

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

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MINUTES OF THE MEETING OF THE ROWAN COUNTY BOARD OF COMMISSIONERS

September 19, 2022 – 6:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING

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 Carolyn Barger, County Attorney Jay Dees, and Finance Director Anna Bumgarner were also present.

Chairman Edds convened the meeting at 6:00 p.m.

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

Chairman Edds took a moment recognize Carolyn Barger, Clerk to the Board, for her writing skills with Proclamations, etc. and the work she does for the Board. A round of applause followed the recognition.

CONSIDER ADDITIONS TO THE AGENDA

- Chairman Edds added a second topic to Closed Session under attorney-client privileged communication.
- **Note for the record:** Later in the meeting (just prior to the Vaya Health presentation), the Board approved an addition to the agenda (Grant Award To Rowan Public Library For Records Preservation Project). The issue was added as item #8a.

CONSIDER DELETIONS FROM THE AGENDA

- Chairman Edds stated the Board would strike item #8 from the agenda.

- **Note for the record:** Later in the meeting (just prior to the Vaya Health presentation), the Board made an additional change to the agenda and voted to strike Item K (Request for Public Hearing – Lichtin Speculative Project).

CONSIDER APPROVAL OF THE AGENDA

Commissioner Klusman moved, Commissioner Greene seconded and the vote to approve the agenda as amended passed unanimously.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Klusman moved, Commissioner Greene seconded and the vote to approve the minutes of the September 6, 2022 Commission Meeting passed unanimously.

1. CONSIDER APPROVAL OF CONSENT AGENDA

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

The Consent Agenda consisted of the following:

- A. FY22 Tax Collector Year End Reports
- B. Benesch for Geotech Services
- C. Transit Grant FY 23 Rural Operating Assistance Program (ROAP)
- D. Request for Revised Incentive Offer - 'Project Finishing'
- E. Approval of Work Authorization for Localizer Replacement
- F. Pathways Group Homes for DSS
- G. Central Square
- H. Sole-Source Carolina Recording
- I. Tax Refunds for Approval
- J. Sole Source Patagonia Health
- K. Request for Public Hearing - Lichtin Speculative Project
- L. Schedule Public Hearing for October 3, 2022 RE: Road Name Changes
- M. Trinity Services Group, Inc.
- N. Sole-Source Envisionware
- O. Resolution of Support for Rowan-Salisbury Board of Education to Apply For Needs-Based Public School Capital Funds
- P. Surplus Vehicles
- Q. Dellinger, Inc. Change Order 004
- R. NCEM Statewide Mutual Aid Agreement
- S. Be An Original
- T. Resolution Authorizing Sale of Property to Another Governmental Agency
- U. Lease Agreement for Piedmont Players Theater, Inc. at West End Plaza
- V. Approval to Purchase 5 Transit Vehicles w/ Raised Roofs

2. PUBLIC COMMENT PERIOD

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

- Harold Schmaecker spoke regarding COVID policies/vaccines. Mr. Schmaecker discussed a nurse by the name of Lindsay who had been forced to get the COVID vaccine by her employer (Novant) in order to keep her job. According to Mr. Schmaecker, Lindsay's doctors have diagnosed her as vaccine-injured. Mr. Schmaecker asked why local Health Departments were ignoring the injury data and promoting the shots, especially in children. Mr. Schmaecker said the data for 5-11 year old children was troubling and he questioned whether the Rowan County Health Department was providing the information to parents. Mr. Schmaecker suggested using some of the County's COVID funds to help vaccine-injured citizens whose employers had abandoned them. Mr. Schmaecker asked the Board to listen to Lindsay's story, look at the data and to stop the shots.

With no one else coming forward, Chairman Edds closed the Public Comment Period.

3. ZTA 03-22: PUBLIC HEARING FOR MID-CAROLINA REGIONAL AIRPORT SPECIFIC TEXT

Planning Director Ed Muire provided a power point as he presented the staff report for ZTA 03-22. Mr. Muire stated the text amendment application was submitted by Rowan County Government (County) to "Create (an) airport operations and aviation specific district applicable to Mid-Carolina Regional Airport when Salisbury relinquished its extraterritorial jurisdiction (ETJ) over the area."

Mr. Muire recalled in 2013, the North Carolina legislature approved a local bill requesting the Airport be de-annexed from Salisbury City limits, but the action did not remove the land area from Salisbury's ETJ. A recent conflict between the City's land development ordinance and an airport-related building project prompted the County to request the City consider relinquishing its ETJ applicable to the Airport. The City was receptive and has scheduled a public hearing on the ETJ recension for September 20, 2022.

Anticipating the City's action, staff has been preparing text for an airport specific district with cooperation from the County's Airport and Transit Director, Valerie Steele, and aviation consultant Talbert Bright and Ellington (TBE).

The proposed ZTA 03-22 amendment updated airport-related definitions with Federal Aviation Administration (FAA) standards, creates an Airport Industrial (AI) district, amends the current Airport Zoning Overlay (AZO) and establishes a set of special requirements (SR) for uses permitted within the AI district.

Mr. Muire said the ***bold italicized text*** and ~~strikethrough text~~ within the excerpted sections below represented the proposed **ZTA 03-22**.

Section 21-4. Definitions Excerpt

Approach surface means the surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. ~~The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of sixteen thousand (16,000) feet as provided for precision instrument runways. The approach surface extends from the primary surface along the extended runway centerline for a horizontal distance of ten thousand (10,000) feet at a slope of 50:1 with an additional forty thousand (40,000) feet at a slope of 40:1.~~

Horizontal surface means a horizontal plane one hundred fifty (150) feet above the established airport elevation of seven hundred seventy-two **and three tenths (772.3)** feet mean sea level, the perimeter of which is constructed by swinging arcs with a radius of ten thousand (10,000) feet from the center of each end of the primary surface of each end of the runway, including any planned extensions, and connecting the adjacent arcs by lines tangent to those arcs.

Non-Precision Approach Zone means the inner edge of this approach zone coincides with the width of the primary surface and is one thousand (1,000) feet wide. The approach zone expands outward uniformly to a width of four thousand (4,000) feet at a horizontal distance of ten thousand (10,000) feet from the primary surface at a slope of 34:1. Its centerline is the continuation of the centerline of the runway.

