

February 3, 2003

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Kemp, Davis, Mason, Holmes, and Frye were present. Rev. Gene Booker, Interim Director of Missions, Randolph Baptist Association, gave the invocation, and everyone recited the Pledge of Allegiance.

Presentation of Outstanding County Program Award

Todd McGee, Director of Communications from the North Carolina Association of County Commissioners, announced that Randolph County's "Be Nice University" has won an Outstanding County Program Award. Mr. McGee presented the award to MiMi Cooper, Susan Hayes, Phil Kemp and Frank Willis.

Addition to Agenda

Chairman Kemp announced that New Business Item B. Request to Increase Monitoring Fees for Participation in the House Arrest Program and its corresponding budget amendment had been removed from the agenda and that Item N. Closed Session had been added to the New Business section of the agenda.

Consent Agenda

On motion of Mason, seconded by Frye, the Board voted unanimously to approve the consent agenda, as follows:

- *approve Minutes of January 6 and January 13, 2003;*
- *reappoint Donald Strider to the Seagrove-Ulah Metropolitan Water District (3-Year Term);*
- *appoint Sherry Tate (health director designee slot), replacing Dorothy Grabol in this slot (term expires 7/03) and appoint Dorothy Grabol to an at-large slot (term expires 7/04) to the Juvenile Crime Prevention Council;*
- *adopt resolution appointing Robert Robbins as Plat Review Officer for the City of High Point, as follows:*

WHEREAS, S.L. 1997-309 (S875) makes a number of significant changes in the procedures for recording maps and plats; and

WHEREAS, the main purpose of the law is to transfer the responsibility for reviewing plats to determine whether they meet recording requirements from the Register of Deeds to a Review Officer; and

WHEREAS, the new G.S. 47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint a person to serve as Review Officer to review each plat before it is recorded and certify that it meets the statutory requirements for recording; and

WHEREAS, it is the desire of the Randolph County Board of Commissioners to insure an expeditious review of all maps and plats as required by G.S. 47-30.2 before they are presented to the Register of Deeds for recording.

NOW THEREFORE, BE IT RESOLVED, effective February 3, 2003, that Robert Robbins in the City of High Point is hereby appointed to perform all responsibilities as required for Review Officer under the appropriate North Carolina General Statutes.

BE IT FURTHER RESOLVED that a copy of this Resolution designating this Review Officer be recorded in the Randolph County Register of Deeds Office and indexed in the name of the Review Officer.

Public Health Requests Concerning Fees

MiMi Cooper, Public Health Director, told the Board that the Board of Health, at their December meeting, had approved the following additions and increases in fees in order to offset some of the costs

for providing these services. She asked that the Board of Commissioners approve these requested increases.

- Maternity Clinic—initiate a sliding fee scale for clinic visits. Each visit fee would range from \$10.00 to \$50.00 depending on which income bracket the patient is in. Effective 2/16/03
- Tattoo Establishment—increase the \$100 initial permit fee and the \$50 per year renewal fee to \$100 per year for the establishment and \$100 per year for each operator. Effective 3/1/03
- Swimming pools—initiate a plan review fee of \$200 and a permit fee of \$50 per year. Effective 2/16/03
- Food & Lodging Establishments—*Restaurants* (1-100 seats)--\$100, (101+ seats)--\$200, *Food stands* (no seats)--\$100, *Meat Markets*--\$100. Effective 2/16/03

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the foregoing Health Department service fees as presented.

Budget Amendment – Health Department

MiMi Cooper told the Board that the Health Department has received \$4,300 for bioterrorism communications and assessment that will be used to provide the public with information and raise public awareness regarding the threat of bioterrorism and potential biological agents.

On motion of Davis, seconded by Holmes, the Board voted unanimously to approve Budget Amendment #21, which reflects these funds, as follows:

General Fund - #21	
Revenue	Increase
<i>Restricted Intergovernmental</i>	\$ 4,300
Appropriations	Increase
<i>Public Health</i>	\$ 4,300

Recognition of Special Guest

Chairman Kemp welcomed Mathew Lewis Clinton Cox, who is a member of Boy Scout Troop 527. He is attending this meeting as one of the requirements for a merit badge on citizenship in the community.

