



ROWAN COUNTY COMMISSION AGENDA
April 6, 2020 - 3:00 PM

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Call to Order

Invocation

Provided By: Chaplain Michael Taylor

Pledge of Allegiance

Consider Additions to the Agenda

Consider Deletions From the Agenda

Consider Approval of the Agenda

Board members are asked to voluntarily inform the Board if any matter on the agenda might present a conflict of interest or might require the member to be excused from voting.

- Consider Approval of the Minutes: March 16, 2020

1 Consider Approval of Consent Agenda

- A. Request for Public Hearing for 'Project Gauge'
- B. Amendment to Pretrial Release Guidelines
- C. COVID-19 Relief Fund, OCOC
- D. The Grand On Julian, LLC Tax Interest Waiver
- E. Resoluton Certifying Results of 2020 Community College Bond Referendum
- F. Easter Creek Subordination Agreement

- G. Request From TDA For Deferral and One (1) Year Extension of Railwalk Pavilion Interlocal Agreement
 - H. Centralina Workforce Development Consortium - Articles of Association and Agreement
- 2 Public Comment Period
 - 3 Public Hearing: Ground Mounted Solar Energy System Moratorium Extension
 - 4 Public Hearing for Proposed Text Amendments to Rowan County Personnel Ordinance (Military Leave)
 - 5 Litter Report
 - 6 Budget Amendments
 - 7 Consider Approval of Board Appointments
 - 8 Adjournment

Citizens with disabilities requiring special needs to access the services or public meetings of Rowan County Government should contact the County Manager's Office three days prior to the meeting by calling (704) 216-8180.

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
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MEMO TO COMMISSIONERS:

FROM:

DATE:

SUBJECT: Provided By: Chaplain Michael Taylor

ATTACHMENTS:

Description

Upload Date

Type

No Attachments Available

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130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: Carolyn Barger, Clerk to the Board
DATE: March 25, 2020
SUBJECT: Consider Approval of the Minutes: March 16, 2020

ATTACHMENTS:

Description

March 16, 2020 Minutes

Upload Date

3/30/2020

Type

Cover Memo

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

March 16, 2020 – 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

Absent: Judy Klusman, Member
Craig Pierce, Member

County Manager Aaron Church, Clerk to the Board Carolyn Barger, County Attorney Jay Dees and Assistant County Manager/Finance Director Leslie Heidrick were present.

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

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

CONSIDER ADDITIONS TO THE AGENDA

Chairman Edds added a discussion regarding the use of West End Plaza for relief efforts during the current Coronavirus Pandemic. Chairman Edds added the topic as agenda item #15a.

CONSIDER DELETIONS FROM THE AGENDA

- Chairman Edds stated the Board no longer needed to hold the Closed Session.
- County Manager Aaron Church requested removal of agenda item #9 (West End Plaza Agricultural Center Interior Renderings).

CONSIDER APPROVAL OF THE AGENDA

Commissioner Greene moved, Commissioner Caskey seconded and the vote to approve the agenda as amended passed unanimously (3-0).

CONSIDER APPROVAL OF THE MINUTES

Commissioner Greene moved, Commissioner Caskey seconded and the vote to approve the minutes of the March 2, 2020 Commission Meeting passed unanimously (3-0).

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Caskey moved approval of the Consent Agenda. The motion was seconded by Commissioner Greene and passed unanimously (3-0).

The Consent Agenda consisted of the following:

- A. Tax Refunds for Approval
- B. Schedule Quasi-judicial Hearing for CUP 01-20 (Suretha Springs: Event Center) for April 20, 2020
- C. Library Request for West End Plaza Space
- D. The Grand On Julian, LLC
- E. Sale of Surplus Vehicles

Chairman Edds took a moment to welcome Commissioner Mike Caskey back from 30 days of National Guard service. Chairman Edds expressed appreciation for Commissioner Caskey's commitment to service in the military and as a Charlotte-Mecklenburg police officer.

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:

- Reverend Michael Taylor said he wished to pray for our nation and the world during the Coronavirus Pandemic.

Following the prayer, Chairman Edds emphasized to the public that it was a time to reach out and help one another and not a time to fight.

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

3. QUASI-JUDICIAL HEARING: CUP 08-16 AMENDMENT REQUEST FROM TRENT CHERRY

Chairman Edds read the Chairman's Speech (Exhibit A) and declared the public hearing for CUP 08-16 to be in session. Chairman Edds said the hearing would focus on an application submitted by Trent Cherry to construct seven (7) treehouses and three (3) underground cabins for temporary and overnight lodging on Tax Parcel 120-140 located on Flat Rock Road.

The Clerk swore in those wishing to provide testimony in the case.

Planning and Development Director Ed Muire presented the Staff Report (Exhibit B) and provided a power point (Exhibit C) as he discussed the application. Mr. Muire explained that Mr. Cherry had requested an amendment to the conditional use permit (CUP) issued for his project on January 17, 2016 that authorized him to utilize two (2) existing tree houses and construct five (5) additional tree houses for temporary and overnight lodging on his 26.1 acres. Mr. Muire said CUP 08-16 was valid for two (2) years from the date of approval and expired January 2018. Any units that were not built or started prior to the CUP 08-16 expiration were no longer vested, or grandfathered.

Following approval of CUP 08-16, the two (2) existing treehouse units and three (3) additional treehouse units have been inspected and deemed compliant with applicable NC residential building codes. Likewise, permits for water supply and septic systems have been obtained. A commercial driveway permit was obtained for access onto Flat Rock Road for Treehouse Lane.

Continuing with the power point (Exhibit C), Mr. Muire showed photos depicting the site and existing units. Mr. Muire said the amendment request sought to add the two (2) units from the original CUP 08-16 application, along with another eight (8) for a total of fifteen (15) units when completed. As proposed, twelve (12) of the units would be treehouses and three (3) would be built in a "Hobbit house" style partially underground.

Using the power point (Exhibit C), Mr. Muire showed the surrounding area and discussed the zoning designations, as well as the property characteristics. Mr. Muire said aside from improvements on the site, new development within ½ mile included five (5) new single-family homes since the project was permitted in 2016.

Mr. Muire highlighted the Conditional Use Criteria and the Specific Conditional Use Criteria contained in the Staff Report (Exhibit B).

Mr. Muire mentioned he had received three (3) calls since the notice was posted to advertise the public hearing. Mr. Muire said the callers biggest concern pertained to noise from the site. Mr. Muire said there had been several occasions when people had stayed at the Treesort and had a "good time." Mr. Muire said the callers did not want to hear the noise or see the Treesort. Mr. Muire said he had encouraged the callers to attend the hearing.

The staff recommendations were reviewed as follows:

1. Obtain commercial driveway permit from NCDOT for lower entrance; submit road names for considerations.
2. Make necessary road improvements to comply with 18' wide road and 6" compacted stone base.
3. Comply with all applicable Building Code and Environmental Health standards for construction and operation.

Chairman Edds informed the Board for the record that he had received a gift certificate to the Treesort but had not yet redeemed the certificate.

Trent Cherry, the applicant (sworn), came forward to answer questions from the Board.

Commissioner Greene asked Mr. Cherry how far he lived from the Treesort and Mr. Cherry said approximately two and a half (2.5) miles.

Commissioner Greene asked Mr. Cherry how he would resolve the noise issue described by the callers to Mr. Muire. Mr. Cherry felt the calls resulted from a December 8, 2019 Winterfest event. Mr. Cherry said the Treesort had been open to the public for Winterfest until 8:00 p.m. and he thought the event had been reported. Mr. Cherry continued by mentioning the noise from guns going off in the rural area around the Treesort. Mr. Cherry said in the past 4.5 years there had been no service calls to his property from law enforcement. Mr. Cherry estimated 90% of his clientele was families and there was no WIFI at the site since people came to relax and enjoy the outdoors. Mr. Cherry said some groups had possibly sat around a campfire until 10:00 p.m. and probably talked too loudly; however, he did not view three (3) calls over the course of a year as a problem.

Chairman Edds opened the floor to hear from those who had been sworn to provide testimony.

- Donna Hampton, who asked to speak, came forward and was sworn.

Ms. Hampton said she resided on Beaver Road east of the Treesort and she had a good view of the site, especially during the winter months. Ms. Hampton felt she had no privacy in her backyard. Ms. Hampton said she had lived at her residence for twenty (20) years. Ms. Hampton spoke in opposition to the proposed development stating she was tired of the noise from the garbage truck and the number of people at the Treesort. Ms. Hampton estimated she had seen approximately 20 to 30 cars at the site on numerous occasions. Ms. Hampton recalled from last year a group she thought were college kids were at the site and she felt they were drinking because of the noise. Ms. Hampton appealed to the Board not to allow further development and if the development were approved, additional screening should be required.

In response to an inquiry from Commissioner Greene, Ms. Hampton indicated on the map where her property adjoined Mr. Cherry's.

Chairman Edds called Mr. Cherry back to the podium. Chairman Edds stated the Commissioners were fans of private property rights until those rights infringed on others and reduced the enjoyment of others.

Mr. Cherry shared that Ms. Hampton had not contacted or approached him. Mr. Cherry noted South Rowan High School (SRHS) was closer to Ms. Hampton than his property and SRHS generated a lot more noise with sporting events and the bands. Mr. Cherry noted there was a large tree buffer between the Treesort and Ms. Hampton. He also mentioned the garbage was picked up every other week.

Mr. Muire said he failed to say when reviewing the general conditional use criteria contained in the Staff Report (Exhibit B) was the idea that we talk about the character of the area. Does 10 additional units fit the character of the area. Mr. Muire said Mr. Cherry indicated there were twenty-three (23) potential occupants for five (5) treehouses and if there were fifteen (15) treehouses there was a potential for sixty-nine (69) occupants on any given weekend. Mr. Muire said the difference was the Treesort was a commercial entity and a business adjoining residential properties. Mr. Muire said the concerns would be different if the proposed development was residential units. Mr. Muire said the Treesort did a lot to blend in; however, the proposed increased in occupancy was a big difference.

County Attorney Jay Dees described the Treesort as a novel use and as a rising industry in North Carolina. Mr. Dees said Staff was grappling with the other issues that came into play and how to regulate this type of development. Mr. Dees said the number of people at the Treesort on weekends and nights should be considered when discussing compatibility with the area.

Mr. Cherry said applied to be able to build the treehouses but it did not mean they would all be built. Mr. Cherry said, "I pay as I go." Mr. Cherry said he built one at a time based on demand. Mr. Cherry did not think he would reach a total of fifteen (15) treehouses. Mr. Cherry said the extra property he had purchased was a 27.2-acre tract and he pointed out that a subdivision of 27 acres had hundreds of people in the development. Mr. Cherry said his method of operation was to offer peace and quite and enjoyment of the woods. Mr. Cherry said it would be years down the road before he built out the fifteen (15) additional treehouses; however, he was applying now so that he would not have to go through the CUP process again.

Commissioner Caskey asked if Mr. Cherry's clients had to sign an agreement and if so, what did it contain about noise levels. Mr. Cherry said most bookings were through Airbnb; however, he did have rules posted on the refrigerators in each unit. Mr. Cherry said he had never received a complaint between guests/units.

Commissioner Caskey asked Mr. Cherry how he would handle an issue of someone being too loud. Mr. Cherry said he would personally drive to the site and remedy the situation. Mr. Cherry said the Resource Officer from SRHS also periodically drove through the Treesort.

Chairman Edds noted one issue as being no on-site supervision. Chairman Edds said he was inclined to approve the request but only for two (2) units. Chairman Edds said the current process was necessary because the previous CUP had expired.

