

October 6, 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. Frank Jarvis, Fairview United Methodist Church, Trinity, gave the invocation, and everyone recited the Pledge of Allegiance.

### **Recognition of Randolph County Outstanding Volunteers for 2003**

Garlene Rich, Randolph County Volunteer Center Director, recognized Randolph County's North Carolina Outstanding Volunteer Award winners for 2003: Lydia A. Craven, Claire B. Davis, Laurel D. Honaker, Feaster H. Newton and Ann Clark Trogdon. Chairman Kemp presented certificates of appreciation to the volunteers on behalf of the Board of Commissioners.

### **Special Recognition**

Chairman Kemp recognized Ross Holt for his two-year service as President of the North Carolina Library Association and presented him with a framed certificate of appreciation.

### **Additions to Agenda**

Chairman Kemp announced that "Approve Minutes of September 2, 2003 and September 15, 2003" had been added to the Consent Agenda and that "Request for Additional Refund Money in Tax Department Budget" be added as Item H. to the Budget Amendment section of the agenda.

### **Consent Agenda**

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

- *Approve minutes of September 2, 2003 and September 15, 2003;*
- *Reappoint Frank Willis, Alice Dawson, and Jane Leonard to the Randolph County Public Facilities Corporation (1-yr. terms);*
- *Reappoint Hal Johnson, Reid Kearns and Brian Moffitt to the Randolph County Tourism Development Authority (3-yr. terms);*
- *Approve D.O.T. Resolution adding Dynasty Drive to the State Roads System, as follows:*

***WHEREAS**, the Department of Transportation has investigated Dynasty Drive in the Old Lexington South Subdivision; and*

***WHEREAS**, the subject road has been found to meet minimum requirements for addition.*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that Dynasty Drive in the Old Lexington South Subdivision be added to the Division of Highways' Secondary Road System.;*

- *Approve Resolution concerning Quality Job Creation and Economic Recovery, as follows:*

***WHEREAS**, declines in urban high technology and rural traditional manufacturing have led to a rapid increase in North Carolina's unemployment rate, making the state's ranking the 5<sup>th</sup> worst in the country for 2002, and;*

***WHEREAS**, United States trade policies have placed domestically manufactured products such as textiles, furniture, apparel, and electronics at a competitive disadvantage, and;*

***WHEREAS**, these national trade policies have undermined the economic security of Randolph County by erosion of manufacturing and service jobs, resulting in many citizens unable to maintain their quality of life, and;*

*WHEREAS, the County of Randolph in the state of North Carolina has documented the loss of 3,742 manufacturing and service jobs as a result of business closings and permanent layoffs creating a current unemployment rate of 8.1 percent, and;*

*WHEREAS, an estimated 42,200 people in North Carolina have exhausted all their unemployment benefits without finding a job, and;*

*WHEREAS, the constitution of the United States was established and ordained in order to promote the general welfare and secure the blessings of liberty to ourselves and our posterity, and;*

*WHEREAS, justice, security, and domestic tranquility are directly linked to the economic well-being of the citizens of Randolph County, North Carolina, and;*

*WHEREAS, we have a responsibility to pass on to our children a country with a sound economic foundation, so that they have the same opportunities previous generations have enjoyed; NOW THEREFORE BE IT RESOLVED, THAT THE RANDOLPH COUNTY BOARD OF COMMISSIONERS UNANIMOUSLY ENCOURAGES THE CONGRESS OF THE UNITED STATES AND, SPECIFICALLY SENATORS JOHN EDWARDS AND ELIZABETH DOLE AND CONGRESSMAN HOWARD COBLE, TO MAKE QUALITY JOB CREATION AND ECONOMIC RECOVERY THE HIGHEST PRIORITY OF THE UNITED STATES OF AMERICA AND TO ALIGN FEDERAL FUNDING AND POLICIES IN SUPPORT OF ECONOMIC GROWTH AND OPPORTUNITY BY ENACTING LEGISLATION AND AUTHORIZING POLICIES THAT PROTECT AND SUPPORT THE CITIZENS OF THE COUNTY OF RANDOLPH IN THE STATE OF NORTH CAROLINA;*

- *Appoint Betty Hunt to the Aging Services Planning Committee (1-yr. term);*
- *Appoint Bill Allred to the Adult Care Home Committee (1-yr. initial term);*
- *Approve Memorandum of Understanding adding Forsyth County to the High Point Metropolitan Planning Organization;*
- *Adopt 4-H Week (Oct. 5-11) Proclamation, as follows:*

*WHEREAS, the youth of any community are its greatest natural resource; and*

*WHEREAS, social problems concern our county; and*

*WHEREAS, connecting youth and adults to work together through volunteer service can bridge the differences that separate people and help solve social problems; and*

*WHEREAS, we, as Randolph County citizens, have a tradition of philanthropy and volunteerism; and*

*WHEREAS, more than 6.6 million youth touch and enhance the lives of others during National 4-H Week and throughout the year by doing good, by giving where there is a need, rebuilding what has been torn down, teaching where there is a desire to learn and inspiring those who have lost hope; and*

*WHEREAS, 4-H, as a part of North Carolina Cooperative Extension, is a program where youth learn together through all kinds of projects, events and activities.*

*NOW, THEREFORE, the Randolph County Board of Commissioners do hereby proclaim October 5-11, 2003 as **4-H Week in Randolph County** and urge the people of this community to take advantage of the opportunity to become more aware of this special program which gives all youth a chance to learn valuable life skills that help them become competent, contributing citizens of Randolph County.;*

- *Appoint Firemen's Relief Fund Trustees: Jim Pell, Tom Frazier—Eastside; Roger King, Gene Crawford—Farmer; Kyle Dixon, Gene Frazier—Franklinville; Tony Turner, Mike Bradshaw—Guil-Rand; Wade Barracato, H. Kenneth Adams—Level Cross; Larry Williams, William Flowe, Jr.—Northeast; Darrell Voncannon, Jack McKenzie—Seagrove Rural; Donald Allred, Edwin Beeson—Sophia; Troy Powell, Wiley Hurley—Southwest; Yancy King, Terry Williams—Staley; Darrell Owenby, Jesse Wilson—Tabernacle; Cletus Lilly, Tony Lowe—Tiger Country; Henry Wilson, Ted Scott—Ulah; Brian Hedgepeth, Derrick Lyndon—Westside; J. C. Loflin, Jr., Wade Powell—Coleridge*

### **Proclamation for Residents' Rights Week**

Don Heermans, Long-term Care Ombudsman with Piedmont Triad Council of Governments, asked the Board to adopt a proclamation regarding rights of residents of long-term-care facilities. He also

announced and congratulated Alice Dawson, who won the Spirit Award at their annual conference recently.

