

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



Aaron Church, County Manager
Carolyn Barger, Clerk to the Board
John W. Dees, II, County Attorney

Rowan County Board of Commissioners

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MINUTES OF THE VIRTUAL MEETING OF THE ROWAN COUNTY BOARD OF COMMISSIONERS April 6, 2020 – 3:00 PM

**PLEASE NOTE: DUE TO THE CORONAVIRUS PANDEMIC
THE MEETING WAS HELD BY REMOTE PARTICIPATION FOR THE BOARD OF
COMMISSIONERS, STAFF AND THE PUBLIC**

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Commissioners Participating:

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

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

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 Pierce requested to add a discussion regarding the County's long-term spending. Chairman Edds added the issue as agenda item #6a.
- Chairman Edds added a request from the Soil and Water Conservation District regarding conservation easements to the agenda as item #6b.

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 Greene seconded and the vote to approve the minutes of the March 16, 2020 Commission Meeting passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

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

The Consent Agenda consisted of the following:

- A. Request for Public Hearing for 'Project Gauge'
- B. Amendment to Pretrial Release Guidelines
- C. COVID-19 Relief Fund, OCOC
- D. The Grand On Julian, LLC Tax Interest Waiver
- E. Resolution Certifying Results of 2020 Community College Bond Referendum

WHEREAS, the Board of Commissioners (the "Board") of the County of Rowan, North Carolina, (the "County") desires to certify and declare the results of the referendum held March 3, 2020;

NOW THEREFORE, the Board for the County, meeting in regular session on April 6, 2020, does the following:

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF ROWAN, NORTH CAROLINA, as follows:

1. The Board hereby certifies and declares the result of the referendum held on March 3, 2020, with respect to the proposed \$45,000,000 General Obligation Bonds, to be 14,356 votes "For" approval of the Bond Order and 10,742 votes "Against" approval of the Bond Order.

2. The affirmative votes of a majority of those voting having been received, the Board hereby certifies and declares that the Bond Order entitled "**BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF ROWAN IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$45,000,000 FOR THE PURPOSE OF FINANCING, IN PART, THE ACQUISITION, CONSTRUCTION, INSTALLATION, RENOVATION AND EQUIPPING OF EDUCATIONAL FACILITIES OF ROWAN-CABARRUS COMMUNITY COLLEGE**" is now in effect.

3. The Clerk to this Board shall cause the statement, in substantially the form hereto attached as Exhibit A, to be published in the *Salisbury Post* and filed in the Clerk's Office.

4. This resolution shall take effect immediately.

Duly adopted this 6th day of April, 2020 while in regular session.

- F. Easter Creek Subordination Agreement
- G. Request From TDA For Deferral and One (1) Year Extension of Railwalk Pavilion Interlocal Agreement
- H. Centralina Workforce Development Consortium – Articles of Association and Agreement

2. PUBLIC COMMENT PERIOD

Chairman Edds opened the Public Comment Period to entertain comments from any citizens who had submitted a request to address the Board via electronic means. With no one wishing to provide comments, Chairman Edds closed the Public Comment Period.

3. PUBLIC HEARING: GROUND MOUNTED SOLAR ENERGY SYSTEM MORATORIUM EXTENSION

Via remote participation, Planning Director Ed Muire stated the Commissioners had enacted a six (6) month moratorium on the creation or expansion of any new ground mounted solar energy system in the County's planning jurisdiction, beginning October 7, 2019 and terminating April 7, 2020.

During the moratorium, the Planning Board conducted research and received input from a variety of sources related to the solar industry resulting in the ZTA 02-19 proposed text amendments. These recommended amendments were presented to the Commissioners during the March 2, 2020 meeting. Based on feedback from the solar industry and questions from the Commissioners and the Planning Board, the Board of Commissioners stated its intention to extend the moratorium by at least four (4) additional months.

Based on the current state of affairs, Mr. Muire said Staff had prepared a moratorium extension ordinance with options for a 4, 5, or 6-month duration.