Non-precision instrument runway means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved, or planned, and for which no precision approach facilities are planned, or indicated on an FAA planning document or military service military airport planning document.

Precision Approach Zone means the inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of sixteen thousand (16,000) feet as provided for precision instrument runways. The approach surface extends from the primary surface along the extended runway centerline for a horizontal distance of ten thousand (10,000) feet at a slope of 50:1 with an additional forty thousand (40,000) feet at a slope of 40:1.

Transitional surface means the surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7:1 from the sides of the primary surface **until it intersects with the Horizontal or Conical surface** and from the sides of the approach surfaces. Transitional surfaces for those portions of the precision approach surface which project through and beyond the limits of the conical surface, extend a distance of five thousand (5,000) feet measured horizontally from the edge of the approach surface and at right angles to the runway centerline.

Sec. 21-31. Zoning districts established.

(b) The following general use and overlay districts are established:

(1) *General zoning districts:*

- | | |
|---|-----------------------------------|
| a. Rural Agricultural (RA) | h. 85-ED-1 |
| b. Rural Residential (RR) | i. 85-ED-2 |
| c. Residential Suburban (RS) | j. 85-ED-3 |
| d. Multifamily Residential (MFR) | k. 85-ED-4 |
| e. Manufactured Home Park District (MHP) | l. Industrial (IND) |
| f. Neighborhood Business (NB) | m. Institutional (INST) |
| g. Commercial, Business, Industrial (CBI) | n. Airport Industrial (AI) |

Sec. 21-32. General zoning districts defined; purpose and intent.

(j) *Airport Industrial, AI. This district is established for airport-specific or related businesses that will be located, designed, constructed and maintained in a manner compatible with aviation operations. Uses in the AI district tend to focus on manufacturing, transportation, services and public administration with standards designed to promote safety and compatibility with the Mid-Carolina Regional Airport Layout Plan (ALP) adopted by the Rowan County Board of Commissioners. Any use(s) or proposed structure(s) located on Rowan County property is subject to approval by the Rowan County Board of Commissioners and shall comply with Mid-Carolina Regional's minimum standards and applicable Federal Aviation Administration (FAA) rules and regulations including FAA 7460-1 Notice of Proposed Construction or Alteration.*

Properties owned by Rowan County, NC that encompass and adjoin the Mid-Carolina Regional Airport will comprise the district. District boundaries may be amended by addition of contiguous parcels via the map amendment process prescribed in Section 21-362.

Sec. 21-33. Overlay districts.

Overlay districts are zoning districts, which are applied only in conjunction with other zoning districts, and may grant additional use of development requirements upon the underlying zoning districts. The effect is to have both the overlay district and the underlying zoning controlling the use and development of the lot. Overlay districts are applicable on an area wide basis to support specific public policy objectives and as such should be consistent with adopted land use plans. Overlay districts may be applied to conventional and conditional zoning districts. An overlay district may be initiated as an amendment by the board of commissioners, planning board, planning staff, or the property owner or their designated representative.

- (1) *Airport Zone Overlay, AZO.* The zones and restrictions established in this subsection are designed to limit the height of structures surrounding the county airport's established elevation of seven hundred seventy-two (772.3) feet above mean sea level (msl) in order to prevent hazards to the lives and property of the users of the airport and the occupants of land in the vicinity.

a. *Uses allowed.* The use requirements of the underlying district apply to the AZO district. However, all uses must be in conformance with the provisions of this section.

b. *Establishment of zones.* To carry out the provisions of this section, there are hereby created and established certain civil airport imaginary surfaces which ~~include all~~ **consist**

of the land lying beneath the approach surface, **including the non-precision and precision approach zones;** transitional surface; horizontal surface; conical surface; and primary surface. These civil airport imaginary surfaces are established with relation to the Rowan County Airport runway and proposed extensions of thereof. Such imaginary surfaces are **defined in Section 21-4 and** shown on the Official County Airport Zoning Map ~~prepared by the Rowan County Planning Department and dated September 19, 2022~~ **October 4, 2004**, which is adopted and incorporated herein by reference. The size of each such imaginary surface is based on the ~~categorization~~ **category of this each** runway ~~as having both a precision instrument~~ **according to the type of approach available or planned for that** runway. The slope and dimensions of the ~~imaginary~~ **approach** surfaces, applied to each end of a runway, are determined by the most precise approach **procedure** existing or planned for the runway end. ~~The surfaces are hereby established and defined as follows:~~

1. ~~Horizontal surface.~~ A horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which is constructed by swinging arcs with a radius of ten thousand (10,000) feet from the center of each end of the primary surface of each end of the runway, including any planned extensions, and connecting the adjacent arcs by lines tangent to these arcs.

2. ~~Conical surface.~~ A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of four thousand (4,000) feet.

3. ~~Primary surface.~~ A surface longitudinally centered on a runway. The primary surface extends two hundred (200) feet beyond each end of the runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of the primary surface is one thousand (1,000) feet as required for precision runway landings.

4. ~~Approach surface.~~ A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface.

i. ~~The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of sixteen thousand (16,000) feet as provided for precision instrument runways.~~

ii. ~~The approach surface extends for a horizontal distance of ten thousand (10,000) feet at a slope of 50:1 with an additional forty thousand (40,000) feet at a slope of 40:1.~~

5. ~~Transitional surface.~~ These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7:1 from the sides of the primary surface and from the sides of the approach surfaces. Transitional surfaces for these portions of the precision approach surface which project through and beyond the limits of the conical surface, extend a distance of five thousand (5,000) feet measured horizontally from the edge of the approach surface and at right angles to the runway centerline.

Sec. 21-61. Conditional districts.

(a) *Purpose.* There are instances where certain uses may have significant impacts on the surrounding area and the county which cannot be predetermined and controlled by general district standards. As a result, a general zoning district designation is clearly inappropriate for a property, but a specific use or uses permitted as a conditional district subject to development requirements to address the anticipated impacts would be consistent with the spirit and intent of this chapter. This voluntary procedure must be petitioned by the property owner or their authorized agent as a firm development proposal and not for securing early zoning for tentative uses which may not be undertaken for a long period of time.

