



**ROWAN COUNTY COMMISSION AGENDA  
May 17, 2021 - 6:00 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: May 3, 2021 and May 6, 2021

**1 Consider Approval of Consent Agenda**

- A. Environmental Health Biweekly Report
- B. Fireworks Display
- C. Request for Approval in Change of EDC Bylaws
- D. Removal of Hiring Freeze
- E. Schedule Public Hearing for Z 03-21 & SNIA 04-21: East Coast Developers for June 7, 2021

- F. Schedule Public Hearing for Z 04-20 Amendment: Morgan Well, for June 7, 2021
  - G. Erosion Control Services Contract
  - H. Proclamation for Motorcycle Safety and Awareness Month
  - I. Authorization to Develop RFQ for Long Ferry Rd Corridor Improvements
  - J. Environmental Health Fees
  - K. Juvenile Crime Prevention Council FY 20-21 Funding Plan
  - L. Juvenile Crime Prevention Council FY 21-22 Funding Plan
- 2 Special Recognition
    - A. EMS Week Proclamation
  - 3 Public Comment Period
  - 4 Quasi-Judicial Hearing CUP 14-99 Amend
  - 5 Budget Amendments
  - 6 Financial Reports
  - 7 Closed Session
    - Consider Approval of Closed Session Minutes
    - Attorney-Client Privileged Communication
  - 8 Adjournment

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**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:** May 7, 2021  
**SUBJECT:** Consider Approval of the Minutes: May 3, 2021 and May 6, 2021

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**ATTACHMENTS:**

| <b>Description</b>                    | <b>Upload Date</b> | <b>Type</b> |
|---------------------------------------|--------------------|-------------|
| May 3, 2021 Minutes                   | 5/7/2021           | Cover Memo  |
| May 6, 2021 Minutes - Special Meeting | 5/12/2021          | 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**

130 West Innes Street • Salisbury, NC 28144  
Telephone 704-216-8181 • Fax 704-216-8195

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

**May 3, 2021 – 3:00 PM**

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

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

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

County Manager Aaron Church, Clerk to the Board Carolyn Barger, County Attorney Jay Dees, 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



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

**May 6, 2021 – 10:00 AM**

**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, Assistant County Manager/CIO Randy Cress and Assistant Finance Director Lisa Bevis were also present.

Chairman Edds convened the meeting at 10:08 a.m.

Chaplain Michael Taylor provided the Invocation.

Chairman Edds led the Pledge of Allegiance.

#### **CONSIDER APPROVAL OF THE AGENDA**

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

#### **1. INTRODUCTION**

County Manager Aaron Church described the upcoming budget year as “interesting” and dealt with a lot of revenue and a lot of inflation. Mr. Church said the budget was very uncertain and he would provide illustrations as to how the budget would be dealt with as the Board progressed through the meeting.

#### **2. DSS CHILD PROTECTIVE SERVICES**

Micah Ennis, Director for the Department of Social Services (DSS), provided a power point as she discussed the data relevant to the provisions for Child Protective Services (CPS).

According to North Carolina General Statute § 108A-14, the Director for DSS shall assess reports of child abuse and neglect and take appropriate action to protect such children pursuant to the Child Abuse Reporting Law (Article 3 of Chapter 7B of the General

Statutes). There were specific tasks for which the DSS Director was responsible in the investigative process.

Ms. Ennis reviewed the policy framework and guidelines that helps DSS staff meet the requirements of the law. Ms. Ennis reported the caseload data indicated the Department had not met the standards for the last several years.

| Calendar Year  | 2017 | 2018 | 2019 | 2020 |
|----------------|------|------|------|------|
| FTEs needed    | 20   | 28   | 27   | 22   |
| FTEs dedicated | 16   | 16   | 16   | 16   |
| Difference     | 4    | 12   | 11   | 6    |

Continuing with the power point, Ms. Ennis discussed CPS worker turnover and said a number of those who had resigned indicated the workload was a factor in their decision to leave. Ms. Ennis said when multiple workers left at or near the same time, the workload increased for the remaining workers.

Ms. Ennis discussed temporary solutions and said the management team was being as creative as possible to meet the demands of the current caseloads and support staff members who were discouraged.

As part of the expansion budget, Ms. Ennis requested four (4) CPS Social Workers and one (1) Social Work Supervisor. The estimated cost of the positions included salary benefits and equipment. After federal and state reimbursements, the investment to address the shortfall was approximately \$ 232,000.

In response to inquiries from Commissioner Klusman, Ms. Ennis said she felt other counties were experiencing the same type of crisis and she had not heard any employees say they were leaving because of money. Ms. Ennis said the job was not easy nor attractive. Ms. Ennis did express hope that the recommendations from the pay study would be successful in helping the County be more competitive and retain workers.

Commissioner Klusman referred to the assistance the Board had provided to the Environmental Health Department in the effort to recruit employees. Commissioner Klusman asked if similar actions would help for CPS workers. Ms. Ennis responded a sign on bonus might help bring folks in; however, having adequate caseloads was equally as important.

A lengthy question and answer session followed the presentation. Ms. Ennis answered questions regarding but not limited to the challenges of getting qualified applicants, caseloads, and minimum job requirements.

Commissioner Caskey offered a suggestion for recruiting college students and agreeing to pay off some of their student debt in exchange for employment. Ms. Ennis liked the idea and expressed appreciation for the dialogue.

Ms. Ennis personally felt the NC FAST system had an impact on the Department's understaffing and she added the most relevant question was where DSS was today and what could be done in partnership today. Ms. Ennis said trained social workers were entering information into a system that was inadequate and it was work that could not be assigned to someone else.

Commissioner Greene mentioned that more people seemed to need DSS each year yet the unemployment rate was going down. Ms. Ennis shared that one of the negative issues facing DSS clients was the impacts from having experienced trauma. Ms. Ennis said clients saw trauma as children and now were parents themselves. Ms. Ennis felt poverty was not necessarily the driving force; however, poverty went hand-in-hand with experiencing trauma.

Ms. Ennis said she was asking for four (4) workers and one (1) supervisor creating an additional unit in CPS.

Chairman Edds thanked Ms. Ennis for the information and for the difficult duties she performed in her role as Director.

### **3. ROWAN TRANSIT**

Valerie Steele, Airport and Transit Director, provided a power point and reviewed the route for Rowan Express (RE), which stopped in Salisbury, China Grove, Landis and Kannapolis. RE connected with the Salisbury Transit System, Concord Kannapolis Ride System and AMTRAK in Salisbury and Kannapolis.

Ms. Steele noted grant funding received was not enough to cover the costs of operating RE. Ms. Steele recommended RE be discontinued for the following reasons:

- Cost: Net expenses for nine (9) months were \$158,816.04 for a total ridership of 6,853. The cost per ride was \$23.17 with only a \$1.00 fare.
- Vehicles: High mileage, CDL endorsement, larger vehicles requirement, increased wear and tear.
- Operating Hours: The route extended required staffing hours.
- Ridership: An average of 25.38 trips per day over the last nine (9) months, or, an average of only 1.69 rides per revenue hour. The average cost of service per hour was \$58.82, adding in the hourly wage to equal \$71.82 (not including insurance or cost of drivers benefits).

Ms. Steele stated the majority of riders used RE to commute to work with other occasional uses. According to Ms. Steele, all users had other options for transportation available and accessible to them.

Continuing with the power point, Ms. Steele highlighted the impacts to staffing and suggested increasing the number of part-time positions as changes occurred.

Ms. Steele reviewed the following for The Rural Operating Assistance Program (ROAP):

- ▶ Majority of users have no other option for transportation
  - ▶ Portion of this funding covers the 1 day a week ride based on location within the County
- ▶ Currently enrolled\*
  - ▶ **Only Life Sustaining Trips\***
    - ▶ Medical (substantial amount going to dialysis)
    - ▶ Grocery
- ▶ New Applicants
  - ▶ **Only Medical Trips**

**\* Terminating currently relied upon transportation would create undue hardship and negatively impact the mental & physical health of our citizen who are reliant on our service**

The following information was highlighted for the Home and Community Care Block Grant HCCBG:

- ▶ Eligibility/Priority Based
  1. Need for Adult Protective Services has been substantiated
  2. Risk of abuse, neglect, and/or exploitation
  3. Extensive impairments in activities of daily living (ADL's), or instrumental activities of daily living (IADL's); at risk of placement or substitute care
  4. Older adults with less extensive (1-2) ADL or IADL impairments
  5. Well older adults; with limited transport options

**Age requirement 60+**

With regards to Medicaid, Ms. Steele noted:

- ▶ Administered by the Department of Social Services (DSS)
  - ▶ RTS will continue to provide transport for clients scheduled through DSS

Ms. Steele noted more changes coming with Medicaid transformation on July 1 and it was unknown whether the numbers would stay similar or drop.

Having outlined the rationale for the recommendation, Ms. Steele said she was focusing on those who needed transit services the most since they had no other options available.

#### **4. AIRPORT HANGARS**

Airport and Transit Director Valerie Steele discussed a rendering from Talbert, Bright and Ellington (TBE) Engineering, which provided possible options for future hangar locations. Ms. Steele said the options could be shifted or combined.

Ms. Steele said TBE had found some standard hangars with bi-fold doors that had a 16-week turnaround time; however, she noted the COVID-19 Pandemic could affect the timeframe. A safe estimate provided was \$50.00 per square foot and she noted the price was on the high end to be conservative.

The summary provided by Ms. Steele also included information about door heights, fire suppression systems, and types of preferred environments for protecting aircraft from the elements.

Chairman Edds called for a brief recess at 11:32 a.m.

Chairman Edds reconvened the meeting at 11:45 a.m.

## **5. JAIL MEDICAL**

Sheriff Kevin Auten and Captain Greg Hannold discussed the County's jail medical services. Sheriff Auten said it had become necessary to rebid the jail medical services. According to Sheriff Auten, County staff had been told the medical providers were not able to hire help for what they had paid three (3) years ago. Sheriff Auten said nurses were able to make a lot more money working in special units and overtime. Sheriff Auten said staff understood costs were going to increase regardless of which company was selected to provide the County's jail medical services and he noted the bid had gone up considerably.

Sheriff Auten said when staff was reviewing the department's budget for additional budget cuts, it was noted there was a line item for \$150,000 for jail psychological evaluations. Sheriff Auten reported the \$150,000 was included in the new contract so the line item could be removed from the budget, thus bringing the contract price down to approximately \$880,000.

Discussion ensued regarding jail services administered by registered nurses versus med-techs.

In response to an inquiry from Chairman Edds, a summary was provided regarding the decreased head count in the jail. It was estimated the jail count had been reduced to 195 during the COVID-19 Pandemic; however, the numbers were back up to roughly 255. It was noted the jail population that had been left seemed to have more health issues.

Sheriff Auten noted that during the Pandemic the courts were closed to the public; however, the jail cases that had been "on the shelf" were handled since court/judicial staff had more time to process those during the Pandemic. Sheriff Auten noted all jail populations had fallen during the Pandemic for varying reasons.

In conclusion, Sheriff Auten confirmed to Chairman Edds the County was looking at a \$150,000 net increase to the jail medical contract.

## **6. LUNCH**

Chairman Edds called for a recess at 12:00 noon.

Chairman Edds reconvened the meeting at 1:00 p.m.

## **7. EMERGENCY SERVICES (HEART MONITORS)**

Allen Cress, Emergency Services Chief, and Division Chief Lennie Cooper presented the report regarding the heart monitors.

Using a power point, Mr. Cress highlighted the current information for the monitors stating the current cache consisted of fifteen (15) devices that were more than six (6) years old. The majority of the units were from a lease that was executed in 2015. The Philips products were discontinued and would no longer be supported beginning February 3, 2022. Philips would support what the County had, with restrictions, until the end of 2022.

Mr. Cress noted there were three (3) primary manufacturers of cardiac monitors in the market. Mr. Cress said the department would like to provide the highest quality diagnostic tool available to extend to the citizens the best care possible. Mr. Cress reviewed the options on the newer devices to be added to the Request for Proposals (RFP) for pricing. The estimated cost was approximately \$880,000.

Commissioner Pierce asked if staff was trained to use the newer monitors. Mr. Cooper responded no and said that staff would need training for the changes. Mr. Cooper explained the training was included in the purchase price.

An in-depth discussed ensued regarding funding and whether to pay for the monitors or finance them. County Manager Aaron Church stated the best deal was to pay cash if possible and the second-best option was to borrow the money. The last and least preferable method was to lease the equipment from the company.

#### **8. TELECOMMUNICATIONS (RADIOS)**

County Manager Aaron Church prefaced the presentation by saying the Radio Project (Project) was supposed to happen last year but had been postponed. Mr. Church said the County was initially going to handle the Project in phases; however, the County would now be able to move forward with the entire Project.

Allen Cress, Emergency Services Chief, provided an update on the Project and said conversations were underway with the County's consultant. Mr. Cress said staff was trying to establish a geographically diverse prime site on Young's Mountain in the event there was a failure with the City of Salisbury's site. The estimated cost was \$450,000. Mr. Cress said the site would eliminate a single point of failure for the entire system.

Using a power point, Mr. Cress referred to the Young's Mountain Tower in the Town of Cleveland. Mr. Cress said the County currently leased a spot on the tower from American Towers, which was costing approximately \$3,600/month. Mr. Cress said the County currently owned approximately four (4) acres on Young's Mountain and he shared how the property could be utilized for revenue generation and/or possibly create an opportunity for fixed broadband service by the private sector. The proposal was to build another tower on the County's property at an estimated cost of \$550,000. Mr. Cress said the savings would eventually pay for the changes.

Mr. Cress said the service agreement contract with Motorola ended at the end of December 2021 and the consultant would assist in negotiating the contract with Motorola for ongoing support of the County's portion of radio infrastructure.



Continuing with the power point, Mr. Cress highlighted the radio recommendations.

- Adding GPS/AVL operation for radio equipment
- Enhancing responder safety to be able to locate them when out of their vehicle
- Replace end-of-support Motorola XTS portable radio and the APX series model A (with model B) radios that will be out of support by 2023. Current unverified inventory shows 1460 to be replaced.
- Rowan County Sheriff's Office, Municipal Law, Fire EMS and 911
- The County's consultant, Federal Engineering, will engage in an RFP process tailored to Rowan County specific needs for Law, Fire and public safety personnel.
- Replace existing mobile radios. Originally planned as only as needed; however, budgetary numbers may allow for replacement of the mobile radios. If not, replacements can be as needed as determined by the Emergency Services and IT Chiefs. Currently asking departments to replace them as they can in their budget. Pricing for mobiles will be in the RFP. Current unverified inventory shows 713.

Mr. Allen estimated the budgetary cost was \$10,500,000 for portable and mobile radios. Installation costs were not included in the estimate. The radio lifespan was projected to be 12-15 years.

Mr. Cress shared who received radios and how they were distributed. According to Mr. Cress, some of the radios go on the trucks instead of directly to individuals.

Chairman Edds noted three (3) of the current Commissioners were not on the Board when the last radios were purchased in 2012-13. Mr. Cress said the purchase was made when the one-quarter cent sales tax was implemented.

## **9. AMERICAN RECOVERY PLAN**

(This topic and agenda item #10 were combined in the way of presentation/discussion).

County Manager Aaron Church provided a handout and power point regarding the County's proposed Fiscal Year (FY) 2022 budget. Mr. Church noted the presentation was being provided prior to completion of the recommended budget. Mr. Church also noted the Board would see inflation and he gave an example projecting the County could experience over a 100% increase in gasoline prices from last year.

Mr. Church highlighted the FY 2022 budget requests versus the adopted budget for FY 2021. Mr. Church pointed out that prices were already increasing and the County had not yet started the new fiscal year.

Continuing with the power point, Mr. Church discussed the debt analysis, which included figures for public schools, Rowan-Cabarrus Community College (RCCC), Rowan County Government, and items paid from the one-quarter cent sales tax. Mr. Church pointed out the debt for the satellite jail and communications from 2010 would be paid off in 2022.

It was projected for Article 46 (sales tax) in the coming year there would be a revenue stream of approximately \$3.9 million. Mr. Church highlighted the public safety capital expenditures that could be paid from the \$3.9 million that would still result in an ending balance of approximately \$1.3 million.

Mr. Church stated the Board had not been balancing the budget with restricted funds.

Mr. Church was recommending the County pay cash for the public safety capital projects listed in the power point totaling \$5,758,204.

In response to Commissioner Klusman, Mr. Church said the vehicles taken out of service by the Sheriff's Department could be used by the Department of Social Services. Commissioner Pierce said the Environmental Health Inspectors could also use the vehicles, as opposed to putting mileage on their personal vehicles. Mr. Church stated Environmental Health had already been notified they could use the vehicles, too.

The health insurance for general government was projected to decrease \$30,745.

Next, Mr. Church discussed the requests for education. Mr. Church said RCCC had requested a 1,740% increase. The large portion of the increase was for the new building the bond had been passed for. Mr. Church said he had spoken with the President of RCCC, Dr. Carol Spalding, and explained the County was still under a State of Emergency due to the Pandemic. Mr. Church did not feel it was the right year to raise taxes for a \$45 million building and he said Dr. Spalding had been receptive to his recommendation. Mr. Church said staff had put \$1 million in the budget to pay for the architect fees to get the project started. Mr. Church noted there might also be funds from the American Recovery Plan (ARP) to go towards the project, as well (possibly an additional \$3 to \$5 million).

Commissioner Pierce asked if the \$1 million for architect fees would be reimbursed to the County once the bond was taken down. Mr. Church said \$44 million of bonds would be sold as opposed to \$45 million "if there was no inflation." Commissioner Pierce said he did not want to see the County on the hook for the \$1 million and Mr. Church said the County could borrow the funds and pay itself back. Mr. Church since the County was selling bonds and the rates would be lower, it would probably make more sense to do that. It was an option and the \$1 million would be identified for the specific purpose with invoices to show the expenditures.

The Rowan-Salisbury School System (RSSS) requested a 300% increase and Kannapolis City Schools requested a 550.6% increase. Mr. Church reviewed the Average Daily Membership (ADM) from 2013 through the estimated 2022 ADM for RSSS, Kannapolis and Charter Schools. Mr. Church pointed out the drop in ADM for public schools and the increase for Charter Schools.

Reading from a letter submitted by RSSS Superintendent Dr. Tony Watlington, Mr. Church said RSSS requested \$2.2 million for continuation budget needs; \$500,000 for salary



increases; and \$1.7 for fund expenditures deferred due to the Pandemic or funded by state and federal COVID relief monies in 2020-21; \$81.5 million to address some of the District's priority capital needs. RSSS designated around 70% of those funds to HVAC replacement and the construction of a new K-8 school to replace Knox Middle and Overton Elementary Schools, leaving approximately \$25 million to cover other current capital needs. Due to the Pandemic, \$75 million of the funding had been "on hold" for the past year; however, the District moved forward with the HVAC replacement projects totaling \$6.5 million. RSSS requested the historical annual capital outlay appropriation of around \$2.5 million to supplement the funding.

Mr. Church noted Kannapolis had a list of capital requests with the largest being the A.L. Brown study recommendations at \$26 million. The overall total for the list of projects was \$45,605,214.

The Rowan County COVID-19 Funding was broken down as follows:

|           |              |
|-----------|--------------|
| Education | \$87,672,804 |
| County    | \$32,819,455 |
| Municipal | \$14,672,800 |

Mr. Church said the County figure was inflated. It was anticipated the County would receive \$135 million and Mr. Church said there were restrictions on how the County could spend the funds.

The dollars were broken down for education as follows:

|            |                 |
|------------|-----------------|
| RSSS       | \$76,239,103.00 |
| Kannapolis | \$ 4,338,791.00 |
| RCCC       | \$ 7,095,000.00 |

It was noted the funds for RSSS was almost double the County's annual appropriation to the District.

Commissioner Pierce questioned the restrictions for the funds and Mr. Church said he was having a difficult time getting the answer. Mr. Church said there was a rule that says 20% was required to be spent on lost learning through the Pandemic but it was unclear about remainder. The federal guidance stated the funds could be used for: repairing and improving school facilities to reduce risk of virus transmission and exposure to environmental health hazards. Mr. Church said he was still pursuing an answer.

Commissioner Klusman expressed hope the schools could spend some of the money on mental health services. Commissioner Klusman stated childhood trauma holds children back for later years in life and she felt the funds would go a long way in helping the schools.

With regards to the County's ARP funds, Mr. Church provided a breakdown and discussed the items for the Board to consider using the funding for. The list totaled \$27.5 million.

In conclusion, Mr. Church said the breakdown was the first draft of ideas the Board may or may not wish to consider.

## **10. BUDGET OVERVIEW**

(This topic and agenda item #9 were combined in the way of presentation/discussion).

## **11. CAPITAL (WEST END PLAZA – AG CENTER/VETERANS - PARKS)**

Before moving into the discussion on Capital Projects, a brief discussion ensued regarding the hiring freeze that was implemented in April 2020. Mr. Church said the Board could move to lift the freeze or it could be handled via the next agenda. Mr. Church said for a director to fill a position, they had to obtain his approval and he had not turned anyone down since the freeze was implemented.

Commissioner Pierce asked that in order to avoid confusion, the issue be placed on the next agenda to remove the hiring freeze. Commissioner Caskey stated that lifting the freeze would only be for positions already created and not new positions.

Next, Mr. Church discussed the freeze on capital spending, which included the West End Plaza (WEP) / Ag Center Project (Project). Mr. Church said prior to the Pandemic, the Board had voted to move forward with the Project.

Chairman Edds asked the County Manager to re-engage ADW Architects and ask the firm come back to speak with the Board. Chairman Edds said the information would help the community see where the Project stood.

Commissioner Pierce said the Sheriff had approached both he and Commissioner Caskey about upfitting the former Cinema facility at WEP for use as a training center for his staff. Commissioner Pierce said the Sheriff's Department spent a significant amount of money sending staff to trainings and the Sheriff felt having a training center would ultimately result in a savings. Commissioner Pierce said the Sheriff had several uses in mind for the facility and the next step would be to put out an RFP for the design.

Commissioner Klusman referred to previous conversations about using the new Ag Center as a place for trainings for RSSS and others to use. Commissioner Klusman said the Health Department and DSS staff also needed room.

Commissioner Pierce noted the training for the Sheriff was a specialized training.

Commissioner Caskey described the specialized law enforcement training set up and how it could possibly be utilized.

Commissioner Caskey mentioned that he also liked the way the COVID-19 mass vaccination clinics had taken place at WEP and perhaps there could be future uses for other departments at the WEP.

Commissioner Klusman said she had thought the Health Department and DSS were supposed to eventually be moved to the WEP.

Commissioner Caskey said the Board had not made the plan to move those departments but the idea had been discussed. Commissioner Caskey said since Commissioner Klusman served on both the Health Board and DSS Board she would better understand how closely the two (2) departments would need to be located to one another. (Commissioner Klusman's microphone appeared to be turned off and the remainder of the conversation was inaudible).

Chairman Edds asked the County Manager if he would contact the architect and request a "road map of where to go from here".

Commissioner Caskey inquired whether Chairman Edds was referring specifically to what had already been planned, or, if he was including the items just raised by Commissioner Klusman. Commissioner Caskey questioned if the next step was to try to engage an architect concerning the possibility of the training center. Commissioner Caskey felt the Board was not ready to vote on the training center but should see what information should be gathered and presented to the Board.

Commissioner Klusman referred to the space needs study and plans for moving DSS and Health to WEP. Commissioner Klusman said the County had the money to start developing the plans to move the two (2) departments.

Chairman Edds asked the County Manager to speak with the architects.

(Note: Commissioner Greene left the meeting at 3:48 p.m.).

Commissioner Pierce said he would ask the Sheriff to prepare a presentation for the Board regarding the training center request.

## **12. FIRE TAX / CONSULTANT**

County Manager Aaron Church said there had been a lot of discussion about various volunteer fire departments (VFD) and their requests for tax increases. Mr. Church said the Clerk to the Board had kept the Board and himself informed as to when the public hearings would be held by the departments that were asking for an increase.

Mr. Church said a Commissioner had requested the Board discuss the proposed tax increases. The departments requesting an increase were: Atwell, Bostian Heights, Franklin, Locke Township, Miller Ferry, South Rowan and West Rowan.

Chairman Edds shared that he and Commissioner Caskey had gone to most of the meetings. The common factor was most of the VFD volunteers were dropping off. The requests were about having someone on staff at the department in order to get the vehicles on the road and to have the team meet them at the site. Chairman Edds noted volunteer

activities were dwindling and a lot of it was attributed to regulations and required trainings (i.e., to drive the trucks).

Commissioner Pierce asked if it was time for the County to have a study performed to see if there should be a countywide fire department. Commissioner Pierce said the County was growing and a plan should be developed for consolidation over a ten (10) year period.

Commissioner Pierce felt it was time to take the next step and have the study performed. Commissioner Pierce said the County would continue to grow with the industry locating in the County, as well as the number of homes being built.

Commissioner Caskey said several counties had done a study and suggested the County obtain copies of those studies. Commissioner Caskey said the Board could review those studies before taking the next step.

Commissioner Caskey said the way things were going, the situation was not going to get any better. Commissioner Caskey suggested engaging the Fire Chiefs Association in the conversations and obtain their input before hiring someone to perform the study. Commissioner Caskey said the VFD's were doing a great service to the County and he did not want them to feel the Board was trying to undermine them.

Mr. Church was asked to have the Emergency Services Chief get copies of several VFD consolidation studies for the Board to review.

Chairman Edds emphasized the Board wanted the VFD staff to know how much they were respected, prayed for and appreciated. Chairman Edds said the discussions could result in finding out the Board was wrong or even that the departments wanted the County to pursue the consolidation.

### **13. ANIMAL SERVICES / WATER AND SEWER**

County Manager Aaron Church provided a view of the entrance to the Animal Shelter. Mr. Church said the road had been put on hold; however, he commented the delay had worked out for the better. Mr. Church said the County had made a verbal understanding it was going to build the road to a certain point and have a water/sewer line to serve the new and the old Animal Shelter wings. Mr. Church said when the County put a freeze on capital spending, the County told Shelter Guardians (SG) the County was not going forward with the road. However, SG moved forward with building the new dog wing at the Shelter and also moved forward with designing their own water line to the road. In order to get a permit, Mr. Church explained there must be a water connection.

Mr. Church felt ARP funds would pay for the road project, which would provide additional infrastructure. Mr. Church pointed out the woods would also be cleared in the process and create a site for a potential business location in the future.

Mr. Church said if the Board was agreeable with the concepts mentioned, he could ask the engineering firm to resurrect the project and put it out to bid in the next budget year (if the capital spending freeze was lifted). Mr. Church said the road was needed at least to the Animal Shelter and asked if the Board was okay with him looking into the concept and giving a verbal agreement that the County was looking into the matter.

Commissioner Pierce referred to the existing cat wing at the Animal Shelter and stated the well was going out. Commissioner Pierce said the County would have to either put a new well in or act to tap onto the water line. Commissioner Pierce felt the value of the County's vacant property would be increased if there was a water line to tap into.

#### **14. ADJOURNMENT**

There being no further business to come before the Board, Commissioner Klusman moved to adjourn at 4:17 p.m. The motion was seconded by Chairman Edds and passed unanimously.

