

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



Aaron Church, County Manager
Sarah Pack, Clerk to the Board
John W. Dees, II, County Attorney

Rowan County Board of Commissioners

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Telephone 704-216-8181 • Fax 704-216-8195

MINUTES OF THE MEETING OF THE ROWAN COUNTY BOARD OF COMMISSIONERS

October 2, 2023 – 3:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING

PRESENT:

Greg Edds, Chairman
Jim Greene, Vice-Chairman
Craig Pierce, Commissioner
Mike Caskey, Commissioner

ABSENT:

Judy Klusman, Commissioner

Clerk to the Board Sarah Pack, County Attorney Jay Dees, and Finance Director Anna Bumgarner were also present. County Manager Aaron Church was absent.

Call to Order

Chairman Edds called the meeting to order at 3:00 p.m. Michael Taylor, Jr. provided the invocation. Chairman Edds lead the Pledge of Allegiance.

Consider Additions to the Agenda

Chairman Edds requested to add the North Carolina Community College System – Capital Project Approval – North Campus Driver Training Range at Rowan Cabarrus Community College (RCCC) as Consent Item Z.

Consider Deletions From the Agenda

There were no deletions from the agenda.

Consider Approval of the Agenda

On motion of Pierce, seconded by Greene, the Board voted 4-0 to approve the agenda as amended.

Consider Approval of the Consent Agenda

On motion of Pierce, seconded by Greene, the Board voted 4-0 to approve the Consent Agenda as amended, as follows:

- A. Rowan County Opioid Settlement - FY22-23 Annual Impact and Financial Report
- B. Axon - Video/Audio Recording equipment for RCSO interview Rooms
- C. Sole-Source Library Corp - FY24

- D. Approve REI Proposal for Contract Documents & Construction Administration - Rowan County Agricultural Center Roof Replacement
- E. Sole-Source Carolina Recording Systems, LLC - FY24
- F. Sole-Source EMS Technology Solutions LLC - FY24
- G. Consider Approval of the Minutes
- H. Approve Quarterly Lobbying Report
- I. Kannapolis final Satisfaction of Baseball Stadium Debt
- J. Request to accept GRANT AWARD from First United Church of Christ Foundation for DSS's Rowan One Church One Child
- K. Memorandum of Agreement North Carolina A&T State University Cooperative Extension
- L. Memorandum of Agreement North Carolina State University Extension and Rowan County Board of Commissioners
- M. Woodleaf Park - Change Order #2 - Randolph & Son Builders Inc.
- N. Sole-Source FY24 - Patterson Pope
- O. Sole-Source FY24 - Zoho Corporation
- P. Award DNP Tennis Court Reconstruction - Carolina Siteworks, Inc.
- Q. GRANT APPLICATION: Approve Rowan Transit to submit application for FY24 ROAP funding through NC DOT
- R. Change order #3 - County Boy Landscaping - Mid-Carolina Regional Airport Landscaping Improvements
- S. Satisfaction for HOME Rehabilitation Deed of Trust
- T. Budget Amendments, as follows:

Risk Management	To budget for Workers Comp Claim Settlement approved by BOC 9/5/23	\$300,000
Rowan Transit Service	To adjust budget to actual awarded amount for ROAP	\$2,245
Sheriff	To record grant for GrayKey Software & transfer funds to cover County portion	\$10,114
Sheriff	To record Sheriff's office evidence deposit and expense	\$383,248
West End Plaza	Transfer funds in WEP Project fund from CIP to C/A	\$28,608,677

- U. Sole-Source National Cinemedia Agreement - FY24
- V. Public Hearing Request - EDC 'Project Hoist'
- W. Request for Public Hearing - Project Crowe
- X. USDA Counterproposal
- Y. Rowan Wild Nature Center Grant Report
- Z. North Carolina Community College System – Capital Project Approval – North Campus Driver Training Range at RCCC (Agenda Addition)

Special Recognitions

Chairman Edds introduced Fire Marshal Deborah Horne and North Carolina Insurance Commissioner Mike Causey, who recognized citizen Toni Bolt for her outstanding heroism in rescuing a bedbound citizen from a building that was on fire. The Board presented Ms. Bolt with a Proclamation.

