Rowan County Board of Commissioners
130 West Innes Street · Salisbury, NC 28144
Telephone 704-216-8181 · Fax 704-216-8195

MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
November 2, 2020 – 3:00 PM
J. NEWTON COHEN, SR. ROOM
J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING

Present: Greg Edds, Chairman
Jim Greene, Vice-Chairman
Mike Caskey, Member
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.

Commissioner Klusman led the Pledge of Allegiance.

CONSIDER ADDITIONS TO THE AGENDA
Chairman Edds added the following items to the Consent Agenda:
- Agreement with Vertex Construction Company, LLC for COVID-19 Relief Fund Design Solutions (added as Consent Agenda item AB)
- Memorandum from Chairman Edds to the Board of Commissioners regarding Environmental Health Fees (added to the Consent Agenda as item AC)

CONSIDER DELETIONS FROM THE AGENDA
There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA
Commissioner Pierce moved, Commissioner Caskey seconded and the vote to approve the agenda as amended passed unanimously.
CONSIDER APPROVAL OF THE MINUTES
Commissioner Pierce moved, Commissioner Greene seconded and the vote to approve the minutes of the October 19, 2020 Commission Meeting passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA
Commissioner Pierce moved approval of the Consent Agenda. The motion was seconded by Commissioner Greene and passed unanimously.

The Consent Agenda consisted of the following:

A. Request for Public Hearing for 'Project Hero'
B. RCHD and NCCU ACCORD COVID Program
C. RTS Transportation Contracts with Trinity Living Center (TLC) and Rowan Vocational Opportunities (RVO)
D. Accept Offer From Tim Murdock for Property Located off McCleave Road
E. Public Hearing Request in Reference to FY22 Transit Grant Applications
F. RTS Transit Advisory Committee Bylaws
G. Schedule Public Hearing for Z 03-20 for November 16, 2020
H. Florence Crittenton Services Contract
I. The Relatives Contract
J. Vehicles 2021 Financing

BE IT RESOLVED by the governing body for Rowan County, North Carolina (the “Purchaser”):

Section 1. The governing body does hereby find and determine:
   a) Rowan County proposes the purchase of sixteen (16) vehicles, as more fully described in the hereinafter mentioned Contract (collectively, the “Project”);
   b) After consideration, the governing body has determined that the most advantageous manner of financing thereof is by an installment contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended;
   c) Pursuant to said Section 160A-20, Rowan County is authorized to finance the Project by an installment contract that creates a security interest in the Project financed to secure repayment of the financing; and
   d) U.S. Bancorp Government Leasing and Finance, Inc. (“U.S. Bancorp”) has proposed that they finance the Project pursuant to an Installment Financing Contract (the “Contract”), amount not to exceed $900,000, between the Purchaser and U.S. Bancorp.

Section 2. The governing body hereby authorizes and directs the Finance Director to execute, acknowledge and deliver the Contract on behalf of the Purchaser in such form and substance as the person executing and delivering such instruments on behalf of the Purchaser shall find acceptable. The Clerk is hereby authorized to affix the official seal of Rowan County to the Contract and attest the same.

Section 3. The proper officer of the Purchaser, as named above, is authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the Contract.

Section 4. Notwithstanding any provision of the Contract, no deficiency judgment may be rendered against the Purchaser in any action for breach of a contractual obligation under the Contract and the taxing power of the Purchaser is not and may not be pledged directly or indirectly to secure any moneys due under the Contract, the security provided under the Contract being the sole security for U.S. Bancorp in such instance.
Section 5. The Purchaser covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986 (the “Code”), amended as required so that interest on the Purchaser’s obligations under the Contract will not be included in the gross income of U.S. Bancorp.

Section 6. The Purchaser hereby represents that it reasonably expects that it, all subordinate entities thereof and entities issuing obligations on behalf of the Purchaser will not issue in the aggregate more than $10,000,000 of tax-exempt obligations (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined in the Code) during calendar year 2020. In addition, the Purchaser hereby designates the Contract and its obligations under the Contract as a “qualified tax-exempt obligation” for the purposes of the Code.

