properties.

Mr. Gover highlighted the conditional use requirements and evaluation criteria as contained in the Staff Report (Exhibit B).

Mr. Gover distributed sample Findings of Fact (Exhibit D) and said the Board of Commissioners must adopt findings based on the evaluation criteria.

Mr. Gover reported that the application met the criteria for approval based on the eight specific criteria for residential storage facilities and the six general conditional use criteria.

The applicant, Robert Severt, explained that he was trying to obtain a permit to construct an accessory building prior building a house.

In response to Commissioner Klusman, Mr. Gover said the property was currently zoned RA; however, a CUP was required in order to build an accessory structure prior to building the home.

Commissioner Klusman questioned Mr. Severt as to his plans for building a house and Mr. Severt expressed hope to build the home “this summer”.

With no one else wishing to provide testimony in the case, Chairman Edds closed the public hearing.

Commissioner Pierce moved the development of the property in accordance with the proposed conditions will not materially endanger the public health or safety.

FACT: This request complies with all eight (8) specific requirements identified in section 21-60 (10) for residential storage facilities.

FACT: The proposed storage building is subject to compliance with applicable building code standards.

Commissioner Greene seconded and the motion passed unanimously.

Commissioner Pierce 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.

FACT: No material evidence was presented suggesting this request would injure property values.

Commissioner Greene seconded and the motion carried unanimously.

Commissioner Pierce 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.

FACT: As evidenced by the accompanying map and staff report, surrounding properties are largely used as woodland with a scatter of residences east and west of the site.

FACT: The staff report indicates the proposed structure would be well under the allowable 10% for accessory structures (if residentially developed) based on the collective 6.45 acres owned by Robert Severt.

FACT: The building scale would not be out of character with the allowable accessory structure square footage on residentially developed properties or that found on agricultural land.

FACT: The Eastern Rowan Land Use Plan is silent on this topic and therefore would not be in conflict with the plan.

Commissioner Greene seconded and the motion passed unanimously.

Commissioner Pierce moved approval of CUP 07-14. The motion was seconded by Commissioner Greene and passed unanimously.

5. PUBLIC HEARING TO CONSIDER RSSS CENTRAL OFFICE FINANCING PROPOSALS

Assistant County Manager/Finance Director Leslie Heidrick said the County had received installment proposals for the construction of a central office building for the Rowan-Salisbury School System (RSSS). Ms. Heidrick said the amount to be financed was \$6.5 million with a term of fifteen (15) years. According to Ms. Heidrick, three (3) bids were received and the summary was in the agenda packet.

Ms. Heidrick said the Finance Department was recommending the County accept the low bid received from STI Institutional & Government, Inc., a SunTrust Company, with an interest rate of 2.48%, resulting in interest costs of \$1,325,869.99.

Chairman Edds opened the public hearing to receive citizen input regarding financing proposal.

- Chuck Hughes said he appreciated the Board considering the request. Mr. Hughes urged the Commissioners to couple the project with other RSSS needs that included Knox Middle School, consolidation of an elementary school for Cleveland and Woodleaf, as well as other roofing needs.

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

In response to an inquiry from Commissioner Greene as to the recommendation to select STI Institutional, Ms. Heidrick explained that STI is a SunTrust Company and had provided the lowest interest rate. Ms. Heidrick said the rate was a fixed rate for fifteen (15) years at 2.48%.

Commissioner Pierce moved approval of the Resolution. The motion was seconded by Commissioner Greene and passed unanimously.

Commissioner Pierce moved that authorization be granted to the Assistant County Manager/Finance Director to establish an escrow account for the loan proceeds. The motion was seconded by Commissioner Klusman and passed unanimously.

