

June 6, 2011

The Randolph County Board of Commissioners met in regular session at 6:00 p.m. in the 1909 Randolph County Historic Courthouse Meeting Room, 145 Worth Street, Asheboro, NC. Commissioners Holmes, Frye, Haywood, Kemp and Lanier were present. Rev. Johnny Henderson, Cross Road Baptist Church, Asheboro, gave the invocation, and everyone recited the Pledge of Allegiance.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment. No one spoke, and the public comment period was closed.

Approval of Consent Agenda

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the Consent Agenda, as follows:

- *approve minutes of the regular and closed session meetings of May 2, 2011, special meeting of May 3, 2011, zoning meeting of May 16, 2011 and budget meeting of May 23, 2011;*
- *reappoint Robert Davis to the RCC Board of Trustees;*
- *reappoint Greg Patton, Todd Henderson, Aundrea Azelton, Lisa Royal, Clark Bell, Talmadge Baker, Pam Hill, Jonathan Sermon, Wendy Kennon and appoint Emily Coltrane to replace Heather Ritter, to the Randolph County Juvenile Crime Prevention Council;*
- *reappoint Ann Poole to the Randolph County Nursing Home Advisory Committee;*
- *reappoint Gail Briles McDowell & Vickie Cox to the Regional Partnership Workforce Development Board;*
- *reappoint Maria Hayes to the Randolph County Adult Care Home Community Advisory Committee;*
- *approve Budget Amendment #45—Health Department (NC Buckle Up Kids Program), as follows:*

2010-2011 Budget Ordinance General Fund—Budget Amendment #45		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	<i>\$1,775</i>	
Appropriations	Increase	Decrease
<i>Public Health</i>	<i>\$1,775</i>	

- *approve Budget Amendment #46—Health Department (CDIS/Cancer Prevention & Control Funding), as follows:*

2010-2011 Budget Ordinance General Fund—Budget Amendment #46		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	<i>\$2,722</i>	
Appropriations	Increase	Decrease
<i>Public Health</i>	<i>\$2,722</i>	

- *approve Budget Amendment #47—Article 46 Sales Tax, as follows:*

2010-2011 Budget Ordinance General Fund—Budget Amendment #47		
Revenues	Increase	Decrease
Local Option Sales Tax	\$100,000	
Appropriations	Increase	Decrease
Transfer to RCC Capital Project	\$100,000	

- approve Budget Amendment #48—Tax Audit Fees to Tax Management Associates, Inc., as follows:

2010-2011 Budget Ordinance General Fund—Budget Amendment #48		
Revenues	Increase	Decrease
Ad Valorem Property Taxes	\$25,000	
Appropriations	Increase	Decrease
Tax	\$25,000	

- approve Budget Amendment #49—DSS (Child Day Care Funding Authorization), as follows:

2010-2011 Budget Ordinance General Fund—Budget Amendment #49		
Revenues	Increase	Decrease
Restricted Intergovernmental	\$264,511	
Appropriations	Increase	Decrease
Social Services	\$264,511	

- appoint Mike Honeycutt to fill unexpired term of Pat Way on Emergency Services Quality Management Board;
- approve renewal of Southern Health Partners contract for the Jail for one year & authorize County Manager to sign the contract;
- approve a “Resolution to Dissolve the Randolph County Heritage Committee,” as follows

WHEREAS, over the years, the Randolph County Board of Commissioners has established numerous boards and commissions, many of which are not mandated by law; and

WHEREAS, the Randolph County Heritage Committee was created by resolution on October 2, 2000 to perform certain tasks related to the protection and enhancement of Randolph County’s natural and cultural resources; and

WHEREAS, the Randolph County Planning Department has reviewed the Heritage Committee’s purpose of creation and has determined that the tasks to which the Committee was charged to undertake have been completed and that the Committee is no longer needed; and

WHEREAS, the Randolph County Planning Department and Administration hereby recommend that the Randolph County Heritage Committee be dissolved.

NOW THEREFORE, BE IT RESOLVED, that the Randolph County Board of Commissioners hereby dissolves the Randolph County Heritage Committee, effective immediately.

- repeal “Ordinance Establishing the Randolph County Water Resources Advisory Board”;

- approve a “Resolution to Dissolve the Randolph County Recovery Zone Advisory Committee,” as follows:

WHEREAS, over the years, the Randolph County Board of Commissioners has established numerous boards and commissions, many of which are not mandated by law; and

WHEREAS, as an effort to stimulate economic growth and jumpstart the availability of financing that was critical for economic recovery, the federal government offered two programs to states, counties and cities: Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds, as part of the American Recovery and Reinvestment Act of 2009; and

WHEREAS, on September 1, 2009, the Randolph County Board of Commissioners, by resolution, designated Randolph County as a Recovery Zone, pursuant to the American Recovery and Reinvestment Act of 2009; and

WHEREAS, also on September 1, 2009, the Randolph County Board of Commissioners appointed a Recovery Zone Advisory Committee to evaluate potential economic development bond projects and to advise the Commissioners as they consider reallocations and approvals of those projects; and

WHEREAS, on December 7, 2009, the Randolph County Board of Commissioners waived its total allocation for Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds because no projects had been identified for use of the bonds; and

WHEREAS, the deadline for notice of intent to issue the bonds was December 15, 2009; and

WHEREAS, the Randolph County Economic Development Corporation and County Administration have determined that the Recovery Zone Advisory Committee has fulfilled its purpose and is no longer needed and recommend that the Committee be dissolved.

***NOW THEREFORE, BE IT RESOLVED,** that the Randolph County Board of Commissioners hereby dissolves the Randolph County Recovery Zone Advisory Committee, effective immediately.*

- approve a “Resolution Authorizing the Randleman Board of Aldermen to Issue Permits for the Use of Pyrotechnics at Concerts or Public Exhibitions Held Within the City of Randleman,” as follows:

WHEREAS, Section 14-413(a1) of the North Carolina General Statutes enables a board of county commissioners to authorize the governing board of a city located within the county to issue permits for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the municipality in connection with concerts or public exhibitions; and

WHEREAS, a request has been received from the Randleman Board of Alderman, by and through the Randleman City Manager, for the Randolph County Board of Commissioners to authorize the Randleman Board of Alderman to issue permits for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the City of Randleman in connection with concerts or public exhibitions; and

WHEREAS, the City of Randleman has a municipal fire department that includes a fire prevention bureau with properly credentialed fire inspectors; and

WHEREAS, the Randolph County Fire Marshal has no objection to this request.

***NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Randolph County, this 3rd day of May, 2010, that, pursuant to Section 14-413(a1) of the North Carolina General Statutes, the Randleman Board of Aldermen is hereby authorized to issue, pursuant to and in compliance with the provisions of Article 54 of Chapter 14 of the North Carolina General Statutes, permits for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the City of Randleman in connection with the conduct of concerts or public exhibitions; and*

BE IT FURTHER RESOLVED that this authorization shall remain in effect until withdrawn by means of the Randolph County Board of Commissioners adopting a subsequent resolution withdrawing this authorization.

- approve resolutions committing original revenue source & interest earnings toward intended purpose per new GASB accounting requirement for the Library Trust Fund, the Economic Development Reserve Fund and the Landfill Closure Fund, as follows:

RESOLUTION TO COMMIT RESOURCES FOR THE LIBRARY TRUST FUND FOR THE COUNTY OF RANDOLPH

WHEREAS, Randolph County periodically receives contributions that are specifically restricted by donors for the improvement of library services; and

WHEREAS, the Randolph County Board of Commissioners adopted a resolution on September 1, 1992, which specifies that:

1. A Library Trust Fund is hereby established for the deposit of all bequests and gifts to the Randolph County Public Library, with each deposit to be so designated for this Fund by the Board of Commissioners.

2. The Randolph County Public Library Board of Trustees is hereby authorized to control, use and dispose of all funds from such bequests and gifts as it deems appropriate and in accordance with the wishes of the donor.

WHEREAS, Randolph County does not consider these contributions to be General Fund resources and accounts for these monies and the interest earnings thereon in the Library Trust Fund; and

WHEREAS, only the Randolph County Library Board of Trustees has the authority to spend the resources of the Library Trust Fund in order to enhance library services.

NOW, THEREFORE, BE IT RESOLVED, that the Randolph County Board of Commissioners does hereby commit both special revenues deposited into the Library Trust Fund and interest earnings thereof to the improvement of library services.

and

RESOLUTION TO COMMIT RESOURCES FOR THE ECONOMIC DEVELOPMENT RESERVE FUND FOR THE COUNTY OF RANDOLPH

WHEREAS, the Randolph County Board of Commissioners and the Randolph County Economic Development Corporation work to improve the job opportunities and standard of living for our citizens; and

WHEREAS, the Randolph County Board of Commissioners and the Randolph County Economic Development Corporation began an Economic Development Program to finance a) performance-based incentives for job creation and capital investment and b) industrial site development within the county; and

WHEREAS, the Randolph County Board of Commissioners chose to fund the Economic Development Program with a temporary additional one cent on the ad valorem property tax rate specifically dedicated to the Economic Development Program; and

WHEREAS, Randolph County does not consider these revenues to be General Fund resources and accounts for these monies and the interest earnings thereon in an Economic Development Reserve Fund; and

WHEREAS, the Randolph County Board of Commissioners evaluates individual projects and upon its authority can transfer the resources of the Economic Development Reserve Fund to the General Fund in order to finance approved projects.

NOW, THEREFORE, BE IT RESOLVED, that the Randolph County Board of Commissioners does hereby commit both special revenues deposited into the Economic Development Reserve Fund and investment earnings thereof to economic development initiatives.

and

RESOLUTION TO COMMIT RESOURCES FOR THE LANDFILL CLOSURE FUND FOR THE COUNTY OF RANDOLPH

WHEREAS, Randolph County is legally required under statute G.S.130A to manage the County's solid waste and; and

WHEREAS, Randolph County for many years operated a local landfill on County Land Road and charged a tipping fee to users to finance operating costs of solid waste disposal as well as future closure and post-closure costs ; and

WHEREAS, the Randolph County Board of Commissioners chose to close the prior landfill in December 1997 due to increased costs from federal and state regulations; and

WHEREAS, environmental regulations continue to apply to both open and closed landfills, including financial responsibility requirements for applicants and permit holders for solid waste management facilities; and

WHEREAS, the Randolph County Board of Commissioners set aside a portion of the tipping fees in a Landfill Closure Fund and seeks to maintain these residual tipping fee balances in order to finance the continued obligations of solid waste management; and

WHEREAS, Randolph County does not consider these revenues to be General Fund resources and accounts for the remaining monies and the interest earnings thereon in the Landfill Closure Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Randolph County Board of Commissioners does hereby commit both special revenues deposited into the Landfill Closure Fund and interest earnings thereof for solid waste management.

- designate the following banking institutions as official depositories (all qualify and participate in the Pooling Method of public funds collateralization): BB&T, Bank of the Carolinas, Community One, Randolph Bank, RBC Bank, Suntrust, and Wachovia Bank/Wells Fargo
- adopt a resolution opening a pre-paid account for health insurance disbursements, as follows:

CORPORATE RESOLUTION FOR BANKING

Legal Name of Body Politic / Corporation: Randolph County, North Carolina

Principal Place of Business: Asheboro, North Carolina

RESOLVED:

1. That Citibank, N.A., its branches, subsidiaries and affiliates (the "Bank") be and hereby is designated a depository of prepaid expenditure funds of this Body Politic / Corporation

("Corporation") for the purpose of advance and or prepayment of contractual healthcare costs; and

Finance Officer

(If officer(s), designate office(s) only, for example: President, Treasurer, etc.; if person(s) other than officer(s), insert name(s)),

is hereby authorized (i) to open and close accounts in the name of this Corporation, (ii) to execute and deliver agreements for Bank products and services, electronic banking, or other agreements relative to financial and banking transactions, including wire transfers, or which may establish special authorizations and limitations pertaining to the accounts different from the authorizations and limitations contained herein and to change such special authorizations and limitations from time to time, (iii) to sign for and on the behalf of this Corporation, any and all checks, drafts or other orders with respect to any funds at any time to the credit of this Corporation with the Bank and/or against any account(s) of this Corporation maintained at any time with the Bank, inclusive of any such checks, drafts, or other orders in favor of any of the above-designated officer(s) and/or other person(s), even if such checks, drafts or other orders create an overdraft on any account(s) of the Corporation and (iv) to make withdrawals at any time of any such funds or from any such account(s) by any other means authorized by the Bank, including (without limitation) a debit card, a credit card, a terminal or other device or facility providing access to any such funds or account(s) even if such withdrawals create an overdraft on any account(s) of the Corporation; and that the Bank be and hereby is authorized (a) to open and close such accounts for this Corporation; (b) to pay such checks, drafts or orders, and honor such withdrawals, by debiting any account(s) of this Corporation then maintained with it whether or not any of the foregoing creates an overdraft in any account of the Corporation; (c) to receive for deposit to the credit of this Corporation, and/or for collection for the account of this Corporation, any and all checks, drafts, notes or other instruments for the payment of money, whether or not endorsed by this Corporation, which may be submitted to it for such deposit and/or collection, it being understood that each such item shall be deemed to have been unqualifiedly endorsed by this Corporation; and (d) to receive, as the act of this Corporation, any and all stop-payment instructions with respect to any such checks, drafts, or other orders as aforesaid and reconciliation(s) of account when given by any one or more of the officer(s) and/or other person(s) as herein before designated. The authorization provided in (i) and (ii) may be performed electronically, and the digital signature of a person authorized above will be binding on the Corporation.