Ms. Hampton was granted permission by Chairman Edds to come back to the podium for a second time to address the Board.

Ms. Hampton said she had not contacted Mr. Cherry as she was trying to be a good neighbor. Commissioner Caskey pointed out if Ms. Hampton had communicated with Mr. Cherry the noise issues might not be occurring. Commissioner Caskey said he felt sure Mr. Cherry would like to be made aware of when issues arose so he could address them.

Mr. Cherry noted the County's logo focused on being original and he said the Treesort was ranked as one of the top glamping sites in North Carolina. Mr. Cherry said the Treesort had been featured in three (3) magazines and been on television twice. Mr. Cherry said people from twelve (12) different countries visited the Treesort last year. Mr. Cherry said his priority was to make the facilities as nice as possible and to send his guests to other County venues. Mr. Cherry said there were probably only five (5) places with hobbit homes in the country. Mr. Cherry said until ten (10) minutes ago he thought he was applying for more treehouses versus the two (2) he thought were already permitted. Mr. Cherry did not realize the permit for the previous two (2) had expired. Mr. Cherry said he wanted to put nice treehouses on the property and that he would talk to Ms. Hampton.

Chairman Edds questioned the limit of vehicles per unit and Mr. Cherry said two (2). Mr. Cherry said the units were not rented by Airbnb to people under 21. Mr. Cherry said the facilities were booked solid for the Polar Express and Thomas the Train events. Mr. Cherry said people would not rent the spaces if they were built on top of one another.

Mr. Dees asked if the Treesort held special events. Mr. Cherry said Winterfest was held at the site, as well as four weddings in the past five (5) years with fifty (50) people or less. Mr. Cherry confirmed to Mr. Dees the Treesort advertised for up to 125 guests. Mr. Dees noted the Board was not just considering overnight guests as special events were held and led by a Special Events Coordinator. Mr. Dees said the website also advertised for corporate events and birthdays up to 125 guests. Mr. Dees reiterated the Board was talking about more than just treehouses and the Board was taking the right steps to take its time.

Chairman Edds closed the public hearing.

Chairman Edds said the request was for the Board to re-authorize the two (2) units that had expired and add an additional eight (8), which would be for a total of fifteen (15) units. Chairman Edds was inclined to re-authorize the two (2) and once they were built to re-evaluate the site.

Mr. Cherry confirmed two (2) treehouses were already scheduled for construction and the hobbit house would be next on the list.

Commissioner Caskey said he would not mind allowing Mr. Cherry to build one (1) hobbit house, as he felt it was an interesting idea.

Mr. Muire said the site plan locked in the unit locations and if the Board made recommendations to allow only two (2) or three (3) units, the Board would need to indicate the locations for them.

Using the power point (Exhibit C), Mr. Muire again showed the proposed unit locations. Mr. Cherry pointed out the proposed locations for the hobbit house(s) and treehouses. Mr. Cherry asked if he would be able to move the locations around if a professional recommended a better location. Mr. Dees answered that Mr. Cherry would need to submit an amended plan. Mr. Dees said 25' towards a neighbor could create a problem.

Chairman Edds moved to approve the two (2) expired units, plus one (1) additional for the hobbit house and to require Mr. Cherry to come back to the Board for any additional units; if the units were in locations other than as indicated in the current site plan, Mr. Cherry would be required to bring back an amended site plan request. The motion was seconded by Commissioner Greene.

Chairman Edds asked Mr. Muire about recommended conditions. Mr. Muire responded by requesting clarification as to whether the two (2) treehouses would be located on the lower drive and the hobbit house would be the lower unit. Mr. Cherry confirmed Mr. Muire was correct. Mr. Muire said when Mr. Cherry was ready, he would need to pull the commercial driveway permits and submit road names.

Commissioner Greene asked Mr. Cherry if there was a possibility he would move one of the proposed hobbit house locations. Mr. Cherry shared his thoughts regarding the proposed locations.

Chairman Edds instructed Mr. Cherry to do what was best for the Treesort but stated if he changed what was outlined on the site plan, he would have to come back to the Board with an amended plan.

1. Obtain commercial driveway permit from NCDOT for lower entrance; submit road names for considerations.
2. Make necessary road improvements to comply with 18' wide road and 6" compacted stone base.
3. Comply with all applicable Building Code and Environmental Health standards for construction and operation.

Mr. Cherry asked Mr. Muire to show the site plan (Staff Report, Exhibit B) again. Mr. Cherry referred to the proposed unit locations and asked if he could change up whether he built a treehouse or a hobbit house if the treehouse occupancy were to drop off.

Chairman Edds said he had no problem with the request and stated the Board was still only approving three (3) total units.

Mr. Muire referred to the site plan in the Staff Report (Exhibit B) and asked for confirmation on the specific locations for the three (3) proposed units.

Chairman Edds restated that the motion would be to approve the original two (2) treehouses, plus a hobbit house with a little bit of flexibility in those three (3) locations, along with the three (3) conditions recommended by Staff.

With regards to the Findings of Fact (Exhibit D):

- Commissioner Greene moved the development of the property in accordance with the proposed conditions will not materially endanger the public health or safety.
 - a. NCDOT has issued approvals for driveway entrances to safely access Flat Rock Road
 - b. Enhanced screening or fencing along the eastern property line toward Beaver Rd should eliminate any future visual conflicts

The motion was seconded by Commissioner Caskey and passed unanimously (3-0).

- Commissioner Greene moved that the development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property, or that the development is a public necessity.
 - a. 5 new residential units have been built within ½ mile of the project during the last 4 years suggesting the project is not a deterrent to adjoining residential properties or those in the area

The motion was seconded by Commissioner Caskey and passed unanimously (3-0).

- Commissioner Greene moved that the location and character of the development in accordance with the proposed conditions will be in general harmony with the area in which it is located and in general conformity with any adopted county plans.
 - a. The material and evidence presented has demonstrated the Cherry Treesort project complies with general and specific conditional use criteria and in conjunction with the conditions this Board has attached to approval, suggest it is generally compatible with land uses in the Rural Agriculture (RA) District.

The motion was seconded by Commissioner Caskey and passed unanimously (3-0).

Chairman Edds moved to approve CUP 08-16 Amendment for a total of three (3) units with the flexibility of the hobbit house as mentioned along with the conditions outlined by

Staff's recommendations. The motion was followed by a second from Commissioner Greene and carried unanimously (3-0).

4. PUBLIC HEARING: VESTED RIGHTS REQUEST FOR CHERRY TREESORT

Chairman Edds read the Chairman's Speech for CUP 08-16 Vested Rights and declared the public hearing regarding Trent Cherry's request for an extension of the vesting period for the recently amended CUP 08-16 from the two (2) year minimum to five (5) years. If granted, vesting for the project was associated with the land and not the owner. At the end of the vesting period, the vested rights terminate for any buildings for which no valid building permits had been submitted.

Planning and Development Director Ed Muire informed the Board of Commissioners that Section 21-11 of the Zoning Ordinance granted the Board the authority to authorize a vested right for a two (2) to five (5) year period based on warranted and relevant circumstances. Mr. Muire said based on the Board's approval during the current meeting for an amendment to CUP 08-16, the Board had the discretion to establish a vesting period beyond two (2) years when the petitioner demonstrated the vesting period was warranted by relevant circumstances such as the size of the project, phasing or level of investment.

If granted, Mr. Muire explained the vesting for the project was associated with the land and not the landowner. At the end of the vesting period, the vested rights terminate for any buildings for which no valid building permits had been submitted.

Mr. Cherry stated he was on a "pay as I go" plan. Mr. Cherry did feel he would need the full five (5) years but would need more than two (2) years. Mr. Cherry preferred to stay with a five (5) year vested period.

Chairman Edds opened the public hearing to receive citizen input regarding CUP 08-16 Vested Rights. With no one wishing to address the Board, Chairman Edds closed the public hearing.

Commissioner Greene moved, Commissioner Caskey seconded and the vote to authorize a vested right for a five (5) year period as requested passed unanimously.

5. ZTA 02-19: GROUND MOUNTED SOLAR ENERGY SYSTEM

Please note at this point in the meeting Chairman Edds made a motion to skip to agenda item #10 (Consider Approval of Apple Lease Resolution for Rowan Salisbury School System) in the order of discussion before coming back to agenda item #5. The motion was seconded by Commissioner Greene and passed unanimously (3-0).

Chairman Edds stated he felt the Board was not prepared to vote on ZTA 02-19 and was inclined to send the matter back to the Planning Board for additional review. Chairman Edds asked about scheduling another hearing for April 6, 2020 to consider another four-month extension of the ground mounted solar energy system moratorium.

Planning and Development Director Ed Muire said extending the moratorium was one of the options outlined in the staff report. Mr. Muire reviewed the other options and also provided the Board with a handout from Cooperative Solar, which shared the Company's opinion on the subject.

Mr. Muire felt four (4) additional months would be sufficient time for further consideration of proposed text amendments for ground mounted solar energy systems. In all fairness, Mr. Muire said the current Coronavirus Pandemic could possibly create some issues with when and how the Planning Board could meet.

County Attorney Jay Dees said the Board could discuss the length of the extension during the public hearing on April 6, 2020.

Chairman Edds moved to refer ZTA 02-19 text amendment and decommissioning plan back to the Planning Board for further study and extend the moratorium; and schedule a public hearing for April 6, 2020 to extend the Moratorium Ordinance for Ground Mounted Solar Energy Systems. The motion was seconded by Commissioner Greene and passed unanimously (3-0).

6. PROCLAMATION HONORING THE LEGACY OF ALEX CLARK

Chairman Edds talked about Alex Clark and his compelling life story. Chairman Edds said Mr. Clark had made some bad decisions earlier in life and paid dearly for them by doing time in federal prison. Chairman Edds said during the prison time, Mr. Clark turned his life around, vowing to come back and work in the community to help kids make better decisions than he had.

Chairman Edds said he had become friends with Mr. Clark and met people who had been touched by Mr. Clark. Chairman Edds said he had presented a Proclamation to Mr. Clark's wife during his funeral. Chairman Edds said the County mourned Mr. Clark's passing but celebrated his life.

Chairman Edds moved to approve the Proclamation Honoring the Legacy of Alex Clark. The motion was seconded by Commissioner Greene and passed unanimously (3-0).

The Proclamation was approved as follows:

WHEREAS, Alex Clark lead by example and was a tireless advocate and community voice and mentor for our youth; and

WHEREAS, even though Alex struggled with Lou Gehrig's Disease, he conveyed to his mentees and to the world that every human has God-given value and worthwhile hopes and dreams; and

WHEREAS, Alex was a teacher of humanity who planted seeds and lead by example; and

WHEREAS, together with his wife Alisha, they founded Gemstones and COMPASS, two nonprofits to provide youth with necessary skills to reach their maximum potential; and

WHEREAS, Alex filled a critical need and served as a role model to our children to help make a difference in their physical, emotional, mental and spiritual development; and

WHEREAS, thanks to his dedication and commitment, the citizens and youth of Rowan County have been enriched through his insight and teachings, which have left a legacy for others to follow.

NOW THEREFORE, the Rowan County Board of Commissioners does hereby honor the memory of a Leader whose spirit will live on in each life touched by his philosophy and encourages others to consider how they might use their time and talents to transform the life of a child and help to build a better life and brighter future for our community.