6. CONSIDER REQUEST FROM ROWAN-SALISBURY SCHOOL SYSTEM FOR PROPERTY PURCHASE AT 516 NORTH MAIN STREET

Anthony Vann, Assistant Superintendent for Operations with the Rowan Salisbury School System (RSSS), provided a power point presentation as he presented a request for the purchase of property located at 516 North Main Street, which adjoined the new central office project site. Mr. Vann stated the purchase of the property would enhance the project and offer more long term flexibility. Mr. Vann went on to say the purchase of the property would be in conjunction with Mr. and Mrs. Richard Monroe, utilizing a 60-40 percent split.

The request for approval to purchase, according to Mr. Vann, was for a strip approximately twenty (20) feet wide on Main Street and one hundred sixty-one (161) feet deep. By obtaining the property, Mr. Vann stated the building could have windows on one side that would have otherwise not been possible; there would be savings on a firewall, and offset footings would not be needed. Mr. Vann said the funding would come from RSSS and another source, so the County would not be asked for funds.

In response to a question from Chairman Edds, Mr. Vann said the RSSS cost would be approximately \$98,000 with the cost for site cleanup at just under \$20,000. Mr. Vann noted the area would be a green area providing the buffer needed for windows and deleting the need for a firewall and offset footings.

Commissioner Pierce said he had been friends with Mr. Monroe for many years and did not want his vote to be perceived as a conflict of interest. County Attorney Jay Dees stated Commissioner Pierce would be fine to vote.

Commissioner Klusman moved to approve the property purchase. The motion was seconded by Commissioner Pierce and passed unanimously.

7. CONSIDER APPROVAL OF CAPITAL BUILDING PROJECT FOR SOUTH SALISBURY FIRE DEPARTMENT

This item was moved to the Consent Agenda (approved).

8. CHILD PROTECTIVE SERVICES CASELOADS REDUCTION ALLOCATION

Donna Fayko, Department of Social Services Director, reported the NC State Budget appropriated new state dollars to local county departments of social services for Child Protective Services due to several high profile cases in NC where children suffered harm during active cases. According to Ms. Fayko, the legislation stated the allocation “shall be used to provide additional funding for Child Protective Services workers to reduce caseloads to an average of 10 families per worker.” Ms. Fayko went on to state Rowan County was identified to receive funding for one (1) Child Protective Services position.

Ms. Fayko asked the Board for approval to accept the state funds and move forward with hiring the additional Child Protective Services position.

Commissioner Pierce asked if the position would be a recurring expense and Ms. Fayko said yes. Ms. Fayko said the recurring amount would be \$13,795 each year and the remainder would come from state funds.

Commissioner Klusman moved to approve the hiring of an additional Child Protective Services position as required by legislature. Commissioner Caskey seconded and the motion carried unanimously.

9. PRESENTATION REGARDING STUDENT LITERACY

Using a power point presentation, Karen Alexander, with KKA Architecture and a Salisbury City Council member, shared information with the Board on Literacy Connections. Ms. Alexander said Literacy Connections was a collaborative effort between the community and schools to support and enhance literacy framework and digital conversion. Ms. Alexander pointed out that there would be “Hot Spots” or sites that would each have a signed memorandum of understanding (MOU) to include Wi-Fi security, background checks, and liability insurance in order to monitor the progress of the students who attended the sessions. Parents and community volunteers, according to Ms. Alexander, would be trained on how to use the equipment and would be provided instruction regarding the Rowan Salisbury School System (RSSS) literacy standards.

Ms. Alexander reviewed the collaboration as well as the collaborative goals for Literacy Connections. Ms. Alexander provided information as to the “Hot Spots” and available resources.

Ms. Alexander said she was not asking the County for funding for the program. Ms. Alexander also applauded Commissioner Pierce’s efforts to work with Tsunami Development on the literacy issue and expressed hope that Tsunami would be a Hot Spot, as well.

Commissioner Klusman said she was a board member for Literacy Connections and expressed her enthusiasm for the program.

In response to Commissioner Greene, Ms. Alexander discussed the use of volunteers at the YMCA branches and the libraries.