Section 7. This Resolution shall take effect immediately upon its passage.

K. Vanguard Professional Staffing Services Contract
L. Request to Ratify Incentives for EDC ‘Project Enterprise’
M. Agreement With NCDOT for Welcome to Rowan County Signs
N. Lease Extension Option - Infiltrator Systems, Inc.
O. Pictometry International Contract
P. Smith Rodgers Contract for 24-hour Law Enforcement Legal Support
Q. Sammons Agreement
R. Lot Clearing and Grading Julian Rd.
S. Grant Administrator - Continental Structural Plastics
T. Grant Administrator - Innospec Active Chemicals
U. Debt Write Off
V. CUP 01-20: Suretha Springs Request Withdrawal
W. Request for RCSO Shop with a Cop Program
X. Temporary Use Agreement for Tis The Season Spectacular Parade
Y. 5307-Urbanized Formula CARES ACT Agreement
Z. FY21 – 5311 Administrative and Capital Agreement
AA. Support Rowan Little League Regional Tournament
AB. Agreement with Vertex Construction Company, LLC for COVID-19 Relief Fund Design Solutions (addition to the Consent Agenda and attached to the minutes for the record)
AC. Memorandum (below) from Chairman Edds to the Board of Commissioners regarding Environmental Health Fees (addition to the Consent Agenda)

NCGS 130A-39 (g) states in part “Fees shall be based upon a plan recommended by the local health director and approved by the local board of health and the appropriate county board or board of commissioners.”

The current Environmental Health Fee Schedule reads:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
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<tbody>
<tr>
<td>Soil/Site Evaluation</td>
<td>$125 Per Site</td>
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<tr>
<td>Improvement Permit/AC (Single Family Residence)</td>
<td>$100</td>
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<td>$100+50.00/120gal/EDF</td>
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<tr>
<td>Engineer Option Permit</td>
<td>$67.50</td>
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Below is an email from the Rowan County Health Director to the County Manager on October 30, 2020.
Currently environmental health has a 5 week wait time. I believe we should waive the soil evaluation fee and permit fee for customers who choose to pay for a private Engineer or Social Scientist to conduct A, B or C as presented in the email from the Health Director to the County Manager.

MOTION: Subject to the Rowan County Board of Health and Health Director concurrence/approval at its regular November 3, 2020 meeting, I move to Amend the Environmental Health Fee Schedule to delete the fees for the Soil/Site Evaluation Fee, Improvement fee/AC (Single Family Residence and Other) Permit Fee, and the Engineer Option Permit Fee for customers utilizing private professionals for the following as presented by the Health Director:

a) Engineered Option Permit (EOP)

b) Session Law 2018-114

c) Session Law 2020-97

2. SPECIAL RECOGNITION

A. Farm City Week November 16-20th

Commissioner Greene said people were always surprised at what farming added to a county like Rowan. Commissioner Greene said farming was a huge industry to the economy, as well as adding to the beauty of Rowan County.

Commissioner Greene continued by reading a Proclamation honoring Farm City Week as follows:

WHEREAS, agriculture is an $11 billion industry for the state of North Carolina. The state ranks number one in the nation in farm cash receipts for tobacco and sweet potatoes, number two for poultry and eggs, and number three for fresh-market cucumbers and strawberries; and

WHEREAS, Farm-City Week highlights partnerships, farmers here and across the nation produce an abundance of nutritious, good tasting food for everyone to enjoy. Their partnerships with grocers, truck drivers, processors, scientists, consumers and many others all play important roles in getting food from the fields to household tables; and

WHEREAS, Rowan County has over 118,000 acres of farm land with an average farm size of 129 acres. Ninety-seven percent of our farms are family-owned. Rowan County is the State’s second largest producer of strawberries and fourth largest producer of tomatoes; and
WHEREAS, Rowan County farms bring an annual net income of 19.5 million dollars to the county each year with a market value of 82 million in agricultural products; and

WHEREAS, NC Cooperative Extension Rowan County Center, and the Rowan County Soil and Water Conservation District are encouraging people to speak with farmers or agribusiness providers so they can learn more about agriculture and where their food, fiber and fuel come from.