7. PROCLAMATION FOR CHILD ABUSE PREVENTION MONTH

Chairman Edds read the Proclamation for Child Abuse Prevention month as follows:

WHEREAS, child maltreatment is a community problem and finding a solution depends upon involvement among people throughout the community; and

WHEREAS, child maltreatment occurs when parents find themselves in stressful situations without community resources and unable to cope; and

WHEREAS, approximately 119,339 children were reported abused and/or neglected by their parents or caretakers in North Carolina in Fiscal Year 2018; and

WHEREAS, 27 children were victims of homicide due to abuse or neglect by their parent or caretaker in North Carolina during the year 2016; and

WHEREAS, the majority of child maltreatment cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, the effects of child maltreatment are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS, effective child maltreatment prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

THEREFORE, the Rowan County Commissioners, does hereby proclaim April 2020 as Child Abuse Prevention Month in Rowan County and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to prevent child maltreatment and strengthen the communities in which we live.

Chairman Edds moved, Commissioner Greene seconded and the vote to approve the Proclamation as read passed unanimously (3-0).

8. PRESENTATION REGARDING RADIO SYSTEM UPGRADES

Telecommunications Director Allen Cress and Assistant County Manager/Chief Information Officer Randy Cress were present to discuss the radio system upgrades.

Allen provided the background regarding the request for the radio system upgrades, including the infrastructure recommendations, as well as the costs. Allen reported the current prime site was in Granite Quarry. Allen stated if something happened to the site,

the County would lose its 800mhz system and would have nowhere near the coverage it currently had.

In response to an inquiry from Chairman Edds, Allen said the County was looking at a new tower site in Cleveland where the County owned land. Allen said the County currently leased space for approximately \$42,000/year on the Young Mountain Tower in Cleveland. Building a new tower would eliminate those lease costs. Allen expressed hope the County would be able to lease space to providers on its own tower in order to generate revenue.

Randy mentioned one of the discussions when going through the broadband meetings was the need for the County to have vertical assets. Randy explained if the County went from a leased tower to having its own tower site, the County would be able to negotiate with the wireless providers that had shown interest in providing service. Randy said if the County's tower was put up, staff could make sure the tower was not locked specifically to the radio system in the RFP process. The cost to build the tower was estimated at \$550,000

The radio recommendations were to shift from dual mobile and portable radios to per officer portable radios. The radios would be replaced in phases starting in FY 20-21 and the replacements would be completed in FY 23-24. Allen reported the first phase with infrastructure (\$1.5 million) and radio costs (\$2.5 million) totaled \$4 million. Phase 2 costs were estimated at \$6.5 million. The overall total for the request was \$10.5 million.

Commissioner Caskey asked how many batteries would be provided for each radio. Allen said each radio would have a charger and one (1) battery. Commissioner Caskey commented that GPS used a lot more power and it would probably be helpful to have an extra battery to switch out in the middle of a shift, if needed. Allen responded that staff could require the extra battery.

Allen stated the current support and maintenance with Motorola expired in December of 2021. Federal Engineering, who was awarded the public safety radio assessment, would engage in a contract negotiation on behalf of the County for maintenance on the proposed new equipment and ongoing services.

Allen highlighted the next steps for the Board, which were to allow staff to continue engagement with Federal Engineering to:

- Issue RP for radio replacements
- Negotiate service contracts for expiring contracts
- Solicit costs for System infrastructure upgrade and resiliency

County Manager Aaron Church said one of the main reasons the issue was before the Board was to receive approval for the direction staff was going. Mr. Church said in order to issue the RFP, staff needed to know what the RFP should include. Mr. Church said the Board would be effectively approving the plan that had been presented but was not

approving the purchase agreement. Mr. Church said the topic would come back to the Board several times before final approval.

Chairman Edds questioned the total number of radios to be purchased and Allen responded 1,425 by 2024. With regards to value from the old radios, Allen estimated the value was between \$100 - \$200. Allen said there were places overseas that could potentially use the older radios for parts until they could get the money to replace them. If there was a buyback value, the County could sell the radios, or, they would be declared as surplus.

Chairman Edds moved to allow staff to continue engagement with Federal Engineering to issue an RPF for radio replacements, negotiate service contracts for expiring contracts, and to solicit costs for System infrastructure upgrade and resiliency. The motion was seconded by Commissioner Greene.

Commissioner Caskey said the main item for him was to provide an option for another battery for each radio.

Allen also confirmed to Commissioner Caskey the volunteer fire departments were happy with the route being taken for the radio replacements.

Upon being put to a vote, the motion on the floor passed unanimously (3-0).

Commissioner Greene asked for confirmation that Allen would obtain a quote for a second battery and Allen confirmed yes. Commissioner Greene requested the quote be brought back to the Board.

9. WEST END PLAZA AGRICULTURAL CENTER INTERIOR RENDERINGS

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

10. CONSIDER APPROVAL OF APPLE LEASE RESOLUTION FOR ROWAN SALISBURY SCHOOL SYSTEM

Rowan Salisbury School System (RSSS) Superintendent, Dr. Lynn Moody, presented the request from the Board of Education (BOE) for approval of the Resolution for the Apple Lease. Dr. Moody said the first Apple lease was approved six (6) years ago and a second time three (3) years ago. Dr. Moody reported a meeting was held with RSSS teachers for their input concerning the new lease.

Dr. Moody discussed how the Apple technology had greatly assisted RSSS during the current Coronavirus Pandemic. Dr. Moody said the County should be proud that it could close its school system for a period of time and still be able to provide instruction to students.

Dr. Moody introduced staff members David Blattner, Chief Technology Officer, and Carol Herndon, Chief Financial Officer. She also introduced BOE members Kevin Jones and Susan Cox.

At the request of Chairman Edds, Dr. Moody discussed the use of iPads versus laptops for high school students. Dr. Moody said the old units would be returned and the students would receive new devices. Dr. Moody expressed hope the resale value of the used devices would be higher than was previously indicated due to the higher demand.

Ms. Cox supported the Resolution and highlighted the positives for using the technology. Ms. Cox said the State was reducing funding for textbooks and a portion of the books were obsolete when they were received in the classroom.

Mr. Jones, BOE Chairman, shared his insight for the technology as a parent of five (5) children. Mr. Jones said he had been able to see presentations, etc. at a district level and convince over and over again the value of the devices.

Chairman Edds asked if the BOE had voted in support of the Resolution. Mr. Jones said the vote was 4-2 and one (1) member had been missing.

Commissioner Greene inquired as to how RSSS handled the areas in the County that did not have internet/broadband service. Mr. Blattner said RSSS partnered with Sprint for the high schools and had also done some hot spots for lower grades. Mr. Blattner said one reason for using iPads was that teachers could download programs before the students were sent home.

In response to an inquiry from Chairman Edds, Ms. Herndon said \$12.3 million was the total cost for the lease over 3.5 years and the funds from the buyback of the used equipment would be used to pay towards the lease payments.

Mr. Blattner explained to Commissioner Caskey how the purchase worked. Mr. Blattner said RSSS leased to own and could sell the equipment at residual value. Mr. Herndon said RSSS would own the equipment once the last payment was made.

Commissioner Caskey asked in theory if there could be an extra million in funds from the resale of the used equipment. Mr. Blattner discussed the fees, warranties, etc. and said the savings was about \$1.3 million over a 4-year period.

Commissioner Caskey inquired as to the Commissioners duty and County Attorney Jay Dees said the BOE was statutorily required to get approval from the Board of Commissioners to enter into the agreement.

Commissioner Caskey posed additional questions concerning the lease. Assistant County Manager/Finance Director Leslie Heidrick said the lease was considered a type of debt and considered as a capital lease.

Ms. Herndon said RSSS was not asking for any incremental funding and that local monies had not yet been used.

Mr. Blattner explained to Commissioner Caskey whether other brands besides Apple equipment could be used.

Commissioner Caskey asked if anyone knew why two (2) BOE members voted against the lease. Mr. Jones said the general feeling was those members were trying to be conservative with the finances at a time when the BOE was talking about closing schools, etc. Mr. Jones said there had not been a vast improvement in the test scores as had been hoped for.

Mr. Blattner addressed additional questions, including whether the equipment was purchased directly from Apple, the bid process, and possible use of a different brand, such as Android.

Chairman Edds felt switching at a time when there was such upheaval (Coronavirus Pandemic) did not seem prudent. Chairman Edds said the Commissioners did not have all the information the BOE had and it did not seem wise to make changes at this time.

Dr. Moody shared her pride at the ability of RSSS to stay connected to students, parents and teachers at this time. Dr. Moody also shared that RSSS would be using buses to deliver books, meals, supplies, footballs, basketballs, packages for parents, etc. in the coming weeks. Dr. Moody said the school parking lots would also be open so people in the community could sit in the parking lots to connect to the internet.

With no further comments, Commissioner Greene moved to approve the Resolution as submitted. The motion was seconded by Chairman Edds and passed 2-1 with Commissioner Caskey dissenting.

Chairman Edds took a moment to discuss the broadband issue in Rowan County. Chairman Edds explained that two (2) years ago the County underwent a broadband study to try to get the private sector to bring broadband into rural Rowan County. Chairman Edds said a committee was formed to review the issue and the committee also included citizens from the study areas. Questionnaires were sent out and the public's responses were mapped. The private sector was then invited to discuss their interest in bringing private sector broadband. Chairman Edds said approximately five (5) companies responded; however, the larger companies bowed out right away due to the expense of running high speed broadband into such rural areas. Chairman Edds said the County began to understand the answer would most likely be through offering high speed wireless broadband. Chairman Edds said the County had continued to work with the companies; however, several issues had surfaced.

Chairman Edds said there were a couple of funding sources that would provide for the equipment needed to make high speed wireless broadband work in the rural areas. The funding sources were the North Carolina Broadband Fund (NCBF) and the United

States Department of Agriculture (USDA) at the federal level. The NCBF made its funding available in tiers and the Tier 1 counties were currently being served. Rowan County is a Tier 2 county and not eligible for funding through the NCBF until July 2020 and only the providers were eligible. Chairman Edds continued by saying he had received emails from folks stating the County had missed the application deadline but he clarified the County did not miss a deadline as the County was not eligible to apply for NCBF.

The County might be eligible; however, in several areas for USDA funds but the County did not have any providers showing interest in applying for the USDA grants at this time. The County is not the applicant for the USDA funds.

In conclusion, Chairman Edds said the County was looking towards the July 2020 date and he wanted to make sure everyone understood and had accurate information. Chairman Edds said the broadband process the County had undertaken had created a model across the State. In closing, Chairman Edds said providing broadband was high on the County's priority list.

The Apple Lease Resolution was approved as follows:

WHEREAS, the Rowan-Salisbury Board of Education wishes to enter into a continuing contract for capital outlay under N.C. Gen. Stat. § 115C-528 with Apple, Inc. for the purchase of certain computer hardware, software, and related equipment to be used for public school purposes; *and*

WHEREAS, the contract will require the Board of Education to pay Apple, Inc., up to \$12,332,397.97 over 2020 - 2021, 2021 - 2022, 2022 - 2023 and 2023 - 2024 fiscal years; *and*

WHEREAS, the Board of Education will pay Apple in approximate installments of \$3,523,542.28 in the 2020 – 2021 fiscal year, \$3,523,542.28 in the 2021 – 2022 fiscal year, \$3,523,542.28 in the 2022 – 2023 fiscal year and \$1,761,771.14 in the 2023 – 2024 fiscal year; *and*

WHEREAS, the contract may be a continuing contract for capital outlay subject to the provisions of N.C. Gen. Stat. §§ 115C-441(c1) and 115C-528, including the approval of the Rowan County Board of Commissioners.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Rowan County Board of Commissioners agrees to appropriate sufficient funds to the Rowan-Salisbury Board of Education in ensuing fiscal years to meet the Apple, Inc. contract obligations, so long as the amount the Board of Education shall be obligated to pay under that contract shall be generally equal to the amounts noted above. Said funds shall be a part of, and not in addition to, regular appropriations made to the Board of Education. Said funds obligated by this contract for fiscal years 2020 – 2021, 2021 – 2022, 2022 – 2023 and 2023 – 2024 shall be budgeted by the Board of Education for this purpose, and the Rowan County Board of Commissioners shall not be obligated to increase its annual appropriation to the Board of Education by the amount due under this contract with Apple, Inc.

