

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 MEETING OF THE ROWAN COUNTY BOARD OF COMMISSIONERS

November 16, 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 3:00 p.m.

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

CONSIDER ADDITIONS TO THE AGENDA

Please note that due to technical difficulties Commissioner Klusman joined the meeting virtually at 6:05 p.m. While waiting for Commissioner Klusman, the Board moved forward with several additions to the agenda as follows:

- Request for a First Baptist Church event to the Consent Agenda as Item T
- Resolution Combatting the COVID-19 Pandemic as agenda item #12a
- Request from County Attorney Jay Dees to substitute the First Amendment Lease in the agenda packet for Infiltrator Water Technologies, LLC with an updated version (Consent Agenda Item Q)

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 as amended passed unanimously (4-0).

CONSIDER APPROVAL OF THE MINUTES

Commissioner Pierce moved, Commissioner Caskey seconded and the vote to approve the minutes of the October 27, 2020 and November 2, 2020 Commission Meetings passed unanimously (4-0).

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Pierce moved approval of the Consent Agenda as amended. The motion was seconded by Commissioner Caskey and passed unanimously (4-0).

The Consent Agenda consisted of the following:

- A. Work Authorization for NPE Funded Airport Obstruction Tree Clearing CATEX Design Bidding
- B. Board of Election Cares Act Supplemental
- C. Task Order With McGill Associates for Animal Shelter New Dog Adoption Facility
- D. Juvenile Crime Prevention By-Laws
- E. Ratify Z 04-20: Morgan Well & Pump Rezoning
- F. Annual Bond Report
- G. Alternate Location for Piedmont Skydiving New Building
- H. CRF Expenditure Report
- I. Tax Refunds for Approval
- J. Health Department Clinical and Dental Fee Schedule
- K. Synergy Healthcare Agreement - Nurse Practitioner Clinic
- L. Loray Girls Home Contract - Foster Care Services
- M. Procurement Policy Revision - Bond Requirement Threshold
- N. Set Public Hearing for January 4, 2021 Regarding Creation of a Consolidated Human Services Agency
- O. Accept Offer for Purchase of Tax Parcel 025-013 on Barbour Street
- P. Schedule Public Hearing for December 7, 2020 for CDBG-CV Grant
- Q. Infiltrator Lease First Amendment (the First Amendment in the agenda packet was replaced with the following:

THIS FIRST AMENDMENT TO LEASE ("Lease") is made as of the ___ day of November, 2020 by and between Rowan County, a body politic ("Landlord"), and INFILTRATOR WATER TECHNOLOGIES, LLC, a Delaware limited liability company (formerly known as INFILTRATOR SYSTEMS, INC., a Connecticut corporation) authorized to do business in North Carolina ("Tenant").

WHEREAS, Landlord and Tenant have previously entered into that certain Lease Agreement dated the 13th day of December, 2010 ("Lease") with an Initial Term of TEN (10) years and by Article 2 Section (b) and the Lease Addendum Number 1 allows Tenant to exercise two (2) Options to Extend each for five (5) years as long as Tenant is in good standing; and

WHEREAS, Tenant, being in good standing, now desires to extend the Lease for an Extended Lease Term of five (5) years and the same having been approved by Landlord at its November 2, 2020 regular meeting; and

WHEREAS, Tenant also entered into that certain Relocation and Expansion Grant Agreement dated the 1st day of November, 2010 ("Grant Agreement") that sets for the rental amount to be paid by Tenant as "no cost" under Article I, and the same rental rate shall be applied to all Extended Lease Terms pursuant to Article II Section (3); provided,

however, Tenant shall owe some prorated portion of fair market rent pursuant to the Grant Agreement Article III Section (6) in the event the Tenant retains less than the stated number of employees. NOW, THEREFORE, for and in consideration of the terms, conditions, covenants and promises made herein, the sufficiency of which is hereby acknowledged, Landlord and Tenant agree to amend the Lease, as follows:
1. Paragraph 2(a) "Term": This section shall be amended to strike any reference to "Initial Term" and substitute therein "Extended Lease Term" and further delete any reference to "ten (10) years" and substitute therein "five (5) years". The Extended Lease Term shall begin on December 14, 2020 and shall run through December 14, 2025, unless earlier terminated by Tenant or Landlord consistent with terms of the Lease.

Except as expressly modified and amended herein, the remainder of the Lease shall remain in full force and effect as written.

R. American Indian Proclamation

WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November, as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned.

NOW THEREFORE, the Rowan County Board of Commissioners does hereby proclaim November as the National American Indian Heritage Month, in Rowan County and urges all our citizens to observe this month with appropriate programs, ceremonies and activities.

S. Catawba College Baseball "First Pitch" Dinner

2. PUBLIC COMMENT PERIOD

Commissioner Klusman joined the meeting remotely at this point at 6:05 p.m.

