

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

**April 6, 2015 – 3:00 PM**

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

**J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING**

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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/Assistant to the County Manager 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 Pierce provided the Invocation and also led the Pledge of Allegiance.

**CONSIDER ADDITIONS TO THE AGENDA**

At the request of Commissioner Greene, the Board members were agreeable to switch items #3 and #4 in the order of discussion.

**CONSIDER DELETIONS FROM THE AGENDA**

There were no deletions from the agenda.

**CONSIDER APPROVAL OF THE AGENDA**

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

**CONSIDER APPROVAL OF THE MINUTES**

Commissioner Pierce moved, Commissioner Caskey seconded and the vote to approve the minutes of the March 16, 2015, March 20, 2015 and March 23, 2015 Commission Meetings passed unanimously.

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

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

The Consent Agenda consisted of the following:

- A. ALA STEM Technology Exhibit
- B. Application For Eliminating Health Disparities Grant
- C. Set Public Hearing for Z 02-15 for April 20, 2015
- D. Public Health Week Proclamation
- E. Approval of Contract for E-911 Emergency Telephone System Maintenance
- F. Request by Dunbar Mass Reunion Committee for Use of Former JC Penney Facility
- G. Job Access and Reverse Commute (JARC) Program Extension
- H. Food Services Agreement For Detention Center
- I. Ratify James River Equipment Agreement

## **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:

- Joe Morris, representing the Land Trust for Central North Carolina spoke in favor of PE 01-15.
- Chuck Hughes spoke in support of moving forward with development at the West End Plaza.

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

## **3. PUBLIC HEARING TO CONSIDER WEST END PLAZA FINANCING PROPOSALS**

*(This agenda item was switched with agenda item #4 in the order of discussion).*

Chairman Edds read the rules regarding the public hearing as previously adopted by the Board.

Chairman Edds opened the public hearing to receive citizen input and the following citizens came forward to address the Board:

- Julian Torrey felt estimates for renovating the West End Plaza would be greater than the Board expected. Mr. Torrey discussed his research for roof repair estimates at the West End Plaza.
- Todd Paris asked the Board to consider setting public hearings after 5:00 p.m. to accommodate the white collar workers. Mr. Paris continued by stating borrowing money at a higher interest rate to put into a savings

account at a lower interest rate seemed counter intuitive. Mr. Paris said, "We have heard rumors and been told that there is some sort of opinion document or something from the attorneys that are involved in the bond stuff that says this is something we must do. I have not found that document on transparency. I would like to see it." Mr. Paris said he would like for the Board to consider providing the document by the end of the week.

- Bill Cameron, spoke in support of the loan for West End Plaza. Mr. Cameron said he had initially been opposed to the project; however, he felt the delay had been a positive and resulted in a better plan. Mr. Cameron said there were fewer people in attendance, which he felt spoke to how less controversial the matter was now. Mr. Cameron said he supported the Board's endeavors to obtain a loan at a better rate.

With no one else signed up to address the Board, Chairman Edds closed the public hearing.

Chairman Edds asked Finance Director/Assistant County Manager Leslie Heidrick to speak regarding the financing so as to inform the citizens of the proposed action by the Board.

With regards to the comments made by Mr. Paris, Ms. Heidrick said she had never said, nor could she recall any board members, stating there was an actual document received from the Local Government Commission (LGC) or from any of the rating agencies stating "if you do have a financing this would happen, if you don't have a financing something else would happen". Ms. Heidrick said to her knowledge, there was no such document.

Ms. Heidrick said there were many questions during her conversations with the rating agencies. One (1) of the issues questioned was the County moving funds from the General Fund to the Capital Projects Fund to fund capital projects. Ms. Heidrick reported there can be good reasons for such actions and if there are good reasons behind the financing, it is acceptable. Ms. Heidrick said she had discussed the County's situation with all three (3) rating agencies. Ms. Hedrick said another matter she had discussed was where the County's fund balance is as a percent of expenditures and transfers out. Ms. Hedrick said the County had been able to say in the past it was at certain percentages, such as twelve percent or greater, for unrestricted or unassigned fund balance. Ms. Heidrick said when the County purchased the former Salisbury Mall and the fiscal year ended on June 30, 2014, the County was below what it had been for years. Ms. Hedrick was of the opinion it was good for the County to go ahead with the financing and put the money in fund balance, raising the percentages to what they had been in the past. Ms. Heidrick said the County was in fine, financial position, with or without the financing, but she felt the financing would make the County stronger.

Chairman Edds thanked Ms. Hedrick for the information and opened the floor to entertain a motion regarding the financing.

Commissioner Pierce moved approval of the Resolution Approving A Proposal From First Bank To Provide Financing Through An Installment Financing Contract In The Amount Of \$3,950,000 To Finance The Purchase Of The West End Plaza And Renovations Thereof And Authorizing The Execution And Delivery Of Related Instruments. The motion was seconded by Commissioner Klusman and passed unanimously.