On motion of Edds, seconded by Pierce, the Board voted 4-0 to approve a Proclamation Honoring and Recognizing an Act of Heroism by Toni Lynn Bolt, as follows:

***PROCLAMATION HONORING AND RECOGNIZING AN ACT OF
HEROISM BY TONI LYNN BOLT***

WHEREAS, Rowan County recognizes and values heroism and acts of courage by its citizens; and

WHEREAS, in July 2023, Comfort Keepers personal care nurse Toni Lynn Bolt assisted in saving the life of a Rowan County citizen, to whom she was a caregiver, by rescuing the bedbound individual from a building that was on fire; and

WHEREAS, Ms. Bolt reacted immediately and enlisted neighbors to help remove the individual from the burning building, endangering her own life to save that of someone else's; and

WHEREAS, the Rowan County Civitan Club presented Ms. Bolt with the Ernest Curtis Hero Award in recognition for her bravery and selfless act.

NOW, THEREFORE BE IT PROCLAIMED that the Rowan County Board of Commissioners gives sincere thanks to Ms. Bolt and honors her for the incredible act of service she performed. The Board admires Ms. Bolt's outstanding citizenship and considers her a role model for the citizens of Rowan County.

Public Comment Period

Chairman Edds opened the floor for Public Comment and closed it after no one wished to speak.

Public Hearing for Z 06-23 Granite Quarry ETJ Recension

Ed Muire, Planning and Development Director, said as part of the Town's effort to update its Unified Development Ordinance (UDO) and Zoning Map, the town's planning consultant recommended boundary changes to its ETJ that affected more than two hundred fifty (250) parcels. In most cases, the ETJ boundary adjustment eliminated parcel splits in favor of following property lines, roads or identifiable geographic features; this modification is in keeping with NCGS 160D-202(e).

At its June 29, 2023 meeting, the Granite Quarry Board of Alderman delayed repeal of the relinquished ETJ area, "until the earlier of either October 31, 2023 or the adoption of zoning designation by Rowan County Board of Commissioners..."

Planning Staff have evaluated the ETJ area to be rescinded and proposed appropriate county zoning districts for the affected parcels. The County Planning Board conducted a courtesy hearing at its August 28, 2023 meeting and forwards a favorable recommendation to the Commission for the Z 06-23 case.

Prior to the adoption of countywide zoning in 1998, Rowan County municipalities (except Town of Landis) established areas of Extraterritorial Jurisdiction (ETJ) where municipal development ordinances (e.g. zoning, subdivision) were applied to property beyond their corporate limits. North Carolina General Statutes grant authority (NCGS 160D-202 as amended)

for municipalities to establish an ETJ in areas the county does not regulate both zoning and subdivision at distances between one (1) and three (3) miles based on municipal population. After countywide zoning was established, any request to establish or extend an ETJ must be approved by the County Commissioners.

Municipalities may choose to relinquish all or a portion of their ETJ area to the county per NCGS 160D-202(h). In this process, municipal development regulations remain valid until: (1) The county adopts such development regulation (i.e. zone the property) or (2) a period of sixty (60) days has elapsed following action to relinquish, whichever is sooner.

ETJ relinquishment has occurred five (5) times since 1998. As part of Granite Quarry's effort to update its Unified Development Ordinance (UDO) and Zoning Map, the town's planning consultant recommended boundary changes to its ETJ that affected more than two hundred fifty (250) parcels. In most cases, the ETJ boundary adjustment eliminated parcel splits in favor of following property lines, roads or identifiable geographic features; this modification is in keeping with NCGS 160D- 202(e).

Staff divided the to-be-relinquished ETJ area into three (3) areas for study purposes and then into smaller subareas for analysis and developing recommendations. The table associated with each subarea provides parcel and owner information; parcel acreage being "transferred" to Rowan County's zoning jurisdiction; former Granite Quarry (GQ) zoning and proposed Rowan County zoning; and improvements (if any) located in the area of the parcel being transferred.