[Please note at this point in the meeting the Board reverted back to agenda item #5 (ZTA 02-19: Ground Mounted Solar Energy System) to continue in the order of discussion as listed on the agenda].

11. ROWAN COUNTY TRANSIT DISCUSSION

County Manager Aaron Church provided an update regarding transportation services in Rowan County. Mr. Church reviewed statistics regarding the increases in service miles and total trips from FY 2019 to FY 2020.

Mr. Church said the most recent Home and Community Care Block Grant contract for transportation had increased resulting in an estimated shortfall for FY '20 in the amount of \$42,500. This included transportation to nutrition sites, medical transportation and general transportation such as to grocery and pharmacy stores, salons, etc.

Due to the rate increase there were changes the County could no longer support at the same level. Mr. Church reviewed the changes as follows:

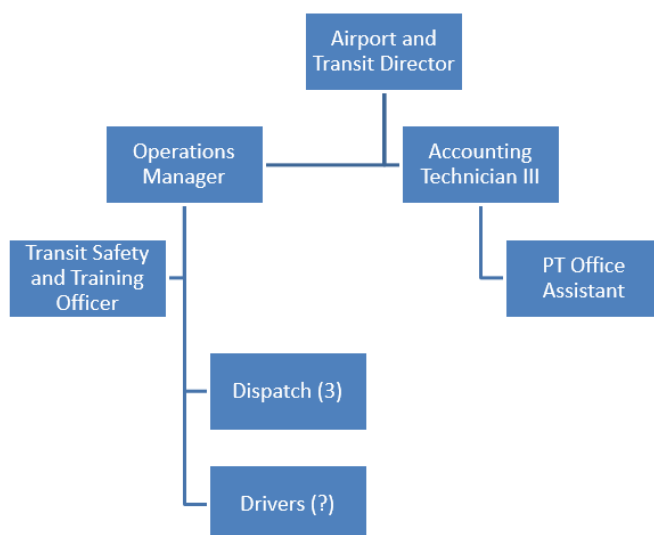
Not able to support special trips:

- Dan Nicholas Park summer camps
- Cooperative Ext summer camps
- Carter House
- Rufty-Holmes
- Meal Sites
- Parks and Rec
- Trinity Living Center (TLC)

Wait lists:

- HCCBG-Nutrition Sites – 13 clients
- Trinity Living Center
- Dialysis – Salisbury & Kannapolis – 15 clients

Mr. Church presented the proposed organizational structure for bringing transit services in-house. The goal was to have the services in-house by October 1, 2020.



Chairman Edds moved to ask the County Manager to pursue the steps necessary to begin the process of bringing transit in-house and operational by October 1, 2020. The motion was seconded by Commissioner Caskey and passed unanimously (3-0).

12. LITTER REPORT

Chairman Edds reviewed the litter report in the agenda packet. The report indicated a total of 4,425 pounds of trash was collected for the period beginning Monday, February 17 through Friday February 28, 2020. Chairman Edds appealed to the public not to litter.

13. SCHEDULE PUBLIC HEARING FOR APRIL 6, 2020 TO CONSIDER REVISIONS TO THE PERSONNEL ORDINANCE

Commissioner Greene moved the Board schedule a public hearing for April 6, 2020 to consider proposed revisions to the Rowan County Code of Ordinances. The revisions pertained to Chapter 2 Administration, Article II Personnel, Division 7 Section 2-138 – Military leave. The motion was seconded by Commissioner Caskey and passed unanimously (3-0).

14. FINANCIAL REPORTS

Assistant County Manager/Finance Director Leslie Heidrick presented financial graphs that depicted the following information:

- Annual Cumulative Current Year Property Tax Comparisons as of January in FY 2020 - \$81,524,980
- Annual Cumulative Sales Tax Comparisons as of November in FY 2020 - \$11,666,667
- Annual Cumulative Revenue Comparisons as of February FY 2020- \$114,811,770
- Annual Cumulative Expenditure Comparisons as of February FY 2020- \$94,591,984

15. CONSIDER APPROVAL OF BUDGET AMENDMENTS

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

- Finance - To budget donation made to Soil and Water - \$500
- Social Services – Expenditures/Revenues revised based on funding authorizations received from the State. Funding authorizations reflect the actual amount received and may increase/decrease the original budget estimate - \$27,878
- Sheriff – Recognize excess State Asset Forfeiture Funds revenue and budget to the designated expense accounts - \$15,956
- Finance – Budget FY '20 JCPC expansion funding awarded to County \$9,568
- Finance – Increase Medicaid transportation revenue and expense due to increase in rate per mile charged - \$125,000

- Finance – Increase Salisbury ADA transportation revenue and expense due to the increase in rate per mile charged - \$22,000

Commissioner Greene moved approval of the budget amendments as presented. The motion was seconded by Commissioner Caskey and passed unanimously (3-0).

15a. ADDITION

Use of West End Plaza for Coronavirus Pandemic Relief Efforts

Chairman Edds said due to the issues taking place nationally (Coronavirus Pandemic) as well as with the State and locally, the question had been raised whether the West End Plaza (WEP) could be used for some relief efforts. Chairman Edds said the details for the relief efforts were unknown but could be a staging area for food for kids, etc. Chairman Edds said there were a lot of rules that pertained to COVID-19 from the President of the United States on down.

Chairman Edds moved for the Board to give the County Manager the authority to work within the rules given by local, state and federal officials to be able to use the WEP for any kind of relief efforts that may come. The motion was seconded by Commissioner Greene.

Commissioner Caskey suggested the motion be amended to allow the County Manager to develop the policy in a manner that would allow the County Manager to have the authority ongoing in emergency situations.

Chairman Edds amended the motion to include allowing the County Manager to develop a policy that would grant the County Manager the ongoing authority to utilize the WEP in emergency situations. Commissioner Greene was agreeable to the amended motion and upon being put to a vote, the motion passed unanimously.

16. CLOSED SESSION

The Closed Session was removed from the agenda at the beginning of the meeting.

17. ADJOURNMENT

There being no further business to come before the Board, Commissioner Caskey moved to adjourn at 8:55 p.m. The motion was seconded by Commissioner Greene and passed unanimously (3-0).

Respectfully Submitted,

Carolyn Barger, MMC, NCMCC
Clerk to the Board

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: Scott Shelton
DATE: March 25, 2020
SUBJECT: Request for Public Hearing for 'Project Gauge'

The Rowan EDC respectfully requests that the Board of Commissioners schedule a public hearing for April 20, 2020 to consider an incentive request from 'Project Gauge.'

The Company behind 'Project Gauge' seeks to acquire an existing employer's facility in Rowan County.

The Company plans to retain the 40 current employees at the facility, as well as create 46 new jobs over the next four years.

While these numbers are preliminary, the Company estimates that it will also invest approximately \$5.1 million in building improvements and new equipment

ATTACHMENTS:

Description	Upload Date	Type
Request for Public Hearing	3/25/2020	Cover Memo



Be an original.

Date: March 25, 2020
To: Greg Edds, Chairman
Cc: Aaron Church, County Manager
Carolyn Barger, Clerk to the Board
From: Scott Shelton, Vice President
Re: *Request for public hearing to consider incentives for "Project Gauge"*

Dear Chairman Edds,

With cautious optimism, I respectfully request that the Board of Commissioners schedule a public hearing for April 20, 2020 to consider an incentive request from 'Project Gauge.' The Company behind 'Project Gauge' seeks to acquire an existing employer's facility in Rowan County. The Company plans to retain the 40 current employees at the facility, as well as create 46 new jobs over the next four years. While these numbers are preliminary, the Company estimates that it will also invest approximately \$5.1 million in building improvements and new equipment.

I look forward to providing you detailed information regarding this request and this project in the coming days. Please do not hesitate to contact me with any questions you may have, and thank you for considering this matter.

Yours truly,

Scott Shelton

Scott Shelton
Vice President

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: Janet Ruffin, Pretrial Services Coordinator
DATE: March 26, 2020
SUBJECT: Amendment to Pretrial Release Guidelines

ATTACHMENTS:

Description

Memorandum

Upload Date

3/27/2020

Type

Cover Memo

To: Rowan County Board of Commissioners

From: Janet Ruffin, Rowan County Pretrial Services Coordinator

Date: March 27, 2020

Re: Amendment to Guidelines

Currently, Pretrial is required to wait at least 48 hours prior to releasing an inmate under our program. I would like to keep that in place, but I would like to make a request to amend this to allow for immediate release under Pretrial should an inmate present with any type of symptoms of the Coronavirus into the Rowan Detention Center. This request is made with the safety of the staff and inmates housed at the facility.

Thank you for your consideration.

ROWAN COUNTY
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130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: Donna Fayko
DATE: March 30, 2020
SUBJECT: COVID-19 Relief Fund, OCOC

Funding will be used to improve the quality of life for Rowan County children and teenagers, who are victims of trauma due to child neglect and abuse, who are actively receiving Child Protective or Foster Care Services from the Rowan County Department of Social Services. By shipping needed life essential items to client's homes families will be able to: remain in their home; avoiding exposure to the Covid-19 virus; providing life necessities free of charge to the family; relieving family stress due to the financial strain caused by the virus when parents are unable to work and are living together in a close environment.

ATTACHMENTS:

Description	Upload Date	Type
COVID-19 Relief Fund Grant, OCOC	3/30/2020	Cover Memo

COVID-19 Relief Fund

Request for Grant

In this time of unprecedented crisis, Cardinal Innovations is committed to our members' needs and those that care for them. The social and economic impacts of the novel coronavirus (COVID-19) are real, and we are committed more than ever to ensuring that services and supports are available to those in need.

As part of our ongoing philosophy of community reinvestment, Cardinal Innovations has created the COVID-19 Relief Fund to support local responsiveness in a way that impacts the health, wellness and stability of vulnerable populations impacted by COVID-19, particularly individuals with mental health conditions, intellectual/developmental disabilities, and/or substance use disorders. We are placing a particular emphasis on initiatives that will make an immediate impact on the availability of social services and increase the community's overall ability to serve those who are disproportionately affected by the pandemic.

Cardinal Innovations is committing an initial total fund amount of \$1,000,000 to provide assistance where it is most needed. Requests for grants up to \$20,000 will be accepted, with award amounts to be aligned with the number of people reached and overall impact.

In order to facilitate responsiveness to immediate needs, Cardinal Innovations will accept applications on an ongoing basis throughout the pandemic. We will deploy an expedited review process and make determinations as quickly as possible following grant submissions. Please contact Allison Stewart at allison.stewart@cardinalinnovations.org with any questions. Together we will continue to make a difference in the lives of those we serve.

