

## **Rowan County Board of Commissioners**

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### **MINUTES OF THE MEETING OF THE ROWAN COUNTY BOARD OF COMMISSIONERS**

**May 3, 2021 – 3:00 PM**

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

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

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

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

Chairman Edds convened the meeting at 3:00 p.m.

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

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

Chairman Edds added the following items to the agenda:

- Woodleaf Park Master Plan to consider approval of the revised cost estimate. Chairman Edds added the issue as agenda item #6a.
- Approve the Parks and Recreation Trust Fund (PARTF) grant application and authorize the Chairman to sign the application for the Woodleaf Community Park Phase I and Phase II. Chairman Edds added the issue as agenda item #6b.
- Budget amendment authorizing the County Manager to move \$75,346 to the appropriate line item for the Woodleaf Park Project from a line item identified by the County Manager and Finance Officer and carry over the \$279,000 and \$354,346 in the upcoming budget. Chairman Edds added the issue as agenda item #6c.

**CONSIDER DELETIONS FROM THE AGENDA**

There were no deletions from the agenda.

**CONSIDER APPROVAL OF THE AGENDA**

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

**CONSIDER APPROVAL OF THE MINUTES**

Commissioner Klusman moved, Commissioner Greene seconded and the vote to approve the minutes of the April 19, 2021 Commission Meeting passed unanimously.

**1. CONSIDER APPROVAL OF CONSENT AGENDA**

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

The Consent Agenda consisted of the following:

- A. Environmental Health Bi-Weekly Report
- B. RUQ Airport Mission, Vision & Values
- C. Rowan Transit System (RTS) Procedures Manual
- D. Farm Land Lease
- E. Schedule Public Hearing for CUP 14-99 Amendment for May 17, 2021
- F. Tax Refunds for Approval
- G. Approval to Purchase Two Ambulances
- H. Approval of Auditing Services
- I. Employee On-Site Clinical Services
- J. Policy 5.9 Longevity/Merit Program Proposed Revisions
- K. Rapid COVID-19 Testing

**2. SPECIAL RECOGNITION**

**A. PROCLAMATION FOR LAW ENFORCEMENT WEEK**

Commissioner Caskey read the following Proclamation, which he put in the form of a motion for approval:

WHEREAS, in 1962, President John F. Kennedy signed a Presidential Proclamation that set aside May 15<sup>th</sup> as National Peace Officers’ Memorial Day and the week of May 10-16 as National Police Week; and

WHEREAS, the members of all the law enforcements agencies in Rowan County play an essential role in safeguarding the rights and freedoms of all our citizens; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement agencies; and

WHEREAS, members of our law enforcement agencies recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, law enforcement officers, past and present, have faithfully and loyally rendered a dedicated service to this County and have established for themselves an enviable and enduring reputation to preserving the rights and security of all citizens.

THEREFORE, BE IT PROCLAIMED that the Rowan County Board of Commissioners does hereby proclaim May 10-14, 2021 as LAW ENFORCEMENT WEEK.

NOW, THEREFORE BE IT FURTHER PROCLAIMED that the Rowan County Board of Commissioners calls upon all citizens of Rowan County to observe May 14, 2021 as PEACE OFFICERS' MEMORIAL DAY in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community, or, have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

The motion to approve the Proclamation was seconded by Commissioner Pierce and passed unanimously.

On behalf of the Board, Chairman Edds expressed appreciation to Commissioner Caskey for his service as a police officer to Mecklenburg County and also for his public service as a Rowan County Commissioner. Chairman Edds said in the Rowan community that all law enforcement was valued and in closing he again thanked Commissioner Caskey for his service.

## **B. PROCLAMATION FOR SHIELD A BADGE WITH PRAYER**

Commissioner Greene read the following Proclamation, which he put in the form of a motion for approval.

