

August 4, 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, Frye, Davis, Holmes, and Mason were present. Rev. Joe Reece, Asheboro Friends Meeting, gave the invocation, and everyone recited the Pledge of Allegiance.

**Consent Agenda**

*On motion of Frye, seconded by Davis, the Board voted unanimously to approve the consent agenda, as presented:*

- *approve minutes of July 7, 2003;*
- *reappoint Judge Brad Long, Phil Kemp, Garland Yates and Vic Freitas to the Randolph County Criminal Justice Partnership Advisory Board;*
- *reappoint Joyce Rogers to the Adult Care Home Community Advisory Board;*
- *adopt 2004 Holiday Schedule, as follows:*

<b>Holiday</b>	<b>County*</b>	<b>Solid Waste Facility**</b>	<b>Library</b>
<i>New Year's Day</i>	<i>1/1 (Thurs.)</i>	<i>1/1 (Thurs.) closed, 1/2 (Fri.) open</i>	<i>1/1</i>
<i>M.L.King Jr.'s Bday</i>	<i>1/19 (Mon.)</i>	<i>1/19 open</i>	<i>1/19</i>
<i>Easter</i>	<i>4/9 (Fri.)</i>	<i>4/9 (Fri.) open; 4/10 (Sat.) Closed</i>	<i>4/9, 4/10 (Fri. &amp; Sat.)</i>
<i>Memorial Day</i>	<i>5/31 (Mon.)</i>	<i>5/31</i>	<i>5/31</i>
<i>Independence Day</i>	<i>7/5 (Mon.)</i>	<i>7/5</i>	<i>7/5</i>
<i>Triad Highland Games (Archdale Library only)</i>			<i>8/21 (Sat.)</i>
<i>Labor Day</i>	<i>9/6 (Mon.)</i>	<i>9/6</i>	<i>9/4, 9/6 (Sat. &amp; Mon.)</i>
<i>Fall Festival (Asheboro Library only)</i>			<i>10/2 (Sat.)</i>
<i>Veterans' Day</i>	<i>11/11 (Thurs.)</i>	<i>11/11 open</i>	<i>11/11</i>
<i>Thanksgiving</i>	<i>11/25 &amp; 26 (Thurs. &amp; Fri.)</i>	<i>11/25 closed, 11/26 open, 11/27 open</i>	<i>11/25, 11/26, 11/27 (Thurs., Fri., Sat.)</i>
<i>Christmas</i>	<i>12/24, 12/27 (Fri., Mon.)</i>	<i>12/24 (Fri.) close @ noon; 12/25 (Sat.) closed</i>	<i>12/24, 12/25, 12/27 (Fri., Sat., Mon.)</i>

**Amendment to Animal Control Ordinance**

MiMi Cooper, Public Health Director, reminded the Board that last month they had revised the animal control ordinance in order to prohibit the possession, sell or harboring of exotic mammals. However, in her desire to avoid a list of banned animals that could require frequent changes, she made the definition too broad. Now, this proposed revised definition more clearly meets the purpose of the ordinance and is flexible to respond to different problems at different times. Ms. Cooper said that she had spoken with several of the many citizens who called to point out the confusion with the first definition and said that these citizens felt that this revised definition is appropriate.

*On motion of Davis, seconded by Mason, the Board voted unanimously to approve the following changes to the Animal Control Ordinance:*

*Section 1. Definitions – Exotic Mammals—All mammals designated by the Centers for Disease Control and Prevention, Department of Agriculture or other National or State public health protection*

agencies as embargoed or prohibited under legal protection orders. No reference or regulations in this ordinance applies to exotic mammals under the control of the North Carolina Zoological Park.

*Section 3-B(7) Exotic Mammals*

- a. It shall be unlawful for any person to possess, sell or harbor an exotic mammal or their hybrids.*
- b. Exotic mammals privately owned prior to any embargo or protection orders may remain in the county if so allowed by the order, but must be registered with the Animal Control section of the Health Department.*
- c. Breeding or allowing the reproduction of exotic mammals as defined in this chapter is prohibited.*

**Frank Leonard**, who was in the audience, said that he is a former Bronx Zoo keeper and offered his expertise on animal matters should the County ever need it. He also stated that the best source of information on exotic mammals is our own N.C. Zoo personnel.

