

**MINUTES OF THE MEETING OF THE  
ROWAN COUNTY BOARD OF COMMISSIONERS  
APRIL 16, 2001 – 7:00 PM  
J. NEWTON COHEN SR. ROOM, ADMINISTRATION BUILDING**

Present: Steve Blount, Chairman  
Gus Andrews, Vice-Chairman  
Arnold Chamberlain, Member  
Frank Tadlock, Member  
Leda Belk, Member

The County Manager, the Clerk to the Board, the County Attorney and the Finance Director were also present.

Chairman Blount called the meeting to order at 7:40 pm.

Commissioner Chamberlain provided the Invocation and Commissioner Andrews led the Pledge of Allegiance.

**ADDITIONS TO THE AGENDA:**

- Commissioner Belk requested to discuss the DSS Facility Study on additional space.
- Commissioner Andrews wished to address the Board on the recent trip to Duke Power, as part of the Commissioner Liaison Board reports.
- Chairman Blount added the presentation of the financial details of the South Rowan Water System to be listed as agenda item #13.

**COMMISSIONER LIAISON BOARD REPORT:**

Commissioner Andrews reported about the recent outing that the Commissioners and the County Manager took, with a group of area fifth graders, to the Duke Power facility at the Buck Steam plant location. Commissioner Andrews explained that it was heartwarming to see what Duke Power had accomplished in the preservation of wild life and nature.

Commissioner Andrews also expressed a “Thank You” to Duke Power for what they are doing to broaden the education of our children. Commissioner Tadlock “echoed” the statements of Commissioner Andrews.

**LEGISLATION ON ANNEXATION:**

Chairman Blount handed out a proposed local legislative bill he received from Salisbury Mayor Kluttz, concerning satellite annexation by the City of Salisbury. This concerns the City of Salisbury being exempt from the 10 percent cap on volunteer satellite annexation. This has been granted to other municipalities and has been used to promote new industries moving into the area.

**CONSIDERATION OF THE CONSENT AGENDA:**

Commissioner Chamberlain questioned Leslie Earnhardt, Finance Director, about the replacement of vehicles with less than 100,000 miles. Ms. Earnhardt stated that there were 15 vehicles being replaced and the reason the vehicles with less than 100,000 miles are being replaced may be because they were involved in a wreck. Ms. Earnhardt stated that the vehicles being replaced “need to be replaced”.

Chairman Blount requested a correction to the minutes of the March 19, 2001 meeting, on page 5, changing the word “omitted” to read, “emitted”.

Chairman Blount requested to pull the budget amendment from the Sheriff’s Office concerning the purchase of a vehicle in item #E.

Commissioner Chamberlain made a motion to approve the Consent Agenda, with the exception of the above listed budget amendment, as presented. Commissioner Tadlock seconded and the motion carried unanimously.

The Consent Agenda consisted of the following:

- A. Approval of the minutes of the 03/05/2001 Board of Commission meeting.
- B. Approval of the minutes of the 04/02/2001 Board of Commission meeting.
- C. Approval to declare vehicles surplus.
- D. Approval of the receipt of grant money to the Health Link program.
- E. Approval of Budget Amendments, with the exception of the request from the Sheriff’s Department for vehicles.

**BUDGET AMENDMENT: SHERIFF'S OFFICE REQUEST TO PURCHASE A VEHICLE:**

Chairman Blount informed the Board that a committee had been meeting to discuss a security system for the Courthouse facility. Since this system will cost an undetermined amount, the Forfeiture Funds may need to be used for this purpose. The estimated cost of the security system may be approximately \$300,000 per year. This would be a recurring expense.

Commissioner Chamberlain voiced concern about funding for the security system, being paid for at the expense of "something not happening that should happen" at the Sheriff's Department.

Ms. Earnhardt commented that the vehicle, requested in the budget amendment from the Sheriff's Department, would be an additional vehicle that was not previously requested for the current budget year.

By consensus, the Board agreed to hold this budget amendment request for further staff review.

**PUBLIC HEARING FOR SPECIAL CONSIDERATION FOR THE PROPOSED ROAD NAME OF WRANGLER ROAD:**

Fredda Greer, from the Planning Department, informed the Board that this request came from a delay in an emergency call to Corriher Mobile Home Park because of the close proximity to another mobile home park in the same area. The mobile home park owner did not respond within the 30-day limitation, therefore, staff recommended the name "Wrangler Road".

