

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



Aaron Church, County Manager  
Sarah Pack, 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**

**March 6, 2023 – 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, Commissioner  
Judy Klusman, Commissioner  
Craig Pierce, Commissioner

#### **ABSENT:**

Greg Edds, Chairman

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

#### **Call to Order**

Vice-Chairman Greene called the meeting to order at 3:00 p.m. Chaplain Michael Taylor provided the invocation. Vice-Chairman Greene lead the Pledge of Allegiance.

#### **Consider Additions to the Agenda**

Commissioner Pierce requested to two items to the agenda:

- Extra Duty Pay for Detention Officers (ranked Lieutenant and below) as Agenda Item 3a.
- Extra Duty Pay for Patrol as Agenda Item 3b.

#### **Consider Deletions From the Agenda**

There were no deletions from the agenda.

#### **Consider Approval of the Agenda**

*On motion of Pierce, seconded by Klusman, the Board voted 4-0 to approve the agenda as amended.*

#### **Consider Approval of the Consent Agenda**

*On motion of Klusman, seconded by Pierce, the Board voted 4-0 to approve the Consent Agenda as presented, as follows:*

- A. Award Ambulance Purchase - Southeastern Specialty Vehicles*
- B. Sole-Source Gold Medal*
- C. 4H National Rifle Association Grant for Shooting Sports Clubs*

*D. Cooperative Extension/ Robertson Foundation Grants*

*E. Rowan Transit New Facility*

*F. Budget Amendments, as follows:*

<i>Library</i>	<i>To reduce funds for Library Services and Technology Act Bright ideas grant to actuals</i>	<i>\$1,822</i>
<i>Finance</i>	<i>To allocate Fiscal Year 2022 restricted sales tax to Rowan Salisbury Schools and Kannapolis City Schools capital improvements</i>	<i>\$4,809,045</i>
<i>Finance</i>	<i>Transfer American Rescue Plan Act funds to cover water flushing fees with City of Salisbury</i>	<i>\$120,000</i>
<i>Soil and Water</i>	<i>Increase budget for Tropical Storm Eta Grant and decrease for expired Hurricane Florence Grant</i>	<i>\$132,361</i>
<i>Water Fund</i>	<i>Transfer funds to cover additional costs for Chemical Booster Station</i>	<i>\$2,254</i>
<i>Parks</i>	<i>Increase budget for NC Science Museums Grant - Nature Center</i>	<i>\$75,000</i>
<i>Parks</i>	<i>Increase budget for American Rescue Plan Act Grant - Nature Center</i>	<i>\$141,079</i>
<i>Finance</i>	<i>Transfer funds for Vehicles Fleet Target and Non Target costs</i>	<i>\$583,723</i>
<i>Animal Services</i>	<i>Transfer funds for paving at the Animal Shelter</i>	<i>\$26,265</i>

*G. Donation of Surplus Vehicles to Rowan County Rescue Squad, Inc.*

*H. Rowan County Health Department – 2022/2023 Clinical Fee Schedule Updated*

*I. Rowan County Health Department – Designation as a Non-Public Forum*

*J. Schedule Public Hearing for Road Name Change for March 20, 2023*

*K. Capital Projects Ordinance - West End Plaza*

*L. GRANT FUNDING: Fiscal Year 2024 Consolidated Agreement between North Carolina Department of Health and Human Services and Rowan Public Health Department*

*M. Rowan County Health Department – 2022/2023 Environmental Health Fee Schedule*

*N. Children's Home Society of NC, Incorporated Change Order - Contract 22054*

*O. Approval of the Minutes of the February 20, 2023, Meeting*

*P. West End Plaza Contract*

*Q. Statement of No Overdue Taxes*

### **Public Comment Period**

There were no public comments.

### **Opioid Settlement Resolution and Supplemental Agreement**

Vice-Chairman Greene said the county has received approximately \$12 million from the first wave of the Opioid Settlement. A Resolution needs to be considered in order to receive funding from the second wave settlement.

*On motion of Pierce, seconded by Klusman, the Board voted 4-0 to approve the Resolution by the County of Rowan Authorizing Execution of Opioid Settlements and Approving the Supplemental Agreement for Additional Funds Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation and authorize the County Manager, County Finance Director, or County Attorney to sign the Supplemental Agreement and any additional related settlement documents, as follows:*

**RESOLUTION BY THE COUNTY OF ROWAN AUTHORIZING EXECUTION  
OF OPIOID SETTLEMENTS AND APPROVING THE SUPPLEMENTAL  
AGREEMENT FOR ADDITIONAL FUNDS BETWEEN THE STATE OF NORTH  
CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO  
THE SETTLEMENT OF OPIOID LITIGATION**

*WHEREAS, the opioid overdose epidemic had taken the lives of more than 32,000 North Carolinians (2000-2021);*

*WHEREAS, the COVID-19 pandemic has compounded the opioid overdose crisis, increasing levels of drug misuse, addiction, and overdose death; and*

*WHEREAS, the Centers for Disease Control and Prevention estimates the total economic burden of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and*

*WHEREAS, Rowan County like other governmental agencies providing local health care, mental health care, social services for families and children, law enforcement and detention facility management, has been substantially impacted both socially and financially by the rise in opioid abuse and its effect on children and families; and*

*WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid manufacturers, pharmaceutical distribution companies, and chain drug stores to hold those companies accountable for their misconduct; and*

*WHEREAS, settlements have been reached in litigation against Walmart, Inc., Teva Pharmaceutical Industries Ltd., Allergan Finance, LLC, Allergan Limited, CVS Health Corporation, CVS Pharmacy, Inc., and Walgreen Co., as well as their subsidiaries, affiliates, officers, and directors named in the these Settlements; and*

*WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Supplemental Agreement for Additional Funds (SAAF) to provide for the equitable distribution of the proceeds of these settlements; and*

*WHEREAS, by joining the settlements and approving the SAAF, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, as quickly, effectively, and directly as possible; and*

*WHEREAS, it is advantageous to all North Carolinians for local governments, including Rowan County and its residents, to sign onto the settlements and SAAF and demonstrate solidarity in response to the opioid overdose crisis, and to maximize the share of opioid settlement funds received both in the state and this county to help abate the harm; and*

*WHEREAS, the SAAF directs substantial resources over multiple years to local governments on the front lines of the opioid overdose epidemic while ensuring that these resources are used in an effective way to address the crisis;*

*NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Rowan County hereby authorizes the County Manager, Finance Director or County Attorney to execute all documents necessary to enter into opioid settlement agreements with Walmart, Walgreens, CVS, Allergan, and Teva, to execute the SAAF, and to provide such documents to Rubris, the Implementation Administrator.*

#### **Agenda Addition – Extra Duty Pay for Detention Center**

Vice-Chairman Greene explained this request was related to including exempt employees ranked lieutenant. The inclusion of the lieutenant rank was not clearly included in the introduction of this request at the February 2 Commissioners meeting when it was initially passed.

Commissioner Caskey asked for the start date to be amended to February 19<sup>th</sup> to align with the original request.

Commissioner Klusman asked why lieutenants were being included. County Manager Aaron Church said that it was to provide an additional incentive.

Lieutenant Jason Owens approached the podium and said there are approximately thirty open positions in the detention center and on patrol. Extra duty pay for the Detention Center was already voted on and approved in February. The lieutenants that are included in the current request are not administrative positions; they are “working” positions with a 40-hour compensatory time cap.

Mr. Church explained the differences between overtime and extra duty pay.

Commissioner Klusman asked what the plan is to fill positional openings. Lieutenant Owens explained current recruitment efforts. It generally takes several months to fully train new employees.

*On motion of Pierce, seconded by Caskey, the Board voted 4/0 to authorize the approval of extra duty pay for sheriff deputies and detention officers, ranked Lieutenant and below, at a rate of time and one-half of their regular hourly rate for each hour worked at the Jail outside normal work hours irrespective of time taken off during their normal work schedule effective from February 19, 2023, ending July 8, 2023.*

#### **Agenda Addition – Extra Duty Pay for Patrol**

Vice-Chairman Greene said this request was similar but was for those who worked on Patrol. It includes extra duty pay of time and one-half for those ranked Lieutenant and below when deputies work on patrol outside of their normal hours.

Commissioner Klusman asked for clarification regarding the language stating “irrespective of time taken off during their normal work schedule” and Mr. Church explained that deputies would be compensated at the extra duty pay rate regardless of time taken off out of normal working hours.

*On motion of Pierce, seconded by Caskey, the Board voted 4/0 to authorize the approval of extra duty pay for sheriff deputies, ranked Lieutenant and below, at a rate of time and one-half of their regular hourly rate for each hour worked on patrol outside normal work hours irrespective of time taken off during their normal work schedule effective from February 19, 2023, ending July 8, 2023.*

### **Board Appointments**

*On motion of Pierce, seconded by Caskey, the Board voted 4-0 to appoint David DeGrave to the Cleveland Community Volunteer Fire Department Fire Commissioners.*

*On motion of Klusman, seconded by Pierce, the Board voted 4-0 to appoint Kerry Mills to the Historic Landmark Commission.*

*On motion of Klusman, seconded by Pierce, the Board voted 4-0 to appoint Ryan Stowe to the Library Board.*

*On motion of Pierce, seconded by Caskey, the Board voted 4-0 to appoint Todd Kidd to the Miller Ferry Volunteer Fire Department Board of Trustees.*

*On motion of Pierce, seconded by Klusman, the Board voted 4-0 to appoint Samantha Allen to the Town of Rockwell Planning and Zoning Extra-Territorial Jurisdiction (ETJ).*

### **Closed Session**

*At 3:25 p.m. on motion of Greene, seconded by pierce, the Board voted 4-0 to enter into closed session pursuant to NCGS 143-318.11(a)(1) to consider approval of the minutes of the Closed Session held on February 20, 2023, as described by NCGS 143-318.10(e) providing that minutes or an account of a closed session may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session, and pursuant to NCGS 143-318.11(a)(5)(i) to establish or instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.*

### **Regular Session**

At 3:36 p.m. regular session resumed.

### **Adjournment**

At 3:36 p.m. Commissioner Klusman left the meeting without being excused.

*At 3:38 p.m., on motion of Pierce, seconded by Caskey, the Board voted 3-0 to adjourn.*

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Sarah Pack, NCCCC  
Clerk to the Board