

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**

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**

**June 6, 2022 – 3:00 PM**

**J. NEWTON COHEN, SR. ROOM**

**J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING**

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Present: Jim Greene, Vice-Chairman  
Mike Caskey, Member  
Craig Pierce, Member  
Judy Klusman, Member

Absent: Greg Edds, Chairman

County Manager Aaron Church, Clerk to the Board Carolyn Barger, County Attorney Jay Dees, and Finance Director James Howden were also present.

Vice-Chairman Greene convened the meeting at 3:00 p.m.

Chaplain Michael Taylor provided the Invocation.

Vice-Chairman Greene led the Pledge of Allegiance.

#### **CONSIDER ADDITIONS TO THE AGENDA**

Commissioner Pierce requested to add the following two (2) items to the Consent Agenda:

- First Amendment to Town of Spencer Interlocal Undertaking Agreement
- Resolution in Support of Emergency Management Administration to Offer Fair and Full Consideration of the City of Salisbury's Application for a New Drinking Water Pump Station

Commissioner Klusman moved to accept the requested additions followed by a second from Commissioner Pierce. The motion passed unanimously (4-0).

The items were added to the Consent Agenda respectively as Item P and Item Q.

#### **CONSIDER DELETIONS FROM THE AGENDA**

There were no deletions from the agenda.

## **CONSIDER APPROVAL OF THE AGENDA**

Commissioner Klusman moved, Commissioner Pierce seconded and the vote to approve the agenda as amended passed unanimously (4-0).

## **CONSIDER APPROVAL OF THE MINUTES**

Commissioner Klusman moved, Commissioner Pierce seconded and the vote to approve the minutes of the May 16, 2022 Commission Meeting passed unanimously.

## **1. CONSIDER APPROVAL OF CONSENT AGENDA**

Commissioner Pierce moved approval of the amended Consent Agenda. The motion was seconded by Commissioner Klusman and passed unanimously.

The Consent Agenda consisted of the following:

- A. Cannon Foundation Grant Application
- B. Addendum C to Systel Business Equipment Co., Inc.
- C. Tyler Technologies Contract for Online Payments
- D. Mid-Carolina Aviation First Lease Amendment LFBO
- E. Schedule Public Hearing for HLC 01-22
- F. Request to Waive Cost for Re-Advertisement of Public Hearing for Red Rock Rezoning
- G. Schedule Public Hearing for Z 04-22: Red Rock Developments LLC. for June 20 2022
- H. Request for Incentive Agreement Amendment - Teijin
- I. Fireworks Display; Nazareth Children's Home
- J. Chemical Booster Station - Change Order
- K. On-Airport Obstruction Removal
- L. FAA Airport Improvement Program (AIP) Sponsor Certifications
- M. Juvenile Crime Prevention Council FY 22-23 Certification
- N. Juvenile Crime Prevention Council FY 22-23 Funding
- O. Contract with Republic Services of NC
- P. First Amendment to Town of Spencer Interlocal Undertaking Agreement (addition to the Consent Agenda – see below)

To: Rowan County Board of Commissioners  
Aaron, Church, County Manager

From: Anna Bumgarner, Director of Purchasing/Contract Administration  
Kevin Auten, Rowan County Sheriff

Re: First Amendment to Town of Spencer Interlocal Undertaking Agreement

Date: June 6, 2022

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On November 1, 2021, Rowan County Board of Commissioners approved an Interlocal Undertaking Agreement with the Town of Spencer for the Sheriff's Office to provide temporary law enforcement due to a shortage of officers in the Town. The Town of Spencer is now requesting to extend the initial term of this agreement for an additional 6 months. Attached is the First Amendment and Resolution from Town of Spencer.

Recommendation: It is recommended that the Board of Commissioners authorize the County Manager to sign a First Amendment to the Interlocal Undertaking Agreement with Town of Spencer to extend the initial term by six (6) months for temporary law enforcement.

### **FIRST AMENDMENT TO INTERLOCAL UNDERTAKING AGREEMENT**

This is the First Amendment to Interlocal Undertaking Agreement between the TOWN OF SPENCER, a North Carolina municipal corporation (hereinafter "Town"), and the COUNTY OF ROWAN, a political subdivision of the State of North Carolina (hereinafter "County") and the SHERIFF OF ROWAN COUNTY, a constitutional office of the State of North Carolina (hereinafter "Sheriff"), collectively referred to as "Parties". This Agreement is made pursuant to North Carolina General Statutes Sections 160A-288 and 160A-460 through 160A-466. The Date of this First Amendment to Interlocal Undertaking Agreement is \_\_\_\_\_ (hereinafter "Agreement").

