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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MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS
January 2, 2024 – 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
Judy Klusman, Commissioner

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

Call to Order

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

Consider Additions to the Agenda

There were no additions to the agenda.

Consider Deletions From the Agenda

Chairman Edds requested the removal of Consent Agenda Item B (Award Crawford Building – CPL) from the agenda.

Chairman Edds requested that Consent Agenda Item L (Surplus Personal Property) be moved to Regular Agenda Item C1.

Chairman Edds requested Consent Agenda Item GG (2023 State Appropriation – Directed Grant) be moved to Regular Agenda Item C2.

On motion of Greene, seconded by Pierce, the Board voted 5-0 to amend the agenda as suggested.

Consider Approval of the Agenda

On motion of Klusman, seconded by Greene, the Board voted 5-0 to approve the agenda as amended.

Consider Approval of the Consent Agenda

On motion of Greene, seconded by Pierce, the Board voted 5-0 to approve the Consent Agenda as amended, as follows:

A. Consider Approval of the Minutes
*B. Award Crawford Building - CPL (**Removed from agenda**)*
C. Approve reimbursement request for Agility Fuels/Project ACDC Building Reuse Grant
D. Budget Amendments, as follows:

Finance	To increase capital lease outlay and rent revenue for GASB 96 entry	98,033
EMS	To increase budget for training purposes	20,000
Grants	To budget FY23 Rev. Replace Proj. for TDA Wayfinding Signage in FY24	500,000
Airport	To transfer SCIF revenue from fund balance to deferred revenue	3,029,484
DSS	To revise budget based on actual Funding Authorizations from the State	142,812
DSS	To revise budget based on actual Funding Authorizations from the State	213,336
Health	To budget awarded Teen Pregnancy Prevention Programs and Services (TPPPS) Grant	35,000
Elections	Transfer funds to cover job reclasses per Senate bill 747	12,051
DSS	To budget donations received	446,464

E. Donation of Surplus Personal Property to Town of Spencer
F. Sale of Ground Lease Hangar T7
G. Ratify Proclamation Recognizing and Honoring Craig Lamb
H. Demolition Authorization - Old Salisbury Mall Cinema - WEP Project
I. REFUNDS FOR APPROVAL
J. Set Annual Planning Work Session for February 5th
K. Veteran Suicide Awareness Walk - Dan Nicholas Park
*L. Surplus Personal Property (**Moved to Regular Agenda**)*
M. Approve Interlocal Agreement with TDA - Wayfinding Signage Project
N. Amendment #3 - Federal Engineering
O. Schedule a public hearing for road naming at the January 16, 2024 meeting.
P. Contract 24358 - ADW Architects - Health Department Phase WEP - Capital Project
Q. Change Order #9 - Wharton Smith - WEP
R. WEP Ag Center Building Project - ADW Architects - Furniture Design Services
S. Additional Duties Pay for Appointed Animal Cruelty Investigators
T. Reclassification of Corporal to Budget Analyst
U. Request to approve state funds allocation (directed grant) SL 2023-134 TRDF for RUQ (Airport)
V. Schedule Public Hearing for Z 12-23
W. Revised Career Development Plan for Sheriff's Office Administrative Support Staff
X. Approve Progress Report - Continental Structural Plastics
Y. Schedule Legislative Hearing for SNIA 03-23; Rob Downing, for January 16, 2024

Z. Approve Progress Report for Hexagon/Agility Building Reuse Grant
AA. Schedule Legislative Hearing for Z 13-23; Sunset Pointe HOA, for January 16, 2024
BB. Schedule Legislative Hearing for Z 11-23; Dynamic Developers, for January 16, 2024
CC. Schedule Quasi-judicial Hearing for TEMP 01-24; Dominion Energy, for January 16, 2024
DD. Resolution of Support for Reclassification of Yadkin and South Yadkin for Water Supply
EE. Additional Positions to be added per Legislation for Early Voting Chief Judge and Judge
FF. Hearing Request for Demolition and Abatement of Structures
*GG. 2023 State Appropriation (Directed Grant) - Sheriff's Office (**Moved to Regular Agenda**)*
HH. Approve Resolutions Pertaining to Airport Loop: Statewide Contingency Request and Road Addition into State System

Public Comment Period

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

Special Recognitions

Charlie Eaton, Director of the County Risk Group of the North Carolina Association of County Commissioners (NCACC), recognized Commissioner Caskey for his service on the NCACC Board of Trustees.

2023 Annual Comprehensive Financial Report

Anna Bumgarner, Finance Director, said that Tonya Thompson of Martin Starnes and Associates would be giving the Fiscal Year 2023 Annual Comprehensive Financial Report.

Ms. Thompson said the audit resulted in an unmodified (clean) opinion, and staff were very cooperative. In 2023, the General Fund revenues were $187,847,429 and expenditures were $167,425,305. Mr. Starnes compared these numbers to 2022 numbers.