WHEREAS, the *Shield-A-Badge With Prayer* program works to affirm the commitment of Rowan County Law Enforcement Officers and encourages citizen awareness and appreciation for these officers; and

WHEREAS, the program invites citizens to commit to pray for an officer every day for one year and to send birthday cards and notes of thanks to these officers; and

WHEREAS, through the generosity of individuals, businesses and churches that have donated services and fundraisers, 10,500 Bibles, 3,700 Shield-A-Badge Bible Promise Books and 11,000 New Testaments have been purchased to be given away; and

WHEREAS, the *Shield-A-Badge With Prayer* program began in 1995 in Rowan County, by Chaplain Michael Taylor and has begun to expand statewide, reaching out to other counties, municipalities, colleges, hospitals, correctional facilities, 911 communicators, probations officers, animal control officers, state highway patrol troopers, fire departments, Clerk of Court employees, magistrates, judges, District Attorney's Office, County Commissioners, sheriffs, and attorneys; and

WHEREAS, through the dedication and travels of Chaplain Taylor, counties from across the state are receiving encouragement and training for chaplains.

NOW, THEREFORE BE IT PROCLAIMED that the Rowan County Board of Commissioners does hereby establish the month of May as *Shield-A-Badge With Prayer Awareness Month*.

The motion for approval was seconded by Commissioner Pierce and passed unanimously.

Chairman Edds called Chaplain Taylor forward to present the Proclamations for *Law Enforcement Month* and for *Shield a Badge With Prayer Awareness Month*. Chairman Edds thanked Chaplain Taylor for praying for the Commissioners and he stated that the Commissioners pray for him, as well.

Chaplain Taylor shared his love and appreciation for law enforcement officers and the work they do.

### **C. EXERCISE IS MEDICINE MONTH**

Commissioner Klusman read the following proclamation, which she put in the form of a motion for approval:

WHEREAS, May 2021 is Exercise is Medicine Month; and

WHEREAS, all citizens are encouraged to speak with their physicians about how physical activity and exercise may help treat or prevent numerous chronic conditions, such as hypertension, cardiac disease and diabetes; and

WHEREAS, all health care providers are encouraged to talk to their patients about the health benefits of exercise and to strongly recommend that their patients engage in appropriate exercise; and

WHEREAS, regular, moderate-intensity exercise has curative and protective health benefits; and

WHEREAS, the health benefits of physical activity and exercise can do so much to improve the quality of life for everyone; and

WHEREAS, a healthier populace means cost savings, greater participation in the workforce and other benefits to society at large; and

WHEREAS, regular physical activity and exercise is indeed a powerful prescription, with great potential to improve the health of all Americans; and

WHEREAS, the American College of Sports Medicine calls on health care organizations, physicians and other professionals, regardless of specialty, to assess, to advocate for and to review every patient's physical activity program during every comprehensive visit.

NOW THEREFORE, the Rowan County Board of Commissioners, does hereby proclaim the month of May 2021 as EXERCISE IS MEDICINE MONTH in Rowan County and encourages all citizens to participate in activities and observances relating to Exercise is Medicine Month in the interests of better health and quality of life for all.

The motion was seconded by Commissioner Pierce and passed unanimously.

At this point, the Board took the opportunity to take photographs presenting the above Proclamations with Interim Health Director Alyssa Smith and Chaplain Michael Taylor.

### **3. PUBLIC COMMENT PERIOD**

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

### **4. CONSIDER PE 02-21: FRANCISCO CASTRO**

Assistant Planning Director Shane Stewart provided a power point as he presented the staff report for PE 02-21 from Francisco Castro. Mr. Stewart said Mr. Castro was requesting a permit to exceed (PE) the Noise Ordinance for a Mother's Day celebration gathering on Saturday, May 8, 2021 between 2:00 pm and 11:30 pm on property owned by Ignacio Castro, Jr. located at 760 Oak Mountain Road in Salisbury. The property was further referenced as Tax Parcel 755-009. The event would be open to the public and include live music and free food and beverages for an anticipated 90+ guests. Parking and four (4) portable toilets would be made available on the nearly fifteen (15) acre parcel.

According to the staff report, it was noted that Mr. Castro held an event on March 13, 2021 where deputies arrived and informed the owner he needed a permit to exceed or would otherwise be in violation of the Noise Ordinance. The 911 database did have one (1) noise complaint registered in this area on November 22, 2020 for an event that had live music.

