

Rowan County Board of Commissioners

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MINUTES OF THE MEETING OF THE ROWAN COUNTY BOARD OF COMMISSIONERS

October 19, 2020 – 6:00 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
Craig Pierce, Member

Participating Remotely: Judy Klusman, Member

County Manager Aaron Church, Clerk to the Board Carolyn Barger, County Attorney Jay Dees, Assistant County Manager/CIO Randy Cress and Finance Director James Howden were also present and/or participating remotely.

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 added the following requests from County Manager Aaron Church:

- Authorize Young Life to use the parking lot at West End Plaza on Thursday October 29, 2020 at no charge. Chairman Edds added the issue to the Consent Agenda as Item X.
- Authorize First Baptist Church to use the parking lot at West End Plaza December 11, 12 and 13 in 2020 at no charge to perform the “Annual Sounds of Christmas Event”. Chairman Edds added the issue to the Consent Agenda as Item Y.
- Enter into a temporary lease with First Baptist Church for unit B6 in the West End Plaza on December 11, 12 and 13 in 2020 for \$14 dollars a square foot + waive the application process and fee of \$75. The square footage is 2,700. At \$14 a square foot the daily cost would be approximately \$103.56. Chairman Edds added the issue to the Consent Agenda as Item Z.

- Authorize Faithful Friends Animal Sanctuary to place a structure at West End Plaza to collect aluminum cans. Chairman Edds added the issue to the Consent Agenda as Item AA.

CONSIDER DELETIONS FROM THE AGENDA

Chairman Edds deleted item #7 (Presentation of Bid Results For Phase 2 Design Solutions) from the agenda.

CONSIDER APPROVAL OF THE AGENDA

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

CONSIDER APPROVAL OF THE MINUTES

Commissioner Greene moved, Commissioner Caskey seconded and the vote to approve the minutes of the October 5, 2020 Commission Meeting passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

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

The Consent Agenda consisted of the following:

- A. Thanksgiving Office Hours
- B. Duke Energy Easement for Dan Nicholas Park Concession Stand
- C. Transit CARES ACT 5311 Grant (original and additional funds)
- D. Tax Refunds for Approval
- E. Dining Hall at Ellis Park
- F. Request to Execute Grant Documents - Continental Structural Plastics Project
- G. Central Children's Home of NC Contract for Approval
- H. Priority Dispatch Maintenance and Support Agreement
- I. Martin Starnes & Associates Contract Amendment for Approval
- J. Schedule Public Hearing for Z 04-20 for November 2, 2020
- K. CRF Expenditure Reports
- L. Grant Administrator - CDBG - COVID 19
- M. Finance Director Authority to Sign Vehicle Titles
- N. Lot Clearing and Rough Grading on Julian Road
- O. Tempus ALS Monitor/Defibrillators
- P. Emergency Management Performance Grant Award
- Q. Homeland Security Grant for County Exercise
- R. Homeland Security Grant Award
- S. Donation of Surplus Ambulance to City of Kannapolis
- T. Arby's Statesville Blvd. Easement
- U. Consider Offer to Purchase Tax Parcel 025-013 (Barbour Street)
- V. Lease Agreement With Western NC Conference, United Methodist Church, Inc. for One Church One Child

- W. Formally Request Transfer of Former Woodleaf Elementary School Site to Rowan County
- X. Authorize Young Life to Use the Parking Lot of the West End Plaza on Thursday October 29, 2020 at No Charge (addition to the Consent Agenda)
- Y. Authorize First Baptist Church to Use the Parking Lot at West End Plaza December 11, 12 and 13 in 2020 at No Charge to Perform the “Annual Sounds of Christmas Event” (addition to the Consent Agenda)
- Z. Enter Into a Temporary Lease With First Baptist Church For Unit B6 In West End Plaza On December 11, 12 and 13 in 2020 for \$14 dollars a square foot + waive the application process and fee of \$75. The Square Footage Is 2,700. At \$14/Square Foot the Daily Cost Would Be Approximately \$103.56 (addition to the Consent Agenda)
- AA. Authorize Faithful Friends Animal Sanctuary To Place A Structure At The West End Plaza To Collect Aluminum Cans (addition to the Consent Agenda)