Area 1 – Between Stokes Ferry Rd and Fish Pond Rd

- Subarea 1 A – East along Stokes Ferry Rd (McCanless Golf Club) to Dunns Mountain Road.

Eighty-one (81) acres of McCanless Golf course, its club house and cart storage are located in this subarea. Two (2) other non-residential properties in the subarea are owned by Duke Energy and Rowan County; the former has no improvements, and the latter has a solid waste and recycling convenience center which is permitted in RA.

Golf courses are a Special Use in the Rural Agricultural (RA) and Rural Residential (RR) districts and a permitted use in the Commercial, Business, Industrial (CBI). Staff recommends applying RA zoning to the to-be-transferred portion of the course, as the Rowan County jurisdiction (approx. 35.43 acres) is zoned RA and rezoning the 81 acres to CBI does not seem prudent given the variety of CBI uses that could be developed without oversight if the golf course no longer operated. Furthermore, the golf course can continue operation in the RA district, with expansions subject to the special use process.

Adjacent GQ zoning to Subarea 1A consist of Agriculture (AG) and Single Family (SFR-2) and SFR-3 zoning. As the name implies, AG is intended for agriculture production, agriculturally based businesses and related activities; uses are limited with an emphasis on agriculture. SFR-2 and SFR-3 zoning promotes completion of existing and development of new residential neighborhoods; housing types are limited to single-family residences and duplexes.

- Subarea 1B – Dunns Mountain Park to Fish Pond Rd

Fifty (50) acres of Rowan County's Dunns Mountain Park will join the remaining 31.88 acres in the County's jurisdiction; the acreage being transferred contains the parking area and bathrooms while the remaining acreage in the County houses the picnic shelter and viewing area from atop Dunns Mtn. County zoning for its portion of Dunns Mtn is RA and GQ zoning adjoining the site is SFR-2 and AG. Public parks are a permitted use in the RA district.

Continuing east and south along the new ETJ boundary between Stokes Ferry Rd and Fish Pond Rd the revised jurisdictional boundary no longer splits parcels, rather it favors use of property lines. In most cases, the County is being transferred zoning jurisdiction of parcels that were previously split by the ETJ. As noted in Table 1B all but one of the properties in this subarea have no identified improvements in the GQ area being transferred, with exception of the Eddleman residence at 5150 Fish Pond Rd.

Area 2 – Fish Pond Rd to US 52 Hwy

- Subarea 2A - Fish Pond Rd to St Lukes Church Rd

This subarea begins near Fish Pond Road's intersection with Brown Acres Rd and travels due south along property lines until joining a stream (Church Creek tributary 1) and then travelling west to tax parcel 628-171; turning southeast along the border of properties located in Braunville Estates and terminating at St Lukes Church Rd. The new ETJ boundary in this subarea utilizes parcel lines and stream locations for delineation. As noted in Table 2A the subarea is largely rural and vacant tracts, but there are two (2) residences in the subarea being transferred. GQ zoning for the area adjoining Subarea 2A is AG and SFR-2 for Braunville Estates; Staff recommends subarea 2A be zoned RA.

- Subarea 2B – St Lukes Church Rd to US 52 Hwy

Most parcels in subarea 2B were previously split by the GQ ETJ, but the new ETJ boundary opts for the eastern edge of tax parcel 628-166 until it reaches Church Creek and then travels west ending at US 52 Hwy. Five (5) existing residences are in the transfer area, but the majority of affected parcels have no identified improvements. GQ zoning adjoining the area is AG and Staff recommends all the affected parcels in this subarea be zoned RA, except for the three (3) parcels lying in the triangle formed by the Sides Road and US 52 Hwy intersection (Tax Map 356A Parcels 035 / 036 / 037) which are recommended for RR.