#### **4. CONSIDER REQUEST FOR KEPLEY-HACKAMACK SHELTER**

*(This agenda item was switched with agenda item #4 in the order of discussion).*

Commissioner Greene recognized the following guests in the audience: Bill and Anna Kepley, Grace and Jack Kepley, and Jay and Jodi Kepley.

Commissioner Greene said Sara Kepley-Hackamack was a native of Rowan County and the daughter of Bill and Anna Kepley, and granddaughter of Jack and Grace Kepley. Commissioner Greene said as a teenager, Sara had worked at Dan Nicholas Park (Park) with a love for the Park. Commissioner Greene continued by saying after graduating from college, Sara had married and moved to California where she also became a mother. Commissioner Greene said on January 27, 2015 Sara lost her life.

Commissioner Greene said to honor their daughter's memory, Bill and Anna had decided to donate a picnic shelter at the Park to be shared with the citizens of Rowan County.

Commissioner Greene felt the donation was a great tribute to Sara and he moved to accept the donation of the picnic shelter at Dan Nicholas Park and to name the shelter the Kepley-Hackamack Shelter. The motion was seconded by Commissioner Pierce.

On behalf of the Board of Commissioners and the people of Rowan County, Chairman Edds extended deepest condolences to the Kepley Family. Chairman Edds said the County also celebrated Sara's life through the gift in her memory. Chairman Edds thanked the Kepley Family for their kindness and generosity.

Upon being put to a vote, the motion on the floor passed unanimously.

#### **5. CONSIDER PE 01-15 REQUEST FOR EARTH DAY JAM**

Senior Planner Shane Stewart presented a request from The Land Trust for Central North Carolina for a permit to exceed the Noise Ordinance for their 4<sup>th</sup> annual Earth Day Jam fundraiser event on April 17<sup>th</sup>-19<sup>th</sup> at the Dark Before Dawn Farm located at 2100 7<sup>th</sup> Street in Salisbury. The music is proposed to conclude at 11:30 p.m. on the 17<sup>th</sup> and 18<sup>th</sup> and 3:00 p.m. on the 19<sup>th</sup>.

As provided in Section 14-12 of the County's Noise Ordinance, the Board is provided with an opportunity to grant a permit to exceed the amplified sound standards when an event was open to the public.

Based on the standards as outlined in the agenda packet, Mr. Stewart said the application met all necessary criteria for approval.

Commissioner Greene moved approval of PE 01-15. The motion was seconded by Commissioner Pierce and passed unanimously.

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

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

- Cooperative Extension – Budget additional revenues and expenditures for fees received for 4-H general programs - \$3,000
- Cooperative Extension – Budget additional revenues and expenditures for fees received for Family Consumer Sciences programs - \$2,494
- Health – Additional federal funding for Bioterrorism Preparedness through the Cities Readiness Initiative. The budget amendment is to add funds for travel, medical supplies, equipment and salaries - \$10,000
- Salisbury/Rowan Senior Games & SilverArts – To complete 2015 season of Senior Games & SilverArts - \$6,000
- Health – The State has decreased the funds in the immunization grant, FA/DP Equipment, Other Small Equipment, Training and Medical Supplies - \$10,544
- Rowan Transit – New line item account for ADA Para Transit Transportation that is provided under contract with the City of Salisbury. Previously the City of Salisbury paid our contractor MV Transportation directly. Because of new grant requirements, the City of Salisbury must contract with Rowan Transit - \$62,800
- Sheriff – Budget Jail Concession Activity for the remaining 4 months of fiscal year. This includes projecting the concession purchase and distributing the proceeds among the various inmate funds - \$95,900
- Finance – To recognize the increase in funding of the FY 2015 Soil and Water State Grant - \$3,685

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

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

### **BOARD OF HEALTH**

- Charles Davis, the optometrist appointed to the Board of Health has submitted his resignation.

Commissioner Klusman moved to accept the resignation of Charles Davis. The motion was seconded by Commissioner Pierce and passed unanimously.

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

There is one (1) vacancy and the following application has been submitted for consideration:

- Terrelle Banner – representing a human service agency

The term is for three (3) years beginning April 1, 2015 and expiring March 31, 2018.

Commissioner Greene moved, Commissioner Pierce seconded and the vote to appoint Terrelle Banner passed unanimously.

### **ZONING BOARD OF ADJUSTMENT**

There are two (2) at large vacancies and two (2) alternate vacancies. The following applications have been submitted for consideration:

- James L. Carter, Jr.
- Jim Ogg

The terms are for three (3) years beginning April 1, 2015 and expiring March 31, 2018.

Commissioner Greene moved the appointment of James L. Carter, Jr. and Jim Ogg. The motion was seconded by Commissioner Pierce and passed unanimously.

### **AGRICULTURAL ADVISORY BOARD**

- Kim Starnes has submitted an application for a vacancy due to the death of a member. The term expires January 31, 2017.

Commissioner Greene moved, Commissioner Pierce seconded and the vote to appoint Kim Starnes carried unanimously.

