

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

March 18, 2024 – 6:00 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
Judy Klusman, Commissioner
Mike Caskey, Commissioner

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

Call to Order

Chairman Edds called the meeting to order at 6:00 p.m. Chaplain Michael Taylor provided the invocation. Chairman Edds led the Pledge of Allegiance.

Consider Additions to the Agenda

Chairman Edds requested that the following items be added to the Consent Agenda:

- Authorize the Veterans Social Center to use the staging and old food court area for their 2nd year celebration on April 6th. (Consent Item Q)
- Authorize the Veterans Social Center to use the chairs and tables if needed during their 2nd year celebration on April 6th. (Consent Item R)
- Authorize the County Manager to issue a Pay Study Request for Proposal “RFP” for all Rowan County Public Safety Departments including the Sheriff’s Office, Emergency Services (Fire Marshall, Emergency Medical Services, Emergency Management and Telecommunications) and Animal Services. (Consent Item S)
- Authorize the County Manager to issue a Staffing Study Request for Proposal “RFP” for the Rowan County Sheriff’s Office. (Consent Item T)
- Incident Command Trailer Federal Appropriation Request (Consent Item U)

Consider Deletions From the Agenda

Chairman Edds requested that Regular Agenda Item 3D, the Quasi-judicial hearing for SUP 02-24, be removed from the agenda.

Consider Approval of the Agenda

On motion of Pierce, seconded by Greene, the Board voted 5-0 to approve the agenda additions and deletions.

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

Consider Approval of the Consent Agenda

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

- A. Consider Approval of the Minutes*
- B. Sponsorship Updates for Autumn Jubilee*
- C. Sole-Source Just Appraised Inc. - FY24/25*
- D. Rowan County Courthouse Detention Center - Change Order #1*
- E. Award Agricultural Center Roof Replacement - Davco Roofing & Sheet Metal, Inc.*
- F. RUQ Hangar CA/RPR Services Work Authorization*
- G. Budget Amendments, as follows:*

Sheriff	To appropriate funds from Richmond County to cover Salaries and Medical/Safekeeper Fees	\$135,000
Sheriff	To transfer funds from fuel to cover salaries	\$272,535
Health	To appropriate funds for generator project Racial & Ethnic Approaches to Community Health	\$90,134
Health	To appropriate funds for award to serve prenatal dental patients	\$3,000
Sheriff	To adjust State & Federal Asset Forfeiture budgets	\$124,082
Finance	To appropriate additional funds for Knox Middle School	\$2,750,000
Finance	To appropriate additional funds for Municipal Taxes	\$2,000,000
Transit	To transfer transit building to correct department	\$1,142,330
Sheriff	To transfer funds for Detention Center Phase 2 camera upgrade	\$63,115
Airport	To transfer public safety funds for new hangar project	\$1,000,000

- H. Sale of Surplus Personal Property*
- I. RSS Lottery Funds for Roof Project*
- J. Request to Use County Property for Cruise-In/Car Show - FY23-24 - Revision 1*
- K. DIRECTED GRANT: Updated Scope of Work - State Appropriation to Sheriff's Office*
- L. GRANT APPLICATION: Request Approval to apply for NC Accessible Parks Grant*
- M. Declaration of Surplus Property: County owned house at 695 Sloan Rd*
- N. Refunds for Approval*
- O. Apollo Med-Flight Lease Hangar #34*
- P. Schofield Lease*
- Q. Authorize the Veterans Social Center to use the staging and old food court area for their 2nd year celebration on April 6th (**Agenda Addition**)*
- R. Authorize the Veterans Social Center to use the chairs and tables if needed during their 2nd year celebration on April 6th (**Agenda Addition**)*
- S. Authorize the County Manager to issue a Pay Study Request for Proposal "RFP" for all Rowan County Public Safety Departments including: Sheriff's Office, Emergency*

*Services (Fire Marshall, Emergency Medical Services, Emergency Management and Telecommunications) and Animal Services (**Agenda Addition**)*

*T. Authorize the County Manager to issue a Staffing Study Request for Proposal "RFP" for the Rowan County Sheriff's Office (**Agenda Addition**)*

*U. Incident Command Trailer Federal Appropriation Request (**Agenda Addition**)*

Public Comment

Chairman Edds opened the floor for public comment and closed it after everyone wishing to speak had done so.