Chairman Edds opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. The following individual came forward:

- George W. Benson, member of the Board of Elections, thanked the Commissioners, Board of Elections Director Brenda McCubbins, Elections staff and Creative Services Manager April Everett for their work during the election.

With no one else coming forward or having submitted written comments, Chairman Edds closed the Public Comment Period.

3. PUBLIC HEARING & SUMMARY PRESENTATION – EDC 'PROJECT HERO'

Scott Shelton, Vice-President of the Economic Development Commission (EDC), presented the summary for the proposed expansion of Project Hero (Project) in Rowan County. Mr. Shelton reported that the company behind the Project had been a valued employer in the County for years and employed dozens of people in the community.

According to the report in the agenda packet, the company would create 30 new jobs over the next four (4) years, invest approximately \$1.55 million into the property through the expansion of its existing facility and the installation of major equipment. The majority of the improvements would be completed by the end of 2021.

The company was seeking a five-year Level I grant under the County's investment grant program.

According to Mr. Shelton, the EDC was working with the Project to pursue a Building Reuse Grant through the State of North Carolina. The grant would help the company with its planned building expansion, as well as electrical, HVAC and roof improvements.

A grant from the State from its One North Carolina Fund (Fund) was also being sought. The Fund was a discretionary program that offered cash grants for job creation. Salisbury City Council recently authorized the submittal of applications for both of the grants on the company's behalf.

Mr. Shelton reviewed the projected revenue.

Chairman Edds opened the public hearing to entertain comments from anyone wishing to speak regarding Project Hero. With no one coming forward and no one having submitted written comments, Chairman Edds closed the public hearing.

Commissioner Pierce moved to approve the incentive grant request for Project Hero, (subject to the 24-hour period for receiving additional public comment). The motion was seconded by Commissioner Klusman and passed unanimously.

4. PUBLIC HEARING FOR Z 03-20: DANIEL ALMAZAN

Planner Aaron Poplin provided a power point and the staff report for Z 03-20. The applicant, Daniel Almazan, was requesting the rezoning of his client's property at the corner of Briggs Road and Mooresville Road to increase the value to potential commercial buyers. The request involved the rezoning of lots one (1) through five (5) of the Goodman's Corner subdivision platted in 1996. Since its recordation, none of the lots had been developed.

Using the power point, Mr. Poplin showed the property, located on the border of Area 1 and 2 of the Western Area Land Use Plan (LUP), notably located within one of the two recognized Regional Nodes. The LUP encouraged commercial uses in the community commercial nodes that support existing and future population's needs for retail goods and services. Mixed use developments that incorporated small businesses, retail and housing to reduce reliance on municipal services were also encouraged at regional nodes. When commercial development is outside of commercial nodes they should be allowed as conditional uses to encourage nodal development and access management.

The LUP suggested the Technical Review Committee (TRC) play an increased role in review of commercial uses and their potential impacts on surrounding uses within the rural area. The TRC should consider building appearance, design elements, and landscaping for new businesses.

According to the staff report, the CBI district is generally appropriate in areas identified by an adopted LUP that recommended “highway business” along identified NC and US highways; community/regional/potential development nodes; commercial corridors; and existing commercial areas.

The request falls within the Back Creek/ Sloans Creek water supply watershed which is a WS-II. The parcels currently meet the watershed’s standards for residential parcels. Commercial development of these parcels would either need to meet the 12% built upon requirements or obtain a Special Non-residential Intensity Allocation (SNIA) permit from the Board of Commissioners. Currently Back Creek/ Sloans Creek has 3143.82 acres left that can be removed from the watershed through the SNIA permit process.

Phase II storm water management of non-residential development on these parcels would be subject to further review from the North Carolina Department of Environmental Quality.

Continuing with the power point, Mr. Poplin reviewed the compatibility of uses. Mr. Poplin reported that most of the adjoining properties in the area were zoned RA or RR and with the primary uses being single family dwellings and agriculture. Locke Volunteer Fire Department (VFD) was located across the street at 5405 Mooresville Rd. There was an adjacent 17.4-acre CBI district with one active commercial use Adam’s Automotive (Auto Repair Shop) at 5325 Mooresville Rd. and some vacant commercial properties. There was also a stand-alone 1.79-acre CBI district approximately 600’ west of the request that has a vacant commercial building at 5510 Mooresville Rd. All of the commercial buildings in the area were built before zoning came into effect in 1998.

Mr. Poplin discussed the potential impact on facilities such as roads, utilities and schools. Mooresville Rd. has a design capacity of 13,600 vehicles per day and as of 2019 the average daily traffic was 7,200 vehicles per day. Briggs Rd. has a design capacity of 12,500 vehicles per day and as of 2018 the average daily traffic was 4,200 vehicles per day.

According to 911 records, this section of Mooresville Road has had approximately 32 vehicle crashes since 2015. Mooresville Road has an observed right of way of 100’ east of the intersection with Briggs Road to accommodate a future widening to four (4) lanes. Both Mooresville Road and Briggs Road are recognized as major thoroughfares.