Staff's primary concern was the potential number of events that may be considered, which has been shared with the applicant. A temporary use permit or other approval may be necessary, depending on the frequency of events.

The applicant was participating in the meeting by phone and responded to an inquiry from Commissioner Klusman as to the direction of the stage/music. Mr. Castro said during the first event previously held the music had been directed south. For the upcoming event, changes were made and the sound would be directed to the back of the property and away from any residences.

Chairman Edds questioned the applicant regarding the ending time for the event and the applicant agreed for the event to conclude at 11:00 p.m.

Chairman Edds opened the floor to receive public comments on the matter; however, there were no citizens wishing to address the Board.

Commissioner Pierce moved to approve PE 02-21 with an ending time of 11:00 p.m. The motion was seconded by Commissioner Caskey and passed unanimously.

**5. CONSIDER FSW 01-21: CHRISTINA FOSKEY**

Shane Stewart, Assistant Planning Director, provided a power point as he presented the staff report for FSW 01-21 from Christina Foskey. Ms. Foskey requested a family subdivision waiver (FSW) from Section 22-54 of the Subdivision Ordinance to create and convey three (3) new tracts from Tax Parcel 248-070 located along the 300-400 block of Bostian Oaks Lane. Within her letter of intent, Ms. Foskey included background information tracing the property’s ownership back to her grandparents, Mitchell and Dorthy Bostian. Ms. Foskey proposed to convey the lots as follows: Tracy and Wendy Bostian first cousin; Charles and Taren Roush, second cousin; and Dyana and Rocky Bostian, second cousin, all of which are indicated as grandchildren or great grandchildren of Mitchell and Dorthy Bostian.

Mr. Stewart said Planning Staff had spoken with each of the lot recipients and explained the family subdivision process in detail. Two (2) of the three (3) had immediate plans to build a home while Tracy Bostian would receive Lot #3, which was adjacent to his current property. Staff had no concerns with the request.

The applicant was participating by phone and addressed questions from Commissioner Klusman as to future plans for the lots and whether the land perked.

Chairman Edds opened the floor to receive public comment on the issue; however, there were no citizens wishing to speak on the matter.

Commissioner Pierce moved to approve FSW 01-21 followed by a second from Commissioner Greene. The motion carried unanimously.

**6. CONSIDER APPROVAL OF BOARD APPOINTMENTS**  
**AGRICULTURAL ADVISORY BOARD**

Suzanne Ramsey applied for a one-year term that would expire April 30, 2022.

Commissioner Klusman moved, Commissioner Greene seconded and the vote to appoint Ms. Ramsey passed unanimously.

**DANGEROUS DOG APPEALS BOARD**

Cheryl Peevy applied for reappointment. The term would be for three (3) years and expire May 31, 2024.

Commissioner Greene moved, Commissioner Pierce seconded and the vote to reappoint Ms. Peevy carried unanimously.

**HEALTH BOARD**

- Patricia Yost resigned from the Registered Nurse seat. Darise Caldwell is currently filling a seat for a member of the General Public; however, she is also a registered nurse. Ms. Caldwell respectfully requests to be appointed/transferred to fill the remainder of the term for the Registered Nurse seat previously held by Ms.

Yost. The term for this seat would expire December 31, 2021, at which time Ms. Caldwell would be eligible for reappointment for two (2) full terms.

Commissioner Klusman moved, Commissioner Pierce seconded and the motion to appoint Dari Caldwell to fill the remainder of the Registered Nurse seat passed unanimously.

- The change above created two (2) vacant seats for members of the General Public. Three (3) applications were received from:
  1. Mary Ponds
  2. Dr. Tony Watlington
  3. Nickalaus A. Goodman

The Board was asked to designate which applicant would fill the General Public seat that was held by Ms. Caldwell. The term would expire December 31, 2023, at which time the applicant would be eligible for reappointment.

The term for the second General Public seat would expire on December 31, 2022 and the chosen applicant for this seat would also be eligible for reappointment.