Sheriff Travis Allen, 232 N. Main Street, Salisbury, gave an update on a human trafficking operation in Rowan County. He thanked the Board for funding a detective position that was vital in this case. The WSOC news station is airing a special show dedicated to this operation.

Salisbury Rowan Utilities Sewer Easement

Craig Powers, Director of Engineering and Environmental Services, said a request has been made to the County to grant a sewer easement on Parcel No. 477091 for the construction of a public sewer main that will serve potential development in the area. This easement will be granted to Salisbury Rowan Utilities, who will maintain the sewer main once constructed. The County Attorney and County Engineer have evaluated the request and do not feel that this easement will adversely impact our property and will help with economic development.

On motion of Klusman, seconded by Pierce, the Board voted 5-0 to authorize the County Manager to grant a sewer easement on certain real property owned by Rowan County on Grace Church Road, having PIN #5648-03-23-5784 (Parcel No. 477091) (the "Rowan County Property") to Salisbury Rowan Utilities.

Project LIGHT Lease

Commissioner Caskey said Project LIGHT helps to address human trafficking. More space is needed for this initiative. Jim Duncan of Project LIGHT has requested approval to lease space in the West End Plaza. Approximately 2700 square feet is known as Unit C-4, together with public access to and from the premises. The lease term shall begin on July 1, 2024, and be effective through June 30, 2029. The tenant agrees to pay the Landlord the sum of ONE (\$1.00) Dollar per month, payable annually on or before the first day of each annual term. Tenant at its cost shall maintain public liability and property damage insurance with liability limits of not less than \$500,000 per person and \$1,000,000 per occurrence, and property damage limits of not less than \$100,000 per occurrence, with an aggregate coverage of \$200,000 insuring against all liability of Tenant and its authorized representatives arising out of and in connection with Tenant's use or occupancy of the premises.

Commissioner Caskey asked if the Board would be willing to help enclose the front of the area in order to grant some privacy.

Mr. Duncan said the possibility of moving into Salisbury is exciting. He appreciates the support of the Board.

On motion of Caskey, seconded by Pierce, the Board voted 5-0 to approve a lease agreement with Project Light for space at the West End Plaza.

On motion of Caskey, seconded by Pierce, the Board voted 5-0 to authorize the County Manager to upfit the front of the unit in order to provide privacy.

Ms. Bumgarner clarified that quotes will be needed for a cost of more than \$5,000 for a privacy wall.

Continuation of Legislative Hearing for ZTA 04-23: Motorsports Racing Complex Text

Ed Muire, Planning Director, briefly reviewed ZTA 04-23, and said the public hearing was conducted at a previous meeting. Mr. Muire reviewed proposed definitions and conditional district standards for establishing a motorsports racing complex (Attachment A). He reminded the Board about the additional uses that come with a motorsports racing complex. Some of the text changes have occurred due to comments made at the public hearing.

On motion of Edds, seconded by Pierce, the Board voted 5-0 that ZTA 04-23 is reasonable, appropriate, and necessary to meet the development needs of Rowan County not previously envisioned by the East and West Land Use Plans, and is reasonable/appropriate based on the following:

- a) This is a new zoning type.*
- b) There is potential for other similar development in the county.*

Furthermore, the adoption of ZTA 04-23 is deemed an amendment to the East and West Land Use Plans.

On motion of Edds, seconded by Pierce, the Board voted 5-0 to approve ZTA 04-23 with the following conditions:

- 1. Hours of Operation. Hours of operation for racing, training, or testing activities are based on the zoning designation of properties contiguous to the motorsports complex at the time a conditional district application is submitted. A motorsports complex that is bordered by a minimum of 60% commercial or industrial zoned properties, as measured by the total linear footage along the common property line, shall maintain the following hours of operation:*
 - a. Monday- Wednesday: 8:00 a.m. to 10:00 p.m.*
 - b. Thursday: 8:00 a.m. to 11:00 p.m.*
 - c. Friday and Saturday: 8:00 a.m. to 12:00 a.m. (midnight)*
 - d. Sunday 12:00 p.m. to 9:00 p.m.*
- 2. Hours of operation for racing, training, or testing activities at a motorsports complex contiguous to less than 60% commercial or industrial district zoned property requirements shall maintain the following hours of operation:*
 - a. Monday - Thursday 8:00 a.m. to 8:00 p.m.*
 - b. Friday-Saturday 8:00 a.m. to 10:00 p.m.*
 - c. Sunday- 12:00 p.m. to 9:00 p.m.*

Vice-Chairman Greene clarified that this would apply to any new businesses or expansions to existing businesses. Changes cannot be made to existing businesses.