Chairman Blount opened the public hearing. There being no one in attendance that wished to address the Board, Chairman Blount closed the public hearing.

Commissioner Tadlock made a motion to approve the road name of "Wrangler Road". Commissioner Andrews seconded and the motion passed unanimously.

**PUBLIC HEARING FOR THE PROPOSED ROAD NAME OF JOY HILL ROAD:**

Ms. Greer informed the Board that a request was received from a resident on an unnamed portion of Wild Bill Lane. There was interference from a resident along this road concerning an E-911 call. The proposed name for this road is "Joy Hill Road".

Chairman Blount opened the public hearing to entertain comments. Those that came forward were as follows:

1. Paul Flowers, a resident of Flat Rock Road for approximately 11 years, stated that "Wild Bill" was his brother-in-law and that he lives on the other end of the road.

Mr. Flowers stated that two or three years ago the sign “Wild Bill Lane” was placed off of Hwy 52, at the entrance to Wild Bill Corriher’s Farm, on the west end of the road, and the families on the east end of the road were not contacted about the naming of the road. Mr. Flowers voiced concern over different names for the same road and the need for two road signs.

There being no further comments, Chairman Blount closed the public hearing.

Commissioner Chamberlain made a motion to approve the name “Joy Hill Road”. Commissioner Belk seconded and the motion passed unanimously.

**PUBLIC HEARING FOR REPLACEMENT OF A BRIDGE LOCATED AT LOWER STONE CHURCH ROAD:**

Ed Muire, from the Planning Department, explained that this courtesy public hearing is to receive comment on the scheduled replacement of the single lane bridge on Lower Stone Church Road and to consider the two alternatives for the bridge replacement.

Chairman Blount opened the public hearing to entertain comments.

There being no one in attendance that wished to address the Board, Chairman Blount closed the public hearing.

Commissioner Belk made a motion to move the bridge to the west, if there would be no impact on homes in the area. Commissioner Tadlock seconded and the motion passed unanimously.

**SELECTION OF THE ROWAN COUNTY TELECOMMUNICATIONS DEPARTMENT AS A MODEL COMMUNITY FOR THE STATE FOR A SPECIAL PROJECT / FRANK THOMASON-APRIL EMPLOYEE OF THE MONTH:**

Frank Thomason, Rowan County Telecommunications Director, reported to the Board that Rowan County had been asked by the National Association of Public Safety Communications Officials (APCO) to be a Model Community, representing North Carolina, in a 9-1-1 Wireless National Project. The project is geared towards the 9-1-1 system working more efficiently with cellular phones and wireless devices in enhancing phone numbers and locations from these calls.

Chairman Blount presented Mr. Thomason with a certificate, naming him as Rowan County’s Employee of the Month for April, for his dedicated service.

**PRESENTATION ON “SHIELD A BADGE”:**

Commissioner Chamberlain informed the Board of the Shield-A-Badge program, emphasizing that the program invites people to commit to praying for an officer everyday

for one year, including sending birthday cards and notes of thanks. Through contributions, 5,000 bibles have been purchased and given to area Law Enforcement Officers, 911 Communicators, Probation Officers, Animal Control Officers and NC Highway Patrol Officers. Commissioner Chamberlain introduced Chaplain Michael Taylor and Steve Schenk from the Sheriff's Department.

Rev. Michael Taylor informed the Board that Law Enforcement Week would be coming up in May and asked the Board to consider a Proclamation, in recognition for the sacrifices and responsibilities of these officers.

Chief Deputy Schenk complimented the program and the support that it gives to the Sheriff's Department, emphasizing that Rev. Taylor meets with the staff at least once a week and is there for families when they are in need.

Commissioner Chamberlain made a motion to proclaim May as "Shield-A-Badge With Prayer Awareness Month" in Rowan County. Commissioner Andrews seconded and the motion carried unanimously.

**DISCUSSION OF THE REQUEST FROM LEO WALLACE, JR. FOR CHANGES IN THE ACCEPTANCE OF MOBILE HOME SUBDIVISIONS:**

Chairman Blount reviewed with the Board a letter he received from Leo Wallace expressing concern over there being no restrictions on the placement of mobile home subdivisions in Rowan County. Chairman Blount, for the benefit of the two new Commissioners, reviewed that approximately one and a half years ago, staff reviewed this issue and discussed an overlay. The Board decided not to enact this ordinance at that time.