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:** Alyssa Harris  
**DATE:** 05/07/2021  
**SUBJECT:** Environmental Health Biweekly Report

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**ATTACHMENTS:**

| <b>Description</b>   | <b>Upload Date</b> | <b>Type</b>     |
|----------------------|--------------------|-----------------|
| ENHS Biweekly Report | 5/10/2021          | Backup Material |

| ONSITE WASTEWATER REPORT |                                    |                        |                                           |                                |                                  |                |                                                        |                                       |                                |                  |                          |                |
|--------------------------|------------------------------------|------------------------|-------------------------------------------|--------------------------------|----------------------------------|----------------|--------------------------------------------------------|---------------------------------------|--------------------------------|------------------|--------------------------|----------------|
|                          | NUMBER OF INSPECTIONS              |                        |                                           |                                |                                  |                |                                                        |                                       |                                |                  |                          |                |
|                          | Well Inspections Completed (W1,W3) | Well Permits Requested | Soil/Site Evaluations Completed (S1, S1E) | Soil/Site Evaluation Requested | IP's Completed (S3, S4, S4A, S5) | IP's Requested | Existing System Inspections Completed (S12, S13, S13D) | Existing System Inspections Requested | Final Septic Inspections (S19) | Well Grouts (W2) | Complaints Visited (S25) | Backlog        |
| DATE RANGE               |                                    |                        |                                           |                                |                                  |                |                                                        |                                       |                                |                  |                          |                |
| Nov-20                   | 27                                 | 26                     | 151                                       | 46                             | 52                               | 46             | 6                                                      | 6                                     | 49                             | 27               | 8                        | 5 weeks 2 days |
| Dec-20                   | 20                                 | 22                     | 159                                       | 37                             | 31                               | 37             | 2                                                      | 3                                     | 27                             | 23               | 17                       | 3 weeks 2 days |
| Jan-21                   | 37                                 | 24                     | 181                                       | 66                             | 38                               | 66             | 7                                                      | 8                                     | 24                             | 25               | 13                       | 2 weeks 1 day  |
| Feb-21                   | 49                                 | 24                     | 189                                       | 48                             | 29                               | 48             | 9                                                      | 9                                     | 26                             | 24               | 32                       | 4 weeks 4 days |
| Mar-21                   | 48                                 | 47                     | 182                                       | 68                             | 54                               | 68             | 2                                                      | 3                                     | 52                             | 47               | 11                       | 5 weeks 2 days |
| Apr-21                   | 37                                 | 32                     | 245                                       | 52                             | 48                               | 52             | 8                                                      | 10                                    | 50                             | 56               | 6                        | 4 weeks 2 days |
| Total                    | 218                                | 175                    | 1107                                      | 317                            | 252                              | 317            | 34                                                     | 39                                    | 228                            | 202              | 87                       |                |

| BI-WEEKLY ONSITE WASTEWATER REPORT |                                    |                        |                                           |                                |                                  |                |                                                        |                                       |                                |                  |                          |                |
|------------------------------------|------------------------------------|------------------------|-------------------------------------------|--------------------------------|----------------------------------|----------------|--------------------------------------------------------|---------------------------------------|--------------------------------|------------------|--------------------------|----------------|
|                                    | NUMBER OF INSPECTIONS              |                        |                                           |                                |                                  |                |                                                        |                                       |                                |                  |                          |                |
|                                    | Well Inspections Completed (W1,W3) | Well Permits Requested | Soil/Site Evaluations Completed (S1, S1E) | Soil/Site Evaluation Requested | IP's Completed (S3, S4, S4A, S5) | IP's Requested | Existing System Inspections Completed (S12, S13, S13D) | Existing System Inspections Requested | Final Septic Inspections (S19) | Well Grouts (W2) | Complaints Visited (S25) | Backlog        |
| DATE RANGE                         |                                    |                        |                                           |                                |                                  |                |                                                        |                                       |                                |                  |                          |                |
| Oct. 26 - Nov. 6                   | 34                                 | 13                     | 99                                        | 24                             | 29                               | 22             | 2                                                      | 0                                     | 20                             | 23               | 6                        | 4 weeks 4 days |
| Nov. 9 - Nov. 20                   | 16                                 | 12                     | 78                                        | 26                             | 28                               | 22             | 2                                                      | 1                                     | 24                             | 18               | 7                        | 4 weeks 4 days |
| Nov. 23-Dec. 4                     | 13                                 | 11                     | 64                                        | 19                             | 21                               | 19             | 1                                                      | 0                                     | 14                             | 7                | 1                        | 5 weeks 2 days |
| Dec. 7 - Dec. 18                   | 15                                 | 13                     | 62                                        | 24                             | 19                               | 24             | 0                                                      | 2                                     | 15                             | 10               | 16                       | 4 weeks        |
| Dec. 21 - Jan. 1                   | 1                                  | 7                      | 58                                        | 10                             | 6                                | 11             | 1                                                      | 1                                     | 8                              | 11               | 1                        | 3 weeks 2 days |
| Jan. 4 - Jan. 15                   | 20                                 | 22                     | 84                                        | 26                             | 18                               | 26             | 1                                                      | 1                                     | 10                             | 12               | 7                        | 2 weeks 3 days |
| Jan. 18 - Feb. 5                   | 28                                 | 14                     | 126                                       | 48                             | 27                               | 48             | 6                                                      | 0                                     | 23                             | 18               | 10                       | 2 weeks 1 day  |
| Feb. 8 - Feb. 19                   | 23                                 | 16                     | 92                                        | 29                             | 11                               | 29             | 8                                                      | 1                                     | 13                             | 9                | 20                       | 3weeks 3 days  |
| Feb. 22 - Mar. 5                   | 23                                 | 10                     | 95                                        | 32                             | 8                                | 32             | 2                                                      | 0                                     | 14                             | 19               | 9                        | 5 weeks 2 days |
| Mar. 8 - Mar. 19                   | 16                                 | 26                     | 68                                        | 28                             | 32                               | 28             | 1                                                      | 2                                     | 14                             | 15               | 6                        | 4 weeks        |
| Mar. 22 - Apr. 2                   | 21                                 | 24                     | 79                                        | 40                             | 20                               | 40             | 0                                                      | 5                                     | 28                             | 24               | 4                        | 4 weeks 3 days |
| Apr. 5 - Apr. 16                   | 16                                 | 14                     | 110                                       | 24                             | 19                               | 24             | 4                                                      | 5                                     | 28                             | 26               | 1                        | 4 weeks 3 days |
| Apr.19 - Apr. 30                   | 17                                 | 16                     | 118                                       | 22                             | 27                               | 22             | 4                                                      | 6                                     | 21                             | 28               | 5                        | 4 weeks 2 days |
| Total                              | 243                                | 198                    | 1133                                      | 352                            | 265                              | 347            | 32                                                     | 24                                    | 232                            | 220              | 93                       |                |



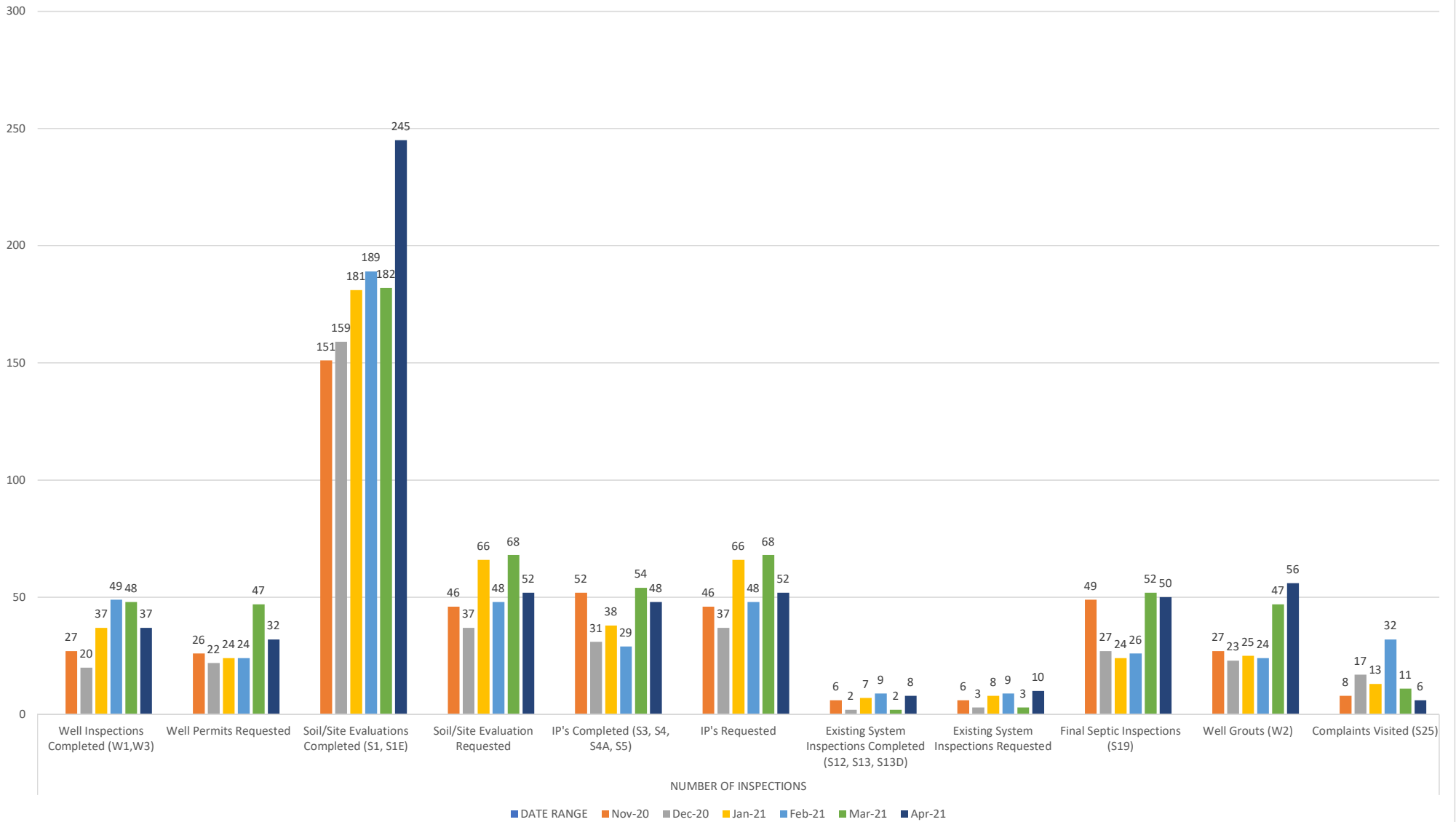
| FOOD & LODGING REPORT |                          |                                     |                                                    |                                                   |
|-----------------------|--------------------------|-------------------------------------|----------------------------------------------------|---------------------------------------------------|
|                       |                          |                                     |                                                    |                                                   |
|                       | Completed<br>Inspections | Required<br>Inspection<br>Completed | Percent of<br>Required<br>Inspections<br>Completed | Percent of<br>Required<br>Inspections<br>Goal 85% |
| DATE RANGE            |                          |                                     |                                                    |                                                   |
| Jul-20                | 49                       | 38                                  | 2.53                                               | 7.08                                              |
| Aug-20                | 67                       | 58                                  | 3.83                                               | 7.08                                              |
| Sep-20                | 102                      | 81                                  | 5.32                                               | 7.08                                              |
| Oct-20                | 191                      | 125                                 | 8.19                                               | 7.08                                              |
| Nov-20                | 54                       | 40                                  | 2.61                                               | 7.08                                              |
| Dec-20                | 56                       | 52                                  | 3.38                                               | 7.08                                              |
| Jan-21                | 81                       | 63                                  | 4.05                                               | 7.08                                              |
| Feb-21                | 109                      | 84                                  | 5.35                                               | 7.08                                              |
| Mar-21                | 117                      | 91                                  | 5.83                                               | 7.08                                              |
| Apr-21                | 114                      | 89                                  | 5.71                                               | 7.08                                              |
|                       |                          |                                     |                                                    |                                                   |
| Total                 | 940                      | 721                                 | 46.8                                               | 70.8                                              |

Required Inspections: 1553

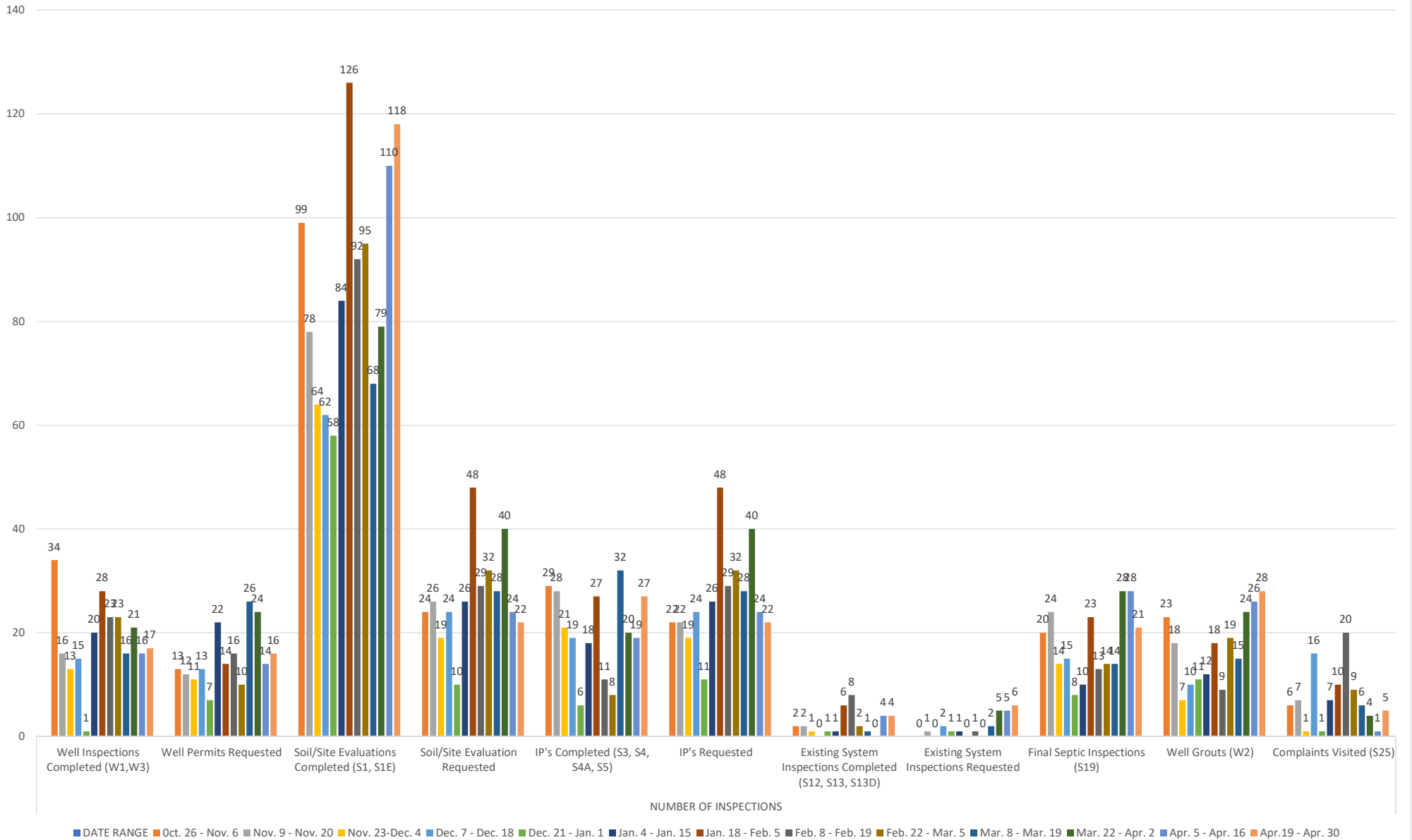
Number of Establishments: 675

| BI-WEEKLY FOOD & LODGING REPORT |                          |                                     |                                                    |                                                   |
|---------------------------------|--------------------------|-------------------------------------|----------------------------------------------------|---------------------------------------------------|
|                                 |                          |                                     |                                                    |                                                   |
|                                 | Completed<br>Inspections | Required<br>Inspection<br>Completed | Percent of<br>Required<br>Inspections<br>Completed | Percent of<br>Required<br>Inspections<br>Goal 85% |
| DATE RANGE                      |                          |                                     |                                                    |                                                   |
| Oct. 26 - Nov. 6                | 83                       | 39                                  | 2.58                                               | 3.27                                              |
| Nov. 9 - Nov. 20                | 25                       | 18                                  | 1.19                                               | 3.27                                              |
| Nov. 23-Dec. 4                  | 15                       | 18                                  | 1.19                                               | 3.27                                              |
| Dec. 7 - Dec. 18                | 29                       | 39                                  | 2.58                                               | 3.27                                              |
| Dec. 21 - Jan. 1                | 9                        | 2                                   | 0.13                                               | 3.27                                              |
| Jan. 4 - Jan. 15                | 41                       | 28                                  | 1.84                                               | 3.27                                              |
| Jan. 18 - Feb. 5                | 95                       | 59                                  | 3.84                                               | 3.27                                              |
| Feb. 8 - Feb. 19                | 58                       | 44                                  | 2.84                                               | 3.27                                              |
| Feb. 22 - Mar. 5                | 48                       | 41                                  | 2.65                                               | 3.27                                              |
| Mar. 8 - Mar. 19                | 30                       | 25                                  | 1.61                                               | 3.27                                              |
| Mar. 22 - Apr. 2                | 59                       | 46                                  | 2.94                                               | 3.27                                              |
| Apr. 5 - Apr. 16                | 52                       | 38                                  | 2.43                                               | 3.27                                              |
| Apr. 19 - Apr. 30               | 49                       | 42                                  | 2.70                                               | 3.27                                              |
|                                 |                          |                                     |                                                    |                                                   |
| Total                           | 593                      | 439                                 | 28.52                                              | 42.51                                             |

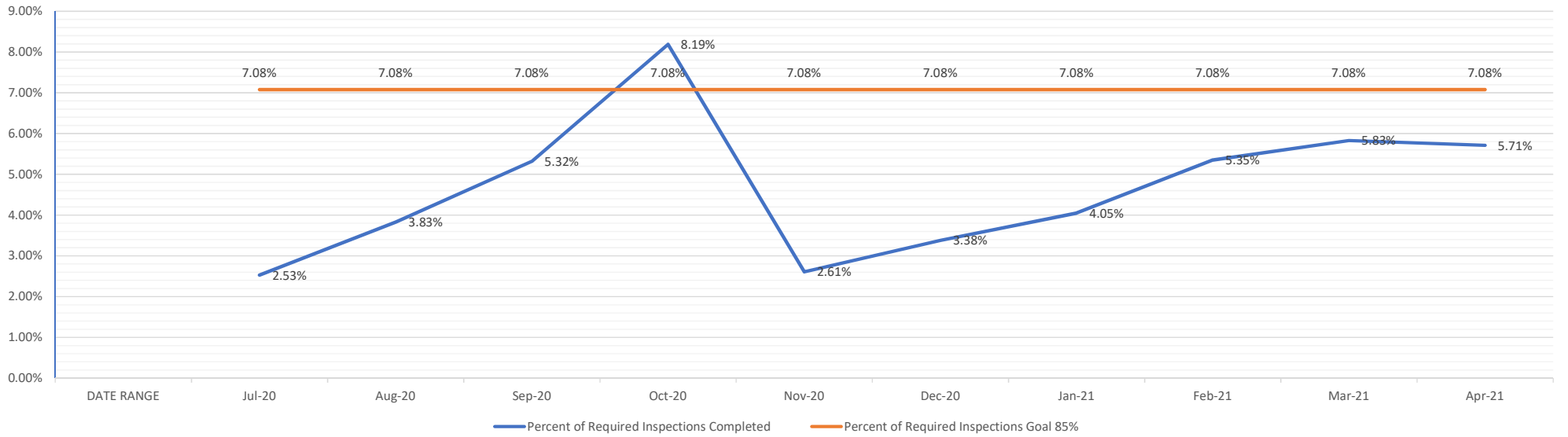
## Monthly Onsite Wastewater Report



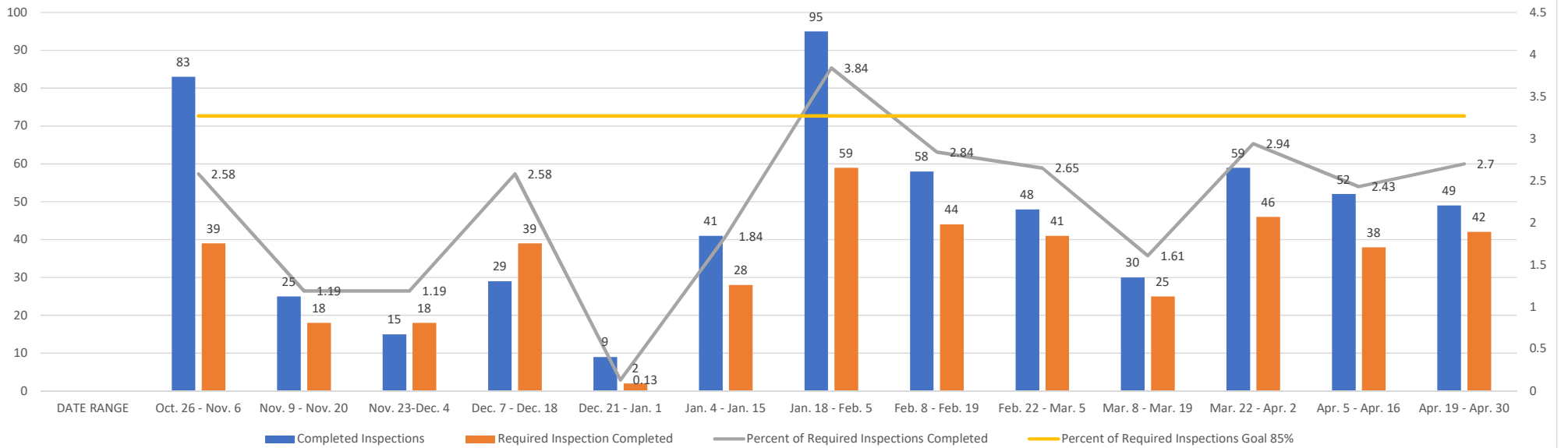
## BI-WEEKLY ONSITE WASTEWATER REPORT



## Food & Lodging Inspections Percent Completed



## BI-WEEKLY FOOD & LODGING INSPECTION REPORT



**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:** Allen Cress  
**DATE:** 5/3/2021  
**SUBJECT:** Fireworks Display

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This a request to perform a fireworks display for the Nazereth Children's Home on July 3, 2021 at the Salisbury Elks Lodge on Longs Ferry Rd.

I approve this request with restrictions therein.

**ATTACHMENTS:**

| <b>Description</b> | <b>Upload Date</b> | <b>Type</b> |
|--------------------|--------------------|-------------|
| Shell Count Form   | 5/3/2021           | Cover Memo  |
| ATF License        | 5/3/2021           | Cover Memo  |
| Cover Page         | 5/3/2021           | Cover Memo  |
| Possessor          | 5/3/2021           | Cover Memo  |

Federal Explosives License/Permit  
(18 U.S.C. Chapter 40)

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF      ATF - Chief, FELC  
Correspondence To      244 Needy Road  
                                 Martinsburg, WV 25405-9431

License/Permit  
Number      **1-NC-167-34-3E-00346**

Chief, Federal Explosives Licensing Center (FELC)

Expiration  
Date      **May 1, 2023**

Name  
**Christopher L. Reeves**  
M&M FIREWORKS

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

**46775 MOOK MOCK DRIVE  
NEW LONDON, NC 28127-**

Type of License or Permit

**34-USER OF EXPLOSIVES**

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

**FRALEY, FRANKIE SYLVESTER  
M&M FIREWORKS  
46775 MOOK MOCK DRIVE  
NEW LONDON, NC 28127-**

**Frankie Sylvester Fraley**  
Licensee/Permittee Responsible Person Signature

**owner**  
Position/Title

**Frankie Sylvester Fraley**  
Printed Name

**3-6-2021**  
Date

Previous Edition is Obsolete

FRALEY, FRANKIE SYLVESTER; 46775 MOOK MOCK DRIVE; 28127-1-NC-167-34-3E-00346; May 1, 2023; 34-USER OF EXPLOSIVES

ATF Form S400.14/S400.15 Part I  
Revised October 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)  
244 Needy Road  
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352  
Fax Number: (304) 616-4401  
E-mail: FELC@atf.gov

ATF Homepage: [www.atf.gov](http://www.atf.gov)

**Change of Address** (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

**Right of Succession** (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

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Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: **FRALEY, FRANKIE SYLVESTER**

Business Name: **M&M FIREWORKS**

License/Permit Number: **1-NC-167-34-3E-00346**

License/Permit Type: **34-USER OF EXPLOSIVES**

Expiration: **May 1, 2023**

Please Note: Not Valid for the Sale or Other Disposition of Explosives.



Federal Explosives License/Permit  
(18 U.S.C. Chapter 40)

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF      ATF - Chief, FELC  
Correspondence To      244 Needy Road  
                                         Martinsburg, WV 25405-9431

License/Permit  
Number

1-NC-167-34-3E-00346

Chief, Federal Explosives Licensing Center (FELC)

Expiration  
Date

May 1, 2023

Name

M&M FIREWORKS

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

46775 MOOK MOCK DRIVE  
NEW LONDON, NC 28127-

Type of License or Permit

34-USER OF EXPLOSIVES

Purchasing Certification Statement

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Mailing Address (Changes? Notify the FELC of any changes.)

FRALEY, FRANKIE SYLVESTER  
M&M FIREWORKS  
46775 MOOK MOCK DRIVE  
NEW LONDON, NC 28127-

*Frankie Sylvester Fraley*  
Licensee/Permittee Responsible Person Signature

owner  
Position/Title

Frankie Sylvester Fraley  
Printed Name

3-6-2021  
Date

Previous Edition is Obsolete

FRALEY, FRANKIE SYLVESTER; 46775 MOOK MOCK DRIVE; 28127-1-NC-167-34-3E-00346; May 1, 2023; 34-USER OF EXPLOSIVES

ATF Form S400.14/S400.15 Part I  
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Federal Explosives License (FEL) Customer Service Information

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E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

**Change of Address** (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

**Right of Succession** (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: FRALEY, FRANKIE SYLVESTER

Business Name: M&M FIREWORKS

License/Permit Number: 1-NC-167-34-3E-00346

License/Permit Type: 34-USER OF EXPLOSIVES

Expiration: May 1, 2023

Please Note: Not Valid for the Sale or Other Disposition of Explosives.





*Be an original.*

2727 Old Concord Rd, Suite E, Salisbury, NC, 28146-8388

[p] 704-216-8900

[f] 704-216-8921

## ***M E M O R A N D U M***

**TO:** Aaron Church; County Manager  
Board of Commissioners  
**FROM:** Deborah K. Horne; Fire Division Chief  
**VIA:** Allen Cress; Emergency Services Chief  
**SUBJECT:** Use of Pyrotechnics for Fireworks Display at Salisbury Elks Park  
**DATE:** May 3, 2021

Nazareth Children's Home and M&M Fireworks have submitted the proper paperwork for a fireworks display on July 3, 2021.

I have reviewed the paperwork and it meets all our local requirements. The paperwork also reflects the requirements met through NFPA 1123.

I have explained to Nazareth Children's Home and M&M Fireworks that this permit would be rescinded if the local, state or federal Covid requirements change.

I ask that you consider adding this to the next available agenda.



## NOTICE OF CLEARANCE

### for individuals transporting, shipping, receiving, or possessing explosive materials.

ISSUED TO: FRALEY, FRANKIE SYLVESTER

Federal Explosives license/permit no.: 1-NC-167-34-3E-00346

NOTICE DATE: 05/14/2020

Expiration Date: **May 1, 2023**

Explosives License/Permit Type: 34-USER OF EXPLOSIVES

EXPIRATION DATE: This Notice expires when superseded by a newer Notice which will list all current responsible persons and employee possessors, or when the license or permit expires - whichever comes first.

- 1 **WARNING.** Only those individuals listed below as **RESPONSIBLE PERSONS** and **EMPLOYEE POSSESSORS** with a background clearance status of "CLEARED" or "PENDING" are authorized to transport, ship, receive, or possess explosive materials in the course of employment with you.
- 2 **"DENIED" STATUS.** If an employee possessor has a background clearance status of "DENIED", you **MUST** take immediate steps to remove the employee from a position requiring the transporting, shipping, receiving, or possessing of explosive materials. Also, if the employee has been listed as a person authorized to accept delivery of explosive materials, you **MUST** remove the employee from such list and immediately, and in no event later than the second business day after such change, notify distributors of such change, as stated in 27 CFR 555.33(a).
- 3 **CHANGE IN RESPONSIBLE PERSONS.** You **MUST** report any change in responsible persons to the Chief, Federal Explosives Licensing Center, within 30 days of the change and new responsible persons **MUST** include "appropriate identifying information" as defined in 27 CFR 555.11. Fingerprints and photos are **NOT** required, however they will be required upon renewal of the license or permit.
- 4 **CHANGE OF EMPLOYEES.** You **MUST** report any change of employee/possessors to the Chief, FELC, within 30 days. Reports relating to newly hired employees must be submitted on ATF Form 5400.28 for **EACH** employee.

Premises Address: 46775 MOOK MOCK DRIVE  
NEW LONDON, NC 28127

**Mailing Address:**

FRALEY, FRANKIE SYLVESTER  
M&M FIREWORKS  
46775 MOOK MOCK DRIVE  
NEW LONDON, NC 28127

This 'Notice of Clearance' is provided to you as required by 18 U.S.C. 843(h) and **MUST** be retained as part of your permanent records and be made available for examination or inspection by ATF officers as required by 27 CFR 555.121. If you receive a Notice subsequent to this Notice, this Notice will no longer be valid.

In accordance with 27 CFR 555.33, Background Checks and Clearances, and 27 CFR 555.57, Change of Control, Change in Responsible Persons, and Change of Employees, ATF's Federal Explosives Licensing Center (FELC) has conducted background checks on the individual(s) you identified as a responsible person(s) and an employee/possessor(s) on your application, or reported after the issuance of your license/permit.

The following is a SUMMARY of the results of the background checks conducted on the individuals you reported as responsible persons and employee/possessors. ATF will be notifying ALL individuals listed on this document of their respective status by separate letter mailed to their residence address.

**PLEASE BE ADVISED THAT IT IS UNLAWFUL FOR ANY PERSON REFLECTING A STATUS OF "DENIED" TO TRANSPORT, SHIP, RECEIVE, OR POSSESS EXPLOSIVE MATERIALS.**

Please carefully review this Notice to ensure that all the information is accurate. If this Notice is incorrect, please return the Notice to the Chief, FELC, with a statement showing the nature of the error(s). The Chief, FELC, shall correct the error, and return a corrected Notice.

Number of RESPONSIBLE PERSON(S) : 1  
Number of EMPLOYEE POSSESSOR(S): 8

continued

LAST NAME, First Name, Middle Name Clearance Status

**RESPONSIBLE PERSONS:**

0001 FRALEY, FRANKIE SYLVESTER

Cleared

**EMPLOYEE POSSESSORS:**

0001 AMMONS, JOEL RALPH  
0002 CAVAROC, JOHN PETER JR  
0003 DAVIS, DAVID LEONARD  
0004 FRALEY, JUDY DENNIS

8

Cleared  
Cleared  
Cleared  
Cleared

LAST NAME, First Name, Middle Name

Clearance Status

0005 POPLIN, DUSTIN LEE  
0006 ROGERS, WILLIAM CLAUDE  
0007 STAMEY, LEWIS DOUGLAS  
0008 STAMEY, LOGAN DOUGLAS

Cleared  
Cleared  
Cleared  
Cleared

**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:** Joanie Michael (Rowan EDC)  
**DATE:** 5.4.21  
**SUBJECT:** Request for Approval in Change of EDC Bylaws

---

Rod Crider, President of the Rowan EDC has requested that the Board of Commissioners review and approve the proposed changes to be made to the by-laws for the Rowan EDC. These changes were submitted to the County on April 26, 2021.

**ATTACHMENTS:**

| <b>Description</b>          | <b>Upload Date</b> | <b>Type</b> |
|-----------------------------|--------------------|-------------|
| Proposed EDC bylaws changes | 5/4/2021           | Cover Memo  |

April 6, 2021

Reference: EDC bylaw changes

Dear Mayors, Board/Council members and Clerks,

Attached you will find a copy of the bylaws revisions approved by the Rowan EDC board during its February 2021 meeting.

To be implemented, the revisions need the approval of our municipal partners. I have also included a summary of the changes that explains their purpose and rationale. The enclosed signature sheet should be returned to us after your governing body approval. To effectuate these changes prior to our new fiscal year beginning July 1, we would like these to be considered at your earlier convenience.

Thanks for your support of the EDC and if you have any questions concerning the changes to our bylaws, please feel free to give us a call. We would be happy to answer any questions you have or meet with you and your Board/Council members.

Sincerely,



Rod Crider, CEcD, CCE  
President & CEO



## Rowan EDC Constitution & By-Laws

### Summary of Proposed Changes

The last changes to the Rowan Economic Development Commission's By-laws occurred in 2009. Much has changed since that time, not the least of which was the establishment of the Forward Rowan campaign for economic development in 2020. This initiative moved the organization from a strictly government supported entity to a broader public-private partnership. For the first time since the EDC was founded in 1984, private sector businesses have assumed some responsibility for the economic growth efforts of Rowan County.

Accordingly, some minor changes to the bylaws are desired to accommodate this new partnership. Other changes that are non-material in nature, are being proposed due to outdated wording or practices.

As the founding members of the Rowan EDC, the county, cities and other municipalities must approve these bylaws changes. The significant changes are summarized below and the full text changes appear as an appendix.

#### Article

- I            Section 1            Change the name of the corporation from Rowan Economic Development Commission to Rowan Economic Development Council.

***Rationale:*** *With new private sector support, the name change moves us away from the image of a solely governmental entity and is consistent with other economic development organizations across the state and nation.*

- V            Section 1            Eliminate the Rowan County residency requirement for board membership. It would be desirable to include persons live or work in Rowan County.

***Rationale:*** *Many business leaders who are interested in serving in the EDC board do not live in Rowan County and excluding them for this reason, causes the EDC to be unable to recruit qualified and interested candidates.*

Expand the size of the board by up to five persons to allow for representation from funding partners other than governmental units (Article IV, Section 1). Since we are now receive a significant portion of our funding from the private sector, it would advantageous to recruit individuals who may be able to forward our strategic interests.

***Rationale:*** *Providing the extant board to nominate and elect five members to its body allows the EDC to broaden and diversify its membership.*

- VI           Section 2            This changes the timing of the election of officers to coincide with the election of directors on a calendar year basis.