Staff talked with Eric Goldston, Assistant District Engineer with the North Carolina Department of Transportation (NCDOT) District 9, about any concerns for commercial access onto Briggs/Mooresville Roads. Access onto Mooresville Road would likely be

denied, but access from Briggs Road seemed feasible. There was a good possibility that road improvements would be necessary for a commercial access, but could not be confirmed without having a specific use.

The property would use private well and septic. Both CBI and RR allow the same types of residential development.

The Rowan County Planning Board held a courtesy hearing for the request at its September meeting and there were a few people who spoke in opposition to the request. The main point brought up was a concern about the potential traffic impact a commercial use would have. The Planning Board approved the request and adopted the statements below.

Statement of Reasonableness: The request is in line with Areas 1 and 2 of the Western Land Use Plan; it is located within a community node; the property is adjacent to other CBI zoned properties and is along a major thoroughfare.

Statement of Consistency: The request is consistent with the Western Land Use Plan; Area 1 and 2; the property is located in a community node which promotes and encourages business growth; it is located along a major thoroughfare and in the community's best interest.

Staff Comments noted in the report were:

- All uses allowed in the CBI district should be taken into consideration when evaluating this request.
- The examples given about trip generation are for comparison only. There are no requests for either use at this time.
- Since this is a straight rezoning, no conditions can be applied.
- There were discussions with the applicant about the potential for a Conditional District Rezoning. However, the applicant does not have a specific use in mind, so they couldn't apply for such a district at this time.
- The Board may want to encourage a site-specific rezoning if they feel that certain uses in the district would not be appropriate or if they feel that performance standards should be higher than what would be required otherwise.
- Given this tract's prominence in the Western Area Land Use Plan is a "Regional Node" and recommendations suggest oversight and review by TRC, a detailed development presented as a Conditional District rezoning for these six acres seems warranted as opposed to a general rezoning request to a CBI district.
- Assignment of the Rural Residential (RR) zoning to the property in 1998 was likely created as a "holding district" to ensure development of the property is complimentary to the area and is of a quality and character to enhance the tax base. Likewise, this notion was continued in the Western Area Land Use Plan in the designation as a regional node

Procedurally, Mr. Poplin said the Board should conduct the public hearing; adopt a statement of reasonableness; adopt a statement of consistency; and approve/deny/table Z 03-20.

Commissioner Klusman expressed concern with the site being located in a watershed area. Mr. Poplin pointed out that if an applicant wanted to increase a watershed area to more than the 12% impervious surface, the applicant would have to come back before the Commissioners.

Commissioner Greene pointed out the Commissioners had approved a Proclamation at its last meeting honoring the importance of the farming industry and the application was another example of farmland being taken up by a commercial use.

In response to an inquiry from Chairman Edds, Mr. Stewart shared information pertaining to the Planning Board's discussion of the application and support of the straight CBI district. Mr. Stewart felt it important to note the Board of Commissioners could not directly require the applicant to submit a conditional district but indirectly it could by saying it had concerns with what was permitted by right and whether it was reasonable for the location. Also, based on the LUP and the two (2) regional nodes, the Board could ask for more information before making its decision.

Chairman Edds opened the floor for the applicant to share comments. Daniel Almazan of Allen Tate Realtors said he was representing the owner, Greer Goodman, in the application. Mr. Almazan said in 1996 Mr. Goodman and his son, Neal, bought the acreage. According to Mr. Almazan, Mr. Goodman's son had since passed away and Mr. Goodman, now 95 years old, felt it was the time to do something with the property. Mr. Almazan said when considering the highest and best uses, it made more sense to consider the uses across the street.

Commissioner Greene inquired about the State's 100' driveway requirement from the Mooresville Road intersection. Mr. Almazan said there were several limitations and the NCDOT would decide where the driveway would be located; the NCDOT may also require a turn lane. Mr. Almazan said the site did not have sewer, which limited what could be located on the site. Mr. Almazan said due to the impervious coverage the applicant may have to come back before the Board.

Chairman Edds opened the floor to receive citizen input regarding Z 03-20. The following citizens addressed the Board:

- Larry Bell of Briggs Road spoke in opposition to the request.
- Tiffany Wallace of Mooresville Road (participated remotely) spoke in opposition to the request.
- Bridgette Bell of Briggs Road spoke in opposition to the request.

With no one else wishing to address the Board, Chairman Edds closed the public hearing.

Following comments from the Board and a brief question and answer period pertaining to the traffic and the compatibility of uses, Chairman Edds reiterated the watershed issue would require the applicant to have to come back before the Board. Chairman Edds stated the Board would then have more input regarding the site. Chairman Edds said the property was in a commercial node as part of the LUP developed in 2009. Chairman Edds said he had messaged Mr. Almazan to inquire if the plans were to locate a Dollar General on the site and the response was no.