Commissioner Greene mentioned the Rowan Municipal Association Meeting, which was scheduled later in the month and suggested Ms. Alexander encourage the Association to assist in the areas where there are needs.

Commissioner Caskey inquired as to the current number of Hot Spots and Ms. Alexander said there were thirty-five (35). Ms. Alexander said most were concentrated in the city limits; however, there was a real effort underway to expand the Hot Spots.

Commissioner Caskey asked about the equipment needed. Ms. Alexander said participating business were providing their own equipment. Ms. Alexander said it took approximately \$100 to obtain a good modem but she pointed out the fact there are areas in county where there is no signal. Ms. Alexander expressed hope some of the larger companies might have foundations that would assist with educational needs.

Ms. Alexander welcomed the board members to participate in discussions with businesses.

Chairman Edds thanked Ms. Alexander for the presentation.

10. CONSIDER CONVEYING PROPERTY TO TSUNAMI DEVELOPMENT

This item was moved to the Consent Agenda (approved).

11. CONSIDER SETTING DATE FOR BOARD OF COMMISSIONERS RETREAT

During the December 15, 2014 Board of Commissioners Meeting, County Manager Aaron Church was asked to research potential dates for the purpose of scheduling a two (2) day retreat for the purpose of developing a strategic plan. After surveying the Board, Mr. Church recommended the dates of February 5 and 6, 2015 as options.

In response to an inquiry from Commissioner Caskey, Chairman Edds said the Board would discuss its goals for the next four (4) years, as well as the challenges of the community. Chairman Edds said the County would hire a moderator to help pull the goals together.

Commissioner Caskey suggested coordinating the first Commission Meeting in the month of February on the same date as the retreat.

According to Chairman Edds, most of the details about the retreat should be known by the next meeting. Also, Chairman Edds said the possibility as to whether the meeting could be coordinated with the first Board meeting of the month as suggested by Commissioner Caskey, would be explored.

12. CONSIDER APPROVAL OF BOARD APPOINTMENTS **CENTRALINA ECONOMIC DEVELOPMENT COMMISSION**

The Centralina Economic Development Commission (CEDC) requests the Rowan County Board of Commissioners appoint a representative of the community currently serving in a public sector role. This individual may include an individual serving in an elected capacity, leadership role at the municipal level, participant in the Chamber of Commerce, an institution of post-secondary education, or economic or workforce development organization.

The term would be for three (3) years beginning March 1, 2015 and expiring February 28, 2018.

Commissioner Klusman moved to appoint Chairman Edds. The motion was seconded by Commissioner Pierce and passed unanimously.

BOSTIAN HEIGHTS VFD FIRE COMMISSIONERS

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

- Randall Max Faggart
- Larry Randall St. Clair
- Avery (Skip) Watson Morse

The terms are for two years beginning February 1, 2015 and expiring January 31, 2017.

Commissioner Pierce nominated Randall Faggart, Larry St. Clair, and Skip Morse. The nominations carried unanimously.

13. CLOSED SESSION

Chairman Edds moved at 3:54 p.m. to enter into Closed Session in accordance with NCGS § 143-318.11(a)(3) for attorney-client privileged communication; in accordance with NCGS § 143-318.11(a)(4) for an economic development matter; in accordance with NCGS § 143-318.11(a)(6) for personnel; and in accordance with NCGS §143-318.11(a)(1) to consider approval of the

December 1, 2014 Closed Session minutes. The motion was seconded by Commissioner Pierce and passed unanimously.

The Board returned to Open Session at 5:35 p.m.

- Commissioner Greene moved to offer the Register of Deeds a \$2,200 stipend. The motion was seconded by Commissioner Pierce and passed unanimously.
- Commissioner Pierce moved that any employee to receive moving expenses must move to Rowan County. The motion was seconded by Commissioner Klusman and passed unanimously.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 5:37 pm. The motion was seconded by Commissioner Klusman and passed unanimously.

Respectfully Submitted,

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