

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



Aaron Church, County Manager
Siobhan Allen, 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

December 5, 2022 – 3:00 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
Judy Klusman, Member

County Manager Aaron Church, Clerk to the Board Siobhan Allen, County Attorney Jay Dees, and Finance Director Anna Bumgarner were also present.

Chairman Edds convened the meeting at 3:00 p.m.

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

Special recognition was given to North Carolina House Elect Representative from District 83 Kevin Crutchfield, newly elected Sheriff Travis Allen, and North Carolina Chief Justice Paul Newby and his wife who were all in attendance.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Pierce motioned to approve the November 21, 2022 minutes. The motion was seconded by Commissioner Greene. The motion passed unanimously (5-0).

ADJOURNMENT

Commissioner Pierce made the motion to adjourn and Commissioner Greene seconded the motion. The motion passed unanimously (5-0).

During the adjournment, The Honorable Chief Justice Paul Newby administered the oath of office newly re-elected commissioners Edds, Greene, and Klusman.

RECONVENE

The Board of Commissioners reconvened at 3:19 p.m.

County Attorney Jay Dees opened the floor for nominations for Board Chairman. Commissioner Klusman nominated Greg Edds for Chairman. Commissioner Pierce moved to close the nominations (5-0). Commissioners Caskey seconded the motion. The motion passed unanimously. Commissioner Caskey nominated Commissioner Greene as Vice-Chair to the Board. Commissioner Klusman seconded the nomination. Commissioner Pierce moved to close the nominations. Chairman Edds seconded the motion. The motion passed unanimously (5-0).

The newly re-elected Commissioners took some time to thank the attendees and introduce their many family members and guests who joined them today.

RECESS UNTIL 3:45 p.m.

Chairman Edds called for a recess at 3:10 p.m.

RECONVENE

Chairman Edds reconvened the meeting at 3:45 p.m.

CONSIDER ADDITIONS TO THE AGENDA

Special recognitions were added as item 2A and a Closed Session was added as item 6A. An additional budget amendment was added to item 5 for the Visitation Station. Commissioner Pierce made the motion to approve the additions to the agenda. The motion was seconded by Commissioner Klusman. The motion passed unanimously (5-0).

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Greene moved to approve the agenda as amended. Commissioner Pierce seconded and the vote to approve the agenda passed unanimously (5-0).

1. CONSIDER APPROVAL OF CONSENT AGENDA

Chairman Edds motioned for the approval of the Consent Agenda. The motion was seconded by Commissioner Pierce and passed unanimously (5-0).

- A. Sole-Source Idemia - Detention Center
- B. Scope of Work [Directed Grant for RCCC]
- C. Sole-Source Bibliotheca ITG, LLC
- D. Amendment No. 1 - Strategics Consulting, LLC - Federal Lobbying Services
- E. Approval of Proclamation Presented to Sheriff Auten on November 28, 2022
- F. Amendment No. 1 - McGuireWoods - State Lobbying Services

- G. Schedule Public Hearing for RTS Combined Capital Application
- H. URP 2022 Funding Request
- I. Award Facilities Foam Trailer Bid to Southeastern Specialty Vehicles
- J. Amendment #2 - Federal Engineering
- K. Annual Bond Report
- L. Credit Card Convenience Fees
- M. Tax Refunds for Approval
- N. Satisfaction of Prior Deed of Trust (HOME Grant Program)
- O. Approval to Apply for Emergency Management Performance Grant
- P. Contribution-based Benefit Cap
- Q. Approval of Resolution Presented to Clerk to the Board on November 21, 2022
- R. Ratify the Board's Action to Name the Rowan County Justice Center in Honor of Retiring Sheriff Kevin Auten
- S. Amendment No. 2 - Andrea B. Davis Law Office
- T. Sheriff's Salary

2. PUBLIC COMMENT PERIOD

Chairman Edds opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. Chairman Edds closed the Public Comment Period after no comments were made.