#### **Authority**

The Parties previously entered into an Interlocal Undertaking Agreement dated December 7, 2021 (the "Agreement") with an Initial Term of six (6) months for the purpose of establishing an undertaking in which the County will provide temporary law enforcement assistance to the Town pursuant to specific terms outlined herein. And the parties now desire to Amend the Initial Term to add an additional six (6) months Extended Term.

#### **Effective Date of Agreement**

This Agreement shall become effective and enforceable by the Parties upon the full execution of this Agreement and the full ratification of resolutions by the governing bodies of both the Town and the County as outlined below. This date shall be the "Effective Date" for purposes of this Amendment.

#### **Amended Terms**

##### **Duration of Agreement and Amendment/Termination Thereof**

Pursuant to the Agreement, the contents and terms can be "amended, and/or the duration of this Agreement can be extended, at any time prior to its expiration six (6) months from the Effective Date upon the execution of a written amendment executed by the undersigned (or other duly-authorized representatives) on behalf of their respective governing bodies following ratification by resolution of the governing board of the Town and the County".

The parties hereby amend the Section "Duration of Agreement and Amendment/Termination Thereof" by extending the Initial Term for an additional six (6) months.

IN WITNESS WHEREOF, the Town, County, and Sheriff have authorized this Agreement to be executed and attested by their undersigned officers and to be ratified by resolution of the governing boards of the Town and County.

#### **TOWN OF SPENCER, NORTH CAROLINA**

##### **RESOLUTION AUTHORIZING THE FIRST AMENDMENT TO THE INTERLOCAL UNDERTAKING AGREEMENT REGARDING MUTUAL ASSISTANCE OF LAW ENFORCEMENT SERVICES**

**WHEREAS**, pursuant to North Carolina General Statutes Section 160A-288, the head of any law enforcement agency may temporarily provide assistance to another agency in enforcing the laws of North Carolina if so requested in writing by the head of the requesting agency; and

**WHEREAS**, under Article 20 of Chapter 160A of the North Carolina General Statutes, units of local government, including, but not limited to, cities and counties, are authorized to enter into interlocal undertaking agreements with other units of local government for the joint exercise or the contractual exercise by one unit for another unit, of any power, function, public enterprise, right, privilege, or immunity of local governments in North Carolina; and

**WHEREAS**, North Carolina General Statute Section 160A-460 defines "undertakings" and "unit of local government" as used in the Interlocal Agreement; and

**WHEREAS**, North Carolina General Statute Section 160A-461 provides specific authorization for the Interlocal Agreement; and

**WHEREAS**, the Interlocal Agreement is intended to comply with the requirements set forth in North Carolina General Statute Section 160A-464; and

**WHEREAS**, in response to a shortage in law enforcement officers, The Parties previously entered into an Interlocal Undertaking Agreement dated December 7, 2021 with an Initial Term of six months for the purpose of establishing an undertaking in which the County will provide temporary law enforcement assistance to the Town pursuant to specific terms. Although staffing has improved, the Town of Spencer wishes to extend the Agreement to continue the Interlocal Undertaking on a limited, as-needed basis, and the parties now desire to Amend the Initial Term to add an additional six months Extended Term.

**NOW, THEREFORE, BE IT RESOLVED** that the Spencer Board of Aldermen authorizes the Town Manager to execute an Interlocal Undertaking Agreement with Rowan County and the Sheriff of Rowan County to provide law enforcement services to the Town of Spencer.