2. SPECIAL RECOGNITION

In honor of Clergy Appreciation Month, Commissioner Caskey said the Board would like thank the two (2) Chaplains, H. Michael Taylor and his son, Michael P. Taylor, who provide the Invocation for every meeting of the Board of Commissioners.

Commissioner Caskey provided a brief history as to why the Chaplain(s) provided the Invocation for the Board. Commissioner Caskey said the board members used to take turns providing the Invocation; however, the ACLU sued the County in 2013 and the courts ruled the board members were no longer allowed to pray. Commissioner Caskey said both Chaplains had stepped up since that time and had been faithful to pray at every meeting. Commissioner Caskey said he would like to thank both Chaplains for what they do and for their commitment. Commissioner Caskey said his own father was a pastor and he knew the many hours it took to serve.

Chairman Edds echoed Commissioner Caskey’s comments and expressed appreciation for both Chaplains. Chairman Edds said while the Chaplains presided over the Commissioners prayers at the meetings, he knew they were also praying for the community and for the Commissioners. Chairman Edds said service as a Commissioner required a lot of hours and when he had first thought about running, he began to seek wisdom for the best interest of the community. Chairman Edds said the Chaplains prayers for wisdom were the best gifts they could give the board members. Chairman Edds stated wisdom was a precious gift and was something the Chaplains included in their prayers for the Board on an ongoing basis. Chairman Edds thanked both Chaplains for their dedication, for their roles across the State and their representation of Rowan County.

Commissioner Greene said he was in his sixth year as a Commissioner and he could not remember one meeting the Chaplains had not attended. Commissioner Greene expressed appreciation for the dedication and work of the Chaplains and also for the opportunity to let them know how the Commissioners felt.

Commissioner Pierce mentioned the Shield-A-Badge-With-Prayer Program and noted it did not receive enough recognition. Commissioner Pierce said he appreciated the relationship with the Chaplains and was thankful for all they did.

Commissioner Klusman expressed her thanks and agreed that most people did not realize all the work that went on behind the scenes for a pastor.

The Commissioners joined both Chaplains in front of the dais for a photo and for presentation of a plaque and gifts of appreciation.

Chaplain H. Michael Taylor thanked the Board for the privilege of providing the Invocation and assured the Commissioners he prayed for them daily and not just at the meetings.

Chaplain Michael P. Taylor said he also appreciated the privilege of praying for the Commissioners.

The recognition and presentations were followed by a round of applause.

3. 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 or having phoned in to speak, Chairman Edds closed the Public Comment Period.

4. COURTESY HEARING: TEMP 01-20 FOR REAPER'S REALM

Planning Director Ed Muire provided the staff report, as well as a power point for TEMP 01-20. Mr. Muire said Tony and Angie Jenkins applied for consideration of a temporary use permit allowing a haunted house and trail on their property at 175 Shuffler Woods Drive. The 10.81-acre tract (Tax Parcel 147-001) was zoned Rural Agricultural (RA). The application and site plan were included in the agenda packet at Attachment 1. The hours of operation were proposed for Fridays and Saturdays, 5:00 pm -12:00 am; Sundays, 5:00 – 9:00 pm, September 25, 2020 through October 31, 2020.

Mr. Muire said the Commission issued a similar temporary use permit (TEMP-01-17) to the Jenkins' on September 5, 2017 for a two-year period expiring in 2018. Although no request for the operation was received in 2019, it was apparent operation of the seasonal attraction had continued.

The concerns with the permit were that three (3) buildings had not received permits or inspections; noise from the event; traffic management along Daugherty Road and access to the site.