*On motion of Davis, seconded by Holmes, the Board unanimously adopted the following proclamation:*

*WHEREAS, senior adults who reside in long-term-care facilities have contributed greatly to the growth and development of our community and should be esteemed as one of our greatest natural resources; and*

*WHEREAS, the federal Nursing Home Reform Act of 1987 guarantees residents their rights in order to promote and maintain their dignity and autonomy; and*

*WHEREAS, these residents should be aware of their rights so they may be empowered to live with dignity and self-determination; and*

*WHEREAS, we wish to honor and celebrate these citizens, to recognize their rich individuality, and to reaffirm their rights as community members and citizens; and*

*WHEREAS, residents across the country will be celebrating Residents' Rights Week to emphasize the importance of affirming these rights around the clock, every day to promote resident respect and dignity.*

*NOW, THEREFORE, the Randolph County Board of Commissioners do hereby proclaim October 5-11 as Residents' Rights Week in Randolph County and encourage all citizens to join us in these important observances.*

### **Annual Report of the Child Fatality Prevention/Community Child Protection Team**

MiMi Cooper, Public Health Director, gave an annual report of the Combined Child Fatality Prevention Team and Community Child Protection Team in accordance with NCGS 143-576.1(a)(2). The purpose of this team is to review child deaths and make recommendations for systems improvements that may help prevent child fatalities in Randolph County. She stated that the teams reviewed 35 child deaths during the past year (July, 2002 – June, 2003). The Child Fatality Prevention Team did two intensive reviews that highlighted ways the review team could improve communication between agencies involved with children. Recommendations were released as part of the results of the intensive review. The Community Child Protection Team reviewed 9 total cases, 3 of which were fatalities and 6 of which were active child protection cases in the Department of Social Services. A number of recommendations were made as a result of these reviews.

### **Change in Dog Tax Tag Issuance and Animal Control Ordinance Amendment**

Ben Chavis, Tax Supervisor, and MiMi Cooper told the Board that Randolph County residents are currently responsible for listing the number of dogs they own January 1<sup>st</sup> of each year. They are charged a \$3.50 license fee per dog annually and are mailed a dog tag each year for the owner to place on the dog. They asked the Board to consider eliminating the mailing of dog tags for the following reasons:

1. Dog tags are seldom worn even though the County's Animal Control Ordinance requires it.
2. The Health Dept. can determine if a dog was listed and license fee paid through an easy inquiry into the tax system.
3. The Animal Control Ordinance requires that dogs wear a rabies vaccination tag; therefore, two tags are currently being distributed.
4. It costs about \$8,400 annually.

*On motion of Mason, seconded by Frye, the Board voted unanimously to discontinue the practice of mailing dog tags to owners and to amend the Animal Control Ordinance to reflect this change, as follows: Wording on Page 4 will change to the following language:*

*The Randolph County Tax Department*

- *to charge and collect a privilege fee to all persons listing a dog for county taxes as set by the Board of County Commissioners*

*Wording (as highlighted below) will be deleted on Page 8, as follows:*

3. *Stray Animals/Animals Without Tags*

- a. *It is the responsibility of all animal owners to place a collar on their animal and attach currently valid tax tags and rabies vaccination tags to the collar to be worn at all times. It is a violation of this ordinance to use tags identifying one animal and place them on another animal. Any animal which appears to be lost, stray or unwanted, or not wearing a currently valid tax tag and a currently valid rabies vaccination tag, as required by state law or this ordinance, may be seized, impounded, and confined in a humane manner in the animal shelter.*

**Increase in Charges for Health Department Vaccines**

MiMi Cooper told the Board that when flu and pneumonia vaccines were ordered recently, the price had increased. The flu vaccine, for which the Health Dept. has been charging \$5.00, has increased to \$6.77 per dose. The pneumonia vaccine, for which the Health Dept. has been charging \$18.00, has increased to \$16.33 per dose. There are also additional expenses associated with administering these vaccines, such as needles and syringes. An increase to \$10.00 for flu and \$20.00 for pneumonia will allow the Health Dept. to recoup some of the cost involved in providing these vaccines to non-Medicare and non-Medicaid patients. The Board of Health, at their September meeting, voted to approve this increase for both vaccines.

*On motion of Holmes, seconded by Davis, the Board voted unanimously to approve increasing the fees for administering the flu and pneumonia vaccines to non-Medicare and non-Medicaid patients, as recommended.*

**Approval of Regional Community Transportation Development Plan (RCTDP)**

Candie Rudzinski, Executive Director of Randolph County Senior Adults Assoc., and Russ Keeney, Transportation Director, presented the RCTDP, which considers a variety of organizational alternatives for a regional transportation agency with an examination of the advantages, disadvantages, costs and benefits of various options. It includes an implementation plan that offers step-by-step guidance for establishing and operating the regional transportation system. This 5-year plan formalizes the coordination of transportation services in Randolph and Montgomery Counties under the direction of the Randolph County Senior Adults Association, Inc., which would continue to serve as the “lead agency.” This RCTDP has already been approved by the Randolph Senior Adults Association, Inc. Board of Directors in August and formally adopted by the Montgomery County Board of Commissioners on September 16.