2. That (if officer(s) designate office(s) only, for example President, Treasurer, etc.; if person(s) other than officer(s), insert name(s)),

Finance Officer

(If two or more are designated, indicate number of signatures required to conduct transactions. If nothing indicated, one will be required.)

is hereby authorized to conduct all transactions as described in Paragraph 1 and in addition is authorized to designate additional persons or entities authorized to conduct transactions as described in Paragraph 1.

3. That any and all withdrawals of money and/or other transactions heretofore had on behalf of this Corporation with the Bank are hereby ratified, confirmed and approved, and that the Bank (and any interested third party) may rely upon the authority conferred by this entire resolution unless, and except to the extent that, this resolution shall be revoked or modified by any subsequent

resolution of the Board, and until a certified copy of such subsequent resolution has been received by the Bank and the Bank has had a reasonable opportunity to act thereon.

4. *That (i) the Bank is further authorized to honor each check, draft or other order of payment of money (and "Item") drawn in the name of this Corporation, including Items payable to the order of any person authorized to sign on behalf of this Corporation, when bearing or purporting to bear any of the facsimile or printed signatures appearing on a Bank signature card for this Corporation, regardless of by whom or by what means the actual or purported signature may have been affixed thereto or printed thereon and (ii) all previous authorizations for the signing and honoring of items are hereby ratified and continued in full force effect as amplified hereby.*
5. *That the Clerk to the Board or/and Assistant Clerk or any other officer of this Corporation be/are and hereby is/are authorized and directed to certify to the Bank the names of the present officers of this Corporation and other persons authorized to sign for it, and the offices respectively held by them, together with specimens of their signatures and from time to time as changes in such personnel are made, immediately to certify such changes to the Bank, and the Bank shall be fully protected in relying on such certifications.*

That the Clerk to the Board or/and Assistant Clerk or any other officer of this Corporation be and hereby is authorized and directed to certify to the Bank that this resolution has been duly adopted, is in full force and effect and is in accordance with the provisions of the charter.

6. *That this Corporation acknowledges and agrees that accounts are subject to the Bank's terms and conditions for accounts, as same may be amended from time to time.*

Annual Report of the Historic Landmark Preservation Commission (HLPC)

Hal Johnson, County Planning Director and HLPC Chairman, presented the annual report of the HLPC, as required by its adopting ordinance. Since its creation in June 2008, the following 13 landmarks have been designated: 1909 Historic County Courthouse; 1802 Sandy Creek Primitive Baptist Church, 1922 Old County Rest Home, 1838 Franklinsville Mfg. Co., 1855 Trinity Museum/Winslow House, 1782 Col. Andrew Balfour Cemetery, 1911 Pisgah Covered Bridge, 1775-1800 Mt. Shepherd Archeological Site, 1929 Sunset Theatre, 1850 Hanks Masonic Lodge, 1938 Asheboro Municipal Building, 1929 Charles McCrary House, and the 1939 J. Frank McCrary House. The 10-member HLPC, via interlocal agreements, serves as the advisory body to the municipalities of Archdale, Asheboro, Ramseur, Franklinville, Trinity, Liberty, Seagrove, and Randleman. According to Mr. Johnson, 28 public hearings have been conducted by the HLPC and other local governments (Randolph County, Asheboro, Franklinville, and Trinity) as a result of Local Landmark designations. The following Cultural Heritage Sites have also been designated: 1920 Parkers Mill Bridge, 1789 Richland Lutheran Church & Cemetery, c.1760 Mill Creek Friends Meeting & Cemetery, 1905 Liberty Train Depot, 1885 Patterson Cottage/Liberty Museum, Old Asheboro Municipal Cemetery, and the Marmaduke 1860 Robins Law Office.

Mr. Johnson said that the HLPC has established a website that is designed to provide history of Local Landmarks and Cultural Heritage Sites, along with other information that would be helpful to citizens concerning the Historic Commission and the designation process. The HLPC website, from 7-1-10 to 5-1-11, has had 17,463 views. The HLPC Facebook page has received 3,218 posts and views.

In 2010, the HLPC and the Tourism Development Authority (TDA) formed a unique

partnership that will expand a citizen's ability to visit and learn about Randolph County's history and heritage. Local Historic Landmark sites are now included in the yearly TDA "Visit the Heart of North Carolina Official Visitor Guide." Citizens are given the opportunity to contact the County Visitors' Bureau for additional information regarding individual historical site accessibility.

Mr. Johnson said that staff support and funding for the HLPC is provided by the County Planning Department. He said that approved funding is sufficient to meet the goals and objectives of the Historic Landmark Preservation Commission.

Mr. Johnson also presented the Board with a Local Historic Landmark designation plaque, which officially marks the 1909 Historic Courthouse as a historic landmark.

Public Hearing and Adoption of Ordinance Designating Austin Lawrence House as a Historic Landmark

Hal Johnson, County Planning Director and HLPC Chairman, gave a PowerPoint presentation regarding information and history on the Austin Lawrence House, ca. 1848, which is located at 2383 Cedar Falls Rd., Franklinville, and is owned by Tommy and Lorraine Routh. The 160-year-old house was built on a rock outcropping on a steep hillside overlooking the Deep River. Its first owner was Austin Lawrence, a mill manager from New England who came to Randolph County with his family to work in the burgeoning textile industry. The solidly built house has woodwork and moldings made from the Greek Revival classical designs by architect Asher Benjamin (1773-1845) in his pattern books that were widely circulated in the first half of the 19th Century. After the Lawrence family moved away around 1855, the Cedar Falls Mill Company owned the house, and it was rented to various tenants for over 100 years. The 160-year history represented by the Austin Lawrence House starts with the expanding growth of North Carolina in the early 1800s, the textile mill development of Randolph County, NC, the founding of Cedar Falls, and the spreading of industrialization from New England to and through the American South.

Mr. Johnson said the request has been reviewed by the HLPC, the Commission having determined that this property meets all criteria for landmark designation. Therefore, the HLPC is recommending, by adopted resolution, that the Board of Commissioners adopt an ordinance designating this house as a local historic landmark.

