

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

**July 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 and County Attorney Jay Dees were present. Assistant County Manager/Finance Director Leslie Heidrick was absent.

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

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

**CONSIDER ADDITIONS TO THE AGENDA**

- Commissioner Greene requested to add an item granting permission to Nazareth Children's Home for a fireworks display.

Chairman Edds added the issue as Consent Agenda item T.

- Commissioner Klusman requested to place agenda item #4 (Consider Approval of PE 02-15: Dragon Boat Festival) on the Consent Agenda.

Chairman Edds placed the issue on the Consent Agenda as item U.

**CONSIDER DELETIONS FROM THE AGENDA**

- Commissioner Pierce requested to pull item S from the Consent Agenda for discussion. The request was seconded by Commissioner Klusman and passed unanimously.

Chairman Edds placed the issue as regular agenda item #4 (listed in minutes as item #4a).

- Commissioner Caskey moved to table agenda item #12 (Consider Approval of West End Plaza Event Center Policy and Application) to the August 3, 2015 Commission Meeting. The motion was seconded by Commissioner Pierce and passed unanimously.

### **CONSIDER APPROVAL OF THE AGENDA**

Commissioner Greene moved, Commissioner Pierce 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 June 15, 2015 Commission Meeting passed unanimously.

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

Commissioner Greene moved approval of the Consent Agenda (as amended). The motion was seconded by Commissioner Klusman and passed unanimously.

The Consent Agenda consisted of the following:

- A. Ambulance Franchise For Kannapolis Fire Department
- B. State Request to Add Forest Abbey Lane, Mackenzie Court, and Constance Court to the State Secondary Road System for Maintenance
- C. State Request to Add Pinehaven Drive to State Secondary Road System for Maintenance
- D. Award Service Sidearm to Retiring Master Deputy Kelly Williams
- E. Award Service Sidearm to Retiring Sgt. Chris Crane
- F. Set Public Hearing for Z 06-15 for August 3, 2015
- G. Set Quasi-judicial Hearing for Z 20-04 & CUP 16-04 Amendment for August 3, 2015
- H. Accept State Library Grant for Children's Computers
- I. 2015 Justice Assistance Grant Request to Apply
- J. North Carolina Grassroots Science Museum Collaborative
- K. Carolina Antique Power Association
- L. Refunds for Approval
- M. Set Public Hearing for HLC 01-15 for August 3, 2015
- N. Changes in Classification Titles
- O. Request for Qualifications for Professional Architectural Services for the Airport Office Building Project
- P. Request for Qualifications for Professional Architectural Services for West End Plaza Renovations
- Q. Approval of Bid for the Purchase of Aircraft Tug
- R. Veterans Appreciation Dinner at West End Plaza
- S. Slide the City Request (placed on the regular agenda as item #4a)

- T. Permission to Nazareth Children's Home for a Fireworks Display (addition to the Consent Agenda)
- U. PE 02-15: Dragon Boat Festival (pulled from the regular agenda [item #4])

*At this time, Chairman Edds switched agenda items #2 and #3 in the order of presentation/discussion.*

## **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:

- Howard Andrews expressed his views regarding religion and prayer at board meetings.
- Jack Fisher spoke in opposition to the Carolina Thread Trail (Trail).
- Revered Dr. Fleming Otey, Chief, Yadkin River Valley Native Americans, said he wanted to see the Yadkin River Valley Bridge and surrounding properties renovated by the Indians. Reverend Otey, on behalf of the Native Americans of North Carolina, then presented the Board with a handout that was titled "Blessings for Commissioners".
- Eric Phillips spoke in support of the Carolina Thread Trail
- Wendell Fisher spoke in support of the Carolina Thread Trail
- Steven Hamman spoke in support of the Carolina Thread Trail
- Jesse Day, Assistant Planning Director for the Piedmont Triad Council of Governments, spoke in support of the Carolina Thread Trail and also in support of a bicycle trail.
- Brad O'Shaughnessey spoke in support of the Carolina Thread Trail.
- Michael Goodman spoke in support of the Carolina Thread Trail

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

## **3. SPECIAL RECOGNITION**

- Chairman Edds announced that Cooperative Extension Director Darrell Blackwelder was retiring at the end of July. Chairman Edds called Mr. Blackwelder forward where he was recognized by the Commissioners for his outstanding and exemplary service to the citizens of Rowan County.

Commissioner Klusman read and presented a plaque to Mr. Blackwelder honoring him for over 29 years of service in Rowan County. The presentation was followed by a round of applause.

Chairman Edds provided additional details regarding Mr. Blackwelder's background education and knowledge of agriculture. Chairman Edds praised Mr. Blackwelder for his leadership in providing quality services for the enrichment of all. In conclusion, Chairman Edds thanked Mr.

Blackwelder for his dedication and another round of applause followed his comments.

- Chairman Edds said the Board had another individual to recognize and he called Clerk to the Board, Carolyn Barger, forward.