2A. SPECIAL RECOGNITION

Bob Pendergrass, Animal Service Director was acknowledged for his contributions to Animal Services as the director. Mr. Pendergrass began working with Rowan county May 25, 1989 as a park attendant. Commissioner Pierce presented Mr. Pendergrass with a plaque and thanked him his hard work and dedication to the Animal Services for 33 years.

Tax Collector Tonya Parnell was acknowledged for her retirement from the Tax Office. She has served the county for many years and will end her career with the county as the Tax Collector after joining Rowan county in 1989. Mrs. Parnell was presented with a plaque acknowledging her dedication to outstanding service to the county.

The Consent Agenda consisted of the following:

3. PUBLIC HEARING FOR ZTA 05-22: Amendments to the SNIA designation process and Land Use Plan Recommendations

Shane Stewart, Assistant Planning & Development Director explained in detail the process for designating an SNIA and how it is mandated by the State. Chairman Edds stated that they will table this item until the January 17, 2023 6:00 p.m. meeting to allow for public comment. Attorney Jay Dees states that this item could be tabled. They then could open the public hearing and not close the public hearing and table the public hearing open until the next meeting.

Commissioner Pierce made a motion to table Public Hearing ZTA 05-22 until 2nd meeting in January 2023. The motion was seconded by Commissioner Klusman. The motion passed unanimously (5-0).

4. PUBLIC HEARING FOR ZTA 04-22

Aaron Poplin introduced ZTA 04-22 density averaging. This involves combining parcels to create one. Chairman Edds asked if there is something that has brought density averaging about. Mr. Poplin explained further how we have to go by the state minimums in watershed and this is an effort to get ahead to make sure we have something in place. Rowan county has not had a policy in the past regarding density averaging which is why this needs to be done. Commissioner Greene asked a question for clarity and Mr. Poplin was able to explain how two (one undeveloped) properties would be combined to accommodate the built upon area. There was further discussion about how the property can be used.

County Attorney Jay Dees explained to Commissioner Caskey that restricting a property decreases the value of the property but there can a corresponding value with density averaging depending on how it is later developed. There was further discussion among the Board on how density averaging works.

Commissioner Pierce made a motion to table this discussion until the 2nd meeting in January 2023. Commissioner Caskey seconded the motion. The motion passed unanimously (5-0).

5. BUDGET AMENDMENTS

Commissioner Pierce made motion to approve the budget amendments. Commissioner Greene seconded the motion. The motion passed unanimously (5-0).

6. CONSIDER APPROVAL OF BOARD APPOINTMENTS

Commissioner Pierce made a motion to wave the term limits of South Salisbury Fire Department term limits. Chairman Edds moved the motion and it was seconded by Commissioner Greene. The motion passed unanimously (5-0).

Commissioner Pierce made a motion to wave the term limits for Gary Gaskey and Michael Goodman. The motion was moved by Chairman Edds, and was seconded by Commissioner Klusman. The motion passed unanimously (5-0).

AGRICULTURAL ADVISORY BOARD

Morgan Mosher applied for a seat that will become vacant on January 1, 2023. If appointed the term will expire December 31, 2025.

CABARRUS ROWAN URBAN METROPOLITAN PLANNING ORGANIZATION (CRMPO)

Each year the North Carolina Department of Transportation (NCDOT) requires the MPO to supply a list of current Transportation Advisory Committee (TAC) members and the

Technical Coordinating Committee (TCC) of the Cabarrus-Rowan Urban Area Metropolitan Planning Organization.

The Commissioners are asked to consider the reappointment of the following members for 2023:

- Chairman Greg Edds as the TAC member and Vice-Chairman Jim Greene as the alternate.
- Planning Director Ed Muire as the TCC appointee and Assistant Planning Director Shane Stewart as the alternate.

CLEVELAND VOLUNTEER FIRE DEPARTMENT FIRE COMMISSIONER

Danny Gabriel applied for a seat that will become vacant on January 1, 2023. If appointed, Mr. Gabriel's term will expire December 31, 2024.