Commissioner Klusman moved the appointment of Mary Ponds to fill the General Public seat just vacated by Ms. Caldwell and for Dr. Watlington to fill the second General Public Seat. The motion was seconded by Commissioner Pierce and passed unanimously.

#### **LOCKE VOLUNTEER FIRE DEPARTMENT FIRE COMMISSIONERS**

David McKnight and Jody Kerr applied to fill two (2) seats that would become vacant on June 30, 2021. The terms would be for two (2) years, expiring on June 30, 2023.

Commissioner Greene moved, Commissioner Klusman seconded and the vote to appoint David McKnight and Jody Kerr carried unanimously.

#### **MOUNT MITCHELL VOLUNTEER FIRE DEPARTMENT FIRE COMMISSIONERS**

Barbara Simmons, Michael Deal and Eddie Bearden, Jr. applied for reappointment. If approved the terms would expire April 30, 2023.

Commissioner Klusman moved to reappoint Barbara Simmons, Michael Deal and Eddie Bearden, Jr. The motion was followed by a second from Commissioner Greene and carried unanimously.

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

The term for Jeanne Dixon will expire on June 30, 2021 and she applied for reappointment for a 4-year term that would expire June 30, 2025.

Commissioner Klusman moved, Commissioner Greene seconded and the vote to reappoint Jeanne Dixon passed unanimously.

**CITY OF SALISBURY PLANNING AND ZONING BOARD OF ADJUSTMENT – ETJ**

Timothy Norris applied for reappointment. Salisbury City Council approved his renewal contingent upon the Commissioners approval. The term would expire March 31, 2024.

Commissioner Klusman moved the reappointment of Timothy Norris. The motion was seconded by Commissioner Greene and carried unanimously.

**ADDITIONS**

**6a. WOODLEAF PARK MASTER PLAN**

County Manager Aaron Church emailed the Board just prior to the meeting with the information regarding agenda items #6a, #6b and #6c.

For item #6a, Mr. Church asked the Board to consider approval of the revised cost estimate for the Woodleaf Park Master Plan. Mr. Church said \$70,000 for signs had been reduced to \$7,000; the contingency had been 15% and only 5% was allowed for a PARTF Grant. Mr. Church said there was a 12-month escalation cost built in, which was also not allowed. According to Mr. Church there were other minor changes; however, the items mentioned were the largest changes in regard to the cost estimate. While the revised cost estimate was a bit lower, the revision included the addition of the engineering fees. The initial cost approved in March was \$543,000 and the revision for Phase I was \$437,000. According to Mr. Church, costs were anticipated to escalate; however, the County could not include escalation costs in the grant application.

\*(See motion to approve revised cost estimate below under item #6c).

**6b. APPROVE THE PARKS AND RECREATION TRUST FUND (PARTF) GRANT APPLICATION AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPLICATION FOR THE WOODLEAF COMMUNITY PARK PHASE I AND PHASE II.**

Commissioner Greene moved to approve the PARTF Woodleaf Community Park (Phase I and 2) Grant Application in the amount of \$354,346 with a matching County contribution of the same and to authorize the Chairman of the Board of Commissioners to sign the application. The motion was seconded by Commissioner Pierce and passed unanimously.

**6c. BUDGET AMENDMENT**

Chairman Edds moved to authorize the County Manager to move \$75,346 to the appropriate line item for the Woodleaf Park Project from a line item identified by the Manager and Finance Officer and carry over the \$279,000 and \$354,346 in the upcoming budget.

Mr. Church noted the amount contained in the memorandum he had provided contained an error. Mr. Church said the correct amounts should be listed as “\$279,000 and \$75,346 for a total of \$354,346.”

Chairman Edds corrected the motion to include the figures as stated by Mr. Church. The motion was seconded by Commissioner Greene and carried unanimously.

\*At this point, Commissioner Klusman moved to approve the revised cost estimate (as discussed during item #6a above). The motion was seconded by Commissioner Greene and passed unanimously.

## **7. ADJOURNMENT**

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 3:42 p.m. The motion was seconded by Commissioner Greene and passed unanimously.

Respectfully Submitted,



Carolyn Barger, MMC, NCMCC  
Clerk to the Board