At 6:20 p.m., Chairman Holmes opened the floor for public comment regarding the proposed designation of the Austin Lawrence House as a local historic landmark. No one spoke, and the public hearing was closed.

On motion of Kemp, seconded by Haywood, the Board voted unanimously to adopt an "Ordinance Designating the Exterior of the Austin Lawrence House, ca. 1848 as a Local Historic Landmark in Randolph County, North Carolina," as follows:

WHEREAS, Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes provides for the designation of local historic landmarks; and

WHEREAS, on June 2, 2008, the Randolph County Board of Commissioners adopted an Ordinance which established the Randolph County Historic Landmark Preservation Commission to perform those

duties of designating and regulating historic local landmarks pursuant to North Carolina General Statutes; and

WHEREAS, *the County of Randolph has taken into full consideration all statements and information contained in the Landmark Designation Application for the Austin Lawrence House, ca. 1848, as submitted by the Randolph County Historic Landmark Preservation Commission; and*

WHEREAS, *the North Carolina Department of Cultural Resources, State Historic Preservation Office, has reviewed the Landmark Application, noting that the Austin Lawrence House, ca. 1848, possesses the requisite significance and integrity for local landmark designation; and*

WHEREAS, *the Randolph County Historic Landmark Preservation Commission and the County Board of Commissioners have held the required public hearings and published legal notices with mailings to adjoining property owners; and*

WHEREAS, *the Randolph County Historic Landmark Preservation Commission has adopted a unanimous resolution requesting the County of Randolph to designate the exterior of the Austin Lawrence House, ca. 1848, as a local historic landmark; and*

WHEREAS, *the Randolph County Board of Commissioners find that the Austin Lawrence House, ca. 1848, meets the following specific criteria outlined in the adopting Ordinance establishing the Commission: (1) Critical Part of the County's Heritage by having value as an example of the cultural, economic, historic, and social heritage of Randolph County; (2) Exemplification of an architectural type distinguished by overall quality of design, detail, materials, and craftsmanship; (3) The location of the 1802 Church provides a unique and distinctive structure representing an established and familiar visual presence in the County of Randolph; and*

WHEREAS, *this property is more specifically described as follows:*

The exterior of the Austin Lawrence House, ca. 1848, located at 2383 Cedar Falls Road, Franklinville, N.C., PIN# 7782386802, Randolph County, N.C.

NOW, THEREFORE, BE IT ORDAINED, *by the Board of Commissioners of the County of Randolph, North Carolina, that:*

- 1: The property known as the exterior of the Austin Lawrence House, ca. 1848, located at 2383 Cedar Falls Road, within the planning jurisdiction of the County of Randolph, North Carolina, is hereby designated as a Local Historic Landmark pursuant to Chapter 160A, Article 19, Part 3C, of the North Carolina General Statutes.*
- 2: That the exterior of the Austin Lawrence House, ca. 1848, may be materially altered, restored, remodeled, or demolished only following the issuance of a Certificate of Appropriateness from the Historic Landmark Preservation Commission.*
- 3: That nothing in this Ordinance shall be construed to prevent the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material or outer appearance thereof, after obtaining the necessary permits and official approval for said stated repair. Nothing herein shall prevent the construction, alteration, restoration, demolition, or removal of such feature when a building inspector or similar authorized official certifies to the Historic Landmark Preservation Commission that such action is required for the public safety because of an unsafe condition. Furthermore, nothing shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.*
- 4: That Tommy and Lorraine Routh, P.O. Box 104 Franklinville, N.C. 27248, owners of the Austin Lawrence House, ca. 1848, hereby accepts notice as required by the applicable law of this action, and directs that copies of this Ordinance be filed and indexed in the office the Clerk to the Board of County Commissioners, the Randolph County Register of Deeds, the Randolph County Tax Department, and the County Planning and Inspections Departments as required by applicable law.*

This Ordinance shall be in full force and effect from and after the date of its passage.

Presentation and Adoption of the Farmland Protection and Preservation Plan

Carolyn Langley, Cooperative Extension—Randolph Center Director, and Kemp Davis, Chairman of the Voluntary Agricultural District Advisory Board (VADB), said that the VADB, Cooperative Extension and Randolph County Government received a \$25,000 grant last July to develop a Farmland Preservation and Protection Plan for Randolph County. In December 2011, John Bonham, an agricultural consultant, was contracted to help in collecting data and in writing the plan. Five farmland preservation dinner meetings were held with 318 people in attendance in order to meet and talk with Randolph County farmers and landowners to collect information on the concerns, challenges and opportunities that farmers are facing. Dinners were held in Sophia, Farmer, Liberty, Ramseur, and Asheboro, with Farm Bureau sponsoring the dinners. Data from a comprehensive survey and from personal interviews with local farmers and agriculture serving agencies was collected during the meetings, and has been compiled and reviewed. During May, the VADB met four times to consider and review the proposed plan. Revisions have been made and recommendations have been carefully considered. The proposed plan was presented for the Board's consideration. Mr. Bonham also spoke about the plan and congratulated the Board on its implementation and use of a good Growth Management Plan, which clearly supports the agricultural community in Randolph County.

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the Randolph County Agriculture and Farmland Protection Plan, as presented.

Approval of Aging Services Matters

Candie Rudzinski, Aging Services Planning Committee (ASPC) Chair, reported that the ASPC met on May 10, 2011 and approved a recommendation for the HCCBG agency allocations for FY 11-12 totaling \$741,776. The ASPC recommends that the Randolph County Board of Commissioners approve the HCCBG Funding Plan, as indicated on the Form DOA-731, requesting a total of \$741,776 for FY 11-12 for Randolph County aging service providers.

Ms. Rudzinski also asked that the Board accept additional/supplemental funding, should it become available, and to allow the Aging Services Planning Committee to decide how to allocate these funds, as appropriate, according to the existing "Policy for Distribution of Aging Services Funding."

On motion of Frye, seconded by Kemp, the Board unanimously 1) approved the HCCBG Funding Plan, as indicated on Form DOA-731, requesting a total of \$ \$741,776 for fiscal year 2011-2012; 2) designated the Randolph County Senior Adults Association, Inc. as the Lead Agency for fiscal year 2011-2012, as indicated on Form DOA-730; and 3) agreed to accept additional/supplemental funding, should it become available, and to allow the Aging Services Planning Committee to decide how to allocate these funds, as appropriate, according to the existing "Policy for Distribution of Aging Services Funding."