TOWN OF GRANITE QUARRY ZONING BOARD OF ADJUSTMENT ETJ APPOINTMENT

Shellie Stubbs applied to fill a vacancy on this board that will expire on July 31, 2025. The Board of Aldermen recommend Ms. Stubbs be approved for this seat.

HEALTH BOARD

- Commissioner Klusman fills the seat for a County Commissioner and she wishes to continue to serve in this role. If reappointed, the term would expire November 30, 2026.

Amy Wilson currently fills the Physician seat on the Board of Health and has applied for a second term. The appointment will be for three (3) years and expire on December 31, 2025.

JUVENILE CRIME PREVENTION COUNCIL

The following individuals statutorily serve on the JCPC by virtue of the positions they hold. The Board is asked to consider the reappointment of the following for two-year terms that will expire November 30, 2024:

- Commissioner Klusman
- District Attorney Brandy Cook
- District Court Judge James Randolph
- Scott Flowers, designee for Sheriff-Elect Travis Allen

Crystal Ryerson applied to fill a vacant seat for a member of the Business Community. If approved, the term would expire June 30, 2024.

LOCAL EMERGENCY PLANNING COMMITTEE

Phillip Michael York applied for a vacant Public Safety-911 seat and Sam Morgan applied to fill a vacant State/Local Official seat.

PLANNING BOARD

Four (4) seats will become vacant on January 1, 2023 and the following applications have been received:

- William “Biff” Yost
- Jerome B. Davis
- Corrie Hampton Connolly

If the above applicants are approved, their term will expire December 31, 2025.

TOURISM DEVELOPMENT AUTHORITY

Commissioner Pierce fills the seat for a County Commissioner and wishes to continue to serve in this role. If reappointed, the term will expire November 30, 2024.

VOLUNTEER FIRE DEPARTMENTS RELIEF FUND BOARD OF TRUSTEES APPOINTMENTS

In accordance with North Carolina General Statute § 58-84-30, the Board is asked to consider two (2) appointments for each volunteer fire department listed below. All appointments are for two (2) years beginning January 1, 2023, and expiring December 31, 2024. The applicants are as follows:

ATWELL VOLUNTEER FIRE DEPARTMENT

- Steve Garver - reappointment

BOSTIAN HEIGHTS VOLUNTEER FIRE DEPARTMENT

- Jason Corriher - reappointment
- Charles Haas - reappointment

EAST GOLD HILL VOLUNTEER FIRE DEPARTMENT

- Carter Trexler – reappointment
- Randall Chad Earnhardt - reappointment

ELLIS CROSS COUNTRY VOLUNTEER FIRE DEPARTMENT

- Jerry Kepley – reappointment
- William Kyles - reappointment

ENOCHVILLE VOLUNTEER FIRE DEPARTMENT

- Diane Elizabeth Burney - reappointment
- Michael David Caskey, Jr. – reappointment

FRANKLIN VOLUNTEER FIRE DEPARTMENT

- Carter Thomason - reappointment
- Jennifer Simmons Spry - reappointment

LIBERTY VOLUNTEER FIRE DEPARTMENT

- Lisa Misenheimer Trexler - reappointment
- Jeffrey Miller - reappointment

POOLETOWN VOLUNTEER FIRE DEPARTMENT

- Dylan Barkley – New appointment

ROCKWELL RURAL VOLUNTEER FIRE DEPARTMENT

- Kenzie Overcash – reappointment
- Michael Peeples – reappointment

SOUTH SALISBURY VOLUNTEER FIRE DEPARTMENT

- Gary M. Gaskey - reappointment
- Michael E. Goodman - reappointment

UNION VOLUNTEER FIRE DEPARTMENT

- Kevin Kesler - reappointment
- Rick Waller - reappointment

WEST ROWAN VOLUNTEER FIRE DEPARTMENT

- Eddie Mills - reappointment
- Philip Sloop - reappointment

WOODLEAF VOLUNTEER FIRE DEPARTMENT

- Joseph Artie Watson - reappointment
- Joseph Gregory - reappointment

6A. CLOSED SESSION

The Board entered into Closed Session

At 5:15 p.m. Chairman Edds called for a recess.