**Adoption of 2003-2004 Classification Plan and Salary Schedule**

Kim Newsom, Personnel Director, requested the adoption of the 2003-2004 classification plan and salary schedule, which reflects the recommendations incorporated into the 2003-2004 budget. He also said that this new plan reflects fewer classes than previously presented due to the deletion of mental health positions since Randolph County Mental Health's merger with the Sandhills Center.

*On motion of Frye, seconded by Holmes, the Board unanimously adopted the 2003-2004 classification plan and salary schedule, as presented in the 2003-2004 budget.*

**Amendment to the Unilever Economic Development Contract**

Aimee Scotton, County Attorney, reminded the Board that the County and the City of Asheboro entered into a joint economic incentive contract with Unilever Bestfoods. These incentives were offered in order to aid and encourage the expansion of Unilever's facilities in Asheboro, resulting in an investment by Unilever totaling approximately \$5,500,000. The County and City were to pay \$150,000 each to Unilever upon Unilever's completion of certain performance requirements. In Section 2(b) of the contract, Unilever is required to deliver to the County and the City "a written certification by its external auditor that the actual new value/investment in real and personal property of the project equals or exceeds the sum of \$5,500,000. Unilever has requested that this section be amended to provide that the certification could be made by the Senior Vice President of Finance of Unilever rather than by an external auditor. The remainder of the section and the contract would remain unchanged. The City of Asheboro considered this amendment at their regular board meeting in July, and approved allowing the change contingent upon this Board's approval.

*On motion of Frye, seconded by Holmes, the Board voted unanimously to approve the amendment to the Unilever Economic Development Contract such that the performance certification could be made by the Senior Vice President of Finance of Unilever rather than by an external auditor.*

**Contract Extension for Weiser Security Services**

David Townsend, III, Public Works Director, reminded the Board that in March 2000, the Board awarded a 3-year contract to Weiser Security Services to provide security at our three "manned" convenience sites: Farmer, Coleridge and at the County Solid Waste Facility. The contract has a 3-year renewal option if both parties were satisfied with the quality of service. Weiser has requested small rate increases, which will be passed along to the employees at the sites. Mr. Townsend noted that all of these employees are Randolph County citizens. He said that since this security service has always remained satisfactory in the past, he is recommending that the Board approve the contract extension.

*On motion of Mason, seconded by Davis, the Board voted unanimously to approve a 3-year contract extension for Weiser Security Services including the following rates:*

	<b><i>Hour Rate</i></b>	<b><i>Bill Rate</i></b>
2003	\$7.11	\$9.79
2004	\$7.32	\$10.15
2005	\$7.54	\$10.53

**Rural Transportation Planning Organization (RTPO) Project Update**

Hal Johnson, County Planning Director, told the Board that the first meeting of the new Piedmont Triad Rural Transportation Planning Organization was held December 2002. It is comprised of Caswell, Davidson, Montgomery, Randolph and Rockingham Counties. Randolph County representatives include County Commissioner Robby Davis, City Councilman Talmadge Baker and Hal Johnson. One of the core functions of the RTPO is to develop and prioritize projects for inclusion on the Transportation Improvement Program (TIP), which is the state’s schedule and funding mechanism for transportation projects. The following is a timeline that will be followed:

- August 2003—Kick-off presentations from local officials of TIP priorities and possible projects in each county
- September 2003—County RTPO/TIP committees host public input session (one in each county)
- October 2003—Submit project lists to RTPO; establish method of prioritization; participate in regional NCDOT hearings
- November 2003—RTPO staff collection of background data for list of projects
- December 2003—Hold public hearing; make final decision on project lists
- January 2004—Submit approved project lists to NCDOT

The following Randolph County issues have been identified in priority order: Interstate 73/74, access to Piedmont Triad International Airport, north/south connections for commuters, impact of Randleman Lake on future transportation projects and land use patterns, cooperation with Division 8, and Greensboro and High Point Metropolitan Planning Organizations (MPO). The following proposed TIP projects in priority order are as follows: designation of I-73/74 from Asheboro to Greensboro Urban Loop, US-811/I-74 Connector from US 220 to Archdale, NC 49 East Liberty Bypass, NC705 widening in Seagrove, new connector from W. Academy St. to US 311 in Randleman, safety improvements to High Point Street and Academy Street in Randleman, US 64 Bypass—Asheboro Southern Loop, I-73/74 Rest stop near Seagrove, Archdale Road (SR 1004) widening in High Point MPO.