<u>General Zoning Districts</u>	<u>Conditional Districts</u>
RS	RS (CD)
RR	RR (CD)
RA	RA (CD)
MHP	MHP (CD)
MFR	MFR (CD)
CBI	CBI (CD)
85-ED-1	85-ED-1 (CD)
85-ED-2	85-ED-2 (CD)
85-ED-3	85-ED-3 (CD)
85-ED-4	85-ED-4 (CD)
IND	IND (CD)
NB	NB (CD)
INST INST	(CD)
AI	AI (CD)

Sec. 21-66. General criteria for uses listed SR in the AI District in section 21-113.

Uses listed as SR in the AI District in section 21-113, the table of uses, shall comply with the following criteria, as applicable:

- (1) **Site plan.** A site plan shall be provided showing the existing lot, existing and proposed buildings, and criteria required herein.
- (2) **Lighting.** Any outdoor or building mounted lighting shall be shielded or directed downward to prevent upward illumination that may create interference with airport operations.
- (3) **Building material.** No glare-producing material shall be used as exterior siding or as roofing on any building.
- (4) **Building height.** The maximum height for any building or structure not associated with administration or operation(s) of the Mid-Carolina Regional Airport shall be limited to the lesser of the Airport Zoning Overlay (AZO) or thirty-five (35') feet
- (5) **Parking.** Parking shall be as prescribed in Article VII, Parking, for that use.
- (6) **Signage.** Signage is preferred to be building mounted, otherwise free-standing signage in the AI district shall be limited to one (1) location per site at a maximum height subject to the lesser of the Airport Zoning Overlay or twenty-five (25) feet
- (7) **Outdoor storage.** All outside storage areas, including dumpsters, shall be:
 - a. Sited to the rear of the building;
 - b. Not within the required setbacks.
 - c. Completely screened from adjacent residentially zoned property by means of an opaque fence no less than six (6) feet in height.
 - d. Aviation fuel storage locations are subject to compliance with National Fire Protection Association (NFPA) standard 407 and safety standards established by North Carolina Department of Insurance and the Federal Aviation Administration.

Setbacks. Front yard setbacks shall be measured at fifty (50) feet from the edge of the road right-of-way with side and rear yard setbacks measured at ten (10) feet from the property line or lease area. When multiple buildings or structures occupy a parcel(s), a twenty-five (25) foot separation between structures shall be provided in lieu of a side and rear yard setback.

Sec. 21-84 Table of dimensional requirements

DISTRICTS	RA	RR	RS	MHP	MFR	AI	CBI	NB	INST	IND
Minimum zone lot size⁽¹⁾⁽³⁾										
Septic tank and individual or multiconnection well	20,000 sq ft	20,000 sq ft	20,000 sq ft	6 acres	2 acre with 3 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	20,000 sq ft	N/A	N/A
Minimum zone lot size⁽¹⁾⁽³⁾										
Public water or community water or Public sewer or approved package treatment plant	15,000 sq ft	15,000 sq ft	15,000 sq ft	6 acres	2 acre with 8 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	15,000 sq ft	N/A	N/A
Minimum zone lot size⁽¹⁾⁽³⁾										
Public water and sewer	10,000 sq ft	10,000 sq ft	10,000 sq ft	6 acres	2 acre with 12 du/acre ⁽²⁾	N/A	N/A ⁽²⁾	10,000 sq ft	N/A	N/A
Minimum lot width at right-of-way	35 ft	35 ft	35 ft	35 ft	35 ft ⁽⁶⁾	35 ft	35 ft	35 ft	35 ft	35 ft
Minimum lot width at Building setback line	70 ft	70 ft	70 ft	70 ft	70 ft ⁽⁶⁾	70 ft	70 ft	50 ft	70 ft	70 ft
Minimum lot depth										
Without public water & sewer	150 ft	150 ft	150 ft	150 ft	150 ft ⁽⁶⁾	100 ft	100 ft ⁽²⁾	100 ft ⁽²⁾	150 ft	150 ft
Public water and sewer	125 ft	125 ft	125 ft	125 ft	125 ft ⁽⁶⁾	100 ft	100 ft	100 ft	125 ft	150 ft
Principal structure setback										
Front Yard ⁽⁴⁾	30 ft	30 ft	50 ft	50 ft	50 ft ⁽⁶⁾	50 ft	50 ft ⁽²⁾	30 ft	30 ft	50 ft
Side street	20 ft	20 ft	25 ft	50 ft	50 ft ⁽⁶⁾	30 ft	30 ft ⁽²⁾	20 ft	20 ft	30 ft
Side yard ⁽⁴⁾	10 ft	10 ft	10 ft	50 ft	50 ft ⁽⁶⁾	10 ft	10 ft or 0 ft ⁽²⁾	10 ft or 0 ft ⁽⁷⁾	10 ft	10 ft or 0 ft
Rear yard ⁽⁴⁾	10 ft	10 ft	20 ft	50 ft	50 ft ⁽⁶⁾	10 ft	10 ft or 0 ft ⁽²⁾	10 ft or 0 ft ⁽²⁾⁽⁷⁾	10 ft	10 ft or 0 ft
Accessory structure setback⁽⁸⁾										
Front	30 ft	30 ft	50 ft	50 ft ⁽⁵⁾	50 ft ⁽⁶⁾	50 ft	10 ft	10 ft	10 ft	10 ft
Any right-of-way	10 ft	10 ft	10 ft	30 ft ⁽⁵⁾	50 ft ⁽⁶⁾	10 ft	10 ft	10 ft	10 ft	10 ft
Side and rear yard	10 ft	10 ft	10 ft	10 ft ⁽⁵⁾	10 ft ⁽⁶⁾	10 ft	10 ft	10 ft	10 ft	10 ft

Sec. 21-113. Table of uses.