**Q. Resolution in Support of Emergency Management Administration to Offer Fair and Full Consideration of the City of Salisbury's Application for a New Drinking Water Pump Station (addition to the Consent Agenda – see below)**

**IN SUPPORT OF EMERGENCY MANAGEMENT ADMINISTRATION TO OFFER FAIR AND FULL CONSIDERATION OF THE CITY OF SALISBURY'S APPLICATION FOR A NEW DRINKING WATER PUMP STATION.**

**WHEREAS**, the City of Salisbury (the City) applied to Federal Emergency Management Agency (FEMA) for a \$30 million dollar grant to fund the construction of a new drinking water pump station; and

**WHEREAS**, in the event the City is awarded said grant, Cube Yadkin Generation LLC has agreed to partner with City of Salisbury/Salisbury-Rowan Utilities (SRU) to provide a contribution of up to \$9 million for the non-federal share of the project as part of a public-private partnership; and

**WHEREAS**, this grant would allow the relocation of a pump station which supplies potable water to 100% of the 48,900 population of the water utility's service area and which includes the following:

- Hospitals (including the W.G. (Bill) Hefner VA Medical Center)
- Local Power Company
- Critical community services that rely on water (including Rowan Helping Ministries)
- Significantly disadvantaged communities particularly affected; and

**WHEREAS**, the project also supports Community Lifelines of Water, Power & Community Safety and would ensure a reliable water system for the community during flood events.

**NOW THEREFORE IT BE RESOLVED**, the Rowan County Commission asks that FEMA fully and fairly consider the City of Salisbury's application for the new drinking water pump station.

**2. SPECIAL RECOGNITION – 4H PRESENTATION BY CHRISTIAN STEBE**

Vice-Chairman Greene welcomed Christian Stebe, who had been selected to represent Rowan County at the Youth Voice Summit during the North Carolina Association of County Commissioners (NCACC) Annual Conference in August.

Mr. Stebe provided a brief presentation regarding his 4H experiences.

Vice-Chairman Greene thanked Mr. Stebe for the presentation. The Board then joined Mr. Stebe for a photograph in front of the dais.

**3. PUBLIC COMMENT PERIOD**

Vice-Chairman Greene opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. With no one coming forward, Vice-Chairman Greene closed the Public Comment Period.

#### **4. PUBLIC HEARING FOR REQUEST FOR REVISED INCENTIVE TERMS FOR RED ROCK DEVELOPMENTS**

Scott Shelton, Vice President of the Rowan Economic Development Commission, reported that Red Rock Developments (Red Rock) planned to construct up to six (6) shell buildings totaling 2.6 million square feet on Long Ferry Road. The buildings would be sold or leased to companies seeking to locate or expand their businesses in Rowan County. The buildings would be constructed over three (3) phases and the total capital investment for the project was estimated at approximately \$198 million.

On April 4, 2022, the Board of Commissioners approved an incentive request from Red Rock for the County to reimburse the company up to \$4.2 million for water, sewer and road improvements to serve the new development. The incentive was approved with the stipulation that the reimbursement would be paid upon the lease or sale of substantially all the facilities and property in Phase I of the project to a third-party job creator.

Due to rising costs in construction materials, Red Rock requested the reimbursement terms of the incentive offer be amended. Red Rock now asks that reimbursement be paid upon issuance of a Certificate of Completion for the two speculative buildings contained in Phase I of the project. The company anticipates the buildings in Phase I will be completed in the second quarter of 2024.

Commissioner Caskey referred to the site plan and asked if Red Rock would be purchasing the home located between buildings D and E. Commissioner Caskey said the people living there were concerned about the size of the industrial park. Mr. Shelton responded he was uncertain about plans for the purchase of the home.

Vice-Chairman Greene opened the public hearing to receive citizen input regarding the revised incentives.

- Todd Ward, Senior Vice President of Planning for Red Rock came forward. Mr. Ward referred to Commissioner Caskey's inquiry about plans for the home between buildings D and E. Mr. Ward said Red Rock was talking to the property owner; however, Red Rock would not commit to anything until Red Rock closed on the property. Depending on the outcome of negotiations, Mr. Ward stated if Red Rock had enough setback distance, the company would do the best it could with buffers and screening.

Mr. Ward thanked the Board for considering the amended incentives. Mr. Ward said in the current market, Red Rock fully expected to have a tenant in place prior to the end of the shell construction.

Mr. Ward continued by talking about the investment opportunity and public infrastructure that would serve more than just Red Rock down Long Ferry Road.

Mr. Ward clarified for Vice-Chairman Greene the County was basically being asked to take the \$4.2 million and move it from the point in time where Red Rock would sell the building to the point in time where Red Rock would have a Certificate of Completion for the shell buildings. Mr. Ward pointed out that the work was performance-based and had to be completed to DOT standards and to the standards of Salisbury-Rowan Utilities (SRU).

