

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

December 7, 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/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.

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

Reverend Taylor provided the Board and Staff with a notebook from the *Shield A Badge With Prayer* program.

SELECTION OF CHAIR AND VICE-CHAIR

Chairman Edds turned the meeting over to County Attorney Jay Dees to preside over the selection of Chair and Vice-Chair.

Chair:

Mr. Dees opened the floor for nominations for Chairman.

Commissioner Klusman nominated Commissioner Edds.

There being no further nominations, Commissioner Pierce moved to close the nominations. The motion was seconded by Commissioner Greene and passed unanimously.

Upon being put to a vote, the nomination for Commissioner Edds to serve as Chairman passed unanimously.

Mr. Dees announced that Commissioner Edds would serve as Chairman for the next year.

Vice-Chair:

Mr. Dees opened the floor for nominations.

Commissioner Edds nominated Commissioner Greene.

There being no further nominations, Commissioner Pierce moved to close the nominations. The motion was seconded by Commissioner Klusman and passed unanimously.

Upon being put to a vote, the nomination for Commissioner Greene to serve as Vice-Chair passed unanimously.

Chairman Edds said the year had flown by and it had been an honor to be a member of the Board and an even higher honor to serve as Chairman. Chairman Edds expressed appreciation to each board member for serving the County.

Chairman Edds took a moment to recognize December 7th as National Pearl Harbor Day in remembrance of those who died December 7, 1941 in the unexpected attack on Pearl Harbor. Chairman Edds called for a moment of silence.

Commissioner Greene introduced the new Cooperative Extension Director, Amy-Lynn Albertson, and welcomed her to Rowan County.

Chairman Edds welcomed Kenny Hardin, newly elected Salisbury City Council member, who was in the audience. Chairman Edds said he looked forward to working with Mr. Hardin.

CONSIDER ADDITIONS TO THE AGENDA

- Chairman Edds referenced an offer received for the purchase of property on Speedway Boulevard and added the issue as agenda item 9a.
- Chairman Edds referenced an email request received from Library Director Jeff Hall concerning Library Board appointments. Chairman Edds added the request to the board appointments (agenda item #9).

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 passed unanimously.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Pierce moved, Commissioner Caskey seconded and the vote to approve the minutes of the November 16, 2015 Commission Meeting 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. Grant Funding changes for Rowan Transit System Riders
- B. Proclamation for Radon Action Month
- C. Refunds for Approval
- D. Fees for Vanadium and Hexavalent Chromium Test Kits
- E. HOME annual Agreement
- F. Set Quasi-judicial Hearing for CUP 05-15 for January 4, 2016
- G. Traffic-Directional Signs Agreement With NCDOT For Installation of Welcome to Rowan County Signs
- H. Resolution Establishing Board of Commissioners 2016 Meeting Schedule
- I. Policy Clarification for Sworn Law Enforcement Officers Benefits in the Detention Center and Reclassification of Positions
- J. Lease for Folder/Inserter and Two Letter Openers
- K. Annual Bond Report
- L. Salisbury-Rowan Community Action Agency’s Community Services Block Grant Application for FY 2016-17
- M. Acceptance of Grant Award from Salisbury Community Foundation to Sheriff’s Office for Rowan County Youth Leadership Camp
- N. Geocaching Policy
- O. Acceptance of Foundation for the Carolinas Grant Award
- P. Request to Apply for Project Lazarus Grant Funding
- Q. Settlement Agreement with John Knight
- R. Release Agreements with Retired Employees, Thomas Lane and James Ferree
- S. Second Contract Amendment With Strategic Moves and Change Order

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 APPROVAL OF ROCKWELL EMS STATION RENDERINGS, FLOOR PLAN AND ELEVATIONS

Bill Burgin with Ramsey, Burgin and Smith Architects, reviewed the rendering, floor plan and elevation for the new Rockwell EMS Station (Station) for the Board's consideration. Mr. Burgin said the building was brick and built for emergency purposes and would have an emergency generator.