Commissioner Klusman reiterated her concerns with the watershed issue and said she felt people should consider pervious surfaces as opposed to concrete. Commissioner Klusman also discussed the matter of traffic and said the County should start planning now for future growth and to limit the number of driveways along Mooresville Road.

Commissioner Caskey referred to the older businesses across the road that were zoned CBI. Commissioner Caskey asked if those structures were to be sold (such as to a Dollar General), whether the businesses would have to come before the Board for the watershed issue. Mr. Poplin said he was fairly certain the watershed started at Briggs Road; however, in the event those existing properties were in the watershed area, the impervious coverage they currently had would be grandfathered in.

Chairman Edds said the properties would be limited in what uses could locate on the sites because of the impervious coverage.

Chairman Edds read the Statement of Reasonableness, which he put in the form of a motion, as follows: The request is in line with Areas 1 and 2 of the Western Land Use Plan; it is located within a community node; the property is adjacent to other CBI zoned properties and is along a major thoroughfare. The motion was seconded by Commissioner Pierce and passed unanimously (Commissioner Greene did not vote and is therefore counted in the affirmative).

Chairman Edds read the Statement of Consistency, which he put in the form of a motion: The request is consistent with the Western Land Use Plan; Area 1 and 2; the property is located in a community node which promotes and encourages business growth; it is located along a major thoroughfare and in the community's best interest. The motion was seconded and passed 4-1 with Commissioner Greene dissenting.

Commissioner Pierce moved, Commissioner Caskey seconded and the vote to approve Z 03-20 passed 4-1 with Commissioner Greene dissenting.

5. PUBLIC HEARING: FY '22 TRANSPORTATION GRANT APPLICATION DESCRIPTIONS AND AMOUNTS

Valerie Steele, Airport and Transit Director, discussed the FY '22 transportation grant application descriptions and provided a breakdown for each as follows:

5311 - Community Transportation Program [CTP] application will secure 80% grant support for RTS administrative costs.

Administration: Requesting \$247,140: \$210,069 (80% grant) & \$49,428 (updated from the original amount submitted in the agenda packet) (20% county match). The grant will provide salary support for three positions (director, manager, safety and training officer), travel, communications, utilities, advertising, secured parking lot rent and office expenses.

5310 – (State / Rural) Enhanced Mobility of Seniors and Individuals with Disabilities Program application will provide rural operating funds in support of increased demands for Dialysis transportation and continued service to Rowan Vocational Opportunities and Trinity Living Center.

Operating: Requesting \$275,000: \$137,500 (50% grant) & \$137,500 (50% match from contract revenue and ROAP funding). No county match.

5307 – Federal Urbanized Area Formula Program application will provide operating funds for Rowan Express.

Requesting \$14,796: \$7,398 (50% grant) & \$7,398 (50% match from contract revenue). No county match.

Combined Capital Equipment (Federal Section 5311, 5311 Appalachian, 5307, 5339) application will secure 80% grant support for Vehicles replacements.

Requesting \$658,000: \$526,400 (80% grant) & \$131,600 (20% county Match)

1. Ten (10) vehicles qualified for replacement in FY'22. DOT (over 100,000 mile)
2. No guarantee the request for new vehicles will be approved by NCDOT.
3. New vehicle deliveries arrive in spring of 2022. Upon the receipt of replacement vehicles, the old vehicles must be sold at a county auction or through govdeals.com with all proceeds to be spent on transit operations.

Total of NCDOT Grants: \$1,194,936 **Total County Match:** \$181,028 (updated from the original amount submitted in the agenda packet)

5310 – (Federal / Urban) Enhanced Mobility of Seniors and Individuals with Disabilities Program (City of Concord is the Grantee for this Grant) application will provided urban operating funds in support of increased demands for Dialysis transportation and continued service to Rowan Vocational Opportunities and Trinity Living Center.

Requesting \$240,000: \$192,000 (80% grant) & \$48,000 (20% match from contract revenue and ROAP funding). No county match.

Chairman Edds opened the public hearing for FY '22 Transportation applications. With no one wishing to address the Board, Chairman Edds closed the public hearing.

Commissioner Pierce moved, Commissioner Greene seconded and the vote to approve the CTP FY 2022 grant application passed unanimously

Commissioner Pierce moved, Commissioner Greene seconded and the vote to adopt the CTP Resolution carried unanimously.

6. UPDATES PERTAINING TO THE TOWN OF SPENCER: BY MAYOR JONATHAN WILLIAMS

Mayor Jonathan Williams from the Town of Spencer (Town) addressed the Board regarding plans that were on the horizon for the Town. Mayor Williams also introduced Peter Franzese, new Assistant Town Manager.

Mayor Williams shared that the Town had purchased the former plaza property and had plans to locate town hall and the police department at the new site. Mayor Williams said the property would also have future potential lease space for non-profits.

Mayor Williams said the Town was in the process of extending the Yadkin River Trail into the Town and later onto the Rowan side of the Yadkin River. Mayor Williams said the Trail would eventually tie into a bicycle lane greenway system that would lead through Spencer to Grants Creek.