**Consideration of AT&T Cell Tower Lease**

Aimee Scotton told the Board that the County had been approached by AT&T about leasing property at the landfill for \$850/month for the construction and maintenance of a cellular phone tower. It would be a 192’ monopole wireless communication tower and facility. Last month the Planning Board approved the issue of a special use permit for the tower’s construction if the lease is approved. The site for the tower has been evaluated by the Public Works Department and it has been determined that it will not interfere with any future use of the landfill property. The lease is for an initial 10-year term, but automatically renews for 4 additional 5-year terms unless AT&T cancels. The rent shall increase by 4% each year that the lease remains in place. In addition to paying the rent to the County, AT&T has agreed to reserve space on the tower for use by the County (at no charge) in pursuing future technological wireless networks, including distance-learning for the schools and 800 megahertz radio frequencies for public safety. They have also allowed us space for wireless building to building connectivity.

*On motion of Mason, seconded by Holmes, the Board voted unanimously to approve leasing County-owned property at the landfill to AT&T, as presented and contingent upon County Attorney review and approval.*

**Budget Amendment – Sheriff’s Department Law Enforcement Retricted Funds**

Major Allen McNeill told the Board that the Sheriff’s Department would like to expend a total of \$326,300 of law enforcement restricted funds to purchase the following items:

18 - Mobile data computers for patrol cars @ \$9,000	\$ 162,000
1 Kale recorder unit	5,000
1 Surveillance camera	12,500
1 Forensic Recovery device & training	20,000
1 camera system for jail	20,000
2 - 4 X 4 SUV patrol vehicles & equipment to outfit them	70,000
1 Evidence bar-coding system	12,000
Miscellaneous equipment	5,000
Automatic external defibrillator	2,500
Brother PPF47850e Fax Machine	500
House arrest drive-by monitor	600
Dictaphone Direct Express Writer Plus	500
Tritronics K-9 special Pro 1000	600
Fingerprint comparator system	2,000
2 MP5 9 mm submachine guns	3,000
Metal carport cover	2,000
12 Olympus D520 zoom digital cameras with 128 mb flash card	4,800
10 Sets of Spike strips @ 330	3,300
Total	\$ 326,300

*On motion of Frye, seconded by Mason, the Board voted unanimously to approve Budget Amendment #3 for the expenditure of law enforcement funds, as follows:*

<b>GENERAL FUND - #3</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Appropriated Fund Balance</i>	<i>\$ 326,300</i>
<b>Appropriations</b>	<b>Increase</b>
<i>Sheriff</i>	<i>\$326,300</i>

**Budget Amendment – Sheriff’s Department Governor’s Crime Commission Grant**

Sheriff Litchard Hurley told the Board that the NC Department of Crime Control and Public Safety, Division of Governor’s Crime Commission, has awarded a grant to Randolph County for a joint project that involves 13 law enforcement agencies in Alamance, Davidson, Forsyth, Guilford, and Randolph Counties. The grant is for \$74,954 of Federal money and the 25% match is being provided by each law enforcement agency for a total match of \$24,985. Randolph has agreed to handle the grant funds and complete the grant reporting requirements.