P- Permitted by Right P(A) - Permitted as Accessory Use SR - Permitted with Special Requirements S - Special Use CD – Conditional District		Zoning Districts									
		Residential					Nonresidential				
		RA	RR	RS	MHP	MFR	AI	CBI	NB	INST	IND
Use											
Construction											
SIC											
16	Heavy construction other than building construction – contractors	SR	SR				SR	P	SR		P
17	Construction – special trade	SR	SR				SR	P	SR		P
Manufacturing											
34	Fabricated metal products, except machinery and transportation equipment, <i>all except</i>	SR	SR				SR	P	SR		P
35	Industrial and commercial machinery and computer equipment	SR	SR				SR	P	SR		P
36	Electronic and other electrical equipment and components, except computer equipment, <i>all except</i>	SR	SR				SR	P	SR		P
37	Transportation equipment	SR	SR				SR	P	SR		P
38	Measuring, analyzing and controlling instruments	SR	SR				SR	P	SR		P
39	Miscellaneous manufacturing industries	SR	SR				SR	P	SR		P
Transportation, communications, electric, gas and sanitary services											
41	Local & suburban transit, interurban highway passenger transportation	SR	SR				SR	P	SR		P
42	Motor freight transportation and warehousing, <i>all except</i>	SR	SR				SR	P	SR		P
4226 (pt)	Oil and gasoline storage caverns for hire and petroleum and chemical bulk stations and terminals for hire						SR(A)	P			P
45	Transportation by air						SR	P			P
47	Transportation services, <i>all except</i>						SR	P			P
472	Arrangement of passenger transportation	SR	SR				SR	P	SR		P
Services											
73	Business services	SR	SR				SR	P	SR		P
76	Misc repair services	SR	SR				SR	P	SR		P
7999	Amusement and recreation services, NEC, <i>all except</i>						SR	P	SR		P
82	Educational services, <i>all except</i>	P	P	P			SR	P	P	P	P
Public administration											
91	Executive, legislative and general government, except finance						SR	P		P	P
92	Justice, public order, safety, <i>all except</i>							P		P	P
9221	Police protection	P	P	P	P	P	SR	P	P	P	P
9224	Fire protection	P	P	P	P	P	SR	P	P	P	P
	Ambulance stations	P	P	P	P	P	SR	P	P	P	P
	Rescue squads	P	P	P	P	P	SR	P	P	P	P
97	National security and international affairs						P	P		P	P
Unclassified											
	Multi-tenant developments						SR	SR	SR	SR	SR
SEE ARTICLE III. FOR SPECIAL REQUIREMENTS AND SPECIAL USE CRITERIA FOR SPECIFIC USES.											

Mr. Muire noted as provided in Section 21-361(b) of the Zoning Ordinance, the Planning Board provided a favorable recommendation and adopted the following Statement of Consistency for consideration: ZTA 03-22 is reasonable, appropriate and necessary to meet the development and aviation needs of Rowan County not previously envisioned by the Western Area Land Use Plan based on the fact Mid-Carolina Regional Airport was within the City of Salisbury's zoning jurisdiction at the time of plan adoption. The ZTA 03-22 amendments utilize Federal Aviation Administration (FAA) terms and guidelines to establish surface and height limitations appropriate for a general aviation airport and creates standards for land uses in an airport specific zoning district intended to promote aviation related businesses and continued airport operations.

Furthermore, this adoption is deemed an amendment to the Western Area Land Use Plan.

Chairman Edds opened the public hearing to receive citizen input regarding ZTA 03-22. With no one wishing to address the Board, Chairman Edds closed the public hearing.

Chairman Edds moved to approve the following Statement of Consistency:

ZTA 03-22 is reasonable, appropriate and necessary to meet the development and aviation needs of Rowan County not previously envisioned by the Western Area Land Use Plan based on the fact Mid-Carolina Regional Airport was within the City of Salisbury's zoning jurisdiction at the time of plan adoption. The ZTA 03-22 amendments utilize Federal Aviation Administration (FAA) terms and guidelines to establish surface and height limitations appropriate for a general aviation airport and creates standards for land uses in an airport specific zoning district intended to promote aviation related businesses and continued airport operations.

Furthermore, this adoption is deemed an amendment to the Western Area Land Use Plan.

The motion was seconded by Commissioner Pierce and passed unanimously.

Commissioner Klusman moved, Commissioner Pierce seconded and the vote to approve ZTA 03-22 as presented passed unanimously.

4. Z 07-22: PUBLIC HEARING FOR MID-CAROLINA REGIONAL AIRPORT PROPERTIES

Planning Director Ed Muire provided a power point as he presented the staff report on behalf of the applicant and property owner, which was Rowan County, North Carolina. The request was for Airport Industrial (AI) District; Airport Industrial Conditional District (AI-CD) and Rural Residential (RR) for County-owned parcels to be relinquished from Salisbury's extraterritorial jurisdiction (ETJ).

Based on the information in the agenda packet, in 2013, the North Carolina legislature approved a local bill requesting the Airport be de-annexed from Salisbury City limits, but the action did not remove the land area from Salisbury's ETJ. A recent conflict between the City's land development ordinance and an airport-related building project prompted the County to request the City consider relinquishing its ETJ applicable to the Airport. The City was receptive and has scheduled a public hearing on the ETJ recension for September 20, 2022.

North Carolina General Statute § 160D-202(h) provides that when a city relinquishes zoning jurisdiction over an area to a county, the city's regulations remain in effect until the county has adopted jurisdiction over the area or for sixty (60) days from the date of action by the city, whichever is sooner.

The rezoning request consisted of eighteen (18) County-owned parcels currently located in Salisbury's ETJ. All affected parcels were currently zoned Light Industrial (LI) with exception of TP: 460-063 and 460-165, which were GR-6. All parcels have some tangible use or benefit associated with Mid-Carolina Regional Airport.

Mr. Muire highlighted the Zoning Analysis in the agenda packet.
Current Zone: Light Industrial (LI) and General Residential (GR-6)
Requested: Airport Industrial (AI) & AI Conditional District (AI-CD) and Rural Residential (RR)

The majority of affected properties were requested to be zoned the newly created Airport Industrial (AI) district and the airport property was proposed for AI-CD to coincide with the Airport Layout Plan adopted by the County Commission in October 2016. The parcels located on the north side of Rowan Mill Rd were proposed for the RR category.

Continuing with the power point, Mr. Muire noted the site was located in the Western Area Land Use Plan (LUP). Mr. Muire said the LUP was adopted in April 2009 and no recommendations for the Airport were included in the document. Mr. Muire pointed out that geographically, the site was west of I-85 but commercial and industrial recommendations for I-85 and US 29 were found in the Eastern LUP.

