

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
April 18, 2011 – 6:00 PM**

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Chad Mitchell, Chairman
Carl Ford, Vice-Chairman
Jon Barber, Member
Raymond Coltrain, Member
Jim Sides, Member

County Manager Gary Page, Clerk to the Board Carolyn Athey, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Mitchell convened the meeting at 6:00 pm.

Commissioner Sides provided the Invocation and also led the Pledge of Allegiance.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Coltrain seconded and the vote to approve the minutes of the April 4, 2011 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

There were no additions to the agenda.

CONSIDER DELETIONS FROM THE AGENDA

There were no deletions from the agenda.

Commissioner Sides moved, Commissioner Barber seconded and the vote to add a discussion regarding communication from an attorney passed unanimously.

Chairman Mitchell added the issue as agenda item #4a.

CONSIDER APPROVAL OF THE AGENDA

Commissioner Barber moved, Commissioner Sides seconded and the vote to approve the agenda passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Sides requested to move Consent Agenda Item H to the regular agenda for discussion.

Chairman Mitchell added the issue as agenda item #4b.

Commissioner Barber moved approval of the Consent Agenda. The motion was seconded by Commissioner Sides and passed unanimously.

The Consent Agenda consisted of the following:

A. Proclamation for Law Enforcement Week May 15-21, 2011

WHEREAS, the Congress and President of the United States have designated May 15 through May 21, 2011 as LAW ENFORCEMENT WEEK; and

WHEREAS, the members of all the law enforcements agencies in Rowan County play an essential role in safeguarding the rights and freedoms of all our citizens; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement agencies; and

WHEREAS, members of our law enforcement agencies recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, law enforcement officers, past and present, have faithfully and loyally rendered a dedicated service to this County and have established for themselves an enviable and enduring reputation to preserving the rights and security of all citizens; and

THEREFORE BE IT PROCLAIMED that the Rowan County Board of Commissioners does hereby proclaim May 15-21, 2011 as LAW ENFORCEMENT WEEK.

NOW, THEREFORE BE IT FURTHER PROCLAIMED that the Rowan County Board of Commissioners calls upon all citizens of Rowan County to observe May 17, 2011 as PEACE OFFICERS’ MEMORIAL DAY in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

B. Proclamation to Establish May as Shield-A-Badge with Prayer Awareness Month

WHEREAS, the Shield-A-Badge With Prayer program works to affirm the commitment of Rowan County Law Enforcement Officers and encourages citizen awareness and appreciation for these officers; and

WHEREAS, the program invites citizens to commit to pray for an officer every day for one year and to send birthday cards and notes of thanks to these officers; and

WHEREAS, through the generosity of individuals, businesses and churches that have donated services and fundraisers, 10,000 Bibles, 3,000 Shield-A-Badge Bible Promise Books and 10,000 New Testaments have been purchased to be given away; and

WHEREAS, the Shield-A-Badge With Prayer program began in Rowan County, by Chaplain Michael Taylor and has begun to expand statewide, reaching out to other counties, municipalities, colleges, hospitals, correctional facilities, 911 communicators, probations officers and animal control officers; state highway patrol troopers; fire departments; Clerk of Court employees; magistrates; judges; and

WHEREAS, through the dedication and travels of Chaplain Taylor, counties from across the state are receiving encouragement and training for chaplains.

NOW, THEREFORE BE IT PROCLAIMED that the Rowan County Board of Commissioners does hereby establish the month of May as Shield-A-Badge With Prayer Awareness Month.

- C. Donation of Surplus Styker MX Stretcher to Rockwell Rural Fire Department
- D. Planning and Zoning Services Contract With Town of China Grove
- E. Set Quasi-Judicial Hearing for May 2, 2011 for PCUR 02-11 for Metal Recycling Center
- F. Set Public Hearing for May 2, 2011 for Z 01-11
- G. Set Public Hearing for May 2, 2012 for FY 2012 Targeted Transit Assistance Grant
- H. Final Approval of Lease for Piedmont Skydiving LLC (Previously Submitted as Skydive Rowan) (moved to the regular agenda as item #4b)

2. PUBLIC COMMENT PERIOD

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

- Frank Thomason, Emergency Services Director, provided the Board with a summary regarding the severe weather that occurred over the weekend. Mr. Thomason said a tornado touched down in northern Rowan County and he provided a power point presentation as he highlighted some of the damages. Mr. Thomason concluded by praising all public safety agencies and allied responding agencies for their work in the event.

Chairman Mitchell said Rowan County was fortunate to have the emergency service personnel and volunteers to respond to events of this nature.