Holiday Pay (in lieu of time off) for Sheriff’s Office Patrol Division

Major Allen McNeill told the Board that since our budget crisis has prevented the Sheriff’s Dept. from hiring much needed deputies, he and the Sheriff are considering initiating a new volunteer program whereby patrol deputies are paid for their holidays instead of taking the time off, thus providing more manpower. He estimates that buying these holidays would cost about \$75,000-\$80,000 per year. This would provide about 5,000 man-hours of additional work time which would be more cost effective than hiring and outfitting new deputies. He asked the Board for their endorsement to further study this option. Major McNeill also mentioned that they had received a check from PayTel for \$49,401.30. This check is a result of accounting errors found recently from the calculation of our proceeds from the payphones at the jail. He suggested that this money be used to help pay for the first year of this program.

On motion of Frye, seconded by Mason, the Board voted unanimously to authorize the Sheriff’s Dept. to proceed with their study of a program to pay deputies for their holidays in lieu of time off and to submit a formal proposal to the Personnel Director and County Manager for their consideration and then bring the proposal back to this Board for final approval.

Sheriff’s Department Request for Patrol Vehicles; Budget Amendment

Sheriff Litchard Hurley reminded the Board that the Sheriff’s Dept. traditionally purchases 15 new vehicles every year but due to the budget crisis last year, no new vehicles were allotted. He said that their maintenance budget is rapidly being depleted due to high repair costs on their old and high-mileage cars. He asked that the Board provide him with 8 new vehicles at a cost of \$195,000.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve Budget Amendment #26, which allocates \$97,500 of fund balance to the Sheriff’s Department for the purchase of 4 new patrol vehicles, as follows:

General Fund - #26	
Revenue	Increase
<i>Fund Balance Appropriated</i>	<i>\$ 97,500</i>
Appropriations	Increase
<i>Sheriff</i>	<i>\$ 97,500</i>

The Board asked the Sheriff and his staff to look into the feasibility of the County operating its own garage for vehicle fleet maintenance.

Request for Funding for the Local Match of a CDBG/ED Grant for Sewer System in Seagrove for the Yankee Commodity Foods Project

Bonnie Renfro, Randolph County Economic Development Corporation President, told the Board that Yankee Commodity Foods has committed to purchase the former Luck’s facility for a new food processing operation contingent on the Town of Seagrove’s ability to provide wastewater treatment to service their operation. The Seagrove Ulah Metropolitan Water District and the Town of Seagrove are using a grant from the NC Rural Center to purchase the existing wastewater treatment system. The system is a private non-discharge spray irrigation system operating under a state permit. The NC Dept. of Environment and Natural Resources has agreed to transfer the wastewater treatment permit to the water district with restrictions that require upgrades of the system storage capacity at an estimated cost of \$1,000,000. To fund this expense, the Town of Seagrove will apply for a community development block grant on behalf of Yankee Commodity Foods and has been pre-approved. Terms of the grant require a 25% local match resulting in three state dollars for every one local dollar. The state will provide \$750,000 to be matched by \$250,000 in local funds. In addition, Seagrove has been approved for a grant from the Golden Leaf Foundation in the amount of \$89,000. Ms. Renfro asked that the Board allocate \$136,000 toward the costs of the project.

On motion of Mason, seconded by Holmes, the Board voted unanimously to approve Budget Amendment #22, which allocates \$136,000 to the Town of Seagrove to be used towards matching local funds for the Yankee Commodity Foods, Inc. Community Development Block Grant, as follows:

General Fund - #22	
Revenue	Increase
<i>Fund Balance Appropriated</i>	<i>\$ 136,000</i>
Appropriations	Increase
<i>Other Economic & Physical Development</i>	<i>\$ 136,000</i>

Randolph Community College Board of Trustees Appointment

Chairman Kemp read Senator Jerry Tillman’s letter of resignation from the RCC Board of Trustees due to his election to the state senate.

On motion of Frye, seconded by Davis, the Board voted unanimously to appoint Fred Meredith to the RCC Board of Trustees, filling the unexpired term of Jerry Tillman.