Mr. Muire reviewed the Zoning Criteria contained in the agenda packet. When considering approval, Mr. Muire said the Board could attach reasonable and appropriate conditions to ensure the public's health, safety and welfare were protected. Mr. Muire continued by reviewing the criteria that should be considered.

Procedurally, the temporary use process did not mandate a public hearing pursuant to zoning requirements; however, Mr. Muire noted it had been standard practice to allow public comment in consideration of these types of requests. Mr. Muire reported Staff had also mailed notice of the temporary use request to adjoining property owners.

Mr. Muire provided slides taken by drone to enable the Board to better see the site.

Commissioner Greene said he had gone by the site unannounced and did not see the second parking lot noted in the drone slides.

Mr. Muire provided the Board with an email from the Sheriff's Office and the Commissioners took a few minutes to review the handout.

County Attorney Jay Dees said the courtesy hearing would be conducted with a three (3) minute limit for each speaker.

The applicant, TJ Jenkins came forward. Mr. Jenkins shared that until this year Reaper's Realm had never experienced any emergencies or police calls. Mr. Jenkins noted that on opening night there are typically 200-300 people; however, this year employees had to start turning cars away by approximately 8:30 p.m.

Mr. Jenkins discussed the gang shooting that had occurred and the many safety measures and changes that had been implemented at Reaper's Realm as a result of the shooting. Mr. Jenkins said he had worked with various county officials and departments to remedy the concerns of the operations. Some of the changes included hiring five (5) security officers, obtaining necessary permits and ensuring compliance with safety/fire regulations. Mr. Jenkins also shared that teenagers were no longer allowed to be dropped off at the property and that anyone under the age of 16 must have an adult chaperone.

Chairman Edds said the Commissioners were not required to conduct a public hearing but in the interest of the community, the Board would conduct a courtesy hearing to receive public comment. There were no citizens wishing to address the Board.

A lengthy question and answer period ensued between the board members and Mr. Jenkins as to what measures had been taken, as well as additional measures that were still needed. One area of concern was for the addition of a second entrance to the property for emergencies. Other concerns were complaints the Commissioners had received about noise from the site that extended past midnight.

Mr. Dees said Reaper's Realm was open 4 to 6 weekends per year and was initially approved as a temporary use before it was known how much the event would grow. Mr. Dees said the shooting had brought to the County's attention that the use was not temporary since Mr. Jenkins had stated the venue was his livelihood. Mr. Dees was of the legal opinion a temporary use permit was not the best option for Reaper's Realm, explaining that while the haunted house was seasonal, it was more of a permanent use.

After further discussion, Chairman Edds moved to approve TEMP 01-20 with the following conditions:

- There must be five (5) county or municipal law enforcement officers on site during operations.
- Reaper's Realm must be shut down and folks gone by midnight.
- EMS must be on site.
- Approval was granted for six more days in the month of October 2020 on the dates of the 23, 24, 25, 29, 30 and 31.

The motion was seconded by Commissioner Greene and passed unanimously.

5. PUBLIC HEARING & SUMMARY PRESENTATION – EDC 'PROJECT ENTERPRISE'

Scott Shelton, Vice President of the Rowan Economic Development Commission, presented the incentive request for Project Enterprise. Using a power point, Mr. Shelton reported the company behind Project Enterprise was an established manufacturer that was considering Rowan County for its new facility. If the County was chosen, Mr. Shelton said the project would create 142 jobs over the next four (4) years and the company was estimating it would invest approximately \$17.5 million in building improvements and equipment. The majority of improvements would be completed by the end of 2022.

Using a power point, Mr. Shelton highlighted the requested assistance for a Level 1 grant under the investment program for the amount and duration adopted in the policy. Mr. Shelton discussed other potential assistance, which was to pursue a Building Reuse Grant through the State of North Carolina. The grant could help the company with its planned building expansion, as well as electrical, HVAC and roof improvements.

