

SPENCER BOARD OF ALDERMEN MEETING  
MAY 12, 2009  
6:00 P.M.

MEMBERS PRESENT: Mayor Jody Everhart  
Mayor Pro-Tem Jeff Morris  
Aldermen: Scott Benfield  
Nick Bishop  
David H. Smith

MEMBERS ABSENT: Aldermen: Donnie Hinson  
C. E. Spear

Also present were Town Manager Larry Smith and Attorney Rivers Lawther.

Mayor Everhart opened the meeting with prayer and the pledge of allegiance.

RECOGNITION – Mayor Everhart thanked the Salisbury Post for the article about C. E. Spear. Mayor Pro-Tem Morris thanked those in the audience for their attendance.

STUDENT APPRECIATION AWARD was presented to North Rowan Elementary student, Anna Everhart.

1. PUBLIC HEARING – HIGH ROCK DEVELOPMENT AGREEMENT

The proposed agreement reflects all changes that the Board, Owner, Salisbury-Rowan Utilities and contract attorney have requested.

Mayor Everhart opened the public hearing. Philip Haithcock, general manager of Clayton Homes, stated his company has the contract for the townhouses at High Rock. The project will provide 2 ½ months production at two facilities, plus business for local suppliers and vendors. No one else spoke and the public hearing was closed.

**MOTION WAS MADE BY ALDERMAN BENFIELD TO ACCEPT THE HIGH ROCK DEVELOPMENT AGREEMENT AS PRESENTED. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.**

2. PUBLIC HEARING – FLOOD DAMAGE PREVENTION

The proposed ordinance amendment and interlocal agreement will allow Rowan County to continue to administer our Flood Damage Prevention Ordinance. The updated maps will be available on-line. Adoption is mandatory to maintain participation in the National Flood Insurance Program.

Mayor Everhart opened the public hearing. No one spoke and the public hearing was closed.

**MOTION WAS MADE BY ALDERMAN MORRIS TO ACCEPT AND ADOPT THE ORDINANCE AMENDMENT AND INTERLOCAL AGREEMENT AS SUBMITTED. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY. BY THIS ADOPTION, THE BOARD FINDS THAT THE PROPOSED AMENDMENT IS CONSISTENT WITH SPENCER'S LAND USE PLAN AND ITS VISION TO IMPROVE ITS COMMERCIAL DISTRICT AND FACILITATE COMMERCIAL OPPORTUNITIES AS WELL AS WITH ITS POLICIES, GOALS, AND OBJECTIVES FOR IMPROVEMENT OF ESTABLISHED PRACTICES. IT IS ALSO CONSISTENT WITH THE LAND USE PLAN'S OBJECTIVES TO PROTECT EXISTING NEIGHBORHOODS AND WILL RESULT IN DEVELOPMENT THAT IS CONSISTENT WITH THE FUTURE LAND USE MAP.**

3. PUBLIC HEARING – ORDINANCE AMENDMENT 09-02

The proposed amendment would allow Not-for-Profit Private Clubs and Lodges to be allowed by Conditional Use Permit in R-8, R-15 and R-20 residential zoning districts. The Planning Board voted 6-1 against the proposal, because they feel it is contrary to public interest and will not provide orderly development to communities. Spencer Jaycees petitioned for the amendment to enable them to rebuild the lodge which recently burned.

Mayor Everhart opened the public hearing. Rod Whedbee stated he feels the ordinance should allow applicants to rebuild since similar verbiage is included in the racetrack agreement. No one else spoke and the public hearing was closed.

Alderman Bishop explained that the purpose of the current ordinance was to weed out nonconformances as neighborhoods transition. The Board instructed Land Management to review the ordinance and narrowly tailor an amendment to allow only non-profits already in existence to rebuild even if the structure is over 50% damaged.

**MOTION WAS MADE BY ALDERMAN MORRIS TO DENY ORDINANCE AMENDMENT 09-02. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

OLD BUSINESS

4. APPROVAL OF MINUTES

**MOTION WAS MADE BY ALDERMAN BENFIELD TO APPROVE THE MINUTES OF THE REGULAR MEETING ON APRIL 14, AND THE CALLED MEETING ON APRIL 23, 2009. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.**

5. MAYORAL & COMMITTEE REPORTS – Mayor Everhart reported on his visit to Raleigh for Town Hall Day.

6. DEPARTMENTAL REPORTS were given by Police Chief Robert Bennett, Fire Chief Jay Baker, Land Management Director Dustin Wilson, Public Works Director Barry Pruett, and Town Clerk Lisa Perdue. Chief Bennett is drafting a mutual aid agreement with East Spencer.

7. TOWN MANAGER REPORT was given by Town Manager Larry Smith.

NEW BUSINESS

8. OPEN COMMENT – None.

9. REQUEST TO EXTEND NOISE ORDINANCE – NRHS

**MOTION WAS MADE BY ALDERMAN MORRIS TO EXTEND THE NOISE ORDINANCE ON JUNE 5<sup>TH</sup> TO 11:00 P.M. FOR AN OUTDOOR CONCERT TO BE HELD AT NORTH ROWAN HIGH SCHOOL. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.**

10. EDC PRESENTATION – ROBERT VAN GEONS

Economic Development Commission Director Robert Van Geons updated the Board on ongoing projects and resources available from his organization.

11. REQUEST TO ADDRESS THE BOARD – TRACY AITKEN

Tracy Aitken addressed the Board concerning an Electronic Community Bookfair, which will serve the schools of Rowan County as well as Rowan Helping Ministries.

12. SET DATE FOR PUBLIC HEARING – 2009/10 BUDGET

**MOTION WAS MADE BY ALDERMAN BISHOP TO SET JUNE 9 AS THE DATE FOR THE PUBLIC HEARING ON THE BUDGET. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

13. AUDIT CONTRACT

**MOTION WAS MADE BY ALDERMAN BENFIELD TO APPROVE THE AUDIT CONTRACT WITH ALLRED AND CARRICK FOR \$8,000. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

14. OTHER BUSINESS – None.

15. BUDGET WORKSHOP

After a brief recess, the Board reconvened into a Budget Workshop at 7:53 p.m. Town Manager Larry Smith reviewed his budget message, highlighting revenue assumptions, and explaining that the schedule of fees includes a change in the charge for a major subdivision plat. Department heads have postponed as much capital expenditures as possible until the next fiscal year (2010/11).

Mayor Pro-Tem Morris is interested in seeing how the estimate from Centralina COG for providing planning services will impact the budget. Morris and Alderman Benfield want COG to attend monthly meetings and review major plans. Staff would handle simple permits and code enforcement, eliminating a Land Management Director position. Planning and zoning (Planning Board and Zoning Board of Adjustment) would be done by COG. Staff would still work with the Historic Preservation Commission and Community Appearance Commission. Consensus was to prepare the budget as is, but don't fill the vacant position until a quote for the contracted work is received.

Some government funds are possibly available for the Library, but those funds would be low interest loans, not grant money. Paint testing has been done at the Library, but results have not yet been received.

Fund balance would not be required to continue to provide salary increases. The consensus of the Board was to proceed with longevity pay, 3% cost of living, and 1 to 3% merit availability.

Alderman Smith requested that if the patrol cars being parked at Freightliner have MDT's, they be swapped out to ensure that the officers on patrol can use them.

With no further business, Mayor Everhart adjourned the meeting at 9:15 p.m.

Respectfully submitted,

Lisa B. Perdue  
Clerk to the Board