Financial Reports

Finance Director Anna Bumgarner presented the financial reports. She compared annual cumulative expenditures, with FY 2024 equaling \$116,757,946 in February. Annual cumulative revenue is at \$152,719,150. The annual cumulative property tax was \$105,047,918 in January. In November, the annual cumulative sales tax was \$17,072,606. She compared monthly sales taxes from 2021 to 2024 and explained a clerical error that showed a large spike during October 2023. In March, there were peaks in the graph from the Medicaid Hold-Harmless, which will not occur this year. This will be a \$2 million difference from last year.

Mr. Church said this may mean a \$2 million shortfall will need to be projected in the upcoming budget.

Adjournment

At 6:34 p.m., on motion of Pierce, seconded by Greene, the Board voted 5-0 to adjourn.

Sarah Pack, NCCCC
Clerk to the Board

Legislative Hearing

ZTA 04-23: Motorsports Racing Complex

“Proposed Definitions and Conditional District standards for establishing a motorsports racing complex”

Applicant: Mooresville Motorsports Complex, LLC



ROWAN COUNTY

NORTH CAROLINA

*Be an original.*TM

March 18, 2024 Continuation from
February 19, 2024
Board of Commissioners meeting

Section 21-4. Definitions.

Commentary: Proposed amendment to definition of go-kart and defining terms 'motorsports racing complex', 'racing activity track', 'traffic impact analysis' and 'vehicle trip' for including in Definition section of Zoning Ordinance.

Go kart means a miniature open wheeled four-wheeled **open framed** racing vehicle having a maximum height of fifty (50) inches, a maximum length of eighty-eight (88) inches, a maximum wheel base of fifty-six (56) inches and a maximum engine displacement of 253 cc. This definition shall **also** include but not be limited to quarter midget racecars sanctioned by the Quarter Midgets of America and go karts sanctioned by the World Karting Association.

Motorsports racing complex means a facility consisting of more than one (1) type of racing activity track, spectator seating or viewing areas, buildings or structures supporting track operations, concessions, and parking.

Racing activity track means a paved or dirt course, strip or track used for the racing, practicing or testing of automobiles, trucks, tractors, motorcycles, all-terrain vehicles (ATV), go-karts and similar motorized vehicles driven or operated by a person(s). The non-motorized racing, practicing, or training using bicycles and animals are also included in this definition for purposes of defining the types of racing activity on a course or track.

Traffic Impact Analysis (TIA) means a specialized engineering study that forecasts potential traffic associated with a proposed development project, evaluates the impacts, and proposes mitigation solutions as needed. A TIA is performed by a licensed professional engineer or engineering firm specializing in traffic engineering operations and is pre-qualified by NCDOT's Congestion Management Section to produce TIAs.

Vehicle trip means a one-way movement of a vehicle between two (2) points.

Section 21-64. Conditional Standards for Specific Uses.

Commentary: Standards in subsection (f) 1 thru 12 are proposed to be added to the Conditional District (CD) section specific to a Motorsports Racing Complex.

(f) Motorsports Racing Complex

1. Uses allowed. A motorsports racing complex is intended to accommodate a variety of racing types and related activities at a site planned and designed for such activities subject to the standards herein. Racing on different track types is the primary function of the complex, but other ancillary uses permitted (P) or permitted with Special Requirements (SR) in the manufacturing, retail and service sector categories in the Commercial, Business, Industrial (CBI) district may be appropriate to support or compliment the complex's operation. Justification for incorporating select sector uses ancillary to the complex's primary function is incumbent upon the applicant.
2. Lot size. The resulting complex shall consist of one (1) parcel and its minimum lot size will be calculated based on two (2) of the racing activity track types proposed for the complex using the

acreages in the table below. ***For the purposes of determining required acreage, when more than one (1) racing activity occur on a single track, the higher tier group shall control.***

Tier	Racing Activity Track	Minimum Acreage
1	Motor Speedway	50 acres
	Drag Strip	50 acres
2	Go-Kart	20 acres
	Motorcycle / ATV	20 acres
	All other motorized vehicles	20 acres
3	Bicycles and animals	10 acres

Complexes may reduce the required minimum acreage by fifty percent (50%) for each additional different type racing activity identified as Tier 2 or 3 only when combined with a Tier 1 racing activity track. For example, a motor speedway and ATV racing track must have a minimum lot size of at least sixty (60) acres; a drag strip, go-kart and motorcycle track must have a minimum lot size of seventy (70) acres. Combinations of tier group 1 or tier groups 2 / 3 are not afforded the 50% reduction. To wit, a motor speedway and drag strip complex must have at least one hundred (100) acres; a go-kart and motorcycle complex must have at least forty (40) acres.