Randolph County Senior Adults Association (RCSAA) Budget Request

Chairman Holmes asked if Ms. Rudzinski would like to make her budget request presentation at this time, rather than waiting until the June 13 budget meeting. Ms. Rudzinski provided information about the services that the Randolph County Senior Adults Association provides, including statistics on the citizens served. She said that the RCSAA budget request of \$225,585

includes \$6,500, which is the County match for the Community Transportation Plan study that Roger King had requested of the Board a few months earlier. Ms. Rudzinski also reminded the Board about her capital request of \$500,000 for a new Senior Center. She said that she expects that a fund raising campaign would begin around January of 2012. She said that she hopes that the Commissioners could pledge \$100,000 a year for five years beginning with the 2012-2013 budget.

Approval of Contract for Electronics Recycling Services at Solid Waste Facility

Aaron Carter, Public Works Department Staff Engineer, said that North Carolina passed an electronics recycling law that requires the shared responsibility between manufacturers, retailers, local and state governments, and consumers. This law also includes the ban of computers, computer components, televisions and other electronic devices from entering into any landfill, effective July 1, 2011. In preparation for this new mandate, the Public Works Department has been working with NCDENR officials to establish an electronics recycling program for Randolph County that would take effect July 1, 2011. Part of the new law requires the County to properly dispose of the electronics waste that it collects. NCDENR officials have provided the County with the names of available firms in North Carolina that are "R2 certified" in handling and disposing of electronics waste. One is eCycleSecure from Charlotte, and the other is Creative Recycling out of Raleigh. Public Works staff met with representatives from both of these companies to discuss a contract for the handling and disposal of electronic waste that the County will receive as part of the new additional recycling program. Both companies offered to provide similar services to Randolph County that would satisfy the requirements of the new law. After meeting with both companies and reviewing their credentials, the staff felt that eCycleSecure would be the best fit for Randolph County due to their vast electronics recycling capabilities. The advantage of this contract is that it will be of no cost to Randolph County.

On motion of Kemp, seconded by Frye, the Board voted unanimously to approve a contract (at no cost to the County) with eCycleSecure from Charlotte for electronics recycling services at the solid waste facility and to authorize the County Manager to sign the contract.

Approval of Resolution Updating the County's 10-Year Solid Waste Plan

Aaron Carter, Public Works Department Staff Engineer, said that it is a requirement of the County to have a 10-Year Solid Waste Plan that must be updated every three years or when there is a major change to the Solid Waste program. This update will be the sixth revision to the original plan adopted in 1997. He said the plan is being updated one year earlier than required to respond to the new electronics recycling law that takes effect July 1, 2011. Hence, the Randolph County Board of Commissioners must approve the new plan via resolution.

Mr. Carter said that over the past two months, the Public Works Department has attended meetings of all eight municipal governing boards in the county; all eight approved resolutions in support of this plan. The plan, in a broad overview, is similar to what it has been for the last several revisions. The County will continue to operate its transfer station, collect all recyclables and work with both white goods/tire and attempt to get grant funding from the State.

Mr. Carter asked that the Board adopt a resolution approving the three-year update of the 10-Year Solid Waste Plan; upon its adoption, the Public Works Department will submit it to the State; the General Assembly requires that this plan be adopted by July 1, 2011.

On motion of Haywood, seconded by Frye, the Board voted unanimously to adopt a resolution approving the 10-year Solid Waste Plan, as requested, and as follows:

Whereas, better planning for solid waste will help protect public health and the environment, provide for an improved solid waste management system, better utilize resources, and control the cost of solid waste management; and

Whereas, NC General Statute 130A-309.09A (b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 10-year comprehensive solid waste management plan; and

Whereas, NC General Statute 130A-309.09A (b) also requires this plan to be revised every three years, so the plan is a continuous 10-year comprehensive solid waste management plan; and

Whereas, the County of Randolph was represented on the original Randolph County Solid Waste Management Advisory Committee and has been involved in the new planning process.

Now, therefore, be it resolved that the Randolph County Board of Commissioners hereby approves the Randolph County Comprehensive Solid Waste Management Plan.

Approval of Contract for Soil Borings at Landfill Property & Related Budget Amendment

David Townsend, III, Public Works Director, said that the Public Works Department submitted a Request for Proposals to six professional firms to perform drilling services for installation of Piezometers and monitoring wells at the solid waste facility, which is a state requirement in the County’s plan to obtain a permit for a regional landfill. The following three proposals were received:

- | | |
|--|-----------|
| 1. Geologic Exploration, Inc., Raleigh, NC | \$112,303 |
| 2. Saedacco, Inc., Fort Mills, SC | \$114,530 |
| 3. Parratt Wolff, Inc., Hillsborough, NC | \$114,590 |

Mr. Townsend said that he and the consultants, Golder Associates, recommend awarding the contract to the low bidder, Geologic Exploration, in the amount of \$112,303. Funds are available in the Landfill Post Closure Fund for this project.

On motion of Kemp, seconded by Frye, the Board voted unanimously to award a contract to Geologic Exploration, Inc. in the amount of \$112,303, for soils borings and installation of Piezometers and monitoring wells at the landfill, and approved Budget Amendment #50, as follows:

<i>2010-2011 Budget Ordinance Landfill Closure Fund—Budget Amendment #50</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Appropriated Fund Balance</i>	\$112,303	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Landfill Post-Closure Costs</i>	\$112,303	

Approval of Contract for Environmental Studies at Landfill & Related Budget Amendment

David Townsend, III, Public Works Director, requested approval of two contracts with Golder Associates for managing and coordinating four different studies involving environmental issues related to the potential new “Subtitle D Landfill.” The first contract is for the Geophysical Survey and the second contract is for the three other studies: a wetland survey, checking for threatened vegetation, and a cultural resources survey. All are required by the State to obtain a permit for the proposed regional landfill. The Public Works Department has reviewed the proposals submitted by Golder Associates and discussed them with other professionals concerning these types of environmental issues, and all charges for the proposed evaluations are reasonable. The studies are identified, as follows, and all are at a rate as not to exceed the amounts indicated below:

First contract:	Geophysical Survey	\$ 45,000
Second contract:	Wetlands Survey	21,000
	Threatened Vegetation	8,400
	Cultural Resources Survey	<u>48,200</u>
		\$ 77,600

Mr. Townsend asked the Board to approve all contracts with Golder Associates at a total amount of \$122,600 for environmental studies and that the County Manager be authorized to sign the contracts. Funds are available through the existing Post Closure Account for these projects.