***Rationale:*** *Conducting the related activities of electing officers and directors at different times is awkward. This provision integrates and streamlines the two on a calendar year basis.*

- VI           Section 3            This specifies that the office of Chairperson and Chairperson Elect may be held by the same individual for no more than two, one-year terms.

***Rationale:*** *Providing term limits help prevent board chairs from burning out, enables the board to adjust its leadership to suit changing organizational needs and help protect the board and chief executive from an ineffective chair.*

## Rowan EDC Constitution & By-Laws

### Summary of Proposed Changes

- IX      Section 2      Because of the new practice and prevalence of electronic meetings, we are adding the following language:
- The Executive Committee may, in its sole discretion, determine that any meeting of the members shall not be held at any place, but may instead be held solely by means of remote communication. Participation in a meeting held by remote communication shall constitute presence in person at the meeting for all purposes, including quorum and voting. Members shall receive at least seven (7) days advance notice of the change to a remote meeting and shall be provided instructions for participation and voting for such remote meeting.

***Rationale:*** *Electronic communication has proliferated and become an acceptable form of meeting since 2009 and especially since the pandemic of 2020-21. The bylaws need to allow for remote and digital meetings.*

- Article XI-      Amend the bylaws through an action of the Board of Directors provided each community is given 30 day notice for review and comment prior to any such meeting to be held for that purpose.

***Rationale:*** *This allows the board to adopt new bylaws in place of the existing required individual approval of the county, cities and municipalities. These public sector partner interests are still protected though with the requirement that they be notified of any changes and allowed to voice their approval or dissatisfaction with said changes.*



## Rowan EDC Constitution & By-Laws

### Summary of Proposed Changes

|           |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Article I | Section 1 | Change the name of the corporation from Rowan Economic Development Commission to Rowan Economic Development Council. Throughout the document, the term "Commission" is replaced with "EDC"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| II        | Section 1 | Deleted as it is described in the Purposes section of Article III                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| II        | Section 2 | Simplify wording to "Principal Office - The principal place of operation of the EDC will be located in Salisbury, NC and other such places as the EDC may require."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| III       | Section 1 | <p>These are restated to mirror our original Articles of incorporation. The purposes for which the Corporation is formed are to maximize the development and utilization of the human and economic resources of the Rowan County geographic area in order to create or preserve jobs and development opportunities and to improve the welfare of the people of the area, and, in that regard, to:</p> <ul style="list-style-type: none"> <li>A. Work in conjunction with business, political, educational, and other appropriate groups and associations now located or planning to locate in Rowan County;</li> <li>B. Aid the county, cities, and towns by attracting new industry and by encouraging the development of, or retention of, business and industry in the community or area;</li> <li>C. Promote and develop the economic, industrial, commercial and civic climate of Rowan County;</li> <li>D. Act as a liaison to assist entrepreneurs, business and industry of all types in this area in finding solutions to their problems at the local, state, and national levels; and</li> <li>E. To receive and administer funds for the benefit of the Corporation, or its successor and to that end to take and hold, by bequest, devise, gift, purchase or lease, either absolutely or in trust, any property, real, personal or mixed, without limitation as to amount or value, except such limitations, if any, as may be imposed by law.</li> </ul> <p>The enumeration of the foregoing purposes shall not be held to limit or restrict, in any manner, the general powers of the Corporation, and the Corporation shall be authorized to exercise and enjoy all the powers, rights and privileges granted to or conferred upon corporations of the character of the Corporation by the laws of the State of North Carolina now or hereafter in force. The Corporation reserves the right, at any time and from time to time, substantially to change its purposes in the manner now or hereafter permitted by law.</p> |
| IV        | Section 1 | Replace with a broader definition: Funding Partners shall consist of interested individuals, foundations, non-profit organizations, businesses or governmental units who have a commitment to the purpose set forth in this Code of Regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| IV        | Section 2 | Delete this section as it is allowed in the previous one.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

## Rowan EDC Constitution & By-Laws

### Summary of Proposed Changes

|    |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IV | Section 4   | Delete this section as it is allowed in the previous one.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| V  |             | Rename this article from "Commission Membership" to "Board of Directors"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| V  | Section 1   | <p>Eliminate the Rowan County residency requirement for board membership. It would be desirable to include persons live or work in Rowan County.</p> <p>Expand the size of the board by up to five persons to allow for representation from funding partners other than governmental units (Article IV, Section 1). Since we are now receive a significant portion of our funding from the private sector, it would advantageous to recruit individuals who may be able to forward our strategic interests.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| V  | Section 1 e | This gives the ex-officio members voting privileges. The designation ex-officio is someone appointed by virtue of a position they hold and they should not be discriminated against for that reason.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| V  | Section 3   | This clarifies that serving any part of a board term is considered a full term.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| V  | Section 6   | This is a new section requiring a board members to sign statements of confidentiality and disclosure of conflicts of interest. <u>Letters of Confidentiality and Disclosure of Conflict of Interest</u> . Each member of the Board of Directors shall sign a letter of confidentiality and disclosure of conflict of interest statement and deliver it to the President of the corporation before serving such Director's term and annually thereafter.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| VI | Section 2   | This changes the timing of the election of officers to coincide with the election of directors on a calendar year basis. Officers shall be elected by a majority of the entire Board of Directors. Elections should be held no later than November 30 of each year and new terms shall begin January 1.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| VI | Section 3   | This specifies that the office of Chairperson and Chairperson Elect may be held by the same individual for no more than two, one-year terms.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| VI | Section 5   | <p>This clarifies the role of management. Also throughout the document the old term "Executive Director" was replaced with the new title "President". It also referenced a "Personnel Committee" which does not exist but that is provided for in a new Article VIII.</p> <p><b>Management:</b> The Board of Directors shall appoint a President who will manage the daily activities of the Corporation and serve at their discretion. The President shall participate in and coordinate all Task Force or Committee functions and shall see that the objectives of the Corporation are completed on schedule. The President shall be responsible for all personnel matters and working with the Treasurer to develop an annual budget. The President shall inform the Board of Directors and Executive Committee of all activities. The President shall carry out any other functions necessary to the performance of the position, or as assigned by the Board of Directors or Executive Committee.</p> |
| VI | Section 6   | This is a function of management and should not be included in the bylaws.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

**Rowan EDC Constitution & By-Laws****Summary of Proposed Changes**

|      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| VI   | Section 7 | This is a function of management and should not be included in the bylaws. The annual budget will set restrictions on total compensation paid to employees.                                                                                                                                                                                                                                                                                                                                                 |
| VI   | Section 8 | This is a function of management and should not be included in the bylaws.                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| VII  | Section 1 | This replaces the term "Chairman" with "Chairperson" and simplifies the delineation of the duties of the office. The Chairperson shall call and preside at all meetings of the Board of Directors and may attend Committee meetings and other general meeting, when possible; with assistance from the President, serve as spokesperson of the Corporation; make appointments to committees with the exception of the Nominating Committee; and other duties as are necessary to the office of Chairperson. |
| VII  | Section 4 | This simplifies the wording regarding the duties of the Treasurer. The Treasurer shall cause to be prepared all financial reports, see that financial records are maintained and report on the financial condition of the Corporation to the Board of Directors on a monthly basis.                                                                                                                                                                                                                         |
| VII  | Section 6 | Delete this section as it is does not pertain to the Officers but to the Board of Directors as a whole.                                                                                                                                                                                                                                                                                                                                                                                                     |
| VIII | Section 1 | This section describes operating procedures and is a subject not typically found in bylaws. This is eliminated and replaced with the new section below describing committee operations:                                                                                                                                                                                                                                                                                                                     |

**Article VIII. Committees**

**Section 1 – Description** - There shall be Committees tasked with specific responsibilities necessary to implement the goals and needs of the EDC. Each Committee shall be comprised of a minimum of three individuals, with at least one Committee member who is also a member of the Board of Directors.

**Section 2. Committee Chairpersons** - Each committee shall be chaired by a member of the Board of Directors and shall report on committee activities to the Board of Directors.

**Section 3 – Board Development Committee** - The Board Development Committee shall be responsible for:

- (a) Governance;
- (b) Orientation of New Board Members; and
- (c) Recruitment of New Board Members.

The Board Development Committee will submit a slate of proposed Directors and officers to the Board of Directors prior to October 31st of each year. The Board Development Committee will provide the names of those candidates to be recommended for nomination by governmental funding partners immediately following approval by the Board of Directors.

**Section 5 – Executive Committee** - The Executive Committee shall have the authority to make policy decisions on behalf of the entire Board of Directors when

## Rowan EDC Constitution & By-Laws

### Summary of Proposed Changes

necessary. The Chairperson will preside over the Executive Committee. Other members of the Executive Committee include: (1) Vice Chairperson; (2) Immediate Past Chairperson; (3) Treasurer; (4) Secretary. The President of the Corporation will report directly to the Executive Committee.

Section 6 – Finance Committee - The Finance Committee shall be comprised of not less than three Directors appointed by the Board Chair and approved by the Board. One of the members shall be the Treasurer, who shall be the chair of the committee. The Finance Committee shall meet semi-annually or at the discretion of the Treasurer. The duties of the Finance Committee shall be to:

- (a) Oversee matters involving the fiscal well-being of the corporation, and shall include, but shall not be limited to, developing fiscal policies and processes for the corporation and monitoring the use of those policies;
- (b) Review and recommend the budget for review and final approval by the Board;
- (c) Review tax returns that the corporation is required to file;
- (d) Investigate and make recommendations to the Board on extraordinary expenditures;
- (e) Review insurance coverages as needed and,
- (f) Provide oversight to the President, Administrative Staff and the Board including, but not limited to, accounting and financial reporting practices and controls, compliance, risk management, and annual audit.

Section 7 – Other Committees - The Board of Directors may, from time to time, create other committees of the Board of Directors, and may delegate to any such committee any of the authority of the Board of Directors. Other committees shall be subject to the control and direction of the Board of Directors. Each such committee may act by a majority of its members.

Section 8 – Letters of Confidentiality and Disclosure of Conflict of Interest - Each Committee member shall sign a letter of confidentiality and disclosure of conflict of interest statement and deliver it to the President of the corporation before performing such duties and annually thereafter.

|      |           |                                                                                                                                                                                                                                                                                                              |
|------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| VIII | Section 2 | This section is deleted. These provisions are not typically found in by-laws, but rather in operating or financial procedures documents separately approved by the board.                                                                                                                                    |
| IX   | Section 2 | <p>This was changed to provide greater flexibility and to correct a meeting time and date that is no longer observed.</p> <p>The regular meetings of the Board of Directors will be held monthly on dates agreed upon by the Board of Directors at such time and place as determined by the Chairperson.</p> |

**Rowan EDC Constitution & By-Laws****Summary of Proposed Changes**

Because of the new practice and prevalence of electronic meetings, we are adding the following language:

The Executive Committee may, in its sole discretion, determine that any meeting of the members shall not be held at any place, but may instead be held solely by means of remote communication. Participation in a meeting held by remote communication shall constitute presence in person at the meeting for all purposes, including quorum and voting. Members shall receive at least seven (7) days advance notice of the change to a remote meeting and shall be provided instructions for participation and voting for such remote meeting.

**IX Section 6**

New section. Because of the Open Meetings Act regulations, the following meeting notification process is specified.

Section 6 – Notification of Meetings - Notice of all meetings shall be given by regular or electronic mail not less than seven (7) days before the date of such meeting to each Directors last known address, and all such notices shall state the date, time and place of the meeting. All notices will be given in accordance with North Carolina's Open Meetings Law. The Chairperson may also announce upcoming meetings at the current Board of Directors meeting. A schedule of planned Board of Directors meetings for the calendar year will be announced each January.

**X New**

Exempt Activities - Notwithstanding any other provision of these Regulations, no Director, officer, employee, or representative of this Corporation shall take any actions on or carry on any activity by or on behalf of the Corporation not permitted to be taken or carried on by an organization exempt under Section 501(c)(4) of the Internal Revenue Code and its Regulations as they now exist or may hereafter be amended.

**X becomes XI**

Renumber Article X to Article XI- Amend the bylaws through an action of the Board of Directors provided each community is given 30 day notice for review and comment prior to any such meeting to be held for that purpose.



Constitution and By-laws of the  
Rowan Economic Development Council (EDC)

(Adopted August 8, 1984). Amended November 7, 1988; July 1, 1995; and February 11, 2009.

Article I – Name

Section 1. Name – The name of the organization shall be the Rowan Economic Development Council (hereinafter referred to as the "EDC". The EDC is organized as a non-profit organization as described in Internal Revenue Code 501(c4). EDC. The incorporation date of the EDC is April 10, 1986.

Article II – Principal Office

Section 2. Location of Offices - The principal place of operation of the EDC will be located in Salisbury, NC and other such places as the EDC may require. EDCEDCEDC

Article III – Purposes

Section 1. Purposes – This corporation will have the purposes and powers as stated in its Articles of Incorporation, and whatever powers are or may be granted by the Non Profit Corporation Laws of the State of North Carolina or any successor legislation.

The purposes for which the Corporation is formed are to maximize the development and utilization of the human and economic resources of the Rowan County area in order to create or preserve jobs and development opportunities and to improve the welfare of the people of the area, and, in that regard, to:

- A. Work in conjunction with business, political, educational, and other appropriate groups and associations now located or planning to locate in Rowan County;



*Be an original.*

- B. Aid the county, cities, and towns by attracting new industry and by encouraging the development of, or retention of, business and industry in the community or area;
- C. Promote and develop the economic, industrial, commercial and civic climate of Rowan County;
- D. Act as a liaison to assist entrepreneurs, business and industry of all types in this area in finding solutions to their problems at the local, state, and national levels;
- E. To receive and administer funds for the benefit of the Corporation, or its successor and to that end to take and hold, by bequest, devise, gift, purchase or lease, either absolutely or in trust, any property, real, personal or mixed, without limitation as to amount or value, except such limitations, if any, as may be imposed by law; and
- G. To do and perform any and all acts and things, and to have and to exercise any and all powers, as may be necessary or convenient to accomplish any or all of the foregoing purposes or as may be incidental thereto, or as may be permitted by law.

The enumeration of the foregoing purposes shall not be held to limit or restrict, in any manner, the general powers of the Corporation, and the Corporation shall be authorized to exercise and enjoy all the powers, rights and privileges granted to or conferred upon corporations of the character of the Corporation by the laws of the State of North Carolina now or hereafter in force. The Corporation reserves the right, at any time and from time to time, substantially to change its purposes in the manner now or hereafter permitted by law.

#### Article IV – Financial Support

Section 1. Funding Partners – Funding Partners shall consist of interested individuals, foundations, non-profit organizations, businesses or governmental units who have a commitment to the purpose set forth in this Code of Regulations.

Section 2. Failure to Provide Support – Any Funding Partner failing to support the EDC shall cede the authority provided herein until funding support is resumed.

#### Article V – Board of Directors

Section 1. Board Membership – The EDC Board of Directors shall be comprised of ten (15) members, and are appointed as follows:

- a. Seven (7) members shall be appointed by the Board of Commissioners of Rowan County.
- b. Two (2) members shall be appointed by the City Council of the City of Salisbury.
- c. One (1) member shall be appointed by the governing bodies of the other municipalities of Rowan County that are Funding Partners.
- d. Up to Five (5) members are appointed by the Board of Directors of the EDC from among its private and other non-profit funders.
- e. The Chairman of the Rowan County Chamber of Commerce shall be designated as an Ex-Officio member of the EDC. If such Ex-Officio member shall resign or otherwise be unable to serve, the vacancy shall be filled by the Rowan County Chamber of Commerce.

Section 2. Terms of Membership – Directors shall serve a term of three years, beginning January 1st. At the conclusion of their term, a Director term is eligible to serve another three-year term. No Director may serve more than two consecutive three-year terms. After six months of absence, former members of the Board of Directors are eligible for additional terms of service.

Section 3. Vacancy - Vacancies occurring on the Board of Directors shall be filled by appointment from the organization or entity that originally nominated the vacating director for the balance of the unexpired term of the vacant seat. Serving any part of a term is considered a full term.

Section 4. Expiration of Terms – The President shall notify the appointing authority in writing of the expiration date of the terms of the EDC Members.

Section 5. Record of Service - The President shall have available a roster of the current qualified EDC members, as well as their terms of office, attendance records and appointing entity.

Letters of Confidentiality and Disclosure of Conflict of Interest. Each member of the Board of Directors shall sign a letter of confidentiality and disclosure of conflict of interest statement and deliver it to the President of the corporation before serving such Director's term and annually thereafter.

#### Article VI - EDC Officers

Section 1. Officers – The Officers of the EDC shall consist of a Chairman, Vice-Chairman, Secretary and Treasurer, all of whom shall be elected from the members of the Board of Directors .

Section 2. Election of Officers – Officers shall be elected by a majority of the entire Board of Directors. Elections should be held no later than November 30 of each year and new terms shall begin January 1.

Section 3. Terms of Office – All Officers shall serve for a term of one year and shall hold office until their successors are elected and qualified. The office of Chairperson and Chairperson Elect may be held by the same individual for no more than two, one-year terms

Section 4. Officer Vacancies – Vacancies in any office, regardless of cause, may be filled by the EDC members at any regular or special meeting.

Section 5 – Management: The Board of Directors shall appoint a President who will manage the daily activities of the Corporation and serve at their discretion. The President shall participate in and coordinate all Task Force or Committee functions and shall see that the objectives of the Corporation are completed on schedule. The President shall be responsible for all personnel matters and working with the Treasurer to develop an annual budget. The President shall inform the Board of Directors and Executive Committee of all activities. The President shall carry out any other functions necessary to the performance of the position, or as assigned by the Board of Directors or Executive Committee.

## Article VII Duties of the Officers

Chairperson. The Chairperson shall call and preside at all meetings of the Board of Directors and may attend Committee meetings and other general meeting, when possible; with assistance from the President, serve as spokesperson of the Corporation; make appointments to committees; and other duties as are necessary to the office of Chairperson.

Section 2. Vice-Chairperson - The duties of the Vice-Chairperson are to perform the duties of the Chairperson in his/her absence.

Section 3. Secretary - The duties of the Secretary are to verify and authenticate the records of meetings of the EDC.

Section 4. Treasurer - The Treasurer shall cause to be prepared all financial reports, see that financial records are maintained and report on the financial condition of the Corporation to the Board of Directors on a monthly basis.

Section 5. Liability - Each Member of the EDC shall be bonded or insured in an amount, which will satisfy the requirements of the granting agency or agencies and comply with the laws of the State of North Carolina.

## Article VIII – Committees

Section 1 – Description - There shall be Committees tasked with specific responsibilities necessary to implement the goals and needs of the EDC. Each Committee shall be comprised of a minimum of three individuals, with at least one Committee member who is also a member of the Board of Directors.

Section 2. Committee Chairpersons - Each committee shall be chaired by a member of the Board of Directors and shall report on committee activities to the Board of Directors.

Section 3 – Board Development Committee - The Board Development Committee shall be comprised of not less than three Directors appointed by the Board Chair and approved by the Board. One of the members shall be the Chair-elect. The committee shall be responsible for:

- (a) Governance;
- (b) Orientation of New Board Members; and
- (c) Recruitment of New Board Members.

The Board Development Committee will submit a slate of proposed Directors and officers to the Board of Directors prior to October 31st of each year. The Board Development Committee will provide the names of those candidates to be recommended for nomination by governmental funding partners immediately following approval by the Board of Directors.

Section 5 – Executive Committee - The Executive Committee shall have the authority to make policy decisions on behalf of the entire Board of Directors when necessary. The Chairperson will preside over the Executive Committee. Other members of the Executive Committee include: (1) Vice Chairperson; (2) Immediate Past Chairperson; (3) Treasurer; (4) Secretary. The President of the Corporation will report directly to the Executive Committee.

Section 6 – Finance Committee - The Finance Committee shall be comprised of not less than three Directors appointed by the Board Chair and approved by the Board. One of the members shall be the Treasurer, who shall be the chair of the committee. The Finance Committee shall meet semi-annually or at the discretion of the Treasurer. The duties of the Finance Committee shall be to:

- (a) Oversee matters involving the fiscal well-being of the corporation, and shall include, but shall not be limited to, developing fiscal policies and processes for the corporation and monitoring the use of those policies;
- (b) Review and recommend the budget for review and final approval by the Board;
- (c) Review tax returns that the corporation is required to file;
- (d) Investigate and make recommendations to the Board on extraordinary expenditures and
- (d) Review insurance coverages as needed.

(e) Provide oversight to the President, Administrative Staff and the Board including, but not limited to, accounting and financial reporting practices and controls, compliance, risk management, and annual audit.

Section 7 – Other Committees - The Board of Directors may, from time to time, create other committees of the Board of Directors, and may delegate to any such committee any of the authority of the Board of Directors. Other committees shall be subject to the control and direction of the Board of Directors. Each such committee may act by a majority of its members.

Section 8 – Letters of Confidentiality and Disclosure of Conflict of Interest - Each Committee member shall sign a letter of confidentiality and disclosure of conflict of interest statement and deliver it to the President of the corporation before performing such duties and annually thereafter.

#### Article IX- Meetings

Section 1. Annual Meeting – The annual meeting of the EDC shall be held in such places as designated by the EDC. By precedent, the Annual Meeting is held at the first regularly scheduled meeting in July.

Section 2. Regular Meetings – The regular meetings of the Board of Directors will be held monthly on dates agreed upon by the Board of Directors at such time and place as determined by the Chairperson. The Executive Committee may, in its sole discretion, determine that any meeting of the members shall not be held at any place, but may instead be held solely by means of remote communication. Participation in a meeting held by remote communication shall constitute presence in person at the meeting for all purposes, including quorum and voting. Members shall receive at least seven (7) days advance notice of the change to a remote meeting and shall be provided instructions for participation and voting for such remote meeting.

Section 3. Special Meetings – Special meetings may be called by the Chairman or by any three (3) EDC Board members at any time or place, provided that notice is given in accordance with North Carolina's Open Meetings Law.



Section 4. Quorum – A meeting quorum shall consist of a majority of voting members.

Section 5. Voting – At EDC Board of Directors meetings, each of the members shall have one vote, and all actions shall be by majority vote unless otherwise stated herein.

Section 6 – Notification of Meetings - Notice of all meetings shall be given by regular or electronic mail not less than seven (7) days before the date of such meeting to each Director's last known address, and all such notices shall state the date, time and place of the meeting. All notices will be given in accordance with North Carolina's Open Meetings Law. The Chairperson may also announce upcoming meetings at the current Board of Directors meeting. A schedule of planned Board of Directors meetings for the calendar year will be announced each January.

#### Article X – EXEMPT ACTIVITIES

Notwithstanding any other provision of these Regulations, no Director, officer, employee, or representative of this Corporation shall take any actions on or carry on any activity by or on behalf of the Corporation not permitted to be taken or carried on by an organization exempt under Section 501(c)(4) of the Internal Revenue Code and its Regulations as they now exist or may hereafter be amended.

#### Article XI – Adoption of By-Laws

These By-laws may be amended or repealed at any meeting of the Board of Directors called for that purpose by a vote of at least two-thirds of all Directors; provided that the proposed changes shall first have been provided to all Directors and funding partners for their review and comment, not less than thirty (30) days prior to such meeting.

These By-Laws are adopted pursuant to Chapter 158 of the North Carolina General Statutes and the said EDC derived its authority from said Chapter 158 and all things inconsistent therewith are deemed stricken and modified herein.

**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:** Kelly Natoli, Human Resources Director  
**DATE:** 05-06-21  
**SUBJECT:** Removal of Hiring Freeze

---

This request is to remove the current freeze on hiring that was implemented by the Board of Commissioners on May 4, 2020.

Please approve this request to remove the hiring freeze that was implemented on May 4, 2020 effective immediately.

**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:** Shane Stewart, Assistant Planning Director  
**DATE:** May 7, 2021  
**SUBJECT:** Schedule Public Hearing for Z 03-21 & SNIA 04-21: East Coast Developers for June 7, 2021

---

Applicant Darrell Shell is requesting the rezoning (Z 04-21) of a one (1) acre parcel located at 375 Wade Dr., referenced as tax parcel 126-098, from Rural Agricultural (RA) to Commercial, Business, Industrial with a Conditional District (CBI-CD) to allow “parking of equipment and vehicles; stockpile storage for stone, sand, and recycled asphalt; and storage of construction materials”.

Mr. Shell is also requesting a Special Non-residential Intensity Allocation (SNIA 04-21) to use the maximum allowance of seventy (70) percent impervious coverage.

No one attended the Planning Board meeting on April 26th. Therefore, a 3:00 PM meeting on June 7th seems appropriate.

**ATTACHMENTS:**

| <b>Description</b>   | <b>Upload Date</b> | <b>Type</b> |
|----------------------|--------------------|-------------|
| Staff Report         | 5/7/2021           | Exhibit     |
| Site Plan            | 5/7/2021           | Exhibit     |
| GIS Map              | 5/7/2021           | Exhibit     |
| Rezoning Application | 5/7/2021           | Exhibit     |
| SNIA Application     | 5/7/2021           | Exhibit     |



## REZONING PETITION: Z 03-21 & SNIA 04-21- East Coast Dev. Co.

**Request:** Rezone 1.0 AC lot from RA to CBI-CD for storage of materials and equipment associated with adjacent construction company

**Parcel ID:** 126-098

**Location:** 375 Wade Dr.

**Lot size:** 1.0 AC

**Owner / Applicant:** East Coast Developers Co.

**Watershed:** WS II BW  
Dutch Buffalo Creek

**Floodplain:** N/A

**Existing Improvements:**  
Two (2) 24'x30' metal carports

### BACKGROUND

On December 11, 2017, John Darrell Shell, purchased a one (1) acre Rural Agricultural (RA) zoned parcel containing a double-wide manufactured home at 375 Wade Drive referenced as Parcel ID 126-098. Mr. Shell obtained a preliminary zoning approval on January 5, 2018 to replace the manufactured home and a "garage apartment" constructed to the single-family dwelling standards but to staff's knowledge, did not pursue the replacement any further.

Mr. Shell sold the parcel to East Coast Developers Co. LLC. (dba Carolina Siteworks) on November 10, 2020, which owns the adjacent parcel addressed as 300 Wade Dr. referenced as Parcel ID 126-052. According to the NC Secretary of State website, Mr. Shell is the member manager of East Cost Developers.

Planning staff recently became aware the property is no longer being used for residential purposes. Pictometry images from February 9, 2019 show stockpiles of what appears to be stone and other materials along with equipment parking surrounding the manufactured home. Images from February 25, 2021 additional equipment and material storage, stockpiles, and two (2) structures collectively covering about  $\frac{3}{4}$  of the site. Mr. Shell

elected to apply for a rezoning and contacted Mr. Shell to discuss his options for zoning compliance.

**Z 03-21 REQUEST** Applicant Darrell Shell is requesting the rezoning (Z 04-21) of a one (1) acre parcel



located at 375 Wade Dr., referenced as tax parcel 126-098, from Rural Agricultural (RA) to Commercial, Business, Industrial with a Conditional District (CBI-CD) to allow “parking of equipment and vehicles; stockpile storage for stone, sand, and recycled asphalt; and storage of construction materials”. The site plan indicates two (2) structures totaling 1,440 sq.ft., an arrangement of material stockpiles with a proposed height ranging from four (4) to eight (8) feet, parking area for construction equipment, six (6) chain link fencing, and a proposed twenty (20) foot buffer along three (3) sides of the property proposing evergreens per ordinance requirements.

**SNIA  
04-21**

The property is located in the Dutch Buffalo Creek watershed (WSII BW), which limits non-residential impervious coverage to 12% (built upon area). Mr. Shell is also requesting a Special Non-residential Intensity Allocation (SNIA 04-21) to use the maximum allowance of seventy (70) percent impervious coverage. The site plan indicates the use of ABC stone (generally 1 to 1 ½ inch) recycled asphalt for surfacing. SNIA authorization allow the Board of Commissioners to identify up to ten (10) percent of the acreage in specific watersheds that may exceed the administrative allowance of 12% and permit up to seventy (70) percent impervious coverage. See below figures:

- Total lot area: **1 AC**
- Current total built upon area: **30,433 sq.ft. including buildings (unpermitted)**
- Proposed structure size: **1,440 sq.ft. (unpermitted)**
- Proposed other improvements: **0 sq.ft.**
- Total coverage after development: **30,433 sq.ft. (70%)**
- Allowable coverage by right: **5,227 sq.ft. (12%)**
- Dutch Buffalo Creek Watershed Acreage Total: **10,135 AC**
- Acres approved for SNIA: **21 AC out of possible 1,013 AC (2% out of 100%)**
- Percentage removed from 10% allocation total: **0.002%**

**CONSISTENCY WITH THE  
DISTRICTS PURPOSE /  
INTENT**

**RA** – This district is developed to provide for a minimum level of land use regulations appropriate for outlying areas of the county. These outlying areas typically consist of rural single-family housing, larger tracts of land used for agriculture or in fields and forest land, with some nonresidential uses intermingled. Multifamily uses are discouraged in this district. This district would provide for protection from the most intensive land uses while containing provisions for a variety of less intensive land uses. It is the intent of this district to rely upon development standards to protect residences from potential adverse impacts of allowed nonresidential uses. The most intensive land uses would not be allowed in this district.

**CBI** – This zone allows for a wide range of commercial, business and light to medium industrial activities, which support both the local and / or regional economies. The CBI district is generally appropriate in areas identified by an adopted land use plan that recommend “highway business” along identified NC and US highways; community / regional / potential development nodes; commercial corridors; and existing commercial areas. Areas served by public water / sewer

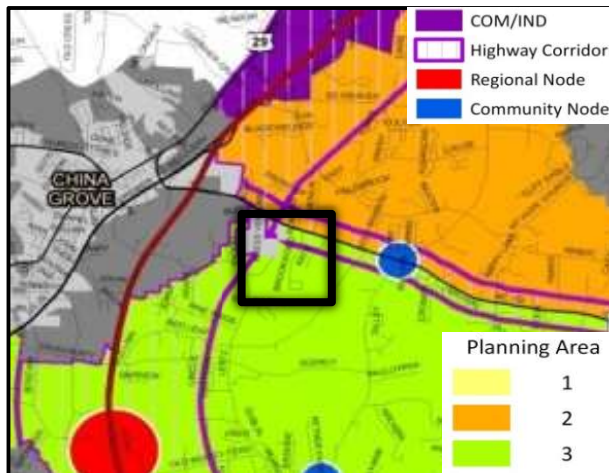


represent significant public investment to foster tax base growth and employment opportunities for the citizens, which could be served through CBI designation. The CBI district may also exist or be created in an area other than listed in this subsection if the existing or proposed development is compatible with the surrounding area and the overall public good is served.

### CONFORMITY WITH ADOPTED PLANS / POLICIES

#### Eastern Area LUP

- Located in Area 3 typically comprised of low-density residential, nodal commercial uses, and industrial uses related to lumber and mining.
- Located within Highway Corridor Overlay for NC 152 Hwy. and ¼ mile outside Highway Corridor Overlay for I-85. Due to the property's location off NC 152, the Highway Business section is not applicable but the appearance and buffering comments should be considered.
- Proposals for expansion of existing business that minimize conflict with surrounding residential uses through design standards or impact mitigation techniques are encouraged.