NOW, THEREFORE, the Rowan County Board of Commissioners does hereby proclaim November 16-20 2020 as FARM-CITY WEEK in Rowan County, and encourages all citizens to observe the significance of this week.

Commissioner Greene presented the Proclamation to Amy-Lynn Albertson, Cooperative Extension Director.

Ms. Albertson discussed events that were planned by the Cooperative Extension and Soil and Water for Farm City Week. Ms. Albertson announced that Knox Farm would also be celebrated for its 200th year as a family farm.

Commissioner Greene moved approval of the Proclamation, followed by a second from Commissioner Pierce. The motion carried unanimously.

A round of applause followed the recognition.

B. Proclamation Honoring Veterans Day in Rowan County

Commissioner Caskey expressed appreciation for all Veterans and their sacrifices. Commissioner Caskey proceeded by reading a Proclamation honoring Veterans as follows:

WHEREAS, throughout our history, the United States of America has been protected by patriots who risked their lives and served nobly to protect and preserve our independence, the principles of justice and our democracy; and

WHEREAS, Americans live in freedom because of the contributions, sacrifices and unspeakable hardships of the brave members of the United States Armed Forces who have heroically answered the call to defend America; and

WHEREAS, November 11th is designated each year as Veterans Day - as a day of remembrance and a day of honor for our extraordinary veterans - for their valiant service and unwavering belief in our heritage, safety and liberty; and

WHEREAS, Rowan County recognizes its more than ten thousand Rowan County Veterans and holds in high esteem their contributions in the defense of our Great Nation, for adding strength, in war or peace, to preserve the democracy this country so proudly stands for.

NOW, THEREFORE the Rowan County Board of Commissioners does hereby proclaim November 11th as Veterans Day in Rowan County and calls upon all citizens to pay tribute with appropriate ceremonies and to proudly display the American flag in honor of our veterans, both living and deceased, who have earned our respect and deepest gratitude for their service and for their legacy to preserve America’s cherished way of life.

Commissioner Caskey moved approval of the Proclamation as read. The motion was seconded by Commissioner Pierce.

Chairman Edds recognized the Veterans in attendance, which included Commissioners Caskey and Greene and Chaplain Michael Taylor. Chairman Edds extended his thanks to all Veterans, as well as their families, for the sacrifices they made.
Upon being put to a vote, the motion on the floor passed unanimously.

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 wishing to speak or having submitted written comments, Chairman Edds closed the Public Comment Period.

4. PUBLIC HEARING FOR Z 04-20: MORGAN WELL & PUMP
Assistant Planning Director Shane Stewart provided a power point as he presented the staff report for Z 04-20. Mr. Stewart stated that on behalf of Morgan Well and Pump, Inc., applicant and project engineer Sam King, Jr. was requesting a rezoning of 3.16 acres located on the southeast corner of Old Beatty Ford and Bostian Roads referenced as Rowan County Tax Parcels 140-233 and 234 from Rural Agricultural (RA) to Commercial, Business, Industrial with a Conditional District (CBI-CD) to accommodate a 4,000 square foot building and associated storage area for a water well drilling contractor business. Using the power point, Mr. Stewart showed the site in question, as well as the surrounding area.

Other site details included:
- Eleven (11) parking spaces most of which were gravel.
- Eleven (11) Crepe Myrtle trees – seven (7) along Old Beatty Ford Road and four (4) along Bostian Road.
- Low intensity “night lights” mounted on building directed away from adjacent roads
- Operations Monday through Friday from 8:00 a.m. to 5:00 p.m.