The local required match for the grant could be satisfied through the County's Level 1 grant. As a condition of applying for the grant on the Company's behalf, the County would require a promissory note from the property owner, secured by a letter of credit. A resolution was included in the agenda packet for the Board's consideration. The Rowan EDC also requested the County consider hiring a professional grant administrator for the project. The cost to administer the grant was estimated to be no more than \$15,000.

Chairman Edds opened the public hearing to receive citizen input regarding the proposed incentive request for Project Enterprise. With no one wishing to speak, Chairman Edds closed the public hearing. Chairman Edds noted comments would be accepted for the 24 hours following the public hearing.

Commissioner Greene moved to authorize a Level 1 Grant for Project Enterprise (75% over 5 years); authorize the submission of a \$400,000 Rural Building Reuse Grant application to the State of North Carolina; authorize the hiring of a professional grant administrator to administer the Rural Building Reuse Grant; authorize the County Chairman, County Manager and staff to execute the grant application and other grant documents. The motion was seconded by Commissioner Pierce and passed unanimously.

6. CONDUCT QUASI-JUDICIAL HEARING FOR CUP 01-20 & CONSIDER SNIA 01-20

Chairman Edds read the Chairman’s Speech (Exhibit A) and declared the public hearing for CUP 01-20 to be in session. Chairman Edds stated the hearing would focus on an application submitted by Suretha Springs to construct an event center on Tax Parcel 126-100 located at 1115 Brookwood Drive.

The Clerk to the Board swore in those wishing to provide testimony in the case.

Assistant Planning Director Shane Stewart presented the Staff Report (Exhibit B) and provided a power point (Exhibit C) as he discussed the request. Mr. Stewart said the property owner wished to construct a 5,000 square foot metal building and event center “for veteran, community, corporate and private family events” on the 8.15-acre property. Recent revisions to the Zoning Ordinance created an option to accommodate event centers in the Rural Agricultural (RA) zoning district subject to compliance with six (6) evaluation criteria qualifications from Section 21-59 considered through a conditional use permit process.

Mr. Stewart reported the property was located in the Dutch Buffalo Creek watershed, which limited non-residential impervious coverage to 12% (built upon area). Site details depicted proposed impervious coverage totaling 20% of the site acreage, which would require a Special Non-residential Intensity Allocation (SNIA). SNIA authorization allows the Board of Commissioners to identify up to 10% of the acreage in specific watersheds that may exceed the administrative allowance of 12% and permit up to 70% impervious coverage.

According to the Staff Report (Exhibit B) and the information submitted by Ms. Springs, the facility would also offer other event planners an opportunity to share ideas, experiences and training, as well as summer day activities for kids. Additional details listed the following:

- Hours of operation – Monday through Sunday daily operations are 9:00 AM to 5:00 PM with scheduled events ending by 11:00 PM.
- Smoke / alcohol free facility with kitchen for food preparation (no oven).
- Maximum guest size of 125.
- Outdoor amenities / activities include a playground area, BBQ fire pit, outdoor walking trail (existing) and interior grassed area for temporary set-ups (e.g. children bounce houses, outdoor ceremonies at the gazebo, etc.).
- Duke Energy pole lighting and exterior building lighting for safety/security.
- Existing vegetation along a portion of the northeastern property line will be supplemented where needed to form a Type A screen.

Continuing with the power point (Exhibit C), Mr. Stewart showed the site in question, as well as the surrounding areas. Mr. Stewart also reviewed the Conditional Use Requirements and the Evaluation Criteria that were detailed in the Staff Report (Exhibit B).

With the power point (Exhibit C), Mr. Stewart pointed out the vegetation/buffering for the site.

Mr. Stewart said there were many home occupations the Springs family could use their residence for.