After highlighting several other projects, Mayor Williams said he looked forward to working with the Board.

7. ENVIRONMENTAL HEALTH DATA

During the last Board of Commissioners meeting it was requested that Environmental Health (EH) submit data on a bi-weekly basis with updates as to where the department stood in catching up on its inspections.

Adrian Pruett, Environmental Health Manager, and Health Director Nina Oliver provided the update, indicating the current waiting period for EH on-site inspections was 4 weeks and 4 days.

Mr. Pruett discussed the reporting process at length, including the breakdown in codes as required by the State.

There was a question and answer period where the Board received information from Mr. Pruett and Ms. Oliver regarding but not limited to:

- Sites not ready for inspections, which created delays and required follow up visits. (The Commissioners previously imposed additional fees for each time an inspector was called back to a site as a result of negligence by the owners and/or contractors to follow the inspection guidelines). There was discussion of making EH more citizen-friendly. Ms. Oliver also mentioned the potential for an EH Technician to check sites in advance of the inspectors to ensure the sites were ready. There was also conversation about employees working overtime and the use of soil scientists to help with inspections and in an effort to reduce the inspection backlog.

- Mr. Pruett expressed hope the backlog would be caught up by January 1, 2021. Ms. Oliver shared what information had been gathered from surrounding counties as to their inspection wait times.

With regards to discussion from a previous meeting, Commissioner Pierce said he did not feel a seven (7) day turnaround was reasonable or productive for EH staff. Commissioner Pierce shared his thoughts about not putting expectations on the inspectors that could prove detrimental to the process.

Chairman Edds thanked Commissioner Pierce for his input. Commissioner Pierce added that he liked the idea of having an EH Technician visit the sites to make sure the lots were prepared for an inspection and Chairman Edds agreed. Chairman Edds expressed hope the County would become the best in the region with its inspection process. Chairman Edds thanked Ms. Oliver and Mr. Pruett for the information and said the Board was committed to make the department the best.

8. PRESENTATION BY ENVIRONMENTAL HEALTH FOR TECHNOLOGY IMPROVEMENTS

Adrian Pruett with Rowan County Environmental Health provided a power point as he discussed the benefits and time savings of GPS & ArcGIS technology.

Currently takes 2-3 hours to conduct a site and soil evaluation properly

- Reduce evaluation time to 1-2 hours or less
- Possibly double the number of evaluations per inspector

Currently to create permit and site plan properly 1-2 hours with pencil and paper

- GIS/GPS site plan-time reduction by half (depending on complexity)

Accuracy, procession, ability to reproduce field work will result in:

Reduced errors + faster site evaluations

Other Departments will benefit by:

- Zoning: able to see existing septic locations to save time issuing compliances
- Parks & Rec: GPS locate features to provide public with accurate maps
- Planning and Development: GPS locate future projects saving cost of outsourcing
- Information Technology: utilize data captured to provide accurate data to the public via website

Implementation of GPS / GIS

- Two of the newly hired staff are familiar with the GPS units proposed using them in prior work.
- The EH Manager used a similar model for years with a previous employer

- GPS units are not overly difficult to use and its estimated that there will be little to no increase in backlog due to training of employees.
- All training will be phased in as to not impact day to day work until each inspector is proficient.

Proposed Cost Estimates

(5) Real Time GPS Units: \$43,500

(5) ArcGIS Software License Costs: \$28,850

Total Costs for GPS / GIS Solution Hardware and Software: \$72,350

Mr. Pruett said the equipment was a necessary requirement to process the data in order to bring Rowan County into the 21st century. Mr. Pruett discussed the approval and implementation timeframes.

Commissioner Pierce moved to approve the purchase of the ARC GPS/GIS hardware as requested. The motion was seconded by Commissioner Klusman and passed unanimously.

9. REQUEST TO USE HEALTH DEPARTMENT COST SETTLEMENT FUNDING TO SUPPORT PORT

Health Director Nina Oliver presented the request to use Health Department Cost Settlement Funding to Support the Post Overdose Response Team (PORT).

According to the memorandum in the agenda packet, the Rowan County Health Department (RCHD) applied for and was awarded a \$285,326 grant for the implementation of a Post Overdose Response Team (PORT). The grant was sponsored by Blue Cross and Blue Shield of North Carolina as part of their ongoing efforts to address “Substance Use Disorder and the Opioid Epidemic in North Carolina”. The award was for a two-year period beginning in 2019 and ending December 2020. The RCHD, in collaboration with Rowan County Emergency Medical Services (EMS) and The Center for Prevention Services partnered to establish the PORT team. The PORT intervenes directly in affected communities to assist both active users, and those further along in the recovery process, by providing peer counseling, group therapy, resources, and other support. Funding for the PORT would end on December 31, 2020.

Ms. Oliver updated the Board regarding the statistics for the number of overdoses, successful contacts, and those who had gone to meetings, received counseling, detox and treatment.