The CBI zone allowed for a wide range of commercial, business and light to medium industrial activities, which support both the local and/or regional economies. The CBI district was generally appropriate in areas identified by an adopted land use plan (LUP) that recommended “highway business” along identified NC and US highways; community/regional/potential development nodes; commercial corridors; and existing commercial areas. The CBI district may also exist or be created in an area other than listed in this subsection if the existing or proposed development is compatible with the surrounding area and the overall public good is served.

The proposed business was located in the Eastern Area LUP (Area 3) and located along an identified major thoroughfare.

Plan recommendations included:
- Property is located within an area identified as potential Residential and adjacent to one (1) of three (3) Neighborhood Centers noted at key intersections and a Commercial / Industrial area. In general, the plan assumes a concentration of development near the interchange, near key intersections, and along the “important” corridors.
- Design guidelines relating to building façade, landscaping, signage, lighting, buffering, etc. are referenced as areas to further evaluate.
Mr. Stewart highlighted the compatibility of uses, as well as the potential impacts on roads, utilities and schools, as listed in the staff report.

With regards to the decision-making process, Mr. Stewart said in addition to the above criteria, sec. 21-362 (c) of the Zoning Ordinance indicated the primary question before the Board in a rezoning decision is “whether the proposed change advances the public health, safety, or welfare as well as the intent and spirit of the ordinance.” Additionally, the Board “shall not regard as controlling any advantages or disadvantages to the individual requesting the change but shall consider the impact of the proposed zoning change on the public at large.”

Procedurally, the Board of Commissioners must develop a statement of consistency describing whether its action is consistent with any adopted comprehensive plans and indicate why their action is reasonable and in the public interest. A statement analyzing the reasonableness of the decision is also necessary.

Mr. Stewart reported no members of the public spoke during the Planning Board’s courtesy hearing held on September 28, 2020. The Planning Board voted unanimously (5-0) to recommend approval of the request as presented based on the statements of reasonableness and consistency in the agenda packets.

According to Mr. Stewart, public notice was provided on October 21, 2020 when letters were mailed to seven (7) adjacent property owners within 100’ of the subject property. A sign was posted on the property on October 22, 2020 and notices of the hearing were published in the Salisbury Post on October 22 and October 29, 2020.

Staff would encourage consideration of the 110’ right of way as a condition of approval and any others the board believes are suitable to address plan consistency.

It was noted the applicant, Sam King, was participating remotely in the hearing.

Commissioner Klusman asked if the equipment would be parked outside or indoors. Mr. Stewart said the equipment would be outside in a fenced area. Mr. Stewart said staff had worked with the engineer and owners to create the best scenario for screening. Using the power point, Mr. Stewart showed the different viewing angles and also a tree line. Mr. Stewart said while he did not think the applicant had plans to remove the trees, they could do so.

Commissioner Pierce inquired as to whether there had been any contact with the City of Kannapolis (City) to see if the site would be in the extraterritorial jurisdiction (ETJ) of the City and Mr. Stewart said no. Commissioner Pierce said if the area was going to be in the ETJ, the City would need to approve the rezoning, too. Mr. Stewart said based on annexation laws now, the annexation would have to occur first or the Commissioners would be asked if the City wanted to create the ETJ based on the new annexed area.
Commissioner Pierce asked if it was possible for the applicant to put the structure and “all the surroundings” on one (1) lot instead of two (2). Mr. Stewart said it was possibly an option; however, spot zoning issues could arise. Mr. Stewart said access was also an issue and at this point, supposedly this proposal was all the applicant was interested in.

Mr. Stewart confirmed to Chairman Edds that the use would be permitted if the owner actually lived on the property.

Mr. King referred to the earlier question that had been posed pertaining to combining two (2) lots into one (1). Mr. King talked using both lots in order to make the impervious ratio less for the built upon area.

Commissioner Klusman asked Mr. King if his client would be amenable to upgrade the landscaping in order to provide more screening and Mr. King responded yes.

Mr. King said he felt the applicant was open to additional landscaping and trying to improve the buffering; however, it depended on how much more was expected.