Sincerely,
Cardinal Innovations Healthcare

Request for Grant Process Requirements

Guidelines:

- Submissions can be completed online (www.cardinalinnovations.org/covid19-relief-fund) or by sending this document by email to Allison.Stewart@cardinalinnovations.org.
- The area of need should be explained, including how the investment will provide additional services and/or supports within the community, and how your proposal aligns with the mission of Cardinal Innovations Healthcare.
- Proposals from the following 20 counties will be considered, and our goal is to distribute them as equitably as possible:
 - Alamance, Cabarrus, Caswell, Chatham, Davidson, Davie, Forsyth, Franklin, Granville, Halifax, Mecklenburg, Orange, Person, Rockingham, Rowan, Stanly, Stokes, Union, Vance and Warren
- The following entities may submit a proposal for consideration:
 - Counties
 - Local Public School Systems/Districts and/or Higher Education Institutions
 - Municipalities
 - Non-profit community-based organizations
 - Healthcare providers who are implementing new programs currently not available for members (*Cardinal Innovations is working closely with providers and DHHS to bolster existing programs through enhanced rates, expanded service arrays, etc.*)
- Grant requests are limited to one page. Supplemental brochures and/or letters of support are not necessary, but can be submitted as supporting material via email at allison.stewart@cardinalinnovations.org.
- A budget form must be submitted with your proposal. (*see page 5*) This form should itemize expenses and justify how final dollar amounts were determined. Requests for grants up to \$20,000 will be accepted.
- We will consider one request per entity per quarter. Please contact us directly if you are experiencing extenuating circumstances.
- A report detailing how the funds were utilized and impactful in the community must be submitted to Cardinal Innovations Healthcare by June 30, 2020.
- Clarification questions may be asked at any time by submitting questions via email to Allison Stewart at allison.stewart@cardinalinnovations.org.

Grant Proposal Cover Page

Organization:			
Address:			
City, State, Zip:		County:	
Primary Contact:		Position:	
Phone:		Email Address:	

Name of grant:	
Describe how funding will be used:	
Amount Requested:	

Please return the completed signed cover page with your attached proposal and budget via email to:
allison.stewart@cardinalinnovations.org.

Please email Allison Stewart at allison.stewart@cardinalinnovations.org regarding any questions during the RFP process.

Applicant Signature

Date

Applicant Printed Name

Please use this form and/or attach a page detailing the proposed budget.

Organization Name:

Expense	Description	Dollar Amount Requested
	Total Funds Requested	

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: County Attorney Jay Dees
DATE: March 30, 2020
SUBJECT: The Grand On Julian, LLC Tax Interest Waiver

The Board approved waiving \$13,112.28 in interest for The Grand On Julian, LLC via the Consent Agenda on March 16, 2020. This action is to correct the amount to \$13,595.13.

My requested action: Motion and approval to waive all interest associated with the supplemental tax bill that The Grand on Julian, LLC paid. That amount is estimated to be \$13,595.13; provided, however, the amount may be subject to minor adjustments for any accrued interest.

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

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130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: Finance Department
DATE: March 30, 2020
SUBJECT: Resoluton Certifying Results of 2020 Community College Bond Referendum

Please see the attached Resolution, Certificate of Director and Abstract of Votes.

Please adopt the attached Resolution Certifying Results of 2020 Referendum for General Obligation Bonds and Providing for Publication of Notice Thereof

ATTACHMENTS:

Description	Upload Date	Type
Resolution Certifying Resultls of 2020 Referendum	3/31/2020	Backup Material

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 704-216-8180 • FAX 704-216-8195

RESOLUTION CERTIFYING RESULTS OF 2020 REFERENDUM FOR GENERAL OBLIGATION BONDS AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, the Board of Commissioners (the "Board") of the County of Rowan, North Carolina, (the "County") desires to certify and declare the results of the referendum held March 3, 2020;

NOW THEREFORE, the Board for the County, meeting in regular session on April 6, 2020, does the following:

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF ROWAN, NORTH CAROLINA, as follows:

1. The Board hereby certifies and declares the result of the referendum held on March 3, 2020, with respect to the proposed \$45,000,000 General Obligation Bonds, to be 14,356 votes "For" approval of the Bond Order and 10,742 votes "Against" approval of the Bond Order.

2. The affirmative votes of a majority of those voting having been received, the Board hereby certifies and declares that the Bond Order entitled "**BOND ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF ROWAN IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$45,000,000 FOR THE PURPOSE OF FINANCING, IN PART, THE ACQUISITION, CONSTRUCTION, INSTALLATION, RENOVATION AND EQUIPPING OF EDUCATIONAL FACILITIES OF ROWAN-CABARRUS COMMUNITY COLLEGE**" is now in effect.

3. The Clerk to this Board shall cause the statement, in substantially the form hereto attached as Exhibit A, to be published in the *Salisbury Post* and filed in the Clerk's Office.

4. This resolution shall take effect immediately.

Duly adopted this 6th day of April, 2020 while in regular session.

Gregory C. Edds
Chairman, Board of Commissioners

ATTEST:

Carolyn Barger, MMC, NCMCC
Clerk to the Board

(SEAL)

Equal Opportunity Employer



recycled paper

**RESULT OF REFERENDUM ON \$45,000,000
COUNTY OF ROWAN, NORTH CAROLINA
GENERAL OBLIGATION COMMUNITY COLLEGE BONDS**

The result of the referendum held on March 3, 2020:

Results	
Yes	No
14,356	10,742

for the County of Rowan, North Carolina (the "County") on the issuance of the County's General Obligation Community College Bonds in an aggregate principal amount not to exceed \$45,000,000 to be issued for the purpose of financing, in part, the acquisition, construction, installation, renovation and equipping of educational facilities of Rowan-Cabarrus Community College was 14,356 votes "For" and 10,742 votes "Against" approval of such bonds and therefore the Bond Order is in effect.

Any action or proceeding challenging the regularity or validity of this bond referendum must be begun with 30 days after [Publication Date].

Carolyn Barger, MMC, NCMCC
Clerk to the Board of Commissioners
Rowan County, North Carolina

CERTIFICATE OF DIRECTOR
ROWAN COUNTY BOARD OF ELECTIONS

I, the undersigned Director of the Rowan County Board of Elections, DO HEREBY CERTIFY:

1. The Chairman and Members of the Rowan County Board of Elections (the "Board") met on March 13, 2020, at 11:00 a.m., at the offices of the Board in Salisbury, North Carolina, which offices are located at 1935 Jake Alexander Boulevard West, Suite D10, Salisbury, North Carolina, there having been posted a notice at the Rowan County Courthouse stating such meeting would be held at the offices of the Board, to canvass the returns for an election held on March 3, 2020 in the County of Rowan, North Carolina (the "County"), on a bond referendum for the County.

2. Attached hereto as Exhibit A is a true and correct copy of an abstract prepared, completed, delivered and filed in accordance with North Carolina General Statutes § 163A-1173 in connection with the following referendum question:

Shall the order of the County of Rowan authorizing \$45,000,000 general obligation bonds plus interest, for the purpose of financing, in part, the acquisition, construction, installation, renovation and equipping of educational facilities of Rowan-Cabarrus Community College, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on such bonds be approved?

☐ Yes

☐ No


3. The Chairman and Members of the Board whose signatures appear on the abstract attached hereto as Exhibit A were on the date they executed such abstract and are on the date hereof the duly appointed and qualified incumbents of the offices of the Board and the signatures appearing on such abstract are their genuine signatures.

4. All persons voting on the bond referendum were required to use ballots or voting machines with material setting forth the questions to be voted upon in the form prescribed by the County.

5. Only the persons who had been duly registered were permitted to vote on the bond referendum.

6. The polls were opened at the polling places in the County on March 3, 2020, at 6:30 a.m., and were closed at 7:30 p.m. on that day.

WITNESS my signature this 13th day of March, 2020.


Brenda G. McCubbins
Director, Rowan County Board of Elections



2020 PRIMARY ELECTION
03/03/2020
ABSTRACT OF VOTES
FOR
ROWAN COUNTY, NORTH CAROLINA

INSTRUCTIONS

The county board shall prepare abstracts of all the ballot items in triplicate originals. The county board shall retain one of the triplicate originals, and shall distribute one each to the clerk of superior court for the county and the State Board of Elections. The State Board of Elections shall forward the original abstract it receives to the Secretary of State (GS § 163A-1173)

STATE OF NORTH CAROLINA
COUNTY OF ROWAN

The County Board of Elections for said county, having opened, canvassed, and judicially determined the original returns of the election in the precincts in this county, held as above stated, do hereby certify that the attached is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office or referendum named, the name of each person or choice voted for, their party affiliation (where applicable), and the number of votes cast for each person or choice for the item named.

This is the 13th day of March, 2020.

John T. Hudson
 Board Chair

Cathleen S. Hunter
 Board Secretary

Mary K. De
 Board Member

Stephen A. Coll
 Board Member

Sharon
 Board Member

This day personally appeared before me, John T. Hudson, Chairman of the County Board of Elections, who being duly sworn, says the abstract of votes herein contained is true and correct, according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this the 13th day of March, 2020.

Brenda G. McCubbins
 Official Signature of Notary Public

Brenda G. McCubbins
 Printed/Typed Name of Notary Public

My Commission Expires: 10-12-22

(Seal)

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: County Attorney Jay Dees
DATE: March 31, 2020
SUBJECT: Easter Creek Subordination Agreement

I received an email from Jennifer Fountain, attorney for Easter Creek, requesting that the BOC consider and approve the attached Subordination Agreement. Easter Creek is refinancing debt and the bank is requiring that the County subordinate its purchase financing extended to Easter Creek when it purchased Phase I of Chamandy Drive industrial development.

I am also attaching our previous Subordination Agreement that the County approved for the initial financing in February 2018, so this request is consistent with the County's prior action.

ATTACHMENTS:

Description

Upload Date

Type

No Attachments Available

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: James Meacham, CEO, Tourism Development Authority
DATE: March 31, 2020
SUBJECT: Request From TDA For Deferral and One (1) Year Extension of Railwalk Pavilion Interlocal Agreement

In an effort to provide further support to Rowan County's Hospitality and Tourism Sector the Rowan Tourism Development Authority requests the Board of Commissioners consideration of the following:

- **Deferment of Railwalk Pavilion FY 2019-20 payment via a term extension of one fiscal year.**
 - Deferment will provide Tourism additional operating support for the remainder of FY 19-20
 - All fees for services and construction for the Pavilion have been remitted, there are no outstanding obligations and construction is complete.
 - Tourism has reduced operating costs by 50% through reductions in labor costs including wage reductions, halting contributions to retirement accounts, expenses reductions and furloughs in an effort to absorb short term decreases in visitor paid occupancy taxes while maintaining operating capital to support the tourism and hospitality sectors.
 - Tourism cost reductions provide the capacity to continue operations and providing resources, information and support to workers, businesses and organizations directly impacted by the health crisis.
 - County deferring the 2019-20 payment and extending the term by one fiscal year will greatly support these efforts.

ATTACHMENTS:

Description

Upload Date

Type

No Attachments Available

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: David Hollars, Executive Director, Centralina Workforce Development Board
DATE: March 31, 2020
SUBJECT: Centralina Workforce Development Consortium - Articles of Association and Agreement

As part of the requirement for funding under the Workforce Innovation and Opportunity Act (WIOA), the Articles of Association and Agreement for the Centralina Workforce Development Consortium are to be ratified and adopted by the Board of County Commissioners in each of the seven counties in the Consortium.

The Articles outline the Consortium's authority and its establishment of the Centralina Workforce Development Board (WBD).

ATTACHMENTS:

Description	Upload Date	Type
Articles of Association and Agreement	3/31/2020	Cover Memo
Resolution	3/31/2020	Cover Memo

ARTICLES OF ASSOCIATION AND AGREEMENT FOR THE CENTRALINA WORKFORCE DEVELOPMENT CONSORTIUM

ARTICLE I. TITLE AND PURPOSE

The contiguous units of local government listed below, being desirous of agreeing to an undertaking pursuant to the provisions of N.C.G.S. Section 160A-464(1), do hereby agree to establish a workforce development consortium to act jointly as a Local Workforce Investment Area for workforce development under the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 ("the Act") including National Dislocated Worker Grant (NDWG) funding through the US Department of Labor, as amended. This consortium shall be known as the **Centralina Workforce Development Consortium**.