Mr. Stewart provided examples for Chairman Edds of some home-based businesses the Springs residence qualified for. The examples provided included a business such Carolina Siteworks, contracting, light manufacturing, any retail use, etc. Mr. Stewart confirmed to Chairman Edds the Springs family could operate any of those businesses without having to request approval from the Board of Commissioners.

Mr. Stewart said public notice of the hearing was mailed on October 8, 2020 to nine (9) adjoining land owners (within 100' of the subject property) and signage was posted on the property on October 8th, as well. On October 14, 2020 the request and the materials were posted on the County's website.

Mr. Stewart reported he had received one (1) phone call regarding the application.

Mr. Stewart stated the Board must adopt findings of fact based on the six (6) Evaluation Criteria. Mr. Stewart provided the Board with example Findings of Fact (Exhibit D).

In response to inquiries from Commissioner Klusman, Mr. Stewart discussed the watershed district and issues with potential water runoff county-wide and also as related to the Springs property.

Chairman Edds said Commissioner Klusman was right to question the future; however, he pointed out on page 1 of the Staff Report (Exhibit B) that 21 acres (or 2% of 100%) had been approved for SNIA out of a possible 1,013 acres.

Commissioner Klusman asked if there was anything to prevent the Springs from paving the drive as opposed to gravel. Mr. Stewart said he could not speak for the applicants but a lot of event centers did not have a hard surface road. Mr. Stewart talked about an option that was not considered impervious by the State.

Commissioner Caskey questioned the number of 125 guests and Mr. Stewart said Ms. Springs had provided the number of guests she wanted the facility to accommodate. Commissioner Caskey asked if Ms. Springs would allow more than 125 guests in the facility if the Fire Marshal were to approve more. Mr. Stewart said that was a good question.

Chairman Edds referred to #4 of the conditional use criteria and questioned the County's remedy if there were violations. Mr. Stewart said if the Sheriff's Office was contacted by a neighbor and violations were found, the Springs would have to shut down.

Commissioner Klusman expressed concern the request did not require a zoning change. Mr. Stewart said there were many home occupations that would be allowed; however, he did not feel this particular request should be considered at an administrative level. Mr. Stewart said there were a total of eleven (11) other similar venues located on farms throughout the County.

Mr. Stewart said if the CUP was approved and issues surfaced, the Commissioners could recall the permit.

Commissioner Pierce said he would like to see additional screening due to the close proximity of a nearby church. Commissioner Pierce said he would not want an event at the proposed events center to interfere with the church services.

Chairman Edds called the applicant, Suretha Springs forward.

Commissioner Klusman said she was concerned with Ms. Springs plans to build more structures on the property, which would increase the amount of runoff. Commissioner Klusman said the property was located in a flood zone and she asked which direction the water flowed. Ms. Springs said the water flowed toward the Beaver's property line and she added that she had no plans to build anything except the events center.

Commissioner Klusman asked if Ms. Springs ever had flooding at her house and she said no. Commissioner Klusman asked if the neighbors experienced flooding and Ms. Springs said she was not aware of any flooding.

Commissioner Caskey asked Ms. Springs how she arrived at the total for 125 guests. Ms. Springs said she arrived at the number from her experience in planning events since 2014. Ms. Springs said the number was a total she was comfortable with.

Commissioner Caskey referred to proposed events for veterans and Ms. Springs said she was a retired veteran. She felt it was important to have a place for veterans and their families to have a place where they felt safe and could hold picnics and reunions.

Ms. Springs confirmed to Commissioner Caskey she had been planning events in other places since 2014. Ms. Springs said she planned for weddings, parties for birthdays, etc.

Commissioner Caskey asked Ms. Springs if she would still plan events for other places or just for her own events center. Ms. Springs said since she was getting older she would like to be at home and have more control over her future when she retired. Ms. Springs said her mother and sister lived with her and she needed to be home with them. Ms. Springs thought it would be good to have a home-based business.