*On motion of Frye, seconded by Davis, the Board voted unanimously to adopt the 5-yr. Regional Community Transportation Development Plan, as presented, and to appoint the Randolph County Senior Adults Association as the lead agency for the implementation of the RCTDP and the coordination of a regional transportation system that covers Randolph and Montgomery Counties.*

**Budget Amendment – Aging Services**

Candie Rudzinski said that the Randolph County Aging Services Planning Committee (ASPC) met in September and approved the distribution of a \$13,275 countywide reduction in Home and Community Care Block Grant funds. The distribution of these funds followed the recommendations in the ASPC’s “Policy for Distribution of Aging Services Fund,” as shown:

DSS	In-home Aide Level 1	\$1,792
RCS	Home Improvement & Repair	1,000
	In-home Aide Level 1	2,765
CrossRoads	Group Respite	220
Volunteer Center	Referral & Support	118

RCSAA                      Information & Assistance                      7,380  
TOTAL:                      \$13,275

*On motion of Holmes, seconded by Davis, the Board voted unanimously to approve Form DOA-731, as revised, and to approve Budget Amendment #16, as follows:*

<b>GENERAL FUND - #16</b>	
<b>Revenues</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	<i>\$13,275</i>
<b>Appropriations</b>	<b>Decrease</b>
<i>Social Services</i>	<i>\$1,792</i>
<i>Other Human Services</i>	<i>\$11,483</i>

**Purchase of Computer System for Public Safety**

Annette Crotts, Computer Services Director, said that the County’s public safety system has been running on an IBM Risc 6000 R30 machine for over 7 years. Informal bids were requested for an IBM Risc 6000, Model 7028-6E4 Pseries 630 to replace the old machine and to run our existing public safety software. Vendors were also asked to include the cost of a 3-year or a 5-year contract for hardware support with a 2-hour response time from IBM. This computer system’s usage of tracking and dispatching public safety units is crucial and it is important that system availability and integrity is maintained. Funds for this purchase are currently available in the 911 Emergency Telephone System Fund. The purchase of this hardware meets the requirements for expenditures of 911 surcharge monies as specified in G. S. 62A-8. Only two vendors met the bid specifications regarding hardware maintenance. Ms. Crotts requested that the Commissioners approve the purchase of a computer system for public safety, including 5 years of hardware maintenance from the lowest responsive bidder, Dycomp, for \$81,736.00. The bid summary is as follows:

<b>Vendor Information:</b>	<b>Dycomp Clemmons, NC</b>	<b>Relational Funding Corp Columbus, OH</b>	<b>Pioneer- Stand.Electronics Raleigh, NC</b>	<b>Kyrus Taylors, SC</b>	<b>Yorel Raleigh, NC</b>
IBM Risc Model 7028-6E4 Pseries 630	56,249	57,141.91	62,900 + 595 S/H	62,333.84	60,580
Software Support 1st year	2,080	2,080.00	No quote	No quote	No quote
Hardware Maintenance 3 years (2hr/response)	14,437	14,652.30	4 hr response quoted instead	4 hr response quoted instead	4 hr response quoted instead
Hardware Maintenance 5 years (2hr/response)	23,407	23,737.44	4 hr response quoted instead	4 hr response quoted instead	4 hr response quoted instead
Total Cost with 3 years hardware maintenance	72,766	73,874.21	Incomplete bid	Incomplete bid	Incomplete bid
Total Cost with 5 years hardware maintenance	81,736	82,959.35	Incomplete bid	Incomplete bid	Incomplete bid

*On motion of Mason, seconded by Frye, the Board voted unanimously to approve the purchase of a computer system for public safety, including 5 years of hardware maintenance, from the lowest responsive bidder, Dycomp, for \$81,736.00.*

**Purchase of Laptop Computers for EMS**

Neil Allen, Emergency Services Director, said that one of the major obstacles that Randolph County EMS faces on a daily basis is to provide quick, efficient initial response to each citizen of Randolph

County. This becomes a difficult task when one factors in the approximately 4,200 individual roads with 61,000 addresses. It is not possible for each EMS employee to recall the exact location of each road within the county, and it takes valuable time to unfold a paper map, find the location and jot down directions prior to responding. In order to shorten the amount of time from dispatch to arrival, Mr. Allen proposed that laptop computers with GIS for address queries be installed on each ambulance. This will allow EMS to reduce response time and eliminate the time consuming task of writing directions or requesting radio assistance in locating an address. The GIS information can be updated weekly, thus giving real time information with regards to road closings and other situations that can often delay response.

It is advantageous that one vendor handle all aspects of the project to avoid vendor conflicts as well as possible hardware/software communication issues. Informal quotes were obtained for 9 Panasonic Toughbook 28's with a GPS component, 2 read-writable Combo CD drives, 9 Pentax PocketJet II printers, 11 mounts and the installation. The bid summary follows:

<u>Vendor</u>	<u>Laptops with CD drives</u>	<u>Printers</u>	<u>Mounts</u>	<u>Installation</u>	<u>Total</u>
ProSys	36,893.00	2,919.15	8,514.00	1,430.00	49,756.15
SHI	36,294.00	2,799.00	No Quote	No Quote	Incomplete
Gov-Connection	33,601.52 without GPS	2,858.22 (no returns)	No Quote	No Quote	Incomplete
SCW	No Quote	3,789.54	No Quote	No Quote	Incomplete
CDW-G	No Quote	2,840.04	No Quote	No Quote	Incomplete
Southern Public Safety	No Quote	No Quote	7,861.26 no printer mounts	No Quote	Incomplete
GC Laptop	35,642.00 without GPS	No Quote	No Quote	No Quote	Incomplete

ProSys Information Systems is the only vendor capable of providing all equipment and services for the entire project. ProSys is a State Contract Vendor and has offered us additional configuration options at a reduced rate. Funds for this project are currently available in the 911 Emergency System Fund. The purchase of the hardware meets the requirements for expenditures of 911 surcharge monies as specified in G. S. 62A-8. Mr. Allen requested that the Commissioners approve the purchase of laptop computers for EMS vehicles and award the purchase and installation to ProSys Information Systems in the amount of \$49,756.15.