RECONVENE

At 6:00 p.m., Chairman Edds called on the Board to reconvene

7. PUBLIC HEARING FOR Z 09-22 : RP SALISBURY PARTNERS

Shane Stewart, Assistant Planning & Development Director presented an illustration of rezoning requests. There was discussion from the applicant Cason Boofey of the company Rooker. Rooker and a partner company have combined to develop 60 million square feet of Class A industrial office and retail real estate across the southeastern United States. They want to bring new companies, new industries, and new jobs to Rowan county. They have developed hundreds of these projects since 1967. Law firm Nexsen Pruet and developer Austin Watts also were available for questions. There was discussion that construction could begin Summer 2023.

Chairman Edds asked if the developers would be funding the road construct including turning lanes. Mr. Boofey stated yes. Commissioner Pierce asked if they were approved, what type of timeframe are they looking to complete the 1st building. Mr. Boofey stated that if approved, they could begin this summer. This project could take 12 to 18 months. Completion would be 4th quarter 2024. Commissioner Pierce asked if they would be going ahead to complete the road and sewer work. Mr. Boofey stated yes. There are no current tenants. Mr. Boofey further discussed that they prepare the land in such a way that if they have to stop, there will be no issues with erosion.

Chairman Edds opened the Public Hearing

Marlena Parks said she does not have a problem with the project but has a problem with the road coming off of Webb Road where Loves gas station is located. She wants to know if the truck will be allowed to come out onto Webb Road. Ms. Parks stated that her family farms off of that road and would like there to be a farm equipment sign and speed limit sign added to the road because right now there is no speed limit.

Jake Parks of 1311 Webb Road also spoke regarding the poor visibility of the Webb Road and the speed at which some individuals are driving.

Mr. Stewart explained that there will be a traffic light placed at Lane and Peeler Road.

Commissioner Klusman asked if there has been any discussion from Department of Transportation (DOT) on putting in more roundabouts to combat speeding and trucks having to stop at intersections. Shane stated that it would be "awfully tight" to put a roundabout in that area.

Carl Hanes of 1115 Webb Road stated that the light will be right at his property. He stated that he has concerns about the entrance of the proposed site. It creates a visibility hazard for those coming out of his driveway. Three of the homes have children. He asked the Commissioners to be equally diligent in ensuring the safety of the residents. He commended the Commissioners on doing a great job bringing growth to the county. He also asked to lower the speed limit on Webb Road from 55 to 45 miles per hour in an effort to reduce accidents

Brenda Kizer of 1205 Webb Road has lived there most of her life and would like to know the design of the road because it will be right in front of her house. She hears what sounds like cars racing down the road. When the road is wet, it is slippery and she is concerned that a vehicle may not be able to stop before hitting her home. Ms. Kizer explained further about her concerns of traffic from the potential 300 new employees and Webb Road Flea Market.

Chairman Edds closed the Public Hearing after hearing no more comments.

The developer spoke about not having control over Hurst Drive where there is a large pond. The Road that they are on is roughly 1500 feet from the interchange which qualifies them for a signal sometime in the future.

Chairman Edds stated that the more of these requests they hear, the more concerns about traffic that they hear. He stated that they rely on the Planning Department and the DOT to determine if the roads are adequate and safe based on the traffic that this type of project will bring.

Commissioner Pierce informed the citizens that they will have an opportunity to address DOT about the speed limit and the road placements. He explained the limitations of Commissioners in projects like these and encouraged them to attend the public hearings from the DOT to let their voices be heard. Chairman Edds stated that they have access to a DOT engineer and can ask for them to take a look at the road to address the speed. Commissioner Caskey added that adding a farm equipment sign could be requested.

Chairman Edds made a motion to approve 409-002 409-005 Z09-22 take in consideration of the conditions. Motion seconded by Commissioner Pierce and passed unanimously (5-0).

ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 7:13 p.m. The motion was seconded by Commissioner Klusman. The motion passed unanimously (5-0).

Respectfully Submitted,



Siobhan Allen BSW, MGH, MCC
Clerk to the Board