County Attorney Jay Dees said the condition would be voluntary and the applicant would have to amend the plan. Mr. Dees said Commissioner Klusman would need to be more specific as to what kind of landscaping she wanted.

Commissioner Klusman inquired if the Board could find out if there had been talks with the City of Kannapolis. Mr. Stewart said he needed more clarification because the site being discussed was quite a distance from City limits and there was no reason to talk with the City and no desire for water/sewer to the site.

Commissioner Pierce said as far reaching as the future annexation would go, the annexation would pick up one-mile ETJ in the area under consideration. Mr. Stewart responded that the annexation did not automatically pick up the ETJ and the matter would have to come before the Commissioners.

Chairman Edds opened the public hearing to receive citizen input. With no one wishing to address the Board or having submitted written comments, Chairman Edds closed the public hearing.

Chairman Edds moved approval of the Statement of Reasonableness: “In accordance with section 21-362(j) of the Zoning Ordinance and after due consideration the Board of Commissioners determine Z 04-20 to be reasonable and in the public interest based on the location of the subject property along a major thoroughfare; The request is compatible with the current Land Use Plan for the area; the subject property is in close proximity to other businesses and no adjoining property owners are opposed.” The motion was seconded by Commissioner Pierce and passed unanimously.
Chairman Edds moved approval of the Statement of Consistency: “Z 04-20 is consistent with the Eastern Area Land Use Plan and is reasonable and in the public interest based on the following: The request is compatible with the adopted land use plan for the area. The property is a transitional lot and the proposed use is in the best interest for the community.” The motion was seconded by Commissioner Pierce and passed unanimously.

Mr. Stewart asked if it was the will of the Board was to require additional landscaping. When Chairman Edds polled the Commissioners, the majority (Pierce, Caskey, and Greene) were agreeable with what had been presented by the applicant.

Commissioner Pierce moved approval of Z-04-20. The motion was seconded by Commissioner Greene and passed unanimously.

Mr. Dees reminded the Board the approval was subject to the 24-hour period following the public hearing and no additional comments being received.

5. BATH & BODY WORKS LEASE EXTENSION

County Attorney Jay Dees said the County had received a request from Bath and Body Works (BBW) to continue month-to-month tenancy at West End Plaza, but with a request to abate 50% of the rent during the time the store was closed due to the Governor’s Executive Order (Order) regarding Covid-19. BBW was closed from mid-March through July 2, 2020. This amounts to a prorated total of $1750.00 to be abated and $1750.00 to be deferred but paid in full after January 2021. The deferred amount is consistent with the recent policy adopted by the Board, but the request to abate 50% is not and will be a new consideration. They will pay the full amount of $1000.00 per month for July and subsequent months.

Mr. Dees said the position of BBW is that the abatement is appropriate because they were prohibited from opening under the Order. The request required Board approval since it was outside the current policy.

BBW did recently pay $2000.00 when rent arrearage was brought to its attention. This is presumably for August and September while we work out March through July.

Mr. Dees said the beauty store owner had the same questions when the new policy was adopted. Mr. Dees said the store was physically closed and the owner could not open to make money. Mr. Dees asked if the Board wanted to review the policy again with regard to tenants who were closed for a specific period of time. Mr. Dees said the issue before the Board today pertained to BBW but he felt the Board should have the larger discussion for tenants who were forced to be closed during COVID-19 Pandemic.

Chairman Edds said he was glad BBW was still open, especially after seeing so many other businesses destroyed during the Pandemic. Chairman Edds felt the Board should help BBW get back to full strength.
Commissioner Pierce moved to accept the COVID-19 letter of agreement with BBW. The motion was seconded by Commissioner Klusman and passed unanimously.

Mr. Dees asked if the Board wanted staff to reach out to the tenants at West End Plaza with regards to other adjustments that may come back before the Board and Chairman Edds said yes.