*On motion of Holmes, seconded by Davis, the Board voted unanimously to approve the purchase of laptop computers for EMS vehicles and to award the purchase and installation to ProSys Information Systems in the amount of \$49,756.15.*

### **Discussion of Randleman Dam Project**

Frank Kime, Piedmont Triad Regional Water Authority Executive Director, updated the Board on the Randleman Lake and water treatment plant projects. He said that the dam has been completed and they are about halfway done with the roadway construction projects. He presented 3 scenarios (0 mgd., 1 mgd., or 2 mgd. in 2004) for the Randolph County Board of Commissioners to consider regarding water allocation and associated costs and said that our Board needed to have made a decision by the November Water Authority meeting.

**Budget Amendment—Day Reporting Center**

Jane Leonard, Deputy Finance Officer, told the Board that Randolph County currently receives monthly distributions from Randleman and Liberty ABC Boards for a portion of alcoholic beverage bottle tax collections. These funds are restricted for treatment of alcohol or substance abuse, or for research or education on alcohol or substance abuse in Randolph County. Last year, these taxes amounted to over \$12,000. In the past, these funds were distributed to Randolph County Mental Health Center for substance abuse treatment programs. Pam Hill, Day Reporting Center Director, recently became aware of these funds and approached Michael Watson, Area Director of Sandhills Center, concerning giving up the receipt of this money in order for these funds to be used in the Day Reporting Center Drug Treatment Court program. Mr. Watson is willing for the County to retain the tax distributions for this purpose. Finding sufficient financial assistance to operate the Drug Treatment Court program is very difficult. We currently use a Governor’s Crime Prevention grant, but this is the second and last year we will receive this assistance. Assigning the ABC bottle tax proceeds to the DRC will allow us to have a stable source of funding every year. We would use the funds to contract for substance abuse treatment services for our Drug Court participants.

*On motion of Frye, seconded by Mason, the Board voted unanimously to approve Budget Amendment #17, as follows, to reflect the use of these ABC bottle tax proceeds for the Drug Treatment Court:*

<b>GENERAL FUND--#17</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Restricted Intergovernmental</i>	<i>\$12,000</i>
<b>Appropriations</b>	<b>Increase</b>
<i>Day Reporting Center</i>	<i>\$12,000</i>

Judge Brad Long spoke briefly about the Drug Treatment Court and its uncertain funding sources and expressed his appreciation to Mike Watson at the Sandhills Center for allowing Randolph County the opportunity to receive these ABC bottle tax funds.

**Award Bid for Land Records System Software & Services**

Jane Leonard said that Register of Deeds has been evaluating land records systems since September, 2001. Their current system will not be supported after October, 2004. The proposed upgrade to the current system does not meet statutory or functional specifications and it does not currently have a vital records component. Register of Deeds is looking for a product that will address their future needs and enable them to provide a better service to the public.

AmCad has a state-of-the-art system that is custom designed to meet North Carolina’s statutory guidelines and indexing and recording standards. They have proven their intent to move toward electronic recording through collaborations in other counties nationwide, and their system offers Randolph County practical options for designing the workflow most suitable for the office. AmCad’s integrated Land Information System (AiLIS) includes a functional vital records module and automated marriage license program as part of the land records system.

In 1997, the General Assembly made several changes in the formal competitive bidding laws that apply to local government contracts. This law created a new exception, commonly referred to as the “piggybacking” exception, codified as G.S. 143-129(g). The exception allows a local government to waive the formal bid procedure and enter into a new and separate contract with a vendor who has contracted with another public agency that has previously complied with the competitive bidding

procedure. If the vendor is willing to extend the same or more favorable prices and terms to the local government, then the purchase can be made after the procedures in G.S. 143-129(g) are followed.

This new exception is a convenient way for local governments to make a purchase that is in the formal bid range. The formal bidding process can take several months to complete. "Piggybacking" onto another governmental agency contract not only saves time but also allows a government to be more selective in the product purchased.

AmCad has given Randolph County a price quote of \$229,500 to provide Register of Deeds with a land records system and services. This price quote is based on AmCad's contract with Saint Charles County, Missouri, who awarded AmCad the contract on December 23, 2002 after they completed a public formal bid process. AmCad has agreed to extend to Randolph County the same or more favorable prices and terms as set forth in its contract with Saint Charles County.

Pursuant to North Carolina General Statute 143-129(g), Ms. Leonard requested that the Commissioners waive the formal bidding process in order to contract for the purchase of the land records system with AmCad for the price of \$229,500. In order to purchase this new technology, the Register of Deeds will use their automation fund revenue that is restricted for this type of purchase. At June 30, 2003, the balance in the automation fund was \$107,378. She requested that the Commissioners allow Register of Deeds to borrow from the General Fund Balance the remaining money needed to go ahead with this purchase. The General Fund will be repaid as the automation fund revenue is earned.

*On motion of Holmes, seconded by Frye, the Board voted unanimously to waive the formal bidding process and award the contract for land records system software and services to AmCad for \$229,500 and to approve Budget Amendment #18, as follows:*

<b>GENERAL FUND - #18</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Appropriated Fund Balance</i>	\$229,500
<b>Appropriations</b>	<b>Increase</b>
<i>Register of Deeds</i>	\$229,500

**Appoint Deputy Finance Officer for Purposes of Jail Commissary Account and Set Bond**

Jane Leonard told the Board that when the County opened the new Randolph County Jail, the Commissioners authorized the establishment of a commissary for the purpose of selling snacks, toiletries and other miscellaneous items to the inmates at the jail. In order to maintain a cashless system, the County opened a commissary bank account at Centura Bank for the purpose of depositing money from the inmates. Individual inmate account balances are maintained on computer by jail staff. As the inmates make purchases from the commissary their purchases are deducted from their account balances. When they are released from the jail, a refund check is issued for any remaining cash balance in their account.