ARTICLE II. MEMBERSHIP

The consortium shall be composed of the following independent and contiguous units of general-purpose local government: **Anson, Cabarrus, Iredell, Lincoln, Rowan, Stanly, and Union Counties**.

ARTICLE III. CERTIFICATION OF AUTHORITY

1. AUTHORITY UNDER STATE AND LOCAL LAW

In accordance with N.C.G.S. Sections 160A-460 et. seq., the member counties of the Centralina Workforce Development Consortium certify that they possess full legal authority, as provided by state and local law, to enter into this agreement and to fulfill the legal and financial requirements of operating as a Local Workforce Investment Area under the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128, and any National Dislocated Worker Grant for the entire geographic area covered by this agreement.

2. SPECIFIC RESOLUTIONS TO ENTER INTO AGREEMENT

In accordance with N.C.G.S. Section 160A-461, a copy of the duly executed resolution and appropriate board meeting minutes giving the respective counties specific authority to enter into this consortium agreement will be attached to this document and are incorporated herein by reference.

3. DESIGNATION OF CHIEF ELECTED OFFICIALS FROM EACH MEMBER UNIT OF GOVERNMENT

Each member unit of government designates as chief elected official for the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 and NDWG upon whose representations the State, the Workforce Development Board, the administrative entity and the other member units may rely, the duly elected Chairman of each respective County Board of Commissioners. If any county member of the consortium desires, it may designate any member of its Board as its "Chief Elected Official" for WIOA and NDWG purposes, in lieu of having its Chairman serve in such capacity. Unless otherwise notified of such designation of another member of its Board, each county shall be deemed to have designated its Chairman as its "Chief Elected Official" for WIOA and NDWG purposes. Such person shall be the signatory of this agreement and shall be authorized to execute such other agreements as are necessary for Workforce Innovation and Opportunity Act of 2014 (WIOA) purposes and National Dislocated Worker Grant purposes.

4. DESIGNATION OF CHIEF ELECTED OFFICIAL FOR WORKFORCE INVESTMENT AREA

In accordance with N.C.G.S. Section 160A-463(b), the Chairmen (or their designee) of the Boards of Commissioners of the undersigned units of local government shall annually elect one of their number by a vote to serve as Chairman of the Centralina Workforce Development Consortium for a one-year term. The Chairman of the Centralina Workforce Development Consortium shall be authorized to represent the Consortium and to act on behalf of the undersigned units of local government with respect to any matters adopted or passed by the Consortium and shall be authorized to exercise the functions of the Centralina Workforce Investment Area chief elected official which are required under the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 and National Dislocated Worker Grants.

ARTICLE IV. DURATION

In accordance with N.C.G.S. Section 160A-464(2), this agreement shall become effective on the date of the last chief elected official's signature and shall continue in effect until the Local Workforce Investment Area is re-designated by the Governor of North Carolina or by termination of this Agreement by a member unit of government as provided for in Article XI.

ARTICLE V. ASSURANCES AND CERTIFICATIONS

The member units will comply with the requirements of the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 and regulations promulgated thereunder, all other applicable federal regulations, the statutes of the State of North Carolina, and written

directives and instructions relevant to Workforce Investment Area operation from the Governor of North Carolina or his/her designee.

ARTICLE VI. FINANCING/LIABILITY

In accordance with N.C.G.S. Section 160A-464(5), it is anticipated that funding necessary to implement this agreement shall be derived from federal grant and/or state funds received through the Governor. In the event it is necessary to appropriate non-federal funds for the purpose of implementing this agreement, the parties agree, as between themselves, that the state fair share allocation formula shall be used.

The undersigned units of local government hereby acknowledge that they are jointly and severally accountable for liabilities arising out of activities under the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 and for all funds received by the Workforce Investment Area grant recipient pursuant to WIA. Liability includes, but is not limited to, responsibility for prompt repayment from nonprogram funds of any misexpenditures by the administrative entity of the Local Workforce Investment Area, or any of its subrecipients or contractors, or the Workforce Development Board. As between the consortium members themselves, liability shall be apportioned in the following manner: (a) to the extent that a particular county benefits from costs disallowed (e.g. an ineligible participant from a particular county received training, the cost of which is subsequently disallowed) that county may be liable for those disallowed costs; (b) any disallowed cost for which the benefiting county cannot be determined shall be divided equally among the undersigned units of local government.

Any entity or joint agency created or designated by this Local Workforce Investment Area, including the Workforce Development Board (WDB), and Administrative Entity shall be considered a public agency for the purposes of the Local Government Budget and Fiscal Control Act.

ARTICLE VII. ESTABLISHMENT OF CENTRALINA WORKFORCE DEVELOPMENT BOARD (WDB)

A. Upon designation by the Governor of North Carolina of the Centralina area as a local workforce investment area, the Chairmen of the Boards of County Commissioners of each of the undersigned units of local government shall certify that the current Centralina Workforce Development Board (hereinafter Centralina WDB) as such entity is defined in the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 and accompanying regulations and in accordance with the State of North Carolina Executive Order 90 (December, 1995) will serve as the region's workforce investment board. The members of the Centralina WDB are to be selected in accordance with the nominating process and representative scheme set forth in the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 and accompany regulations.

B. The Centralina WDB shall consist of at least twenty-four (24) members. A minimum of thirteen (13) of these members shall represent the private sector as that term is defined in

Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 and accompany regulations. Of these thirteen private sector members, at least one shall represent each of the seven undersigned units of local government, when feasible. Of the eleven (11) remaining members, one shall represent adult education and literacy, one shall represent higher education, one shall represent economic development agencies, one shall represent state employment service agencies, one shall represent vocational rehabilitation agencies, one shall represent social service agencies, and five shall represent a combination of labor, apprenticeship, and community based organizations.

C. The initial terms of twelve members of the initial Centralina WDB shall expire after one year and the initial terms of the remaining members shall expire after two years. Thereafter, the terms of service of all members of the Centralina WDB shall be two years.

D. Successors to the initial members of the Centralina WDB who die, resign, or otherwise cease to serve, shall be selected by Chairmen of the Boards of Commissioners of the undersigned units of local government. If the Chairmen desire to reappoint a current member of the Centralina WDB to another two (2) year term, the nominating process described in the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 and accompany regulations need not be followed. If the Chairmen do not desire to reappoint a current member of the Centralina WDB to another two-year term, then nominations to fill the vacancy shall be sought in accordance with the process described in the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 and accompany regulations.

E. Private sector representatives on the Centralina WDB shall be selected by Chairmen of the Boards of Commissioners of the undersigned units of local government from a slate of individuals nominated by general-purpose business organizations after consulting with, and receiving recommendations from, other business organizations in the Local Workforce Investment Area. The number of nominations shall be at least 150 percent of the number of private sector individuals to be appointed in the county. Such nominations, and the individuals selected from such nominations, shall reasonably represent the industrial and demographic composition of the business community. All private sector representatives must be active with their company or business (non-retiree). Private sector representatives, who shall constitute a majority of the membership of the WDB, shall be owners of business concerns, chief executive officers, chief operating officers, or other private sector executives who have substantial management, recruitment, hiring authority, or policymaking responsibility. Whenever possible, at least one-half of such business and industry representatives shall be representatives of small business (500 or fewer employees), including minority business.

Education representatives on the Centralina WDB shall be selected from among individuals nominated by the local educational agencies, vocational education institutions, institutions of higher education, or general organizations of such agencies or institutions, and by private and proprietary schools or general organizations of such schools, within the Local Workforce Investment Area.

Recognized State and local labor organizations or appropriate building trade councils shall recommend labor representatives. The remaining members of the Centralina WDB shall be selected from individuals recommended by interested organizations.

F. The composition of the Centralina WDB shall at all times conform with the requirements of the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128 and accompany regulations, including N.C.G.S. Section 160A-464(3).

ARTICLE VIII. APPOINTMENT OF PERSONNEL

The Chairmen of the Boards of Commissioners of the undersigned units of local government are hereby authorized to enter into agreements with the Centralina Workforce Development Board specifying procedures for development of the workforce development plans; agreements relating to the selection of a grant recipient and entity to administer the workforce development plans; and any other agreements necessary to advance the administration of the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128, within the Centralina Local Workforce Investment Area, in accordance with N.C.G.S. Section 160A-464(4).

ARTICLE IX. OWNERSHIP OF REAL PROPERTY

In accordance with N.C.G.S. Section 160A-464(6) and applicable WIOA, NDWG, and Federal property guidelines, the Centralina Workforce Development Consortium shall adhere to the procedures outlined in NC Department of Commerce policy for all property transactions under WIOA and NDWG including the buying or selling of real property. The Centralina Workforce Development Consortium will neither acquire nor dispose of real property.

ARTICLE X. AMENDMENTS

In accordance with N.C.G.S. Section 160A-464(7), this agreement may be amended at any time upon the consent of all parties as evidenced by resolution of the Chairmen of the Boards of Commissioners of the undersigned units of local government and as approved by the State. Whenever the position of designated Chief Elected Official for the Centralina Local Workforce Investment Area becomes vacant, the individual selected as a replacement shall be approved through an amendment to this agreement by resolution of the Chairmen of the Boards of Commissioners of the undersigned units of local government.

ARTICLE XI. TERMINATION

In accordance with N.C.G.S. 160A-464(8), the undersigned units of local government may request termination of this agreement at any time upon six months prior written notice, such termination to be effective when the Governor considers Local Workforce Investment Area redesignation at the end of the then current subgrant agreement year.

ARTICLE XII. RATIFICATION

This agreement shall be effective upon ratification by the Boards of Commissioners of each of the undersigned units of local government. The agreement covers the four-year period of July 1, 2019 to June 30, 2023.

ANSON COUNTY

By: _____ Date _____
Ross Streater, Chairman, Board of Commissioners
Anson County

CABARRUS COUNTY

By: _____ Date _____
Steve Morris, Chairman, Board of Commissioners
Cabarrus County

IREDELL COUNTY

By: _____ Date _____
James B. Mallory, Chairman, Board of Commissioners
Iredell County

LINCOLN COUNTY

By: _____ Date _____
Carrol Mitchem Chairman, Board of Commissioners
Lincoln County

ROWAN COUNTY

By: _____ Date _____
Greg Edds, Chairman, Board of Commissioners
Stanly County

STANLY COUNTY

By: _____ Date _____
Matthew Swain, Chairman Board of Commissioners
Stanly County

UNION COUNTY

By: _____ Date _____
Jerry Simpson, Chairman, Board of Commissioners
Union County

Centralina Workforce Development Consortium - Articles of Association - WIOA – 2019-2023

**RESOLUTION APPROVING THE ARTICLES
OF ASSOCIATION AND
AGREEMENT FOR THE CENTRALINA WORKFORCE
DEVELOPMENT CONSORTIUM**

WHEREAS, the counties of Anson, Cabarrus, Iredell, Lincoln, Rowan, Stanly, and Union as independent and contiguous units of general purpose local government do hereby agree to continue as the Centralina Workforce Development Consortium to act jointly as a Workforce Investment Area under the Workforce Innovation and Opportunity Act of 2014 (WIOA).

WHEREAS, certain technical revisions to the original "Articles of Association" and subsequent amendments, have been made for WIOA for the period of Program Year 2019 through Program Year 2022 and have been executed by the Chairman of this Board on behalf of this county, subject to ratification of such action by this Board.