Commissioner Greene asked if Ms. Springs had an ABC permit and she responded that she would not be serving alcohol or allowing smoking.

Commissioner Caskey asked if others renting the events center could obtain permits for serving alcohol and County Attorney Jay Dees responded yes. Mr. Dees said either the renter or the host of the party could obtain the permits to serve alcohol. Mr. Dees said Ms. Springs would set the rules but hypothetically others could obtain a permit.

Chairman Edds opened the public hearing to receive citizen input. The following citizens addressed the Board:

- Anna White, a resident at the dead-end of Brookwood Drive, spoke in opposition to the application.
- Kenny Moose of 1595 Brookwood Drive, spoke in opposition to the application.
- David Shue of 190 Brookwood Drive, spoke in opposition to the application.
- Matt Baber of 1035 Brookwood Drive spoke in opposition to the application.

Chairman Edds allowed Ms. Springs to come forward to respond the concerns expressed by those in opposition to the application. Ms. Springs said she resided on the property and the largest percentage of the events would be for children, such as Easter egg hunts, a women's day, Christmas celebrations, etc. Ms. Springs said the average venue most people were accustomed to were not the types of events she would have because she wanted a peaceful environment at her home. Ms. Springs referred to traffic concerns and said she did not feel like there would be 125 cars coming to her house. Ms. Springs said to be more specific, the plan she had was for five (5) events per month, two (2) of which would be for weddings. The other events would be pre-planned for an estimated total of sixty (60) events per year. Approximately forty (40) of those events would be pre-planned through the purchase of tickets and/or people letting her know they were attending with a cap at a range of 30-50 people. Ms. Springs agreed the neighborhood was quiet and said she did not want to upset the neighbors. Ms. Springs felt it was important to have a place for kids and retirees, etc. to go. Ms. Springs said she wanted to make it clear the venue was not just for weddings and not just about the money. Ms. Springs said she was prior military and had served as a police officer for the last ten (10) years and she understood what it took to provide a safe environment.

Chairman Edds noted the presentation indicated the road provided access to 28 residents and a church, which was located beyond Ms. Springs driveway. The church, Liberty Baptist, was estimated to be approximately 700' past Ms. Springs driveway.

Chairman Edds asked if there was anyone participating via Zoom that wished to address the Board and there were no responses.

Commissioner Klusman asked for clarification as to whether the property was located in a flood zone. Mr. Stewart responded the property was not in a flood zone.

Commissioner Klusman questioned the zoning of the property, pointing out the commercial businesses in the area, as well as the commercial business that backed up to Ms. Springs property. Mr. Stewart said the commercial business behind Ms. Springs started as a non-conforming use. In 2006, the Board approved a CBI-CD to accommodate the use. Mr. Stewart said there were structures in place that pre-dated zoning.

Mr. Stewart elaborated on Commissioner Klusman's concerns regarding water runoff and property owners being affected downstream. Mr. Stewart said when looking at the contours

of the area, the water would flow downhill and downhill was across the road. Mr. Stewart said there was an erosion plan that was required but there would still be muddy water that would run off-site, which would increase with more development.

Commissioner Klusman pointed out that events centers were not listed under home occupations, which was a concern for her.

Commissioner Pierce recalled a different zoning case when Chairman Edds had said, "We all need to be good neighbors." Commissioner Pierce felt what had been presented was not a good fit for the neighborhood. Commissioner Pierce said he was known for supporting property rights but at the same time the use needed to be a good fit. Commissioner Pierce said Ms. Springs was trying to locate a commercial business in a residential neighborhood and he could not support the request.

Commissioner Caskey asked if the road was state-maintained and Mr. Stewart said yes. Mr. Stewart added that if the road was to be put in today, the fire code would require it to be asphalt and 20' wide. Mr. Stewart noted the road was a dead-end.