Ms. Oliver said a significant increase in Narcan distribution had been seen during the COVID-19 Pandemic. Ms. Oliver said the grant was running out and asked for the program to be continued due to the needs in Rowan County.

PORT included a Peer Support Specialist, a Harm Reduction Coordinator and a Community Paramedic. In addition to the team members, the Public Health Director,

Rowan County Sheriff, Salisbury Police Department, Emergency Medical Services Division Chief and the Emergency Management Chief were actively involved and provided team and program oversight.

Ms. Oliver requested the use of the Health Department Medicaid Cost Settlement to continue funding the PORT team through December 31, 2022. The Cost Settlement balance was \$2.1 million. Ms. Oliver requested using \$311,528.41 to continue the program. If the RCHD obtained other grant funding to cover the program, it would cease using the Medicaid Escrow funding.

Further discussion ensued.

Commissioner Klusman moved to approve the \$311,528.41 to continue the PORT Program. The motion was seconded by Commissioner Caskey.

Commissioner Pierce suggested the Board support the program for one (1) year instead of two (2) and evaluate the program again at that time.

Commissioner Greene said he would not support a two-year program that had a 10% effective rate.

Ms. Oliver explained that it took a while for the Peer Support Specialist to earn the trust of a population that used and sold drugs in addition to their crimes of stealing. Ms. Oliver explained that addicts relapsed repeatedly and the program needed time in order to be successful.

After additional discussion, Commissioner Klusman amended the motion to remove the \$311,528.41 and inserting \$155,764.20 for the PORT Program (for one year). Commissioner Caskey seconded and the motion passed 3-2 with Commissioners Pierce and Greene dissenting.

10. DISCUSSION REGARDING CRF SMALL BUSINESS RELIEF FUND GRANT

County Manager Aaron Church presented the COVID-19 Small Business Grant Program (Program). The goal of the Program was to provide grants to small businesses to reimburse the cost of business interruption caused by required closures during the Pandemic. The funding would be offered on a first-come, first-serve basis. It was proposed for the applications to be received December 1 through December 6, 2020 and for checks to be issued by the Finance Department by December 18, 2020.

Commissioner Caskey asked if a business could turn a paper application and Mr. Church responded the applications were all web-based and would be time-stamped.

Commissioner Caskey said all businesses were not tech savvy and may need the option to submit paper copies. Mr. Church said the Board could change the proposed Program.

Mr. Church said the County's only involvement would be to accept and time-stamp the applications and turn the applications over to the Chamber of Commerce.

Chairman Edds asked if the applications could also be made available in the Clerk to the Board's office and also delivered to the office and physically time-stamped. Mr. Church said yes and pointed out the applications would be time-stamped in the order received compared to the electronic submission process.

Chairman Edds felt Commissioner Caskey had made a valid point and the County should provide the opportunity for everyone in case there were businesses that did not have access to the internet.

Mr. Church said paper copies of the applications could be delivered to the County Manager's office, Assistant County Manager, or the Clerk to the Board's office.

Mr. Church discussed the administration of the Program by the Rowan Chamber of Commerce for a ten-percent fee (\$35,000).

The grant parameters were as follows (as of March 1, 2020):

- \$3,500 – 1 to 5 full-time employees
- \$5,000 – 6 to 25 fulltime employees
- Ineligible – 26+ fulltime employees

Continuing with the power point, Mr. Church discussed the eligibility requirements and explained the businesses must demonstrate a brick and mortar location required to close at least two (2) weeks. The spirit of the Program was for those who had to stop working and producing income for themselves.

Commissioner Caskey said there were a lot more people affected than just brick and mortar businesses.

Commissioner Pierce said there had to be parameters established and the idea was to provide relief to those who had to continue to pay rent and had overhead involved.

Commissioner Greene said from an administrative point of view the Board needed to have rules so whoever was administering the Program could determine who qualified.

Commissioner Caskey said he would vote for the Program but did not like the brick and mortar requirement.

Mr. Church reviewed the documentation requirements and also for the record the second Word document that had been sent to the Commissioners for review in advance of the meeting:

I. GRANT PROGRAM

A. BACKGROUND

Rowan County received grant monies from the Coronavirus Relief Fund.

“Nonexclusive examples of eligible expenditures 5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency such as¹”

5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
 - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
 - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

**The above excerpt can be located on page 4 of the “Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments Updated September 2, 2020”²*

B. GOALS

To provide grants to small businesses to reimburse the cost of business interruption caused by required closures.

C. FUNDING

Rowan County will provide \$350,000 in grants to small businesses in Rowan County. This funding will be distributed on a first come, first serve basis for eligible small businesses. Applications will be accepted online starting December 1, 2020 at 12 noon until December 6, 2020 at 5pm. Each application will be electronically time stamped. Checks will be issued no later than December 18, 2020.