*On motion of Holmes, seconded by Mason, the Board voted unanimously to approve Budget Amendment #4, as follows:*

<b>GENERAL FUND - #4</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Restricted Intergovernmental</i>	\$74,954
<i>Miscellaneous</i>	\$24,985
<b>Appropriations</b>	<b>Increase</b>
<i>Sheriff</i>	\$99,939

**Budget Amendments – Library**

Richard Wells, Public Library Director, told the Board that the library has been awarded 2 grants under the Library Services and Technology Act (LSTA) as administered by the State Library of North Carolina. The first is a Basic Equipment Grant (grant amount \$15,726, local match \$2,380) that will enable the library to replace 14 older computers with state-of-the-art computers and replace 18 older printers with 10 new, more robust network printers designed for commercial use. This new equipment will serve the public better. The second award is an Internet Infrastructure Improvement Grant (grant amount \$29,284, local match \$7,350) that will enable the library to purchase software for the public Internet that will standardize usage countywide in the areas of print management, patron authentication, time control, security, etc. This system will allow the library to fully integrate and standardize public Internet offerings countywide, which is not the case now. Mr. Wells asked the Board to appropriate a total of \$9,730 for the local match requirement.

*On motion of Holmes, seconded by Davis, the Board voted unanimously to approve Budget Amendment #5, as follows:*

<b>GENERAL FUND - #5</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Appropriated Fund Balance</i>	\$ 9,730
<i>Restricted Intergovernmental</i>	\$45,010
<b>Appropriations</b>	<b>Increase</b>
<i>Public Library</i>	\$54,740

**Economic Development Project Public Hearing**

Bonnie Renfro, Randolph County Economic Development Corporation (EDC) Executive Director, reminded the Board that the EDC purchased a 48-acre site in Randleman in April 2000 for development as an industrial park. A bank loan was obtained to finance the purchase price of \$762,500, with a credit line of up to \$1 million for additional development costs. That credit line has not been used to date. At the time of purchase, the Board of Commissioners voted to support the debt service for the project, currently tied to prime rate plus one-half percent. The loan is structured with a single annual debt service payment due on September 1 each year. During the previous three years, the EDC has made the payment on two occasions using existing resources and the County has made a designated allocation to the EDC for this purpose in one year, 2001. Payments to date are

September 2000	\$25,797.90	EDC paid
September 2001	\$60,189.85	Randolph County allocation
September 2002	\$34,571.96	EDC paid

The estimated payment due on September 1, 2003 is \$29,419.79 for the twelve-month period from September through August. Ms. Renfro asked that the County appropriate the sum of \$29,419.79 to the EDC to pay the interest payment on the note for this West Randleman Business Park. According to the

statute governing economic development expenditures, the County must schedule a public hearing prior to consideration and approval of this appropriation to the EDC.

Chairman Kemp opened the public hearing and, hearing no comments, closed the public hearing.

*On motion of Davis, seconded by Frye, the Board voted unanimously to approve Budget Amendment #6, which appropriates \$29,419.79 to the EDC to pay the interest payment on the note for the West Randleman Business Park, as follows:*

<b>GENERAL FUND - #6</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Appropriated Fund Balance</i>	<i>\$ 29,420</i>
<b>Appropriations</b>	<b>Increase</b>
<i>Other Economic &amp; Physical Development Appropriations</i>	<i>\$29,420</i>

**Budget Amendment - Encumbrances**

Jane Leonard, Deputy Finance Officer, stated that an encumbrance is created when a contract is entered into or a purchase order is issued. Encumbrances outstanding at 6/30 must be recorded in the Fund Balance section of the County’s Financial Statements and are added to the next year’s budget by amending the budget. At 6/30/03, the encumbrances to be carried over to the 2003-2004 budget totaled \$2,965,658.

*On motion of Frye, seconded by Davis, the Board unanimously approved Budget Amendment #7 to the FY 2003-2004 Annual Budget, as follows:*

<b>GENERAL FUND - #7</b>	
<b>Revenue</b>	<b>Increase</b>
<i>Appropriated Fund Balance</i>	<i>\$2,842,760</i>
<b>Appropriations</b>	<b>Increase</b>
<i>Administration</i>	<i>\$ 26,045</i>
<i>Computer Services</i>	<i>17,000</i>
<i>Elections</i>	<i>55,000</i>
<i>Tax</i>	<i>20,017</i>
<i>Register of Deeds</i>	<i>600</i>
<i>Public Buildings - Maintenance</i>	<i>357,601</i>
<i>Sheriff</i>	<i>31,989</i>
<i>Emergency Services</i>	<i>7,779</i>
<i>Public Health</i>	<i>61,674</i>
<i>Cooperative Extension Service</i>	<i>29,254</i>
<i>Public Works</i>	<i>315</i>
<i>Public Library</i>	<i>1,804</i>
<i>Social Services</i>	<i>271,324</i>
<i>Soil &amp; Water</i>	<i>16,358</i>
<i>Other Economic &amp; Physical</i>	<i>1,446,000</i>
<i>Contingency – Technology</i>	<i>500,000</i>