Future land use recommendations for this one-mile-wide corridor between Salisbury and China Grove generally suggested commercial, industrial and mixed uses were appropriate in the corridor. Adaptive re-use and aggregating smaller tracts and infill projects; heavy impact uses that utilize the rail corridor; and uses such as light manufacturing, distribution, bio-tech and motorsports were encouraged.

Mr. Muire explained the primary reason for the request was for the County to establish zoning jurisdiction over the area and to promote continued airport operations and encourage new aviation-related business at Mid-Carolina.

Mr. Muire highlighted the compatibility of uses and staff commentary in the report. Mr. Muire stated the Airport Industrial Conditional District (AI-CD) portion of the request was effectively the Airport Layout Plan (ALP) adopted by the County Commission October 2016. The 2016 ALP was a map update to the overall Airport Master Plan (AMP) adopted by the Commission in 2008. Much like a land use plan, the AMP provided guidelines for future development of the Airport and was relied upon by the Federal Aviation Administration (FAA) and North Carolina Department of Transportation (NCDOT) when considering funding and expansion requests. The 2016 ALP was prepared as a supplement to the AMP when it became apparent that due to environmental and financial constraints, the proposed one-thousand-foot (1000') extension to the southern end of the runway would no longer be pursued.

Mr. Muire said the accompanying .pdf in the agenda packet was an excerpt from the 2016 ALP and was proposed for consideration as the AI-CD site plan for future development on Mid-Carolina property.

The Planning Board adopted a Statement of Consistency for consideration or adoption by the Commissioners: Z 07-22 is reasonable, appropriate and necessary to meet the development and aviation needs of Rowan County not previously envisioned by the Western and Eastern Area Land Use Plans based on the fact Mid-Carolina Regional Airport was within the City of Salisbury's zoning jurisdiction at the time both plans were adopted. The Z 07-22 application is consistent with the Airport Layout Plan adopted by the County Commission in 2016 and the overall request comprises 578.9 contiguous acres. The proposed locations of the AI, AI-CD and RR districts are reasonably positioned based on current use of all properties involved and are compatible with adjoining properties in the City's jurisdiction. The recommendation for approving the Z 07-22 amendment is reasonable and in the public interest given the City's intent to relinquish its zoning jurisdiction over the affected area.

Furthermore, this adoption is deemed an amendment to the Western and Eastern Area Land Use Plans.

Chairman Edds opened the public hearing to receive citizen input regarding Z 07-22. With no one coming forward to address the Board, Chairman Edds closed the public hearing.

Chairman Edds moved approval of the Statement of Consistency as recommended by the Planning Board: Z 07-22 is reasonable, appropriate and necessary to meet the development and aviation needs of Rowan County not previously envisioned by the Western and Eastern Area Land Use Plans based on the fact Mid-Carolina Regional Airport was within the City of Salisbury's zoning jurisdiction at the time both plans were adopted. The Z 07-22 application is consistent with the Airport Layout Plan adopted by the County Commission in 2016 and the overall request comprises 578.9 contiguous acres. The proposed locations of the AI, AI-CD and RR districts are reasonably positioned based on current use of all properties involved and are compatible with

adjoining properties in the City's jurisdiction. The recommendation for approving the Z 07-22 amendment is reasonable and in the public interest given the City's intent to relinquish its zoning jurisdiction over the affected area.

Furthermore, this adoption is deemed an amendment to the Western and Eastern Area Land Use Plans.

The motion was seconded by Commissioner Pierce and carried unanimously.

Commissioner Pierce moved approval of Z 07-22 as requested. The motion was seconded by Commissioner Klusman and passed unanimously.

5. Z 08-22: PUBLIC HEARING FOR AMENDMENT TO MID-CAROLINA AZO

Planning Director Ed Muire provided a power point as he presented the staff report for Z 08-22. The current Airport Zoning Overlay (AZO) for Mid-Carolina Regional Airport (RUQ) was adopted October 4, 2004 and height / use limitations were managed by the Rowan County Planning and Salisbury Development Services departments based on jurisdiction.

The RUQ Airport Master Plan (AMP) was adopted by the Commission in 2008 but was amended by a 2016 Airport Layout Plan (ALP) supplement when it became apparent that due to environmental and financial constraints, the proposed one-thousand-foot (1000') extension to the southern end of the runway would no longer be pursued. The 2016 ALP removal of the southern runway extension resulted in a negligible change in the surfaces regulated by the AZO, as well as the removal of the southern transitional and approach surfaces.

Mr. Muire said staff was not aware of the difference in the "zoning" AZO as compared to that of the 2016 ALP until recent discussions about potential ETJ recension were occurring. The 2004 AZO was not updated to reflect the 2016 ALP and therefore, the request for Z 08-22 was needed.

Mr. Muire reviewed the zoning analysis within the staff report.

The Planning Board conducted a courtesy hearing at its August 22, 2022 meeting and provided a favorable recommendation. The Planning Board adopted the below Statement of Consistency and Reasonableness.

Z 08-22 is consistent with the Eastern and Western Area Land Use Plans and reasonable based on the following:

1. The Airport Layout Plan was adopted by the County Commission in October 2016
2. The proposed AZO amendment's removal of the southern approach is a benefit to properties which will no longer be subject to height limitations

3. The proposed AZO amendment is consistent with the Planning Board's recommendations regarding ZTA 03-22 and Z 07-22 to create and apply an airport specific zoning district at Mid-Carolina Regional Airport

Furthermore, this adoption is deemed an amendment to the Western and Eastern Area Land Use Plans.

Chairman Edds opened the public hearing for Z 08-22. With no one wishing to address the Board, Chairman Edds closed the public hearing.

Chairman Edds moved to approve the Statement of Reasonableness and Consistency as recommended by the Planning Board: Z 08-22 is consistent with the Eastern and Western Area Land Use Plans and reasonable based on the following:

1. The Airport Layout Plan was adopted by the County Commission in October 2016
2. The proposed AZO amendment's removal of the southern approach is a benefit to properties which will no longer be subject to height limitations
3. The proposed AZO amendment is consistent with the Planning Board's recommendations regarding ZTA 03-22 and Z 07-22 to create and apply an airport specific zoning district at Mid-Carolina Regional Airport

Furthermore, this adoption is deemed an amendment to the Western and Eastern Area Land Use Plans.