### CONDITIONS IN THE VICINITY

#### See Enclosed Map –

#### North

- 300 Wade Dr. – Carolina Siteworks Building and Construction, Special Trade Contractors (SIC 15 & 17) business on 3.28 AC zoned CBI-CD. According to Tax Assessor information, Carolina Siteworks contains a collective 55,000 sq.ft. under roof the initial building of which was constructed circa 1966. The remaining acreage is generally used for parking and open storage of equipment and materials. Property was rezoned CBI-CD on May 1, 2006 (PCUR 02-06) for then owner Jerusalem Baptist Church based on an application and contract to purchase by Carolina Siteworks for their construction company.
- 365 Wade Dr. – Residence and a rural home occupation currently under Notice of Violation for an unpermitted building construction contractor (SIC 15) home occupation. On April 13<sup>th</sup>, Planning Staff met with the property owner who indicated they are preparing plans and a timeline for compliance.
- Residential uses along Wade Dr., Beaver Lp. and E. NC 152 Hwy.

#### South

- Residential uses along Brookwood Dr. (extension of Beaver Lp).



### East

- Jessie Carson High School located within the Town of China Grove municipal limits 500 feet away (from nearest property line).
- Stirewalt property in tax deferment for agricultural use.

### West

- Residential uses along Beaver Lp. and Brookwood Dr.

## COMPATIBILITY OF USES

| MAJOR GROUP                                            | INDUSTRY GROUP               | RA                     | CBI-CD        |
|--------------------------------------------------------|------------------------------|------------------------|---------------|
| <b>Residential</b>                                     |                              | Permitted              | Not Permitted |
| <b>Construction</b>                                    |                              | Permitted with SR      | Permitted     |
| <b>Manufacturing</b>                                   |                              | Most Permitted with SR | Not Permitted |
|                                                        | Textile Mill Prod.           | Not Permitted          | Not Permitted |
|                                                        | Lumber Prod.                 | Permitted with SR      | Not Permitted |
|                                                        | Paper & Allied Prod.         | Not Permitted          | Not Permitted |
|                                                        | Chemical & Allied Prod.      | Not Permitted          | Not Permitted |
|                                                        | Petroleum Prod.              | Not Permitted          | Not Permitted |
|                                                        | Stone, Glass, Concrete, etc. | Some Permitted with SR | Not Permitted |
| <b>Transp., Com., Elec. / Gas, &amp; Sanitary Svc.</b> |                              | Not Permitted          | Not Permitted |
| <b>Wholesale Trade</b>                                 |                              | Most Permitted with SR | Not Permitted |
| <b>Retail Trade</b>                                    |                              | Permitted with SR      | Not Permitted |
| <b>Finance, Ins., &amp; Real Est.</b>                  |                              | Permitted with SR      | Not Permitted |
| <b>Services</b>                                        |                              | Most Permitted with SR | Not Permitted |
|                                                        | Misc. Amusement & Rec.       | Not Permitted          | Not Permitted |
| <b>Public Admin.</b>                                   |                              | Not Permitted          | Not Permitted |

Generalized Groupings:

Permitted: 100-75% Most: 75-50% Many: 50-25% Not Permitted: 25-0%

Source: Section 21-113 Table of Uses

## POTENTIAL IMPACT ON ROADS

### Wade Dr. –

- Classified as a private road providing access to five (5) dwellings and one (1) business.
- PCUR 02-06 contained conditions of approval including a requirement to establish a right of way agreement with the owner of the access parcel (126-023) and pave the existing gravel drive 16' in width and establish appropriate drainage improvements from the facility entrance to Beaver Lp. (SR 1345). Carolina Siteworks purchased Parcel ID 126-023 in 2007 and paved the driveway approximately 18 to 20 feet in width and provided a turnaround at the facility entrance. Fifteen (15) years later road, the road remains in good condition.

**POTENTIAL IMPACT ON UTILITIES**

Although there is an existing well and septic system, neither will be necessary for the proposed operation.

**POTENTIAL IMPACT ON SCHOOLS**

Minimal. Current zoning would permit one (1) residence while the requested zoning would not.

**DECISION MAKING**

In addition to the above criteria, sec. 21-362 (c) of the Zoning Ordinance indicates the primary question before the Board of Commissioners in a rezoning decision is “whether the proposed change advances the public health, safety, or welfare as well as the intent and spirit of the ordinance.” Additionally, the board “shall not regard as controlling any advantages or disadvantages to the individual requesting the change but shall consider the impact of the proposed zoning change on the public at large.”

**PROCEDURES**

The Board of Commissioners must develop a statement of consistency describing whether its action is consistent with any adopted comprehensive plans and indicate why their action is reasonable and in the public interest. A statement analyzing the reasonableness of the decision is also necessary. Planning Board recommended statements will be made available for the meeting.

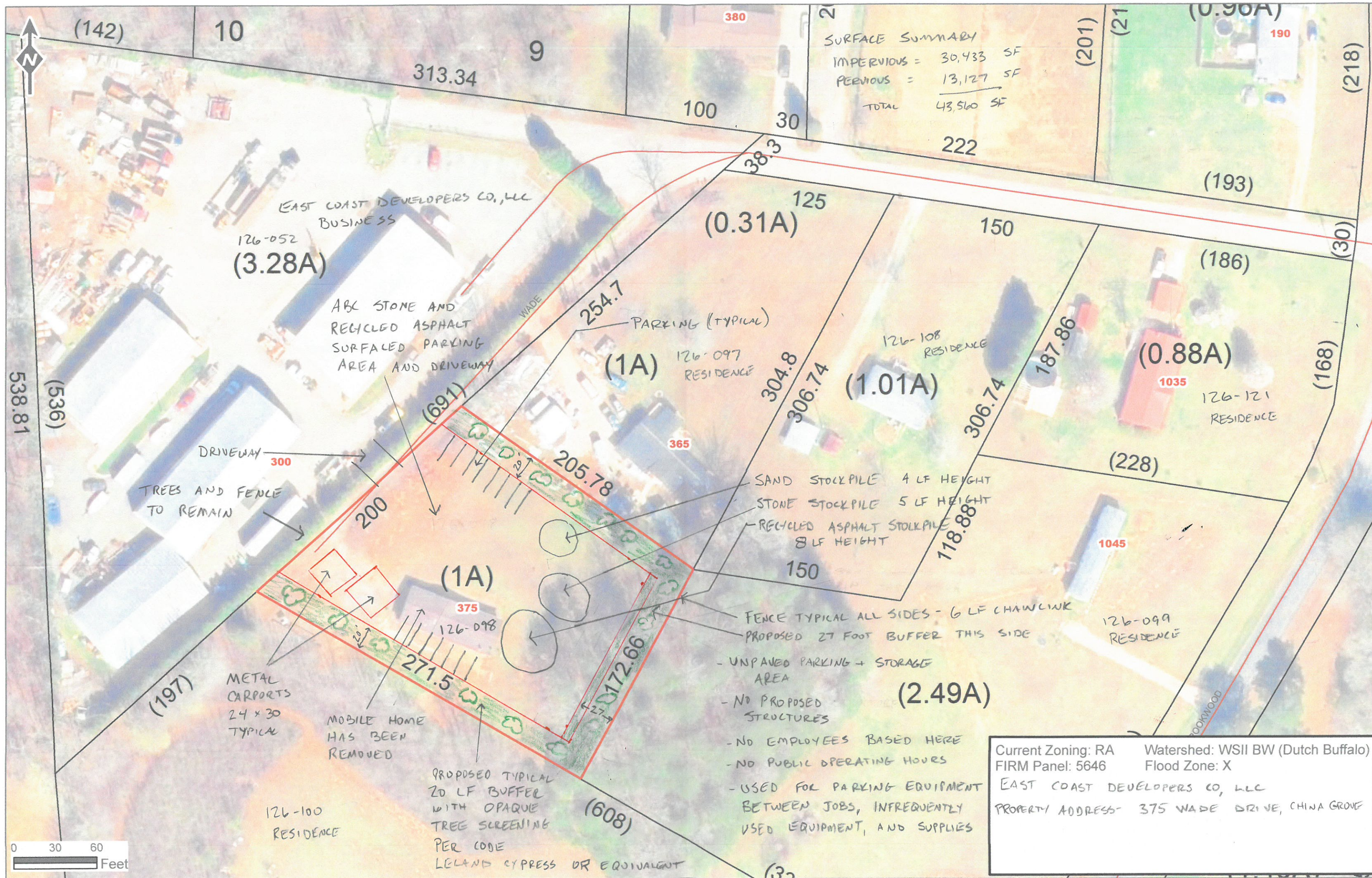
**APRIL 26, 2021 PLANNING  
BOARD MEETING**

Other than the owner / applicant, no one attended the meeting. The Planning Board voted unanimously (9-0) to recommend approval of the request as presented.

**STAFF COMMENTS**

This property is an expansion of Carolina Siteworks accessible primarily between the main buildings at 300 Wade Dr. Access along the original driveway parallel to the 300 Wade Dr. property is greatly restricted by the maturing Leyland Cypress trees planted as a condition of approval for PCUR 02-06. Staff’s primary concern with this use relates to the visual impacts. The owner will plant the required buffer along the northern line and was encouraged to do the same on the south and east lines even though adjacent structures appear to be more than 200’ from the operational area where screening is required. Staff have not received any complaints from neighbors regarding the current operation.













Rowan County Department of  
Planning & Development  
402 N. Main Street Suite 204  
Salisbury, NC 28144  
Phone (704) 216-8588  
Fax (704) 638-3130  
www.rowancountync.gov

Case # Z 03-21  
Date Filed 3/29/21  
Received By SAG  
Amount Paid \$ 300.00  
Office Use Only

## REZONING APPLICATION

### OWNERSHIP INFORMATION:

Name: East Coast Developers Co., LLC

Signature: Darrell Shell

Phone: 704-855-7483 Email: darrell@carolinasiteworksinc.com

Address: PO Box 280, China Grove NC 28023

### APPLICANT / AGENT INFORMATION: Complete affidavit on back if non-owner

Name: Darrell Shell

Signature: Darrell Shell

Phone: 704-855-7483 Email: darrell@carolinasiteworksinc.com

Address: PO Box 290, China Grove NC 28023

### PROPERTY DETAILS:

Tax Parcel(s): 126-098 Size (sq.ft. or acres): 1.00 Acre

Property Location: 375 Wade Drive, China Grove NC 28023

Current Land Use: Undeveloped, used for parking and storage

Date Acquired: 10-23-20 Deed Reference: Book 1360 Page 763

### REQUEST DETAILS:

Existing Zoning District RA Requested Zoning District CBI-CD

If requesting a conditional zoning district, list proposed use or uses:

Parking of equipment and vehicles. Stockpile storage for stone, sand, and recycled asphalt. Storage of construction materials.

Additional information enclosed restricting the conditional use district? Yes ☐ No ☒

Site plan containing information from sec. 21-52 enclosed? Yes ☒ No ☐

**AFFADAVIT OF OWNER**

To be completed if applicant is not the property owner

I (We), \_\_\_\_\_, owner(s) of the within described property do hereby request the proposed rezoning and hereby authorize the person listed below to act as my (our) duly authorized agent in this matter.

Signature(s): \_\_\_\_\_

Date: \_\_\_\_\_

Name of Applicant / Agent: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**IT IS UNDERSTOOD BY ALL PARTIES HERETO INCLUDING OWNER(S) & APPLICANT(S) / AGENT(S) THAT WHILE THIS APPLICATION WILL BE CAREFULLY CONSIDERED AND REVIEWED, THE BURDEN OF PROVIDING ITS NEED RESTS WITH THE ABOVE NAMED APPLICANT WHETHER OWNER, NON-OWNERS, OR OWNER'S AGENT.**

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public for said County and State, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

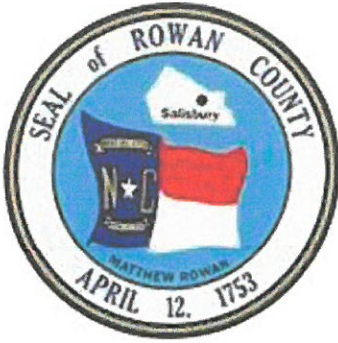
My commission expires \_\_\_\_\_, 20 \_\_\_\_.

SEAL

**OFFICIAL USE ONLY**

1. Signature of Rezoning Coordinator: \_\_\_\_\_ 2. Planning Board  
Courtesy Hearing: 4/26/21 3. Notifications Mailed: 4/14/21 4. Property Posted:  
4/13/21 5. Planning Board Action: Approved \_\_\_\_\_ Denied \_\_\_\_\_ 6. Board of Commissioners  
Public Hearing: \_\_\_\_/\_\_\_\_/\_\_\_\_ 7. Notifications Mailed: \_\_\_\_/\_\_\_\_/\_\_\_\_ 8. Property Posted:  
\_\_\_\_/\_\_\_\_/\_\_\_\_ 9. Dates Advertised: 1<sup>st</sup> \_\_\_\_/\_\_\_\_/\_\_\_\_ 2<sup>nd</sup> \_\_\_\_/\_\_\_\_/\_\_\_\_ 10. BOC Action: Approved  
\_\_\_\_ Denied \_\_\_\_\_ 11. Date Applicant Notified: \_\_\_\_/\_\_\_\_/\_\_\_\_





Rowan County Department of  
Planning & Development  
402 N. Main Street Ste 204  
Salisbury, NC 28144  
Phone (704) 216-8588  
Fax (704) 638-3130  
www.rowancountync.gov

Case # SNIA 04-21  
Date Filed 3/10/21  
Received By SAB  
Amount Paid \$100.00

Office Use Only

SNIA - 015519-2021

**SPECIAL NON-RESIDENTIAL INTENSITY ALLOCATION**

OWNERSHIP INFORMATION:

Name: East Coast Developers Co., LLC

Signature: Darrell Shell Member-Manager

Phone: 704-855-7483 Email: darrell@carolinasiteworksinc.com

Address: PO Box 280 China Grove, NC 28023

APPLICANT / AGENT INFORMATION:

Name: Darrell Shell

Signature: Darrell Shell

Phone: 704-855-7483 Email: darrell@carolinasiteworksinc.com

Address: PO Box 280 China Grove, NC 28023

PROPERTY DETAILS:

Tax Parcel: 126-098 Zoning District: RA

Location: 375 Wade Drive, China Grove NC 28023

Size (sq. ft. or acres): 1.00 Watershed: WSII BW Dutch Buffalo

Current Land Use: Undeveloped, used for parking and storage

List the current or proposed use of the property and a general description of what will be constructed under this application:

Parking of equipment and vehicles. Stockpile storage for stone, sand, and recycled asphalt. Storage of construction materials.

Will there be **land disturbing activity** (grading of natural vegetation) of one acre or more of land area because of the construction on the property? Yes ☐ No ☒

Structures: Existing 1,440 sq.ft. Proposed 1,440 sq.ft.

Other Impervious Coverage: Existing 28,993 sq.ft. Proposed 28,993 sq.ft.

Remaining Undeveloped Area: 13,127 sq.ft. 30.14 % of Property

Storage of toxic and/or hazardous material: Yes ☐ No ☒

**If Yes, a spill containment plan must submitted with application.**

SITE PLAN:

Applicant must attach a site plan depicting information listed in Section 21-33 (2) and 21-52.

Attached: Yes ☒ No ☐

I certify that the information provided in this application is correct and true to the information of the proposed development, and I am the owner, partner, officer of a corporation, or agent duly authorized to make this application and fully understand and agree to comply with all applicable laws of the Rowan County Zoning Ordinance.

  
Signature

3-5-2021  
Date of Application

---

---

**OFFICIAL USE ONLY**

1. Signature of Coordinator:  2. Board of Commissioners Meeting:     /     /     3. Board of Commissioners Action: Approved     Denied     4. Date Applicant Notified:     /     /    

---

---

**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:** Shane Stewart, Assistant Planning Director  
**DATE:** May 7, 2021  
**SUBJECT:** Schedule Public Hearing for Z 04-20 Amendment: Morgan Well, for June 7, 2021

---

On behalf of Morgan Well and Pump Inc., applicant and project engineer Sam King Jr. is requesting an amendment to a previously approved conditional district rezoning (CBI-CD) for Morgan Well and Pump located at 1840 Bostian Rd. China Grove to modify the approved site plan to expand an outdoor storage area. The 3.13 acre parcel is further referenced as Parcel ID 140-233.

No one attended the April 26th Planning Board meeting. As such, a June 7th public hearing at 3:00 PM seems appropriate.

**ATTACHMENTS:**

| <b>Description</b>   | <b>Upload Date</b> | <b>Type</b> |
|----------------------|--------------------|-------------|
| Staff Report         | 5/7/2021           | Exhibit     |
| Site Plan            | 5/7/2021           | Exhibit     |
| GIS Map              | 5/7/2021           | Exhibit     |
| Rezoning Application | 5/7/2021           | Exhibit     |



## REZONING PETITION: Z 04-20

**Request:** Modify CBI-CD site plan to expand an outdoor storage area for an existing water well drilling contractor business

**Parcel ID:** 140-233

**Location:** 1840 Bostian Rd.

**Lot size:** 3.13 AC total

**Owner:** Charles Morgan

**Applicant:** Sam King Jr.  
(Engineer) on behalf of  
Morgan Well & Pump Inc.

**Watershed:** WSIV PA  
(Coldwater Creek)

**Floodplain:** None

**Existing Improvements:**  
4,000 sq.ft. office building

### BACKGROUND

On November 16, 2020, The Board of Commissioners approved the rezoning of 3.13 acres located at the corner of Bostian and Old Beatty Ford Road from Rural Agricultural (RA) to Commercial, Business, Industrial with a Conditional District (CBI-CD) to accommodate a 4,000 sq.ft. water well drilling contractor business. Prior to construction, it was discovered the property did not perk for a new septic system behind the building as originally planned but did perk approximately 380 feet due east of the building providing an opportunity to extend their fencing to enclose a large area behind the building for outdoor storage. Morgan Well focused on the completion of their building and indicated they would request a plan modification thereafter for the storage expansion. Their office received a Certificate of Occupancy from the Building Inspections Department on April 6<sup>th</sup>.



### REQUEST

On behalf of Morgan Well and Pump Inc., applicant and project engineer Sam King Jr. is requesting an amendment to a previously approved conditional district rezoning (CBI-CD) for Morgan Well and Pump located at 1840 Bostian Rd. China Grove to modify the approved site plan to expand an outdoor storage area. The 3.13 acre parcel is further referenced as Parcel ID 140-233.

### PLAN DETAILS

The enclosed site plan details a fenced graveled area approximately 15,200 sq.ft. in size extending behind the building for open storage. Twenty-nine (29) Dwarf Burford Holly shrubs are proposed along the storage area and along the existing landscaped area adjacent to the building along with two (2) new Crepe Myrtle trees for screening purposes, in response to land use plan recommendations, and comments from the Board of Commissioners during the initial rezoning hearing.



**CONSISTENCY WITH  
THE DISTRICTS  
PURPOSE / INTENT**

**CBI** – This zone allows for a wide range of commercial, business and light to medium industrial activities, which support both the local and / or regional economies. The CBI district is generally appropriate in areas identified by an adopted land use plan that recommend “highway business” along identified NC and US highways; community / regional / potential development nodes; commercial corridors; and existing commercial areas. Areas served by public water / sewer represent significant public investment to foster tax base growth and employment opportunities for the citizens, which could be served through CBI designation. The CBI district may also exist or be created in an area other than listed in this subsection if the existing or proposed development is compatible with the surrounding area and the overall public good is served.

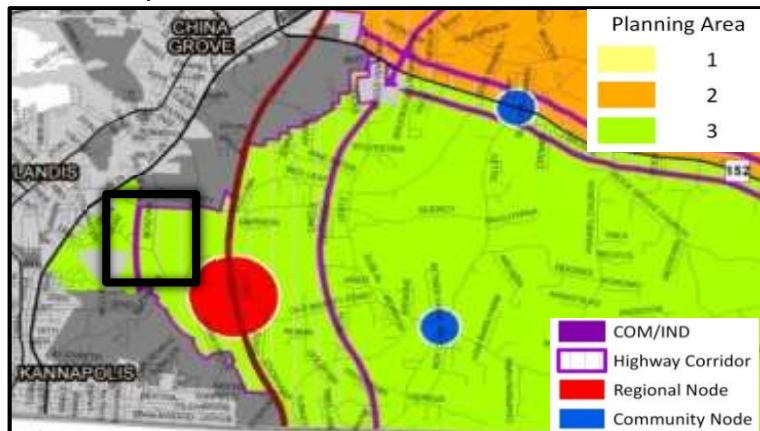
**CONFORMITY  
WITH ADOPTED  
PLANS / POLICIES**

Eastern Area LUP

- Located in Area 3: No specific recommendation applicable.
- Located along identified major thoroughfare: Rural businesses are generally encouraged along major thoroughfares with Neighborhood Business (**NB**) serving as the most appropriate district in most instances. Appearance standards are referenced as a potential area of future study.

- Located in Highway Corridor for I-85: Depending on the specific location within the corridor, the plan generally encourages commercial, industrial, and mixed uses. Perimeter landscaping and parking on side / rear is suggested.

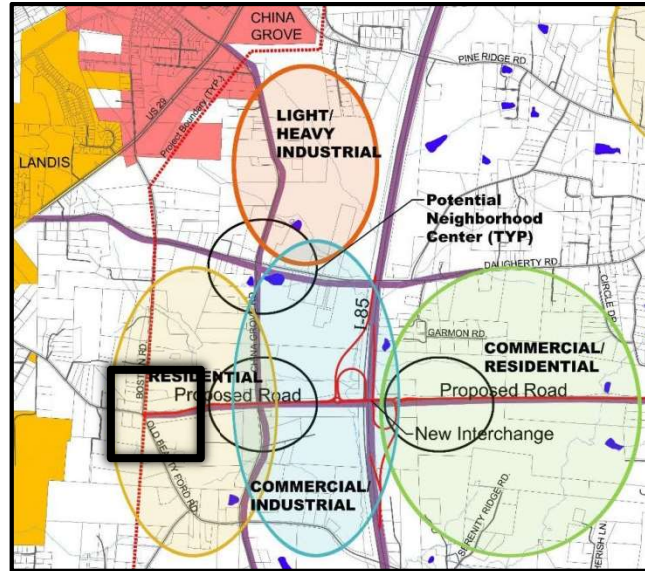
- Located adjacent to Regional Node at Old Beatty Ford Rd / I-85: The subject area is located



approximately 600 feet outside the identified one (1) mile regional node (note: the location on the map was based on previous road alignment). Significant levels of retail, service, and mixed-use development were envisioned within the core and at varying degrees throughout the node. The plan recommended a more extensive study of land proximate to the interchange including a review of public utilities that may serve the area.

I-85 South Corridor Study

The south corridor study was commissioned to further evaluate development guidelines and suggested scenarios for properties near the new interchange based on potential water and sewer service. The plan was envisioned to supersede the East plan's general recommendations but was stated in the absence of water and sewer, the East plan's recommendations would likely remain. Even though utilities are not in place, 385 acres of land at the interchange was annexed by the City of Kannapolis as a precursor to utility extension and development.



Plan recommendations include:

- Property is located within an area identified as potential Residential and adjacent to one (1) of three (3) Neighborhood Centers noted at key intersections and a Commercial / Industrial area. In general, the plan assumes a concentration of development near the interchange, near key intersections, and along the “important” corridors.
- Design guidelines relating to building façade, landscaping, signage, lighting, buffering, etc. are referenced as areas to further evaluate.

#### COMPATIBILITY OF USES

No change of use from current approval. The proposed evergreen shrubs should reduce visual impacts associated with the outdoor storage but will remain visible due to maturing height, proposed spacing, and varying topography in the area. According to the NC Cooperative Extension website, Dwarf Burford Hollies are fast growing shrubs that can reach heights of ten (10) feet and widths of eight (8) feet (see example image of hedgerow).



#### CONDITIONS IN THE VICINITY

See Enclosed Map –

#### North

- Parcel ID 140-242 was recently rezoned to CBI-CD for mini-warehouses.
- Vacant parcels and a small number of residences.

- Highest Praise Church (Formerly Landis Church of God) at 1700 Bostian Rd. located on 26 acres north and east of the subject property.

#### South

- Kannapolis Moose Lodge at 1860 Bostian Rd. located on 20 acres.
- Residential uses along Bostian Rd. frontage.

#### East

- Wooded properties immediately adjacent.
- **CBI** designation located ¼ mile northeast totaling 224 acres.
- Property located in City of Kannapolis ¼ mile east zoned Agricultural District (**AG**). The placeholder district includes property owned by Kannapolis Crossing LP, a Baton Rouge developer with intended plans for significant development.
- ½ mile from the southbound on / off ramp to I-85.

#### West

- Primarily wooded properties with some residential uses along Old Beatty Ford Rd.
- .27 mile from Light Manufacturing (**M-1**) zoned parcel in the Landis town limits.

### **POTENTIAL IMPACT ON ROADS**

#### **Old Beatty Ford Rd. –**

- Classified as a major thoroughfare.
- Annual Average Daily Traffic (AADT) count collected in 2016 north of Ebenezer Rd. (previously Old Beatty Ford, now Bostian Rd.) tallied 2,000 vehicle trips along this section (historical high of 2,400 in 2002).
- Prior to the recent improvements, the Comprehensive Transportation Plan (CTP) estimates road capacity at 14,100 AADT.
- Although not adopted as part of the local street appendix as an observed right of way, Planning Staff noticed the CTP was updated last year to identify Old Beatty Ford Rd. as a future 4 lane road with a 110 foot right of way. The observation with respect to setbacks are only required when part of the adopted street appendix but may warrant consideration here as a potential condition to ensure future setbacks are compliant. According to GIS, the existing right of way along the area proposed for development varies between 100 and 79 feet in width.
- No access proposed on Old Beatty Ford Rd.

#### **Bostian Rd. –**

- Classified as a minor thoroughfare (could be re-evaluated in future due to dead end at interstate).
- Annual Average Daily Traffic (AADT) count collected in 2016 north of Old Beatty Ford Rd. tallied 450 vehicle trips along this section (historical high of 570 in 2006).
- The CTP estimates road capacity at 11,000 AADT.
- The ITE Trip Generate manual (7<sup>th</sup> Edition) does not provide a comparable category for Construction Special Trade Contractors to determine estimated traffic generation. However, since the site activity may function most similar to an office, a Single Tenant Office Building (Use Code 715) may serve as the most comparable code. Using the proposed ten (10) employees, the business could generate 37 average daily trips.
- NCDOT approved commercial driveway permit #20-020-RD for the proposed connection to Bostian Rd.

#### POTENTIAL IMPACT ON UTILITIES

The proposed business will use an on-site well & septic system.

#### POTENTIAL IMPACT ON SCHOOLS

Minimal. Currently, two (2) residential uses would be permitted while 0 would be possible under the proposed request.

#### DECISION MAKING

In addition to the above criteria, sec. 21-362 (c) of the Zoning Ordinance indicates the primary question before the Board of Commissioners in a rezoning decision is “whether the proposed change advances the public health, safety, or welfare as well as the intent and spirit of the ordinance.” Additionally, the board “shall not regard as controlling any advantages or disadvantages to the individual requesting the change but shall consider the impact of the proposed zoning change on the public at large.”

#### PROCEDURES

The Board of Commissioners must develop a statement of consistency describing whether its action is consistent with any adopted comprehensive plans and indicate why their action is reasonable and in the public interest. A statement analyzing the reasonableness of the decision is also necessary. Planning Board recommended statements will be made available for the meeting.

#### APRIL 26, 2021 PLANNING BOARD MEETING

Other than the owner / applicant, no one attended the meeting. The Planning Board voted unanimously (9-0) to recommend approval of the request as presented.

#### STAFF COMMENTS

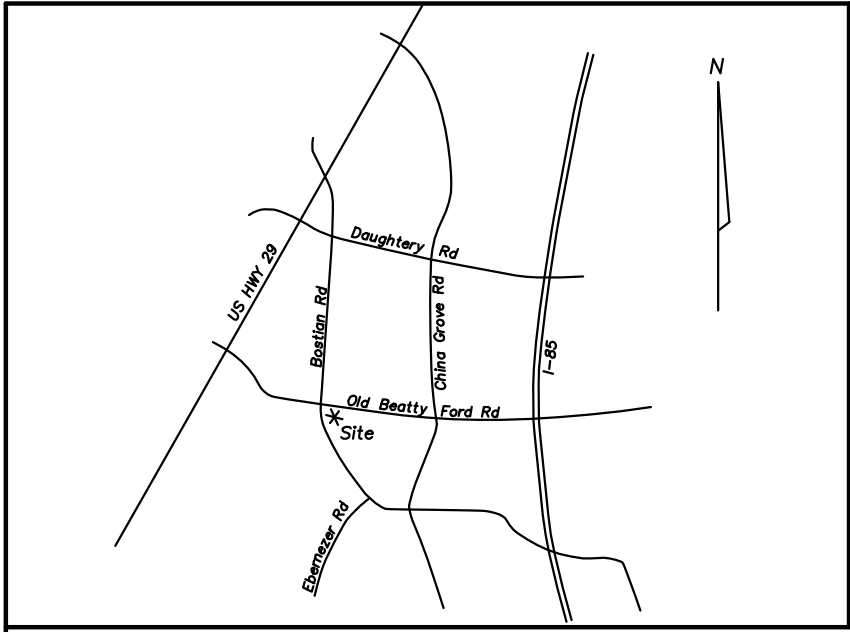
At 21.33 miles, Old Beatty Ford Road is the longest secondary road (non-highway) in the county and has long served as an important thoroughfare for South Rowan. After many decades of expressing the need to have a new I-85 interchange for South Rowan within the 5 ½ mile gap between NC 152 Hwy and Lane St., the importance of this corridor has increased considerably. In addition to the transportation benefits served, the



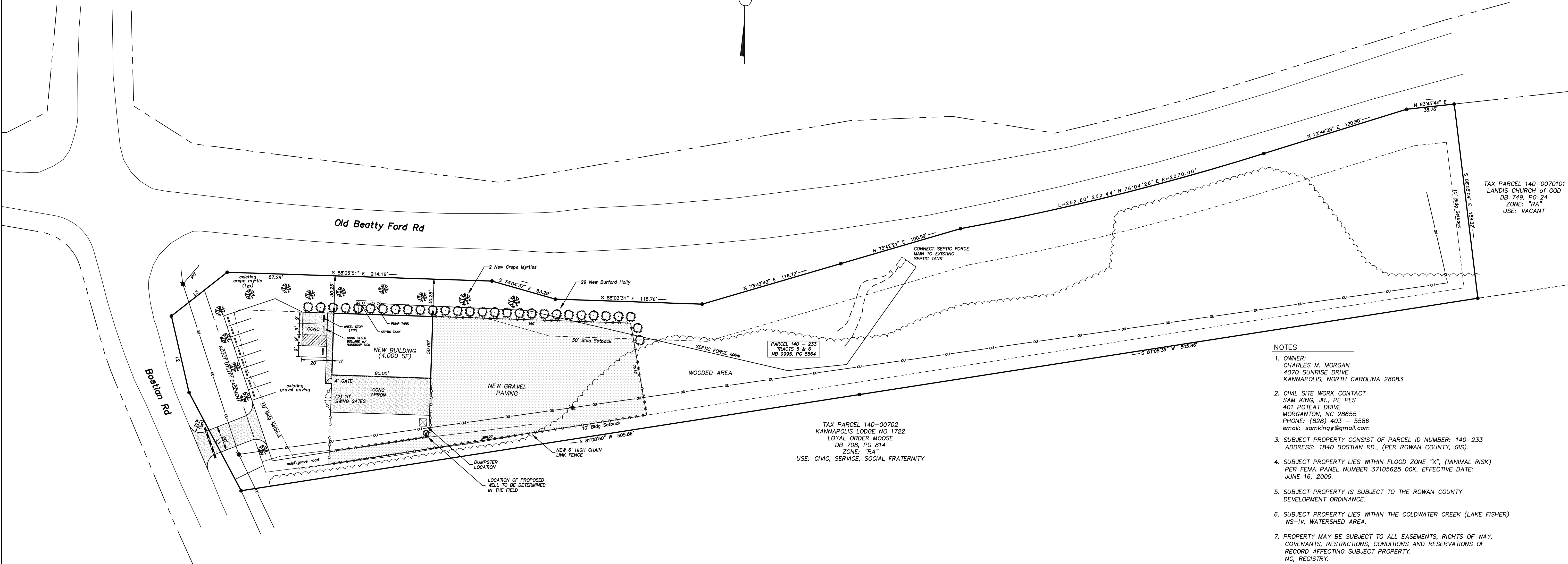
interchange and corridor affords new economic development opportunities for the area and is the focus of the City of Kannapolis with the 385 acre expansion of their municipal limits.