Commissioner Pierce referred to the chimney and asked why it was included. Mr. Burgin said it was non-functioning and was included for aesthetics.

Commissioner Caskey inquired as to the screening. Mr. Burgin was uncertain of the names of the trees to be used in the landscape buffering but said the names would be included in the bids.

Commissioner Pierce moved, Commissioner Klusman seconded and the vote to approve the project as presented passed unanimously.

4. OFFICER SAFETY PROGRAM PRESENTED BY TASER INTERNATIONAL

Sheriff Kevin Auten explained that in today's society law enforcement was coming under fire for many reasons. Sheriff Auten said the use body cameras could provide some relief of liability by capturing officers' actions. Sheriff Auten said his department had been researching some of the products available and Taser International (Taser) had newer packaged product. Sheriff Auten said today's presentation would focus on the body cameras.

Taser Representatives Josh Sedbeck, Chris Baker and Matt Dean provided a presentation regarding an officer safety program they felt was best suited for the Rowan County Sheriff's Office.

Mr. Baker, Regional Support Manager for NC, provided the background of Taser, which was founded in the early 90's. Mr. Baker said in 2010 Taser started pursuing the use of body cameras. Mr. Baker named numerous agencies that were equipped with body cameras both in the United States and internationally.

Mr. Sedbeck said the officer safety plan combined tasers and body cameras into one line item for the budget.

Commissioner Greene inquired as to whether the Rowan County Sheriff's Office (RCSO) currently used tasers. Sheriff Auten responded yes. Sheriff Auten said the current budget provided for the replacement of tasers presently used. Sheriff Auten continued by saying the replacements had not yet been purchased to allow the RCSO the opportunity to research a plan for the purchase of both tasers and body cameras.

Mr. Sedbeck said there was a 25% savings for the combined purchase of tasers and body cameras. Mr. Sedbeck mentioned there were grants that could save

up to \$400 per officer per year. Mr. Sedbeck discussed the management of the data that is stored and not having to use the County's Information Systems Staff. Mr. Sedbeck said there were new cameras built into the plan for every 2.5 years at no additional charge with a 5-year contract. Mr. Sedbeck said officers would get a new taser weapon every 5 years and the County could choose when they wanted the tasers delivered.

Commissioner Greene asked when the cameras were activated and Mr. Sedbeck responded the cameras are operated manually by the officers. There is also a signal that can trigger the camera automatically when the blue lights on the car come on. Mr. Sedbeck said if an officer has a taser and flips the safety off, it activates the body camera, as well as any other officer that walks within a 30 foot radius for multiple views of the situation. The intent is to make it where an officer does not have to think about turning on the camera. Mr. Sedbeck said the RCSO would develop and adopt a policy for when data is uploaded into the system at the end of an officer's shift.

Commissioner Caskey, who also is a law enforcement officer with the Charlotte Mecklenburg Police Department, said there had been incidents where people had made untrue accusations and the cameras had actually helped him and his fellow officers. Commissioner Caskey felt the Commissioners should approve the use of body cameras sooner rather than later to protect both the officers and the citizens. Commissioner Caskey said access to video could be granted to the District Attorney, etc. and their viewing times were logged. Commissioner Caskey expressed hope the Board could also look into car cameras for officers.

Mr. Sedbeck said Taser provided a free prosecutors version for the District Attorneys in the area and the County could partner with agencies where the evidence is exchanged.

Commissioner Klusman asked Sheriff Auten what made the Taser package attractive compared to others. Sheriff Auten said one bonus would be to deal with only one (1) vendor and he also shared his fears with regards to data storage. Sheriff Auten shared a scenario where cameras on 3 different officers had allowed an entire scene to capture where someone had been shot. Sheriff Auten said all of his deputies' cars did not even have cameras. Sheriff Auten said there was money in the current budget for tasers; however, he was holding off on the purchase in the event the Board of Commissioners decided to pursue the route with body cameras.