The Commissioners appointed three jail staff members as Deputy Finance Officers for the sole purpose of signing checks in the commissary account. Currently, Judy Brown, Fred Rutledge and Donna Mason are authorized to sign checks. Recently Donna Mason transferred to the Sheriff's Office. Since she is no longer at the Jail, it is recommended that the Commissioners appoint Brent G. McNeill to replace Donna Mason as Deputy Finance Officer for the sole purpose of signing checks on the commissary account. G.S. 159-29(a) requires that the County obtain a fidelity bond on each Deputy Finance Officer. To comply with this statutory requirement, it is also recommended that the County secure a \$10,000 bond for Brent G. McNeill.

*On motion of Holmes, seconded by Davis, the Board voted unanimously to appoint Brent McNeill as Deputy Finance Officer (replacing Donna Mason) for the purpose of signing checks for the Jail Commissary Account and to set his bond at \$10,000.*

### **Approval of Holiday Pay Buyback Program for Sheriff's Department**

Major Allen McNeill reminded the Board that he had spoken to them in February about the possibility of starting a Holiday Buyback Program at the Randolph County Sheriff's Department. This program allows the County to buy officers' holidays from them instead of giving them the time off. This program is an attempt to keep these experienced officers on duty, thus curtailing the need for additional new officers. In February, the Board recommended further study. During the budget process in June, the Board funded this program with \$80,000. He then asked the Board to approve the Holiday Buyback Plan, as presented. Upon this approval, he will begin surveying officers for participation during the month of October, and will buy back as many holidays as can be purchased with the \$80,000 in December. If the \$80,000 is not depleted during this purchase, he will offer another buyback in June of 2004.

*On motion of Frye, seconded by Holmes, the Board voted unanimously to approve the Holiday Pay Buyback Program Plan for Sheriff's Department Officers, as follows:*

*As part of its fringe benefits package, Randolph County gives all full-time County employees 12 paid holidays every year. Sheriff's Office patrol deputies required to perform work on regularly scheduled holidays may be granted compensatory time off, or may be compensated for such work by participating in the Holiday Pay Buyback Program. Holiday Pay will be calculated at the regular hourly rate of pay times the traditional number of hours worked during the holiday period. For example: if an eleven hour (11) employee works their traditional schedule then they will receive eleven (11) hours of holiday pay. All holidays not actually worked by an employee shall be granted eight (8) hours of compensatory time, or eight (8) hours of holiday pay. All holiday hours actually worked will be granted either eleven (11) hours of compensatory time or holiday pay for eleven (11) hours.*

*In a effort to provide additional coverage to the citizens of Randolph County the Randolph County Sheriff's Office proposes to buy back holidays from full-time deputy sheriff's assigned to the patrol division and who work a rotating eleven (11) hour schedule. This program will be on a volunteer basis for those who choose to participate and is not mandatory. A deputy sheriff participating in this program would be paid eleven hours of holiday pay for every holiday actually worked and eight (8) hours of holiday pay for holidays not actually worked. Each deputy choosing to participate in the program would receive a check for these holidays bought back by the County between December 1 and December 15. (In the event there are extra funds left another buyback would be offered in June of the following year.) A deputy choosing to participate in this program at the beginning of each calendar year must honor the agreement that year and could only drop from participation in the program due to a stated hardship. Hardships would be determined at the Sheriff's discretion.*

*Any deputy participating in this program who leaves employment for any reason would be paid only those holidays that had actually occurred before their last day of work, and would be subject to all other county policy dealing with the separation of an employee.*

*New deputies hired during the calendar year would be provided the opportunity to sign up for this program and would be paid for those holidays that occurred after their employment starting date.*

*Deputies transferring from another division of the Sheriff's Office would automatically be eligible to participate in this program and could be paid for all holidays occurring that year after the actual transfer date.*

*All holiday pay will be calculated based on that employee's rate of pay on the date on which the holiday occurred, and no payment will be made for future holidays. Only holidays already past will be eligible for compensation.*

*All statutory deductions will be applied to these payments.*

### **Set Public Hearing for Local Law Enforcement Block Grant Application**

Major Allen McNeill told the Board that the Local Law Enforcement Block Grant Program has announced that the Randolph County has been awarded a grant this year in the amount of \$13,581. One of the requirements to become eligible to spend that money is to have an advisory board meeting to discuss and make a recommendation to the Commissioners on how the money should be used. Another requirement is that the commissioners hold a public hearing to receive public opinion on how the money should be used. It is also required that a local match of 10% be provided to supplement the grant. The amount of the local match for this year's grant is \$1,509.

In lieu of a formal meeting of the advisory board, each member was contacted individually by letter to seek his opinion for the use of this year's funds. All members recommended that the funds be used for enhanced security at the Randolph County Courthouse, which is an approved use.

*On motion of Mason, seconded by Davis, the Board voted unanimously to accept the recommendation of the advisory board to use this grant money for enhanced security at the Courthouse and set November 3, 4:30 p.m. for a public hearing on the Local Law Enforcement Block Grant Program.*

### **Franklinville Fire Insurance District Name Change**

Aimee Scotton, County Attorney, told the Board that at their regular meeting in September, the Town of Franklinville voted to form their own insurance district. A subsequent conversation with Keith McLeod of the North Carolina Department of Insurance indicated that the County will need to change the name of the insurance district that surrounds Franklinville in order to differentiate it from the newly formed district that includes the Town itself.