The Fund Balance serves as a measure of the County's financial resources available. There are five classifications of financial resources:

- Nonspendable - not in cash form
- Restricted - external restrictions (laws, grantors)
- Committed - internal constraints at the highest (Board) level - do not expire, require Board action to undo
- Assigned - internal constraints, lower level than committed
- Unassigned - no external or internal constraints

The total balance in the General Fund is $128,488,175, which is a $38,830 increase over last year. The available fund balance is defined by the Local Government Commission (LGC) and is calculated as the total fund balance less the nonspendable balance, less stabilization by state statute. In 2023, the fund balance available was $109,131,519 and the net expenditures was $160,127,658, and the fund balance available was equivalent to 68.2% of the net expenditures. The available fund balance can be restricted, committed, assigned, or unassigned. It does not mean "unassigned."

Chairman Edds said for clarification regarding tax dollars available and Ms. Thompson said the available fund balance is calculated at a point in time.

Ms. Thompson said when looking at the fund balance available as a percentage of net expenditures, the minimum required by the LGC is 16% and the median is 32%.

The total revenues of $187,847,429 can be divided into three top revenue sources: property taxes (52%), sales tax (23%), and restricted intergovernmental (13%), with other revenues equaling 12%. Property taxes equaled $97,169,142 in 2023. The local option sales tax equaled $43,073,942. The restricted intergovernmental amount totaled $23,907,102.

The top three expenditures in the General Fund, totaling $167,425,305, can be attributed to Public Safety (29%), Other Expenditures (27%), and Education (25%), with Human Services making up the remaining 19%. In 2023, $49,008,114 was spent on education, $41,166,118 was spent on Public Safety, and $31,193,874 was spent on Human Services. There is currently a total of $9,758,031 in debt service.

Major Enterprise Funds include the Airport and Landfill Funds.

Airport Fund	**2023**	**2022**
Unrestricted Net Position	$ 2,347,864	$ 2,912,065
Cash Flow From Operations	$ (231,433)	$ (345,944)
Net Income (GAAP)	$ 238,378	$ 1,370,934
Quick Ratio	1.7	6.0

Landfill Fund	**2023**	**2022**
Unrestricted Net Position	$11,860,804	$ 13,027,392
Cash Flow From Operations	$ 3,972,122	$ 3,490,202
Net Income (GAAP)	$ 392,453	$ 1,269,667
Quick Ratio	17.1	35.7

Ms. Thompson said the audit resulted in positive performance indicators, including the General Fund available fund balance, the Enterprise Fund quick ratios, and stable property tax valuation and collection percentage. There is one performance indicator of concern that requires a response, which is the Water Fund operating at a net loss. The response is due to the LGC within 60 days.

Finance Director Anna Bumgarner explained the response letter for the Water Fund and why the response was needed.

Chairman Edds explained why the County has a Water Fund.

Continuation of Legislative Hearing for Z 10-23: Lea Jaunakais (Tiger World)

Shane Stewart, Assistant Planning and Development Director, said this agenda item is a continuation from an open legislative hearing (aka public hearing) from the November 20, 2023, and December 4, 2023, meetings.

Property owner Lea Jaunakais is requesting the rezoning of approximately 35.88 acres identified as Parcel IDs 425-011, 087, 095, 113, 115, 117, and 145, located at 4400 Cook Rd., from Rural Agricultural (RA) to Rural Agricultural with a Conditional District (RA-CD). Rezoning to a conditional district would make the existing zoological garden (zoo) known as "Tiger World" a conforming use and accommodate proposed expansions at the zoo. Proposed expansions include:

- Park entrance at the 4300 block of E. NC 152 Hwy. leading to a new 276 space visitor parking lot.
- Electronic sign at drive entrance.
- 1,550 sf admission / gift shop building.
- 1,000 sf ticket office.
- 330 sf restroom.
- Park entrance gate and pedestrian connection to existing zoo.
- Future exhibit area on parcels 425-011 & 095.
- Twelve (12) space Recreational Vehicle (RV) sites and five (5) "glamping sites" [Note: RV parks / campgrounds are approved subject to the issuance of a special use permit (SUP) before the Board of Commissioners. Consideration of the conditional district rezoning only pertain to the zoo use and included as a "placeholder" on the site plan for the subsequent SUP request.

The new zoo entrance and campground area roads will be named Big Cat Run, Leopard Loop, and Tiger Trail.

At the December meeting, the Board had questions regarding the road front signage at the site. Mr. Stewart displayed a rendering of the proposed signage.

The Board was in agreement that the signage addressed their prior concerns.

On motion of Pierce, seconded by Greene, the Board voted 5-0 that Z 10-23 is consistent with the East Rowan Land Use Plan and reasonable / appropriate based on the following:

1. It meets all watershed requirements with <12% built upon area.
2. It meets all the fencing and safety requirements.
3. It meets the minimum required lot size.
4. It meets all setback requirements.
5. Stated improvements will make the operation much less of a nuisance to the surrounding residents.
Condition for approval: The waste container will be moved to a more internal location.

Continuation of Quasi-judicial Hearing for SUP 03-23: Lea Jaunakais (Tiger World Campground)

Shane Stewart, Assistant Planning and Development Director, said this decision was based on the prior agenda item, and distributed example findings to the Board.