Area 3 – US 52 Hwy to Faith ETJ

- Subarea 3A – US 52 Hwy to Norfolk Southern rail line

In subarea 3A, the former GQ ETJ encompassed all phases of the Crescent Downs subdivision (Brookshire Dr and Carriage Ln) and most of the parcels in the WHC Lyerly Estate Property subdivision (Eastville and Lyerly Drives); both of these subdivisions lie on the north side of Stone Rd. The new ETJ boundary in subarea 3A continues north of these subdivisions and follows Church Creek after crossing US 52 and uses the southern boundary of tax parcel 356-00901 until terminating at the Norfolk Southern rail line. GQ zoning adjoining the northern boundary of this subarea is AG.

Although County zoning of parcels in the WHC Lyerly Estate Property previously split by the GQ ETJ is RA, Staff recommends the split parcels (Tax Map 356A Parcels 034 / 033 / 030 / 02504 / 0252) and the remainder of the subdivision, including Tax Map 356A Parcels 02505 /

02501 / 026 / 027 / 250 / 028 / 02503 / 031 / 032, be zoned RR; refer to Table 3A1 below. Likewise, parcels located south of Stone Rd (Tax Map 356 Parcels 077 / 078 / 165 / 167 316) that were ETJ splits, are recommended for RR zoning. Staff recommends Cornerstone Child Development Center at 125 Eastville Drive (Tax Map 356A Parcel 016) be zoned INST (Institutional); refer to Table 3A.

Single family residences and three-quarter acre lot sizes in Crescent Downs suggest that Residential Suburban (RS) zoning would be appropriate for this subdivision.

- Subarea 3B – Norfolk Southern rail line to Rainey Rd

Four (4) of the five (5) parcels clustered on the north side of Stone Rd have residential uses and are bounded by Norfolk Southern rail line (East) and Church Creek (West). GQ zoning north of this cluster is AG; Staff recommends these parcels be zoned RA.

Birchwood Subdivision (Birchwood Dr) is a seventeen (17) lot single-family residential subdivision accessed from Pop Basinger Rd. The former GQ ETJ split the seven (7) southern lots in the subdivision resulting in the Birchwood Dr frontage being RL (GQ) and rear portion being RA (RoCo). Lot sizes and housing type suggest RR zoning is appropriate for the entire GQ portion being transferred and changing the RoCo portion from RA to RR for Tax Map 356D Parcels 260 thru 265 and Parcel 11202. RoCo zoning south of the subdivision is MHP and RA. Clearwater Estates Subdivision (Clearbrook Dr) is a fourteen (14) lot subdivision accessed from Rainey Rd by Clearbrook Dr. Based on housing type and lot sizes, Staff recommends this subdivision and TP: 356-172, located within the subdivision, be zoned RR.

Dawnwood Acres Subdivision (Stonefield Dr) is an eleven (11) lot subdivision accessed from Stone Rd by Stonefield Lane. Based on lot sizes, Staff recommends this subdivision be zoned RR.

Parcels within subarea 3B that front Stone Rd and Rainey Rd having similar lot sizes and housing consistent with Dawnwood Acres and Clearwater Estates are recommended for RR zoning with the remainder of parcels in subarea 3B recommended for RA zoning.

- Subarea 3C – Coley Rd and Rainey Rd to Faith ETJ

Woodland Hills Subdivision Sections 1/2/3 is located in the southwest corner of the intersection formed by Kluttz and Rainey Roads. This thirty-six (36) lot residential subdivision has four internal streets (Fieldcrest, Oakridge, Stonewood and Woodland) that are state maintained roads. At least five (5) of the parcels in this subdivision will still share a split jurisdiction with the Town of Faith (R-3) and Rowan County after this transfer between GQ and RoCo. Based on housing type and lot sizes, Staff recommends this subdivision be zoned RR. The five (5) parcels and remnant of another located south of the Woodland Hills subdivision are worthy of RA designation as the larger tracts are undeveloped and the others are residentially developed.