Chairman Edds praised Ms. Barger for the job she does as Clerk to the Board. Chairman Edds said Ms. Barger was a member of the North Carolina Association of County Clerks (NCACC). Chairman Edds explained that a few months ago the County Manager was contacted and informed that Ms. Barger would be honored as the recipient of the Howard Holly Outstanding Clerk of the Year Award during the NCACC Annual Conference in Burlington. Chairman Edds said the Clerks take their jobs very seriously and go through a tremendous amount of training. Chairman Edds said the job was not easy, as Ms. Barger had six (6) bosses to keep up with. Chairman Edds said Ms. Barger promptly responded to requests made to her from board members.

Chairman Edds continued by saying the North Carolina Association of County Commissioners (Association) would also be honoring Ms. Barger during the Association's Annual Conference in Pitt County in August.

Chairman Edds read a Proclamation honoring Ms. Barger for her achievements. In conclusion, Chairman Edds humorously asked Ms. Barger to obtain the signatures of each Commissioner on the Proclamation. A round of applause followed the reading of the Proclamation.

#### **4. CONSIDER APPROVAL OF PE 02-15; DRAGON BOAT FESTIVAL**

This issue was moved to the Consent Agenda as item U.

#### **5. CONSIDER APPROVAL OF FSW 01-15; SNYDER**

Franklin Gover, Planner, outlined a request from Janet B. Snyder to grant a subdivision waiver to allow five (5) lots to be created from her property located at the 13500 block of Cool Springs Road, further referenced as Rowan County Tax Parcel 723 038. Mr. Gover explained this was a 22 acre tract. Mr. Gover said one of the reasons Rowan County adopted a Subdivision Ordinance was in response to maintenance issues often created by private roads. In lieu of these options, Mr. Gover said the ordinance established a process where a property owner could convey parcels to their immediate family members for the purpose of establishing new residences.

Mr. Gover stated the waiver process was established to give the Board the ability to waive certain requirements of the family subdivision standards in special situations. Based on the four (4) criteria in the staff report, Mr. Gover said the request would not be detrimental to the county or surrounding area.

Commissioner Pierce asked if the restrictions would be recorded in the deed. County Attorney Jay Dees responded the information was recorded in the plat.

Mr. Gover said the information was also kept on file and would be made known if anyone applied for a permit for the property in the future.

Commissioner Greene moved to approve the family subdivision waiver request recognizing the following restrictions:

1. All lots created will be for home sites for immediate family members; and
2. Only one lot is available per immediate family member; and
3. The lots will not be sold outside of immediate family; and
4. Should family wish not to build on their lot, it will be recombined with an adjoining tract.

The motion was seconded by Commissioner Pierce and passed unanimously.

#### **6. CONSIDER APPROVAL OF SNIA 01-15 REQUEST FROM MICTER, LLC**

Senior Planner Shane Stewart presented a request from MICTER, LLC for consideration of a Special Non-Residential Intensity Allocation (SNIA) to be applied to two (2) parcels located in the 100 block of Shinn Farm Road. The Rowan County Zoning Ordinance provides the Board of Commissioners an option to allow ten (10) percent of the county's portion of the balance of a watershed area to be developed at up to seventy (70) percent.

Mr. Stewart said staff was recommending approval of the SNAI 01-15 request contingent upon the information provided in the agenda packet.

Chairman Edds moved approval of SNIA 01-15 based on 1) Compliance with the accompanying site plan; 2) Obtaining a commercial driveway permit from NCDOT prior to commencing site work; 3) Obtaining approval of a site specific sedimentation and erosion control plan prior to commencing site work; and 4) At a minimum, installation of a Type A (4) screen along the frontage of Shinn Farm Road. Commissioner Pierce seconded and the motion passed unanimously.

#### **7. PRESENTATION OF CAROLINA THREAD TRAIL MASTER PLAN**

Randi Gates, Land Planning and Design Project Manager with Stewart, Inc. provided information on the Carolina Thread Trail Greenway (Trail). Ms. Gates used a power point presentation to highlight the Master Plan (Plan) for the project. Ms. Gates shared the fact the Plan was a fifteen (15) county, two (2) state initiative designed to inspire and facilitate the creation and development of a regional network of trails and conservation corridors for walking, biking, commuting, and enjoying.

Ms. Gates said Rowan's ten (10) municipalities had adopted the Plan. Ms. Gates said there was over 1500 trail miles planned and there were over 220 miles "on the ground".

Ms. Gates said in 2009, Staff and local leaders approached communities about signing onto the concept. Ms. Gates said in 2009 the first resolution was signed in Rowan County by the City of Salisbury. Shortly afterwards, a resolution went before the Rowan County Planning Board, which was not passed. Ms. Gates said when the issue came before the Board of Commissioners, it did not pass.

Ms. Gates said the major concern in 2009 was the issue of eminent domain and the organization had responded with a position statement that it did not support the use of eminent domain. Ms. Gates stressed the eminent domain process was within the authority of each elected board and the organization as a whole did not support the use of eminent domain. Ms. Gates said the organization controls where the funding goes and had stated it would not fund any land acquisition from an unwilling property owner nor would it fund the construction of the Trail along a property that was taken from an unwilling property owner.

Ms. Gates said when putting together a steering committee, the organization had asked the former County Manager and former Chairman for staff to participate in the planning process for the Trail but was turned down.