Commissioner Pierce seconded the motion and the vote passed unanimously.

Commissioner Pierce moved, Commissioner Klusman seconded and the vote to approve Z 08-22 carried unanimously.

Chairman Edds expressed appreciation to the City of Salisbury for their cooperation in helping make the changes. Chairman Edds also praised Mr. Muire and the Planning Department for their expertise and technical assistance through the process.

- **PLEASE NOTE:** At this point in the meeting, County Attorney Jay Dees said the Board was asked to reconsider the agenda. Mr. Dees said there was a request for an addition to the agenda that was time-sensitive and Board approval was needed for acceptance of grant funds for Rowan Public Library.

Commissioner Klusman moved, Commissioner Pierce seconded and the vote to add the item to the agenda as #8a passed unanimously.

- Chairman Edds stated the Economic Development Commission (EDC) had informed him the EDC was still working on a project that had been listed on the

Consent Agenda as Item K (Request for Public Hearing - Lichtin Speculative Project). Chairman Edds requested the Board strike Item K from the Consent Agenda.

Commissioner Greene moved to strike Item K from the Consent Agenda. The motion was followed by a second from Commissioner Klusman and passed unanimously.

6. VAYA HEALTH UPDATE

Zack Shepherd, Community Relations Regional Director for Vaya Health, provided a power point as he presented an update regarding Vaya Health services.

Mr. Shepherd discussed increased demand and limited resources as follows -

Since the end of the pandemic there has been a rising increase in:

- The need for child and adult mental health and substance-use services across NC.
- The loss of mental health, substance use, and I/DD professionals leaving the profession.

Additionally, the expansion of new health plans in NC and the ability for staff to accept remote positions nationally has created significant competition on local limited NC staffing resources. These factors have created waitlists for services across the healthcare system.

Vaya has been working with providers to meet the challenges while trying to expand and develop new service opportunities across the Vaya region.

Mr. Shepherd discussed efforts by Vaya to increase outpatient rates at Crisis Walk-in Centers and the strategies to address workforce challenges.

With regards to a state-wide child and youth improvement initiative, Mr. Shepherd reviewed the improvement areas.

The presentation included county data highlights as to members served by age and disability type through March 2022. Rowan County was shown as the top location for both where Medicaid members received services and non-Medicaid members received services.

7. HEALTH DEPARTMENT – RESOLUTION FOR OPIOID SETTLEMENT FUNDS

Alyssa Harris, Public Health Director, provided a power point as she presented the recommendation from the Rowan County Board of Health (BOH) regarding the County's Opioid Settlement Memorandum of Agreement (MOA) for the spending and work plan for the Rowan County Opioid Settlement Funds (Funds). Prior to the Funds being

spent, the Board of Commissioners must adopt a resolution or ordinance to approve the plan of spending for these funds.

Using the power point, Ms. Harris presented and discussed the Opioid Settlement Work Plan, Logic Model, and Budget Narrative for years one (1) through three (3) for a plan to address the opioid epidemic in the County. The plan followed the Option A strategies as listed in the Opioid Settlement MOA.

Due to the nature of the funding, the Rowan County Health Department (HD) plan spanned the entirety of the expected funding distribution per the MOA. Ms. Harris highlighted the budget for years 1-3 with the anticipation the HD would come back to the Commissioners every three (3) years to present the new budget due to the changing nature of the opioid epidemic. According to Ms. Harris, the Logic Model and work plan would also adjust over time; however, the basic tenants remain in line with the MOA as provided.

Following the presentation, the Board was asked to approve a *Resolution Approving the Spending Plan for Proceeds Relating to the Settlement of Opioid Litigation Consistent With the Memorandum of Agreement*.

Chairman Edds said the Board would be interested in seeing the progress and how the HD was approaching each of the areas. Ms. Harris stated the information would be public and the HD would be able to determine if it was making a difference.

In response to an inquiry from Commissioner Greene both Ms. Harris and Dari Caldwell, Chair of the Board of Health, discussed babies being born with addiction and the complexities of getting people off drugs during pregnancy.

Chairman Edds said the Commissioners had confidence in the Board of Health and would trust the Board of Health to let the Commissioners know if the plans were not working.

Commissioner Caskey expressed appreciation to Ms. Harris and the Board of Health for the information. Commissioner Caskey said he understood more funds might become available in the future and he thanked the HD for putting the County “ahead of the curve”.

Chairman Edds also thanked Ms. Harris for the presentation.

Commissioner Klusman moved to approve the work plan. The motion was seconded by Commissioner Pierce and passed unanimously.

Commissioner Klusman moved, Commissioner Pierce seconded and the vote to approve the Resolution passed unanimously. The Resolution read as follows:

WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and approved a Memorandum of Agreement (MOA) to provide for the equitable distribution of any proceeds from a settlement of national opioid litigation to the State of North Carolina and to individual local governments; and

WHEREAS, Local Governments and the State of North Carolina anticipate a settlement in the national opioid litigation to be forthcoming; and

WHEREAS, Local Governments are required to prepare a Spending Plan consistent with NC Department of Justice standards and subject to the reporting requirements for Community Opioid Resources Engine for North Carolina (CORE-NC); and

WHEREAS, The Rowan County Health Department has proposed a spending plan (the "Plan") that is attached as Exhibit A, setting forth the spending strategies and time frames for each, and intends to spend all Opioid Settlement Funds according to the Plan as the same may be amended or updated from time to time; and

WHEREAS, the NC Department of Justice requires that the Board of Commissioners adopt a Resolution Supporting the Spending Plan.

NOW, THEREFORE BE IT RESOLVED, Rowan County hereby approves the Plan and the future spending of Settlement Proceeds consistent with the Plan. Furthermore, Rowan County authorizes the County Manager and the Health Director to take such measures as necessary to comply with NC Department of Justice requirements and CORE-NC reporting requirements, including executing any documents related to such authority. Be it further resolved copies of this resolution and the Spending Plan shall be submitted to the appropriate agency.

8. TOURISM ARPA REQUEST – COUNTY WAYFINDING SIGNAGE

Note: This item was removed from the agenda at the beginning of the meeting.