Commissioner Pierce asked if the Board could extend the moratorium for an additional six (6) months if the Board felt the extra time was needed. Mr. Muire felt it could be possible for another extension due to the Board holding its' meetings via remote participation (due to the Coronavirus Pandemic), and the fact that both citizens and solar industry representatives were in favor of the Commissioners taking an extended look at proposed text. Mr. Muire also said in the event the Planning Board could not meet, it would be highly likely and reasonable for the Commissioners to consider extending the moratorium in another few months.

Commissioner Pierce asked if there had been any conversations with companies wishing to locate a solar farm in Rowan County. Mr. Muire said the way the moratorium was structured, Staff was not accepting any new applications. With that said and based on comments received, Mr. Muire thought there were applications ready for submission either to the Utility Commission or to the County for consideration.

Chairman Edds said the moratorium had been implemented by the Commissioners. The Planning Board had submitted a series of recommendations. The Commissioners had questions and therefore the Commissioners wished to provide the Planning Board additional time to work on the text by for another six (6) months. In order to extend the moratorium, the Commissioners needed to hold a public hearing regarding the extension.

Chairman Edds opened the public hearing to receive input from those wishing to address the Board regarding the Ground Mounted Solar Energy System Moratorium Extension. With no callers wishing to address the Board, Chairman Edds asked Mr. Muire to enter into the record, the emails that had been submitted for the public hearing.

Mr. Muire explained that due to the current situation (Coronavirus Pandemic), an email account had been created on March 25, 2020 with notice of the public hearing being provided to those who had shown interest in the solar moratorium. Mr. Muire said the comments were accepted through noon today (April 6, 2020) and a total of six (6) emails had been received.

The following individuals provided comments as follows:

1. Rebecca Cheatham, Project Developer for Birdseye Renewable Energy, supported extending the solar moratorium.
2. Laura Kruchkow was not against the solar industry but opposed to deforestation and in favor of standards for decommissioning, maintenance and testing of soil to ensure no leaching came from the panels.
3. Marie Howell supported extending the solar moratorium.
4. Mark, Director of Project Development for First Solar, supported extending the solar moratorium.
5. Jackie Ray and Kathy Stirewalt Webb supported extending the solar moratorium.
6. Kathy Webb supported extending the solar moratorium.

With no further input, Chairman Edds closed the public hearing.

Commissioner Klusman moved to extend the Ground Mounted Solar Energy System Moratorium for six (6) months. The motion was seconded by Commissioner Pierce and passed unanimously.

4. PUBLIC HEARING FOR PROPOSED TEXT AMENDMENTS TO ROWAN COUNTY PERSONNEL ORDINANCE (MILITARY LEAVE)

Commissioner Mike Caskey discussed the request for the Board to consider extending the number of hours granted to employees for military training leave per year. The Personnel Ordinance currently granted ten (10) days of military leave. Commissioner Caskey, also a member of the National Guard, stated any changes to the Ordinance would not affect him; however, the County did have approximately five (5) or six (6) employees in the military reserves.

With regards to military leave Commissioner Caskey explained that most people who have Monday through Friday jobs were not affected as much as those who work rotating shifts, such as EMS employees and deputies. Commissioner Caskey said those who work rotating shifts have to end up using vacation leave for reserve training and he would like to see the County increase the leave from ten (10) days to seventeen (17) days.

Commissioner Caskey continued by saying there are twenty-four (24) drills (2 per month) in a year and there are also two (2) weeks of training during the year. Commissioner Caskey said training requires roughly thirty (30) days per year.

Commissioner Caskey, also a Charlotte Mecklenburg Police Officer, said he personally ended up using about three (3) weeks of vacation on his job when he was out for National Guard training. Commissioner Caskey said the extra days would help those in the reserves get more rest and sleep when the training drills fall back-to-back with their regular jobs.

Commissioner Greene commented that the Army Reserves are a branch of the federal government and National Guard was a branch of the State of North Carolina. Commissioner Greene stated either branch could be called up, as they currently were (assisting with the COVID-19 Pandemic) and he would like to support the initiative Commissioner Caskey had brought forward. Commissioner Greene said the employees have to use vacation leave for the training and had no time left for their families. Commissioner Greene said military service was already a commitment for those families to help those who are keeping us safe.

An email account had been established for the purpose of allowing the public to submit comments to the Clerk to the Board for this public hearing. The Clerk confirmed to the Chairman that no emails had been received.