Ms. Gates said in 2013, the Town of Landis, a lead agency in the planning process, received a Planning Grant from the Carolina Thread Trail to develop a Countywide Greenway Master Plan to identify corridors. As part of the planning process, Ms. Gates said a steering committee was formed to lead and supervise the planning effort. According to Ms. Gates, the trail routes depicted in the Plan illustrated connections between destinations, but not precise routes, as exact routes would be determined over time based on an ongoing dialogue with the community and interested landowners.

Ms. Gates said citizen input was received starting in January of 2014 with four (4) different meetings across the County, as well as an online survey. Ms. Gates said in July 2014 there were another four (4) meetings where maps were on display for community members to provide comments.

Ms. Gates said 78% of those providing input from the surveys and meetings felt trails were important to the County as a whole. Ms. Gates said input received indicated walking and biking were the top activities for those who wanted to participate. The top destinations were favored to connect the Yadkin River, High Rock Lake, parks and existing nature preserves, existing trails and colleges in the community.

Ms. Gates showed the Plan for Rowan County as it pertained to the Trail. Ms. Gates noted over time exact routes would be determined after working with the respective communities and the landowners.

Ms. Gates discussed the benefits of the trails and why the Board should consider adoption of the Plan. Adoption means: land acquisition for implementation of the

Plan would adhere to Article IV of the County's Code of Ordinances. Adoption would allow for critical links to connect the towns; qualify the County to receive catalytic funding from the Trail and help secure funding from other sources. Ms. Gates said adoption of the Plan did not commit the County to fund implementation - meaning "the plan could sit on the shelf". Ms. Gates expressed hope the County would push ahead and the organization could work with the DOT to get bicycle trail facilities added.

Ms. Gates discussed liability and referenced North Carolina General Statute §38A that stated if a property owner grants use of the land and allows it to be used for recreation purposes, as long as you are not charging anyone to use the trail, anyone using the trail is treated as trespassers. As far as the County owning any trails, Ms. Gates said it would be the same liability as that of the parks within the County.

Ms. Gates requested the board to consider adopting the Plan.

Commissioner Klusman asked what the economic impact was for Rowan County and perhaps statewide.

Ms. Gates said the Trail was currently conducting a new study. According to Ms. Gates, when the Trail was first being planned a study was conducted but the plan did not state which part was to be paved, etc. The plan does not list impact analysis, but Ms. Gates said there were studies out there to back up the economic development component.

Commissioner Caskey asked how the organization would be affected if Rowan County did not support the Resolution.

Ms. Gates responded that there would not be a connected network of fifteen (15) counties. Ms. Gates said the Trail organization could only develop trails so far until county area was reached and it would not be a full fifteen (15) county connected system.

Commissioner Caskey said he was told that Gastonia condemned land for a different reason and gave it to the Trail.

Ms. Gates said the Gastonia route went along an old abandoned rail corridor and over to a creek. The Concord/Kannapolis trail was on the ground before the Trail came and was the same instance as with Gastonia. Ms. Gates said as far as was known, there was one (1) hold out landowner and there was one (1) property where the landowner was unknown. According to Ms. Gates, in one instance there was a threat to use eminent domain. When the Trail found out about the case, the Trail went to the council meeting and spoke against the use of Eminent Domain. According to Ms. Gates, the use of eminent domain was going to be used regardless of whether the Trail was there or not. Ms. Gates stated the

minutes of the meeting could be looked at to see where the organization stood on that particular case.

Commissioner Caskey clarified that only the county or city could condemn the property and then give it to the organization.

Ms. Gates stated the organization was a non profit that could not control the local government; however, the Trail could control funding. Ms. Gates stated Rowan County has an ordinance in place that says it will not use eminent domain for this project or any other economic development project.

Commissioner Greene asked if people would donate the land to the Trail.

Ms. Gates responded that there were different ways the Trail got property for this purpose. Ms. Gates shared the fact that land could be purchased or donated, given by discounted sale, or handled through a transaction between landowner and land trust. Ms. Gates went on to say the Carolina Thread Trail did not hold any easements or purchase or accept donations of land, but partnership organizations handled that task.

Commissioner Greene discussed the liability issue stating that if the land was taken out of the homeowners name and put into one of the subsidiaries that would exclude the landowner from liability. Ms. Gates confirmed that was correct.

Commissioner Pierce asked who was going to maintain the hundreds of miles of trails and who was to take care of the trash collection. Commissioner Pierce asked where that responsibility would fall and what tax dollars would take care of the trails.

Ms. Gates responded by saying that the local communities were to maintain the trails, as they were developed and treated as a linear park that fell within their current budget. According to Ms. Gates, a lot of the current trails were sidewalks. Trails that fall within the land trust areas are maintained by the land trust. In some instances, Ms. Gates said the local police departments handle cleanup as they use the trails for training. The general public on their daily hikes pick up trash, according to Ms. Gates.

Commissioner Pierce said the explanation was that it would fall back to the communities and the tax payers.

Ms. Gates responded that it would fall to the communities or to the volunteers that would be helping.