Mr. Muire emphasized that the Board was concerned with the overlay process. The proposed two-acre minimum lot size would preempt spot zoning, making it difficult to separate the two-acre overlay from a one-half acre lot within that overlay. Discriminating issues were a concern. Mr. Muire referred to a map, enclosed in the Commissioner's packets that pointed out that the projects for single family vs. manufactured homes are approximately two to one. Staff recommended regulating all major subdivisions or do nothing.

Commissioners discussed this issue and concerns about where to draw the line. It was decided to continue to give this more thought, emphasizing that this presentation was only for a discussion.

**FAMILY SUBDIVISION WAIVER FSW-01-01 FOR GEORGE AND RICHARD TUCKER: (REVISITED LATER IN THE MEETING – SEE BELOW):**

Mr. Muire explained that George Tucker and Richard Tucker requested consideration of a family subdivision waiver to allow for the sale of two tracts, 6 & 7. Since most of the tracts created have a thirty-foot, non-NCDOT standard right-of-way, approval of new

tracts could only be granted through the family provision of the subdivision ordinance. Mr. Muire pointed out that Richard Tucker had been diagnosed with an illness that requires surgery, with a recovery and treatment period. Section 21-54 of the Rowan County Subdivision Ordinance allows the Board of Commissioners to authorize waivers for undue hardships. Staff recommended the waiver to Tract 7 only.

Chairman Blount asked to have information added to the plat that would state the road is a non-NC DOT maintained road, to be available to the potential buyer. Mr. Muire stated that the lot is currently an existing lot and recommended a disclosure statement on the deed that the buyer would recognize. The buyer was present and stated that she would agree to the additional language in the deed.

Commissioner Tadlock made a motion to approve the Family Subdivision Waiver for Tract # 7 as recommended by staff. Commissioner Andrews seconded and the motion carried unanimously.

**SNIA APPROVAL FOR ANGELO ANDOLARO:**

Mr. Muire explained the request to expand an existing building, the Mooresville Motorsports Complex, for the addition of a 4,000 square foot building. This would be the third expansion, which still meets the Impervious Cover limitations.

Mr. Muire explained that a SNIA (Special Non-Residential Intensity Allocation) permit is a permit in the designated watershed areas in the County. Development for non-residential projects is limited to 12 percent built-upon area or impervious cover that includes paved or graveled parking lots, accessory buildings, or anything that would not be impervious to water. The State allows a low-density option, where no engineer storm water controls are required. The County can take 10 percent of the acreage in the watershed and allow it to be developed up to 70 percent. Periodic requests are received in the Planning Department for new lots or existing projects that need to be expanded under the watershed provision. If the 12 percent requirement cannot be met, there is a “pot-of-acreage” (the 10 percent in the watershed) that can be allowed for development.

Commissioner Chamberlain made a motion to grant the SNIA request. Commissioner Tadlock seconded and the motion carried unanimously.

**SHERIFF’S DEPARTMENT REQUEST FOR APPROVAL TO PURSUE GRANT FOR FREE MULTIPURPOSE NIGHT VISION SURVEILLANCE KIT:**

Chief Schenk asked for approval to apply for a grant for a multipurpose night vision surveillance kit. This grant is available through the United States Office of National Drug Control Policy Counterdrug Technology Assessment Center. There is no cost to the County and also no guarantee that this application would be approved.

Commissioner Andrews made a motion to approve the request. Commissioner Belk seconded and the motion carried unanimously.

**PROPOSED LEGISLATIVE ACT TO ESTABLISH TOURISM AUTHORITY:**

Judy Newman, Director of the Rowan County Convention and Visitor’s Bureau (RCCVB) and Pat Nelson, Frank Goodnight and Kaye Hirst, RCCVB Board members, were present.

Chairman Blount explained the history of the Tourism Board, which legislation had not previously clearly defined. When legislation was reworded, it was not stated that this board would be a part of Rowan County Government, or an authority. The County would appoint their board members and collect and distribute the taxes.

Chairman Blount presented the changes in the current legislation to be presented before the House and Senate, where a bill is being held for this action. The changes are to make Tourism an Authority.

The changes to be made to this document were as follows:

- 1) Under Section 2 (6), the word **“demonstrated” is to be omitted.**
- 2) Under Section 1 (e), the wording shall read: .....Authority shall report at the close of the fiscal year to the board of commissioners on its receipts and expenditures **“and their program’s accomplishments” is to be added.**
- 3) Under Section 2 (1) a county commissioner **“or their designee” is to be added.**  
(2) a member of the Salisbury City Council **“or their designee” is to be added.**

Chairman Blount stated that approval from the Board is needed for this proposed legislative act, which would be sent to our legislators.