On motion of Frye, seconded by Lanier, the Board voted unanimously to award a contract to Golder Associates for a geophysical survey at \$45,000 and a second contract to Golder Associates for three environmental studies totaling \$77,600, for a grand total of \$122,600, to authorize the County Manager to sign the contracts and to approve Budget Amendment #51, as follows:

2010-2011 Budget Ordinance General Fund—Budget Amendment #51		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Appropriated Fund Balance</i>	<i>\$122,600</i>	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Landfill Post-Closure Costs</i>	<i>\$122,600</i>	

Approval of Property Swap with Energizer and Related Budget Amendment

David Townsend, III, Public Works Director, said that Energizer operates an Industrial Landfill that is completely surrounded by the Randolph County Solid Waste Facility on Henley Country Road. Approximately a year ago, it was discovered that solid waste had been buried in an area (hereinafter referred to as “site”) that covered property located within the boundary of the Energizer Landfill and a smaller area of property located on the County facility. Upon said discovery, the County entered into an agreement with Energizer to deal with the removal and testing of this material, reserving any agreement regarding disposal costs and site rehabilitation for the future. The time has come to resolve this matter in its entirety. In order to finish the removal/disposal of this waste, the County and Energizer have agreed to the following, subject to

the approval of this Board:

- The County will pay the costs of disposing of the waste removed from the site.
- The County will repair/rehab the road as necessary after said removal/disposal is complete.
- The County will redress the Transition Area (where solid waste was stored while being tested and awaiting disposal).
- Energizer will be responsible for rehabbing the site itself, providing grading services and reseeded the area (provided however, that the County will provide the dirt necessary to grade the site).
- Energizer will deed a parcel of land (approximately 25, 470 square feet, or 0.58 acres) on the east side of Energizer's property to the County.
- The County will deed a parcel of land (approximately 7,900 square feet, or 0.18 acres) on the north side of Energizer's property to Energizer.

Mr. Townsend asked the Commissioners to approve this arrangement as the settlement of a disputed claim and to authorize the Associate County Attorney to provide, and the Chairman of the Board of Commissioners to sign, the necessary paperwork, including but not limited to, an Agreement memorializing the above-arrangement and the necessary real estate documents to effectuate the transfer of property as set out above.

On motion of Frye, seconded by Kemp, the Board voted unanimously regarding the settlement of a disputed claim at the solid waste facility, to authorize a land swap with Energizer, as requested and as outlined above, to authorize the Associate County Attorney to provide, and the Chairman to sign, the necessary paperwork, including but not limited to, an Agreement memorializing the aforementioned arrangement and the necessary real estate documents to effectuate the transfer of property, as set out in the Arrangement and to approve Budget Amendment #52, as follows:

2010-2011 Budget Ordinance General Fund—Budget Amendment #52		
Revenues	Increase	Decrease
<i>Appropriated Fund Balance</i>	\$232,655	
Appropriations	Increase	Decrease
<i>Public Works</i>	\$232,655	

Approval of Amendment of Rules of Procedure for the Randolph County Board of Commissioners

Cheryl Ivey, Clerk to the Board, presented proposed changes for the Board's consideration that include basic housekeeping items in addition to significant changes, including the Board's new meeting schedule (Rule 4) and the inclusion of the Board's Public Comment Period Rules (Rule 12), which were adopted separately in 2005.

On motion of Haywood, seconded by Lanier, the Board voted unanimously to amend the Board of Commissioners Rules of Procedure, effective immediately, as presented, and as follows:

Rule 1. Applicability of Rules (pursuant to NCGS 153A-41)

- A. *These rules apply to all meetings of the Randolph County Board of Commissioners at which the Board is empowered to exercise any of the executive, administrative or legislative powers conferred on it by law.*
- B. *These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of these rules or an amendment thereof shall require an affirmative vote equal to a quorum.*

Rule 2. Open Meetings

- A. *The public policy of North Carolina and of Randolph County is that the hearings, deliberations, and actions of this Board and its committees be conducted openly, and any person may attend.*
- B. *An official meeting of the Board is defined as any gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of Board members for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting public business within the jurisdiction, real or apparent, of the Board.*

Rule 3. Closed Sessions

- A. *Notwithstanding the provisions of Rule 2, the Board may hold a closed session and exclude the public, but only for those purposes set out in North Carolina General Statute 143-318.11(a), as follows:*
 - 1. *To prevent the disclosure of information that is privileged or confidential pursuant to the law of this state or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes. NCGS 143-318.11(a)(1)*
 - 2. *To consult with the County Attorney or another attorney employed or retained by the County in order to preserve the attorney-client privilege. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. NCGS 143-318.11(a)(3)*
 - 3. *To discuss matters relating to the location or expansion of industries or other businesses in the county. NCGS 143-318.11(a)(4)*
 - 4. *To establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the Commissioners in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. NCGS 143-318.11(a)(5)(i)*
 - 5. *To establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the Commissioners in negotiating the amount of compensation and other material terms of an employment contract or proposed employment contract. NCGS 143-318.11(a)(5)(ii)*
 - 6. *To consider the initial employment or appointment of an individual to any office or position, other than a vacancy in the Board of County Commissioners or any other public body, and to consider the qualifications, competence, performance, character, and fitness of any public officer or employee. NCGS 143-318.11(a)(6)*
 - 7. *To hear or investigate a charge, complaint or grievance by or against an individual public officer or employee. Final action regarding such complaint, charge, or grievance shall be taken in open session. NCGS 143-318.11(a)(6)*

8. *To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct. NCGS 143-318.11(a)(7)*
 9. *To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity. NCGS 143-318.11(a)(9)*
- B. *The Board may go into closed session only upon motion made and adopted at an open meeting. This motion must cite one or more of the permissible purposes listed in Rule 3.A. In addition, a motion to go into closed session pursuant to Rule 3.A.1. must state the name or citation of the law that renders the information to be discussed privileged or confidential, and a motion to go into closed session pursuant to Rule 3.A.2. must identify the parties in each existing lawsuit, if any, concerning which the board expects to receive advice during the closed session.*
 - C. *Unless the motion provides otherwise, the County Manager, County Attorney, Staff Attorney, Clerk to the Board, and any necessary staff or agents may attend the closed session. No other person shall attend the closed session unless specifically invited by majority vote of the Board.*
 - D. *In the absence of the Clerk, the Board shall designate a secretary to record a general account of the session, any action taken, and who was present. The minutes shall also reflect that the person who took the minutes acted as secretary and shall sign the minutes of the closed session as "acting secretary."*
 - E. *The Board shall conclude a closed session and return to open session when the presiding officer declares the closed session to be ended.*

Rule 4. Regular Meetings (Time and Place)

