

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

August 17, 2015 – 6:00 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/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 6:00 p.m.

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

CONSIDER ADDITIONS TO THE AGENDA

Chairman Edds placed Consent Agenda item I on the regular agenda as item #3a for discussion.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

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

CONSIDER APPROVAL OF THE MINUTES

Commissioner Klusman moved, Commissioner Pierce seconded and the vote to approve the minutes of the August 3, 2015 Commission Meeting passed unanimously.

- Chairman Edds recognized Anthony Blandino who was in the audience. Anthony is an 8th grader who will attend the Youth Summit and represent Rowan County during the North Carolina Association of County Commissioners Conference in Pitt County later in the week. Chairman Edds said he knew Anthony would represent Rowan County well. A round of applause followed the recognition.

1. CONSIDER APPROVAL OF CONSENT AGENDA

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

The Consent Agenda consisted of the following items:

- A. Refunds for Approval
- B. July Refunds – Regular
- C. Grassroots Grant – NC Arts Council
- D. Set Public Hearing for September 8, 2015 for CDBG Closeout
- E. Set Public Hearing for September 8, 2015 to Consider Financing Proposals for Rowan-Cabarrus Community College HVAC and Health Science Program Improvements
- F. Professional Architectural Services for a New EMS Station, Based on Request for Qualifications
- G. Authorize County Manager to Approve \$500 to Rowan County Softball League
- H. Proclamation Honoring the 50th Anniversary of Franklin Baptist Church
- I. Proclamation Declaring August 28, 2015 As Food Lion Day (placed on the regular agenda as item #3a)
- J. Retirement Weapon for Master Deputy Charles Seward

2. PUBLIC COMMENT PERIOD

Chairman Edds opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. With no one coming forward, Chairman Edds closed the Public Comment Period.

3. CONSIDER REQUEST FROM BOARD OF EDUCATION REGARDING HEILIG ROAD PROPERTY

Anthony Vann, Assistant Superintendent of Operations with the Rowan Salisbury School System (RSSS), presented a request from the Board of Education (BOE) regarding approximately 31 acres of property on Heilig Road. Mr. Vann said the BOE would like to exchange a portion of the property off Heilig Road that had been declared surplus to allow the Transportation Department to more easily access the property.

Mr. Vann referred to the map and explained the BOE would like to swap tract 1R for 2R. Mr. Vann explained that while the BOE had already declared the property as surplus, the Commissioners approval was needed before the land swap could occur.

Commissioner Pierce inquired as to who donated the property and Mr. Vann apologized as the name of the donor escaped him. Mr. Vann said the donor lived in Florida but had owned multiple businesses here. Mr. Vann said he understood the donor had given the businesses to the employees. Mr. Vann said the BOE was swapping square foot for square foot and therefore it would not result in a loss off the tax books.

Commissioner Caskey moved to allow the BOE to make the land swap as requested. The motion was seconded by Commissioner Klusman and passed unanimously.

ADDITION

3a. PROCLAMATION DECLARING AUGUST 28, 2015 AS FOOD LION DAY

Chairman Edds said he had been contacted regarding a Proclamation from the County for Food Lion Day. Chairman Edds said the Proclamation had been revised since the agenda packet was posted and he was seeking Board approval of the revised version, which would be presented on August 28, 2015.

Commissioner Greene moved, Commissioner Klusman seconded and the vote to approve the revised Proclamation as submitted passed unanimously.

4. DISCUSSION REGARDING TRAP-NEUTER-RETURN PROGRAM

Commissioner Pierce said on June 15, 2015 the Board voted to table the decision on adopting a Trap Neuter Return (TNR) Program.

Commissioner Pierce introduced Dr. Rebekah Julian, a Veterinarian with Lazy 5 Vets, to further explain the TNR Program.

Dr. Julian, who also serves on the board of No Pet Left Behind, provided a handout summarizing TNR and discussed how the Program would help with feral cats.

Dr. Julian said the County's current ordinance would not allow the TNR Program due to the leash law and that she was basically asking the Board to change the ordinance to allow for the implementation of TNR. Dr. Julian said her research had not revealed any negatives to TNR, which helped to control the feral cat population and diseases.

Dr. Julian highlighted the benefits of TNR, which were listed on page 1 of the handout.

Commissioner Pierce said he would like to clear up some misconceptions for the public. Commissioner Pierce continued by saying once the cats are picked up and spayed or neutered the cats will be returned to where they were captured.

The ears are clipped to indicate the animal has been spayed or neutered in order to easily identify the animal cannot reproduce.

Dr. Julian said TNR would reduce the number of feral cats. Dr. Julian said No Pet Left Behind was a non-profit organization that coordinated with community caretakers in finding feral cat colonies. The caretakers put out traps and bring the cats in to get spayed/neutered and get the ear tipped. The caretakers then return the cats to where they were captured. Dr. Julian reported that a lot of feral cats do not roam and most all stay within their colonies. Dr. Julian said the community coordinator would be alerted when rabies updates were due and they will try to trap the cats again. Dr. Julian said the process was easier when the animals were listed in a system as opposed to having no record at all. Dr. Julian referred to page 2 of the handout and said No Pet Left Behind keeps up with the paperwork and would also obtain funds through grants and private donors. Dr. Julian said TNR would not cost the taxpayers of Rowan County any money.