6. DISCUSSION REGARDING CONSOLIDATION OF HEALTH DEPARTMENT

County Manager Aaron Church said during regular session on September 8, 2020 he had provided a presentation regarding Human Services Organization and Governance options under North Carolina law. Mr. Church said the Board had tabled the consolidation discussion until November 2, 2020 in order to provide the Commissioners with more time to study the options.

Commissioner Klusman asked for an update regarding the situation (backlog) with Environmental Health. Mr. Church said he understood that all positions except one (1) had been filled and the inspections were approximately five (5) weeks behind (compared to the previous estimate of ten (10) weeks).

Commissioner Klusman asked what the board members were hearing from developers. Chairman Edds said he had received several calls and all were happy that progress was being made. Chairman Edds said the County had hired several new employees with experience and he felt the Board should give those employees time to help the County catch up. Chairman Edds said when the Board first had the conversation, inspections were approximately ten (10) weeks behind and the new employees had helped to cut the number in half. Chairman Edds said the County had a lot of home construction taking place and needed to be able to get the perk tests done, along with the wells. Chairman Edds said builders and subcontractors were having to wait ten (10) weeks for the perk tests, which costed them a lot of time and money. Chairman Edds said one (1) builder was willing to hire a soil scientist from the private sector at $700.00 per test. Chairman Edds said the Board thought it would help the developers if the County would waive its $225.00 inspection fee for perk tests if builders were willing to hire their own soil scientist. Chairman Edds said the County would only take this action while catching up on the backlog. Chairman Edds expressed hope that in a few weeks the County would be caught up.

Commissioner Pierce said he had also talked with several contractors who were appreciative of the Board's actions. Commissioner Pierce said there was no way to predict how many permits would be pulled and the County needed to be prepared for the growth and development that was coming.

Chairman Edds mentioned that the subcontractors go work in other counties when a local contractor could not provide work for them. Chairman Edds felt the Board had taken steps to address the situation. Chairman Edds said the Commissioners would increase Environmental Health however necessary to meet the demands.
Commissioner Greene said he would like for the County to give the Health Department 90 to 120 days to get their employees in Environmental Health trained and ready to improve the numbers before taking the drastic options that had been presented by Mr. Church.

Chairman Edds agreed there were other steps the Board could take such as hiring independent soil scientists on a contractual basis until caught up.

Assistant County Manager/CIO Randy Cress said the County had hired independent companies/soil scientists to perform approximately twenty (20) tests at an estimated cost of $1,000 per test.

Chairman Edds said the public needed to know the Commissioners did not control the Board of Health and the Environmental Health Department was part of the Board of Health. Chairman Edds said the County was very involved and responsible for permitting, inspections and planning – but not Environmental Health. Chairman Edds continued by saying said there were legal issues to move Environmental Health out from under the Health Department and the Commissioners were working with the Director of the Health Department and Board of Health to move forward. Chairman Edds stated any steps the Commissioners took regarding Environmental Health had to be with the blessing and cooperation of the Health Department and Board of Health.

Commissioner Caskey referred to the 90 to 120-day period for improvements suggested by Commissioner Greene and asked how the accomplishments would be measured at that point. Chairman Edds responded that in the area of Environmental Health, good and timely service was estimated at two (2) weeks and Commissioner Pierce agreed. Chairman Edds said it was the goal of the Commissioners to be better than the “standard” and he personally would like to see the turnaround time at one (1) week. If the Board wanted to see the County set the standards, the Commissioners would have to approve the funding.

Commissioner Pierce suggested the Board receive an update from Environmental Health at its 3:00 p.m. meeting each month in order to find out how much the work was picking up. Commissioner Pierce said the Commissioners could determine at that time whether additional subcontractors should be hired.

Commissioner Greene said the Board had funded the needs in Environmental Health and he agreed that a monthly report was a good way going forward to find out if the County could meet the demand.