Kannapolis zoned the newly annexed area **AG** as a placeholder district until specific plans were presented and the appropriate zoning district(s) identified. The South Corridor plan did not recommend “pre-zoning” property in the study area, which is consistent with the historical approach of the county to typically (with some exceptions) zone property based on its current vs potential future use. This request serves as the first rezoning request within the study area. Planning staff encouraged the applicant to consider the design elements of the project with respect to both the East and South Corridor plan recommendations. As a result, landscaping and lighting comments were added.

Section 21-61 (e) indicates the mutually agreed upon conditions and site-specific standards may be imposed to address conformity to applicable ordinances, officially adopted comprehensive plans, and those that address impacts reasonably expected to be generated by the development.



VICINITY MAP



NOTES

- OWNER: CHARLES M. MORGAN  
4070 SUNRISE DRIVE  
KANNAPOLIS, NORTH CAROLINA 28083
- CIVIL SITE WORK CONTACT  
SAM KING, JR., PE, PLS  
401 POTEAT DRIVE  
MORGANTON, NC 28655  
PHONE: (828) 403 - 5586  
email: samkingjr@gmail.com
- SUBJECT PROPERTY CONSIST OF PARCEL ID NUMBER: 140-233  
ADDRESS: 1840 BOSTIAN RD., (PER ROWAN COUNTY, GIS).
- SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "X", (MINIMAL RISK)  
PER FEMA PANEL NUMBER 37105625 OOK, EFFECTIVE DATE:  
JUNE 16, 2009.
- SUBJECT PROPERTY IS SUBJECT TO THE ROWAN COUNTY  
DEVELOPMENT ORDINANCE.
- SUBJECT PROPERTY LIES WITHIN THE COLDWATER CREEK (LAKE FISHER)  
WS-IV, WATERSHED AREA.
- PROPERTY MAY BE SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY,  
COVENANTS, RESTRICTIONS, CONDITIONS AND RESERVATIONS OF  
RECORD AFFECTING SUBJECT PROPERTY.  
NC, REGISTRY.
- POST DEVELOPED IMPERVIOUS SUMMARY  
CONCRETE: 4,047 SF  
NEW BUILDING: 4,000 SF  
EXIST GRAVEL: 486 SF  
NEW GRAVEL: 22,410 SF  
TOTAL IMPERVIOUS: 30,943 SF  
TOTAL AREA: 136,298 SF (3.129 AC)  
%IMPERVIOUS = 33,259/136,298 x 100 = 24.40%
- PARKING SUMMARY:  
10 EMPLOYEES, ONE SHIFT, 8-5, M-F  
STANDARD SPACES: 10 EA  
HANDICAP SPACES: 1 EA  
TOTAL SPACES: 11 EA
- SUBJECT PROPERTY CURRENTLY ZONED "CBI-CD".  
SETBACKS - FRONT: 50', SIDE: 10',  
SIDE STREET: 30', REAR: 10'
- LOCATION OF WELL AND SEPTIC AND CONSTRUCTION AUTHORIZATION  
TO BE OBTAINED THROUGH THE ROWAN COUNTY ENVIRONMENTAL  
DEPARTMENT.
- PROPOSED USE: "WATER WELL DRILLING CONTRACTOR"  
FLOOR TO AREA RATIO = 4,000 SF/136,298 SF x 100 = 2.93%
- DRIVEWAY PERMIT TO ACCESS FROM BOSTIAN ROAD HAS BEEN  
APPROVED BY NCDOT.
- 1.25 ACRES TO BE DISTURBED DURING CONSTRUCTION AND EROSION  
CONTROL PLAN APPROVAL BY ROWAN COUNTY WILL BE REQUIRED.  
THE OWNER AND ITS CONTRACTOR WILL BE RESPONSIBLE FOR  
CONTAINING ALL SEDIMENT AND EROSION ON SITE.

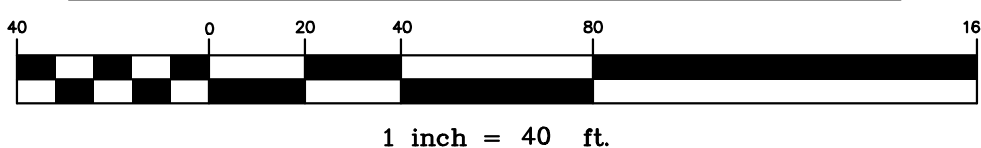
PROJECT NARRATIVE

THE SCOPE OF THIS PROJECT IS TO PROVIDE A NEW 4,000 SF METAL BUILDING AND ASSOCIATED PARKING AND ACCESS AREAS FOR A WELL DRILLING CONTRACTOR BUSINESS. THE NEW FACILITY WILL BE USED FOR OFFICE SPACE AND STORAGE OF EQUIPMENT AND MATERIALS. NO WELL DRILLING OPERATIONS WILL BE CONDUCTED ON THE PROJECT SITE. PROPOSED SITE LIGHTING TO TO WALL MOUNTED ON THE NEW BUILDING AND DIRECTED AWAY FROM ADJOINING STREETS AND PROPERTY. THE SUBJECT PROPERTY PREVIOUSLY CONSISTED OF TWO PARCELS AND HAS BEEN RECOMBINED INTO ONE PARCEL, AND IS ZONED "CBI-CD". SEPTIC SEWER SERVICE TO BE PROVIDED BY NEW SEPTIC TANKS, FORCE AND EXISTING SEPTIC SYSTEM AS SHOWN.

THE CONTRACTOR SHALL CONTACT THE APPROPRIATE AGENCY FOR THE EXACT FIELD LOCATIONS OF ALL WATER, SEWER, ELECTRIC, TELEPHONE, TELEVISION AND ANY OTHER UNDERGROUND AND OVERHEAD UTILITY BEFORE STARTING CONSTRUCTION. THE OMISSION FROM OR THE INCLUSION OF UTILITY LOCATIONS ON THE CONTRACT DRAWINGS IS NOT TO BE CONSIDERED AS THE NONEXISTENCE OF OR A DEFINITE LOCATION OF EXISTING UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES.



SITE DEVELOPMENT PLAN



LINE DATA

- L1: N 27°54'32" W, 89.94'  
L2: N 13°00'26" W, 63.47'  
L3: N 51°51'57" E, 57.35'

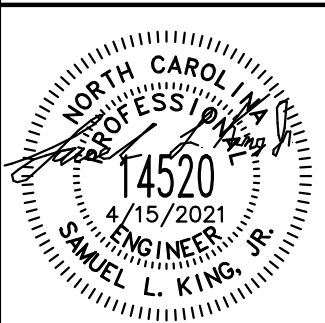
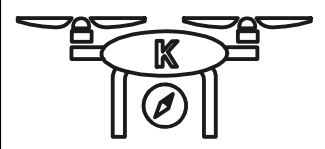
LEGEND

- RIGHT OF WAY  
— N90°00'00"E — PROPERTY LINE  
— OU — OVERHEAD UTILITY  
— EXISTING UTILITY POLE

PLANT LEGEND: STREET & PERIMETER BUFFERS ONLY

| KEY | BOTANICAL NAME                        | COMMON NAME          | SIZE               | SPACING  | QUANTITY |
|-----|---------------------------------------|----------------------|--------------------|----------|----------|
|     | <i>Lagerstroemia indica</i> 'Natchez' | Natchez Crepe Myrtle | 6" planting height | As Shown | 2        |
|     | <i>Ilex cornuta burfordi nana</i>     | Dwarf burford holly  | 24" plantin height | As Shown | 29       |

KING ENGINEERING OF CONCORD, RLLP  
35 CHURCH STREET, S., SUITE 107  
CONCORD, NORTH CAROLINA 28025  
PHONE (828) 403 - 5586  
F-1438



New Building for:  
Morgan Well & Pump  
1840 Bostian Road  
China Grove, North Carolina

|           |     |            |     |            |     |
|-----------|-----|------------|-----|------------|-----|
| DRAWN BY: | SLK | DESIGN BY: | SLK | PROJ. MOR. | SLK |
|-----------|-----|------------|-----|------------|-----|

| DATE: JUL 31, 2020 | REVISION | NO.       | DATE                                          | DESCRIPTION OF REVISIONS |
|--------------------|----------|-----------|-----------------------------------------------|--------------------------|
| DWG NO. 2020105    | 4        | 4/15/2021 | REVISED PER ROWAN COUNTY PLAN REVIEW COMMENTS |                          |
| SHEET NUMBER       | 3        | 4/15/2021 | REVISED PER ROWAN COUNTY PLAN REVIEW COMMENTS |                          |
|                    | 2        | 3/31/2021 | REVISED PER OWNER PLAN REVIEW COMMENTS        |                          |
|                    | 1        | 6/20/2020 | REVISED PER ROWAN COUNTY PLAN REVIEW COMMENTS |                          |
|                    | 1        | 1         | NO.                                           | 1 OF 1                   |





## Z 04-20 Amend. - Morgan Well

### LEGEND

#### County Zoning

-  RA
-  CBI
-  IND
-  CD

 Landis Town Limits  
Zoning: M-1

 Kannapolis City Limits  
Zoning: AG

 Site

 Parcels

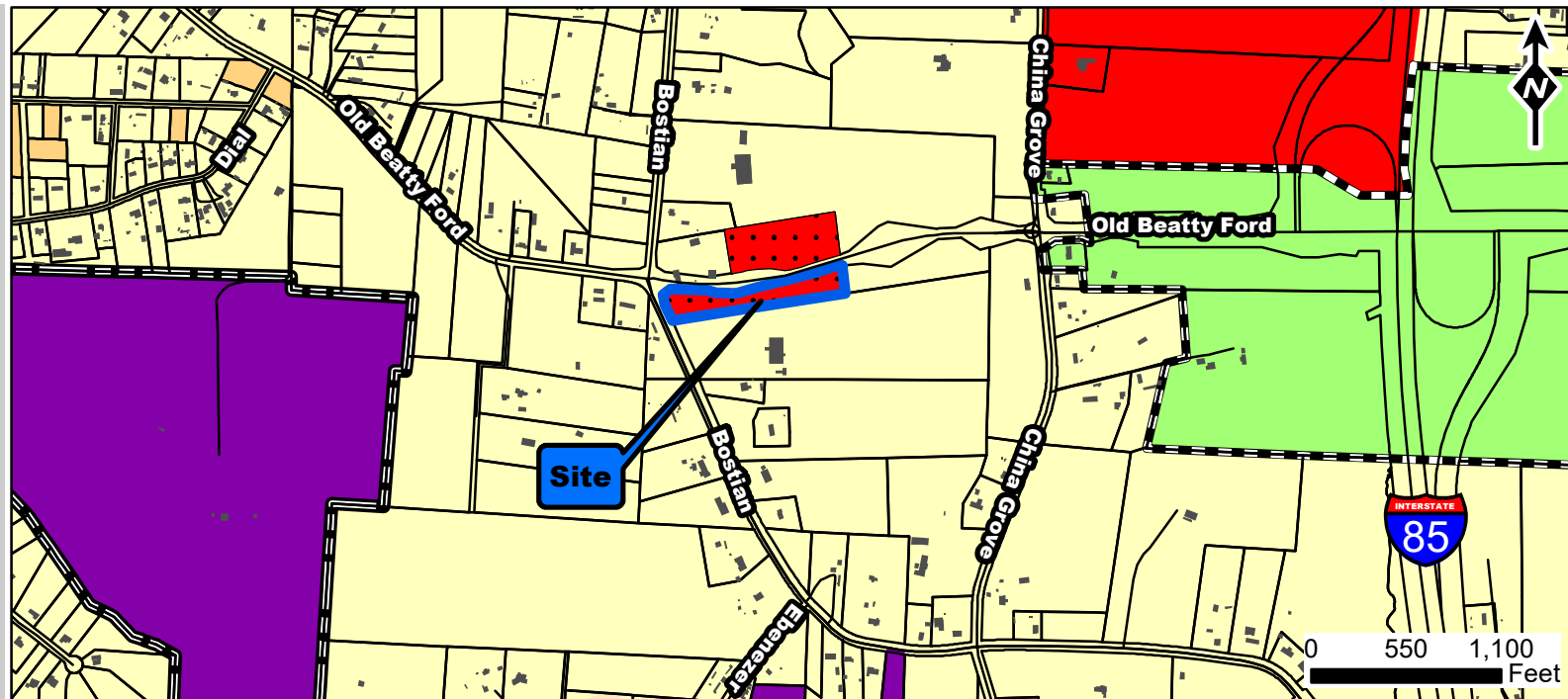
 Roads

 Buildings

 5285 Addresses

Feb. / Mar. 18 Aerial

Prepared by Rowan County Planning  
& Development Department  
April 16, 2021







Rowan County Department of  
Planning & Development  
402 N. Main Street Suite 204  
Salisbury, NC 28144  
Phone (704) 216-8588  
Fax (704) 638-3130  
www.rowancountync.gov

Case # Z 04 - 20 Amendment  
Date Filed 4/1/21  
Received By SAS  
Amount Paid \$ 300.00 ck # 12702

Office Use Only

Energy: 2-015663-2021

## REZONING APPLICATION

### OWNERSHIP INFORMATION:

Name: Morgan Well & Pump/Charles M. Morgan

Signature: Charles M. Morgan

Phone: 704-933-0479 Email: morganwellpump@gmail.com

Address: 4070 Sunrise Dr, Kannapolis, NC 28083

### APPLICANT / AGENT INFORMATION: Complete affidavit on back if non-owner

Name: Samuel L. King, Jr.

Signature: Samuel L. King, Jr.

Digitally signed by Samuel L. King, Jr.  
Date: 2021.04.01 07:42:11 -04'00'

Phone: 828-403-5586 Email: samkingjr@gmail.com

Address: 401 Poteat Drive, Morganton, NC 28655

### PROPERTY DETAILS:

Tax Parcel(s): 140-233 Size (sq.ft. or acres): 3.129 Acres

Property Location: 1840 Bostian Rd

Current Land Use: Vacant

Date Acquired: 3/14/2018 Deed Reference: Book 1361 Page 457

### REQUEST DETAILS:

Existing Zoning District CBI-CD Requested Zoning District CBI-CD

If requesting a conditional zoning district, list proposed use or uses:

Additional information enclosed restricting the conditional use district? Yes ☒ No ☐

Site plan containing information from sec. 21-52 enclosed? Yes ☒ No ☐



# AFFADAVIT OF OWNER

To be completed if applicant is not the property owner

I (We), Morgan Welligump / Charles M. Morgan owner(s) of the within described property do hereby request the proposed rezoning and hereby authorize the person listed below to act as my (our) duly authorized agent in this matter.

Signature(s): Charles M. Morgan

Date: 4/1/21

Name of Applicant / Agent: Samuel L. King, Jr.

Address: 401 Poteat Drive, Morganton, NC 28655

Phone Number: 828-403-5586

IT IS UNDERSTOOD BY ALL PARTIES HERETO INCLUDING OWNER(S) & APPLICANT(S) / AGENT(S) THAT WHILE THIS APPLICATION WILL BE CAREFULLY CONSIDERED AND REVIEWED, THE BURDEN OF PROVIDING ITS NEED RESTS WITH THE ABOVE NAMED APPLICANT WHETHER OWNER, NON-OWNERS, OR OWNER'S AGENT.

STATE OF North Carolina COUNTY OF Rowan

I, Seay L. Hamilton, a Notary Public for said County and State, do hereby certify that Charles M. Morgan personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

My commission expires 9-15-, 20 25.

SEAL

## OFFICIAL USE ONLY

1. Signature of Rezoning Coordinator: [Signature] 2. Planning Board  
Courtesy Hearing: 04/26/21 3. Notifications Mailed: 4/14/21 4. Property Posted:  
4/13/21 5. Planning Board Action: Approved \_\_\_\_\_ Denied \_\_\_\_\_ 6. Board of Commissioners  
Public Hearing: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ 7. Notifications Mailed: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ 8. Property Posted:  
\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ 9. Dates Advertised: 1<sup>st</sup> \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ 10. BOC Action: Approved  
\_\_\_\_\_ Denied \_\_\_\_\_ 11. Date Applicant Notified: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

**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:** May 7, 2021  
**SUBJECT:** Erosion Control Services Contract

---

**REQUEST**

During the absence of a program administrator for its Soil Erosion and Sedimentation Control program, the County secured the services of two (2) engineering firms to assist with plan review and on-site inspections for projects on an as-needed basis.

These services have been used sparingly after the Environmental Compliance Specialist began work in mid-January and the evident need for continued assistance is not plan review, but on-site inspection assistance and mentoring.

The accompanying contract requests use of former employee Greg Greene, who served as soil erosion program administrator, to mentor the current employee Josh Canup on an as-needed basis for no more than twenty-five (25) hours per month.

**RECOMMENDATION**

The contract utilizes the standard template developed by the County Attorney and County Manager and the proposed strikethroughs have been reviewed by the Risk Manager and deemed suitable with County policy for insurance and liability coverage for the type activity being conducted.

Staff recommends the following actions associated with this request:

- Authorize County Manager to enter into contract with Greg Greene for the services described in the contract for the remainder of FY 20-21 and FY 21-22.
- Do not exercise the option to extend the contract with WithersRavenel for erosion control plan review / on-site inspections after its expiration May 31, 2021

**ATTACHMENTS:**

| Description | Upload Date | Type |
|-------------|-------------|------|
|-------------|-------------|------|



**ROWAN COUNTY**

**AGREEMENT FOR SERVICES**

**NORTH CAROLINA**

This Agreement is made and entered into between Rowan County, North Carolina ("County") and [REDACTED] ("Provider").

WHEREAS, the County and the Provider wish to enter into a contract under which the Provider will provide certain specified services and/or materials to the County in exchange for payment. NOW, THEREFORE, in consideration of the mutual covenants, promises, terms, conditions, and agreements herein, the County and the Provider agree as follows:

1. Services To Be Performed. The Provider agrees to perform the services and to provide the materials (all collectively called the "Services") for the County as described in Section A of the attached Exhibit A (the "Contract Specifications"), which is incorporated into this Agreement by reference as if it were fully set forth herein. The Provider warrants that all materials it provides shall be of good quality and shall meet industry standards and the County's expectations and approval, and the Provider warrants that it shall perform all Services in a good and workmanlike manner, in accordance with industry standards and the County's expectations, and to the County's full satisfaction.

2. Term. The term of this Agreement shall be as provided in Section B of the attached Exhibit A, the Contract Specifications.

3. Payment. In accordance with Section C of the attached Exhibit A, the Contract Specifications, the County agrees to pay the Provider for Services satisfactorily performed in accordance with this Agreement. The County shall pay each properly submitted invoice within thirty (30) days of its submission. Each invoice shall document, to the County's satisfaction, the work performed and the basis for the amount of payment sought. If the Provider fails to perform in accordance with this Agreement, the County may, without penalty, withhold any payment(s) associated with Services not properly performed until and unless the Provider completes or corrects its performance, as applicable. The County's remedies under this Agreement are not exclusive and are in addition to all other rights and remedies provided by law.

4. Non-waiver. If the County at any time does not require the Provider to satisfy any of the Provider's obligations under this Agreement, or if the County fails at any time to exercise any right or privilege granted to it by this Agreement, that shall not waive or limit the County's ability to require the Provider to satisfy those obligations in the future or the County's ability to enforce its rights or privileges in the future. If the County waives any breach of this Agreement by the Provider, which shall not be deemed a waiver of any later breach by the Provider, nor shall it be deemed a waiver of this section of the Agreement.

5. Independent Contractor. For purposes of this Agreement, the Provider at all times shall be considered an independent contractor, and the County shall not be deemed the employer of the Provider or of any of the Provider's agents or employees, nor shall the County be responsible for the actions or omissions of the Provider or its agents and employees. For



purposes of this Agreement, the Provider and its agents and employees shall not be deemed an employee of the County for any purpose, including (by example only and not for purposes of limitation) federal or state income taxation, unemployment benefits, or worker's compensation benefits.

6. Insurance. For the term of this Agreement, the Provider shall maintain at its sole expense the insurance specified in Section E of the attached Exhibit A, the Contract Specifications. All insurance policies shall be issued by a company authorized to issue insurance in the State of North Carolina. Before beginning to perform under this Agreement, the Provider shall provide the County with a certificate of insurance showing that all insurance required by this Agreement is in effect, and the Provider shall keep that certificate current by submitting to the County updated certificates as the Provider's insurance policies are renewed or otherwise modified. The County shall be named as an additional insured. The Provider shall notify the County immediately if any insurance required by this Agreement will be or has been cancelled or not renewed or if the amount of coverage of any such insurance will be or has been reduced.

7. Indemnity. The Provider agrees that it shall defend, indemnify, and hold harmless the County and its officials, employees, and agents from and against any and all losses, liabilities, claims, demands, suits, costs, damages, or expenses (including reasonable attorneys' fees) arising from or related to this Agreement and/or the Services, including (by example only and not for purposes of limitation) those for bodily injury, death, or property damage. The Provider's obligations under this section shall survive termination of this Agreement.

8. Termination. Notwithstanding any other provision of this Agreement (including any provision in the attached Exhibit A), this Agreement may be terminated at any time by mutual written agreement of the County and the Provider, or it may be terminated by the County upon ten (10) days' written notice to the Provider. Ten days' written notice for termination by the County is not required if the County is terminating because the Provider has breached the Agreement. Further this agreement includes the following Non-appropriation Clause: Provider acknowledges that Rowan County is a governmental entity, and the contract validity is based upon the availability of public funding under the authority of its statutory mandate. In the event that public funds are unavailable and not appropriated for the performance of Rowan County's obligations under this contract, then this contract shall automatically expire without penalty to Rowan County thirty (30) days after written notice to Provider of the unavailability and non-appropriation of public funds. It is expressly agreed that Rowan County shall not activate this non-appropriation provision for its convenience or to circumvent the requirements of this contract, but only as an emergency fiscal measure during a substantial fiscal crisis, which affects generally its governmental operations. In the event of a change in Rowan County's statutory authority, mandate and mandated functions, by state and federal legislative or regulatory action, which adversely affects Rowan County's authority to continue its obligations under this contract, then this contract shall automatically terminate without penalty to Rowan County upon written notice to Provider of such limitation or change in Rowan County's legal authority.

9. Entire Agreement. This Agreement (including the attached Exhibit A, the Contract Specifications) constitutes the complete and entire Agreement between the County and the Provider concerning the subject matter of the Agreement and supersedes any and all prior

agreements, discussions, understandings, promises, or representations concerning that subject matter. This Agreement may be modified only by a writing signed by both the County and the Provider.

10. Governing Law and Forum for Disputes. This Agreement shall be governed by the laws of the State of North Carolina without regard to North Carolina's choice of law provisions. Any lawsuit or other legal proceeding concerning this Agreement and/or the Services must be filed in Rowan County, North Carolina, unless it is properly filed in federal court, in which case it must be filed in the federal District Court for the Middle District of North Carolina.

11. Severance Clause. If any part of this Agreement is deemed unenforceable by a court of competent jurisdiction, then that part shall be enforced to the greatest extent legally possible, and the rest of this Agreement will remain in full force and effect.

12. Compliance With Laws. The Provider acknowledges and agrees that it will perform all Services and will satisfy all of its obligations under this Agreement in full compliance with all applicable federal, state, and local laws and regulations.

13. Records. All materials, reports, etc. generated pursuant to this Agreement shall at all times remain the property of Rowan County, with copies of all such materials, reports, etc. being provided to Rowan County in a timely manner. It is further understood that some materials may be subject to NC Public Records laws, and any request for documents pursuant to such shall be processed through Rowan County prior to their release.

14. Repair of Damages. The Provider shall promptly and fully repair any damages that it or its employees or agents cause to the County's property. Alternatively, the County may choose in its discretion to require the Provider to fully compensate the County for any such damages rather than have the Provider repair them.

15. Titles and Headings. Titles and headings used in this Agreement are for convenience only and do not limit or modify the language within each section of this Agreement.

16. Non-Assignment. The Provider may not assign its rights or obligations under this Agreement, nor may it sub-contract any part of this Agreement, without written approval from the County.

17. Notices. Any notice or communication to the County or the Provider for purposes of this Agreement shall be delivered or shall be deposited in the United States Mail, first class, addressed to the addressee in Section E of the attached Exhibit A, the Contract Specifications.

18. Number and gender. This Agreement's use of singular, plural, masculine, feminine, and neuter pronouns shall include the others as the context may require.

19. Exhibit A. To the extent of a conflict between the above language of this Agreement and the attached Exhibit A (the Contract Specifications), the above language of this Agreement will control.

IN WITNESS WHEREOF, the County and the Provider have caused this Agreement to be executed as of the Effective Date.

THE COUNTY

BY: \_\_\_\_\_

Name: Aaron Church

Title: County Manager

THE PROVIDER

BY: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

## EXHIBIT A

### CONTRACT SPECIFICATIONS

A. Services To Be Performed By The Provider.

- Assist ECS (Environmental Compliance Specialist) with Plan Review process
- Provide consultation and mentoring services
- Accompany ECS during some site inspections

B. Term of the Agreement.

This Agreement shall continue until the Provider has completed the Services to the County's satisfaction through June 30<sup>th</sup>, 2022.

C. Payment to the Provider. (Check the provision that applies.)

The County shall pay \$70 per hour for Plan Review or \$60 per hour for other services described in 'A. Services To Be Performed'. Contract hours shall be limited to 25 hours per month.

~~D. E-Verify. North Carolina General Statutes prohibit counties from entering into contract with contractors and subcontractors who have not complied with the requirement of Article 2 of Chapter 64 of the NC General Statutes. The Contractor must submit the E-Verify Affidavit with bid proposals and/or contracts.~~

E. Insurance. During this Agreement's term, the Provider shall maintain worker's compensation insurance as required by North Carolina law to cover all of the Provider's employees engaged in any work under the Agreement. The Provider shall also maintain the following insurance to cover its performance under this Agreement during the Agreement's term:

- General commercial liability in the amount of \$500,000 per occurrence / \$1,000,000 aggregate.
- ~~• Workers' Compensation in the amount of \$500,000 employer's liability~~
- ~~• Automobile liability covering all owned, hired, and non-owned vehicles used in connection with this Agreement. The minimum combined single limit shall be \$1,000,000 for bodily injury and property damage; and, \$1,000,000 uninsured/underinsured motorist coverage.~~

E. Contact Information.



THE COUNTY

AARON CHURCH,  
COUNTY MANAGER  
130 West Innes Street  
Salisbury, NC 28144  
[aaron.church@rowancountync.gov](mailto:aaron.church@rowancountync.gov)  
Telephone: 704-216-8180

THE PROVIDER

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
[Provider@company.com](mailto:Provider@company.com)  
Telephone: xxx-xxx-xxxx

These Contract Specifications are effective on the date signed and hereby acknowledged and agreed to by:

THE COUNTY

BY: \_\_\_\_\_

Name: Aaron Church

Title: County Manager

Date: \_\_\_\_\_

THE PROVIDER

BY: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
(Signature of County Finance Officer)

**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:** Catherine Terwilliger  
**DATE:** May 7, 2021  
**SUBJECT:** Proclamation for Motorcycle Safety and Awareness Month

---

**ATTACHMENTS:**

**Description**

Proclamation

**Upload Date**

5/7/2021

**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

130 West Innes Street • Salisbury, NC 28144  
Telephone 704-216-8180 • FAX 704-216-8195

### PROCLAMATION MOTORCYCLE SAFETY & AWARENESS MONTH MAY 2021

**WHEREAS**, motorcycle riding is a popular form of recreation and transportation for thousands of citizens across North Carolina and Rowan County; *and*

**WHEREAS**, North Carolina has over 195,000 registered motorcycles; *and*

**WHEREAS**, it is important that the citizens of North Carolina be aware of motorcycles on our roadways and recognize the importance of motorcycle safety through motorcycle awareness programs like those promoted by the Concerned Bikers Association (CBA) or programs offered during driver's education classes in area high schools; *and*

**WHEREAS**, Motorcycle Safety & Awareness Month is designed to increase public awareness about motorcycles and to encourage their safe and proper use among motorcycle riders and to encourage other motor vehicle operators to be cautious and observe motorcycles, especially during their seasonal return to our streets and highways; *and*

**WHEREAS**, the safe operation of a motorcycle is enhanced through a combination of rider training and experience, good judgment, and motorist awareness of motorcycles sharing the roads of Rowan County and North Carolina, the Charlotte CBA, Rowan-Cabarrus CBA, and the Concerned Bikers Association of North Carolina urge motorists in the County of Rowan to:

**“Look Twice and Save a Life” MAY = Motorcycle Awareness & YOU**

**NOW, THEREFORE BE IT PROCLAIMED** that the Rowan County Board of Commissioners does hereby recognize the month of May 2021 as Motorcycle Safety & Awareness Month in Rowan County, North Carolina, and urges all citizens to be cautious and to help create an awareness of motorcyclists who share the road.

This the 17<sup>th</sup> day of May, 2021.