With no one else wishing to address the Board, Vice-Chairman Greene closed the public hearing.

Commissioner Pierce moved to approve the revised incentive terms for Red Rock Developments as requested. The motion was seconded by Commissioner Klusman and passed unanimously.

#### **5. PUBLIC HEARING: ZTA 01-22**

Assistant Planning Director Shane Stewart presented the staff report for ZTA 01-22. Mr. Stewart said ZTA 01-22 was a text amendment application submitted by Attorney Toby R. Coleman on behalf of Duke Energy Carolinas, LLC. The proposed amendment would establish use of a “utility wireless support structure” for sole use by an electric utility on utility owned land for purposes of monitoring their site (i.e. substation) and communicating with other similar sites and facilities.

As he highlighted the background information, Mr. Stewart said although utility structures and facilities tend to be exempt from most zoning requirements, the use in question was similar in appearance and function to a cell tower, also known as wireless support structure.

In this case, Duke Energy proposed to site a one hundred twenty-foot (120') monopole tower at a power substation location in Rowan County. Although located within the facility compound, all outward appearances would be that of a cell tower, absent the special use permit process. Staff concern was that future towers of this type may not be within the confines of a substation and want or need to be “stand-alones”, which would otherwise be subject to the special use permitting process (as cell towers) without an ordinance amendment.

The applicant consulted Staff and incorporated Staff’s suggestions into the proposed ZTA 01-22 text.



As this proposed amendment focused on use of a tower structure by Duke Energy, it was likely similar monitoring may be needed by Plantation or Colonial Pipeline in the future. The bold italicized text inserted within ZTA 01-22 were suggested by Staff in anticipation of similar utility requests.

The requirements for a utility wireless support structure would be contained in Section 21-56 of the Zoning Ordinance as a Special Requirement (SR). Uses in this section may be approved administratively provided the SR items were satisfied.

A new subsection (g) was proposed to address these uses as outlined below:

g. Utility Wireless Support Structure. In order to maintain the operation of the electric power grid and utility pipelines for the welfare and safety of the public, electric and public service utility providers must be able to remotely monitor their key facilities, including electrical substations, pipelines, etc. New utility wireless support structures may be evaluated in all zoning districts and approved administratively, provided the following SR are met:

1. The utility wireless support structure may only be for use by the electric or public service utility provider.
2. Two (2) copies of a site plan prepared by a registered professional engineer or a professional land surveyor as provided in section 21-52 including information in 21-60(4)a.1.i.
3. Documentation substantiating the owner and applicant for the utility wireless support structure is an electric or public service utility provider.
4. Fall zone certification from an NC Registered Professional Engineer in compliance with Section 21-60(4) (c).
5. No Hazard to Air Navigation determination from the Federal Aviation Administration (FAA) and No Adverse Effect determination from the NC State Historic Preservation Office (NCSHPO). Both determinations must be dated within twelve (12) months of the utility tower application submittal.
6. The utility wireless support structure shall be a monopole not to exceed one hundred fifty (150) feet. Height extensions up to one hundred ninety-nine (199) feet in the Rural Agricultural (RA), Rural Residential (RR) and Neighborhood Business (NB); and two hundred fifty (250) feet in the Commercial, Business, Industrial (CBI), Industrial (IND) and the 85-ED districts may be considered as a special use subject to the process outlined in Section 21-57 through 21-59 if all other standards in this subsection are met.

7. An existing wireless support structure may be used to accommodate the related wireless facilities associated with the electric or public service utility as provided in Section 21-56(6)d. However, use of a utility wireless support structure to accommodate wireless facilities shall be subject to the requirements of Section 21-60(4).

Mr. Stewart highlighted the Table of Uses for Section 21-113. Mr. Muire said changes to the Table of Uses would reflect the SR allowance of these structures in all zoning districts.

Within the staff report, Staff proposed a definition for these structures to include in Section 21-4 Definitions.

***Utility wireless support structure means a new monopole tower that is designed to support or capable of supporting a proprietary wireless facility used solely by a public service utility.***

Establishing the use as an SR also made it subject to the locational standards in Section 21-53 and Staff has proposed to exempt them along with other similar uses via the bold italicized text below:

(2) *Specific criteria for uses listed as SR.* The SR standards required in Section 21-55 do not apply to uses in the residential group from 21-113; Common Sand Mining (SIC 1442); Dead storage of manufactured homes (SIC 42); Co-location of wireless facilities, eligible facilities requests, alternative tower structures, and public safety tower ***utility wireless support structures*** (SIC 48 (pt)); and uses listed as SR in non-residential districts.