Closed Session

On motion of Frye, seconded by Davis, the Board voted unanimously at 5:30 p.m. to go into closed session to discuss matters relating to the location or expansion of business in the area served by this governing body, pursuant to NCGS 143.318-11(a)(4). They returned to regular session at 5:47 p.m.

Award Audit Contract

Will Massie, Deputy Finance Officer, reminded the Board that last year the County awarded the audit services contract to Maxton McDowell, CPA under a three-year proposal. They have proposed an audit fee for the 2003 fiscal year of \$38,200, which is a \$1,000 increase. Mr. Massie recommended that the Commissioners approve the contract with Maxton McDowell, CPA for the audit of the fiscal year ended June 30, 2003.

On motion of Holmes, seconded by Frye, the Board voted unanimously to approve the contract with Maxton C. McDowell, CPA, for the audit of the fiscal year ended June 30, 2003 for a total cost of \$38,200.

Adoption of Capital Project Ordinance for Asheboro High School Expansion Project

Will Massie told the Board that a capital project ordinance needed to be adopted to account for the financing proceeds and costs related to the Asheboro High School expansion project (purchase of the former Sir Robert Motel and property).

On motion of Davis, seconded by Mason, the Board voted unanimously to adopt the following capital project ordinance pursuant to G.S. 159-13.2:

BE IT ORDAINED by the Board of Commissioners of Randolph County, North Carolina that, pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project is authorized as follows: (i) purchase of approximately 2.78 acres and five buildings currently known as Sir Robert Extended Stay (ii) renovation and equipping of existing buildings located on the property for use by Asheboro High School, and (iii) removal of some buildings to provide additional parking.

Section 2. The officers of the Randolph County Board of Commissioners and the officers of the Asheboro City Board of Education are hereby authorized to proceed with the capital project in accordance with all General Statutes of North Carolina and within terms of the contracts approved by the Randolph County Board of Commissioners and the Asheboro City Board of Education.

Section 3. The following amounts are anticipated to be available to complete this capital project:

<i>Proceeds from Installment</i>		
<i>Purchase Contract</i>		<i>\$ 2,663,250</i>
	<i>TOTAL:</i>	<i><u>\$ 2,663,250</u></i>

Section 4. The following amounts are appropriated for expenditures for the capital project:

<i>Land Acquisition</i>	<i>\$ 1,100,000</i>
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<u>Construction and Renovation</u>	1,356,000
Architect	134,000
Administration	73,250
TOTAL:	\$ 2,663,250

- Section 5. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the financial institution in an orderly and timely manner.
- Section 6. This Capital Project Ordinance shall be entered in the minutes of the Randolph County Board of Commissioners and within five days of adoption, copies of this Ordinance shall be filed with the finance officer, the budget officer, and the clerk to the board.
- Section 7. This Capital Project Ordinance is adopted on February 3, 2003 and shall continue in effect until the project is completed.

Capitalization Threshold of Assets

Will Massie told the Board that Randolph County was in the first year of the new financial reporting model required by Government Accounting Standards Board Statement 34. A new requirement is the reporting of all capital assets and their respective depreciation expenses. Our current threshold has been \$1,500 since 1/1/99. However, capitalization of small dollar items for financial reporting is not an efficient way to control these items. Raising the capitalization levels allows the departments to control low cost, sensitive items and leaves the finance staff free to manage the high dollar items that are more material to the unit’s financial reports. But, raising capitalization thresholds does not prevent the use of strong internal control mechanisms to adequately control and safeguard assets. Periodic inventories of these items are taken to ensure control over these assets. The Government Finance Officers Association and the Local Government Commission (LGC) have also recommended a \$5,000 level for local governments.

On motion of Frye, seconded by Holmes, the Board voted unanimously to raise the County’s capitalization threshold to \$5,000 for financial reporting purposes.