Commissioner Pierce asked about the morale of the officers and if they would feel safer with the body cameras. Sheriff Auten replied it would depend on the policy and what would be considered public information. Sheriff Auten said an example would be interviewing someone who did not wish to be on camera or in other situations where citizens would not want information made public.

Sheriff Auten said one of the biggest selling points would be not dealing with data storage. Sheriff Auten added that the District Attorney's office was pleased to know their office would have access to information.

Chairman Edds thanked Taser for the presentation.

5. SPORTS COMPLEX PRESENTATIONS

In September 2015 the Board of Commissioners authorized the County Manager to solicit qualifications from firms to conduct a Feasibility Study for a Sports Complex for Youth Active Competitive Sports. A Request for Qualifications was issued on October 12, 2015. Staff selected the three (3) firms of which two (2) chose to make presentations to the Board.

Brian Connolly, Managing Principal of Victus Advisors highlighted the company's credentials and experience if selected to oversee a Rowan County Sports Complex project.

Charles Johnson of Johnson Consulting, and Bill Madsen of CHA Sports highlighted the company's credentials and experience if selected to oversee a Rowan County Sports Complex project.

A brief question and answer session followed each presentation.

Chairman Edds thanked both firms for their presentations, as well as their time in meeting with individual board members earlier in the day.

6. MEDICAL PLAN UPDATE AND WELLNESS INCENTIVE

Mark Browder with Mark III Employee Benefits provided a presentation regarding the County's Medical Plan (Plan) and a proposed Wellness Incentive.

Mr. Browder reported that in FY 2015-16, the following changes were made to the Plan to address costs:

- Benefit changes were made
- A funding increase was made by the County and employees
- A spouse eligibility change was made
- A dependent eligibility audit is being conducted

Mr. Browder said the plan changes had a positive impact for the Plan year. The early renewal expectation was for a 4% increase in funding. Mr. Browder said there was flexibility to enhance the wellness program for employees and create a strategy to enhance the overall population health.

Mr. Browder reviewed the County's current wellness services and highlighted the proposed 2016-17 Plan options. The Plan included a goal to add a Health Savings Account (HSA). In addition, Mr. Browder explained an earned weight

incentive plan. Mr. Browder said an HSA would give employees choice, encourage consumerism and provide a savings vehicle for future health costs.

Mr. Browder said to verify the County has the best solutions, bidding the Plan was a prudent course, seeking both self-funded and fully insured options.

Mr. Browder confirmed to Commissioner Greene, the \$500 incentive was for employees only and not their dependents. The incentive would be \$500 per year.

After the Board briefly discussed the health of county employees, Commissioner Pierce moved to approve the weight incentive plan and look at other options during the budget process.

Mr. Browder made a correction to a previous question from Commissioner Klusman and stated Bariatric surgery was not included under the County's plan.

The motion was seconded by Commissioner Klusman and passed unanimously.

Chairman Edds called for a recess at 4:35 p.m.

Chairman Edds reconvened the meeting at 4:45 p.m.

7. SELECTION OF COMPREHENSIVE PARKS AND RECREATION MASTER PLAN

On November 16, 2015 the Board of Commissioners was presented information from two (2) companies on a Master Plan (Plan) for Rowan County Parks. The companies presenting were Benesch and McAdams. The Board was asked to consider making a selection for the County's Master Plan.

Commissioner Greene moved to accept McAdams. The motion was seconded by Commissioner Caskey and passed unanimously.