Travis Morehead, Director of Operations for the Trail, said communities have a choice to adopt the plan. Mr. Morehead said if the communities do adopt the

plan and get grant money, they do have to maintain it. According to Mr. Morehead, there are volunteers called trail masters and they have assigned areas to maintain throughout the region. Mr. Morehead reiterated that if the county decided to adopt the Plan as a community, then it had to be maintained.

Commissioner Pierce said he wanted to make certain the grants being talked about were one time grants and once the Trail was put in, it would be the tax payer's responsibility to maintain forever more. Commissioner Pierce said there was a need to emphasize the fact that the Trail was not free but would come out of the budget for the Parks and it would become the Parks job to keep up the Trail. Commissioner Pierce said he could not believe people would ask about a trail as a first choice prior to moving to the county. Commissioner Pierce said he felt that was not true, as he felt the number one priority in talking with businesses was education. According to Commissioner Pierce, the Trail was voted on in 2009 and was turned down and asked why the issue had come back.

Ms. Gates responded that the communities had adopted the plan and wanted it to come before the Board so there would be one unified adopted plan throughout the County.

Commissioner Pierce said the request came back to the Board in 2012, 2013 and in 2014 but did not get put before the entire Board for voting. Commissioner Pierce said he did not know why the request was coming back now. Commissioner Pierce went on to say it appeared that the original answer received was not the answer that was wanted so the issue kept coming back.

Commissioner Caskey asked for clarification that the park would not be given to the organization and the County would still own the land and be responsible for what happened in the area. Ms. Gates responded that was correct.

Commissioner Klusman asked if there was any information about how trails for biking and walking helped promote physical good health.

Ms. Gates responded there was a report that by having access to opportunities for recreation the citizens were more likely to use it and that would promote the health standing for the county.

Chairman Edds thanked Ms. Gates for her presentation. Chairman Edds said there was a resolution before the Board and asked for further discussion.

Commissioner Klusman stated in her home state there were thousands of miles of trails for walking and biking, with one going right by her farm. Commissioner Klusman stated the concerns about trash and safety was no more than normal. Commissioner Klusman went on to say there were different groups that adopted the trail to help keep it clean and it was a part of the parks system. The Board

and County, according to Commissioner Klusman, were very concerned over costs of Medicaid, and health care costs could be lowered by helping people be closer to trails and having trails where there was no competition with traffic. Commissioner Klusman went on to state that she supported the resolution. A round of applause followed.

Chairman Edds said while he appreciated enthusiasm, he asked those present to please not applaud comments.

Commissioner Greene stated this Trail had been passed by fourteen (14) other counties and every municipality in our county.

Commissioner Caskey said he was on the Planning Board when the Plan came up in 2009. Commissioner Caskey said he was opposed to it then, and felt more comfortable now but still had some concerns. Most of the folks that support the Plan, according to Commissioner Caskey, are for a clean environment and are not too worried about the trash. Commissioner Caskey said his concerns were about where the exact plans would go. Commissioner Caskey said he did not have a problem using the parks but was still a little concerned about eminent domain. Commissioner Caskey also said he thought the option was there for a future board to exercise eminent domain. Commissioner Caskey said he could not support the Plan today, even though he did like the concept.

Chairman Edds asked Mr. Church if there was a County ordinance concerning eminent domain with Mr. Church responding there was.

Chairman Edds stated he was also on the Planning Board in 2009. Chairman Edds read from the Resolution concerning eminent domain, stating that the Plan was opposed to eminent domain. Chairman Edds said the Trail had as much authority to exercise eminent domain as Waffle House had to start taking property on Innes Street. According to Chairman Edds, the Trail has no authority to exercise eminent domain. Chairman Edds said he still had questions though concerning the liability. Chairman Edds said it was as simple as saying no if one did not want to be a part. Chairman Edds said for the last two (2) years, all had been engaged in the discussion of economic development. Chairman Edds said he was personally too busy to step foot on a Trail, but it was an issue in economic development and that was quality of life. As the County has become the donut hole in the region, Chairman Edds said all of the things that would help attract business to the community needed to be looked at. Chairman Edds said he did not agree with Commissioner Pierce that no big company would pick the County out on the map to locate here because of the Trail, but it would be one of the tools that would add to the quality of life. Chairman Edds said the County was trying to attract folks that would have tax dollars to spend and trying to also hold out as many positive things as possible to attract these people to our community. In speaking with Don Bringle, Director of the Parks, Chairman Edds said it would be no more of an issue than with the current parks. Chairman Edds

said it would be up to this Board and future Boards to change the Ordinance to implement eminent domain with or without the Thread Trail. Chairman Edds went on to state that the Trail itself recognized they had issues in 2009 that needed to be addressed, and he felt they had addressed those issues.

Commissioner Klusman moved to adopt the Carolina Thread Trail Greenway Master Plan for Rowan County. Commissioner Greene seconded and the motion passed 3-2 with Commissioner Pierce and Caskey dissenting.

Commissioner Klusman moved to adopt the resolution. Commissioner Greene seconded and the motion passed 3-2 with Commissioners Pierce and Caskey dissenting.