Chairman Edds then opened the public hearing to receive input from any callers who were participating in the meeting. It was noted there were eight (8) individuals listening to the meeting; however, with no one wishing to speak, Chairman Edds closed the public hearing.

Commissioner Caskey moved to change the County's military training day allotment to For employees to seventeen (17) days per year and the change would be effective immediately. The motion was seconded by Commissioner Pierce and passed unanimously.

5. LITTER REPORT

Chairman Edds reported that Environmental Management Staff had removed 10,285 pounds of debris from the rowan County roadsides from the period beginning Monday, March 16, 2020 and ending Friday, March 27, 2020

Chairman Edds appealed to the public to stop littering across the County as it was a cost to the taxpayers.

Commissioner Klusman commented that she would like to hear from the organizations that had adopted areas for litter pickup.

6. CONSIDER APPROVAL OF BUDGET AMENDMENTS

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

- Finance – To recognize the receipt of the PEG Grant for providing public, education and/or governmental access (PEG) channels from the North Carolina department of Revenue - \$27,778
- Rowan Transit – To adjust FY 20 ROAP revenues and expenditures to reflect revised State allocations. Increase 5307 Grant Municipal Contributions due to per mile rate increase from new contract - \$56,232
- Finance – To increase Salisbury ADA transportation revenue and expense due to the increase in rate per mile charged - \$22,000
- Finance – To increase Medicaid transportation revenue and expense due to the increase in rate per mile charged - \$125,000
- Sheriff – Recognize excess revenue in Deputy Escort Account and budget to the vehicle supplies account - \$5,000
- Sheriff – Recognize excess revenue in the School Resource Reimbursement Account and budget to expense accounts that have an obvious shortfall - \$28,334
- Social Services – For additional LIEAP funds received as a result of a state-wide reallocation. Expenditures and revenues must be revised based on the new Funding Authorization - \$15,884
- Library – The Library received additional revenue for unrestricted gifts. Requested to move this revenue to the expense account - \$4,740
- Finance – To budget additional NC911 PSAP revenue - \$135,686
- Fire Districts – Increase budget to cover Fire Districts' tax turnover for the rest of the fiscal year - \$442,000

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

ADDITIONS

6a. DISCUSSION REGARDING ROWAN COUNTY'S LONG-TERM CAPITAL SPENDING

Commissioner Pierce said he had been contacted by numerous citizens inquiring about the County's plans for long-term spending during the current economic conditions (COVID-19 Pandemic). Commissioner Pierce said it would be good for the community to know what the plans were during a time when people were unemployed and under Executive Orders to remain at home (unless essential personnel).

Commissioner Pierce said some of the concerns were particularly related to the bond issue for Rowan-Cabarrus Community College. Commissioner Pierce said the economy was in an entirely different state when the bond had been passed versus the current conditions. Commissioner Pierce said people were concerned as to whether the County

would raise taxes and borrow money to pay for the bond during the difficult time. Commissioner Pierce did not feel anyone on the Board wanted to move forward on a bond that had been approved thirty (30) days ago. Commissioner Pierce felt it more critical than ever before for the Board to be fiscally responsible and hold off on projects until recovery was taking place in the economy.

Chairman Edds said he had verified with the Assistant County Manager/Finance Director, Leslie Heidrick, there were no items the County was committed to that it could not back away from. Chairman Edds continued by saying he had talked with Dr. Spalding, President of RCCC, and she did not plan to come to the Board to ask for the bond dollars. Chairman Edds said even if the COVID-19 Pandemic had not occurred, the natural event was probably two (2) years away. Chairman Edds said Dr. Spalding indicated RCCC would move forward with design work and rather than ask the County for the \$150,000, RCCC would probably pay for the design work.

Commissioner Klusman said the comments were good news as she felt the County's budget would be in dire straits in the coming year.

Chairman Edds was of the same mind as Commissioners Pierce and Klusman and was not in favor of pursuing any long-term projects at this time.

Commissioner Klusman asked if conversations had been held with the K-12 school district. Chairman Edds said it was his intention to reach out to Rowan-Salisbury School System (RSSS) Superintendent Dr. Lynn Moody, and Kevin Jones, Chairman of the Board of Education. Chairman Edds said he felt their response would be as equally understanding.