Budget Amendment—Transfer of 911 Wireless Fund Balance to Emergency Telephone Fund

Will Massie told the Board that NC General Statute 62A-21 created a special surcharge on wireless devices to develop an enhanced emergency telephone system. This system will determine the physical location of a wireless 911 telephone call. When the County first received the wireless surcharge in 2000, the LGC recommended that the revenues be reported in the General Fund rather than establish another special revenue fund. Accordingly, we accounted for the surcharge in the General Fund through June 30, 2001. Currently, there is \$275,547 in unexpended and restricted wireless 911 revenues. We have learned that the NC Wireless 911 Board prefers the surcharges to be reported in the Emergency Telephone Fund as a separate department for the original “wireline” 911 tax. The County’s 2002 and 2003 budgets included the wireless surcharge revenues and projected expenditures in the Emergency Telephone Fund. We need to transfer the \$275,547 restricted fund balance from the General Fund to the Emergency Telephone System Fund, where it will be budgeted for future use.

On motion of Davis, seconded by Mason, the Board voted unanimously to approve Budget Amendments #23 and #24, which transfers the County’s 911 Wireless Fund balance to the Emergency Telephone Fund, as follows:

General Fund - #23	
Revenue	Increase
Fund Balance Appropriated	\$ 275,547
Appropriations	Increase

<i>Transfer to 911 Emergency Telephone System Fund</i>	\$ 275,547
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General Fund - #24		
<i>Revenue</i>	<i>Increase</i>	<i>Decrease</i>
<i>Transfer from General Fund</i>	\$275,547	
<i>Appropriated Fund Balance</i>		\$52,394
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Wireless</i>	\$ 223,153	

Budget Amendments—2000 County and City Schools Facilities Capital Projects

Will Massie told the Board that in 2000 the County issued debt to fund construction in each school district and established two capital project ordinances to account for the COPS proceeds. These projects are near completion and require budget adjustments to authorize the move of unused funds from one school project to another.

On motion of Mason, seconded by Frye, the Board voted unanimously to approve Budget Amendments #4 and #2, as follows:

2000 RANDOLPH COUNTY SCHOOLS FACILITIES CAPITAL PROJECT FUND - #4		
<i>Revenue</i>	<i>Increase</i>	<i>Decrease</i>
<i>Sales Tax Reimbursement</i>	\$4,350	
<i>Appropriation</i>	<i>Increase</i>	<i>Decrease</i>
<i>Southmont Elementary</i>		\$55,300
<i>Hopewell Elementary</i>		\$13,700
<i>Uwharrie Middle School</i>	\$30,450	
<i>Archdale Elementary</i>		\$58,000
<i>Miscellaneous Projects</i>	\$100,900	

2000 ASHEBORO CITY SCHOOLS FACILITIES CAPITAL PROJECT FUND - #2		
<i>Appropriation</i>	<i>Increase</i>	<i>Decrease</i>
<i>McCrary Elementary</i>	\$39,250	
<i>South Asheboro Middle</i>		\$14,000
<i>Teachey Elementary</i>		\$54,250
<i>Lindley Park Elementary</i>	\$29,000	

Budget Amendment for State School Bond Building Fund

Will Massie told the Board that the State of North Carolina issued bonds for school construction in 1996. Randolph County's share of these funds was \$32,161,506, divided between the two school systems. Nearly all approved projects have been completed; however, a final budget amendment is needed to reflect the drawdown of the final portion of the grant during the 2002-03 fiscal year.

On motion of Holmes, seconded by Davis, the Board voted unanimously to approve Budget Amendment #25, as follows:

General Fund - #25	
<i>Revenues</i>	<i>Increase</i>

<i>Restricted Intergovernmental</i>	<i>\$136,945</i>
<i>Appropriations</i>	<i>Increase</i>
<i>Education</i>	<i>\$136,945</i>

Appointments to the Agricultural Advisory Board

On motion of Frye, seconded by Davis, the Board voted unanimously to appoint the following people to the Agricultural Advisory Board:

<i>Area 1</i>	<i>Area 1 Alternate</i>	<i>Area 5</i>	<i>Area 5 Alternate</i>
<i>Kemp Davis</i>	<i>Steve Farlow</i>	<i>Bernard Beck</i>	<i>Noel Lee Hayes</i>
<i>Area 2</i>	<i>Area 2 Alternate</i>	<i>Area 6</i>	<i>Area 6 Alternate</i>
<i>Wilbert Hancock</i>	<i>Shane Whitaker</i>	<i>Clifford Elliott</i>	<i>Leverette Strider</i>
<i>Area 3</i>	<i>Area 3 Alternate</i>	<i>At-large</i>	<i>At-large Alternate</i>
<i>Jill Smith</i>	<i>Ike Ferguson</i>	<i>Arlie Culp</i>	<i>Joe Stone</i>
<i>Area 4</i>	<i>Area 4 Alternate</i>		
<i>Sheela Wright</i>	<i>W. Joe Allen</i>		

Scattered Site Housing Community Development Block Grant Project; Public Hearing; Adoption of Ordinance and Resolutions

David Townsend, III, told the Board that the County received a letter from the North Carolina Department of Commerce, Division of Community Assistance, dated September 20, 2002, inviting Randolph County to participate as lead entity for a Scattered Site Housing allocation of \$400,000.00. The County can utilize these funds to rehabilitate the homes of very low-income residents who have homes with severe housing needs. The County could anticipate rehabilitating as many as eight (8) homes. The North Carolina Department of Commerce has divided all 100 counties up into three revolving groups and Randolph County can receive these funds on a three-year rotation. This will allow the County to set up a program that will continue to receive State funds to assist some of our very low-income residents. If Randolph County chose not to be the lead entity, the nine municipalities of the County would be given the opportunity to apply for the grant. The Public Works Department was asked to implement the necessary actions to apply for the grant. Our Certification of Interest was sent to the Division of Community Assistance (DCA) on October 16, 2002. The Grant Agreement and Funding Approval were forwarded to DCA on January 6, 2003 and an extension until February 6, 2003 for the remaining items needed for grant approval was granted. A public hearing has been set for today at 6:00 p.m. and was duly advertised. To complete the grant application, the Board needs to adopt a grant ordinance, a resolution authorizing signatories on the signatory form and certification, and a resolution authorizing Phil Kemp to sign the funding approval and grant agreement, and issue a Performance Based Contract.

At 6:05 p.m., Chairman Kemp opened the public hearing, and hearing no comments, closed the public hearing.

On motion of Mason, seconded by Davis, the Board voted unanimously to adopt the following grant ordinance, a resolution authorizing signatories on the signatory form and certification, and a resolution authorizing Phil Kemp to sign the funding approval and grant agreement, and issue a Performance Based Contract:

BE IT ORDAINED, by the Randolph County Board of Commissioners that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant ordinance is hereby adopted:

Section 1: The project authorized is the Community Development Block Grant Project described as the 2003 Scattered Site Housing Project between The North Carolina Department of

Commerce, Division of Community Assistance, and Randolph County, more described as CDBG# 02-C-1007.

Section 2: *The officers of this unit are hereby directed to proceed with the grant Project within the terms of the grant documents, the rules and regulations of the North Carolina Department of Commerce, Division of Community Assistance.*

Section 3: *The following revenues are anticipated to be available to complete this project:
Community Development Block Grant Funds: \$400,000*

Section 4: *The following amounts are proposed for the project-to-date:*

<i>Clearance:</i>	<i>\$ 9,000.00</i>
<i>Relocation Assistance:</i>	<i>\$ 44,500.00</i>
<i>Rehabilitation Assistance:</i>	<i>\$ 255,000.00</i>
<i>Lead-Based Paint:</i>	<i>\$ 48,000.00</i>
<i>Planning/House Work Write-ups:</i>	<i>\$ 3,500.00</i>
<i>Administration:</i>	<i>\$ 40,000.00</i>
<i>TOTAL:</i>	<i>\$ 400,000.00</i>

Section 5: *The Deputy Finance Officer, William L. Massie, is hereby directed to maintain within the grant project fund sufficient detailed accounting records to provide the accounting to the grantor agency required by the grant agreement and federal and state regulations.*

Section 6: *Requests for funds will be made to the grantor agency in an orderly and timely manner as funds are obligated and expenses incurred.*

Section 7: *The Deputy Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.*

Section 8: *The Deputy Finance Officer is directed to include a detailed analysis of past and future cost and revenues of this grant project in every budget submission made to the board.*