D. ADMINISTRATION

1. Rowan County will contract with the Rowan County Chamber of Commerce to administer the grant allocation process for a 10% fee of the grant proceeds in the amount of \$35,000.
 - a. The County will build out the website application and assist the Chamber of Commerce. The county will provide the applications based on a first come, first serve basis with an electronic timestamp.
 - b. The Chamber of Commerce will be responsible for screening the applications, verifying the information and collecting required documentation.
 - c. The County will distribute a maximum of \$385,000 (\$350,000 grants plus \$35,000 administrative fees) to the Chamber of Commerce once a contract has been executed between the County and the Chamber. The Chamber of Commerce will be responsible for distributing grant funding to each eligible small business.

¹ <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>

² <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>

II. ELIGIBILITY

A. GRANT PARAMETERS

1. \$3,500 – 1 to 5 full-time employees or a sole proprietor (count as of March 1, 2020)
2. \$5,000 – 6 to 25 full-time employees (count as of March 1, 2020)
3. Ineligible – 26+ full-time employees

B. REQUIREMENTS

1. Shall be a For-profit business with a Brick-and-Mortar address located in Rowan County, North Carolina.
2. Shall not have over 25 full-time employees.
3. Franchises are only eligible if the franchisor is independent and locally owned.
4. Shall have been in business since March 1, 2019.
5. Business shall demonstrate that their Brick-and-Mortar location was closed due to the North Carolina Governors Orders for at least 2 weeks.
6. Business will not be eligible if they meet any of the following:
 - A. Business has file for bankruptcy anytime in the last 3 years.
 - B. Business has open judgements or tax liens.
 - C. Business has delinquent Rowan County property taxes.
 - D. Non-profits.
 - E. Real estate investment firms, when the real property is held for investments.

C. USE OF FUNDS

1. Funds may be used for legitimate business expenses. This includes but is not limited to working capital, lease payments, existing real estate and equipment financing payments and payroll.

D. DOCUMENTATION

1. Online Grant Request Application
2. A statement describing how COVID-19 has adversely impacted the business including dates and times that the business was closed.
3. Most recent tax returns.
4. Payroll: IRS Form 941 or Equivalent
5. If applicant is unable to provide numbers 3 through 4 please provide a written explanation.

Mr. Church discussed the steps that would follow Board approval of the Program. Additionally, Mr. Church stated if the Board approved the Program, the Board would need to revise the CRF Plan, which was the next item of business on the agenda.

Mr. Church said the application could be published as a PDF document several days prior to the start of the application process. Mr. Church said while his following comments were not documented, he envisioned the Chamber would have to follow up for the required documentation to support the applications, such as tax returns, etc. Approval would be contingent for first-come, first-serve, completed applications.

Commissioner Greene inquired as to whether Commissioner Caskey's question regarding a brick and mortar business had been addressed and Mr. Church said no.

Commissioner Pierce suggested using the term storefront as opposed to the brick and mortar requirement.

The Board discussed changing the proposed application release and deadline dates.

Assistant County Manager/CIO Randy Cress suggested making the application and downloadable PDF version available for pick-up at 12:00 noon on November 23, 2020 and the online version available on November 24, 2020. Mr. Cress expressed logistical concerns as to where the print copy of the application would be available for pick-up.

Chairman Edds felt the Board should make both the paper copy and the online application available at 12:00 noon on November 23, 2020. Chairman Edds said the Program could be advertised, copies placed by the Clerk's door and everyone could begin work on the application at the same time.

Elaine Spalding of the Rowan Chamber stated the Program was desperately needed in the community and the intent was to help those businesses who were most impacted by closures.

Chairman Edds asked if the County Manager could work with the Chamber staff to finalize the processing details and Ms. Spalding said yes.

Chairman Edds said he did not want to restate the changes that had been discussed and asked if the Board could approve the CRF Small Business Relief Fund with the changes as discussed and to ask staff to work with the Chamber to work out the processing details.

Mr. Church requested the deadline for receipt of the applications be changed to Friday, December 4, 2020.

Commissioner Pierce moved to approve the Program as stated by Chairman Edds (approve the CRF Small Business Relief Fund with the changes as discussed and to ask staff to work with the Chamber to work out the processing details) and to approve an application submission deadline of Friday, December 4, 2020. The motion was second by Commissioner Greene and passed unanimously (5-0; Commissioner Caskey had left the room and was therefore counted in the affirmative).

11. CRF FUNDS UPDATE

Finance Director James Howden provided a summary of where the County stood with Coronavirus Relief Funds. Mr. Howden reported as of Friday, November 13, 2020, approximately \$3.6 million of the monies had been spent. Mr. Howden said roughly \$1.7 was left to be spent.

Continuing with the update, Mr. Howden highlighted the expenditures in progress. The County was projected to spend \$391,996 more than the budget.

Chairman Edds said the County had shouldered the majority of the labor for the municipalities, etc. and the County would forego some of the reimbursements, if necessary, to provide the Small Business Grant Program.