The Planning Board unanimously recommended approval of the ZTA 01-22 text with a modification to allow height extensions beyond the 150' limit be considered subject to the special use permit process.

Procedurally, Mr. Stewart said the Commissioners could accept the Planning Board's Statement of Consistency or create its own statement. The Planning Board met on April 25, 2022 and adopted the following Statement: ZTA 01-22 is reasonable, appropriate and necessary to meet the needs of public service utilities for the installation of communication equipment to monitor their facilities. As these utility wireless support structures were not deemed an exception or modification provided in Section 21-277 of the Rowan County Zoning Ordinance, the proposed Special Requirements (SR) provide general standards to ensure the use is governed appropriately in all zoning districts.

Vice-Chairman Greene opened the public hearing to receive citizen input regarding ZTA 01-22. The following individuals came forward to address the Board:



- James Todd, attorney for the applicant, expressed appreciation for the support and information from staff. Mr. Todd talked about the code and utilities exemptions as also highlighted by Mr. Stewart. Mr. Todd said if the Board had questions about the facts, use and how it worked, he and other staff participating remotely would be glad to respond.

With no one else coming forward, Vice-Chairman Greene closed the public hearing.

Commissioner Pierce moved approval of the Statement of Consistency as follows: ZTA 01-22 is reasonable, appropriate and necessary to meet the needs of public service utilities for the installation of communication equipment to monitor their facilities. As these utility wireless support structures were not deemed an exception or modification provided in Section 21-277 of the Rowan County Zoning Ordinance, the proposed Special Requirements (SR) provide general standards to ensure the use is governed appropriately in all zoning districts. The motion was seconded by Commissioner Caskey and passed unanimously (4-0).

Commissioner Pierce moved, Commissioner Klusman seconded and the vote to approve ZTA 01-22 carried unanimously (4-0).

## **6. ROAD NAME CHANGE – PUBLIC HEARING**

Planning Technician Pamela Ealey presented the staff report regarding the road name changes below.

### **1. Currently Known As: Organ Church Road (SR2490)**

Proposed Name: Polka Dot Lane

Location: Near intersection of Organ Church Road and Old Beatty Ford Road

Property Owners: Angela Knight, Otis Greene dba Greene's Mobile Home Land Sale, Donald Wilhelm

Reason for Change: This segment of Organ Church Road remained after the North Carolina Department of Transportation (DOT) project W-5146, the realignment of Old Beatty Ford Road and Organ Church Road intersection.

was completed. This creates two (2) roads with the name Organ Church Road that run parallel to one another, causing difficulty with mail and emergency services.

### **2. Currently Known As: No Name driveway**

Proposed Name: Baby Bee Lane

Location: 200 block of Vanderbilt Avenue, parcel 244-255

Property Owners: Richard and Kathy Major

Reason for Change: property owners are constructing a residence for their handicapped grandson on this 8+ acre tract. Assigned an address of 208 Vanderbilt Avenue, it was

then discovered that this address had already been assigned a couple of years ago. There are no address numbers available, therefore the APA recommends the naming of this drive. This will ensure that the resident will have quick access to emergency service.

3. Currently Known As: No Name driveway

Proposed Name: Sills Creek Trail

Location: 700 block of Jones Road

Property Owners: Brian Bradshaw, James and Heather Smith, Daryl Hartsell, Alan Lipscomb

Reason for Change: There are more than two (2) houses sharing a driveway. As a result, the ordinance mandates the naming of the driveway.

Following the staff report, Vice-Chairman Greene opened the public hearing to consider citizen input for the road name changes as presented. The following citizen came forward to address the Board:

- Alan Lipscomb of 805 Jones Road offered the proposed road name of Jones Farm Road as opposed to Sills Creek Trail. Mr. Lipscomb reported there was already a road by the name of Sills Creek Lane in Mooresville approximately four (4) miles from his residence. Mr. Lipscomb explained that his mail came from Mooresville and he was concerned Sills Creek Trail would create confusion for the mail carrier.