The Resolution to Adopt the Carolina Thread Trail Greenway Master Plan for Rowan County Communities was approved as follows:

Whereas, the Carolina Thread Trail's mission is to bring resources to the 15-county region in the south-central piedmont of North Carolina and the north-central portion of South Carolina in order to create an interconnected trail system with major regional trails designated as the Carolina Thread Trail, and

Whereas, many communities in our region have taken a lead in planning and/or building local trails and greenways, and those efforts can be greatly enhanced by being connected to a larger regional network of trails; and

Whereas, this Greenway Master Plan outlines a means for long-term coordination of greenway and trail development within the county, cities and towns in Rowan County to help promote the preservation and improvement of residents' quality of life; and

Whereas, it presents a first-ever plan to integrate all existing and proposed municipal and county trails with additional greenway/trail segments that will together create a comprehensive multi-use network for connecting people, places and destinations to each other and surrounding counties; and

Whereas, it is well understood that building a trail system of this scale is a long-term undertaking, and segments will emerge over time and grow together, and adjustments will be made to the proposed routes as circumstances change and more information becomes available; and

Whereas, the proposed trail connections represent the best marriage of technical expertise and public interest in linking destinations as expressed in local community meetings; and

Whereas, the trail routes depicted in the plan illustrate connections between destinations, but not precise routes and exact routes will be determined over time based on an ongoing dialogue with the community and interested landowners; and

Whereas, Article IV of the Code of Ordinances prohibits the use of eminent domain for taking private property without consent of the owner and using said property for economic development, including the development of greenways or public trails; and

Whereas, adoption of this Greenway Master Plan means that it will serve as a guideline for developing future proposed connections and does not imply a commitment of funding by local governments for implementing the trails described therein; and

Now, Therefore, Be It Resolved by Board of Commissioners that Rowan County hereby adopts the Carolina Thread Trail Greenway Master Plan for Rowan County Communities; an outline for a system of trails that will connect our communities, people and special regional points of interest for years to come.

## **8. REQUEST FROM ROWAN SALISBURY SCHOOL SYSTEM REGARDING SURPLUS PROPERTY**

Assistant Superintendent of Operations for Rowan Salisbury School System Anthony Vann reported the Board of Education (BOE) voted to declare the R.G. Kizer School property (2600 Cottage Street, Salisbury) as surplus property. At the same meeting on May 26, 2015, Mr. Vann stated the Long Street Administrative Office property (110 South Long Street, East Spencer) was also declared as surplus. Mr. Vann explained that with the Long Street Office site, nothing would happen with the property until the new administrative office was completed and the current office vacated. Mr. Vann went over the tax value and the appraised value for each site. Mr. Vann went on to say he was bringing these two (2) properties before the commission as "Right of first Refusal".

Commissioner Caskey inquired as to how long the Kizer property had been vacant. Mr. Vann said he was uncertain but could get the information. Mr. Vann said the property had only been used for storage but due to substantial leaks in the structure, it was no longer being used and the power had been disconnected for safety reasons.

Commissioner Klusman moved to declare the properties as surplus. After a brief discussion, the motion was seconded by Commissioner Pierce and passed unanimously.

## **9. PRESENTATION FROM TRIAD COMMERCIAL PROPERTIES**

Chairman Edds introduced Breck Dorton and William Woltz to share the Request for Qualifications (RFQ) from Triad Commercial Properties (Triad) and to talk about what the organization could do for Rowan County.

Mr. Dorton said he had positive dialog a few weeks ago with Chairman Edds and Vice-Chairman Greene. Given close proximity to increasing markets, Mr. Dorton said attracting private developers to build on county land would be a tremendous opportunity for the County. Mr. Dorton said a product was needed to attract Fortune 500 companies.

Mr. Woltz said he was a partner with Triad, a third party real estate brokerage, investment and advisory firm. Mr. Woltz said the advisory part of what Triad did was the most affable part. Mr. Woltz shared names of some of the businesses they work with. Mr. Woltz said the proposal would be a partnership with Rowan County where Triad would represent the County in running a process to explore the appetite for private developers to build a private speculative industrial building on County owned property. Mr. Woltz went on to say that with the location of Rowan County and the ability to offer land at a discounted price to a

commercial developer for a speculative building, in consultation with the Board, he felt there was a real opportunity here. Triad, according to Mr. Woltz, would represent the County and reach out to contacts in the developer world to gauge interest. Mr. Woltz said based on interest, Triad would go through a formal process, working with the Board to determine particulars such as terms, value of land, concessions offered, etc.

Mr. Woltz went on to state that compensation for Triad would come from the developer community and not the County. Mr. Woltz said the agreement with Triad and how the company was retained could be cancelled at any time. Mr. Woltz said it was a true partnership and a very unique window of time and opportunity based on the location of Rowan County. Mr. Woltz said he could not guarantee that at end of day this partnership would be as successful as everyone might hope. Mr. Woltz said Triad was volunteering the time until the process was completed.

Commissioner Klusman questioned if Triad did not get paid if there was no success, what the County would pay if there was success.