3. Location. The complex must have frontage and access on a state-maintained road and obtain an approved commercial driveway permit from NCDOT for access. In the alternative to frontage requirement, the complex may be accessed by a road that has been specifically built to NCDOT secondary road standards.
4. Traffic. When anticipated vehicle trips generated by the complex onto the adjoining road network are likely to exceed an average of three thousand (3,000) daily trips, the applicant shall provide a Traffic Impact Analysis (TIA). Anticipated average daily vehicle trips between one thousand (1,000) and three thousand (3,000) will require the applicant to coordinate with the County and NC DOT on the type and level of traffic engineering analysis related to access, existing / future conditions, operations, and mitigation. Anticipated vehicle trips will be based on required parking plus ten percent (10%). The required TIA or engineering analysis must be furnished by the applicant with the CD application.
5. Lighting. Lighting shall be located throughout the complex to adequately light parking and areas of public assembly and be designed and positioned in such a manner that glare spillover onto adjoining properties is not apparent at the common property line(s).
6. Setbacks. Racing activity tracks and stands shall be set back three hundred (300) feet from side and rear property lines when the adjoining property is in a residential zoning classification as grouped by the Table of Uses in Section 21-113. Side and rear setbacks for racing activity track and stands may be reduced to two hundred (200) feet when adjoining a non-residential zoning classification. Buildings, parking and operational area shall be set back a minimum of one hundred (100) feet from the front property line and shall employ either a Type A or B buffer as the side and rear yard setback based on 21-64(f)(8).

- 1 7. Security fencing. Security fencing six (6) feet in height shall be installed along the perimeter of
2 the complex to restrict entry when the complex is not open and to prevent unauthorized access
3 during racing events.
4
- 5 8. Buffer. A Type B buffer and screening consistent with Section 21-215(2) shall be provided along
6 the side and rear property lines when the complex adjoins property in a residential category
7 group. When the complex adjoins a developed non-residential category property, screening
8 consistent with Section 21-215(1)(b)(1) shall be installed within the required Type A buffer.
9
- 10 9. Hours of operation. Hours of operation for racing, training or testing activities may occur between
11 8:00 a.m. and midnight (12:00 a.m.) Monday thru Saturday and Sunday 12:00 p.m. and 9:00 p.m.
12 Extensions beyond the cutoff times are authorized when there are weather, mechanical or safety
13 related delays or a nationally recognized sanctioning body event. Tier 2 racing activities, training
14 or testing may not occur simultaneously when Tier 1 racing activities are occurring.
15
- 16 10. Muffled race vehicles. All vehicles with an internal combustion engine that race, train or test on
17 Tier 1 and 2 tracks shall be equipped with mufflers to mitigate engine noise. Tier 1 or 2 facilities
18 that have lawfully operated prior to this amendment and obtain conditional district designation
19 as a *motorsports racing complex* pursuant to this section may continue to host racing events on
20 the existing racing activity track without use of mufflers. The foregoing provision does not
21 authorize racing, training or testing of non-muffled vehicles on any other racing activity track(s)
22 added to the complex post conditional district approval.
23
- 24 11. Noise standards. To ensure that operations and events at the complex do not exceed the
25 maximum allowable noise levels at the complex property lines as provided in Section 21-241(d),
26 the applicant shall provide a report or study prepared by a qualified acoustical engineer or firm
27 specializing in sound measurement with the conditional district (CD) application. The report or
28 study should account for noise generated by vehicles and loud speakers at each racing activity
29 track proposed in the complex and the combination of Tier 2 and Tier 3 activities that may occur
30 simultaneously. The study should also provide recommendations for sound attenuation if the
31 expected decibels for a track(s) exceed the standards of Section 21-241(d).
32
- 33 12. Parking. The minimum number of parking spaces shall be calculated at one (1) space per four (4)
34 seats. A "seat" is based on the fixed seating standard of one (1) person per eighteen (18) inches
35 for grandstand or bleacher seating in Section 1004.4 of the NC Building Code. Parking areas may
36 have a parking surface consisting of either asphalt, concrete, gravel or grass, but not of soil or dirt.
37 All other aspects related to parking shall comply with provisions specified in Article VII of this
38 Chapter.
39
40
41
42

Section 21-113 Table of Uses.