Vice-Chairman Green inquired as to whether staff had been made aware of the suggested alternate name and Ms. Ealey responded that no one had contacted the Planning Department. Ms. Ealey said she could research the name of Jones Farm Road to ensure the name would not be duplicated.

Mr. Lipscomb requested that if there duplication was discovered, he would like to be notified so he could provide another suggested name.

County Attorney Jay Dees said the Board could hold the hearing open and table the matter for a period of time adequate enough for staff to research and bring the matter back to the Board. The hearing could then be resumed rather than having to re-publish the hearing.

Commissioner Pierce moved to hold the public hearing open to the meeting in July (the July meeting dates were to be determined later during the current meeting). The motion was seconded by Commissioner Klusman and passed unanimously.

Commissioner Klusman moved to approve the proposed road names of Polka Dot Lane and Baby Bee Lane. The motion was seconded by Commissioner Caskey and passed unanimously (4-0).

## **7. REAL ESTATE PURCHASE CONTRACT FOR ROWAN-SALISBURY SCHOOL SYSTEM**

Anthony Vann, Assistant Superintendent of Operations for Rowan-Salisbury School System (RSSS) said Richard's Restaurant, located at 522 North Main Street, and which was adjacent to the Wallace Educational Forum, had become available for purchase. Mr. Vann said the Board of Education (BOE) felt that obtaining the property would provide RSSS an opportunity to expand and enhance its Career and Technical Education (CTE) and School Nutrition Culinary services for students.

During the April 11, 2022 meeting, the BOE approved the purchase contract for Richard's Restaurant property and directed administration to move forward with the purchase.

Mr. Vann noted the purchase was \$440,000 and contingent on the Commissioners approval. RSSS would obtain an updated survey of the property and there would be a determination that the site water and waste water were acceptable for use. Mr. Vann said it would be determined that there were no engineering or land planning conditions and RSSS would also conduct an environmental study of the property. In closing, Mr. Vann said if the Board approve the purchase contract, the BOE would like to move forward with the purchase of the property.

Commissioner Pierce said he understood the price RSSS would be paying was for the land and that Richard Monroe was donating the building. Mr. Vann responded he did not have that information in his packet and the RSSS attorney was working with the property owner.

Commissioner Pierce said for the record he was told by the property owner, Mr. Monroe, that he was donating the building and the \$440,000 was for the land purchase only. Mr. Vann said Sean Walker was finalizing the paperwork and he would contact him.

Commissioner Caskey said the price seemed low for the downtown area. Mr. Vann stated the price was close to appraised value; however, the acreage was very small (.83/acre). Mr. Vann said Mr. Monroe could sell the property to someone else but he had reached out to RSSS first because RSSS had worked with Mr. Monroe previously on the property where the central office was located.

In response to Commissioner Caskey, Mr. Vann said he did not have an issue with a donation for part of the price. Mr. Vann said the BOE had approved a set amount but if the attorney could work out the donation he did not have an issue. Mr. Vann sought the Commissioners approval to move forward.

Commissioner Pierce moved to approve the purchase contract for Richard's Restaurant. The motion was seconded by Commissioner Klusman and passed unanimously (4-0).

#### **8. BOARD OF EDUCATION SURPLUS PROPERTY – ENOCHVILLE ELEMENTARY**

Anthony Vann, Assistant Superintendent of Operations for Rowan-Salisbury School System (RSSS) reported that the Board of Education (BOE) had declared the Enochville elementary property surplus at its' January 26, 2021 meeting. Mr. Vann said North Carolina General Statutes required the BOE to come to the Commissioners and offer the right of first refusal for the property before the BOE disposed of it.

Mr. Vann said the BOE currently had an offer in the amount of \$500,000 for the purchase of the property. The property was located on approximately 8.44 acres at 925 N. Enochville Avenue in China Grove. The building was constructed in 1941.

Mr. Vann said the BOE would advertise the \$500,000 offer for upset bids. The BOE sought the Commissioners consideration on accepting or declining the property.

Commissioner Caskey asked who the offer was from and Mr. Vann said it was Fusion City Church (Church). Mr. Vann said he had talked with the Church about a lease; however, they wished to purchase the property.

Commissioner Klusman asked if the offer was near the appraised value. Mr. Vann reported the appraisal price obtained in March 2021, was slightly over \$2 million.