In the northern quadrant formed by Kluttz and Coley Roads, portions of Parcels 034 / 035 / 045 on Tax Map 354 were zoned RH (residential high density) by GQ, but according to their Staff there are no records, history or background information as to why this designation was

applied to these parcels. Water and sewer utilities are over fifteen hundred (1500) feet from the site and would be necessary to achieve density warranting the GQ's high-density zoning. Given no project files or pending development of these properties, Staff recommends RR zoning for parcels 034 and 035 and RA for parcel 045. As Kluttz Rd transitions into Faith's ETJ (from the Coley / Rainey Rd intersection), Staff recommends these properties in subarea 3C be zoned RR. The parcels located west of GQ's new ETJ on Coley Rd exhibit characteristics of RA.

At its August 28, 2023 meeting, the Rowan County Planning Board conducted a Courtesy Hearing for the Z 06-23 case and provides a favorable recommendation and the following statement in support: Statement of Consistency and Reasonableness Z 06-23 is reasonable, appropriate, and necessary to meet the development needs of Rowan County not previously envisioned by the East Rowan Land Use Plan based on the following:

- 1) It allows parcels in the Granite Quarry ETJ currently, to transition into comparable county zoning and have minimal impact to residents and parcel owners.
- 2) The new zoning will now follow property lines.
- 3) It is in line with precedent set forth by this board when other municipalities have relinquished portions of their respective ETJs.

Commissioner Pierce asked if Granite Quarry's ETJ borders Rockwell and Mr. Muire said there might be one small location.

At 3:34 p.m. Chairman Edds opened the Public Hearing and closed it after no one wished to speak.

On motion of Edds, seconded by Pierce, the Board voted 4-0 that Z 06-23 is reasonable, appropriate, and necessary to meet the development needs of Rowan County not previously envisioned by the East Rowan Land Use Plan based on the following:

- 1) It allows parcels in the Granite Quarry ETJ currently, to transition into comparable county zoning and have minimal impact to residents and parcel owners.*
- 2) The new zoning will now follow property lines.*
- 3) It is in line with precedent set forth by this board when other municipalities have relinquished portions of their respective ETJs.*

On motion of Pierce, seconded by Greene, the Board voted 4-0 to approve Z 06-23.

Public Hearing for Changes to the Code of Ordinances (Chapter 18)

Josh Canup, Environmental Compliance Specialist, said the Rowan County Soil Erosion and Sediment Control Program has completed the necessary steps of updating the E&SC ordinance. The last update to the ordinance was completed in 2008. The 2023 version includes language from the recent statutory updates contained in NCGS 160D and revisions to the NCDEQ state model ordinance. The main objective is for the County's ordinance to be reflective of those changes with little modification. The only significant change, beyond updated legal language, is the repeal of Section 18-24(c) Sewershed requirements that imposed special stormwater design standards within the Town Creek Sewershed. The original inclusion of these requirements were a prerequisite to the State permitting the construction of the Town Creek sewer line. Since that time, city/town stormwater design standards of Salisbury and China Grove have expanded to

include most development projects within this corridor. Developments that are not regulated by either of these entities are regulated by Phase II Stormwater regulations. Furthermore, this office reached out to the USACE (partly the original author for this to-be-deleted section) for clarity whether it could be removed from our ordinance. The response was that it would no longer be required by the USACE as a design standard in this district.

The other primary change reflects a more streamlined approach to handling Plan Appeals (Sec. 18-71) and Penalties (Sec. 18-91) by having the assessment and final decision reside with the Board of Adjustment allowing for a more expedited process for the developer and County alike. As a practical matter, the proposed ordinance amendments have been through a preliminary review with NCDEQ and legal review with the SCC (Sediment Control Commission). These agencies recommended approval with the edits that have been made.

Commissioner Pierce asked if this affects, residential, commercial, industrial, or all three. He is concerned that contractors might reach out. Mr. Canup said contractors will probably appreciate that the process will now be simpler. This is mostly commercial or subdivision related.

At 3:44 p.m. Chairman Edds opened the Public Hearing and closed it after no one wished to speak.