WHEREAS, the "Articles of Association" designates the signatory official for the Consortium and the administrative/fiscal agent to administer the program on behalf of the Consortium, and requests certification of the current Centralina Workforce Development Board as the local "Workforce Investment Board" as required by the Act; now, therefore it is

RESOLVED, that the execution of the aforesaid "Articles of Association and Agreement For The Centralina Workforce Development Consortium" by our Chairman is ratified and adopted by this Board.

The foregoing resolution is adopted by the
Rowan County Board of Commissioners on
this date _____

Carolyn Barger, Rowan Clerk to the Board

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: Ed Muire, Planning Director
DATE: March 27, 2020
SUBJECT: Public Hearing: Ground Mounted Solar Energy System Moratorium Extension

BACKGROUND

The Commission enacted a six (6) month moratorium on the creation or expansion of any new ground mounted solar energy system in the County's planning jurisdiction, beginning October 7, 2019 and terminating April 7, 2020.

During the moratorium the Planning Board conducted research and received input from a variety of sources related to the solar industry resulting in the ZTA 02-19 proposed text amendments. These recommended amendments were presented to the Commission at its March 2, 2020 meeting. Based on feedback from the solar industry and questions from the Commission and Planning Board, the Commission stated its intention to extend the moratorium by at least four (4) additional months.

RECOMMENDATION

The public hearing for moratorium extension has been advertised and direct notice emailed to individuals that have expressed interest in the topic. Due to the current COVID-19 situation, Staff has encouraged anyone wanting to express an opinion on the matter to email their comments and suggestions to the solar.moratorium@rowancountync.gov account specifically established for this topic.

Although its initial intention was to extend by another four (4) months, the Commission may lengthen the moratorium based on current state of affairs. However, due to statutory limitations, Staff does not recommend the moratorium extend beyond another six (6) months. As such, the termination date in the accompanying moratorium ordinance has the option for selecting a four (4), five (5) or six (6) month duration.

Suggested date ranges for a four (4) month extension are: April 7 thru August 4, 2020; five (5) month extension are April 7 thru September 9, 2020; and six (6) month are April 7 thru October 6, 2020. If the process for adopting zoning text amendments takes less time than specified herein, the moratorium can likewise be rescinded.

ATTACHMENTS:

Description

Moratorium Extension Ordinance

Upload Date

3/27/2020

Type

Ordinance

**An Ordinance to Extend the Six Month Moratorium for
Establishing or Expanding Ground Mounted Solar Energy Systems
In Rowan County's Planning Jurisdiction**

WHEREAS, North Carolina General Statutes 153A-34 delegates the authority to govern Rowan County, NC to the Rowan County Board of Commissioners; and,

WHEREAS, North Carolina General Statutes 153A-340 (future codification as NCGS 160D-702) grants North Carolina counties the power to enact zoning and development regulations, "for the purpose of promoting health, safety, morals, or the general welfare;" and,

WHEREAS, North Carolina General Statute 153A-340(h) (future codification as NCGS 160D-107) authorizes counties to adopt temporary moratoria on any development approval required by law provided the duration is reasonable to correct, modify or resolve such conditions necessitating the moratorium; and,

FURTHERMORE, North Carolina General Statute 153A-340(h) (future codification as NCGS 160D-107(e)) allows for renewal or extension of a moratorium when the steps outlined in the course of action still remain or new facts and conditions warrant an extension; and,

NOW, THEREFORE BE IT RESOLVED, that the Board of County Commissioners of Rowan County, North Carolina, does amend and extend the following:

Section I. Title

This ordinance shall be known and may be cited as the Ground Mounted Solar Energy System (Photovoltaic Array) Moratorium for facilities greater than six thousand (6,000) square feet in area located in Rowan County, North Carolina.

Section 2. Problem Statement and Course of Action

Pursuant to NCGS 153A-340(h)(1) (future codification as NCGS 160D-107(e)), the rationale for extending the six month moratorium is substantiated by the following:

- a. The Land Use Plans for the Eastern Area, Western Area and the I-85 South Corridor of Rowan County did not consider or provide recommendations for locating ground mounted solar energy systems greater than 6,000 sq ft in area.
Inadequacy: Recommendations or considerations for locating new ground mounted solar energy systems in the County's land use plans were not provided.
- b. The Commission has received complaints from property owners and residents adjoining said facilities during the construction phase related to dust and erosion, vehicular congestion and construction traffic, further exacerbated by a lack of adequate visual separation once operational.
Inadequacy: Text amendments did not provide recommendations for dust and erosion and vehicular congestion during construction phase of the project.

- c. Amendments to the Rowan County Zoning Ordinance (RCZO) adopted March 4, 2013 applicable to said facilities did not adequately anticipate their proliferation and associated impacts related to scale, location, setbacks and screening / buffering.
- d. Due to the purported longevity of said facilities, the Commission has concerns about on-going maintenance and decommissioning if no longer operational. Inadequacy: Although the County's proposed Decommissioning Plan establishes responsibility and framework for decommissioning, the County still desires to research issues related to executing the bond and options for designating a payee other than the County in land lease situations.
- e. Correspondence received by the County's Planning Department from First Solar, Birds Eye Renewable Energy, Cooperative Solar, and Silver Creek Energy that collectively and generally request the County delay further action on the proposed text amendments until additional input can be received.

Absent extension of this ordinance, it is anticipated the County will receive additional applications for these facilities that may create additional or continued conflicts with adjoining land uses. Given the amount of study invested in amendment preparations during the moratorium, the County believes a brief extension in duration will allow adequate consideration by both the Planning Board and Board of Commissioners relative to the items listed in Section 2 of this Ordinance.

Section 3. Applicability

Pursuant to the requirements of NCGS 153A-340(h)(2) (future codification as NCGS 160D-107(d)2) , this ordinance shall apply to any and all properties in the planning and zoning jurisdiction of Rowan County, NC that submit an application(s) for a building or electrical permit, soil erosion and sedimentation control plan, conditional use or a zoning permit to establish or expand a ground mounted solar energy system (photovoltaic array) in excess of 6,000 sq ft in area. These facilities are classified within Industry Group Number 491 in the 1987 Standard Industrial Classification (SIC) manual.

Extending the moratorium will provide the Rowan County Planning Board an opportunity to finalize text amendments that address the primary and secondary impacts associated with these facilities and prepare recommendations for the Board of Commissioners to consider as amendments to the RCZO and the Eastern Area, Western Area and the I-85 South Corridor Land Use Plans, as applicable.

Section 4. Moratorium Duration

The extension of this moratorium ordinance shall be in effect for an additional four (4), five (5) or six (6) month time period beginning April 7, 2020 unless such revisions to the RCZO are adopted prior to the moratorium deadline enumerated in this section. The (4), (5) or (6)-month extension is reasonable to the extent that it allows the Planning Board to further study the items of 'inadequacy' identified in Section 2 of this Ordinance while also accommodating the requests from the solar industry per Section 2e.

Section 5. Schedule of Actions

Upon extension of this moratorium ordinance, the Rowan County Board of Commissioners will direct the Planning Board to update its recommended amendments to the RCZO standards based on this schedule. Depending on duration, the scheduled activities will coincide with the four (4), five (5) or six (6) month moratorium.

DATE	ACTION
April '20 – May / June '20	Planning Board will update DRAFT text amendments to the RCZO as directed herein
May / June / July 2020	Rowan County Planning Board will conduct a Courtesy Hearing on the DRAFT text amendments and provide its recommendation to the Board of Commissioners
June / July / August 2020	Board of Commissioners schedules Public Hearing for Planning Board's recommended DRAFT text amendments
August 3, 2020 September 8, 2020 October 5, 2020	Board of Commissioners conducts Public Hearing

Section 6. Exception to Moratorium Provisions

This moratorium does not apply to the rights of an individual to erect or place solar collectors on residential property as allowed per NCGS 153A-144.

Section 7. Effective and Termination Dates

This ordinance shall be extended and enforced as of the 7th day of April, 2020 until (August 4), (September 9) or (October 6) 2020 unless its terms and duration are amended by the Rowan County Board of Commissioners.

Gregory C. Edds, Chairman

Carolyn Barger, Clerk to the Board

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: County Manager Aaron Church
DATE: March 30, 2020
SUBJECT: Public Hearing for Proposed Text Amendments to Rowan County Personnel Ordinance
(Military Leave)

The purpose of the public hearing is to receive comments on proposed revisions to the Rowan County Code of Ordinances, Chapter 2, Administration, Article II Personnel, Division 7 Section 2-138 – Military Leave. The revisions pertain to an increase in the number of hours granted for military training leave.

Discuss the preferred number of hours the Board wishes to possibly increase for military training leave per calendar year.

ATTACHMENTS:

Description	Upload Date	Type
Military Leave - Current Ordinance Text	3/30/2020	Cover Memo
Military Leave by County	3/31/2020	Cover Memo

Sec. 2-138. - Military leave.

Rowan County complies with the provisions of the Uniformed Services Employment and Re-employment Rights Act (USERRA) of 1994, which protects employees in the U.S. military including National Guard and Armed Forces Reserves. Full-time employees who are members of the National Guard or Armed Forces Reserves will be allowed eighty (80) hours (ten (10) days) military training leave per calendar year. If such military duty is required beyond this eighty (80) hours (ten (10) days) period, the employee shall be eligible to take accumulated vacation leave or be placed in a leave without pay status. While taking military leave without pay, the employee's leave credits and other benefits, shall continue to accrue as if the employee physically remained with the county during this period. Employees may continue health insurance for their family by paying the current employee premium for such coverage. When employees are activated in the event of a national emergency, they may request the utilization of their accrued vacation and sick leave credits. The intent of this policy is to ensure that the employee's family is compensated as close as possible, to their standard of living. Each case will be reviewed by the human resources director.

(Ord. of 8-3-87, § 1.6.8; Ord. of 6-2-03; Amend. of 2-1-10)

Military Leave By County

Cabarrus County- Up to 12 days paid leave per year and in compliance with Federal Requirements based on website.

Davidson County- Employees get 10 work days annually for Military leave with partial pay. Anything beyond the 10 days, the employee is eligible to take accumulation leave or be placed on Leave-without-pay (LWOP).

Davie County- Unpaid leaves of absences will be granted to employees who serve our country through military service, as provided for by law. An employee who intends to enter military 72 service and/or take a military leave must notify their Department Director immediately.

Forsyth County- Employees who are members of the armed services will be granted a Leave of Absence without pay during military service in accordance with state and federal law, including but not limited to the Uniformed Services Employment and Reemployment Rights or its successor. Employees have the option to use accrued annual leave instead of leave without pay for the duration of such military time.

Gaston County- Permanent employees who are members of the National Guard or Armed Forces Reserves will be allowed 15 work days of Military Leave with pay each calendar year, with a maximum of eight hours per day. If more than 15 days of military duty is required during a calendar year, the employee shall be eligible to take accumulated Annual Leave or Leave Without Pay.

Iredell County- Employees receive 10 working days of leave annually for military training with partial compensation. They are then placed on LWOP if they have no accumulated vacation leave to take.

Mecklenburg County- Military Leave with pay for two weeks annual reserves training, without pay for extended active duty; and Disaster Response Leave with pay as directed or sanctioned by the County Manager, without pay unless employee uses benefit days for volunteer Disaster Response Leave. Employees ordered to uniformed service on active duty status will be granted unpaid leaves of absence for uniformed service of up to five years and are eligible for Supplemental Compensation and other benefits, as described below. This five year period of military leave is cumulative during your employment with the County but certain types of service may be excluded from the five year period as designated by USERRA. While on Active Military Duty Leave, the employee will be considered to be on LWOP. This means retirement credit is not earned and there is no accrual of benefits.