Commissioner Caskey said his daughter went to Millbridge Elementary last year and students were meeting in the cafeteria because there was not enough classroom space. Commissioner Caskey questioned the plans for RSSS based on the numerous houses proposed for construction for the area in question. Mr. Vann answered that he saw substantial growth potential for the area. Mr. Vann stated he had contracted with someone to perform a study for an estimate of the growth that was anticipated. Mr. Vann said he could see the needs and in the not too distant future some facilities would be needed in the area. Mr. Vann said it was his recommendation to look at other properties in the area as opposed to the Enochville property, which was only 8.44 acres and considered as small for current guidelines.

Commissioner Caskey asked if the BOE would ever put anything back in the existing Enochville School but Mr. Vann said while it was a BOE decision, he did not think so since there were a lot of needs due to the year the school was built.

With regards to the right of first refusal, Commissioner Pierce moved to decline the offer to transfer the property back to the County. The motion was seconded by Vice-Chairman Greene and passed unanimously (4-0).

## **9. DISCUSSION REGARDING JULY MEETING SCHEDULE**

The Board typically votes to cancel one of its July meetings when possible. The Board was scheduled to meet on Tuesday, July 5, 2022 at 3:00 p.m. and July 18, 2022 at 6:00 p.m.

Following a brief discussion, Commissioner Pierce moved to cancel the July 5, 2022 meeting. The motion was seconded by Commissioner Greene and passed unanimously (4-0).

## **10. BUDGET AMENDMENTS**

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

- Risk Fund – Increase in budget of revenue and expense to account for settlements received and increase in insurance claims. \$125,000
- Fund 201 – Fire Districts – Increase budget to cover fire districts' tax turnover for the rest of the fiscal year. \$12,000
- Finance – Transfer budget from one G/L account line to another to correct miss-key when setting up budget. \$1,000,000
- Finance – Transfer funds to recognize increase in Ambulance revenues and expenditures. \$50,000

Commissioner Pierce moved approval of the budget amendments as presented. The motion was seconded by Commissioner Klusman and passed unanimously (4-0).

## **11. CONSIDER APPROVAL OF BOARD APPOINTMENTS** **ADULT CARE HOME ADVISORY COMMITTEE**

James Emmett applied for reappointment for a three-year term, which would expire June 30, 2025.

Commissioner Pierce moved the reappointment of Mr. Emmett. The motion was seconded by Commissioner Klusman and carried unanimously (4-0).

## **AIRPORT ADVISORY BOARD**

Mark Comer resigned due to changes in his work schedule preventing him from attending meetings. The Board was asked to accept Mr. Comer's resignation.

Commissioner Pierce moved, Commissioner Klusman seconded and the vote to accept Mr. Comer's resignation passed unanimously (4-0).

The resignation created one (1) opening for a member of the **Business Community** with a term that would expire June 30, 2023. Four (4) applications were received; however, with the exception of Mr. Collins, three of the applicants were users of the Airport.

- Dwight Collins
- Garry Dale Perry
- James Javurek
- Stephen Graham Johnson

Vice-Chairman Greene moved the appointment of Dwight Collins. The motion was seconded by Commissioner Pierce.

Commissioner Caskey nominated Garry Dale Perry.

Commissioner Pierce felt the Commissioners should eliminate applicants that were users of the Airport since the open seat was for a member of the business community.

Vice-Chairman Greene called for a vote on the nominations in the order received. Upon being put to a vote the first motion to approve Dwight Collins carried (3-1) with Commissioner Caskey dissenting.

## **TOWN OF CLEVELAND ZONING AND PLANNING BOARD – ETJ**

Eugene Adkins applied for reappointment as an ETJ representative; however, he was not eligible based on the term limits in the Resolution adopted by the Board of Commissioners that governed the advisory board appointment process.

The Mayor of Cleveland requested the Board consider waiving the term limits and reappoint Mr. Adkins. If approved, the term would expire May 31, 2025.

Commissioner Pierce moved to waive the term limits as requested. The motion was seconded by Commissioner Caskey and passed unanimously (4-0).

Commissioner Pierce moved, Commissioner Caskey seconded and the vote to reappoint Eugene Adkins passed unanimously (4-0).



### **CENTRALINA WORKFORCE DEVELOPMENT BOARD**

Desiree Dunston and John Michael Beaver applied for reappointment as private sector representatives. If approved, their terms would expire June 30, 2024.