<b>EMERGENCY TELEPHONE SYSTEM FUND - #7</b>	
<b>Revenue</b>	<b>Increase</b>
<i>Appropriated Fund Balance</i>	\$115,298
<b>Appropriations</b>	<b>Increase</b>
<i>Wireline</i>	\$68,379
<i>Wireless</i>	\$46,919

<b>LANDFILL FUND - #7</b>	
<b>Revenue</b>	<b>Increase</b>
<i>Appropriated Fund Balance</i>	\$7,600
<b>Appropriations</b>	<b>Increase</b>
<i>Landfill Operations</i>	\$7,600

**Budget Amendment—Public Health**

Jane Leonard said that the Health Department has received \$964 to cover installation costs associated with the new computers that have been purchased by the state for the WIC program.

*On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #8, as follows:*

<b>GENERAL FUND - #8</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Restricted Intergovernmental</i>	\$964
<b>Appropriations</b>	<b>Increase</b>
<i>Public Health</i>	\$964

**Budget Amendment—Public Health**

Jane Leonard said that the Health Department had received \$3,000 from Bioterrorism funds that will allow the Health Department to purchase a computer and printer for the laboratory, thereby enabling a connection with the Health Alert Network.

*On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #9, as follows:*

<b>GENERAL FUND - #9</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Restricted Intergovernmental</i>	\$3,000
<b>Appropriations</b>	<b>Increase</b>
<i>Public Health</i>	\$3,000

**Budget Amendment—Public Health**

Jane Leonard said that the Health Department has received \$2,000 from the N.C. Heart Disease and Stroke Prevention Program. These funds are to be used to educate children on the importance of choosing 1% or less milk and to promote the “Start With Your Heart” campaign.

*On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #10, as follows:*

<b>GENERAL FUND - #10</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Restricted Intergovernmental</i>	\$2,000
<b>Appropriations</b>	<b>Increase</b>
<i>Public Health</i>	\$2,000

**Budget Amendment – Day Reporting Center**

Jane Leonard told the Board that the NC Department of Crime Control and Public Safety, Division of Governor’s Crime Commission, has extended a grant for the Day Reporting Center in the amount of \$146,703 to continue their Juvenile Expanded Day program for a third year. Randolph County will use our Juvenile Justice funds to provide the 25% match required by the Governor’s Crime Commission. No additional County dollars are required. Montgomery County Juvenile Crime Prevention Council has also allocated an additional \$3,949 to our Day Reporting Center to be used for psychological evaluations.

*On motion of Holmes, seconded by Davis, the Board unanimously approved Budget Amendment #11, as follows:*

<b>GENERAL FUND - #11</b>	
<b>Revenue</b>	<b>Increase</b>
<i>Restricted Intergovernmental</i>	\$146,703
<i>Miscellaneous</i>	3,949
<b>Appropriation</b>	<b>Increase</b>
<i>Day Reporting Center</i>	\$150,652

**Rezoning Public Hearing**

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. 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. **MARTHA HUDSON**, Ramseur, North Carolina, is requesting that 10.59 acres (out of 88.36 acres) located on Young Road, Grant Township, be rezoned from RA to CVOR-CU. The proposed Conditional Use Zoning would specifically allow the development of a 10-lot subdivision for Class-A double-wide mobile homes on permanent masonry foundations, modular homes, or site-built homes. The Planning Board considered this request at a public meeting on July 8, 2003 and recommended unanimously that this request be denied.