8. CONSIDER APPROVAL OF BUDGET AMENDMENTS

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

- Emergency Services – Cleanup fee for HazMat spill at 1190 Long Ferry Road - \$266
- Finance – Budget NC Department of Public Safety-Hazardous Material Emergency Preparedness Grant Program funds - \$8,000
- Library – Donor Gift to be used to digitize microfilm of Salisbury Post through 1960 - \$8,000
- Rowan Transit – Increase due to Grant requirement changes for contract transportation- \$77,560

- Sheriff – Recognize donation from F&M Bank for Shop With a Cop Program - \$250
- Social Services – Revisions based on Funding Authorizations received from State - \$275,460
- Social Services – Revisions based on Funding Authorizations received from the State. Funding Authorizations reflect the actual amount received and may increase/decrease the original budget estimate. Also requesting to increase expenditure and revenue line items for donations received in order to provide goods and services to clients - \$59,171
- Finance – Budget revenue and expense for additional engineering services by HDR for construction administration and construction quality assurance services associated with cell Phase IV - \$72,000

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

ADDITION

9a. CONSIDER OFFER TO PURCHASE PROPERTY ON SPEEDWAY BOULEVARD

Chairman Edds referred to a handout from County Manager Aaron Church and said the Board was being asked if it wished to direct Mr. Church to start the upset bid process for an offer received in the amount of \$72,250 for county-owned property located at 1293 Speedway Boulevard. The offer was from Bowtie Properties for tax parcel 401A026 for 6.17 acres with a tax value of \$88,609.

Commissioner Pierce moved to start the upset bid process. The motion was seconded by Commissioner Klusman.

Commissioner Pierce pointed out that only 2.3 acres of the site was suitable for building and the County was not asking the purchaser to pay for property that cannot be used.

Upon being put to a vote the motion on the floor passed unanimously. *(Please note the amount of the offer was corrected later in the meeting to be \$72,750).*

9. CONSIDER APPROVAL OF BOARD APPOINTMENTS NURSING HOME ADVISORY COMMITTEE

There are three (3) vacancies and the following application has been received:

- Jamie Moose Kimmer

The term is for one (1) year beginning December 1, 2015 and expiring November 30, 2016.

Commissioner Klusman nominated Jamie Kimmer and Commissioner Greene seconded. The nomination passed unanimously.

AIRPORT ADVISORY BOARD

There is one (1) vacancy for a member of the business community and the following applications have been received:

- Dave Collins
- Thomas Lee Greene

The term is for three (3) years beginning January 1, 2016 and expiring December 31, 2018.

Commissioner Pierce nominated Tom Greene. Commissioner Klusman seconded and the motion passed unanimously.

HOME AND COMMUNITY CARE BLOCK GRANT ADVISORY COMMITTEE

There are two (2) vacancies and the following application has been submitted:

- Mary Frances Edens

The term is for two (2) years beginning January 1, 2016 and expiring December 31, 2017.

Commissioner Klusman nominated Mary Frances Edens and Commissioner Pierce seconded. The motion carried unanimously.

ROWAN PUBLIC LIBRARY BOARD

Chairman Edds said he had provided each board member with an email from Library Director Jeff Hall. The email contained notification that Michael Hanzlik had moved to Cabarrus County and had submitted his resignation.

Commissioner Greene moved to accept the resignation of Michael Hanzlik. Commissioner Klusman seconded and the motion carried unanimously.

Chairman Edds stated the resignation left two (2) vacancies and two (2) applications had been received:

- Betty Dan Nicholas Spencer
- Gary R. Freeze

Commissioner Klusman moved to accept both applications. The nomination passed unanimously.

Commissioner Pierce nominated Gary Freeze to fill the initial vacancy and Commissioner Klusman seconded. The motion passed unanimously. The term is for three (3) years beginning January 1, 2016 and expiring December 31, 2018.

Commissioner Klusman moved for Betty Dan Spencer to fill the vacancy of Michael Hanzlik. Commissioner Pierce seconded and the motion carried unanimously. The term will expire December 31, 2016.

PARKS AND RECREATION COMMISSION

- David Carmichael has submitted a letter of resignation. His term expires December 31, 2017.

Commissioner Klusman moved to accept the resignation. Commissioner Greene seconded and the motion carried unanimously.

With the acceptance of the resignation, there would be two (2) vacancies and the following applications were received:

- William Kimball Kepley
- Matthew Graham Owen

Commissioner Pierce nominated William Kepley to fill the vacancy from the resignation of David Carmichael. Commissioner Klusman seconded and the nomination passed unanimously. The term will expire December 31, 2017.

