

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 SPECIAL MEETING OF THE ROWAN COUNTY BOARD OF COMMISSIONERS June 22, 2020 – 6:00 PM

**PLEASE NOTE: DUE TO THE CORONAVIRUS PANDEMIC
THE MEETING WAS HELD BY REMOTE PARTICIPATION FOR THE BOARD OF
COMMISSIONERS, STAFF AND THE PUBLIC**

Commissioners Participating:

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

Also participating were County Manager Aaron Church, Clerk to the Board Carolyn Barger and County Attorney Jay Dees and Assistant County Manager/Chief Information Officer Randy Cress. Absent was Assistant County Manager/Finance Director Leslie Heidrick.

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

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

There were no deletions from the agenda.

CONSIDER ADDITIONS TO THE AGENDA

Chairman Edds added the following items to the agenda:

- Ratify the Board's action on June 15, 2020 for Z 01-20 for Mark and Lorin Oden
- Authorize County Manager to sign letter of intent signifying Rowan County's intent to participate in the HOME Consortium
- Closed Session for attorney-client privileged communication to discuss leases at the West End Plaza

CONSIDER APPROVAL OF THE AGENDA

Chairman Edds moved, Commissioner Pierce seconded and the vote to approve the agenda as amended passed unanimously.

1. PUBLIC HEARING FOR ZTA 01-20

Chairman Edds prefaced the public hearing for ZTA 01-20 by describing how fast-moving economic development projects can be. Chairman Edds explained the need for speed at the beginning of projects and said those that could not keep up were eliminated. Chairman Edds said the project before the Board pertained to the old Fiber Industries plan located on Highway 70.

Chairman Edds said he wished to personally thank Planning Director Ed Muire and Assistant Planning Director Shane Stewart for the work they had done to keep the County in the running for the project. Chairman Edds also expressed appreciation to the Planning Board for the speed with which it had met and the all-around team effort that had been put forth thus far.

Ed Muire agreed with Chairman Edds and he, too, expressed appreciation for Mr. Stewart and the Planning Board's efforts for the project.

Mr. Muire presented the staff report for ZTA 01-20. Based on the report, County staff from the Planning Department and the Economic Development Commission (EDC) had been in contact with individuals interested in establishing a business to initially produce hand sanitizer that would transition to pharmaceutical production thereafter. Information received from the applicant and business owner describing the proposed operations indicate the use of plastic resin pellets and similar materials to create various forms of packaging and bottling for their finished product line. Staff viewed the activities as customary to many manufacturing sectors and maintain the primary use of the proposed business will be hand sanitizer and pharmaceutical manufacturing rather than specific plastics manufacturing.

According to the Standard Industrial Classification (SIC) code used to categorize business activity referenced in the table of use matrix of the Zoning Ordinance, staff had determined these operations would be grouped within manufacturing sectors SIC 283: Drugs and SIC 284: Soap, Detergents, and Cleaning Preparations; Perfumes, Cosmetics and other Toilet Preparations, which require a conditional use permit and compliance with eight (8) specific performance measures allowed only in Industrial (IND) district.

Salisbury Investments I LLC (Company) was requesting a text amendment to the Zoning Ordinance to incorporate SIC 283 and 284 as uses permitted by right in the IND zoning district. While the origin of the request was based on a specific site of interest by the applicant, staff proposed to include changes in the 85-ED 1-3 and the Commercial, Business, Industrial (CBI) districts, which would affect all properties zoned as such.

The Planning Board concurred with the staff recommendation. The Planning Board acted on June 11, 2020 and conducted a courtesy hearing. The Planning Board met and

followed up the next day to ratify its actions of June 11, 2020 (in accordance with state laws in effect during the COVID-19 Pandemic).

Mr. Muire said the Planning Board had submitted the following Statement of Consistency, which he read as follows: ZTA 01-20 is consistent with the adopted land use plans and is reasonable and in the public interest as the uses are appropriate for the districted identified in the zoning matrix and consistent with the ordinance [based on SIC groupings and breakdown identified in the staff report].