12. REVISE THE CRF PLAN

County Manager Aaron Church stated the revision was the third revision submitted to the Board. Mr. Church referred to page 4, item #5 in the agenda packet, which was for expenses associated with the provision of economic support in connection with COVID-19. Mr. Church said if the Board approved the revision the documentation would be submitted to the North Carolina Pandemic Recovery Office for implementation of the Small Business Grant Program.

Commissioner Pierce moved to approve the revised CRF Plan. The motion was seconded by Commissioner Caskey and passed unanimously.

ADDITION

12a. RESOLUTION COMBATTING THE COVID-19 PANDEMIC

Commissioner Klusman expressed appreciation for all the staff that had been instrumental in planning and combatting the COVID-19 Pandemic.

Commissioner Klusman read the Resolution as follows:

WHEREAS, the COVID-19 Pandemic is spreading exponentially through our nation, state, Rowan County and its municipalities; *and*

WHEREAS, Rowan County currently has over 700 people with the Coronavirus and has had nearly 5,000 people infected this year, and had a daily record of 82 positives on November 12; *and*

WHEREAS, 124 Rowan County families have suffered deaths of loved ones by the Coronavirus in 2020; *and*

WHEREAS, people are preparing for the upcoming holiday season with travel and gatherings of friends and family.

NOW THEREFORE BE IT RESOLVED that the Rowan County Board of Commissioners urges citizens of Rowan County to practice the safety measures recommended by public health professionals and take action to prevent the spread of COVID-19 to protect yourself, your loved ones, and your community by observing the **3W's**:

- **WEAR** (a cloth face covering over your mouth and nose anytime you exit your home)
- **WASH** (your hands often or use hand sanitizer when soap and water are not accessible)
- **WAIT** (at least 6 feet apart from anyone outside your immediate family); *and*

BE IT FURTHER RESOLVED the Board of Commissioners encourages citizens to avoid the **3C's** so as to protect every citizen in Rowan County:

- **Crowded** places (where many people are nearby or in close proximity to each other)
- **Close-contact** settings (where people have close-range conversations)
- **Confined** and enclosed spaces (with poor ventilation).

Commissioner Klusman moved to approve the Resolution Combatting the COVID-19 Pandemic followed by a second from Commissioner Pierce.

Commissioner Caskey noted the Board was not passing any ordinances or laws.

Chairman Edds extended his thanks to April Everette, Creative Services Manager, the Health Department and Healthy Rowan for their efforts during the Pandemic.

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

13. DISCUSSION REGARDING DECEMBER MEETING SCHEDULE

Chairman Edds stated the Board of Commissioners typically cancelled the second board meeting in the month of December when possible. This year the second meeting fell on Monday, December 21, 2020.

Commissioner Greene moved, Commissioner Klusman seconded and the vote to cancel the December 21, 2020 Commission Meeting passed unanimously.

14. FINANCIAL REPORTS

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

- Annual Cumulative Current Year Property Tax Comparisons as of September 2021 – \$53,055,101
- Annual Cumulative Sales Tax Comparisons as of July in FY '21 - \$2,555,357
- Annual Cumulative Revenue Comparisons as of October 2021 - \$66,491,591
- Annual Cumulative Expenditure Comparisons as of October 2021 - \$47,411,639

15. BUDGET AMENDMENTS

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

- Sheriff – Recognize \$2000 donation for “Shop with a Cop” and deposit in proper expense account.
- Sheriff – Recognize \$50 donation to the K-9 Program and deposit in correct expense account.
- Health Department – Recognize reserved funds from FY 2020 for Health Department CC4C. Reserves 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. \$307,475
- Finance – To adjust HCCBG revenue and expense to reflect the revised HCCBG County Funding Plan effective November 1, 2020. \$18,895
- Rowan Transit – Increase to budget for CARES Act 5307 Urbanized Formula funding through NC DOT in the amount of \$341,238.
- Finance – Budget funds received to be used to Shop with a Cop. \$50
- Health Department – Disperse awarded funding from NCCU Advanced Center for COVID-19 Related Disparities (ACCORD) to be used for COVID testing. \$20,000
- Cooperative Extension – Transfer Livestock funds from Revenue to Expenditures to operate NC Farm School. \$6,000

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

16. CLOSED SESSION

Chairman Edds moved the Board into Closed Session at 10:01 p.m. in accordance with North Carolina General Statute 143-318.11(a)(5) to consider a real estate transaction.

The Board returned to Open Session at 10:22 p.m. on a motion by Commissioner Pierce. Commissioner Caskey seconded and the motion passed unanimously. No action was taken.

Chairman Edds took the opportunity to express appreciation to Officer Randy St. Clair of the Rowan County Sheriff's Office for remaining with the Board for the duration of the meeting.

17. ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 10:24 p.m. The motion was seconded by Commissioner Caskey and passed unanimously.

Respectfully Submitted,



Carolyn Barger, MMC, NCMCC
Clerk to the Board