On motion of Pierce, seconded by Greene, the Board voted 4-0 to approve the proposed changes to Chapter 18 of the Rowan County Code of Ordinances: Soil Erosion and Sedimentation Control.

Vice-Chairman Greene asked if there is funding for creek cleaning. Attorney Jay Dees said that is handled by Soil and Water and there is funding available.

Public Hearing for Z 07-23 Steven Graham

Ed Muire, Planning and Development Director, said Steven Graham is requesting the rezoning of his approximate 2.12 acre parcel identified as Parcel ID 454-004 located at 775 Barringer Road from Rural Agricultural (RA) to Commercial, Business, Industrial (CBI). According to county records, Graham purchased the subject property on October 23, 2009, which contained one (1) single family dwelling and associated storage buildings, which have recently been removed.

Rural Agricultural (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 agricultural purposes, and instances of non-residential 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 home-based business opportunities and other non-residential uses deemed appropriate through a special use permit process. It is the intent of this district to rely upon development standards to protect residences from potential adverse impacts of allowed non-residential uses. The most intensive land uses would not be allowed in this district.

Commercial, Business, Industrial (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.

This request is not located along a numbered highway – typical for CBI designation but does join a CBI district across the street by a common width of 318 feet. This district, which spans along Statesville Blvd. from North Second Creek on the west to the Salisbury Extra Territorial Jurisdiction (ETJ) at Enon Church Road on the east, generally following the Norfolk Southern Railroad to a varying distance of approximately ½ mile on the north side totaling 1,523 acres. Salisbury-Rowan Utilities (SRU) maintains a 12-inch public water line on the west side of Barringer Road, which extends from Statesville Blvd. to properties along Lowder, Richard, and other roads to the west.

The request is located in Area 2, which encourages medium density residential development. It is located 589 feet south of the Highway Corridor Overlay. Neighborhood Business (NB) district is generally appropriate on major / minor thoroughfares other than NC / US highways. Mr. Stewart described the conditions in the vicinity and the potential impacts on roads.

Property has the option of connecting to public water located on the west side of Barringer Rd. This property is located within a North Carolina Department of Environmental Quality Phase II stormwater area, which require compliance with on-site stormwater detention based on development size. Since this property is located in a WSIV PA, this provision would only apply if one (1) or more acres of land are disturbed. Similarly, the 36% built upon limitation of the watershed standards (assuming no curb and gutter) only apply to a project that exceed one (1) or more acres of disturbed land.

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.”

Staff discussed both the option of a conditional district (voluntary option) and general rezoning with the owner’s representatives. Based on some the required plan commitments of plan detail, the owner elected to submit a general rezoning. While properties on the north side of the railroad track have not experienced non-residential development projects, the area is zoned to allow a wide variety of uses that could be approved administratively. The approximate 13-acre

portion of CBI zoning south of the railroad line is currently comprised of Graham's Piping and part of the RC salvage yard, both of which pre-dated countywide zoning in 1998, would be joined by a common zoning district boundary of 318 feet.

The applicant, Stephen Graham, said his business has run out of room and a building is needed to house materials.

At 3:54 p.m. Chairman Edds opened the Public Hearing and closed it after no one wished to speak.

On motion of Edds, seconded by Pierce, the Board voted 4-0 that Z 07-23 is consistent with the West Rowan Land Use Plan and reasonable / appropriate based on the following: 1) While not adjacent to, it is close to a major thoroughfare, as well as commercial railway. 2) It is directly across from another existing CBI district. 3) It is served by public water. 4) It supports an existing Rowan County business and creates an opportunity for growth in tax base.

On motion of Pierce, seconded by Greene, the Board voted 4-0 to approve Z 07-23.

Public Hearing and Summary Presentation – Beacon Land Purchase Offer

Scott Shelton, Rowan Economic Development Corporation Vice President, said Beacon Partners, a Charlotte-based development firm, has submitted an offer to purchase 19.85 acres of County-owned land within the Summit Corporate Center. The company is offering \$485,000 (\$24,433 per acre) for the 19.85 acres. If acquired, the company's intention is to construct an approximately 80,000 square foot industrial facility on the property. Beacon would then lease the new building to an existing Rowan County employer who plans to expand and create an additional 170 full-time jobs. Beacon plans to invest approximately \$17 million into this new facility, which would be completed by the end of 2024. There will also be an additional \$4 million of investment in new equipment by the tenant of the facility.