Mr. Woltz said the County would never pay Triad a dime. As part of the RFP, Mr. Woltz said Triad would be clear to lay out how the compensation would be and the developer would be responsible for compensating Triad. Mr. Woltz said the developer could potentially allow Triad to market the building for lease after it was built, provided there were no conflicts of interest.

Commissioner Greene asked how old the firm was.

Mr. Woltz stated the firm was founded in 1998 with close to 150 years of commercial real estate service if all of the service of all of the partners were added together. Mr. Woltz said the firm worked on a team approach with twelve (12) brokers. Mr. Woltz said there would be a high level of attention given to Rowan County.

Commissioner Greene asked approximately how many buildings the firm would be a part of in a year.

Mr. Woltz responded by saying that in the last three (3) years there had not been any buildings due to the recession. Mr. Woltz went on to say that if the question was on transactions, they were the largest commercial firm in the triad area, averaging \$2 to \$3 hundred million a year in transaction volume. The trend of speculative industrial buildings, according to Mr. Woltz, was fairly new and Triad had extensive experience on both sides of the table.

Chairman Edds thanked the firm and said the concept was pretty simple. Chairman Edds talked about the road going in to the Gildan property that would open up approximately ninety-two (92) acres, which could provide four (4) to five

(5) industrial sites. Chairman Edds said Triad had been asked to represent those sites as their primary goal with the understanding that if someone was brought to the table and would like to look at other sites, that would become a possibility. Chairman Edds said Triad would get developers to pitch speculative buildings to Rowan County and on the other side match up companies they knew of looking to move into the area. Chairman Edds stated this would cost the County nothing, with money coming back from companies locating here or builders building here. According to Chairman Edds, this would be a one (1) year agreement that the County could choose to renew or the County could get out of with a thirty (30) day notice. Chairman Edds said he was looking forward to working with this company if there was a positive vote.

Commissioner Greene moved to go through with this property with signing this company to an agreement to represent the County.

Commissioner Klusman seconded and the motion passed unanimously.

At this time Commissioner Pierce stated Item #4a had been skipped.

**4a. SLIDE THE CITY REQUEST** (pulled from Consent Agenda)

Paula Bohland, representing Downtown Salisbury, Inc., said as many already knew, the City has spent months working to attract Slide the City (STC). Ms. Bohland said the event was coming on August 29<sup>th</sup> and would be held from 10 a.m. to 7 p.m. According to Ms. Bohland, it had been foreseen that thousands of tickets would be sold. Ms. Bohland said the City was looking for venues for parking to accommodate those who travel here. Ms. Bohland said she was coming to request the use of the parking lot at West End Plaza (WEP). Ms. Bohland also said there had been talk with the City's transportation department and they will shuttle to the event.

Commissioner Pierce said his concern was the parking lot was big and there was no designation or plan as to what area would be used. Commissioner Pierce said the County had people paying to lease the WEP and he felt a need to designate what part of the parking lot would be used. Commissioner Pierce suggested designating an area such as the former Belk parking area. Commissioner Pierce stated there needed to be a plan so as to avoid confusion for the tenants paying the leases.

Ms. Bohland said the plan would be for the same area currently being used by the City's transit. Ms. Bohland said an area could be designated and the City could come back with a specific plan.

Commissioner Pierce said he felt the County owed it to the tenants to identify where the parking will be. Commissioner Pierce said he would suggest instead of using the current transit route, the buses make a turn and go down to the traffic lights for Belk.

Ms. Bohland said she would need to coordinate that with City's transportation department. Ms. Bohland said the City would need input from the County for creating the plan for parking.

Commissioner Caskey asked if there was a number for how many would be parking at the WEP.

Ms. Bohland responded that there had been a thousand (1,000) tickets sold with the maximum number of tickets being 4,000. Ms. Bohland said there was not an estimate of how many cars would be out there.

Commissioner Caskey said there were approximately 1,200 parking spaces at WEP. Commissioner Caskey also said he appreciated the City asking the County about parking and said he was glad the tension had gone away over the WEP.

Chairman Edds asked the County Manager if this passed, would he prefer it to pass with the understanding that Ms. Bohland get in touch with either Don Bringle or the County Manager to come up with a parking plan.

Commissioner Caskey moved to approve the request with the understanding that Ms. Bohland get in touch with the County Manager or Don Bringle on a parking plan.

Commissioner Klusman seconded and the motion passed unanimously.

#### **10. PROPOSAL TO REJOIN CHARLOTTE REGIONAL PARTNERSHIP**

Robert Van Geons, Director of the Economic Development Commission (EDC), presented a proposal to rejoin the Charlotte Regional Partnership (CRP). Mr. Van Geons shared that in recent discussions, Rowan County appeared interested in rejoining the CRP. The FY 2015-16 dues for Rowan County would be \$41,599.80.

According to the memorandum in the agenda packet, some inquiries had taken place concerning RowanWORKS using a portion of the funds previously provided for Site Development to cover this year's CRP dues. If requested by the Commissioners, Mr. Van Geons indicated in the memorandum, he felt RowanWORKS members would support such action.

Commissioner Pierce questioned the Board's previous action to give funds to the EDC that were previously allocated as membership dues for the CRP. Mr. Van Geons explained those funds had been for one (1) year but the next year those funds were not earmarked as being tied to the CRP. Mr. Van Geons said the County had given the EDC \$50,000.