---

Gregory C. Edds, Chairman

ATTEST:

---

Carolyn Barger, Clerk to the Board

Equal Opportunity Employer



recycled paper

**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:** May 7, 2021  
**SUBJECT:** Authorization to Develop RFQ for Long Ferry Rd Corridor Improvements

---

**REQUEST**

Based on recent interest of properties in proximity to Exit 81 on I-85 / Long Ferry Rd, Staff is requesting authorization to develop a Request for Qualifications (RFQ) to solicit bids from consulting engineering firms to conduct a study and develop land use and transportation recommendations for the Long Ferry Rd corridor from N. Main Street to Leonard Rd; reference attached map.

The plan recommendations could be used by the County for considering development requests, land use and zoning decisions and transportation improvement requests to NCDOT.

Staff proposes to invite NCDOT and the Town of Spencer to participate in development of the RFQ criteria. Eighty percent (80%) of the study funding may be eligible from the Cabarrus-Rowan Metropolitan Planning Organization's special study funds, with Rowan County responsible for the remaining twenty percent (20%).

**RECOMMENDATION**

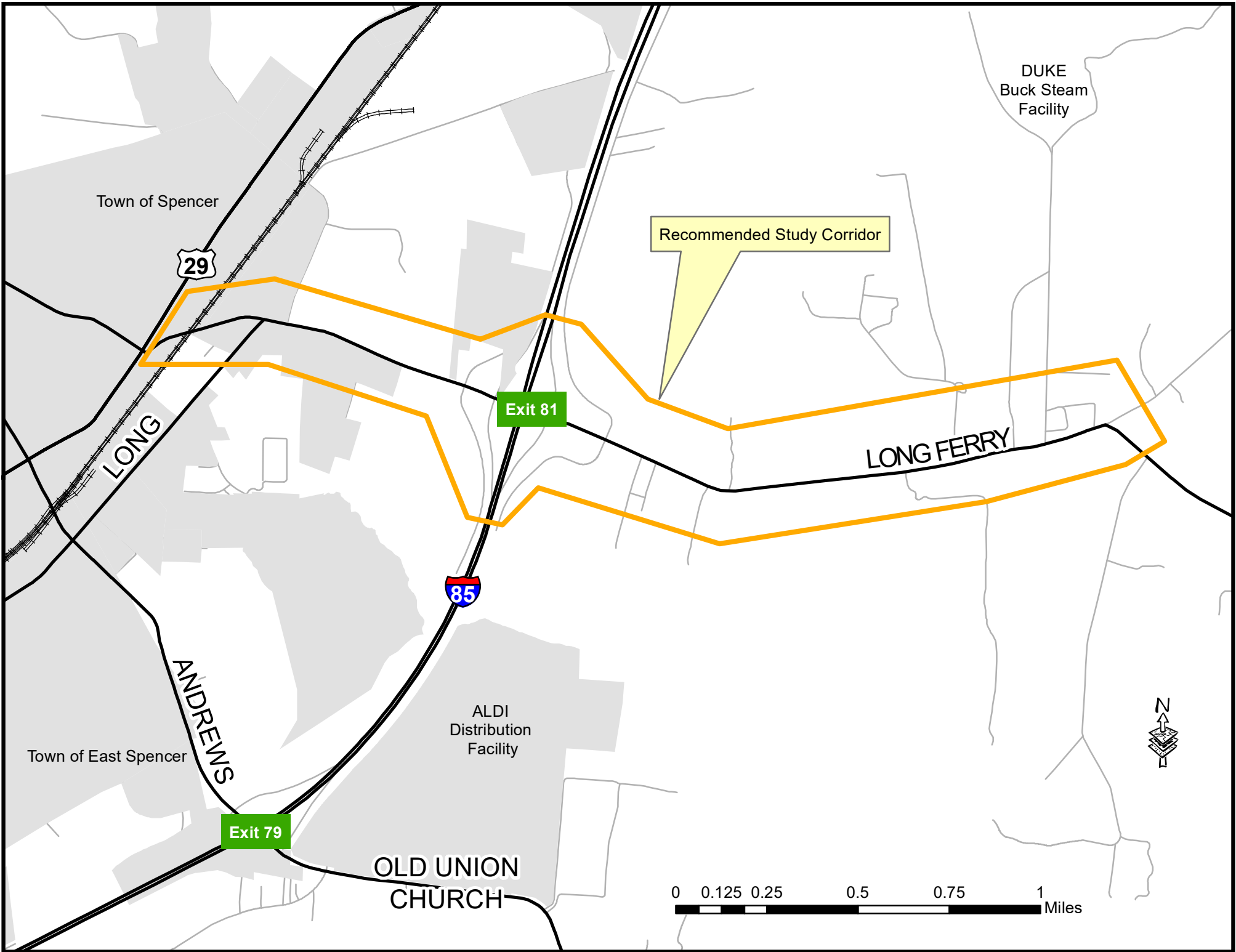
Authorize Staff to develop an RFQ for solicitation. The RFQ may be presented to the Commission prior to solicitation for consideration of its scope and content.

The RFQ does not commit the County to any guarantee of funding or that it will initiate the project.

**ATTACHMENTS:**

| <b>Description</b>         | <b>Upload Date</b> | <b>Type</b>     |
|----------------------------|--------------------|-----------------|
| Long Ferry Rd corridor map | 5/10/2021          | Backup Material |







**Rowan County Health Department**  
**1811 East Innes Street – Salisbury, NC 28146-6030**

To: Rowan County Board of Health  
From: Alyssa Harris, Interim Health Director  
Adrian Pruett, Environmental Health Supervisor  
Date: 05/10/2021  
Re: EH Fee Schedule and Service Changes

**Situation:**

Environmental Health Fees are reviewed and revised annually.

**Background:**

The NC Department of Health and Human Services Environmental Health Section regulate law, rules and requirements for Rowan County Environmental Health. The requirements for On-site Wastewater and Food, Lodging and Institutions have become more stringent and time consuming.

**Assessment:**

Due to more regulations and thorough evaluations required by NC DHHS, evaluation and inspection times are taking longer and have become more difficult to perform. In addition changes to existing septic and well permits have become more popular along with added state rules and requirements that have not been addressed. Certain such rules include the requirement of an application for permit to repair or abandon a well, per rule 15A NCAC 02C .0303 Well Construction Rules.

Fee Schedules of 12 surrounding counties were located and basic fees were assessed and compared to RCEH's existing fees. Many deficiencies were found and a spreadsheet was created showing other counties fees and averages as they compare to RCEH's fees.

In addition to the fee assessment common processes were evaluated. The processes include maximum amount of area evaluated under one application, increase time taken to inspect a pump septic system, efficiency of evaluation when multiple lots are applied for in the same location and when a lot was previously denied.

**Recommendation:**

A revised Fee Schedule has been created that addresses the fee and inspections required.

To increase efficiency, reduction in backlog and perform better soil evaluations it is recommended to establish a 2 acre maximum on property evaluated per application, add a fee for all pump septic systems due to amount of time and return trips required and require soil evaluation/backhoe pits on all subdivisions and 3 or more septic applications in the same location or lots that have been previously denied.

The Board of Health approved the new fee schedule at the April 13, 2021 meeting.

We respectfully request that the Board of Commissioners approve the new fee schedule.

# ROWAN COUNTY ENVIRONMENTAL HEALTH

## FEE SCHEDULE

MODIFIED 3/29/2021

| Residential and Commercial Septic Systems                                                                                                                                                      |                        |                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------|
|                                                                                                                                                                                                | Current                | Proposed                                 |
| New Septic Permit Residential and Commercial (non-residential)                                                                                                                                 | \$225.00               |                                          |
| Improvement Permit (IP)                                                                                                                                                                        | \$100+\$50/120 gal/EDF |                                          |
| ≤ 480 Gal. per Day (GPD)                                                                                                                                                                       |                        | \$275                                    |
| 481 – 720 Gal. per Day (GPD)                                                                                                                                                                   |                        | \$350                                    |
| 721 – 1000 Gal. per Day (GPD)                                                                                                                                                                  |                        | \$450                                    |
| 1001 – 2000 Gal. per Day (GPD)                                                                                                                                                                 |                        | \$550                                    |
| ≥2001 Gal. per Day (GPD)                                                                                                                                                                       |                        | \$650                                    |
| Construction Authorization (CA)                                                                                                                                                                |                        |                                          |
| ≤ 480 Gal. per Day (GPD)                                                                                                                                                                       |                        | \$125                                    |
| 481 – 720 Gal. per Day (GPD)                                                                                                                                                                   |                        | \$150                                    |
| 721 – 1000 Gal. per Day (GPD)                                                                                                                                                                  |                        | \$175                                    |
| 1001 – 2000 Gal. per Day (GPD)                                                                                                                                                                 |                        | \$200                                    |
| ≥2001 Gal. per Day (GPD)                                                                                                                                                                       |                        | \$250                                    |
| Existing Septic System Inspection (reuse)                                                                                                                                                      | \$50.00                | \$100.00                                 |
| Site Revisit Fee (Site not ready for evaluation, not surveyed, house not marked, etc.), \$75 first visit, +\$25 second visit, +\$50 third visit, +\$100 fourth visit                           |                        | \$75.00                                  |
| Septic System Repair Permit (CA)                                                                                                                                                               | \$0.00                 | \$0.00                                   |
| Engineer Option Permit Fee, Session Law 2020-97 LSS COVID 19 and Authorized On-Site Wastewater Evaluator (30% IP, CA)                                                                          | \$67.50                | 30% Cumulative Fee<br>Total of IP and CA |
| <b>Well Permits and Services</b>                                                                                                                                                               |                        |                                          |
| New Well Permit (New and Replacement)                                                                                                                                                          | \$225.00               | \$375.00                                 |
| Well Repair Permit                                                                                                                                                                             |                        | \$100.00                                 |
| Well Permit Redraw in Office (change of name, change of well location, not requiring a site visit)                                                                                             |                        | \$50.00                                  |
| Well Abandonment Permit                                                                                                                                                                        |                        | \$100.00                                 |
| Well Variance Application                                                                                                                                                                      |                        | \$100.00                                 |
| Well Camera                                                                                                                                                                                    |                        | \$100.00                                 |
| Site Revisit Fee (site improperly marked, additional visits for sampling after notification well is ready, etc.), \$75 first visit, +\$25 second visit, +\$50 third visit, +\$100 fourth visit |                        | \$75.00                                  |
| <b>Water Samples (Per Sample)</b>                                                                                                                                                              |                        |                                          |
| Bacteriological                                                                                                                                                                                | \$55.00                | \$55.00                                  |
| Sulfur/Sulfate-Reducing Bacteria                                                                                                                                                               |                        | \$65.00                                  |
| Inorganic Panel Metal, Anions                                                                                                                                                                  | \$95.00                | \$95.00                                  |
| Inorganic Panel Coal Ash                                                                                                                                                                       |                        | \$105.00                                 |
| Hexavalent Chromium                                                                                                                                                                            |                        | \$105.00                                 |
| Fluoride                                                                                                                                                                                       | \$55.00                | \$55.00                                  |



# ROWAN COUNTY ENVIRONMENTAL HEALTH

## FEE SCHEDULE

MODIFIED 3/29/2021

|                                                                                                                                    |          |          |
|------------------------------------------------------------------------------------------------------------------------------------|----------|----------|
| Nitrate/Nitrite                                                                                                                    | \$55.00  | \$55.00  |
| Pesticides                                                                                                                         | \$105.00 | \$105.00 |
| Petroleum                                                                                                                          | \$105.00 | \$105.00 |
| Volatile Organic Chemicals                                                                                                         | \$105.00 | \$105.00 |
| Well Panel Kit (bacteriological, inorganic & nitrate/nitrite)                                                                      |          | \$125.00 |
| <b>Food, Lodging and Institution Plan Review</b>                                                                                   |          |          |
| Food & Lodging Plan Review (New)                                                                                                   | \$200.00 | \$225.00 |
| Food & Lodging Plan Review (Remodel)                                                                                               | \$100.00 | \$125.00 |
| Mobile Food Unit, Push Cart Plan Review                                                                                            |          | \$125.00 |
| Temporary Food Establishment                                                                                                       | \$75.00  | \$75.00  |
| Limited Food Establishment                                                                                                         | \$75.00  | \$75.00  |
| <b>Swimming Pool Permits</b>                                                                                                       |          |          |
| Year-Round/Annual (per year)                                                                                                       | \$150.00 | \$200.00 |
| Seasonal (per year)                                                                                                                | \$75.00  | \$150.00 |
| Application and Pool Plan Review (New)                                                                                             |          | \$250.00 |
| Revisit Fee (pool not ready for permit to be issued), \$75 first visit, +\$25 second visit, +\$50 third visit, +\$100 fourth visit |          | \$75.00  |
| <b>Tattoo Permits</b>                                                                                                              |          |          |
| Annual Permit per Artist                                                                                                           | \$250.00 | \$250.00 |
| <b>Administrative Fee</b>                                                                                                          |          |          |
| Cancellation of Applications prior to work beginning                                                                               |          | \$25.00  |

**\*For New Septic Permits a MAXIMUM of 2 acres will be evaluated at the building site. Additional acreage will require a new application and New Septic Permit Fee**

**\*Additional fees above and beyond the original application fee are required to be paid prior to receiving the permit applied for.**

**\*NO REFUNDS once work or evaluations have begun on the property applied for or plan review has begun.**

**\*When 3 or more applications are submitted for Septic Permitting in the same location or the lot has been previously denied by our department Soil Evaluation/Backhoe Pits are required**

**\*Site Revisit Fees are for the first Revisit. Upon the 2<sup>nd</sup> Revisit add \$25, 3<sup>rd</sup> Revisit add \$50, 4<sup>th</sup> Revisit add \$100 to current Revisit Fee**

**\*Any application will expire after 1 year from original payment date if no permit has been issued.**

**\*Existing Septic System Inspection (reuse) Permits are only valid for 6 months from the date approved.**

**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:** Elizabeth Garcia  
**DATE:** May 10, 2021  
**SUBJECT:** Juvenile Crime Prevention Council FY 20-21 Funding Plan

---

The Juvenile Crime Prevention Council (JCPC) is respectfully requesting approval of the attached FY 20-21 Funding Plan with revisions. The revisions reflect removal of Local In-Kind for Strengthening Families and discretionary funds that were awarded to RCYSB Juvenile Restitution.

**ATTACHMENTS:**

| <b>Description</b>                        | <b>Upload Date</b> | <b>Type</b> |
|-------------------------------------------|--------------------|-------------|
| JCPC FY 20-21 Funding Plan with revisions | 5/10/2021          | Cover Memo  |

# Rowan County

## NC DPS - Community Programs - County Funding Plan

Available Funds: \$ 413,591 Local Match: \$ 195,976 Rate: 30%

DPS JCPC funds must be committed with a Program Agreement submitted in NC Allies and electronically signed by authorized officials.

| #  | Program Provider                                                       | DPS-JCPC Funding | LOCAL FUNDING     |                  |                  | OTHER State/Federal | OTHER Funds | Total            | % Non DPS-JCPC Program Revenues |
|----|------------------------------------------------------------------------|------------------|-------------------|------------------|------------------|---------------------|-------------|------------------|---------------------------------|
|    |                                                                        |                  | County Cash Match | Local Cash Match | Local In-Kind    |                     |             |                  |                                 |
| 1  | JCPC Administration                                                    | \$15,500         |                   |                  |                  |                     |             | \$15,500         |                                 |
| 2  | Rowan Youth Services Bureau, Inc (Teen Court)                          | \$75,906         |                   |                  | \$34,216         |                     |             | \$110,122        | 31%                             |
| 3  | Rowan Youth Services Bureau, Inc (Restitution/Community Service)       | \$80,085         |                   | \$2,700          | \$25,848         |                     |             | \$108,633        | 26%                             |
| 4  | Rowan Youth Services Bureau, Inc (Sex Offender Treatment/Evaluations)  | \$7,898          |                   |                  | \$3,014          |                     |             | \$10,912         | 28%                             |
| 5  | Transforming Youth Movement, Inc (SHIFT Mentoring)                     | \$48,000         |                   |                  | \$24,000         |                     |             | \$72,000         | 33%                             |
| 6  | Transforming Youth Movement, Inc (Get Hired-Youth Employability)       | \$55,099         |                   |                  | \$18,000         |                     |             | \$73,099         | 25%                             |
| 7  | Aspire Youth & Family, Inc (Kids at Work)                              | \$41,599         |                   |                  | \$12,506         |                     |             | \$54,105         | 23%                             |
| 8  | Families First-NC, Inc (Strengthening Families)                        | \$60,911         |                   | \$58,469         |                  |                     |             | \$119,380        | 40%                             |
| 9  | Happy's Farms, Inc. (Discovering Yourself Through Barnyard Adventures) | \$34,893         |                   |                  | \$17,223         |                     |             | \$52,116         | 33%                             |
| 10 |                                                                        |                  |                   |                  |                  |                     |             |                  |                                 |
| 11 |                                                                        |                  |                   |                  |                  |                     |             |                  |                                 |
| 12 |                                                                        |                  |                   |                  |                  |                     |             |                  |                                 |
| 13 |                                                                        |                  |                   |                  |                  |                     |             |                  |                                 |
| 14 |                                                                        |                  |                   |                  |                  |                     |             |                  |                                 |
| 15 |                                                                        |                  |                   |                  |                  |                     |             |                  |                                 |
| 16 |                                                                        |                  |                   |                  |                  |                     |             |                  |                                 |
| 17 |                                                                        |                  |                   |                  |                  |                     |             |                  |                                 |
| 18 |                                                                        |                  |                   |                  |                  |                     |             |                  |                                 |
|    | <b>TOTALS:</b>                                                         | <b>\$419,891</b> |                   | <b>\$61,169</b>  | <b>\$134,807</b> |                     |             | <b>\$615,867</b> | <b>32%</b>                      |

The above plan was derived through a planning process by the Rowan County  
Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2020-2021

Amount of Unallocated Funds \_\_\_\_\_

Amount of funds reverted back to DPS \_\_\_\_\_

Discretionary Funds added \$6,300

check type ☐ initial plan ☒ update ☐ final

|                                                    |            |
|----------------------------------------------------|------------|
| -----DPS Use Only-----                             |            |
| Reviewed by _____<br>Area Consultant               | Date _____ |
| Reviewed by _____<br>Program Assistant             | Date _____ |
| Verified by _____<br>Designated State Office Staff | Date _____ |

Judith Klusman  
Judith Klusman (May 10, 2021 16:28 EDT)

Chairperson, Juvenile Crime Prevention Council (Date)

May 10, 2021

Chairperson, Board of County Commissioners (Date)  
or County Finance Officer

**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:** Elizabeth Garcia  
**DATE:** May 10, 2021  
**SUBJECT:** Juvenile Crime Prevention Council FY 21-22 Funding Plan

---

The Juvenile Crime Prevention Council (JCPC) is respectfully requesting approval of the attached FY 21-22 Funding Plan. At the April 28, 2021 JCPC meeting the funding recommendations were unanimously approved by the Council.

**ATTACHMENTS:**

| <b>Description</b>         | <b>Upload Date</b> | <b>Type</b> |
|----------------------------|--------------------|-------------|
| JCPC FY 21-22 Funding Plan | 5/10/2021          | Cover Memo  |

# Rowan County NC DPS - Community Programs - County Funding Plan

Available Funds: \$ 413,591 Local Match: \$ 248,137 Rate: 30%

DPS JCPC funds must be committed with a Program Agreement submitted in NC Allies and electronically signed by authorized officials.

| #              | Program Provider                                                              | DPS-JCPC<br>Funding | LOCAL FUNDING        |                     |                   | OTHER<br>State/<br>Federal | OTHER<br>Funds | Total            | % Non<br>DPS-JCPC<br>Program<br>Revenues |
|----------------|-------------------------------------------------------------------------------|---------------------|----------------------|---------------------|-------------------|----------------------------|----------------|------------------|------------------------------------------|
|                |                                                                               |                     | County Cash<br>Match | Local Cash<br>Match | Local In-<br>Kind |                            |                |                  |                                          |
| 1              | JCPC Administration                                                           | \$4,460             |                      |                     |                   |                            |                | \$4,460          |                                          |
| 2              | Rowan Youth Services Bureau, Inc. (Teen Court)                                | \$71,047            |                      |                     | \$34,670          |                            |                | \$105,717        | 33%                                      |
| 3              | Rowan Youth Services Bureau, Inc. (Sex Offender<br>Evaluations and Treatment) | \$7,898             |                      |                     | \$2,765           |                            |                | \$10,663         | 26%                                      |
| 4              | Rowan Youth Services Bureau, Inc. (Juvenile<br>Restitution)                   | \$76,071            |                      |                     | \$26,302          |                            |                | \$102,373        | 26%                                      |
| 5              | Transforming Youth Movement (Mentoring)                                       | \$44,250            |                      |                     | \$24,000          |                            |                | \$68,250         | 35%                                      |
| 6              | Transforming Youth Movement (Get Hired)                                       | \$55,099            |                      |                     | \$18,000          |                            |                | \$73,099         | 25%                                      |
| 7              | Families First-NC, Inc. - (Strengthening Families)                            | \$49,789            |                      | \$93,645            | \$11,280          |                            |                | \$154,714        | 68%                                      |
| 8              | Happy's Farm, Inc. - (Discovering Yourself Through<br>Barnyard Adventures)    | \$34,893            |                      |                     | \$15,423          |                            |                | \$50,316         | 31%                                      |
| 9              | Aspire Youth and Family, Inc. ( Kids at Work! Rowan)                          | \$41,599            |                      |                     | \$13,406          |                            |                | \$55,005         | 24%                                      |
| 10             | Youth Development Initiatives (YDI Family Life Skills<br>Academy - Rowan)     | \$28,485            |                      |                     | \$8,646           |                            |                | \$37,131         | 23%                                      |
| 11             |                                                                               |                     |                      |                     |                   |                            |                |                  |                                          |
| 12             |                                                                               |                     |                      |                     |                   |                            |                |                  |                                          |
| 13             |                                                                               |                     |                      |                     |                   |                            |                |                  |                                          |
| 14             |                                                                               |                     |                      |                     |                   |                            |                |                  |                                          |
| 15             |                                                                               |                     |                      |                     |                   |                            |                |                  |                                          |
| 16             |                                                                               |                     |                      |                     |                   |                            |                |                  |                                          |
| 17             |                                                                               |                     |                      |                     |                   |                            |                |                  |                                          |
| 18             |                                                                               |                     |                      |                     |                   |                            |                |                  |                                          |
| <b>TOTALS:</b> |                                                                               | <b>\$413,591</b>    |                      | <b>\$93,645</b>     | <b>\$154,492</b>  |                            |                | <b>\$661,728</b> | <b>37%</b>                               |

The above plan was derived through a planning process by the Rowan County  
Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2021-2022

Amount of Unallocated Funds \_\_\_\_\_

Amount of funds reverted back to DPS \_\_\_\_\_

Discretionary Funds added \_\_\_\_\_

☐ check type ☐ initial plan ☐ update ☐ final

|                               |            |
|-------------------------------|------------|
| -----DPS Use Only-----        |            |
| Reviewed by _____             | Date _____ |
| Area Consultant               |            |
| Reviewed by _____             | Date _____ |
| Program Assistant             |            |
| Verified by _____             | Date _____ |
| Designated State Office Staff |            |

Judith Klusman  
Judith Klusman (May 10, 2021 16:27 EDT)

May 10, 2021

Chairperson, Juvenile Crime Prevention Council (Date)

Chairperson, Board of County Commissioners (Date)  
or County Finance Officer



**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:** Allen Cress  
**DATE:** 5/4/2021  
**SUBJECT:** EMS Week Proclamation

---

May 16-22 is National EMS week. I request a proclamation from the Commissioners.

**ATTACHMENTS:**

| <b>Description</b>         | <b>Upload Date</b> | <b>Type</b> |
|----------------------------|--------------------|-------------|
| 2021 EMS Week Proclamation | 5/4/2021           | 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

130 West Innes Street • Salisbury, NC 28144  
Telephone 704-216-8180 • FAX 704-216-8195

### PROCLAMATION EMERGENCY MEDICAL SERVICES WEEK MAY 16-22, 2021

**WHEREAS**, emergency medical services are a vital public service; *and*

**WHEREAS**, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; *and*

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; *and*

**WHEREAS**, emergency medical services have grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; *and*

**WHEREAS**, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; *and*

**WHEREAS**, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; *and*

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

**NOW, THEREFORE** the Rowan County Board of Commissioners does hereby proclaim the week of May 16-22, 2021, as **EMERGENCY MEDICAL SERVICES WEEK** with the *EMS Strong theme, THIS IS EMS: Caring for Our Communities*, and encourages the community to observe this week with appropriate programs, ceremonies, and activities.

This the 17<sup>th</sup> day of May 2021.

\_\_\_\_\_  
Gregory C. Edds, Chairman  
Board of Commissioners

ATTEST:

\_\_\_\_\_  
Carolyn Barger, MMC, NCMCC  
Clerk to the Board

Equal Opportunity Employer



recycled paper

**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:** Aaron Poplin  
**DATE:** 5/7/21  
**SUBJECT:** Quasi-Judicial Hearing CUP 14-99 Amend

---

**CUP 14-99 Amendment Request**

Rowan County Power LLC is proposing to amend the CUP 14-99 conditional use permit to add a 3,200 Sq Ft pole barn for equipment storage at the power plant located at 5755 NC 801 Hwy further referenced as parcel 822-007. The pole barn is proposed within the existing operational area of the facility.

**Procedural Process**

- Sworn oath for those testifying
- Receive staff report
- Petitioner comments
- Public comments
- Close hearing and discuss
- Three (3) separate motions to adopt findings of fact
- Motion to approve/deny/table CUP 14-99 Amend

**ATTACHMENTS:**

| <b>Description</b>  | <b>Upload Date</b> | <b>Type</b> |
|---------------------|--------------------|-------------|
| Chairman's Speech   | 5/7/2021           | Cover Memo  |
| Staff Report        | 5/7/2021           | Cover Memo  |
| GIS Map             | 5/7/2021           | Cover Memo  |
| Site Plan           | 5/7/2021           | Cover Memo  |
| evaluation criteria | 5/7/2021           | Cover Memo  |
| CUP Checklist       | 5/7/2021           | Cover Memo  |
| application         | 5/7/2021           | Cover Memo  |

## **CUP 14-99 AMEND CHAIRMAN'S SPEECH**

The hearing for consideration of CUP 14-99 Amendment is now in session and will focus on an application submitted by Rowan County Power to add a pole barn to their power generation facility on Tax Parcel 822 007 located at 5755 NC 801 HWY.

If you feel that any member of the Board may have a conflict of interest in hearing the case, please address the Board now prior to any testimony or information being presented.

When the Board enters into deliberations to decide the case, no further testimony may be presented. The Board will render one of the following three decisions:

1. Approve the permit as requested or with additional conditions;
2. Continue the request; or
3. Deny the request.

All parties who plan to testify in this case may come forward and be sworn in. Those who testify must state their name and address at the podium for the benefit of the Board's Clerk. All material presented must be given to the Clerk and will become part of the record. This Board can only accept **sworn** testimony. **No** hearsay evidence is admissible.

**Aaron Poplin** will present the case for the County.



## Rowan County Planning and Development Department

402 North Main Street, Suite 204 • Salisbury, NC 28144-4341

Office: 704-216-8588 Fax: 704-216-7986

### MEMORANDUM

TO: Chairman Edds and Rowan County Board of Commissioners  
FROM: Aaron Poplin, Planner  
DATE: May 7, 2021  
RE: **CUP 14-99 Amendment**

#### **SUGGESTED BOARD OF COMMISSIONERS ACTION**

☐ Sworn oath for those testifying ☐ Receive staff report ☐ Petitioner comments ☐ Public comments ☐ Close hearing and discuss ☐ Three (3) separate motions to adopt findings of fact ☐ Motion to Approve / Deny / Table  
**CUP 14-99 Amendment**

#### **BACKGROUND**

On August 17, 1999, the Board of Commissioners approved a conditional use (CUP 14-99) to allow for an electrical power generation facility at 5755 NC 801 HWY further referenced as parcel 822-007. There have been subsequent amendments to the conditional use permit over the years including new turbines and warehouse expansion.

#### **REQUEST**

The current property owner, Rowan County Power LLC, is proposing a 3200 Sq Ft pole barn for equipment storage. This expansion is entirely inside the existing operational area and requires an amendment to the conditional use permit.

#### **CONDITIONAL USE REQUIREMENTS**

Section 21-60 (4) (a) of the Zoning Ordinance indicates electrical power generation facilities are subject to the following standards:

- 1. Setbacks. All improved areas, including disposal areas, shall be at least two hundred (200) feet from a zone lot line.** Yes, the closest lot line to the proposed



structure is approximately 1175' away.

2. **Separation.** Improved areas shall be at least three hundred (300) feet from any residence, church, or school. The nearest residence is approximately 1,700' away
3. **Dust, odor, glare.** All access roads and storage areas shall be at least twenty (20) feet from any property line constructed with a paved, gravel, or crushed stone surface; and maintained in a dust-free manner. All access surfacing consist of either gravel or asphalt pavement.
4. **Operation.** An information sign shall be posted and maintained at the entrance(s) which lists the name and phone number of the operator, types of material accepted, and hours of operation. Information is listed at the security gate entrance.
5. **Security restrictions.** Access shall be controlled through the use of gates, fences, etc. to prevent unregulated dumping of materials. The power generation facility and the substation are gate accessed. Unregulated dumping of materials are more of a concern with refuse systems which share the same conditional use criteria.
6. **Other special conditions.** Proof of a permit issued by the state in accordance with applicable provisions of the General Statutes. No additional permitting other than zoning and building are foreseen for adding a pole barn within the operational area.

#### EVALUATION CRITERIA

As provided in Section 21-59, the applicant has provided responses to the evaluation criteria with staff comments indicated below.

1. **Adequate transportation access to the site exists.** The facility accesses off of NC 801 HWY which is a major thoroughfare with a design capacity of 15,100 vehicles per day. The most recent traffic count, from 2018, was 3,300 ADT.
2. **The use will not significantly detract from the character of the surrounding area.** The proposed structure will be inside the existing fenced area and is not visible from the main road.
3. **Hazardous safety conditions will not result.** No hazardous safety conditions are envisioned based on the proposed use.
4. **The use will not generate significant noise, odor, glare, or dust.** The pole barn is for storage of existing materials and would not generate any new noise, odor, glare, or dust.

5. **Excessive traffic or parking problems will not result.** The use will not increase the amount of traffic the site generates.
6. **The use will not create significant visual impacts for adjoining properties or passersby.** The pole barn will not be visible from adjoining properties.