Chairman Edds noted staff went further to help the County and included the 85 district, in case some pharmaceutical businesses came up the I-85 corridor.

Chairman Edds expressed appreciation again for Planning Staff, Mr. Stewart and the Planning Board for working hard to prepare the information so quickly.

Chairman Edds opened the public hearing for anyone who had called in to speak regarding ZTA 01-20. With no one wishing to address the Board and no one having submitted written comments, Chairman Edds closed the public hearing.

Chairman Edds moved approval of the Statement of Consistency as follows: ZTA 01-20 is consistent with the adopted land use plans and is reasonable and in the public interest as the uses are appropriate for the districted identified in the zoning matrix and consistent with the ordinance [based on SIC groupings and breakdown identified in the staff report]. The motion was seconded by Commissioner Pierce and passed unanimously.

Chairman Edds moved to approve ZTA 01-20 followed by a second from Commissioner Pierce.

At the recommendation of County Attorney Jay Dees, Chairman Edds amended the motion in accordance with state law (during the COVID-19 Pandemic) to give a 24-hour period for folks to make any further comments. Chairman Edds amended the motion to approve the text amendments subject to no further discussion or contact during the 24-hour period following the meeting. Commissioner Pierce seconded and the amended motion passed unanimously.

ADDITIONS

1a. Z 01-20

Chairman Edds said the Board had voted to approve Z 01-20 for Mark and Lorin Oden's request for RA zoning. The Board conducted the required public hearing at its June 15, 2020 meeting but due to North Carolina General Statute requirements during the COVID-10 Pandemic, a final decision could not be made until 24 hours after the hearing had been closed. No comments were received during said 24 hour waiting period.

Chairman Edds moved, Commissioner Pierce seconded and the vote to approve Z 01-20 passed carried unanimously.

1b. HOME CONSORTIUM

Staff received notice earlier this week from the Consortium that Rowan County’s 3-year agreement signifying its intent to continue participation in the HOME expires this year and have requested an update by June 22, 2020. This 3 year commitment acknowledges the County will be a member in the Consortium for the next three (3) years, from 2021-2024. Similar responses have been provided by the County, most recently March 21, 2017. Staff recommendation would be to authorize the Manager to sign the attached “Intent to Participate” letter.

Commissioner Pierce moved to authorize the County Manager to sign the letter of intent for the County’s participation in the HOME Consortium. The motion was seconded by Commissioner Klusman and passed unanimously.

1c. CLOSED SESSION

Chairman Edds moved at 6:17 p.m. for the Board to enter Closed Session pursuant to North Carolina General Statute § 143-318.11(a)(3) for attorney-client privileged communication to discuss leases at the West End Plaza (WEP).

The Board returned to Open Session at 6:30 p.m.

County Attorney Jay Dees stated the motion should pertain to the recent Executive Order by the Governor, which provided for relief for commercial tenants at WEP. Mr. Dees said it would be appropriate for the Board to consider a motion to defer up to 50% of the tenant’s current rent payments monthly, from July 1 through December 31, 2020. Mr. Dees said for six (6) months in 2021 the tenants would have to pay that amount back without any penalties or interest. The County would defer up to 50%, July 1 through December 31. Beginning January 1, the tenant would make full payments plus some portion of the arrearage through the end of June of 2021 without penalty or interests.

Commissioner Pierce moved, Commissioner Klusman seconded and the vote to approve the recommendation as outlined above by Mr. Dees passed unanimously.

2. ADJOURNMENT

There being no further business to come before the Board, Commissioner Klusman moved to adjourn at 6:36 p.m. The motion was seconded by Commissioner Pierce and passed unanimously.

Respectfully Submitted,



Carolyn Barger, MMC, NCMCC
Clerk to the Board