Commissioner Belk made a motion to approve the legislative act to establish the Tourism Authority with the changes. Commissioner Tadlock seconded and the motion passed by a unanimous vote.

**(REVISITED) FAMILY SUBDIVISION WAIVER FSW-01-01 FOR GEORGE AND RICHARD TUCKER:**

\*\*In addition to a previously discussed agenda item, Mr. Muire requested an opportunity to revisit the request for FSW-01-01, noting that members of the family were present and they wished to make comments concerning the approval of one lot and not the two lots, which were in the application request.

Chairman Blount apologized for the oversight and called the family members forward for comments.

Pam Kilpatrick, daughter of George Tucker, stated that, due to family hardships, they were requesting to release tracts #6 and #7 so that both tracts could be sold without any delays.

Chairman Blount suggested that Ms. Kilpatrick come back to the Board with an additional waiver request, when a buyer becomes available for tract #6 and to bring a sworn statement from the buyer stating that the buyer understands the conditions of the road.

Chairman Blount called for a break at 9:05.

Chairman Blount reconvened the meeting at 9:15 pm.

**APPROVAL OF TRANSFER OF THE MAJORITY INTEREST IN FIXED BASED OPERATOR – ROWAN COUNTY AIRPORT:**

Mr. Russell reviewed with the Board the request to approve the transfer of the majority of interest in the Fixed Based Operator (FBO) at the Rowan County Airport. Mr. Russell explained that the current FBO had sold the majority of interest to Star Aircraft, LLC, which is owned by Dr. Philip Martin from Raleigh, with plans for expanding the facility. According to the lease, the FBO is required to notify the County for approval to extend the same rights to the new FBO. A request was made to receive documentation about the equity, which had not been received. Mr. Russell recommended approval of the transfer/sell of the majority of interest, subject to receipt of this information. This would not extend the term of the lease.

Mr. Russell reviewed with the Board the history of the FBO at the Rowan County Airport.

Commissioner Chamberlain made a motion to approve the transfer of ownership, if this request is for a transfer only, subject to acceptable financial statements from the new majority stockholder. Commissioner Tadlock seconded and the motion passed unanimously.

Mr. Russell suggested a tour of the Rowan County Airport for the Commissioners.

**ADDITION: DSS SPACE FACILITY UPDATE:**

It was decided to have staff look into options concerning additional space and report to the Board at budget.

**ADDITION: SOUTH ROWAN WATER UPDATE:**

Chairman Blount presented the Board with handouts that depicting the cost estimates for the water extensions along Highway 29 South to serve the southern portion of Rowan County, reviewing Phase I and Phase II and emphasizing that the cost would be less if the

project were completed at one time rather than in different phases. Landis and China Grove would participate in the cost to the level of usage they would have in the system. Economic Development would also benefit from this expansion of water.

Chairman Blount stressed that there is no intent for Rowan County to get into the water business, but rather to pay for the cost of getting the capacity put into the ground. As growth continues along I-85, Rowan County would sell this capacity.

Chairman Blount passed out an additional handout of a spreadsheet showing the cost per 100,000 gallons per day increments going from the minimum flow up to 2 million gallons per day. Also shown were the payment schedules for financing, comparing seven year and ten-year terms.

Chairman Blount emphasized that the future of South Rowan depends on water. Chairman Blount and Commissioner Tadlock were to attend the Landis Town meeting for a presentation.

**PUBLIC COMMENT PERIOD:**

Chairman Blount opened the public comment period to entertain comments. Those that came forward were as follows:

1. Bobby Kemp first thanked the Board for their assistance with the Fair Grounds for the South Eastern Walker Association. Mr. Kemp, who is employed with American Homes of Rockwell, then addressed the Board asking for an extension of the waiver of the mobile home disposal landfill charge. Mr. Kemp stated that he had many people speak with him about this issue and their lack of funds and means to dispose of these homes. Mr. Kemp asked the Board to consider opening up the door “a little longer” to dispose of these homes.

It was reported that 28 mobile homes were disposed of during the 90-day waiver period.

Chairman Blount asked Don Conner, Director of Environmental Services, to report back to the Board with a recommendation on the expansion of the waiver period.

There being no further business, Chairman Blount adjourned the meeting at 10:05 p.m.

Respectively Submitted,

Rita K. Foil,  
Clerk to the Board