#### **PROCEDURES**

The BoC must adopt facts supporting the below findings of fact based on the above six (6) criteria:

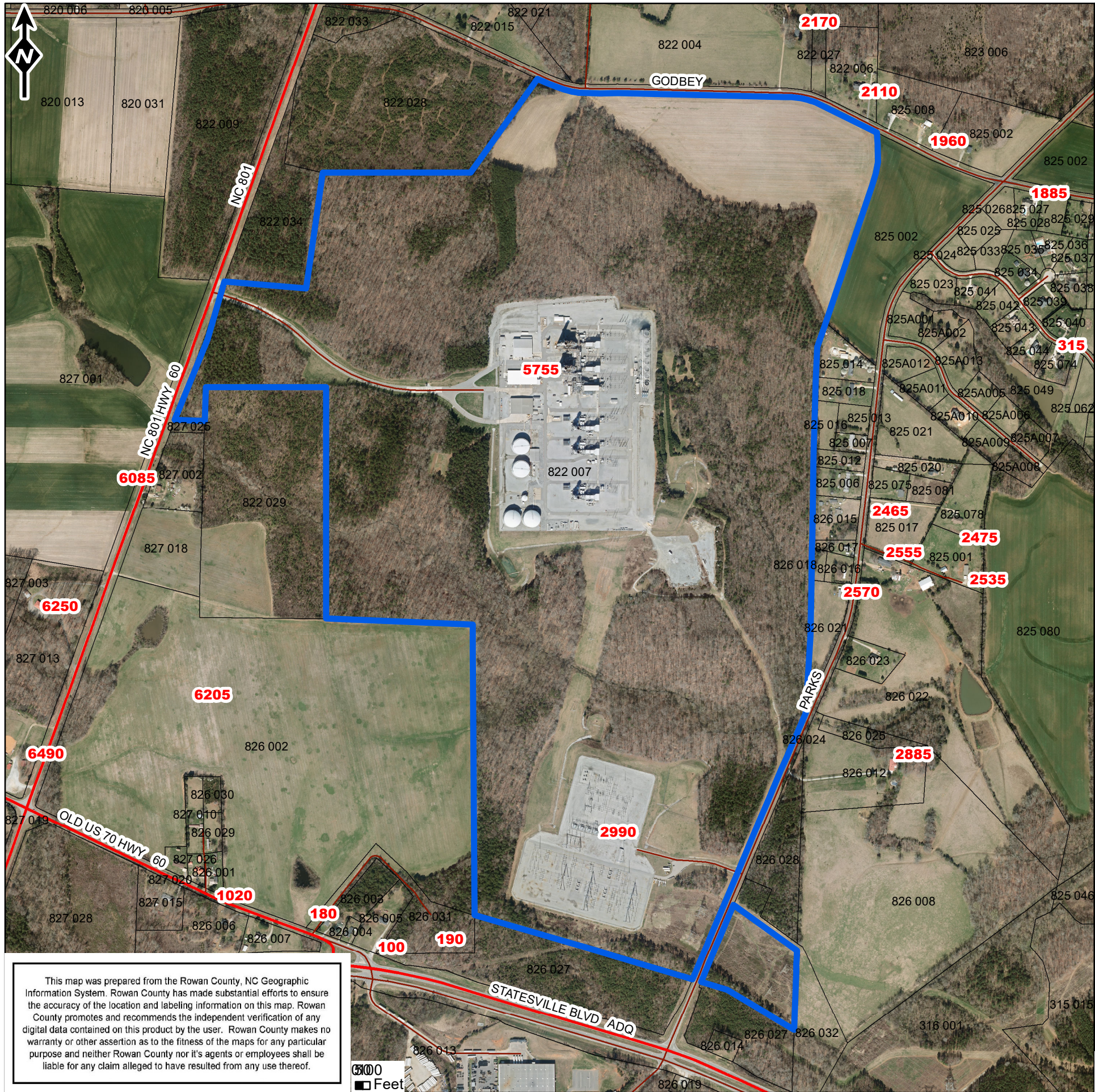
1. The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety;
2. That the development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property, or that the development is a public necessity; and
3. 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.

**See enclosed checklist to guide decision. Planning Staff will provide example findings for consideration at the hearing.**

#### **STAFF COMMENTS**

- The addition of a pole barn is too large of a change of the site for staff to approve administratively. Which is why an amendment to the conditional use permit must be approved prior to issuing of a zoning permit.





This map was prepared from the Rowan County, NC Geographic Information System. Rowan County has made substantial efforts to ensure the accuracy of the location and labeling information on this map. Rowan County promotes and recommends the independent verification of any digital data contained on this product by the user. Rowan County makes no warranty or other assertion as to the fitness of the maps for any particular purpose and neither Rowan County nor its agents or employees shall be liable for any claim alleged to have resulted from any use thereof.

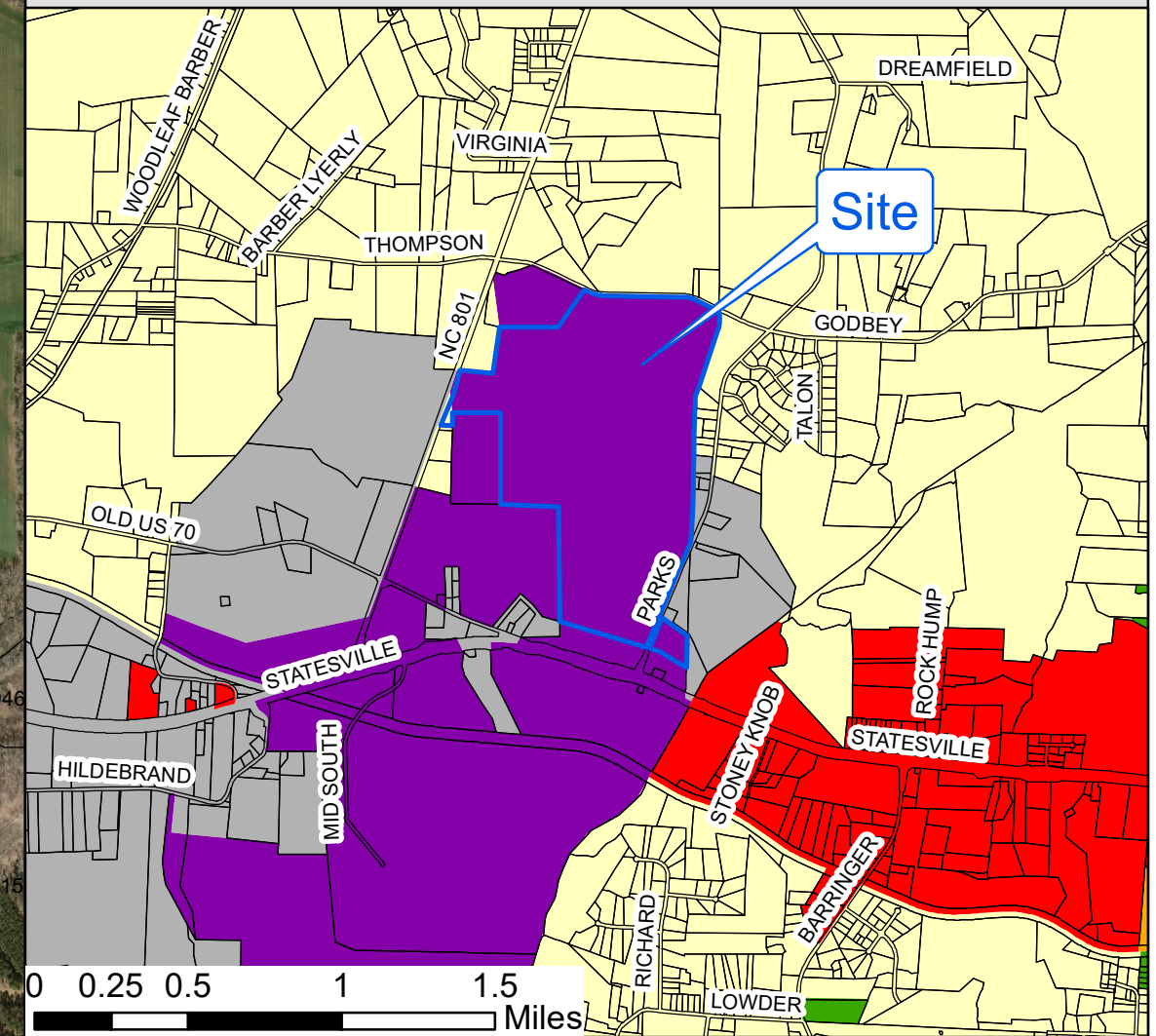
0 500 Feet

## CUP 14-99 Site Map

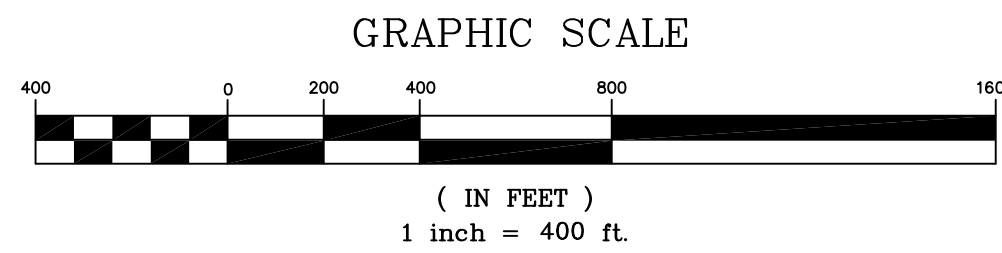


### Legend

- |  |     |  |               |
|--|-----|--|---------------|
|  | RA  |  | MHP           |
|  | RR  |  | Salisbury ETJ |
|  | RS  |  | Site          |
|  | CBI |  | Parcels       |
|  | IND |  |               |







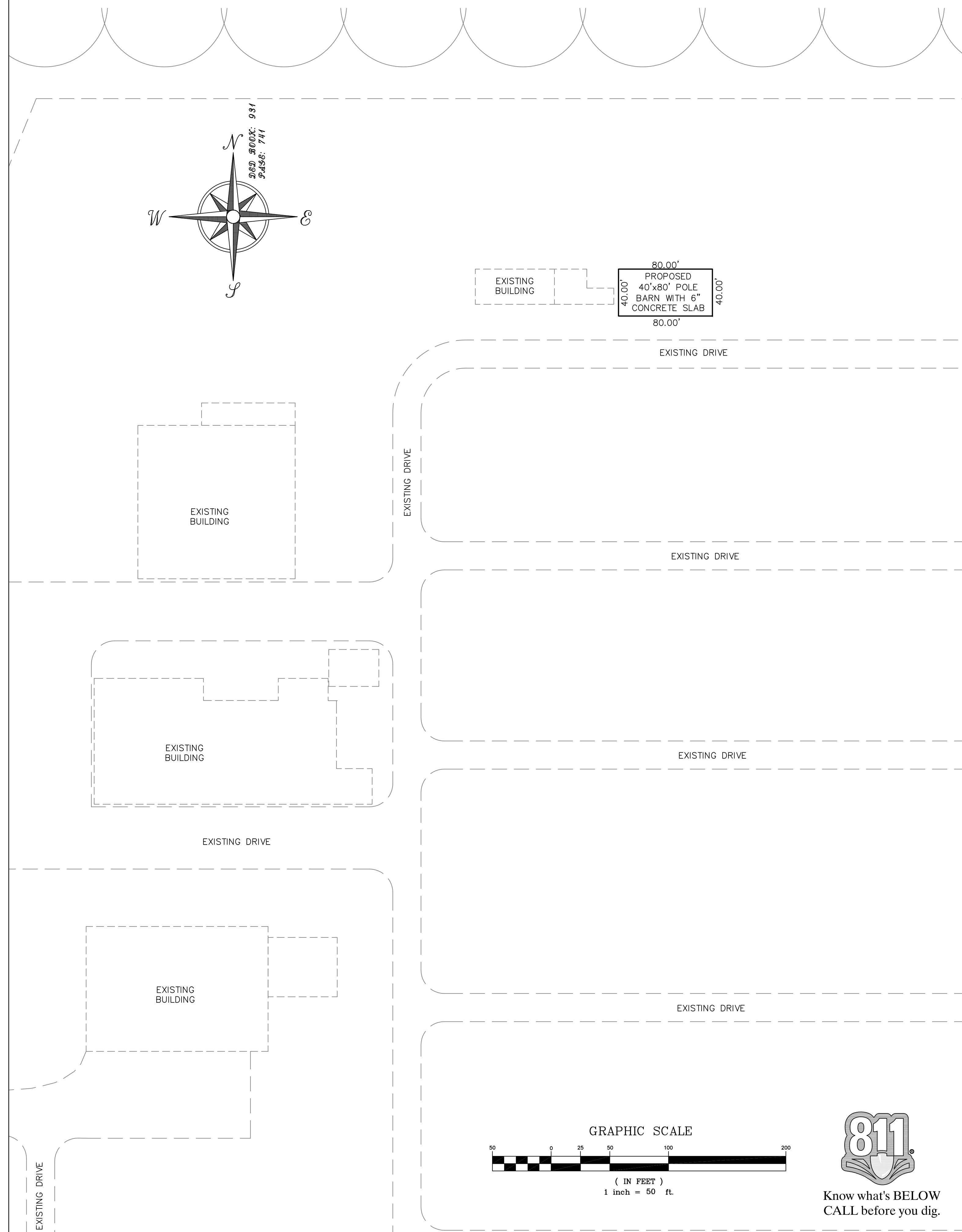
1. THIS SITE PLAN IS NOT PREPARED FOR RECORDDATION.
2. TOTAL AVAILABLE ACRES = 399.10 ACRES PER DEED.
3. CONSTRUCTION AREA = 0.07 ACRES
4. TAX MAP: 822, PAGE: 007
5. DEED BOOK: 931, PAGE: 741.
6. ROWAN COUNTY ZONING: IND.
7. BOUNDARY INFORMATION TAKEN FROM DEED 931, PAGE 741.
8. TOWNSHIP -- STEELE--11
9. FIRM PANEL: 3710572200 EFFECTIVE DATE: 16 JUNE 2009.
10. WATER SUPPLY WATERSHED WSWV YADKIN RIVER.
11. SETBACKS -- 200' FROM ANY ZONE LOT LINE.

NOW OR FORMERLY  
DUKE ENERGY CORPORATION  
D.B. 983 PG. 512  
TAX MAP 826, PARCEL 002  
ZONING - IND

NOW OR FORMER  
KIMES WILLIAM &  
KIMES JANIVIA  
D.B. 1324 PG. 5  
TAX MAP 826, PARC

NOW OR FORMERLY  
 POWLAS A L MR &  
 POWLAS A L MRS HEIRS  
 % JAMES N CAUBLE  
 D.B. 1310 PG. 603  
 TAX MAP 826, PARCEL  
 ZONING - IND

NOW OR FORMERLY  
POWLAS A L MR &  
POWLAS A L MRS HEIRS  
% JAMES N CAUBLE  
D.B. 1310 PG. 603  
TAX MAP 826, PARCEL 027  
ZONING - IND



80.00'

EXISTING BUILDING

40.00'

PROPOSED 40'x80' POLE BARN WITH 6" CONCRETE SLAB

40.00'

80.00'

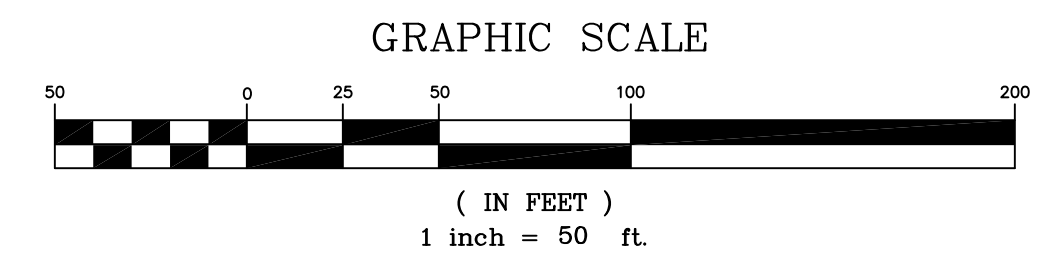
EXISTING DRIVE

EXISTING DRIVE

EXISTING DRIVE

EXISTING DRIVE

EXISTING DRIVE



Know what's BELOW  
CALL before you dig.

[illegible]

**PROPOSED CONDITIONAL  
USE SITE PLAN FOR  
ROWAN COUNTY POWER LLC  
5755 NC 801 HWY  
WOODLEAF, NC 27054**

|                |
|----------------|
| PROJECT NUMBER |
| FILE NAME      |
| RCPL.dwg       |
| DESIGNED BY    |
| FAB/MDB        |
| DRAWN BY       |
| FAB/MDB        |
| CHECKED BY     |
| FAB/MDB        |
| SCALE          |
| AS SHOWN       |
| DATE           |

C100

## Sec. 21-59. Evaluation criteria.

In addition to meeting special standards for a particular use, the applicant must illustrate that he/she can comply with the following criteria when any conditional use is proposed.

- (1) Adequate transportation access to the site exists; *Yes, there is adequate transportation access to existing site and to Proposed Pole Barn.*
- (2) The use will not significantly detract from the character of the surrounding area; *The Proposed Pole Barn is in the middle of 399.10 Acres per Deed Book 931, Page 741. Existing trees buffer existing and proposed site from other properties and roads.*
- (3) Hazardous safety conditions will not result; *The Proposed Pole Barn is for storage only.*
- (4) The use will not generate significant noise, odor, glare, or dust; *The Proposed Pole Barn is for storage only.*
- (5) Excessive traffic or parking problems will not result; and *No excessive traffic or parking will result from Proposed Pole Barn.*
- (6) The use will not create significant visual impacts for adjoining properties or passersby. *The Proposed Pole Barn is in the middle of 399.10 Acres per Deed Book 931, Page 741. Existing trees buffer existing and proposed site from other properties and roads.*

(e) *Required findings.* All decisions regarding a conditional use permit application shall not be approved or denied unless each of the following findings has been made:

- (1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety;
- (2) 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; and
- (3) 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.



Checklist for Review of Conditional Use Permits

**Overview.** Conditional uses are assumed to be generally compatible with other land uses permitted in the zoning district in which the conditional use is proposed, but due to their unique characteristics or potential impacts on the surrounding areas or the county as a whole, individual consideration of their location, design, configuration and/or operation at the proposed location is required. Specific conditions may be attached to a conditional use permit application in order to ensure conformance with the zoning district, other county ordinances or to address the project's impacts to the surrounding area.

**Applicant:** Rowan County Power LLC  
**Property Owner:** Rowan County Power LLC  
**Tax Parcel:** 822 007                      **Location:** 5755 NC 801 HWY  
**Request:** 3,200 Sq Ft Pole Barn

**Specific Evaluation Criteria.** Has the applicant provided the following specific items necessary for consideration of a Residential Storage Facility? For any item indicated as "NO", compliance with the condition(s) should be required prior to approval or recognized as a reason for denial.

|                                                                                                 | YES                      | NO                       |
|-------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| <i>Setbacks:</i> Improved areas 200 feet from adjoining property lines                          | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Separation:</i> Improved areas 300 feet from residence, church, or school                    | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Dust, odor, glare:</i> Access / storage 20 feet from line; paved / gravel; dust free surface | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Operation:</i> Information sign posted at entrance                                           | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Security restrictions:</i> Gated access.                                                     | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Other special conditions:</i> Proof of permits issued by state.                              | <input type="checkbox"/> | <input type="checkbox"/> |

**General Evaluation Criteria.** Has the applicant demonstrated that their proposal can comply with the following general conditional use evaluation criteria? For any item indicated as "NO", condition(s) may be added to bring the proposal into compliance.

|                                                                                           | YES                      | NO                       |
|-------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| Adequate transportation access to the site exists.                                        | <input type="checkbox"/> | <input type="checkbox"/> |
| The use will not significantly detract from the character of the surrounding area.        | <input type="checkbox"/> | <input type="checkbox"/> |
| Hazardous safety conditions will not result.                                              | <input type="checkbox"/> | <input type="checkbox"/> |
| The use will not generate significant noise, odor, glare, or dust.                        | <input type="checkbox"/> | <input type="checkbox"/> |
| Excessive traffic of parking problems will not result.                                    | <input type="checkbox"/> | <input type="checkbox"/> |
| The use will not create significant visual impacts for adjoining properties or passersby. | <input type="checkbox"/> | <input type="checkbox"/> |

**Required Findings.** All decisions regarding a conditional use permit application shall not be approved or denied unless each of the following findings has been made. A motion and vote on each finding is necessary. In order for the conditional use permit to be granted, all three (3) findings must be satisfied.

|                                                                                                                                                       | YES                      | NO                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| <b>Motion 1:</b> The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety. | <input type="checkbox"/> | <input type="checkbox"/> |

Supporting Fact(s): \_\_\_\_\_

|                                                                                                                                                                                                                            |                          |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| <b>Motion 2:</b> 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. | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|

Supporting Fact(s): \_\_\_\_\_

|                                                                                                                                                                                                                            |                          |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| <b>Motion 3:</b> That the location and character of the development in accordance with conditions will be in general harmony with the area in which it is located and in general conformity with any adopted county plans. | <input type="checkbox"/> | <input type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|

Supporting Fact(s): \_\_\_\_\_

**Additional Conditions.** Specific conditions attached to the application that ensure conformance with the zoning district, other county ordinances or that address the project's impacts to the surrounding area.

Condition 1: \_\_\_\_\_

Condition 2: \_\_\_\_\_

Additional Conditions: \_\_\_\_\_

**Permit Decision.** A simple majority vote is only needed. Note that vacant seats and disqualified members are not counted in computing majority.

**MOTION TO:** GRANT ☐ DENY ☐ CONTINUE ☐



Rowan County Department of  
Planning & Development  
402 N. Main Street Ste 204  
Salisbury, NC 28144  
Phone (704) 216-8588  
Fax (704) 638-3130  
[www.rowancountync.gov](http://www.rowancountync.gov)

Case # CUP  
Date Filed \_\_\_\_\_  
Received By \_\_\_\_\_  
Amount Paid \_\_\_\_\_

**Office Use Only**

===== **CONDITIONAL USE PERMIT APPLICATION** =====

OWNERSHIP INFORMATION:

Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

APPLICANT / AGENT INFORMATION:

Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

PROPERTY DETAILS:

Tax Parcel: \_\_\_\_\_ Zoning District: \_\_\_\_\_  
Date Acquired: \_\_\_\_\_ Deed Reference: Book \_\_\_\_\_ Page \_\_\_\_\_  
Property Location: \_\_\_\_\_  
Size (sq. ft. or acres): \_\_\_\_\_ Street Frontage: \_\_\_\_\_  
Current Land Use: \_\_\_\_\_

Surrounding Land Use: North \_\_\_\_\_  
South \_\_\_\_\_  
East \_\_\_\_\_  
West \_\_\_\_\_

**PURPOSE & SECTION:**

State purpose of conditional use permit:

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Cite section(s) of Zoning Ordinance which permit is being requested:

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**ATTACHED DOCUMENTS:**

Applicant must attach a response to the evaluation criteria from Section 21-59 and an accompanying site plan based on information required in Section 21-52 and 21-60.

Attached: Yes      No

Applicant shall, at the time the application is made, present all the necessary evidence (maps, drawings, statements, certifications, etc.) showing how the requirements of the applicable sections of the Zoning Ordinance will be met.

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**OFFICIAL USE ONLY**

1. Signature of Coordinator: \_\_\_\_\_ 2. Board of Commissioners  
Public Hearing: \_\_\_\_/\_\_\_\_/\_\_\_\_ 3. Notifications Mailed: \_\_\_\_/\_\_\_\_/\_\_\_\_ 4. Property Posted:  
\_\_\_\_/\_\_\_\_/\_\_\_\_ 5. BOC Action: Approved \_\_\_\_\_ Denied \_\_\_\_\_ 6. Date Applicant Notified:  
\_\_\_\_/\_\_\_\_/\_\_\_\_

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**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:** May 10, 2021  
**SUBJECT:** Budget Amendments

---

Please see attached budget amendments.

Please approve attached budget amendments.

**ATTACHMENTS:**

**Description**

Budget Amendments

**Upload Date**

5/10/2021

**Type**

Budget Amendment



## DEPARTMENTAL REQUEST FOR BUDGET ACTION

To budget for the Emergency Management FY21 Tier II Grant for Disaster Preparedness, accepted by the BOC on 04/19/21.

**BUDGET INFORMATION:**

| ACCOUNT TITLE                   |   | ACCOUNT #            | INCREASE            | DECREASE |
|---------------------------------|---|----------------------|---------------------|----------|
| 2021 Tier II Grant Revenue      | R | 1144330-434000-43346 | 1,000               |          |
| 2021 Tier II Grant Expenditures | E | 1154330-585074-43346 | 1,000               |          |
|                                 |   |                      |                     |          |
|                                 |   |                      |                     |          |
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|                                 |   |                      |                     |          |
|                                 |   |                      |                     |          |
| DEPARTMENT HEAD                 |   | COUNTY MANAGER       | ACCOUNTING USE ONLY |          |
| Approved: _____ ✓               |   | Approved: _____      | Budget Revision #   | 11-012   |
| Disapproved: _____              |   | Disapproved: _____   | Date Posted:        | _____    |
| Amended: _____                  |   | Amended: _____       | Group Number:       | _____    |
| Date: 5/3/21                    |   | Date: _____          | Posted by:          | _____    |
| Signature: J Howard             |   | Signature: _____     | Approved by:        | _____    |



North Carolina Department of Public Safety

Emergency Management

Roy Cooper, Governor  
Erik A. Hooks, Secretary

Michael A. Sprayberry, Executive Director

**NC Tier II Grant  
Fiscal Year 2021**

Grant#: T2-2021

**SUBAWARD NOTIFICATION**

TJ Brown  
Rowan County  
2727 Old Concord Rd.  
Salisbury, NC 28146-6319

**Period of Performance:** January 1, 2021 to February 28, 2022  
**Project Title:** FY21 Tier II Noncompetitive  
**Total Amount of Award:** \$1,000.00  
**MOA #:** 2170059

North Carolina Emergency Management (NCEM) is pleased to inform you that the federal Fiscal Year (FY) 2021 NC Tier II Grant has been approved for funding. In accordance with the provisions of FY 2021 NC Tier II Noncompetitive award, NCEM hereby awards to the foregoing subrecipient a grant in the amount shown above.

**Payment of funds:** The grant shall be effective upon final approval by NCEM of the grant budget and program narrative and the execution of the forthcoming Memorandum of Agreement. Grant funds will be disbursed (according to the approved project budget) upon receipt of evidence that funds have been invoiced and products received and/or that funds have been expended (i.e., invoices, contracts, itemized expenses, etc.).

**Conditions:** The subrecipient shall understand and agree that funds will only be expended for those projects outlined in the funding amounts as individually listed above. Subrecipient shall also certify the understanding and agreement to comply with the general and fiscal terms and conditions of the grant including special conditions; to comply with provisions of the 2 CFR 200 and all applicable laws governing these funds and all other federal, state and local laws; that all information is correct; that there has been appropriate coordination with affected agencies; that subrecipient is duly authorized to commit the applicant to these requirements; that costs incurred prior to grant application approval will result in the expenses being absorbed by the subrecipient; and that all agencies involved with this project understand that federal funds are limited to the period of performance. Subrecipient must read and sign forthcoming Memorandum of Agreement for acceptance of the award.

**For projects involving construction or the installation of equipment:**

Prior to funds being expended from this award the subrecipient must complete and submit an Environmental Planning and Historical Preservation form to NCEM for approval. On receipt of the approval letter from NCEM the subrecipient may begin to expend grant funds.

**Supplanting:** The subrecipients confirm that sub-grant funds will not be used to supplant or replace local or state funds or other resources that would otherwise have been available for homeland security activities. In compliance with that mandate, the subrecipient will certify that the receipt of federal funds through NCEM shall in no way supplant or replace state or local funds or other resources that would have been made available for homeland security activities.

**GRANT AWARD NOTICE: THIS AWARD IS SUBJECT TO THE GRANT SPECIAL CONDITIONS AND FINAL APPROVAL BY THE DEPARTMENT OF PUBLIC SAFETY, NORTH CAROLINA EMERGENCY MANAGEMENT GRANT PROGRAM BUDGET AND NARRATIVE**



**MAILING ADDRESS**  
4236 Mail Service Center  
Raleigh NC 27699-4236  
[www.readync.org](http://www.readync.org)  
[www.ncdps.gov](http://www.ncdps.gov)

**OFFICE LOCATION**  
1636 Gold Star Drive  
Raleigh, NC 27607-3371  
Telephone: (919) 825-2500  
Fax: (919) 825-2685



# North Carolina Department of Public Safety

## Emergency Management

Roy Cooper, Governor  
Erik A. Hooks, Secretary

Michael A. Sprayberry, Executive Director

### NC Tier II Noncompetitive Grant Fiscal Year 2021

### Memorandum of Agreement (MOA)

between

**Grantor:**

State of North Carolina  
Department of Public Safety  
Emergency Management

**MOA #:** 2170059

**DPS fund code:**

**Recipient:**

Rowan County  
Tax ID/EIN #: 566000336-A  
Duns #: 074494014

**Award amount:** \$1,000.00

**Period of performance:** January 1, 2021 to February 28, 2022

**1. Purpose**

This grant award supports the hazardous material preparedness activities of Local Emergency Planning Committees (LEPCs) as defined in the Emergency Planning and Community Right-to-Know Act (EPCRA). These funds are to be used by your county's or region's LEPC for hazardous materials emergency response planning, training, and related exercises. See Attachment 1: Allowable Expenditures.

**2. Authority**

In accordance with the provisions of N.C.G.S. §166A-29.1, North Carolina Emergency Management hereby awards to the foregoing Recipient a grant in the amount shown above.

**3. Compensation**

The Grantor agrees that it will pay the Recipient complete and total compensation for the services to be rendered by the Recipient. Payment to the Recipient for expenditures under this Agreement will be reimbursed after the Recipient's cost report, detailed invoices, and proof of payment are submitted and approved for eligible expenses. These documents must be submitted no later than March 31, 2022. The original signed copy of this MOA must be signed by the Official(s) authorized to sign below and returned to North Carolina Emergency Management no later than 45 days after the award date. The grant shall be effective upon return of the executed Memorandum of Agreement and final approval by North Carolina Emergency Management.