Commissioner Caskey said he liked being part of a regional economic development process and he felt rejoining the CRP would be a positive move for the County.

Chairman Edds said the measures the County had been taking were not working and the County needed to do all it could to try and bring economic prosperity to Rowan County. Chairman Edds asked the Board to consider appointing him to serve on the CRP and suggested the matter be reassessed after one (1) year.

Commissioner Greene moved to rejoin the Charlotte Regional Partnership with RowanWORKS covering this year's dues (2015-16) in the amount of \$41,599.80. Commissioner Caskey seconded the motion.

In response to Commissioner Pierce, it was determined that Mr. Van Geons would report to the Board after nine (9) months with an evaluation as to whether the County was getting "its bang for the buck" with the CRP.

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

Mr. Van Geons confirmed that he interpreted the motion to include Chairman Edds as the board member appointed to serve on the CRP.

#### **11. SALE OF SURPLUS REAL PROPERTY**

County Manager Aaron Church presented a proposal requesting the Board of Commissioners declare three (3) parcels of real property as surplus and approve them to be listed for sale by a real estate broker. According to Mr. Church, the North Carolina General Statutes allow for three (3) methods of disposing of real property: Competitive sale by public auction, sealed bid, or upset bid. Mr. Church listed the three (3) properties as follows: the former Department of Social Services building located at 1236 West Innes Street in Salisbury, the former Department of Social Services building located at 165 Mahaley Avenue in Salisbury, and a residential structure located at 418 South Carolina Avenue in Spencer.

Mr. Church said the Board had approved on May 4, 2015 a proposal from R. Giles Moss Auction and Real Estate for real estate broker services. According to Mr. Church, staff was recommending that the three (3) referenced parcels of real property be declared surplus, the preferred disposal method was to be determined, and that sale be facilitated by R. Giles Moss Auction and Real Estate.

Commissioner Caskey moved approval of staff's recommendation to declare the three (3) parcels of real property as surplus. The motion was seconded by Commissioner Greene and passed unanimously.

Commissioner Caskey said he would like to keep the option open to make a trade for the Mahaley Avenue property. In response, Commissioner Pierce suggested using the upset bid process for consistency and if an offer was received for a trade, the Board could consider the matter at that time.

Commissioner Caskey found Commissioner Pierce's suggestion acceptable and said he wanted the information available that a trade for Mahaley Avenue property was possible.

Commissioner Pierce moved to sell the properties through the upset bid process. The motion was seconded by Commissioner Caskey and passed unanimously.

Commissioner Greene inquired as to whether the sale of the properties could be revisited in six (6) months or so and Mr. Church responded yes.

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

## **12. CONSIDER APPROVAL OF WEST END PLAZA EVENT CENTER POLICY AND APPLICATION**

This matter was tabled to the August 3, 2015 Commission Meeting.

## **13. DESIGNATION OF VOTING DELEGATE TO NCACC ANNUAL CONFERENCE**

Chairman Edds said the Board was asked to select a voting delegate for the North Carolina Association of County Commissioners (NCACC) Conference scheduled for August 20-23, 2015.

Commissioner Pierce nominated Commissioner Klusman. The nomination was seconded by Commissioner Caskey passed unanimously.

## **14. CONSIDER APPROVAL OF BOARD APPOINTMENTS ZONING BOARD OF ADJUSTMENTS**

There are two (2) vacancies for alternates and the following application has been received:

- Norman Grey Ribelin

The term is for three (3) years beginning July 1, 2015 and expiring June 30, 2018.

Commissioner Klusman nominated Norman Ribelin and Commissioner Caskey seconded. The nomination carried unanimously.

## **ABC BOARD**

There is one (1) vacancy and the following has submitted an application:

- Maurice (Marny) H. Hendrick

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

Commissioner Greene moved approval of Marny Hendrick. Commissioner Klusman seconded and the motion passed unanimously.

### **LANDMARKS COMMISSION**

There is one (1) vacancy and the following applications have been received:

- Malcolm Wade Butner
- Stephen Anthony Albanese

The term is for three (3) years beginning July 1, 2015 and expiring June 30, 2018.

Commissioner Klusman nominated Stephen Albanese. Commissioner Greene seconded the nomination.

Commissioner Pierce nominated Malcolm Butner with a second from Commissioner Caskey.

(With a 2-2 vote at this point, Chairman Edds stated he would prefer to table this appointment until later. At the end of the appointment process, Chairman Edds returned to this board for a vote.)

Chairman Edds said since Mr. Albanese had been appointed to another board he would place his vote for Malcolm Butner. Malcolm Butner was therefore appointed by a 3-2 vote with Commissioners Edds, Pierce and Caskey voting in favor of Mr. Butner and Commissioners Klusman and Greene voting in favor of Mr. Albanese.

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

- The Board of Commissioners amended the RTS by-laws on June 15, 2015 making the Director of the City of Salisbury Transit Division a permanent position. The Board is asked to ratify the terms of June 30, 2015 for the current position held by Rodney Harrison to have no ending date.