Commissioner Pierce nominated Matthew Owen for the remaining vacancy and Commissioner Greene seconded. The nomination carried unanimously. The term is for three (3) years beginning January 1, 2016 and expiring December 31, 2018.

TOURISM DEVELOPMENT AUTHORITY

- Amy Baudoin has submitted a letter of resignation.
- Justin Albert Dionne has submitted an application to fill the unexpired term, ending July 31, 2016, at which time he will be eligible to serve a full term.

Commissioner Klusman moved to accept the resignation of Ms. Baudoin. Commissioner Greene seconded and the motion carried unanimously.

Commissioner Klusman moved to appoint Justin Dionne and Commissioner Pierce seconded. The motion passed unanimously.

ZONING BOARD OF ADJUSTMENT

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

- Keith E. Knight

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

Commissioner Pierce nominated Keith Knight. Commissioner Klusman seconded and the nomination carried unanimously.

BOARD OF HEALTH

There are three (3) vacancies; one (1) Optometrist, one (1) Registered Nurse, and one (1) member of the General Public. The following applications have been submitted for consideration:

- Patricia Yost for reappointment to a full term – Registered Nurse
- Edgar Franco Abad – Member of General Public

The terms are for three (3) years beginning January 1, 2016 and expiring December 31, 2018.

Commissioner Klusman nominated Patricia Yost and Edgar Abad. Commissioner Pierce seconded and the nomination passed unanimously.

SALISBURY-ROWAN ECONOMIC DEVELOPMENT COMMISSION

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

- Ernest Hayes Smith
- Shawn Edward Adelsberger
- Brian Christian Brady – Please note this applicant is a Cabarrus County resident.

The terms are for three (3) years beginning January 1, 2016 and expiring December 31, 2018.

Commissioner Greene nominated Shawn Adelsberger and Hayes Smith. Commissioner Pierce seconded and the nominations passed unanimously.

LOCAL EMERGENCY PLANNING COMMITTEE

- Heath McCorkle has submitted his resignation as the representative from Southern Power due to reassignment within the company.

Commissioner Klusman moved to accept the resignation. The motion was seconded by Commissioner Pierce and carried unanimously.

- Shane Short has submitted an application to replace Mr. McCorkle as the representative from Southern Company.

Commissioner Klusman moved to appoint Mr. Short and Commissioner Pierce seconded. The motion passed unanimously.

- Justin Lebel has resigned from Delhaize (Food Lion) as their representative.

Commissioner Klusman moved to accept the resignation. Commissioner Pierce seconded and the motion carried unanimously.

- Chris Ingram has submitted an application as the representative from Delhaize.

Commissioner Klusman moved to appoint Mr. Ingram. Commissioner Pierce seconded and the motion passed unanimously.

This committee has no term limits.

CENTRALINA WORKFORCE DEVELOPMENT BOARD

- Stan Wilson has submitted his resignation.
- An application has been received from Corey Hill to fill the vacancy from Mr. Wilson's resignation. The term would expire June 30, 2017, at which time Mr. Hill would be eligible to serve a full term.

Commissioner Klusman moved to accept the resignation from Mr. Wilson. Commissioner Pierce seconded and the motion passed unanimously.

Commissioner Pierce nominated Corey Hill and Commissioner Caskey seconded. The nomination carried unanimously.

9a. CONSIDER OFFER TO PURCHASE PROPERTY ON SPEEDWAY BOULEVARD (Correction)

County Manager Aaron Church revisited the earlier discussion regarding the offer to purchase property on Speedway Boulevard and pointed out a discrepancy in the handout. Mr. Church stated on page one (1) the figure was \$72,750 and on page two (2) the figure was \$72,250. Mr. Church clarified the actual intended offer was \$72,750.

Commissioner Greene moved to amend the previously approved figure of \$72,250 to \$72,750. Commissioner Klusman seconded and the motion passed unanimously.

10. ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 4:58 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