Commissioner Caskey asked if there was a DOT study for the road. Mr. Stewart said there was not a traffic count or road capacity count for the road. Mr. Stewart said the total number of homes (28) could be multiplied by 10 to help estimate the number of trips per residence. With regards to the events center, Mr. Stewart said staff was hesitant to provide a number concerning traffic because staff did not have a definitive figure to be able to determine the traffic count.

Chairman Edds asked if the County had a zoning spot for events centers/wedding venues or whether those requests were handled through the conditional use process only. Mr. Stewart said most all of the inquiries would be in the Rural Agricultural (RA) district. Mr. Stewart commented that once a request was granted for a commercial use it made it easier for the neighbors to make the commercial area grow.

Chairman Edds repeated that the concerns were if the Board zoned the site as commercial it may open the door for further commercial approvals rather than if the Board handled the request as a conditional use permit.

Chairman Edds said from his perspective, the applicant had the right to put a range of businesses on the property and would not have to come before the Board. Chairman Edds proceeded by naming some of those businesses, which included Carolina Siteworks, retail facility, strip clubs/bars, light industrial or manufacturing. Chairman Edds said if these types of businesses were the intent of the applicant, the Board would probably receive the same response from the neighbors. Chairman Edds said the proposed business could be less invasive than the list of businesses that could be built by right.

Chairman Edds continued by saying the County was only at 2% of capacity with regards to the SNIA request. Chairman Edds said he would not approve the SNIA request

as it stands and would want to attach conditions to applicant. Chairman Edds talked about extending the screening from the vegetation already there on Brookwood over to the driveway. Chairman Edds said he would require further screening all the way up the right side of the driveway. Chairman Edds mentioned the existing church along the road and asked if the Board was expected to limit the church's growth. Chairman Edds said he understood the concerns that had been expressed; however, the neighbors needed to understand there was nothing the Board could do if any of the other businesses wished to locate on the proposed site.

Chairman Edds discussed the natural growth that would eventually come the County's way and the demand for services that would come with the growth. Chairman Edds said with the business choices that had been stated, the current request would be his choice.

Commissioner Pierce agreed the applicant had a right to operate a home-based business but not the right to violate the watershed issue. Commissioner Pierce stated without the applicant violating the watershed issue, the applicant could not operate the home-based business. Commissioner Pierce said Chairman Edds was correct in that Ms. Springs could operate other businesses; however, the issue before the Commissioners was two-fold and both issues must be taken into consideration.

Chairman Edds said from the time he had been on the Board, there had never been an SNIA request the Board had not approved. Chairman Edds felt while it would be convenient for the Board to lean on the SNIA application request in this case, the request would not be approved because of the conditional use.

Commissioner Greene said he was torn with the issue. Commissioner Greene said there had been eleven (11) event centers built in the County; however, they had not been before the Commissioners because they were out in the country. Commissioner Greene stated Brookwood was an old area built long before covenants and he did not think the proposed use conformed very well with the surrounding area. Commissioner Greene said he understood the family was trying to do good things but since they had plans to rent out the facility those plans could go awry.

Commissioner Caskey questioned Mr. Stewart about a wedding chapel on the site. Mr. Stewart pointed out that people get married in rural areas at houses and in backyards and the County never knew about it. Mr. Stewart said it became an issue over the frequency and how many people were there. According to Mr. Stewart, the pre-planned events aspect opened up a broader spectrum.

Commissioner Caskey agreed with the Chairman there were a lot of other businesses that could locate on the property. Commissioner Caskey said his main concern was whether the road could handle the events and number of vehicles. Commissioner Caskey said if cars parked along the road he was uncertain if other vehicles/emergency vehicles could pass. Commissioner Caskey also had concerns with noise issues but said his main concerns pertained to the road and traffic.

Commissioner Pierce moved to deny the request for the zoning change, as well as the watershed issue. (Motion died for lack of a second).

County Attorney Jay Dees said the Board had been provided with Example Findings of Fact (Exhibit D) and the Board needed to go through the findings to deny the request.