Section 9: *Copies of this grant budget ordinance shall be made available to the Deputy Finance Officer, if different from the Clerk to the Board for direction in carrying out this project.*

and

WHEREAS, *in order to receive Community Development Block Grant funds, the Randolph County Board of Commissioners must authorize persons to sign the requisition form for Community Development Block Grant funds and checks for Randolph County Scattered Site Housing Community Development Grant Project; and*

WHEREAS, *in order to carry out all of the activities of the CDBG project, the Randolph County Board of Commissioners have appointed Phil Kemp, (Chairman); William F. Willis, (County Manager), William L. Massie, (Deputy Finance Officer); and Patty Brown, (Assistant Director of Public Works) as the authorized persons to execute the signature requirements for requisitions for Community Development Block Grant funds and checks for disbursement for the CDBG Project 02-C-1007;*

BE IT RESOLVED *that Phil Kemp, William F. Willis, William L. Massie and Patty Brown be authorized to administer the Community Development Block Grant program and execute all applicable documents.*

and

WHEREAS, *the Randolph County Board of Commissioners is the governing body of Randolph County; and,*

WHEREAS, *in order to receive Community Development Block Grant Funds, the Randolph County Board of Commissioners must authorize the Chief Elected Official, the Chairman, to sign the Funding Approval and Grant Agreement;*

NOW, THEREFORE, BE IT RESOLVED *that the Randolph County Board of Commissioners hereby authorize Chairman, Phil Kemp, to sign the Funding Approval and Grant Agreement and issue a Performance-Based Contract in order to accept funding for the 2003 Randolph County Scattered Site Housing Grant Project – CDBG# 02-C-1007.*

Update on Proposed Solid Waste Merger with the City of Asheboro

Frank Willis shared a letter from City of Asheboro Mayor David Jarrell, which stated that a merger of the City and County solid waste programs would not be desirable at this time. Mr. Willis said that the Asheboro City Council plans to adopt a resolution at their meeting on February 6 that alludes to the City's intent to send all solid waste collected by the City of Asheboro through their own transfer station and that the City will be supportive of the County's efforts to effectively manage the County's solid waste stream. Mr. Willis said that he had talked to John Ogburn, Asheboro City Manager, who told Mr. Willis that the City did not plan to compete with the County regarding the City's taking the County's solid waste business. Mr. Willis said that he and David Townsend III will be working on a proposal to manage the County's 70,000 tons of solid waste. He said that he hopes to bring this proposal before the Board soon.

Rezoning Public Hearing

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider a rezoning request. Hal Johnson, Planning and Zoning Administrator, presented the following requests and Chairman Kemp opened the public hearing for comments on each request and closed it before taking action on each request.

1. RICHARD DEATON, Lexington, is requesting that 21.33 acres located on Chapelwood Road, Concord Township, be rezoned from RA to CVOR-CU. The proposed Conditional Use Zoning District would specifically allow an additional lot in Deaton Estate Subdivision for Class-A doublewide mobile homes on permanent masonry foundation, modular homes or site-built homes. Property Owners: Jeffrey & Ricky Deaton, Michael & Kristi Toler, and William & Cheryl Eddinger. The Planning Board recommended unanimously that this request be denied.

Mr. Johnson explained that the request for an additional lot (Tract E) is the result of the division of an estate settlement.

Richard Deaton, applicant, noted that he could put 2 singlewides on the property as it is zoned now. He said there are 4 doublewides within ½ mile, and he distributed photographs of these mobile homes. He said Tract A already has a doublewide on it; houses on D and E won't be visible from the road.

Keith Eddinger, 3629 Courtland Circle, Thomasville, said he is building a house on Tract C, and it will not be visible from the road. He said he is not sure what kind of house he will build.

Don Hulin, Lexington, said his daughter wants to buy Tract E and put a doublewide with brick foundation on it.

Jon Megerian, attorney for neighbors, argued that how this property is developed will set the tone for the area in the future. He said mobile homes are built to different standards and deteriorate rapidly. The neighbors are not against the rezoning, just the placing of a mobile home on the property. He distributed photographs of area residences.