Stanly County- Message left for a return call. I was unable to locate the information through their website.

Union County- Eligible employees shall be granted up to 10 work days of paid Inactive Duty Training Leave in any leave year. Eligible employees shall be granted up to twenty 20 days of paid leave for any Active Duty Leave in the leave Year.

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: Caleb Sinclair, Director, Environmental Management
DATE: March 31, 2020
SUBJECT: Litter Report

ATTACHMENTS:

Description

Litter Report

Upload Date

3/31/2020

Type

Cover Memo

Our crew removed 10,285 lbs. of debris from the Rowan County roadsides from the period beginning Monday, March 16 and ending Friday, March 27, 2020.





ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: Finance Department
DATE: March 30, 2020
SUBJECT: Budget Amendments

Please see the attached budget amendments.

Please approve the attached budget amendments.

ATTACHMENTS:

Description	Upload Date	Type
Budget Amendments	3/31/2020	Backup Material

DEPARTMENTAL REQUEST FOR BUDGET ACTION

FROM: *FINANCE*

To recognize the receipt of the PEG Grant for providing public, education and/or governmental access (PEG) channels from the North Carolina Department of Revenue.

Prepared by: JHOWDEN
Date: 2/12/2019

55,556

[illegible]

DEPARTMENTAL REQUEST FOR BUDGET ACTION

Prepared by: Kristy Cowden
Date: 1/9/2020

[illegible]

DEPARTMENTAL REQUEST FOR BUDGET ACTION

To increase Salisbury ADA transportation revenue and expense due to the increase in rate per mile charged.

Date: 02/28/20

[illegible]

DEPARTMENTAL REQUEST FOR BUDGET ACTION

To increase Medicaid transportation revenue and expense due to the increase in rate per mile charged.

[illegible]

[illegible]

ROWAN COUNTY

DEPARTMENTAL REQUEST FOR BUDGET ACTION

TO: BOARD OF COUNTY COMMISSIONERS

FROM: Social Services

EXPLANATION IN DETAIL:

Rowan County received additional LIEAP funds as the result of a state-wide reallocation. Expenditures and revenues must be revised based on the new Funding Authorization.

Prepared by: Kelly Johnson
Date: 3/10/2020

BUDGET INFORMATION:

[illegible]

1155435 -
11454351 -

ROWAN COUNTY

DEPARTMENTAL REQUEST FOR BUDGET ACTION

TO: Leslie Heidrick, Finance Director

FROM: Melissa J. Oleen, Library Director

EXPLANATION IN DETAIL: Rowan Public Library has received additional revenue for unrestricted gifts. I am requesting these revenue be moved to the expense account.

BUDGET INFORMATION:

Prepared by: Pam Nance
Date: 3/13/2020

[illegible]

ROWAN COUNTY

DEPARTMENTAL REQUEST FOR BUDGET ACTION

TO: BUDGET OFFICER

FROM: FINANCE

EXPLANATION IN DETAIL: To budget additional NC911 PSAP revenue.

Prepared by: Lisa Bevis
Date: 03/18/20
Reviewed:

BUDGET INFORMATION:

[illegible]

DEPARTMENTAL REQUEST FOR BUDGET ACTION

INCREASE BUDGET TO COVER FIRE DISTRICTS' TAX TURNOVER FOR THE REST OF THE FISCAL YEAR

BUDGET INFORMATION:

BUDGET INFORMATION:		28,000	28,000
ACCOUNT TITLE	R/E	ACCOUNT #	INCREASE DECREASE
AD VALOREM TAX-CURRENT YR	R	2144340 - 411001	400,000 342,000 -
AD VALOREM TAX-NCVTS	R	2144340 - 411003	30,000 80,000 -
AD VALOREM-WRITE OFF COLL	R	2144340 - 411004	- -
ABATEMENTS-CURRENT YEAR	CR	2144340 - 411010	- 24,000
TAX DISCOUNTS	CR	2144340 - 411015	- 4,000
INTEREST REVENUE ON TAXES	R	2144340 - 419010	- -
			- -
FDT-ATWELL TOWNSHIP	E	2154340 - 586001	24,000 -
FDT-BOSTIAN HEIGHTS	E	2154340 - 586002	46,000 -
FDT-CLEVELAND	E	2154340 - 586003	92,000 72,000 -
FDT-EAST GOLD HILL	E	2154340 - 586004	5,000 -
FDT-EAST LANDIS	E	2154340 - 586005	1,000 -
FDT-EAST ROWAN	E	2154340 - 586006	2,000 -
FDT-ELLIS CROSS COUNTRY	E	2154340 - 586007	8,000 -
FDT-ENOCHVILLE	E	2154340 - 586008	10,000 -
FDT-FRANKLIN	E	2154340 - 586009	13,000 -
FDT-LIBERTY (WEST)	E	2154340 - 586010	10,000 -
FDT-LOCKE TOWNSHIP	E	2154340 - 586011	51,000 -
FDT-MILLER'S FERRY	E	2154340 - 586012	5,000 -
FDT-MOUNT MITCHELL	E	2154340 - 586013	7,000 -
FDT-POOLETOWN	E	2154340 - 586014	6,000 -
FDT-RICHFIELD/MISENHEIMER	E	2154340 - 586015	500 -
FDT-ROCKWELL RURAL	E	2154340 - 586016	29,000 -
FDT-ROWAN-IREDELL	E	2154340 - 586017	2,000 -
FDT-SCOTCH IRISH	E	2154340 - 586018	5,000 -
FDT-SOUTH ROWAN	E	2154340 - 586019	1,000 -
FDT-SOUTH SALISBURY	E	2154340 - 586020	55,500 51,500 -
FDT-UNION	E	2154340 - 586021	6,000 -
FDT-WEST ROWAN	E	2154340 - 586022	15,000 -
FDT-WOODLEAF	E	2154340 - 586023	28,000 24,000 -

DEPARTMENT HEAD	COUNTY MANAGER	ACCOUNTING USE ONLY
Approved: <u>✓</u>	Approved: _____	Period - Journal # <u>09-711</u>
Disapproved: _____	Disapproved: _____	Keyed By: <u>JMH</u>
Amended: _____	Amended: _____	Date Keyed: <u>3/30/2020</u>
Date: <u>4/30/20</u>	Date: _____	Posted By: _____
Signature: <u>Heidi Heidrich</u>	Signature: _____	Date Posted: _____

ROWAN COUNTY
A COUNTY COMMITTED TO EXCELLENCE



130 West Innes Street - Salisbury, NC 28144
TELEPHONE: 704-216-8180 * FAX: 704-216-8195

MEMO TO COMMISSIONERS:

FROM: Carolyn Barger, Clerk to the Board
DATE: March 31, 2020
SUBJECT: Consider Approval of Board Appointments

ATTACHMENTS:

Description

Board Appointments

Upload Date

4/1/2020

Type

Cover Memo

MONTHLY BOARD APPOINTMENTS
April 6, 2020
COMMISSION MEETING

FRANKLIN VOLUNTEER FIRE DEPARTMENT FIRE COMMISSIONERS

R. Mark Sokolowski applied for reappointment for a two (2) year term that will expire on April 30, 2022.

Gary Ingram and Mark Monroe applied for two seats that will become vacant on April 30, 2020. If approved, the terms for both would expire April 30, 2022.

JUVENILE CRIME PREVENTION COUNCIL

Stephen Johnson applied to fill the remainder of an open seat for the General Public on the Juvenile Crime Prevention Council. The term will expire June 30, 2020 at which time Mr. Johnson would be eligible to be considered for reappointment.

NURSING HOME ADVISORY COMMITTEE

Melissa Pierce submitted an application; however, she would not be eligible for reappointment unless the Board will consider waiving the term limits in the Resolution that governs the advisory board appointment process.

If approved, Ms. Pierce's term would expire February 28, 2023.

ECONOMIC DEVELOPMENT COMMISSION

Dari Caldwell and Denise Agner Hallett have both applied for reappointment. If approved, their terms will expire December 31, 2022.

Nicole Holmes Matangira applied to fill a vacant seat and if approved, the term will expire December 31, 2022.

THERAPEUTIC RECREATION BOARD

Pat Whitley applied for reappointment; however, she has served two (2) full terms. According to Edward Hailey, Supervisor for Therapeutic Recreation, Ms. Whitley has been a valuable member and Mr. Hailey has a difficult time finding individuals to serve on this Board.

In order for Ms. Whitley to be reappointed, the Board would need to waive the term limits established by the Commissioners in the Resolution that governs the advisory board appointment process.

If appointed, Ms. Whitley's term would expire on March 31, 2023.

****Please note there are approximately 49 vacancies on various County Boards.**

Franklin Volunteer Fire Department Fire Commissioners Board

Name	Date	Boards	Address	Contact	Status
Gary Ingram	3/23/2020	Franklin Volunteer Fire Department Fire Commissioners BoC Meeting	150 Hampton Circle Salisbury, NC 28144 Resident: Yes	Phone: 7046408140 Email: gingham5@carolina.rr.com	Validated
Mark Edward Monroe	3/11/2020	Franklin Volunteer Fire Department Fire Commissioners BoC Meeting	6310 Elk Trail Salisbury, NC 28147 Resident: Yes Ward/District: Franklin	Phone: 7046395448 Email: mem312001@yahoo.com	Validated
Raymond Sokolowski	3/25/2020	Franklin Volunteer Fire Department Fire Commissioners BoC Meeting	202 S. Deerfield Cir SALISBURY, NC 28147 Resident: Yes Ward/District: Franklin	Phone: 9808921238 Email: skiatsockos@aol.com	Validated

Juvenile Crime Prevention Council Board

Name	Date	Boards	Address	Contact	Status
Stephen Jeno Johnson	3/18/2020	Juvenile Crime Prevention Council BoC Meeting Rowan County Planning Board Pending	1040 Linn St China Grove, NC 28023 Resident: Yes	Phone: 7042233526 Email: stephenjenojohnson@gmail.com	Validated

Nursing Home Advisory Committee Committee

Name	Date	Boards	Address	Contact	Status
Melissa Pierce	2/27/2020	Nursing Home Advisory Committee BoC Meeting	111 Saint John's Dr Salisbury, NC 28144	Phone: 704-202-2376 Email: pierce2414@att.net	Validated

Salisbury-Rowan Economic Development Commission Commission

Name	Date	Boards	Address	Contact	Status
Ms. Darise Daves Caldwell	11/25/2019	Salisbury-Rowan Economic Development Commission BoC Meeting	219 Hogan's Valley Way Salisbury, NC 28144	Phone: 704-791-0824 Email: ddccaldwell@novanthealth.org	Validated
Mrs. Denise Agner Hallett	11/12/2019	Salisbury-Rowan Economic Development Commission BoC Meeting	516 Fairway Ridge Rd Salisbury, NC 28146 Resident: Yes Ward/District: East Ward	Phone: 7045605304 Email: hallettd@vmcmail.com	Validated
Mrs. Nicole Holmes Matangira	3/31/2020	Salisbury-Rowan Economic Development Commission BoC Meeting	675 Beagle Club Rd Salisbury, NC 28146	Phone: 7042673933 Email: nicole@holmesiron.com	Validated

Therapeutic Recreation Board Board

Name	Date	Boards	Address	Contact	Status
RETIRED PROFESSOR pat RICE whitley	3/25/2020	Therapeutic Recreation Board BoC Meeting	1030 ROUNDKNOB AVE Salisbury, NC 28144 Resident: Yes	Phone: 7046331168 Email: pwhitley@catawba.edu	Validated