Chairman Edds said he was not comfortable trying to re-word what had been given out.

Mr. Dees said the Board could approve, deny or table the request until the next meeting.

Chairman Edds asked if there was an option for the applicant to withdraw the request as it appeared the request would be denied. Chairman Edds said the Board could continue the item to the next meeting and have staff come back with another set of example findings of fact, or, the applicant had the option to withdraw the request.

Mr. Dees said the applicant did not have to make the decision tonight.

Chairman Edds said the Board could continue the issue to the next meeting and give the applicant the opportunity to speak with Mr. Stewart.

Commissioner Pierce moved to table its discussion to next meeting. The motion was seconded by Commissioner Greene and passed unanimously.

7. PRESENTATION OF BID RESULTS FOR PHASE 2 DESIGN SOLUTIONS

This item was deleted from the agenda at the beginning of the meeting.

8. LITTER REPORT

Chairman Edds reviewed the litter report submitted by Caleb Sinclair, Director of Environmental Management. Chairman Edds reviewed the litter and debris removed for each quarter of the year thus far including 36.64 tons during the third quarter of 2020.

9. FINANCIAL REPORTS

Finance Director James Howden presented several financial graphs depicting the following information:

- Monthly Sales Tax Comparisons as of June in FY '20 - \$2,580,570
- Annual Cumulative Sales Tax Comparisons as of June in FY '20 - \$28,531,122
- Annual Cumulative Revenue Comparisons as of September 2021 - \$55,010,654
- Annual Cumulative Expenditure Comparisons as of September 2021 - \$35,789,981
- Annual Cumulative Current Year Property Tax Comparisons as of August 2021 – \$48,074,431

10. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director James Howden presented the following budget amendments for the Board's consideration:

- Health Department – Disperse increased funds per Agreement Addendum. - \$1,038
- Library – Anonymous donation for History Room to purchase microfilm. Donation was transferred to restricted donation account on August 26, 2020 and budget amendment is to move the funds to Microfilm Donation Account. - \$48,375
- Finance – Budget the EMPG-S disaster Relief Grant awarded by the NCDPS. The County is responsible for a 50% match. - \$12,695.00
- Health Department – Disperse funding per Agreement Addendum 543 ELC Enhancing Detection Activities. - \$558,560
- Health Department – Funds put into COVID account #1155270-561045-20014. - \$10,000
- Health Department – Disperse awarded funds from United Way. - \$10,000
- Rowan Transit – Increase to budget for CARES Act funding through North Carolina Department of Transportation. - \$594,118
- Health Department – Correct BA #61 per Derrick Atkins. Funds dispersed into COVID account 20017. - \$12,384
- Health Department – Disperse awarded funds per AA. - \$12,384
- Finance – Recognize reserved funds from FY 2020 for IT’S Public Education Grant. 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. - \$57,647
- Finance - Recognize reserved funds from FY 2020 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. - \$218,057
- Finance - Recognize reserved funds from FY 2020 for the HLC. 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. - \$32,031
- Finance – Appropriate fund balance and expenditures for expenditures approved in FY 2020 for Environmental Management. - \$455,964
- Finance – Appropriate fund balance and expenditures for fiscal year 2020 General Fund encumbrances. - \$2,041,427

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

CLOSED SESSION

Chairman Edds moved the Board enter into Closed Session at 10:14 p.m. in accordance with North Carolina General Statute 143-318.11(a)(5) to consider real estate negotiations. The motion was seconded by Commissioner Greene and passed unanimously.

The Board returned to Open Session at 10:29 p.m. No action was taken.

ADJOURNMENT

There being no further business to come before the Board, Commissioner Caskey moved to adjourn at 10:29 p.m. The motion was seconded by Commissioner Greene and passed unanimously.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Carolyn Barger".

Carolyn Barger, MMC, NCMCC
Clerk to the Board