- A. *The Board will hold two meetings per month: the regular business meeting on the first Monday of each month, which will begin at 6:00 p.m.; and the zoning public hearing, which will be held on the third Monday of each month, beginning at 6:00 p.m. If a regular meeting date falls on a holiday on which the County offices are closed, the meeting shall be held on the next business day or such succeeding day as may be specified in the motion adjourning the immediately preceding regular meeting. Beginning with the 2012 calendar year, the Board shall, by resolution adopted at its December regular meeting on the first Monday of the month, set its entire regular meeting schedule for the upcoming calendar year. At least 10 days before the first meeting to which the resolution is to apply, the resolution shall be filed with the Clerk to the Board, posted on the Board of Commissioners' official bulletin board and on the Historic Courthouse bulletin board, and a summary of which shall be published. In the instance that there are no zoning requests to come before the Board in a particular month, the Board shall, at its regular meeting on the first Monday of that same month, adopt a resolution to cancel the meeting on the third Monday of that month; such resolution shall be duly posted and noticed at least seven days before the third Monday of the month.*
- B. *The Board may change the place or time of a particular regular meeting or of all regular meetings within a specified period by resolution adopted, posted, and noticed at least seven days before the change takes effect. Such resolution shall be filed with the Clerk to the Board and posted at or near the regular meeting place, official County bulletin board, and copies shall be sent to all persons who have, in writing, requested notice of special meetings of the Board.*

Rule 5. Special, Emergency, and Informal Meetings

- A. *The Chair or a majority of Board members may at any time call a special meeting of the Board by signing a notice stating the time and place of the meeting and the subjects to be considered. At least forty-eight hours before the meeting, the notice shall be posted on the principal bulletin board of the*

County and delivered to all Board members or left at the usual dwelling place of each member. In addition, the notice shall be mailed or delivered to individual persons and news organizations who have filed a written request for notice with the Clerk to the Board. Requests for notice by individuals are subject to a \$10 non-refundable annual fee; requests by news organizations are not subject to any fee. Only items of business specified in the notice may be transacted at a special meeting called in this manner, unless all members are present or those not present have signed waivers.

- B. A special meeting may also be scheduled by vote of the Board in open session during another duly called meeting. The motion calling for the special meeting shall specify its time, place, and purpose. At least forty-eight hours before the meeting, the notice shall be posted on the principal bulletin board of the County and delivered to all Board members not present at the meeting at which the special meeting was called. Only items of business specified in the motion calling for the special meeting may be transacted at a special meeting called in this manner unless all members are present and the Board determines in good faith at the meeting that it is essential to discuss or act on the additional item immediately.
- C. The Chair or a majority of Board members may at any time call an emergency meeting of the Board by signing a written notice stating the time and place of the meeting and the subjects to be considered. Written or oral notice of the meeting shall be given to each Board member and to each news organization that has filed a written emergency meeting notice request with the Clerk to the Board, and whose request includes that organization's telephone number. Only business connected with the emergency may be considered at an emergency meeting.
- D. The Board may schedule work sessions, committee meetings, or other informal meetings of the Board or of a majority of its members at such times and concerning such subjects as may be established by the Board. Work sessions and other informal official meetings not held regularly are subject to the same notice requirements as special Board meetings.

Rule 6. Organizational Meetings

- A. On the date of the regular meeting in December, the newly elected members shall take and subscribe the oath of office as the first order of new business. As the second order of new business, the Board shall elect a chairman and vice-chairman. The swearing-in and election may be preceded by the completion of pending items of unfinished business by the incumbent board.
- B. The outgoing chairman shall preside over the meeting until a new chairman is elected. If the outgoing chairman is not present, the County Manager or Clerk to the Board shall preside until a new chairman is elected.

Rule 7. Location of Meetings

- A. Regular meetings shall be held within the boundaries of Randolph County.
- B. A joint meeting with the governing board of any other political subdivision of this or any other state may be held within the boundaries of either subdivision as may be specified in the call of the meeting. At any such joint meeting, this Board reserves the right to vote separately on all matters coming before the joint meeting.
- C. A special meeting called during a session of the General Assembly for considering and acting on an order or resolution requesting members of the General Assembly representing all or any portion of Randolph County to support or oppose any bill pending in the General Assembly or proposed for introduction therein may be held in Raleigh or other such place as stated in the call of the meeting.
- D. A meeting may be held within or outside the boundaries of Randolph County in connection with a retreat, forum, or similar gathering solely for the purpose of providing members of the Board with general information relating to the performance of their public duties.

- E. *A meeting may be held within or outside the boundaries of Randolph County while in attendance at a convention, association meeting, or similar gathering solely to discuss or deliberate the Board's position concerning convention resolutions, elections of association officers, and similar issues that are not legally binding upon the Board or its constituents.*

Rule 8. Agenda

- A. *The Clerk to the Board shall prepare the agenda for each meeting. A request to have an item of business placed on the agenda for a regular meeting must be received at least 4 working days before the meeting. Any Board member may, by a timely request, have an item placed on the agenda.*
- B. *The agenda packet shall include as much supporting documentation and background information as is available and feasible to reproduce, including any proposed ordinances, resolutions, policies, etc., or any proposed amendments thereof. A copy of the agenda packet shall be delivered to each Board member at least 2 working days before the meeting. Documents in the agenda packet, if not previously available for public inspection, shall become so when packets have been delivered to each Board member or left at his usual dwelling.*
- C. *The Board may, by general consent, add items to or remove items from the proposed agenda.*
- D. *Routine agenda items may be designated under a section of the agenda called "consent agenda" and will be approved in one motion without discussion. Upon request by any one Board member, any item listed under the consent agenda shall be removed from the consent agenda and considered separately.*
- E. *Items shall be placed on the agenda according to the order of business. Without objection, the Chairman may call items in any order most convenient for the dispatch of business.*

Rule 9. Presiding Officer

- A. *The Chairman shall preside at all Board meetings if he is present. If the Chairman is absent, the Vice-Chairman shall preside. If both the Chairman and the Vice-Chairman are absent, another member designated by vote of the present Board members shall preside.*
- B. *The presiding officer shall have the following powers:*
 - 1. *To rule on points of parliamentary procedure, including the right to rule out of order any motion offered for patently obstructive or dilatory purposes;*
 - 2. *To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;*
 - 3. *To call a brief recess at any time;*
 - 4. *To adjourn in an emergency.*
- C. *A decision by the presiding officer under any of the first three powers listed above may be appealed to the Board upon motion of any member. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.*