Commissioner Greene questioned the process for distinguishing whether Animal Control would respond to calls for stray cats or whether the calls should be directed to No Pet Left Behind. Dr. Julian responded the process would not always be clear cut. Dr. Julian explained how TNR would not take rights away from Animal Control and how Animal Control could contact the “point people” with No Pet Left Behind in an effort to resolve an issue. Dr. Julian said there was no way to prevent people from dropping off cats but with a program in place, there would be a method for the point people to remove the cats and not tie up Animal Control for cats that could be redistributed elsewhere.

Commissioner Klusman questioned an estimate for the number of feral cats and Dr. Julian said there were many more than realized. Dr. Julian felt professionally the matter was a problem in Rowan County.

Commissioner Caskey questioned the process for someone who wanted Animal Control to remove cats that had been dropped off on their property. Commissioner Caskey said those citizens would not want the cats returned. Dr. Julian said cats would not be returned to anyone who did not want them.

Commissioner Caskey asked if Animal Control would pick up the cats and take them to No Pet Left Behind. Dr. Julian said no; Animal Control would not be involved.

Chairman Edds pointed out the traps would also catch sick and socialized cats. Dr. Julian said if a cat was sick and could not have surgery it would be euthanized humanely and not at the Animal Shelter. Dr. Julian said once a cat was brought to the hospital, it would be determined whether it was a social cat. If so, attempts would be made to scan for a microchip and contact the owner. Dr. Julian said most of the time, if an animal belongs to someone they are grateful for the care it received.

In response to an inquiry from Commissioner Greene, Dr. Julian said if the cats were feral and unsociable, they are released back into the community after the procedures.

Commissioner Pierce commented the feral animals colonize together and Dr. Julian added the feral cats run the domesticated cats away. Dr. Julian said domesticated animals are rarely trapped.

Chairman Edds referenced the information in the handout. Dr. Julian said there were multiple factors involved in the studies, including where the studies were done. Dr. Julian said she had seen people get feral cats that could be handled.

Chairman Edds commented a socialized cat did not mean it had been spayed or neutered. Chairman Edds asked if other cats were captured, would they be allowed to reproduce. Dr. Julian said No Pet Left Behind works with rescue groups and if owners were not found, the animals were fixed.

Commissioner Caskey questioned the process as to who would be allowed to have a feral cat colony. Dr. Julian responded if neighbors had issues, they could contact Animal Control. Dr. Julian said Animal Control had the final authority regarding situations where neighbors had issues with another neighbor's animals. Dr. Julian added that most of the time the cats find the people and not the other way around.

Commissioner Caskey asked how Animal Control would know which colony a cat went to if a cat was picked up and its ear was tipped. Dr. Julian said points of contact could be alerted as to the where the cat was picked up and efforts would be made to find the colony. Dr. Julian said Animal Control would still go through its same process as with every cat that was not claimed and that there would still be some that were euthanized. Dr. Julian stated when there is a new program to be supported, social media was a tool for notifying points of contact.

Commissioner Caskey asked if there would be any negatives to changing the ordinance, including taking away from Animal Control's enforcement. Dr. Julian said the language could specify feral cat colonies.

County Manager Aaron Church said it was important to make sure feral cats had vaccinations for public safety. Mr. Church said many people did not want cats to wear collars for the animal's safety. Dr. Julian concurred and said records of the cats would include a description and where it was located, which was more information than currently available.

Commissioner Greene questioned County Attorney Jay Dees regarding the County's liability. Mr. Dees said if the program was voluntary, the County would not know about it. Mr. Dees said the County would only be aware of the complaints about a colony and the County would then call the volunteer group.

Mr. Dees said the goal of the public health issue is to get the rabies vaccinations going.

In response to a question from Commissioner Greene, Mr. Dees said there were people who monitor specific colonies and trap annually to get the cats needed for revaccination.

Dr. Julian stated a lot of people who are concerned will trap the cats and bring them back to Animal Control for rabies shots so that Animal Control would not take the cats. Dr. Julian said she felt this would only improve public health with more animals receiving vaccines who were not receiving shots in the past.

Mr. Dees said the simple answer to Commissioner Greene's question was not to be so concerned over simple liability of the County for programs such as this.

Commissioner Pierce moved to approve the TNR Program, as well as to set a public hearing date to change the ordinance to reflect the changes to exclude cats from the leash law. The motion was seconded by Commissioner Klusman.

Commissioner Greene asked if the Ordinance should be passed prior to the passage of the program. Mr. Church responded that if the Board passed the motion he would work to rewrite the ordinance to bring forward for a public hearing. If the vote for the program fails, Mr. Church said staff would not be able to legally implement the program.

Commissioner Pierce said that the Board would need to pass the program before changing the ordinance but the program cannot be implemented until the ordinance has been changed.