*On motion of Holmes, seconded by Davis, the Board voted unanimously to change the name of the Franklinville Fire Protection Association to Franklinville Rural Fire Protection Association.*

### **Accept Offer to Purchase County-Owned Property**

Aimee Scotton said that on August 13, 2003, she received a letter from Bob and Mary Williams offering to buy a lot owned by the County and located to the rear of their property on Yorkmont Court, Asheboro (Parcel ID# 7762527659). She reminded the Board that at their September meeting, they voted to propose to accept the offer of \$500.00 for the Yorkmont property. A notice of offer was advertised in accordance with the N.C.G.S. 160A-269, and no upset bids were received during the ten-day period following said advertisement. The Board may now vote to accept or reject this offer.

*On motion of Frye, seconded by Mason, the Board voted unanimously to accept the Williams' offer of \$500 for the Yorkmont Court property, authorized the County Attorney to draw up a deed effecting the transfer of the property, and authorized Chairman Kemp to sign the deed.*

### **Budget Amendment—Junior Sheriff's Academy & 4H Programs**

Jane Leonard told the Board that at June 30, 2003, two departments had revenue sources designated for a particular purpose with a balance remaining to be spent. These revenues will need to be budgeted in the current fiscal year so the expenditures can be made for the purpose intended. The contributions for the Junior Sheriff's Academy had an unspent balance of \$16,612.94. These contributions are collected

in the spring and used for the Academy that is held annually in July. The Cooperative Extension 4-H program receives funding from the Asheboro Housing Authority and the United Way to provide specific programs. The unspent balance remaining for these programs was \$4,085.41.

*On motion of Holmes, seconded by Davis, the Board voted unanimously to approve Budget Amendment #19, as follows:*

<b>GENERAL FUND #19</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Miscellaneous</i>	\$20,699
<b>Appropriations</b>	<b>Increase</b>
<i>Sheriff</i>	\$16,613
<i>Cooperative Extension</i>	\$4,086

**Request for Additional Refund Money in Tax Department Budget**

Ben Chavis said that the Tax Department has a line item in its budget to handle refund requests from taxpayers when they pay taxes they should not have paid. The refund amounts are usually nominal and enough funds are usually budgeted to cover these situations that arise during the fiscal year. However, this has been an unusual year in that several large refunds have occurred and the budget does not have sufficient funds to handle them. The current balance in the Refund Account is \$13,664.63. Mr. Chavis requested that the Commissioners take \$49,316 from the General Fund and add this amount to the Refund Account to cover the following:

- \$17,061.24 refund due Asheboro & Randleman Walmarts (Was discovered through a routine audit of business/personal property assets by Tax Department auditors. Walmart overstated their assets at these locations for the years 1998 & 2000)
- \$22,254.77 refund due Deep River Dyeing Company, Inc. (They inadvertently double listed all their business/personal property assets for 2003. Company brought this to our attention after tax bills were paid.)
- \$10,000 in additional funds to cover other occurrences of this nature through the remainder of this fiscal year.

*On motion of Davis, seconded by Holmes, the Board voted unanimously to approve Budget Amendment #20, as follows:*

<b>GENERAL FUND--#20</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Appropriated Fund Balance</i>	\$49,316
<b>Appropriations</b>	<b>Increase</b>
<i>Tax</i>	\$49,316

**Budget Amendment—Health Department Family Planning**

Frank Willis, County Manager, said that the Health Department has received notification of additional funding from the Women’s Preventive Health Branch in the amount of \$12,301. These funds will be used to provide clinical family planning services to at-risk individuals who are not covered by Medicaid.

On motion of Davis, seconded by Frye, the Board voted unanimously to approve Budget Amendment #21, as follows:

<b>GENERAL FUND - #21</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Restricted Intergovernmental</i>	<i>\$12,301</i>
<b>Appropriations</b>	<b>Increase</b>
<i>Public Health</i>	<i>\$12,301</i>

**Budget Amendment—Rent Income From Sandhills Center**

Will Massie, Deputy Finance Officer, told the Board that Randolph County Mental Health (RCMH) has been remitting \$101,400 per year to the County for rental of the Walker Avenue office building. This lease was established at the time the property was purchased with 1995 COPS proceeds; the revenues were used for debt service on these obligations. In the past, this rental money from RCMH has been recorded directly in the Capital Reserve Fund and reported as part of the General Fund contribution, since RCMH was reported as a department of the County. Since RCMH has now merged with Sandhills Center, a different presentation is necessary. These payments from Sandhills Center are best recorded as a revenue source in the General Fund, with a corresponding increase in the annual transfer to the Capital Reserve Fund. No amendment is necessary for the Capital Reserve Fund.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve Budget Amendment #22, as follows:

<b>GENERAL FUND # 22</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Sales &amp; Services</i>	<i>\$101,400</i>
<b>Appropriations</b>	<b>Increase</b>
<i>Interfund Transfers Out</i>	<i>\$101,400</i>

**Budget Amendment—Reporting of Occupancy Tax**

Will Massie said that since 1997, when Randolph County first began to levy an occupancy tax, the County has performed the accounting functions for the Tourism Development Authority. The amount recorded in the General Fund was only the 3% administrative fee allowed to be retained by the County. The net collection was reported as a revenue to the TDA. Because of the new financial reporting model (GASB 34), the proper accounting treatment will be to record the entire gross occupancy tax in the General Fund and a net distribution expenditure to the TDA. Since the Commissioners assess the tax, GASB 34 will require us to recognize the gross amount as a County revenue. This reports the same revenues to the TDA; it merely clarifies the total amount of taxes levied by the County.

On motion of Davis, seconded by Holmes, the Board voted unanimously to approve Budget Amendment #23, as follows:

<b>GENERAL FUND--#23</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Other Taxes</i>	<i>\$290,000</i>
<b>Appropriations</b>	<b>Increase</b>
<i>Other Economic and Physical Development</i>	<i>\$290,000</i>

### **Citizen Comments**

Perry Conner spoke on behalf of the Franklinville Library Board of Trustees and asked the Board for its support in their endeavor to provide new library facilities for citizens of Franklinville and surrounding areas. They plan to renovate the old Poole Grocery store building downtown and use one floor of that building (owned by the Town of Franklinville) for the new library. They will use a combination of public and private grants and monies raised through the library trustees committee to fund this project. He asked the Board for their support.