**Jerry King**, surveyor, spoke in support of this request, stating that Ms. Hudson had inherited this land. Since there has been some neighborhood opposition to her request, she will agree to change her request to include only modular and site-built homes, dropping double-wides, if she can keep the current double-wide on lot #10. Mr. King stated that each lot will have a well and septic tank. She said that she was only developing 10.59 acres out of 88.36 acres because the other acreage has such poor soil. Also, the site plan was prepared in such a way as to use an old existing road bed for the new road. Ms. Hudson has given her neighbors the opportunity to purchase some of this property and 4 lots have been sold. She’s developing the property to help pay the taxes on this inherited land. Mr. King said that there is a good set of restrictive covenants proposed and that there is a minimum house size requirement of 1300 sq. ft.

**Faye Cox**, 1211 Grantville Lane, Asheboro, spoke in support of this request, stating that a person should be able to use his own land. She said that Ms. Hudson has tried to sell off the property in big and small tracts but has not had much success.

**Deana Cox**, 4013 Young Rd., spoke in support, stating that Ms. Hudson has little choice but to try to build a subdivision in order to make a little bit of profit after property taxes are paid.

**Mike Cox**, 4141 Young Rd., said that the proposed subdivision does not fit with the character of the community. An appraiser told him that this proposed subdivision would adversely affect existing property owners. He said that Ms. Hudson's revised scenario (without the double-wides) is better than the original but if there is a double-wide already there (on lot #10) no one will want to put a nicer site-built or modular home next to it. The old roadbed that the applicant wants to use is very rough. He has additional concerns about increased noise, traffic, safety and bus traffic.

**Gary Cox**, 4336 Young Rd., said that the request keeps changing. He suggested making the lot sizes bigger.

**Judy Cox**, 4336 Young Rd., said that if this tract is developed, the other acreage will eventually be developed too. She also has water and sewer concerns. There are chicken and dairy farms right down the road. If approved, this could open the door for more of these subdivisions in the future. This subdivision would put a burden on Eastern Randolph High School, the largest high school in the county, which is already bursting at the seams.

**Mark Clasen**, 4394 Young Rd., said that the majority of area property owners own large tracts of land. The proposed request is out of character with the area. There is a lot of cut-through traffic on this road already. He also has water supply and water quality concerns.

*On motion of Frye, seconded by Mason, the Board voted unanimously to refer this request back to the Planning Board.* The Board suggested that another neighborhood information meeting be held so that the applicant, surveyor and neighbors could come to a compromise and the site plan could be reconfigured to include more acreage, thereby making the lot sizes bigger.

2. **JOHN DEATON**, Sophia, North Carolina, is requesting that 1 acre located on Branson Davis Road, New Market Township, be rezoned from RA to RBO-CU. The Conditional Use Zoning would specifically allow a cabinet-making shop in a proposed 50' x 100' building. The Planning Board considered this request at a public meeting on July 8, 2003 and recommended unanimously that this request be approved with the following conditions:

- \*building should be placed back as far as possible on the lot
- \*appropriate buffers should be retained (as per new site plan)
- \*appropriate landscaping plan (as per new site plan)

**John Deaton**, applicant, said that he wishes to buy the proposed property from his wife's grandfather in order to relocate his business. His current business location is too small. He has talked to the County Fire Marshal and to the Environmental Health staff regarding their recommendations on the waste system and storage needs. He will have no more than 3 employees. He said that he will not have many deliveries but some of these deliveries will be made by big trucks. Chairman Kemp expressed concern about these large trucks in the area with New Market School right across the road. The applicant said that he would try to schedule deliveries during hours when school traffic was not heavy.

*On motion of Davis, seconded by Mason, the Board voted 4-1, with Kemp opposing, to approve the request of John Deaton with the following conditions:*

- *building should be placed back as far as possible on the lot*
- *appropriate buffers should be retained (as per new site plan)*
- *appropriate landscaping plan (as per new site plan)*

3. **GARLAND FERGUSON**, Staley, North Carolina, is requesting that 14.42 acres (out of 38.82 acres) located on the corner of Old Staley Road/Cox Meadow Road, Columbia Township, be rezoned from RA to COVE-CU. The Conditional Use Zoning District would specifically allow the development of a 12-lot residential subdivision for site-built homes only. Ralph A. & Judy Newsome & Others - Property Owners. The Planning Board considered this request at a public meeting on July 8, 2003 and recommended unanimously that this request be approved with the condition of a Level 1 no-cut buffer along Old Staley Road.