ADDITION

8a. GRANT AWARD TO ROWAN PUBLIC LIBRARY FOR RECORDS PRESERVATION PROJECT

Ann Kitalong-Will, Director of Grants Administration and Government Relations, reported Rowan Public Library was awarded a grant from Mariam and Robert Hayes Charitable Trust for the Records Preservation Project (Project). Ms. Kitalong-Will stated the Project was a collaboration between the Library and Salisbury Post to digitize the Post's "morgue" documents and make this service available to the public. The grant award was in the amount of \$25,000 and must be accepted by September 30, 2022.

Commissioner Pierce moved, Commissioner Klusman seconded and the vote to accept the \$25,000 grant agreement passed unanimously.

The grant agreement was submitted as follows:

**GRANT AGREEMENT BY AND BETWEEN
Mariam & Robert Hayes Charitable Trust
AND
Rowan County on behalf of Rowan Public Library**

THIS GRANT AGREEMENT (the "Agreement") is made and entered into the 30th day of August 2022, by and between Mariam & Robert Hayes Charitable Trust (the "Trust") and Rowan County on behalf of Rowan Public Library (the "Recipient").

WITNESSETH:

A. The Recipient is a not-for-profit corporation organized and existing under the laws of the State of North Carolina and is recognized as tax exempt by the Internal Revenue Service pursuant to Sections 501(c)(3), 509(a) and 170(b)(1)(A) of the Internal Revenue Code of 1986, as amended (the "Code").

B. The Recipient requested a grant from the Trust in the amount of twenty five thousand dollars (\$25,000) (the "Grant") to support the Records Preservation Project - Equipment (the "Project").

C. The Trust desires to make the Grant to Recipient to be used to support the Project.

D. The Recipient desires to affirm that it is prepared to begin the Project immediately upon receipt of the Grant and to agree to the terms of the Grant as described in this Agreement.

NOW, THEREFORE, for and in consideration of the above recitals and the mutual covenants herein contained, the receipt of which is acknowledged, the parties agree as follows:

THE GRANT

Recipient affirms that it is ready to begin the Project immediately upon receipt of the Grant.

The Trust agrees to disburse the Grant to Recipient within 30 days upon receipt of this signed Agreement.

The Recipient shall provide annual reports on the use of the Grant and the status of the Project to the Trust. The annual reports shall include the balance of the Grant, an itemization of expenditures made from the Grant, an update on the status and success of the Project, and any other information the Trust shall request. The annual report shall be due to the Trust annually on the anniversary of the distribution of the Grant to the Recipient. Within thirty days of the use of all funds constituting the Grant, the Recipient shall provide a final report to the Trust detailing the information required in an annual report. The Trust may modify this reporting requirement at any time in a written instrument delivered to the Recipient that shall become a part of this Agreement and a copy of which shall be kept with this Agreement.

A. The Recipient is a body politic and corporate of the State of North Carolina and is recognized by the Internal Revenue Service as a governmental unit to which charitable contributions can be made as referenced in Sections 509(a), 170(b)(1)(A)(v), and 170(c)(1) of the Internal Revenue Code of 1986, as amended (the "Code").

RECOGNITION

In the event that the Recipient wishes to recognize the Trust or the Grant in any publications, press releases, announcements or otherwise, the Recipient must receive prior written approval from the Trust. All advertising, publication, display or other use of the Trust's name shall be in good taste and shall not violate community standards so as not to damage the reputation of any party.

UNFORESEEABLE CIRCUMSTANCES AND TERMINATION

In the unlikely event that, at some future time, it becomes impossible for the Grant to serve the specific purpose for which it was made, the Recipient shall return to the Trust any portion of the Grant previously received from the Trust but not yet expended in support of the purpose of the Grant.

This Agreement shall terminate upon the earlier to occur of (i) the Trust's decision, in its absolute discretion, to terminate the Agreement, (ii) the mutual agreement of the parties, or (iii) the Recipient's failure to provide annual reports as provided in this Agreement. Upon termination of the Agreement, the Recipient shall return to the Trust any portion of the Grant previously received from the Trust but not yet expended in support of the purpose of the Grant.

TAX STATUS

The Recipient affirms that contributions to it are recognized as tax exempt by the Internal Revenue Service pursuant to and subject to the limitations appearing in Sections 509(a), 170(b)(1)(A), and 170(c)(1) of the Code. The Recipient shall notify the Foundation of any change in its tax status or if its tax status is under audit or being reviewed by the Internal Revenue Service for tax years before the award of the Grant or during any period that Grant funds are being expended.

MISCELLANEOUS

Jurisdiction. This Agreement is executed in and shall be governed by the laws of the state of North Carolina.

Amendment. This Agreement may be amended at any time upon written agreement signed by all parties.

Non-Waiver. The failure by any party at any time to require performance by another party of any provision hereof shall not affect in any way the right to require such performance at a later time nor shall the waiver by such party of a breach of any provision hereof be taken or be held to be a waiver of such provision.

Entire Agreement. Except as provided otherwise in this Agreement, this Agreement represents the entire agreement of the parties with respect to the Grant.

Assignment. This Agreement is binding on the parties and their successors and permitted assigns. No party may assign any of its rights or delegate any of its duties or obligations under this Agreement without the other parties' consent. Any attempted assignment or delegation of any rights, duties, or obligations in violation of this section will be invalid and without effect.

Notices and Designee. All notices, demands and other communications among the parties required hereunder shall be in writing and deemed given upon personal delivery, or if sent by recognized express carrier, to the respective addresses as set forth below. The Trust and the Recipient may specify another address from the one set forth below by notice to the other as provided herein. Each party agrees to provide (by notice to the other party from time to time) a single person designated to act as the point of contact for the other party in the administration of this Agreement throughout the Term. Each party agrees to work with the other in the event of a change in management to assure continuous efforts to work cooperatively to fulfill such party's obligations under this Agreement.

If to the Trust: Mariam & Robert Hayes Charitable Trust
P.O. Box 548
Concord, NC 28026

If to the Recipient: Rowan Public Library
201 W. Fisher St.
Salisbury, North Carolina 28144

9. PURCHASE OF Lenco ARMORED VEHICLE

Sheriff Kevin Auten and Captain Randy St. Clair presented the request for the purchase of a Lenco armored vehicle, also known as a Bearcat, for the Rowan County Sheriff's Office (RCSO). Sheriff Auten discussed the need for the vehicle and explained how its purpose would save lives. Sheriff Auten said the County had been borrowing the vehicle from other counties in the past.