**4. Conditions**

The funds awarded under this grant must only be used by your county's or region's LEPC for the purposes of hazardous materials emergency response planning, training and exercises, as mandated in N.C.G.S. § 166A-29.1. Furthermore, the use of these funds must meet one or more of the follow criteria:

- A. Support costs incurred facilitating LEPC meetings (e.g. printing, general office supplies, food and non-alcoholic beverages)
- B. Support regional LEPC meetings and collaboration
- C. Enhance LEPC outreach efforts or produce promotional materials
- D. Host or support local and regional LEPC conferences



- E. Create or update hazardous material emergency response plans
- F. Support local or regional hazardous materials response exercises
- G. Support purchases of equipment necessary to support the LEPC and its mission

**Purchases of equipment must be pre-approved in writing by the NCEM Hazardous Materials Group**

- H. Under no circumstances are the following items eligible for funding under this grant:
  - Salaries or benefits for any employee
  - Drone aircraft or unmanned aerial vehicles
  - Support for programs not focused on hazardous materials preparedness
- 5. **Regulation**

The funds awarded under this grant must be used in compliance with all applicable state and federal laws to include compliance with N.C.G.S. §§ 143C-6-22, 143C-6-23 and 09 NCAC 03M. By accepting this payment, the Recipient agrees to use these funds in a manner consistent with state and federal laws and regulations.
- 6. **Taxes**

Recipient shall be responsible for all taxes.
- 7. **Warranty**

As an independent recipient, the Recipient will hold the Grantor harmless for any liability and personal injury that may occur from or in connection with the performance of this Agreement to the extent permitted by the North Carolina Tort Claims Act. Nothing in this Agreement, express or implied, is intended to confer on any other person any rights or remedies in or by reason of this Agreement. This Agreement does not give any person or entity other than the parties hereto any legal or equitable claim, right or remedy. This Agreement is intended for the sole and exclusive benefit of the parties hereto. This Agreement is not made for the benefit of any third person or persons. No third party may enforce any part of this Agreement or shall have any rights hereunder. This Agreement does not create, and shall not be construed as creating, any rights enforceable by any person not a party to this Agreement. Nothing herein shall be construed as a waiver of the sovereign immunity of the State of North Carolina. Nothing in this Agreement is intended to conflict with current laws or regulations of the State of North Carolina, Department of Public Safety, North Carolina Emergency Management, or the Recipient. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.
- 8. **Points of contact**

To provide consistent and effective communication between the Grantor and Recipient, each party shall appoint a Principal Representative(s) to serve as its central point of contact responsible for coordinating and implementing this MOA. The Department of Public Safety, North Carolina Emergency Management contact shall be Assistant State Hazardous Materials Manager, Grants Management Branch staff, and NCEM Field Branch staff. The Recipient's point of contact shall be the person designated by the Recipient.
- 9. **Public record access**

This agreement may be subject to the North Carolina Public Records Act, Chapter 132 of the North Carolina General Statutes.
- 10. **Situs**

This Agreement shall be governed by the laws of North Carolina and any claim for breach or enforcement shall be filed in State Court in Wake County, North Carolina.
- 11. **Antitrust laws**

This Agreement is entered into in compliance with all State and Federal antitrust laws.
- 12. **Other provisions/severability**

Nothing in this Agreement is intended to conflict with current laws or regulations of the State of North Carolina, Department of Public Safety, North Carolina Emergency Management, or the Recipient. If a term



of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

**13. Compliance**

Recipient shall be wholly responsible for the purchases to be made under this MOA and for the supervision of its employees and assistants. Recipient shall be responsible for compliance with all laws, ordinances, codes, rules, regulations, licensing requirements and other regulatory matters that are applicable to the conduct of its business and purchase requirements performed under this MOA.

**14. Entire agreement**

This agreement and any annexes, exhibits and amendments annexed hereto and any documents incorporated specifically by reference represent the entire agreement between the parties and supersede all prior oral and written statements or agreements.

**15. Modification**

This agreement may be amended only by written amendments duly executed by the Grantor and the Recipient.

**16. Termination**

The terms of this agreement, as modified with the consent of all parties, will remain in effect until February 28, 2022. Either party upon thirty (30) days advance written notice to the other party may terminate this agreement. Upon approval by NCEM Hazardous Materials Group and the issuance of the Grant Adjustment Notice, if this MOA is extended, the termination date for the extension will be the date listed in the applicable Grant Adjustment Notice. Failure to provide applicable cost reports, proof of payment and/or a deobligation request letter by March 31, 2022 will result in an automatic deobligation of grant funds.

**17. Execution and effective date**

This grant shall become effective upon return of this original Memorandum of Agreement, properly executed on behalf of the Recipient, to North Carolina Emergency Management and will become binding upon execution of all parties to the Agreement. The terms of this Agreement will become effective January 1, 2021. The last signature shall be that of Erik A. Hooks, Secretary for the North Carolina Department of Public Safety.

**18. Certification of eligibility - Under the Iran Divestment Act**

Pursuant to N.C.G.S. § 147-86.59, any person identified as engaging in investment activities in Iran, determined by appearing on the Final Divestment List created by the State Treasurer pursuant to N.C.G.S. § 147-86.58, is ineligible to contract with the State of North Carolina or any political subdivision of the State. The Iran Divestment Act of 2015, N.C.G.S. § 147-86.55 et seq.\* requires that each vendor, prior to contracting with the State certifies, and the undersigned on behalf of the Vendor does hereby certify, to the following:

- A. That the vendor is not identified on the Final Divestment List of entities that the State Treasurer has determined engages in investment activities in Iran
- B. That the vendor shall not utilize on any contract with the State agency any subcontractor that is identified on the Final Divestment List
- C. That the undersigned is authorized by the Vendor to make this Certification

The State Treasurer's Final Divestment List can be found on the State Treasurer's website at the address: <https://www.nctreasurer.com/inside-the-department/OpenGovernment/Pages/Iran-divestment-Act-resources.aspx> and will be updated every 180 days. For questions about the Department of State Treasurer's Iran Divestment Policy, direct questions to (919) 814-3852.

IN WITNESS WHEREOF, the parties have each executed this Agreement and the parties agree that this Agreement will be effective as of January 1, 2021.

N.C. DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF EMERGENCY MANAGEMENT  
1636 GOLD STAR DR  
RALEIGH, NC 27607

Michael A. Sprayberry  
MICHAEL A. SPRAYBERRY, EXECUTIVE  
DIRECTOR & DEPUTY HOMELAND  
SECURITY ADVISOR  
NC EMERGENCY MANAGEMENT/  
NC OFFICE OF RECOVERY & RESILIENCY

APPROVED AS TO PROCEDURES

William Polk  
WILLIAM POLK, DEPUTY GENERAL  
COUNSEL REVIEWED FOR THE  
DEPARTMENT OF PUBLIC SAFETY, BY  
WILLIAM POLK, DPS DEPUTY GENERAL  
COUNSEL, TO FULFILL THE PURPOSES OF  
THE NORTH CAROLINA TIER II GRANT  
PROGRAM

TARA WILLIAMS-BROWN,  
CONTROLLER  
DEPARTMENT OF PUBLIC SAFETY

ERIK A. HOOKS, SECRETARY  
DEPARTMENT OF PUBLIC SAFETY

ROWAN COUNTY  
2727 OLD CONCORD RD.  
SALISBURY, NC 28146-6319

THIS MOA WAS PREVIOUSLY APPROVED AS TO FORM BY THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY FOR THE 2021 TIER II GRANT PROGRAM ONLY AND IS SUBJECT TO EXECUTION BY ERIK A. HOOKS, SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY. THIS MOU/MOA SHOULD NOT BE USED FOR OTHER MOUs/MOAs EXCEPT FOR THE TIER II GRANT.

DocuSign Envelope ID: 72DC26B9-9854-4BF2-8015-686F60AAA38D

## **Attachment 1**





# North Carolina Department of Public Safety

## Emergency Management

Roy Cooper, Governor  
Erik A. Hooks, Secretary

Michael A. Sprayberry, Executive Director

### FY2021 Tier II Grants: Allowable Expenditures

Tier II grants that are awarded may provide Local Emergency Planning Committees (LEPCs) the funding options to expand the scope of their hazardous materials emergency preparedness programs. Expansion through response planning, training and related exercises are allowed, and may include fixed facility planning. LEPC(s) that applied for competitive and/or noncompetitive Tier II grants and that were selected/approved for an award were each awarded grant funds from the hazardous materials facility fees collected during the Tier II reporting period. The grant funds are to be used for hazardous materials emergency response planning, training and related exercises, with some conditions and limitations.

The funds awarded under this grant are only allowed for use by your county LEPC or regional LEPC and must fall under one or more of the following categories:

- Supporting costs incurred facilitating LEPC meetings (e.g. printing, general office supplies, food and non-alcoholic beverages)
- Supporting regional LEPC meetings and collaboration
- Enhancing LEPC outreach efforts or produce promotional materials
- Hosting or supporting local and regional LEPC conferences
- Creating or updating hazardous material emergency response plans
- Supporting local or regional hazardous materials response exercises
- Supporting purchases of equipment necessary to support the LEPC
- Supporting hazardous material risk assessments currently being conducted by North Carolina Emergency Management
- Subscription- HazMat related website, (e.g. MSDS online, Chemtrac) for approved list of eligible subscriptions contact NCEM Hazmat prior to purchase of subscription at [hazmat@ncdps.gov](mailto:hazmat@ncdps.gov)

#### **All equipment purchases must have prior written approval.**

Allowable expenditures are in accordance with the provisions of N.C.G.S. §166A-29.1.

Tier II grants may not be used for salaries or benefits for any employee, drone aircraft or unmanned aerial vehicles, items intended as gifts, or support for programs not focused on hazardous materials preparedness.

LEPCs have until December 31, 2021 to spend these funds. All requests for reimbursement must include a cost report, invoices, proof of payment, and an AAR and/or revised plans if applicable to their approved project. Reimbursement requests must be submitted to NCEM Grants Branch no later than February 28, 2022. For questions regarding the grant contact: NCEM Grants Branch at [NCEMgrants1@ncdps.gov](mailto:NCEMgrants1@ncdps.gov)

**MAILING ADDRESS:**  
4236 Mail Service Center  
Raleigh NC 27699-4236  
[www.ncdps.gov](http://www.ncdps.gov)  
[www.readync.org](http://www.readync.org)



**OFFICE LOCATION:**  
1636 Gold Star Drive  
Raleigh, NC 27607-3371  
Telephone: (919) 825-2500  
Fax: (919) 825-2685

*An Equal Opportunity Employer*



## DEPARTMENTAL REQUEST FOR BUDGET ACTION

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[illegible]

## DEPARTMENTAL REQUEST FOR BUDGET ACTION

[illegible]



**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:** May 10, 2021  
**SUBJECT:** Financial Reports

---

Please see attached financial graphs.

**ATTACHMENTS:**

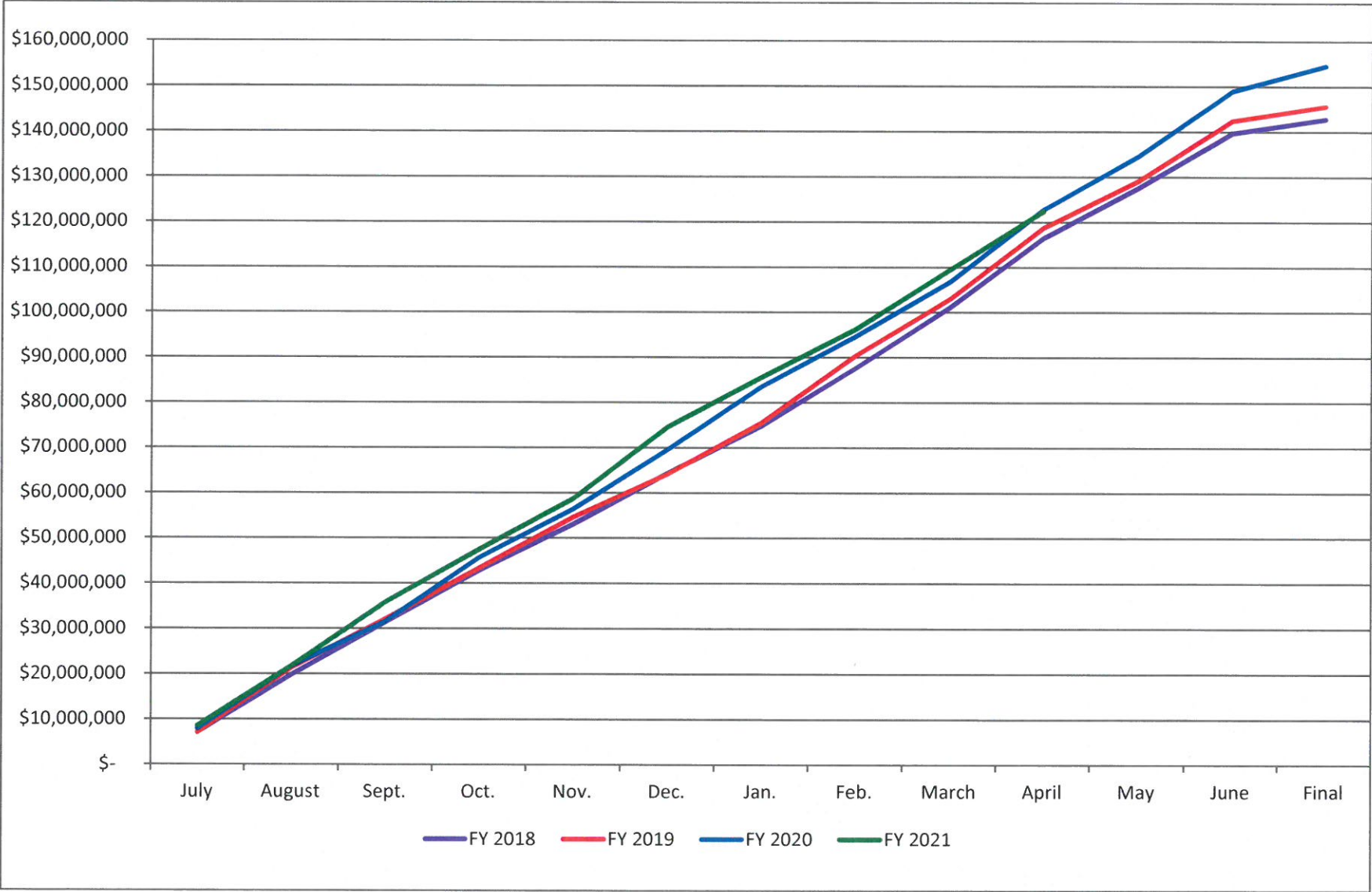
| <b>Description</b> | <b>Upload Date</b> | <b>Type</b>  |
|--------------------|--------------------|--------------|
| Financial Graphs   | 5/10/2021          | Presentation |



ROWAN COUNTY  
GENERAL FUND  
FISCAL YEARS 2018 - 2021

ANNUAL CUMULATIVE EXPENDITURE COMPARISONS

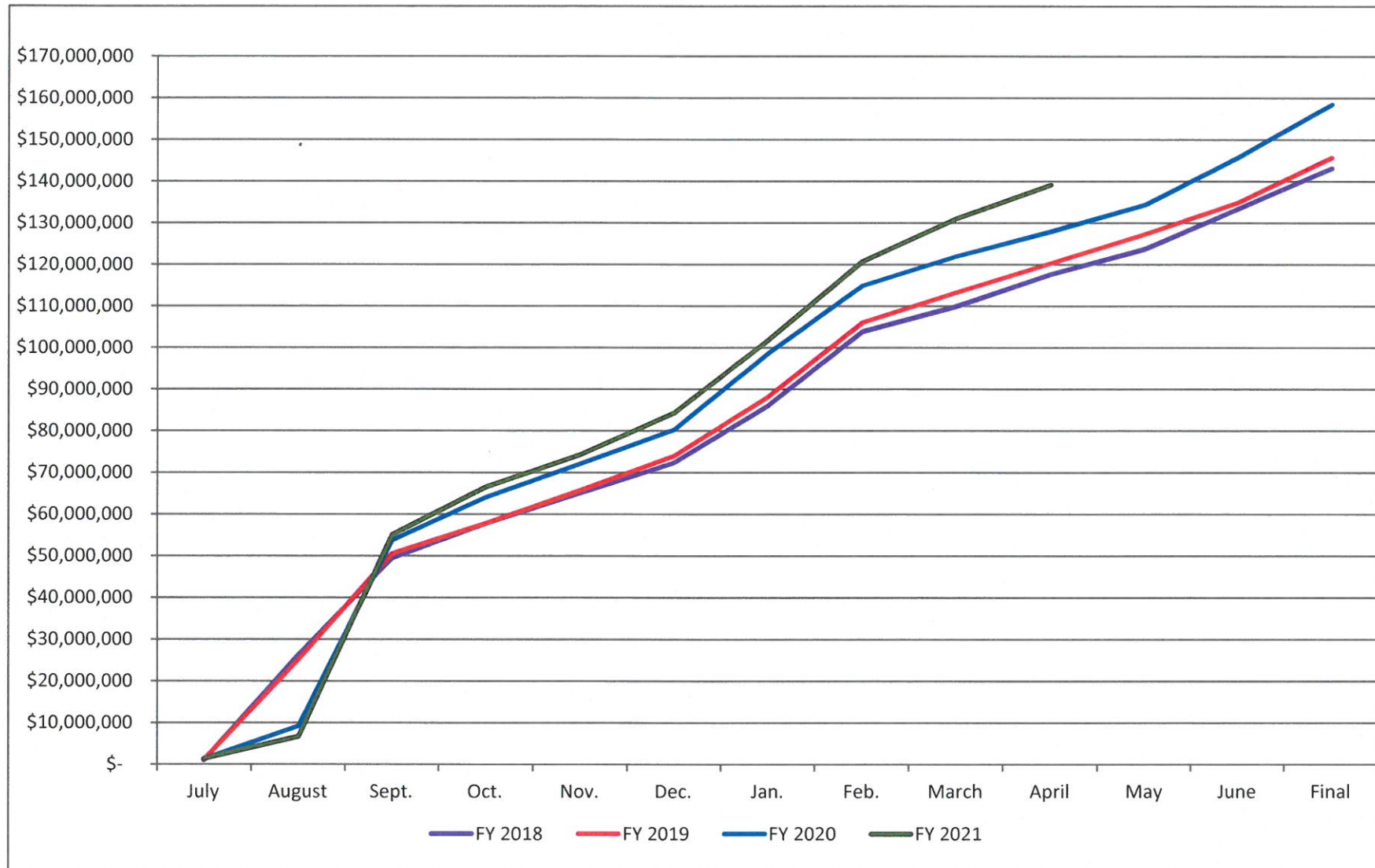
| April |                |
|-------|----------------|
| 2021  | \$ 122,338,852 |
| 2020  | \$ 122,695,118 |
| 2019  | \$ 118,674,184 |
| 2021  | \$ 116,408,090 |



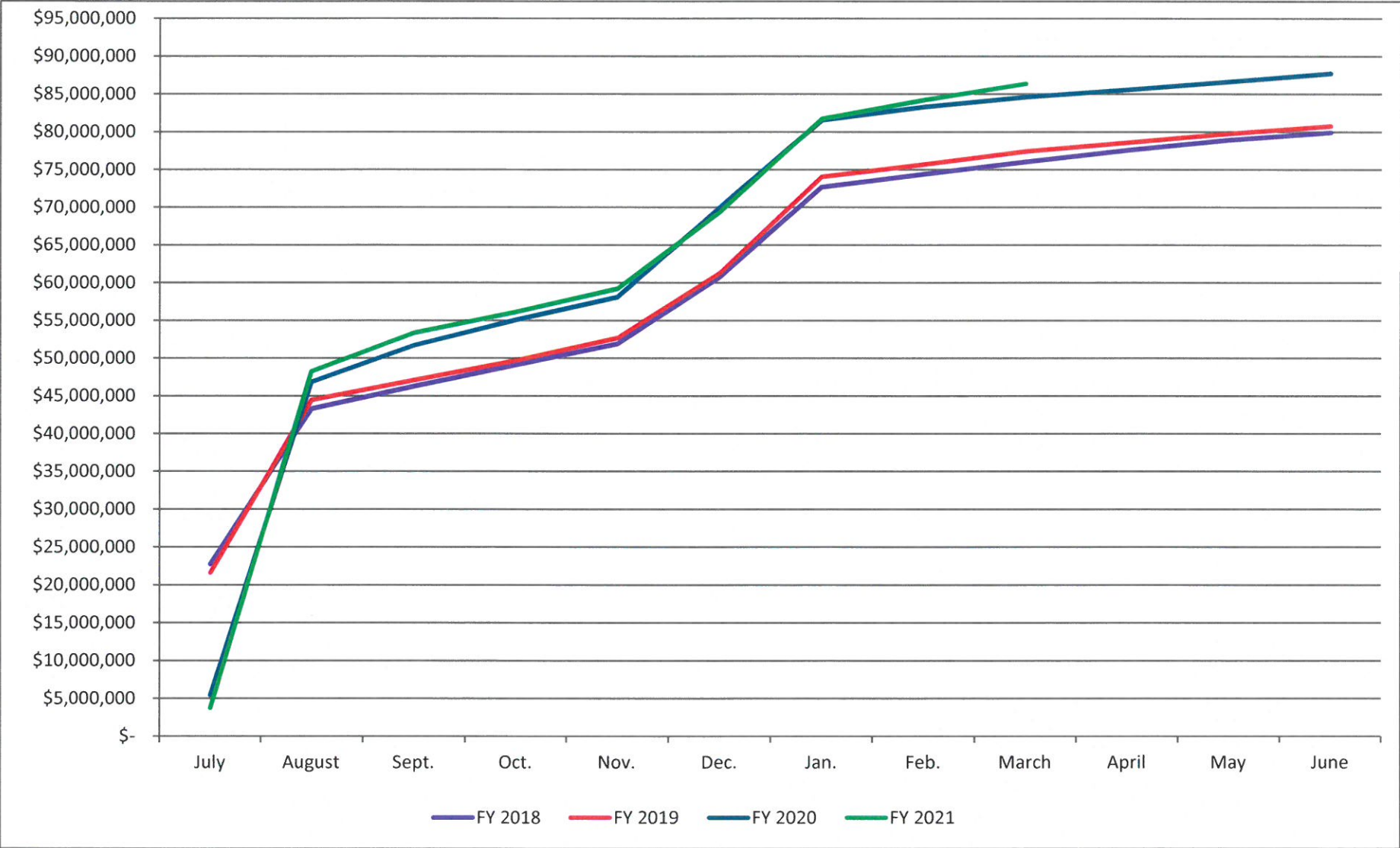
ROWAN COUNTY  
GENERAL FUND  
FISCAL YEARS 2018 - 2021

ANNUAL CUMULATIVE REVENUE COMPARISONS

|      | April          |
|------|----------------|
| 2021 | \$ 139,114,665 |
| 2020 | \$ 127,826,108 |
| 2021 | \$ 120,183,987 |
| 2018 | \$ 117,539,119 |



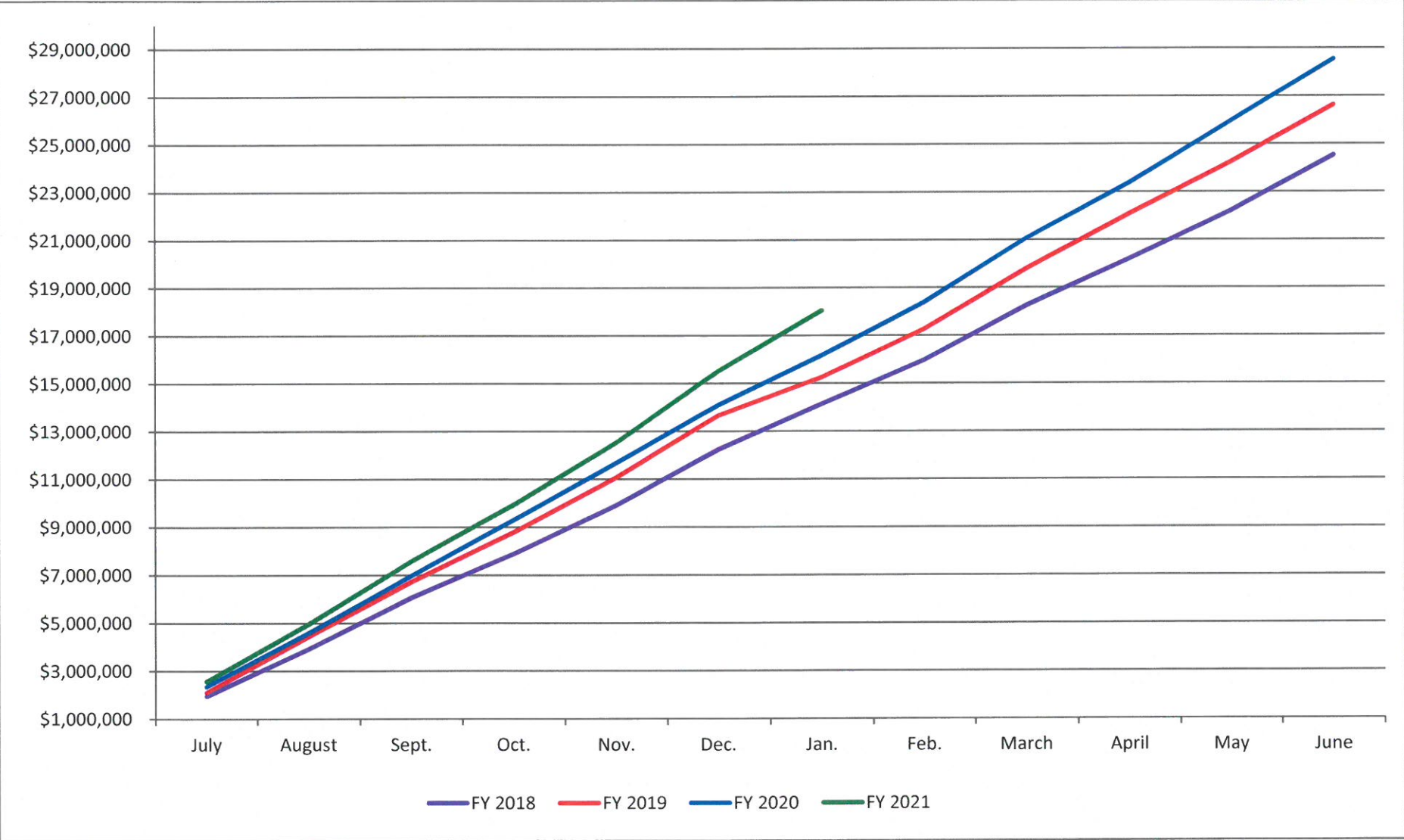
|      | March         |
|------|---------------|
| 2021 | \$ 86,331,943 |
| 2020 | \$ 84,576,418 |
| 2019 | \$ 77,391,798 |
| 2018 | \$ 76,013,688 |



ROWAN COUNTY  
GENERAL FUND  
FISCAL YEARS 2018 - 2021

ANNUAL CUMULATIVE SALES TAX COMPARISONS

|      | January       |
|------|---------------|
| 2021 | \$ 18,035,975 |
| 2020 | \$ 16,158,967 |
| 2019 | \$ 15,231,236 |
| 2018 | \$ 14,124,837 |

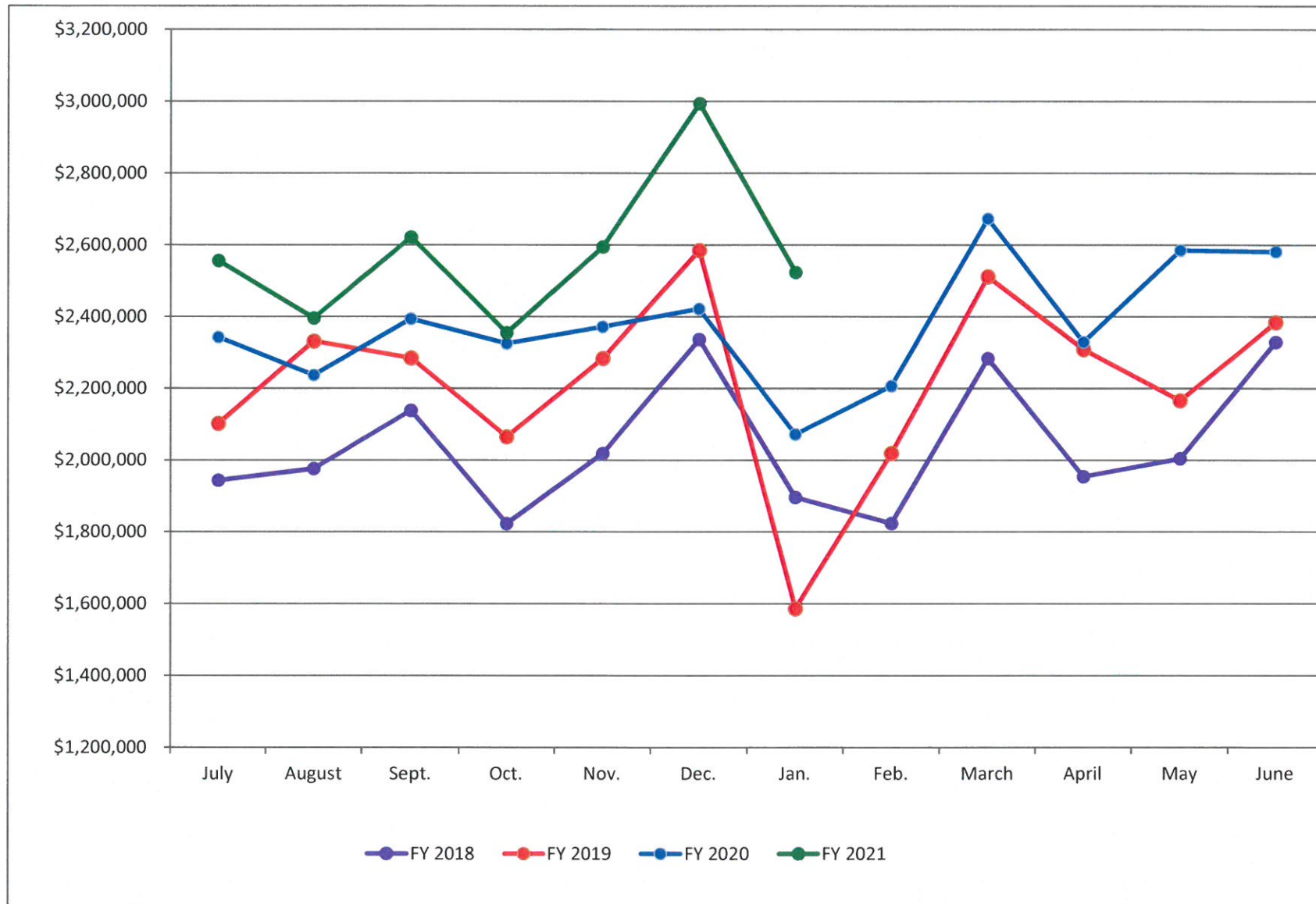




ROWAN COUNTY  
GENERAL FUND  
FISCAL YEARS 2018 - 2021

MONTHLY SALES TAX COMPARISONS

| January |              |
|---------|--------------|
| 2021    | \$ 2,523,217 |
| 2020    | \$ 2,070,944 |
| 2019    | \$ 1,585,721 |
| 2018    | \$ 1,895,597 |



**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:** May 10, 2021  
**SUBJECT:** Consider Approval of Closed Session Minutes

---

The Board is asked to enter into Closed Session in accordance with North Carolina General Statute § 143-318.11(a)(1) to consider approval of the minutes of the Closed Session held on April 19, 2021.

**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:** Randy J. Cress, Assistant County Manager / CIO  
**DATE:** 5/9/2021  
**SUBJECT:** Attorney-Client Privileged Communication

---

The Board is asked to enter into Closed Session in accordance with North Carolina General Statute 143-318.11(a)(3) for attorney-client privileged communication regarding OpenBroadband Contract, and, Opioid Litigation.

**ATTACHMENTS:**

**Description**

**Upload Date**

**Type**

No Attachments Available