Commentary: Proposed addition of Motorsports Racing Complex as Conditional District (CD) in CBI.

Services											
		Residential					Non-Residential				
SIC	Use	RA	RR	RS	MHP	MFR	AI	CBI	NB	INST	IND
70	Hotels, rooming houses, camps and other lodging places, <i>all except</i>	SR	SR					P	SR		
7011	Cabins	S						S	S		
7032	Sporting and recreational camps	S	S					P	SR	P	P
7033	Campgrounds and RV parks	S						S	S		
72	Personal services, <i>all except</i>	SR	SR					P	SR		P
7261 (pt)	Crematories							P			P
73	Business services	SR	SR				SR	P	SR		P
75	Auto repair, services and parking	SR	SR					P	SR		P
76	Misc repair services	SR	SR				SR	P	SR		P
78	Motion pictures	SR	SR					P	SR		P
79	Amusement, recreational services, <i>all except</i>	SR	SR					P	SR		P
7941	Sports clubs and promoters							S			S
7948(pt)	Racetrack operations, including speedways, go-kart tracks and dragstrips							S			S
	<i>Motorsports racing complex</i>							<i>CD</i>			
7992	Public golf courses	S	S					P			
7996	Amusement park							S			S
7997	Membership sports and recreational clubs, <i>all except</i>	SR or S	SR or S	SR				P	SR		P
7997 (pt)	Gun club, shooting clubs	S						S			S

Suggested Amendments to Hours of Operation [Criteria#9] proposed by Applicant

Hours of Operation. Hours of operation for racing, training, or testing activities may vary according to the zoning designation of properties that are adjacent to the motorsports complex. A motorsports complex that is bordered by a minimum of 55% commercial or industrial zoned properties at the time of the approval of this text amendment* may maintain the following hours of operation:

Monday- Wednesday: 8:00 a.m. to 10:00 p.m.

Thursday: 8:00 a.m. to 11:00 p.m.

Friday and Saturday: 8:00 a.m. to 12:00 a.m. (midnight)

Sunday 12:00 p.m. to 9:00 p.m.

Hours of operation for racing, training, or testing activities at motorsports complex not meeting the bordering property requirements are:

Monday - Thursday 8:00 a.m. to 8:00 p.m.

Friday-Saturday 8:00 a.m. to 10:00 p.m.

Sunday- 12:00 p.m. to 9:00 p.m.

Tier 2 racing activities, training or testing may not occur simultaneously when Tier 1 racing activities are occurring.

Staff Recommendation in Response to Applicant's Suggested Text

Hours of Operation. Hours of operation for racing, training, or testing activities ~~may vary according to~~ **are based on** the zoning designation of properties ~~that are adjacent~~ **contiguous** to the motorsports complex **at the time a conditional district application is submitted.** A motorsports complex that is bordered by a minimum of ~~55%~~ **60%** commercial or industrial zoned properties ~~at the time of the approval of this text amendment*~~ **,as measured by the total linear footage along the common property line, may shall** maintain the following hours of operation:

Monday- Wednesday: 8:00 a.m. to 10:00 p.m.

Thursday: 8:00 a.m. to 11:00 p.m.

Friday and Saturday: 8:00 a.m. to 12:00 a.m. (midnight)

Sunday 12:00 p.m. to 9:00 p.m.

Hours of operation for racing, training, or testing activities at **a** motorsports complex ~~not meeting the bordering~~ **contiguous to less than 60% commercial or industrial district zoned** property requirements ~~are:~~ **shall maintain the following hours of operation:**

Monday - Thursday 8:00 a.m. to 8:00 p.m.

Friday-Saturday 8:00 a.m. to 10:00 p.m.

Sunday- 12:00 p.m. to 9:00 p.m.

- 1 Tier 2 racing activities, training or testing may not occur simultaneously when Tier 1 racing activities are
- 2 occurring.
- 3

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