Commissioner Greene said he did not foresee any project where the County might want to spend millions right now. Commissioner Greene added there might be a project where the County wished to spend \$100,000 for the design of buildings, etc. and he did not want to tie the County's hands. Commissioner Greene said he had faith in the Commissioners and felt the Board did not need to tie its' hands and lock down the Board.

Commissioner Pierce added the intent was not to tie the Board's hands but to hold a conversation to reassure the public during this time.

Chairman Edds and Commissioner Klusman agreed with Commissioner Pierce. Chairman Edds said the County was in great shape financially and the Board did not want to create a bad financial scenario for the County.

Commissioner Caskey agreed and said the Commissioners had to do what was best based on the economy and put the brakes on everything right now. Commissioner Caskey said it was a good time to re-evaluate some issues. Commissioner Caskey mentioned how employees had been working from home during the Pandemic and said

he would like to see some data as to how the arrangement had worked out. Commissioner Caskey said there was a possibility of reducing some space, even towards what had been planned for renovations at West End Plaza. Commissioner Caskey wondered if the Pandemic was a 100-year incident or whether it was something that would start popping up every few years. Commissioner Caskey said the County could think about allowing employees to start working from home.

Commissioner Greene did not feel the County would be in a long-term slump; however, he did feel the County may have some struggles for around six (6) months to a year once the Pandemic situation was past.

Ms. Hedrick discussed two (2) separate financings the Finance Department had been working on for the current budget, both of which she considered to be small financings. The first was to finance the 2020 vehicles, most of which had been purchased. Ms. Heidrick said it had been the County's practice to finance vehicles over a three-year term. The loan amount for the vehicles was \$1 million.

Ms. Heidrick said the second financing was for two (2) purposes, \$1 million for Kannapolis City Schools (KCS) and the other part of the financing was for \$600,000 for Dan Nicholas Park (DNP) concession stand. Ms. Heidrick said she did not know the Board's feelings about the concession stand but she did recommend proceeding with the vehicles. Ms. Heidrick said she knew KCS was counting on the money this year. Ms. Heidrick said KCS was doing a Career Technical Education Building last year and the County had given them money for the project. Ms. Heidrick said the financing was to complete the project and to also perform some repairs. The largest portion of the funds was to purchase technology for students and teachers like Rowan-Salisbury School System had done.

The Commissioners agreed it would be prudent to follow up what on what the County had committed to KCS, especially with the growth in the Kannapolis area.

Chairman Edds said the only question now was the DNP project and he asked how far along the project was. Commissioner Greene responded the drawings were done and the project was to the point to let the bids in the near future.

Ms. Hedrick said the bids had not been received so the Board had not yet voted on that portion of the project.

Commissioner Pierce agreed with Commissioner Greene in that some projects already in the works should proceed. Commissioner Pierce said he would like to allow the bids to come in and the Board could decide based on what was happening in the County at that time.

Commissioner Klusman asked if the \$600,000 for improvements would be borrowed and Ms. Heidrick said yes. The budget was \$825,000 and included the architectural

drawings. Ms. Heidrick said the Finance Department would release the Request for Proposals to get the numbers and then have the banks provide quotes for two (2) different figures. The figures would be \$1.6 million for both projects and \$1 million for just KCS and the Board could decide which direction to take. Ms. Heidrick anticipated receiving great interest rates at this time.

6b. CONSERVATION EASEMENTS

Chris Sloop, Rowan Soil and Water (S&W) Conservation District Director, stated the S&W had been approached by two (2) different land owners to pursue applications for conservation easements on their farmland. Mr. Sloop said S&W would leverage two (2) funding sources – the North Carolina Department of Agriculture Agricultural Development and Farmland Preservation Trust Fund (NCDA) and also the Natural Resource Conservation Service Agricultural Land Easements (NRCS) – for the easements. Mr. Sloop said the landowners wished to pursue the grant funds to put their farms under conservation easement. Mr. Sloop said the funds would be used to purchase development rights on the lands and the lands would remain as farmland and never be able to be developed. Mr. Sloop said the landowners would have to follow a fairly stringent conservation plan to ensure they were doing the right things on their land to make sure it was productive in perpetuity. Both farms were located in western Rowan County; one totaled approximately 200 acres and the other totaled approximately 150 acres.