Six people stood in opposition to the request.

On motion of Frye, seconded by Holmes, the Board voted unanimously to deny the request of Richard Deaton.

2 RUSSELL LINEBERRY, Siler City, is requesting that 49.40 acres located on Browns Crossroads Road, Columbia Township, be rezoned from RA to RLOR-CU. The proposed Conditional Use Zoning

District would specifically allow the development of a 12-lot subdivision for modular homes or site-built homes. Property Owner: Roger Thompson. The Planning Board recommended unanimously that this request be approved.

Russell Lineberry, applicant, stated that the average lot size is 4.1 acres, and lots are mostly wooded. There will be a 100' buffer around the entire property, and potential buyers must sign a letter acknowledging their awareness of chicken houses and cattle in the area, as well as resulting smells and flies, and promising not to attempt any action against these farm uses.

Jon Megerian, attorney for neighbors, distributed photographs of the area and said that this is not a good place for a subdivision since there is so much working farmland surrounding it.

Approximately 40 people stood in opposition to this request.

Jimmy Moffitt, 379 Browns Crossroads Road, Staley, opposed the request and said that the 2 farms nearby would probably be sold and developed if this request is approved.

Tim Moffitt, 6623 Hinshaw Town Road, Ramseur, said there are 45 poultry houses in a 2-mile radius and that they produce more revenue than a subdivision would. He expressed concern for groundwater supply.

Hazel Kimrey, 6844 Sandy Creek Church Road, Staley, spoke in opposition to the development.

Jimmy Langley, 1327 Browns Crossroads Road, Staley, said he is willing to buy the property at the asking price, and he would keep it farmland.

On motion of Holmes, seconded by Frye, the Board voted unanimously to deny the request of Russell Lineberry.

3. SDT DEVELOPMENT, INC., Archdale, is requesting that 40.69 acres located on Heritage View Lane, Tabernacle Township, Lake Reese Watershed, be rezoned from RA to CLOE-CU. The proposed Conditional Use Zoning District would specifically allow the development of a 40-lot subdivision for site-built homes only with a minimum house size of 1,300 sq. ft. Property Owner: Julli Barnes. The Planning Board recommended unanimously that this request be approved.

Mr. Johnson noted that this is the first request for an open-space cluster subdivision. He said it is well designed.

Stan Byrd, Archdale, said this development provides an opportunity for affordable housing.

Ken McDowell, realtor, said he served on the committee that worked on the County's land use plan and that he thinks the applicant for this request has done a great job on the design.

Gail and Gerald Aignor, adjoining property owners, spoke in support of the request and said it would improve the neighborhood.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the request of SDT Development, Inc.

4. K & L ENTERPRISES, Asheboro, is requesting that 50.69 acres located on Ramseur-Julian Road,

Columbia Township, Sandy Creek Watershed, be rezoned from RA to RLOR-CU. The proposed Conditional Use Zoning District would specifically allow the development of a 15-lot subdivision for Class-A doublewide mobile homes on permanent masonry foundation, modular homes or site-built homes. The Planning Board recommended unanimously that this request be approved.

Ken McDowell, 1926 Old Humble Mill Road, Asheboro, stated that there are many mobile homes in the area already. He requested that part of the conditional use be that all driveways will enter onto the new road, not onto Ramseur-Julian Road.

Jerry King, surveyor, 154B S. Fayetteville Street, Asheboro, said the 2 front lots will have well setbacks because of the farmland across the road.

Linda Humble, adjoining property owner, had concerns about people from this subdivision coming onto her property and having an accident in her pond. She stated that she does have a fence around it but that she had had a fence cut by someone before.

Alan Pugh, County Attorney, told Mrs. Humble that she has no liability for an “attractive nuisance” if the pond is fenced.

On motion of Frye, seconded by Mason, the Board voted unanimously to approve the request of K & L Enterprises.

Adjournment

The Board adjourned at 8:30 p.m.

Phil Kemp, Chairman

J. Harold Holmes

Darrell Frye

Robert O. Mason

Robert B. Davis

Cheryl A. Ivey, Deputy Clerk to the Board