There were no public comments.

On motion of Edds, seconded by Pierce, the Board voted 5-0 to approve the following finding of fact:

1. The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety.

***FACT**: This request complies with all specific special use requirements for campgrounds in section 21-60(8)(b) of the Zoning Ordinance.*

***FACT**: NCDOT approved the proposed driveway connection to East NC 152 on April 12, 2023.*

***FACT**: Project development is subject to compliance with Building Inspections and Environmental Health standards.*

On motion of Edds, seconded by Pierce, the Board voted 5-0 to approve the following finding of fact:

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.

***FACT**: North Carolina real estate broker Jennifer Milbee submitted a written opinion indicating the proposed improvements at Tiger World would not negatively impact the value of properties in the surrounding area. Ms. Milbee was sworn in to answer questions regarding her November 7, 2023 written statement regarding values.*

On motion of Edds, seconded by Pierce, the Board voted 5-0 to approve the following finding of fact:

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.

***FACT**: The campground is part of a series of expansions at the zoo, which has been in existence for over 30 years.*

***FACT**: Approval of Z 10-23 signifies by means of a legislative decision indicating the former non-conforming zoo is an appropriate land use if developed according to the approved plan.*

***FACT**: This request is in conformity with the East Area Land Use Plan criteria for both the expansion of an existing business and for development in the NC 152 corridor overlay.*

On motion of Pierce, seconded by Greene, the Board voted 5-0 to approve SUP 03-23.

Surplus Personal Property

Anna Bumgarner said the Board was provided a list of surplus personal property items and three vehicles were inadvertently included. Units 0422, 1528, 1724 were not meant to be included.

On motion of Pierce, seconded by Greene the Board voted 5-0 to approve all personal property items listed on the attachment to be declared surplus with the exception of Units 0422, 1528, and 1724; approve items to be sold by electronic auction on GovDeals.com; approve disposal of items not sold on GovDeals.com:

- *To be sold to a scrapyard*
- *Donated to Rowan County Rescue Squad (additional approval required)*
- *Disposed at Rowan County Landfill under the supervision of the Environmental Management Director*

Sheriff's Office State Directed Grant

Sheriff Travis Allen described the acquisition plan for State funding allocated to the Rowan County Sheriff's Office (RCSO). The RCSO worked closely with the State to secure funding. Requests included:

- Motorcycle division vehicles
- 23' Scout Board boat with 300 hp Mercury and trailer
- School safety and protection
- Portable light towers for scanning license plates
- 4-6 person side by side vehicle
- Lot security

Commissioner Klusman asked how much space the towers cover and Sheriff Allen said 100 to 200 yards, with extensive zooming features.

Sheriff Allen described plans for a lot next to the Jail Annex in order to store RCSO assets in a secured lot that includes a metal accessory building.

There will be $180,000 in unspent funding that the RCSO will come before the Board with requests before spending. Sheriff Allen gave a brief staffing update.

On motion of Pierce, seconded by Greene, the Board voted 5-0 to accept the funds from the State Directed Grant.

Board Appointments

On motion of Klusman, seconded by Pierce, the Board voted 5-0 to reappoint Greg Edds and Jim Greene (alternate) to seats on the CRMPO Transportation Advisory Committee, and to reappoint Ed Muire and Shane Stewart (alternate) to seats on the CRMPO Technical Coordinating Committee.

On motion of Klusman, seconded by Pierce, the Board voted 5-0 to appoint Heather Kincel to the Lead Agency/Funded Provider seat on the Home and Community Care Block Grant

Advisory Committee and to appoint Valerie Steele to the At Large Seat on the Historic Landmark Commission.

On motion of Klusman, seconded by Pierce, the Board voted 5-0 to appoint Janna Grigg to a General Public seat on the Juvenile Crime Prevention Council.

On motion of Klusman, seconded by Caskey, the Board voted 5-0 to appoint Hugh Michael Taylor to a Commissioner Appointee seat on the Jury Commission.

On motion of Edds, seconded by Pierce, the Board voted 5-0 to appoint Tucker Osborne to an At Large seat on the Planning Board.

On motion of Pierce, seconded by Greene, the Board voted 5-0 to appoint Terry Osborne to an Ex-Officio seat on the Rowan Economic Development Council.

On motion of Klusman, seconded by Pierce, the Board voted 5-0 to appoint Heather Kincel to the Rufty-Holmes Senior Center seat on the Rowan Transit Advisory Board.

Closed Session

At 3:59 p.m. on motion of Edds, seconded by Pierce, the Board voted 5-0 to enter into closed session pursuant to NCGS 143-318.11(a)(1) to consider approval of the minutes of the Closed Session held on September 5, 2023, as described by NCGS 143-318.10(e) providing that minutes or an account of a closed session may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session, and pursuant to NCGS 143-318.11(a)(5)(i) to establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Open Session

At 4:16 p.m. the Board returned to Open Session.

Adjournment

At 4:16 p.m., on motion of Klusman, seconded by Greene, the Board voted 5-0 to adjourn.

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Sarah Pack, NCCCC
Clerk to the Board