If granted contracts on these easements from both funding sources, the funds would flow through the Rowan County Finance Department to purchase the development rights to the properties. Mr. Sloop said the request was essentially seeking permission to use the County's federal identification number and DUN number. The County would hold the easement rights with Rowan S&W acting as the enforcement authority as an arm of local government. County support was required for each new application. The request also included the legal support from the County Attorney in closing the easements and in the future should the easements ever be challenged in court.

The deadline to apply for the federal funds was four (4) days away and Mr. Sloop said the next application process would be the following year.

Chairman Edds noted the information had only been provided to the Board an hour prior to the start of the meeting and the Commissioners had questions about the process.

A lengthy question and answer period ensued.

Chairman Edds moved to approve allowing Rowan County to be used to apply for the NCDA ADFPTF and NRCS ALE easements. The motion was seconded by Commissioner Greene.

Commissioner Klusman suggested the motion be amended to include allowing the use of the County's employer identification number with in-kind help through Mr. Sloop and the County Attorney.

Both Chairman Edds were agreeable to the suggestion and upon being put to a vote, the motion as amended passed unanimously.

7. CONSIDER APPROVAL OF BOARD APPOINTMENTS

FRANKLIN VOLUNTEER FIRE DEPARTMENT FIRE COMMISSIONERS

R. Mark Sokolowski applied for reappointment for a two (2) year term that will expire on April 30, 2022.

Gary Ingram and Mark Monroe applied for two seats that will become vacant on April 30, 2020. If approved, the terms for both would expire April 30, 2022.

Commissioner Pierce moved the reappointment of Mr. Sokolowski and the appointment of Mr. Ingram and Mr. Monroe. The motion was seconded by Commissioner Caskey and passed unanimously.

JUVENILE CRIME PREVENTION COUNCIL

Stephen Johnson applied to fill the remainder of an open seat for the General Public on the Juvenile Crime Prevention Council. The term will expire June 30, 2020 at which time Mr. Johnson would be eligible to be considered for reappointment.

Commissioner Klusman moved the appointment of Mr. Johnson followed by a second from Commissioner Pierce. The motion carried unanimously.

NURSING HOME ADVISORY COMMITTEE

Melissa Pierce submitted an application; however, she was not eligible for reappointment unless the Board considered waiving the term limits in the Resolution that governs the advisory board appointment process.

If approved, Ms. Pierce's term would expire February 28, 2023.

Commissioner Klusman moved to waive the term limits of Ms. Pierce. The motion was seconded by Commissioner Caskey and passed unanimously.

Commissioner Klusman moved to reappoint Ms. Pierce followed by a second from Commissioner Caskey. The motion carried unanimously.

ECONOMIC DEVELOPMENT COMMISSION

Dari Caldwell and Denise Agner Hallett applied for reappointment. If approved, their terms would expire December 31, 2022.

Nicole Holmes Matangira applied to fill a vacant seat and if approved, the term would expire December 31, 2022.

Commissioner Klusman moved the reappointment of Ms. Caldwell and Ms. Hallett and the appointment of Ms. Matangira. The motion was seconded by Commissioner Greene and carried unanimously.

THERAPEUTIC RECREATION BOARD

Pat Whitley applied for reappointment; however, she has served two (2) full terms. According to Edward Hailey, Supervisor for Therapeutic Recreation, Ms. Whitley has been a valuable member and Mr. Hailey has a difficult time finding individuals to serve on this Board.

In order for Ms. Whitley to be reappointed, the Board would need to waive the term limits established by the Commissioners in the Resolution that governs the advisory board appointment process.

Commissioner Pierce moved to waive the term limits for Ms. Whitley. The motion was seconded by Commissioner Klusman and passed unanimously.

If appointed, Ms. Whitley's term would expire on March 31, 2023.

Commissioner Klusman moved, Commissioner Pierce seconded and the vote to reappoint Ms. Whitley carried unanimously.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 4:32 p.m. The motion was seconded by Commissioner Klusman and passed unanimously.

Respectfully Submitted,



Carolyn Barger, MMC, NCMCC
Clerk to the Board