Commissioner Klusman, also a member of the Board of Health, felt the Commissioners should hire a contract company to get the backlog finished. Commissioner Klusman said an inspector could perform three (3) site inspections per day. Commissioner Klusman explained that there were contractors who called for an inspection; however, when the inspectors arrived, the sites were not ready. Commissioner Klusman expressed hope the updated fees the Board had approved earlier in the meeting would help improve the process.
Commissioner Klusman shared her frustration concerning the management of the Health Department. Commissioner Klusman felt it was a dereliction of duty that the Health Department was not planning to provide flu shots this year. Commissioner Klusman said the Health Department could no longer put off offering other services because of the COVID-19 Pandemic.

Commissioner Klusman moved to “hire the contracting site investigation folks for twenty (20) sites this month in November and twenty (20) in December.”

Chairman Edds asked Mr. Church if the motion on the floor was the approach the Commissioners should take. Mr. Church responded the Commissioners and County Manager did not have the authority to contract with soil scientists without the Health Director asking for those steps.

Chairman Edds inquired as to whether Commissioner Klusman would amend the motion to ask the County Manager and Health Director to work to hire contractors for November and December to get Environmental Health caught up by January 1, 2021 and Commissioner Klusman agreed.

Mr. Church asked that the motion include as a policy statement the Board was willing to fund hiring the contractors and supported and encouraged the Health Director to look into those options.

Chairman Edds asked Commissioner Klusman if she would amend the motion to encourage the County Manager and Health Director to come together to find a hiring solution for soil scientist contractors for November and December to get Environmental Health caught up by January 1, 2021 with the cooperation of the Health Director.

Commissioner Greene asked if Commissioner Klusman could get the number of permits and ongoing lead time reported monthly to the Commissioners. Commissioner Klusman responded in the affirmative.

Commissioner Pierce stated he would second the motion on the floor with the understanding the expenditure be capped at $50,000.

Commissioner Caskey asked where the funds would come from. Commissioner Caskey then referred to the other issues raised by Commissioner Klusman and pointed out the motion would only affect the inspections backlog.

Commissioner Klusman stated she wanted the Board to hold a public hearing in January to discuss alternatives as to how the Health Department was managed. Commissioner Klusman said she had held conversations with the individual Commissioners and felt it was the consensus to bring the Health Director under the direct control of the County Manager. Commissioner Klusman said she wanted to see if the County could improve the services she felt the citizens deserved. Commissioner Klusman said it was important to note that once the
decision for consolidation was made the structure did not have to remain that way. Commissioner Klusman said the Board could revisit the issue after a period of time to see how the changes were working. Commissioner Klusman also felt it important that the Board of Health continue to function as an advisory board instead of the board that was supposed to be managing the Director of the Health Department.

Mr. Church reported the funds to pay for the soil scientists could come from the PORT funds.

In response to an inquiry from Commissioner Caskey, Commissioner Pierce discussed scheduling and said if a contractor pulled six (6) permits at a time, the contractor should be in line for all six (6) inspections before anyone else received inspections. Commissioner Klusman agreed with Commissioner Pierce.

Chairman Edds repeated the motion already on the floor, with suggested changes - for the County Manager and Health Director to get together to hire soil scientists for the next 60 days with a limit of $50,000 and for the Commissioners to receive reports for the next two months to see where the County was in the process of catching up on the inspections backlog. The motion was seconded by Chairman Edds and passed unanimously.

Commissioner Klusman moved the Commission schedule a public hearing on the management of the Health Department on Monday, January 4, 2021. The motion was seconded by Commissioner Pierce.

Mr. Church said he understood that in order to hold the public hearing, the 30-day notice should include what particular governance the Board was considering.

Chairman Edds asked Commissioner Klusman if she would agree for the Board to place the matter on the Consent Agenda at the next meeting with information prepared by the County Manager and County Attorney to schedule the public hearing for January 4, 2020. Commissioner Klusman was agreeable.

7. LITTER REPORT
Chairman Edds provided the Litter Mitigation update from Environmental Management Director Caleb Sinclair. According to the update, Rowan County Staff removed 6,885 lbs. of roadside debris and litter during the two-week period beginning Monday, October 12, 2020 through Friday, October 23, 2020.