Commissioner Sides also praised Duke Energy for its prompt response to restore power to the affected areas.

With no one else wishing to address the Board, Chairman Mitchell closed the Public Comment Period.

3. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board's consideration:

- County Assessor – Appropriate funds to increase revenue and expenditures for audit discoveries - \$26,343
- Social Services – Increase line item for Medicaid Transportation based on projected spending through June 30. Social Services receives 100% federal revenue for these costs - \$150,000
- Social Services – Increase line items for Crisis Intervention Program assistance payments, both expenditures and revenues, based on new funding authorization received - \$14,306 Administered by Rowan Helping Ministries to assist with heating and cooling emergencies for low-income households. In addition, Social Services is reducing the expenditure line items for temporary staff for administration of the Low Income Energy Assistance program in order to contract for additional administrative activities for the Crisis Intervention Program provided by Rowan Helping Ministries - \$3,875 (no County funds are required)

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

4. SET DATE/TIME FOR PUBLIC HEARING FOR FY 2011-12 BUDGET

Chairman Mitchell said the Board typically holds the public hearing for the budget during the first meeting in the month of June.

Chairman Mitchell suggested the Board conduct its regular meeting on June 6, 2011 at 3:00 pm, allocate approximately 1 to 1 ½ hours for the meeting, recess until 5:30 pm, at which time the Board could reconvene, conduct the public hearing for the volunteer fire departments for approximately 1 to 1 ½ hours, and advertise for the regular budget public hearing to follow.

Commissioner Coltrain asked if the suggested time of 5:30 pm would provide enough time for people to get off work and make it to the public hearing. Chairman Mitchell responded that he felt most people could make it to the public hearing by 5:30 pm and most certainly during the 1 to 1 ½ hour timeframe that would be allocated.

Commissioner Coltrain asked if people would be allowed to speak during the general public hearing if they were unable to make it for the 5:30 pm public

hearing. Chairman Mitchell said it would not be a problem; he was trying to concentrate on separating the groups.

Commissioner Sides said he was fine with the date.

Chairman Mitchell moved to set the time for the public hearing for the budget at 5:30 pm for the fire department tax portion and the regular budget public hearing at 7:00 pm. The motion was seconded by Commissioner Coltrain and passed unanimously.

ADDITION

4a. Communication From an Attorney

Commissioner Sides said the Board had received a copy of a communication from Anthony Fox, the attorney with the Parker Poe law firm, who represented the County in the case involving the tower in western Rowan County.

Commissioner Sides said there was a court hearing that would involve a request for dismissal of pending action and the Board was requested to provide direction on how to proceed.

Commissioner Sides moved to allow Parker Poe to represent Rowan County at the court hearing and to request dismissal of the pending action. The motion was seconded by Commissioner Barber and passed unanimously.

4b. Final Approval of Lease for Piedmont Skydiving LLC (Previously Submitted as Skydive Rowan)

(This topic was pulled from the Consent Agenda for discussion)

Commissioner Sides said on March 7, 2011 the Board received a lease agreement regarding a skydiving operation at the Rowan County Airport (Airport). Commissioner Sides said the Board approved the lease with several amendments and a request that the lease be brought back to the Board for final approval. Commissioner Sides said he had several discussions with the County Attorney and the Airport Director since that time pertaining to the lease.

Commissioner Sides said the lease before the Board represented a different owner, a different company and changes to terms for the lease. Commissioner Sides said the individual now was leasing a hangar, he would be housing a plane at the Airport and also be purchasing fuel from the Airport.

Commissioner Sides said the owner had requested not to pay the drop zone fee. Commissioner Sides said based on the lease handed out prior to the meeting, he moved to accept the lease with one change on page 2, item 3.2 under JUMP FEES. Commissioner Sides said his motion was to change the wording for the County to begin collecting the jump fee in "year one". The motion was seconded by Commissioner Barber.

Commissioner Coltrain asked if the changes would have any negative effects on the company following through with the lease. Chairman Mitchell said the change was not what the company proposed and if the owner wished to negotiate, he would have to come back to the Board.

Commissioner Sides compared the lease to other airports and pointed out that one airport charged a \$100 per month commercial operations fee and the other airport charged the hangar fee, plus the jump fee. Commissioner Sides felt the change would put the Airport in line with what other airports were doing.

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

5. ADJOURNMENT

There being no further business to come before the Board, Commissioner Barber moved to adjourn at 6:16 pm. The motion was seconded by Commissioner Ford and passed unanimously.

Respectfully Submitted,

Carolyn Athey, CMC, NCCCC
Clerk to the Board/Assistant to the County Manager