Commissioner Pierce moved to ratify the term limits of the Director of the City of Salisbury's Transit System, Rodney Harrison to reflect no term ending date. Commissioner Klusman seconded and the motion passed unanimously.

### **ADULT CARE HOME ADVISORY COMMITTEE**

There are seven (7) vacancies on this committee.

- Michael Vorherr was appointed to serve on this committee at the June 1, 2015 commission meeting. Mr. Vorherr has had a change in his schedule

and will be unable to fulfill the obligations of the committee and has resigned.

Commissioner Peirce moved to accept the resignation of Michael Vorherr. The motion was seconded by Commissioner Greene and passed unanimously.

- Stephen Anthony Albanese has submitted an application for consideration.

The term is for one (1) year beginning August 1, 2015 and expiring July 31, 2016.

Commissioner Pierce nominated Stephen Anthony Albanese. Commissioner Greene seconded and the nomination passed unanimously.

### **NURSING HOME ADVISORY COMMITTEE**

There are four (4) vacancies and the following applications have been received:

- Dominique Latrice Abram
- Jasmine Nicole Lowery

The terms are for one (1) year beginning August 1, 2015 and expiring July 31, 2016.

Commissioner Pierce nominated Dominique Latrice Abram and Jasmine Nicole Lowery. Commissioner Caskey seconded and the nomination carried unanimously.

### **JUVENILE CRIME PREVENTION COUNCIL**

There are three (3) vacancies; one (1) representing the business community, one (1) representing the faith community, and one (1) substance abuse professional.

- Linda Beaty has submitted an application for reappointment as a representative from the faith community. Ms. Beaty has served two (2) terms on the council and is not eligible for reappointment. In order to reappointment Ms. Beaty the Board would need to waive the term limits set forth in the Resolution adopted by the Board in 2012.
- Bonnie Baker Harrell has submitted an application for reappointment as the substance abuse professional. Ms. Harrell has currently served two (2) terms on the council and is not eligible for reappointment. In order to reappoint Ms. Harrell the Board would need to waive the term limits set forth in the Resolution adopted by the Board in 2012.
- Constance Partee Johnson has submitted an application. In one (1) email response Ms. Johnson referenced she would be considered as a representative from the business community and in another email she states she would meet the requirements for all three (3) vacancies.
- Nicholas Means has submitted an application representing the business community.

- Matthew Marsh has submitted an application as a representative from the business community.

The terms for the representative of the faith community and the substance abuse counselor are for two (2) years beginning July 1, 2015 and expiring June 30, 2017.

The term for the representative of the business community expires June 30, 2016 as this appointee would be filling an unexpired term.

Commissioner Pierce moved to waive the term limits for Linda Beaty and Bonnie Harrell. Commissioner Klusman seconded and the motion carried unanimously.

Commissioner Greene nominated Nicholas Means as a representative of the business community. Commissioner Caskey seconded and the nomination passed unanimously.

Commissioner Pierce nominated Linda Beaty as the representative from the faith community. Commissioner Klusman seconded and the nomination passed unanimously.

Commissioner Pierce nominated Bonnie Harrell as the Substance Abuse Professional representative. Commissioner Caskey seconded and the nomination carried unanimously.

#### **EAST GOLD HILL VFD FIRE COMMISSIONER**

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

- John Keith Hess

The term is for two (2) years beginning August 1, 2015 and expiring July 31, 2017.

Commissioner Pierce nominated John Keith Hess. The nomination carried unanimously.

#### **LOCKE VFD FIRE COMMISSIONER**

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

- Tony Sechler for reappointment
- James Miller for reappointment

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

Tony Sechler and James Miller were nominated for reappointment by Commissioner Pierce. Commissioner Caskey seconded and the nomination passed unanimously.

**CITY OF KANNAPOLIS EXTRATERRITORIAL JURISDICTION (ETJ) BOARD OF ADJUSTMENT**

- Boyd Hardin has submitted an application for reappointment to the Board of Adjustment for the City of Kannapolis as an ETJ representative.

The term is for three (3) years and will expire June 30, 2018.

Commissioner Klusman moved approval of Boyd Hardin. Commissioner Caskey seconded and the motion carried unanimously.

**15. REPORTS**

A. 2014 Local Emergency Planning Committee Annual Report

Commissioner Pierce moved approval of the report from the LEPC. Commissioner Caskey seconded and the motion passed unanimously.

**16. CLOSED SESSION**

Chairman Edds moved at 5:27 p.m. for the Board to enter Closed Session. The motion was seconded by Commissioner Pierce and passed unanimously. The Closed Session was held pursuant to North Carolina General Statute §143.318.11(a)(3) for attorney-client privileged communication regarding litigation; North Carolina General Statute § 143.318.11(a)(1) to consider approval of the May 4, 2015 and May 27, 2015 Closed Session Minutes; and North Carolina General Statute § 143.318.11(a)(4) to consider an economic matter.

The Board returned to open session at 6:26 p.m. No action was taken.

**17. ADJOURNMENT**

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 6:26 p.m. The motion was seconded by Commissioner Greene and passed unanimously.

Respectfully Submitted,

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