### **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. **LARRY MCKENZIE**, Asheboro, North Carolina, is requesting that 1.16 acres located on US Hwy 64 East (just before Rocky Knoll Road), Pond View Subdivision, lot #1, Franklinville Township, be rezoned from CVOM-CU to HC. Parcel ID #7771793435. It is the desire of the applicant to use the property for commercial development. The Planning Board considered this request at a public meeting on September 9, 2003, and recommended unanimously that this request be approved. Mr. Johnson stated that Mr. McKenzie has requested that this request be postponed for 1 month.

2. **SAVE THE MONTAGNARD PEOPLE, INC. (STMP)**, Star, North Carolina, is requesting that approximately 100.93 acres located at 4836 Waynick Meadow Road, Concord Township, be rezoned from Residential Agricultural to Residential Agricultural/Conditional Use. Parcel ID#'s 7618332850 and 7618442243. The proposed Conditional Use Permit would specifically allow a Planned Unit Development of a camping facility and museum/cultural center with related structures and activities as per site plan. The Planning Board considered this request at a public meeting on September 9, 2003 and recommended unanimously that this request be approved with the condition that the Planning staff work with the applicants to establish an appropriate fence and buffer along the western property line.

**Mark Comfort**, 3994 Bethany Church Rd., Franklinville, quoted Bible scripture to describe the sacrifices that the Montagnard people had made for America and its soldiers during the Vietnam War. He said that STMP was a non-profit 501(C)(3) organization that provides Montagnard refugee resettlement assistance for U.S. Special Operations indigenous fighters of the Vietnam War and advocacy for the survival of the Montagnard culture. He said that Randolph County has the opportunity to be unique in the entire world in welcoming the Montagnard people.

**Retired Colonel David C. Smith**, 2914 Tall Cedar Lane, Trinity, said that he served 3 tours of duty in Vietnam. About 10,000 Montagnards were trained by the Americans as soldiers and they saved many American lives. He said that the American government promised that if they helped us in Vietnam that we would take care of them after the war. However, the American government reneged on that promise and we didn't take care of any of them. Their previous number of 3,000,000 Montagnards has dwindled

down to about 700,000 now. About 4,500 live in North Carolina. He said that the Vietnamese government is intent on destroying all the Montagnard people. He said that we owe them something for their sacrifices.

**Aloung Y Siu Mlong**, resident of Greensboro, spoke in support of this request and said that he feels privileged to have been able to come to the United States in order to escape the persecution of the Vietnamese government. He said that he hopes to be able to establish the museum and cultural center here. He said that most of the Montagnards now living in the U.S. are American citizens and that their sons and daughters are now fighting for the U.S. in Iraq.

**George Clark**, 9005 Erect Rd., said that he served with the Montagnards in Vietnam and that he would not be here if not for the Montagnards who saved him in battle. He said that this museum and cultural center would benefit everyone. Students from all around could come to the center to learn about the Montagnard culture. He said that STMP has been talking to the Planning office and to the Health Dept. staffs to make sure that their plans are correct. He says that they will do whatever Randolph County asks in order to be able to locate this museum and cultural center here. He said that they want to keep the area around the developed area of the camp as natural as possible. He said that the entrance to the camp will be expanded as much as the 50' easement will allow so that 2 vehicles can pass. He said that there will be only 2 major events per year where there may be a couple thousand people there at one time. He mentioned that they already have 3 miles of chain-link fencing donated by a company in Greensboro. He said that this camp would be a good draw for tourism in Randolph County. He receives emails daily from people and businesses wanting to support and donate materials for this project. He mentioned that he spent over 30 months with the Montagnard troops and not one Montagnard abandoned him. He said that he had talked with the staff at N.C.S.U Agricultural Department about help with getting a primitive farming operation initiated at the camp. He said that the Montagnards are very honest people—they don't lie, cheat, or steal.

**Mark Comfort** spoke again in summary and said that the camp will not endanger public safety and will meet all necessary requirements and specifications. The proposed site will blend in with the existing character of the community and will be in compliance with the County's land use plan. He said that the fencing that has been donated is eight feet high and that 140 Leyland Cypress trees have already been planted as buffers around the property. The Montagnards will respect their neighbors and their property.

Approximately 65 people stood in support of this request.

**Steve Coleman**, 4371 Willow Grove Trail, spoke in support of this request and said that this camp could provide a potential positive economic impact on Randolph County, especially since so many manufacturing jobs have been lost in the area. Since there will be canoe access and horseback riding trails, he believes entrepreneurs could capitalize on this. He said that perhaps nearby Uwharrie Golf Club could build a restaurant that visitors to the museum and cultural center could patronize.

**Carolyn Sigrinius**, adjoining property owner, said that the first amendment of the Constitution states that one person's rights cannot be set aside for another's rights. She said that the issue is not about the Montagnard people and what they've done for our country, but the issue is whether the project can be legally put here. She said that the original permit was granted for club or lodge use only. STMP is not a club or lodge; it is a non-profit business. She said that the permit states that the camp will be used 1 week out of the year and will be vacant the rest of the year. On September 2, she took pictures of 9 buses and took them to the Planning Dept. saying that they violated the permit. She said that the

Planning Dept. did nothing about this. She said that STMP has cleared some of the property and placed the debris all along her property line. She said that recently there was a fire on the STMP property where 4 acres of land were involved. Since STMP proposes to include camping sites into the project, this would mean that open fires could be a big problem. She said that the roads leading into the camp are very narrow and would not support the increase in traffic during the proposed events. She said that the Montagnards may be good people but that other people visiting the camp may not be. Out in the country, where a sheriff's department or police department is miles away, neighbors have to look out for themselves. She said that she called the planning office and asked what kind of access is allowed on a private drive easement. She said that Hal Johnson told her that it is for private use only and not for public use. Last year, when she and her neighbors attended a public meeting seeking input about the County's new land use plan, they told the Planning staff that they want to keep the Farmer community agricultural and green. Allowing this project does not support this concept. She said that a few months ago there was a rezoning request for a "Mom and Pop" restaurant in the Erect area. It was denied because it would be considered out of character with the area. Farmer is the same kind of area.