**Garland Ferguson**, applicant, said that he was a real estate broker and builder and wants to give first-time home buyers an opportunity to buy a stick-built home. He has devised a plan so that a person can purchase a home with Mr. Ferguson paying the down payment and closing costs. He wants to sell only to people with good credit and good work history. He said this subdivision would add to the value of the community. He mentioned that the people who have expressed interest in buying one of these homes are people already living in the community. This means that this subdivision would not put an additional burden on the school system because they are already in the area. He said that each lot would have its own well and septic system and he has done an erosion control plan.

**Eric Christenbury**, 333 E. Swannanoa Ave, Liberty, said that he owns 46 acres in sight of the proposed site. He said that the request is 14.42 acres (out of 38.82 acres) and wants to know where the other 24.40 acres are. He has not been able to get an answer to this question. He plans to build on the center of his tract. He is concerned that he would get run-off from the proposed subdivision. He said that he has a petition with 48 signatures opposing the request. He suggested that the lot sizes be increased to a minimum of 2 to 5 acres per lot. He is currently leasing his land for farming purposes.

*On motion of Holmes, seconded by Mason, the Board voted 4 to 1, with Davis opposing, to approve the request of Garland Ferguson with the following conditions:*

- *a Level 1 no-cut buffer along Old Staley Road*
- *1,200 sq. ft. minimum house size*

4. **EARNHART BUILDERS**, Asheboro, North Carolina, is requesting that 18.50 acres (out of 234.30 acres) located on Fuller Mill Road (across from Finch Farm Road), Tabernacle Township, be rezoned from RA to CVOE-CU. The Conditional Use Zoning District would specially allow the development of an 18-lot residential subdivision for site-built homes only. Charlie L. & Pauline M. Welborn - Property Owners. The Planning Board considered this request at a public meeting on July 8 , 2003 and recommended unanimously that this request be denied.

**Stan Byrd**, realtor, spoke in support of this request, as long as his new open-space cluster subdivision across the road that was approved last month is protected.

**Michael Pugh**, High Point realtor, said that the applicant did not know anything about the recommended buffer requirements until today. He said that development is inevitable and essential

because it stimulates the economy and creates jobs. He said that the site plan had been approved by the Technical Review Committee and it complies with the Growth Management Plan. He distributed pictures to contradict a neighbor's complaint that this type of development is not compatible with the area. The pictures were of mobile and modular homes in the area. He said that the "preferred" cluster home subdivision is a new concept and had not been implemented in Randolph County and proved to be successful. He said the applicant would agree to a 1,500 sq. ft. minimum house size condition. He said that the applicant has a contract on the land, subject to zoning approval. He also said that the proposed site was in a "transitional" area whereby future development would be more upscale.

**Jim Stephens**, engineer, said that 80% of the sites will perk and that Davidson Water will be available.

**Eric Black**, 6651 Post Rd., Thomasville, contradicted a comment made earlier, by saying that Post Road was paved because he had paid for it himself. He owns a 100-acre farm across the road and, if approved, he wants to make sure that new neighbors won't be complaining about farm noises and smells from his farm. He also has septic and well concerns because they drink well water. There is also a great deal of run-off from this property already that comes across his land. He said that a new development in this area gives no positive economic impact to Randolph County because everyone in this area goes to Thomasville or High Point to shop. He said that the proposed subdivision with a 1,500 sq. ft. house size minimum would not be compatible with the nice open-space cluster home subdivision across the road that was approved last month.

*On motion of Frye, seconded by Davis, the Board voted unanimously to delay a decision on this request in order for the developer to reconfigure the site plan to include more of the 234 acres in order to make the lot sizes bigger.*

**Adjournment**

The Board adjourned at 8:45 p.m.

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Phil Kemp, Chairman

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Darrell L. Frye

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J. Harold Holmes

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Robert B. Davis

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Robert O. Mason

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Cheryl A. Ivey, Deputy Clerk to the Board