8. CRF FUNDS UPDATE
Finance Director James Howden provide an overall summary update through the month of October regarding the CRF Funds as follows:

Funding Received: $5,319,455
Expenditures thru October $3,118,964
Remaining Funds to Spend $2,200,491
Expenditures in Progress (Forecast)

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<td><strong>Total Forecast</strong></td>
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Forecast: Left to Spend / (Over Spend) $6,807

Chairman Edds felt it was the sense of the Board from this point on to be conservative with the remaining funds.

Commissioner Klusman said she had requested the purchase of as much Narcan and testing materials as possible. With regards to the Narcan, County Manager Aaron Church said staff had verified with the NCPRO office that Narcan was an allowable expense. The estimated expenditure for Narcan was $18,750. With regards to rapid tests, Mr. Church stated up until this point, the County had not been successful in procuring a rapid test machine. Mr. Church said he was told by the Emergency Services Chief that he believed he could procure a machine; however, Mr. Church was uncertain whether the purchase order had been issued. While the machine was not very costly, Mr. Church estimated the testing kits were approximately $80.00 each. The rapid tests would be for public safety employees or employees in the high-risk category. Mr. Church suggested the County could also set up guidelines to offer the testing to nursing home employees.

Commissioner Greene asked who the Narcan would go to. Mr. Church said it was his understanding there were two (2) basic populations; first, was for ambulances and secondly, the Health Department provided the drug to citizens if certain criteria were met. Mr. Church provided statistics of the increased overdoses during COVID-19 compared to the year before. Mr. Church said the County wanted to document the Narcan was related to COVID-19 and was not supplanting county funds.

In response to an inquiry from Commissioner Pierce, Mr. Howden and Mr. Church explained the line item in the report for additional staffing (nurses, interpreters, outreach coordinator and support staff).

Chairman Edds thanked Mr. Howden for the update.

**9. BUDGET AMENDMENT**

Finance Director Jim Howden presented the following budget amendment for the Board’s consideration:
• Health Department – to disperse awarded funding from Agreement Addendum 115 COVID-19 infection Prevention Support -$174,753

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

10. CONSIDER APPROVAL OF BOARD APPOINTMENTS
TOWN OF CLEVELAND ZONING AND PLANNING
Grayson Phillips has been serving as an Alternate member; however, a vacancy for a regular seat is now open. If approved, Mr. Phillips’ term would be through October 31, 2023.

Commissioner Pierce moved to appoint Mr. Phillips as a regular member as requested. The motion was seconded by Commissioner Greene and passed unanimously.

BOARD OF HEALTH
Previously, the seat for a Veterinarian on the Board of Health had been vacant for a lengthy period of time. During regular session on September 8, 2020, the Commissioners filled the seat with Dari Caldwell, a member of the General Public, in accordance with North Carolina General Statute (NCGS) §130A-37.

The same NCGS referenced above states that, “When a representative of the general public is appointed due to the unavailability of a licensed physician, a licensed dentist, a licensed optometrist, a licensed veterinarian, a registered nurse, a licensed pharmacist, or a professional engineer that member shall serve only until a licensed physician, a licensed dentist, a licensed optometrist, a licensed veterinarian, a registered nurse, a licensed pharmacist, or a professional engineer becomes available for appointment.

Members on the Board of Health are statutorily granted three 3-year terms. Dr. Corrie Hampton Connolly has applied for the Veterinarian’s seat and would fulfill the remainder of Dari Caldwell’s term. The term would be through December 31, 2021 and at that time Dr. Hampton would be eligible for reappointment for three 3-year terms.

Commissioner Pierce moved, Commissioner Greene seconded and the vote to appoint Dr. Connolly to the Veterinarian’s seat passed unanimously.

11. ADJOURNMENT
There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 5:06 p.m. The motion was seconded by Commissioner Greene and passed unanimously.

Respectfully Submitted,

Carolyn Barger, MMC, NCMCC
Clerk to the Board