### **SALISBURY ROWAN COMMUNITY ACTION AGENCY**

On March 2, 2015 the Board of Commissioners appointed Detavius Mason to the Board of Directors of the SRCAA. In conversations with the SRCAA Executive Director, staff was advised that per the agency bylaws, an accountant was required to be a member of the Board of Directors. The member that Mr. Mason was appointed to replace was the accountant representative. SRCAA is requesting that Mr. Mason's appointment be rescinded.

- Samuel D. Black has submitted an application for consideration as an accountant representative. The term expires July 31, 2016.

Commissioner Greene moved to rescind the appointment of Detavius Mason as requested. The motion was seconded by Commissioner Pierce and passed unanimously.

Commissioner Greene moved, Commissioner Pierce seconded and the vote to appoint Samuel D. Black passed unanimously.

### **ANIMAL SHELTER TASK FORCE**

Two (2) Veterinarians are to be appointed.

- Dr. Greg Lowe has submitted an application
- Dr. Rebekah Frick Julian has submitted an application

Commissioner Pierce moved to appoint Dr. Greg Lowe and Dr. Rebekah Frick Julian. The motion was seconded by Commissioner Klusman and passed unanimously.

Four (4) citizens are to be appointed and the following have submitted applications for consideration:

- Lindsey H. Ward
- Kenneth Todd Shinn
- Mary W. Shinn
- Connie Louise Ray
- Nina Dix
- Jane Byrd Hartness
- Barbara E. Hart
- William M. Bucher, Jr.
- Tracy B. Waugh
- Samantha K. Smith
- Candace Terry
- Leslie Birch

Commissioner Greene moved, Commissioner Pierce seconded and the vote to appoint Nina Dix passed unanimously.

Commissioner Klusman moved the appointment of Jane Byrd Hartness. The motion was seconded by Commissioner Pierce and passed unanimously.

Commissioner Pierce moved to appoint Barbara Hart. The nomination was seconded by Commissioner Caskey and carried unanimously.

Commissioner Caskey nominated Tracy Waugh. The nomination was seconded by Commissioner Pierce and passed unanimously.

Chairman Edds said a County Commissioner needed to be appointed and he moved to appoint Commissioner Pierce. The motion was seconded by Commissioner Klusman and passed unanimously.

### **EAST GOLD HILL VFD RELIEF FUND BOARD OF TRUSTEES**

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

- Timothy Wayne Pruitt for reappointment
- Randall Chad Earnhardt
- Ashley Linwood Talley

The term is for two (2) years beginning April 1, 2015 and expiring December 31, 2016.

Commissioner Pierce nominated Timothy Wayne Pruitt and Randall Chad Earnhardt. Commissioner Caskey seconded and the nominations carried unanimously.

### **MILLER'S FERRY VFD RELIEF FUND BOARD OF TRUSTEES**

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

- Larry Dean Gobble for reappointment
- Philip A. Gossett
- Dawn Rowe Fox

The terms are for two (2) years beginning April 1, 2015 and expiring December 31, 2016.

Commissioner Pierce nominated Larry Dean Gobble and Philip Gossett. Commissioner Greene seconded and the nominations passed unanimously.

### **ELLIS CROSS COUNTRY VFD FIRE COMMISSIONERS**

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

- Gordon E. Rutzen for reappointment
- David Andrew Braun

The terms are for two (2) years beginning May 1, 2015 and expiring April 30, 2017.

Commissioner Pierce nominated Gordon Rutzen and David Andrew Braun. Commissioner Klusman seconded and the nominations carried unanimously.

### **MOUNT MITCHELL VFD FIRE COMMISSIONERS**

The BOC directed the Mount Mitchell VFD last year to submit applications for Fire District Tax Commissioners. There are three (3) vacancies and the following applications have been submitted:

- Bobbie Ford Aldridge
- Susan Carter
- David Duncan
- Jeff Eury
- Lori Stancil

The terms are for two (2) years beginning April 1, 2015 and expiring March 31, 2017.

Bobbie Aldridge, David Duncan and Jeff Eury were nominated by Commissioner Pierce. Commissioner Caskey seconded and the nominations passed unanimously.

**CITY OF SALISBURY ZONING BOARD OF ADJUSTMENT ETJ**

- Diane Scott has submitted an application for reappointment for a three (3) year term expiring March 31, 2018.

Commissioner Greene moved to appoint Diane Scott. Commissioner Klusman seconded and the motion carried unanimously.

**CITY OF SALISBURY PLANNING BOARD ETJ**

- Randy Reamer has submitted an application for reappointment for a three (3) year term expiring March 31, 2018.
- Josh Canup has submitted an application for reappointment for a three (3) year term expiring March 31, 2018.

Commissioner Greene moved to accept the nominations. Commissioner Pierce seconded and the motion passed unanimously.

In response to a question by Commissioner Klusman about the Scotch Irish VFD vacancies, Commissioner Greene stated there was an open house that evening and he would speak with the VFD about the getting the vacancies filled.

**ADJOURNMENT**

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 3:31 p.m. 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