Mr. Church confirmed that if the Board passed the program it would be a directive for staff to prepare the ordinance for change. Mr. Church went on to say that if the ordinance failed to pass, the program could not be implemented.

Commissioner Caskey inquired as to whether there would be any benefit to let the Planning Board change the ordinance. Commissioner Pierce stated the ordinance the City of Kannapolis had read "except cats". Commissioner Pierce stated the ordinances were the same otherwise. Commissioner Pierce went on to say the word "feral cats" could be added. Commissioner Pierce explained by sending this to the Planning Board, everything would be slowed up with the back and forth public hearings over "no cats".

Commissioner Pierce clarified he was asking to set the date for the public hearing on September 8, 2015.

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

5. CONSIDER APPROVAL OF BUDGET AMENDMENTS

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

- Finance – To recognize reserved funds from FY 2015 for Cooperative Extension. Reserved funds represent money received by a Department for a restricted purpose. The funds that have not been spent by year-end are budgeted for expenditures in the new fiscal year - \$50,908
- Health Department – Received funds from the State for Cities Readiness Initiative (CRI). The funds will be distributed to cover for future expenses on Salaries, Contracted Services, Travel and Other Small Equipment accounts - \$10,000
- Health Department – Received funds from the State for Ebola Preparedness and Response. The funds will be distributed to cover for future expenses on salaries, Contracted Services, Medical Supplies and Small Equipment accounts - \$20,000
- Health Department – A decrease from the State. The deductions will be taken from WIC Printing, Office Supplies, Breastfeeding Project Fund and Contracted Services - \$2,392
- Finance – To recognize reserved funds for the Library. Reserved funds represent money received by a Department for a restricted purpose. The funds that have not been spent by year-end are budgeted for expenditure in the new fiscal year - \$19,031
- Finance – To recognize reserved funds from FY 2015 for DSS. Reserved funds represent money received by a Department for a restricted purpose. The funds that have not been spent by year-end are budgeted for expenditure in the new fiscal year - \$49,965
- Finance – To recognize reserved funds from FY 2015 for Environmental Management for the E-Waste Management program. Reserved funds represent money received by a Department for a restricted purpose. The funds that have not been spent by year-end are budgeted for expenditures in the new fiscal year – \$15,665
- Finance – To recognize RCCC Bonds interest revenue - \$48,124

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

6. APPROVAL TO CONTRACT WITH TALBERT, BRIGHT AND ELLINGTON FOR COMMUNITY HANGAR

On August 3, 2015 the Board authorized the County Manager to negotiate a contract with Talbert, Bright, and Ellington (TBE) for a community hangar. Mr. Church discussed the Base Scope of the work as presented by TBE in the agenda packet.

Commissioner Pierce moved to see the actual contract and not just a proposal.

Mr. Church said Commissioner Pierce was correct in that the proposal was not a contract but rather a scope of services negotiated with TBE. Mr. Church went on to state if the Board was in favor of the concept of the proposal, it would take at least a week to receive the actual contract and secure signatures in order for the contract to be on the next agenda.

Commissioner Caskey asked if approval of the scope was all that was needed prior to bringing the contract back and Mr. Church responded yes.

Commissioner Pierce said he wanted to see the actual contract and he provided an example of a recent proposed contract that had changes made after approval. Commissioner Pierce felt the Board owed it to the citizens to read all contracts prior to their signing.

Commissioner Klusman asked if what was needed was approval of the proposed scope of services in order for the County Manager to move forward with the contract. Mr. Church responded it would be helpful in knowing what the Board wanted prior to negotiating a contract. Mr. Church went on to mention there would be an additional \$140,000 added to the scope of services for a ramp. According to Mr. Church, TBE brought up the issue of the ramp at their last review. Mr. Church referenced the scope of services and said the proposed apron had been added to the last page for \$140,000.

Commissioner Pierce said he was in favor of moving ahead with the contract but would move to modify the request to see the actual contract before the Board gives the County Manager approval to sign the contract. Commissioner Greene seconded and the motion passed unanimously.

7. PRESENTATION OF FINANCIAL REPORT

Assistant County Manager/Finance Director Leslie Heidrick presented the financial report highlighting the monthly sales tax comparisons from fiscal years 2012-2015. Ms. Heidrick stated the April distribution was down slightly from 2014, and the year to date sales tax was running about 6.8% greater than the prior year. Ms. Heidrick stated the County was having a very good year. Ms. Heidrick noted on August 15th, the County received the May report with it being roughly the same as last year.

8. CLOSED SESSION

Chairman Edds moved at 7:03 p.m. for the Board to enter Closed Session pursuant to North Carolina General Statute §143-318.11(a)(4) to discuss an economic development matter, and North Carolina General Statute §143-318.11(a)(1) to consider approval of the August 3, 2015 Closed Session minutes. The motion was seconded by Commissioner Greene and passed unanimously.

The Board returned to Open Session at 8:13 p.m. No action was taken.

9. ADJOURNMENT

There being no further business to come before the Board, Commissioner Klusman moved to adjourn at 8:13 p.m. The motion was seconded by Commissioner Pierce and passed unanimously.

Respectfully Submitted,

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