Commissioner Pierce asked what happens if the employer does not want to come to the county. Mr. Shelton said the land sale is contingent upon the company expanding into the county.

At 4:01 p.m. Chairman Edds opened the Public Hearing and closed it after no one wished to speak.

On motion of Pierce, seconded by Greene, the Board voted 4-0 to approve the land purchase offer from Beacon Partners.

Update on Broadband Funding Opportunities

Randy Cress, Chief Information Officer and Assistant County Manager, said a Task Force has identified key areas in the northern and southeastern parts of the county. Approximately 60% of \$150,000 has been contributed to the project for quick wireless internet access. There have been equipment delays and other obstacles. Service is continuing to be offered in these areas by Open Broadband based on best-effort availability.

Charter Spectrum is currently completing a build-out with the support of the Rural Digital Opportunities Fund with an anticipated completion date of 2028. This is based on Census Block coverage.

The GREAT Grant has apportioned \$350 million for North Carolina, with \$4.5 million for an expansion project in Rowan County awarded to 758 households and 11 businesses. A three-way contract was signed in September 2023 between NCBIO, Charter, and Rowan County. Rowan County must contribute \$100,000 at project completion, which will be December 2026.

Mr. Cress showed graphs and charts depicted relevant data for Rowan County. There are approximately 4,387 unserved or underserved locations with an estimated build out cost of between \$17.5 million and \$26.3 million.

The Completing Access to Broadband (CAB) program is starting later than anticipated due to ARPA funding. It requires a 35% minimum match of the project cost. There is currently not money set aside for CAP.

New federal funding from the National Telecommunications and Information Administration (NTIA) requires a five-year plan from North Carolina. Current state law limits BEAD funding to be distributed to subgrantees through 50% GREAT Method, 40% CAB Method, and 10% Stop-Gap Solutions.

The GREAT Method provides the lowest cost to value for Rowan County, a 2% to 5% investment. If the NTIA adopts a different approach that the U.S. Department of the Treasury in implementing uniform guidance, North Carolina will face significant challenges in attracting internet service providers to participate, managing local government risk, and navigating the audit process.

The CAB Method is a higher cost to value, currently at 35% investment. The first round has just started. Additionally, state statute requires that counties participating in the CAB program provide a match using ARPA SLFRF funds. This requirement, designed in the context of ARPA, is inconsistent with BEAD requirements, which encourages a match for the subgrantee.

Many new households will be passed with RDOF and GREAT Grant Broadband expansion projects by 2028. There is additional funding available through the BEAD program. Legislative changes may be needed to overcome identified obstacles.

Vice-Chairman Greene clarified the intent of the grant programs.

On motion of Edds, seconded by Greene, the Board voted 4-0 to direct the County Manager to have staff work with the NC Broadband Office to identify areas and eligible projects and potential costs.

Board Appointments

On motion of Pierce, seconded by Greene, the Board voted 4-0 to appoint Cathy Griffin to the At Large seat on the Rowan County Board of Adjustment, to appoint John Webb to the

Dentist seat on the Health Board, to appoint Kevin Joines to the County seat on the Enochville Volunteer Fire Department Fire Commissioners, to appoint Michael Alligood to the County seat on the Miller Ferry Volunteer Fire Department Board of Trustees, and to appoint Tony Waller and Allen Rouzer to the two available County seats on the Union Volunteer Fire Department Fire Commissioners.

***Clerk's note: This Health Board appointment is effective January 1, 2024. The early appointment has been made due to the Health Director's impending leave of absence.*

Adjournment

At 4:21 p.m., on motion of Pierce, seconded by Greene, the Board voted 4-0 to adjourn.

Sarah Pack, NCCCC
Clerk to the Board