The purchase would be through the North Carolina Sheriff's Association contract. The Sheriff had identified \$130,000 from asset forfeiture funds and the remaining balance of \$194,852 would need to come from the General Fund -Fund Balance appropriation.

Captain St. Clair introduced himself and stated he had served with Rowan County law enforcement for 42 years. Before beginning the presentation, Captain St. Clair stated he was a big proponent of having the State Highway Patrol (Patrol) at the Mid Carolina Regional Airport and the new public safety hangar that would be built for the Patrol. Captain St. Clair mentioned the benefits of the aerial support the Patrol provided to law enforcement and said he was happy they would be able to remain in Rowan County.

Captain St. Clair stated that years ago he had been one of the first six (6) members selected to the Special Response Unit and now he was the last member of the six (6) that had been selected. Using a power point, Captain St. Clair discussed the need for the vehicle and explained the safety aspect for both law enforcement and the public. Captain St. Clair said the vehicle would help with hostage situations, as well.

Commissioner Klusman asked about changing the paint color from the green shown in the photo.

Commissioner Caskey (also a Charlotte Mecklenburg police officer) stressed the Bearcat was for the safety of both citizens and officers. Commissioner Caskey said from his own experience the subjects typically give up when the vehicle shows up. Commissioner Caskey said the subjects want to hurt themselves and want the officers to shoot them; however, the trucks give officers the opportunity to talk to them. Commissioner Caskey said the citizens know the vehicle is there for protection. Commissioner Caskey said a county the size of Rowan should not be borrowing the equipment from other agencies.

The request was for authorization to purchase the vehicle for an amount not to exceed \$324,852 and to approve the budget amendment included in the agenda packet.

Commissioner Pierce moved to pursue the purchase of the Lenco armored vehicle. The motion was seconded by Commissioner Klusman and passed unanimously.

Chairman Edds thanked Captain St. Clair and said the Board honored his many years of service.

At this point, Chairman Edds took a moment to recognize Assistant County Manager/Chief Information Officer Randy Cress for his birthday. Chairman Edds humorously described Mr. Cress as “the brain” of the County and he stated Rowan was a better community because of Mr. Cress.

10. INVESTMENT POLICY AND INVESTMENT TRADING RELATIONSHIP AGREEMENT POLICY

County Manager Aaron Church provided a power point and explained the purpose of the Investment Policy was to provide a framework for the County to use in the responsible administration of all county funds and the investment of those funds. The objective of the policy and its associated investment program were to responsibly preserve and protect County capital and to earn the highest possible market rates of return. The policy satisfied the requirements of North Carolina General Statute (NCGS) § 159-30.

Mr. Church described how the investment policy would work for the County. He also highlighted the recommended restrictions for investments. Mr. Church noted the Internal Auditor would review the investments annually for compliance.

Commissioner Greene inquired as to the longest length of time the County’s funds would be tied up. Mr. Church said the policy limited staff to five (5) years; but he said the Board could set the timeframe it wanted. Based on the current economy, Mr. Church recommended the investments be for one (1) year.

Chairman Edds said the County did not previously have an investment policy in place and he expressed appreciation to Mr. Church for his financial governance.

Chairman Edds moved, Commissioner Greene seconded and the vote to approve the Investment Policy and Investment Trading Relationship Agreement Policy passed unanimously.

11. FINANCIAL REPORTS

Finance Director Anna Bumgarner presented several financial graphs depicting the following information:

- Annual Cumulative Expenditure Comparisons as of August in FY 2023 - \$24,279,760
- Annual Cumulative Revenue Comparisons as of August in FY 2023 - \$60,240,958
- Annual Cumulative Sales Tax Comparisons as of June in FY 2022 - \$36,902,037
- Monthly Sales Tax Comparisons as of June in FY 2022 - \$3,337,810
- Annual Cumulative Current Year Property Tax Comparisons as of July in FY 2023 - \$43,916,551

12. BUDGET AMENDMENTS

Finance Director Anna Bumgarner presented the following budget amendments for the Board's consideration:

- Finance – Recognize reserved funds from FY 2022 for Animal Services Grants and donations. Reserved funds represent money received by a department for a restricted purpose. The funds not spent by year-end are budgeted for expenditure in the new fiscal year. \$47,611
- Finance - Recognize reserved funds from FY 2022 for Register of Deeds. Reserved funds represent money received by a department for a restricted purpose. The funds not spent by year-end are budgeted for expenditure in the new fiscal year. \$124,503
- Finance - Recognize reserved funds from FY 2022 for Environmental Management. Reserved funds represent money received by a department for a restricted purpose. The funds not spent by year-end are budgeted for expenditure in the new fiscal year. \$74,472
- Finance - Recognize reserved funds from FY 2022 for the Library. Reserved funds represent money received by a department for a restricted purpose. The funds not spent by year-end are budgeted for expenditure in the new fiscal year. \$46,367
- To appropriate fund balance and expenditures for FY 2022 General Fund encumbrances. \$36,000
- Recognize reserved funds from FY 2022 for Health Department Cardinal Innovations. Reserved funds represent money received by a department for a restricted purpose. The funds not spent by year-end are budgeted for expenditure in the new fiscal year. \$19,576
- Finance – Budget for the State Library of North Carolina Bright Ideas Grant approved by the Board of Commissioners. \$9,900
- Finance – Revenue and expenses for ARPA funds for FY22 to FY 23. \$1,100,000

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

13. CLOSED SESSION

Chairman Edds moved at 8:39 p.m. for the Board 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 August 1, 2022 and August 15, 2022; and in accordance with North Carolina General Statute 143.318(a)(3) for attorney-client privileged communication regarding potential litigation. The motion was seconded by Commissioner Pierce and carried unanimously.

Commissioner Pierce moved the Board return to Open Session at 9:41 p.m. The motion was seconded by Commissioner Greene and passed unanimously. No action was taken.

14. ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 9:41 p.m. The motion was seconded by Commissioner Klusman and passed unanimously.

Respectfully Submitted,

Carolyn Barger, MMC, NCMCC
Clerk to the Board

DRAFT