Rule 10. Action by the Board

- A. *The Board shall proceed by motion. Any member, including the Chairman, may make a motion. If two or more Commissioners speak at the same time to make a motion (or second), the Chairman shall determine, for purposes of recording action for the minutes, which name the Clerk shall use.*
- B. *A motion shall require a second in order to be considered by the Board.*
- C. *A substantive motion is out of order while another substantive motion is pending.*

- D. *A motion shall be adopted by a majority of the votes cast, a quorum being present, unless otherwise required by the laws of North Carolina. A majority is more than half. A quorum is a majority of the actual membership of the Board, including any vacant seats (NCGS 153A-43). A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.*
- E. *The Chairman or the Clerk shall state the motion and then open the floor to debate. The Chairman shall preside over the debate according to the following general principles:*
1. *The maker of the motion is entitled to speak first;*
 2. *A member who has not spoken on the issue shall be recognized before someone who has already spoken;*
 3. *To the extent possible, the debate shall alternate between proponents and opponents of the measure.*
- F. *To the extent permitted by law, the Board may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.*
- G. *In addition to substantive proposals, only the following procedural motions, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted. In order of priority (if applicable), the procedural motions are*
1. *To appeal a procedural ruling of the presiding officer. (See Rule 9.C.)*
 2. *To adjourn. The motion may be made only at the conclusion of action on a pending matter; it may not interrupt deliberation of a pending matter.*
 3. *To take a brief recess.*
 4. *To call to follow the agenda. The motion must be made at the first reasonable opportunity or it is waived.*
 5. *To suspend the rules. The motion requires a vote equal to a majority of the entire membership of the Board.*
 6. *To divide a complex motion and consider it by paragraph. This motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.*
 7. *To defer consideration. The Board may defer a substantive motion for later consideration at an unspecified time. A substantive motion that has been deferred expires 100 days thereafter unless a motion to revive consideration is adopted.*
 8. *Motion for the previous question. This motion is not in order until there have been at least 15 minutes of debate and every member has had an opportunity to speak once.*
 9. *To postpone to a certain time or day.*
 10. *To refer a motion to a committee. The Board may vote to refer a substantive motion to a committee for its study and recommendations. Sixty days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire Board, whether or not the committee has reported the matter to the Board.*
 11. *To amend.*
 - a. *An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute Completely different wording for a motion or an amendment shall be treated as a motion to amend.*
 - b. *A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.*

- c. *Any amendment to a proposed policy, ordinance, resolution, etc. that is lengthy or complex shall be reduced to writing before the vote on the amendment.*
- 12. *To revive consideration. This motion is in order at any time within 100 days of a vote deferring consideration.*
- 13. *To reconsider. The Board may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority, except in the case of a tie; in that case the “nos” prevail) and only at the meeting during which the original vote was taken, including any continuation of that meeting through recess to a time and place certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting. (If a member wishes to reverse an action taken at a previous meeting, he generally may make a new motion having the opposite effect of the prior action.)*
- H. *A motion may be withdrawn by the introducer at any time before it is amended or before the Chairman puts the motion to a vote, whichever occurs first.*
- I. *Every member must vote unless excused by the remaining members of the Board. A member who wishes to be excused from voting shall so inform the Chairman, who shall take a vote of the remaining members. No member shall be excused from voting except in cases involving conflicts of interest, as defined by the Board or by law, or the member’s official conduct, as defined by the Board. In all other cases, a failure to vote by a member who is physically present in the meeting, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote.*

Rule 11. Public Hearings

- A. *At the time appointed for the hearing, the presiding officer shall call the hearing to order and then preside over it.*
- B. *Anyone wishing to speak during a public hearing must first provide his name and address to the Clerk.*
- C. *When the allotted time expires, or earlier, if no one wishes to speak who has not done so, the presiding officer shall declare the hearing ended.*
- D. *The board may continue a public hearing without further advertisement. If a public hearing is set for a given date and a quorum of the board is not then present, the board shall continue the hearing without further advertisement until its next regular meeting, pursuant to NCGS 153A-52.*

Rule 12. Public Comment Period

The board of commissioners shall provide a public comment period at its regular business meeting on the first Monday of the month. On August 1, 2005, the Randolph County Board of Commissioners adopted the following rules of procedure for public comment periods:

The public comment period will be limited to 15 minutes at the beginning of the meeting; if more time is required, it will be at the discretion of the Board. Each speaker must give his/her name, both orally and in writing, before speaking. Speakers will be limited to three minutes. Comments are to be directed to the Board as a whole and not to one individual commissioner. Response, discussion or action concerning issues raised during the public input session will be at the discretion of the Board. Speakers will be courteous in their language and presentation. Speakers should not discuss matters which concern the candidacy of any person seeking public office or matters in current or anticipated litigation.

Rule 13. Minutes

- A. *The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the Board, the entire Board shall be polled by name on any vote.*
- B. *Minutes and general accounts of closed sessions shall be considered sealed automatically. Closed session records shall be unsealed by Board action if and when the closed session's purpose would no longer be frustrated by making these records public.*

Designation of Voting Delegate for NACo Conference

On motion of Haywood, seconded by Lanier, the Board voted unanimously to designate Commissioner Darrell Frye as the voting delegate for the NACo Annual Conference in July.

Update on 911 Board Allocations

Will Massie, Assistant County Manager/Finance Officer, said that he had just received word that due to the new 911 funding distribution method by the NC 911 Board, the amount that will be deposited into the County's Emergency Telephone System Fund for FY 2011-2012 will be \$371,129. This is \$78,871 less than the anticipated amount of 450,000 that was included in the Manager's proposed budget, and significantly below the current allocation of \$757,000. Mr. Massie distributed to the Board a revised 2012 budget, reflecting the lower revenues. Mr. Massie explained that the 911 Board's new funding philosophy is quite strict on the uses for which these funds, which consist of the surcharge fees on telephone service, can be used. Because of this change in determining allocations, the County will have to adjust its strategy for replacing large segments of the 911 technology. Instead of spending conservatively and accumulating fund balance to replace equipment, the County may consider leasing. In addition, since there will be fewer financial resources, the annual personnel costs of maintaining the 911 system may have to be absorbed by the General Fund.

Closed Session

At 7:40 p.m., on motion of Frye, seconded by Lanier, the Board voted unanimously to go into closed session on a matter relating to the acquisition of real property pursuant to N.C.G.S. 143-318.11(a)(5).

Regular Session Resumed

At 8:48 p.m., the Board resumed regular session.

Adjournment

At 8:48 p.m., there being no further business, on motion of Frye, seconded by Lanier, the meeting was adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Stan Haywood

Arnold Lanier

Cheryl A. Ivey, Clerk to the Board