Commissioner Pierce moved the reappointment of Desiree Dunston and Mike Beaver. The motion was seconded by Commissioner Klusman and carried unanimously (4-0).

### **SALISBURY ROWAN COMMUNITY ACTION AGENCY, INC.**

Amy Archer Brown applied for reappointment for a two-year term, which would expire June 30, 2024.

Commissioner Pierce moved, Commissioner Klusman seconded and the vote for the reappointment of Amy Brown passed unanimously (4-0).

### **TOWN OF FAITH ZONING – ETJ**

Lu Gamewell applied for reappointment as an ETJ member and if approved, the term would expire May 31, 2025.

Commissioner Pierce moved, Commissioner Klusman seconded and the vote to reappoint Lu Gamewell carried unanimously (4-0).

### **JUVENILE CRIME PREVENTION COUNCIL**

The following are current members of the JCPC who applied for reappointment. If approved, the terms for each would expire June 30, 2024:

- Jenny Lee, General Public seat
- Sarah Schaller, Mental Health seat (lives outside of Rowan County but fills the Vaya Health seat)
- Haylee Gardner Shuping, General Public seat
- Carol Ann Houpe, School Superintendent (designee)

Commissioner Klusman moved to reappoint Jenny Lee. The motion was followed by a second from Commissioner Pierce and passed unanimously (4-0).

Commissioner Klusman moved, Commissioner Pierce seconded and the vote to reappoint Sarah Schaller carried unanimously (4-0).

Commissioner Klusman moved the reappointment of Haylee Shuping. The motion was seconded by Commissioner Pierce and carried unanimously (4-0).

Commissioner Klusman moved, Commissioner Pierce seconded and the vote to reappoint Carol Ann Houpe passed unanimously (4-0).

- Carla Johnston is a social work supervisor at DSS. Ms. Johnston applied to fill a vacant seat for a Member of the Public Representing Interests of Families of At-Risk Juveniles. The term would be for two (2) years and expire June 30, 2024.

Commissioner Klusman moved the appointment of Carla Johnston. The motion was seconded by Commissioner Pierce and carried unanimously (4-0).

### **ROWAN CABARRUS COMMUNITY COLLEGE BOARD OF TRUSTEES**

Dr. Lynn Marsh's term expires June 30, 2022 and she does not wish to be reappointed at this time. An application was received from Elizabeth Cook and a letter was received from Dr. Spalding, President of RCCC, supporting the appointment of Ms. Cook.

The term was for four (4) years and would expire June 30, 2026.

Vice-Chairman Greene moved the appointment of Elizabeth Cook. The motion was seconded by Commissioner Klusman and passed (3-1) with Commissioner Pierce dissenting.

### **ROWAN COUNTY BOARD OF ADJUSTMENT**

Michael Harrill applied for reappointment for a three-year term that would expire June 30, 2025.

Commissioner Klusman moved, Commissioner Caskey seconded and the vote to reappoint Michael Harrill carried unanimously (4-0).

### **BOARD OF SOCIAL SERVICES**

Alan King applied to fill a county seat that would become vacant on June 30, 2022. The term would be for three (3) years and expire June 30, 2025.

Commissioner Klusman moved the appointment of Alan King. The motion was seconded by Commissioner Caskey and passed unanimously (4-0).

### **12. CLOSED SESSION**

Vice-Chairman Greene moved at 4:13 p.m. for the Board to enter into Closed Session in accordance with North Carolina General Statute 143-318.11(a)(1) to consider approval of the minutes of the Closed Session held on May 2, 2022; and in accordance with North Carolina General Statute § 143-318.11(a)(3) for attorney-client privileged regarding airport leases. The motion was seconded by Commissioner Pierce and passed unanimously (4-0).

Commissioner Klusman moved the Board return to Open Session at 5:12 p.m. The motion was seconded by Commissioner Greene and passed unanimously (4-0).

Vice-Chairman Greene moved not to renew the leases for Hangar 61A, Hangar 61B, Hangar 26, Hangar 44 and Hangar 58 at the Mid-Carolina Regional Airport. The motion was seconded by Commissioner Pierce and passed unanimously (4-0).

### **13. ADJOURNMENT**

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 5:14 p.m. The motion was seconded by Commissioner Klusman and passed unanimously (4-0).

Respectfully Submitted,

Carolyn Barger, MMC, NCMCC  
Clerk to the Board