**Pat Henley**, 5743 Waynick Meadow Rd., lives 1 mile away from the request site. She said that she has lived in the same place for 37 years. This camp is not good for Randolph County. She said that STMP is based in Texas; why can't they put the camp there? The camp will adversely affect traffic. During the event in September, she was run off the road 3 times by cars heading into the camp. She's also worried about the water and wastewater impact the camp will have on the community. She said that we need to protect our American Heritage. She also mentioned that Seoul City was considered a one-of-a-kind place when it was built in Warren County in 1960, and now it's like a ghost town.

Approximately 50 people raised their hands in opposition to this request.

**Juanita Walker**, Firefighter Road, Farmer, said that she lived on Waynick Meadow Rd. for her first 27 years and then moved away. She missed the "country life" and has now moved back because she wanted to escape from "culture." She says that she wants to keep the community rural—that's why it's called Farmer. The camp and all the people attending the events could run off the wildlife in the area. She says that Waynick Meadow Road is narrow and unmarked. During Dega Days cars drove in the middle of the road. She is also concerned that the camp will adversely affect the community's water supply. If the request is approved there need to be water quality tests performed on a quarterly basis. Farmer is not looking to be culturized. Since there are many Montagnards living in Charlotte and Raleigh, why can't they build the camp there or in Texas where STMP is based? She said that she had been laid off from her job for 6 months and couldn't find a job. Some of the Montagnards found work within 30 days. Why can't they accept our culture and speak our language?

**Colon Henley**, 5743 Waynick Meadow Rd., said that he's lived in this area all his life. On September 8, he met George Clark at the picnic area and talked with him about the camp and proposed project. When asked why the camp couldn't be built near Mr. Clark's home in Erect, Mr. Clark told him that Erect was not a good location. Mr. Henley said that the neighbors do not want this camp in the community. He said that the increased traffic could cause accidents with farm machinery. He said that he's sure that Hal Johnson or the Planning Board members would not want this camp placed near their homes. He asked the Board that if the request is approved, the following conditions be put into place as well:

1. There can be only 2 events per year (May and September).
2. The caretaker home is the only home that can be built.

3. Any request after tonight will have to come back before the Board, and the neighbors can have the opportunity to attend the meeting.

**Loyd Bingham**, 3937 Sweetwater Trail, asked if the camp will be tax-exempt. Aimee Scotton, County Attorney, said that they would have to meet certain criteria in order to be tax-exempt. Mr. Bingham said that he heard that they were going to put a cemetery on the property.

**Raeford Steiner**, 4231 Oak Grove Church Rd., spoke on behalf of the Farmer Volunteer Fire Department. They're concerned that their equipment may not be able to get into the property because of the narrow entrance driveway.

**Clayburn Hunt**, 3984 Sweetwater Trail, said that he would like to see a fence put up along his property line at Tom's Creek to prevent people from coming onto his property. He hunts in this area and would hate for a stray bullet to hurt someone. He said that he has heard a lot of noise coming from the camp in the past.

**Larry McPherson**, 4658 Waynick Meadow Rd., said that the neighbors feel like they've been hit by a Sherman tank. The privacy and rural nature of the community is going away. He feels that the camp will adversely affect the land and the property values. He asked that the following stipulations be considered if the request is approved:

1. The number of people who enter the property should be recorded weekly and reported on a quarterly basis to insure that the septic system is not overloaded, causing possible ground water and river contamination.
2. Music or noise loud enough to disturb the neighbors should not be allowed.
3. The 35-foot buffer zone should be clearly marked at all times to prevent cutting of natural growth or structures being built in this area.
4. Any plans for expansion, by purchasing more land or building structures that are not already approved, must be requested before the zoning board or commissioners with local land owners given the opportunity to be present.
5. A newspaper report stated that canoeing was a planned activity. There is easy access from Uwharrie River onto our property. If canoeing is an activity, we request that signs be posted along the river on our property stating in the Montagnard language: "Private Property—Keep Out!"

**Kari Evans**, 4828 Waynick Meadow Rd., adjoining property owner, said that STMP have broken their permits so far and no one's done anything about it. When they break this new one, who's going to enforce it? Chairman Kemp said that a code enforcement officer would come out to investigate any complaints. Ms. Evans said that we have a problem then because they've have problems in the past and they've been ignored by the Planning staff. What assurance do they have that they won't get more of the same treatment?

**Sherry Morris**, 4828 Waynick Meadow Rd., said that she has "hounded" Hal Johnson repeatedly about permit violations and has been ignored. She's talked with state representatives and the state's attorney general himself. She said that she's read the County's Growth Management Plan and nowhere in it does it mention museums or cultural centers in this book, so how can this camp be legal? She said that Hal Johnson never answers her questions. She said that deputies have been to her residence 6 times recently due to problems between her livestock or children and STMP.

The Board discussed the possibility of postponing a decision for 1 month in order to try to work out a compromise between STMP and the neighbors and to check on the property's tax-exempt status.

*Holmes made a motion, seconded by Frye, to postpone this decision until the November meeting and without conducting another public hearing.*

County Attorney Aimee Scotton told the Board that if there were any changes to the request, another public hearing would have to be held.

*Holmes then amended his motion, which Frye seconded, to postpone the decision until the November meeting and to hear public comment at that meeting on any changes made to the request. The motion was unanimously approved.*

**Adjournment**

The Board adjourned at 9:15 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