

January 7, 2013

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. Dr. Bob Shackelford, RCC President, 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 after County Manager Richard Wells read aloud the Rules for the Public Comment Period.

Brian Cox, Chief of Guil-Rand Fire Department, spoke in response to the complaint of Janet Pate at two prior Commissioners' meetings regarding the way she had been treated at Guil-Rand's annual meeting in August of 2012. Mr. Cox reviewed the order of their meeting stating that at the end of each meeting the president always asks for questions about what had been presented. At this particular meeting, Ms. Pate asked what the department had done with the million dollar grant they were awarded from the federal government. Mr. Cox said he told her that Guil-Rand had not received a grant from the federal government but that they had hosted a million dollar grant that benefitted every fire department in Randolph County to aid in the purchase of the Viper radios that were being required by the FCC. Mr. Cox said that every question from Ms. Pate was in an accusing tone, suggesting that Guil-Rand was misusing funds and giving false information. After Ms. Pate had asked several questions, the Board chairman asked her where she lived and informed her that she could make an appointment with her representative on the Board in order to ask any additional questions.

Mr. Cox stated that the Guil-Rand Fire Department has provided a certified audit to the county for the last 30 years. He said the department has been frugal with its expenditures over the years and assured the Commissioners that they have been good stewards of the tax payers' money.

Jimmy Pate, 3901 Hillsdale Park, Sophia, NC 27350, stated that he was also at the meeting that Mr. Cox spoke of. Mr. Pate said Ms. Pate had contacted Mr. Cox on several occasions prior to Guil-Rand's annual meeting and felt like she was not getting her questions answered. That is why she attended the Guil-Rand meeting. He said that they just wanted to make sure their tax money was being spent wisely.

Jon Nance, New Hope Church Rd., Asheboro, expressed concern about excess water at the proposed landfill. He also stated that he had noticed an increase in the smell of sewage in the area of Wal-Mart during heavy traffic times and asked if there were any plans for upgrades to infrastructure for water treatment in the county if a solid waste facility is approved.

County Manager Wells addressed Mr. Nance's question, responding that the City of Asheboro has a pump station in the area of Wal-Mart but the County does not handle any type of sewage; he said that is the City's responsibility. Any excess water that cannot be used at the landfill will be placed in the city sewer system. The County has already talked

with the City about what lines will be needed if a regional facility is approved. The transfer station on County Land Road currently has city water and sewer so the process of getting it piped up to the proposed new area is part of the discussions that have been taking place between the County and City of Asheboro. Mr. Nance commented that he just wanted to make sure the infrastructure was in place since there has been sewage overflows during heavy rains.

Mr. Nance also asked, “Since the County was given money in order to use land that’s going to be used by a private company, in that sense, doesn’t the County owe that company the land that was offered in exchange for the money? Therefore, wouldn’t it be a public debt issue at that point?”

Hearing no further comments, the public comment period was closed.

Approval of Consent Agenda

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

- *approve regular and closed session minutes of December 3, 2012 Board of Commissioners meeting;*
- *reappoint Edward Stevenson and Randy Kirkman to the Liberty Planning & Zoning Board;*
- *reappoint Chris Collins to the Archdale Planning Board/Board of Adjustment;*
- *appoint Mack Summey to Board of Health;*
- *reappoint Randy Tedder to the Seagrove-Ulah Metropolitan Water District;*
- *approve Budget Amendment #17 for Library (State Aid \$3,529), as follows:*

2012-2013 Budget Ordinance		
General Fund—Budget Amendment #17		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$3,529	
Appropriations	Increase	Decrease
<i>Public Library</i>	\$3,529	

- *appoint Vickie Wilson to the Juvenile Crime Prevention Council.*

Presentation of Annual Audit Report

Lonnie Keogh, Senior Manager with Cherry Bekaert, presented and reviewed the County’s Comprehensive Annual Financial Report for year ended June 30, 2012. She stated there were no significant deficiencies or material weaknesses found and said the firm gave the County an unqualified, “clean” opinion, which is the highest level of findings, and commended the County’s Finance Office staff and DSS personnel for their work and assistance.

Economic Development Corporation (EDC) Annual Report

Bonnie Renfro, EDC President, introduced the EDC Board members that were present and the new Existing Business and Industry Coordinator, Kevin Franklin.

Ms. Renfro presented the EDC's annual report, saying that small businesses led the way, expanding to new facilities, investing in new technology, and creating new jobs. During 2012, sixteen new companies announced the creation of 358 new jobs that will generate approximately \$11,000,000 in annual income and \$28,100,000 in new capital investment. When all is in place, this will generate \$164,000 in new property tax revenues each year.

Ms. Renfro also mentioned the loss of 437 jobs, 11 company closings and one restructuring. Hyosung USA closed their Asheboro operation, displacing 300 workers. Energizer announced a global restructuring that will bring new manufacturing to Asheboro while outsourcing some functions with resulting job loss. Sealy announced they would be acquired by TempurPedic, and Michael Thomas Furniture announced a consolidation to High Point. United Furniture Industries announced plans for 70 new jobs, which will secure more than two million dollars in grants that will be used to construct a new sewer line along the I-74 corridor in the Glenola area. The City of Archdale is applying for those grants.

Ms. Renfro said that health care continues to be a bright spot and that the EDC helped to secure a grant for the new PACE Center that is being constructed in Asheboro. The all-inclusive care facility for medically eligible seniors is designed to serve a three-county area and will create 45 new jobs and provide a significant tax investment.

Ms. Renfro said the outlook for 2013 is for the EDC to aggressively market buildings and sites in Randolph County; to seek to remove barriers that limit building reuse or new construction; to focus on new product development; to prioritize our existing industry needs and to continue the partnership with stakeholders and partners.

Ms. Renfro introduced EDC Board President Mike Whitehead, who also thanked the Commissioners and the citizens for their commitment and support of the EDC's efforts to bring strong businesses to Randolph County.

Approval of 2013 Technology Plan and Budget Amendments

Michael Rowland, County Information Technology Director, presented the proposed 2013 Strategic Technology Work Plan, stating that it had been reviewed and approved by the Technology Planning Team (TPT) on December 19, 2012 and continues to focus on completing service delivery improvement projects approved during prior Work Plans. The first project will be to complete the credit/debit card payment project from the 2012 Work Plan. The second is a new project to complete much needed network infrastructure upgrades. He asked that the Board approve the plan, as follows:

1. Credit/Debit card payments – The credit/debit card payment project was added as part of the 2012 Work Plan. The County is currently working with our credit/debit card vendor, Suntrust/Elavon, to complete the project. The equipment has been received for those departments that will be accepting this payment method. Still to be completed is the Payment Card Industry (PCI) security assessment and the required staff training. These remaining tasks should be completed within the next month. At that point, the County will be ready to start offering this new service to the public.
2. Network Infrastructure Upgrades – For the past several years, the Technology Work Plan has focused on replacing Legacy Enterprise software. With that now completed, it is time to address the needs of the network infrastructure that all County applications

rely on to function. This project involves three different areas of the network infrastructure. The first of which is the replacement of three core network switches. The County is starting to experience network outages due to the age of this equipment. These outages impact the ability of our employees to complete their work and to provide timely services to our citizens. The cost to replace this critical network equipment is approximately \$50,000. The next critical piece of infrastructure that needs to be upgraded is the Storage Area Network (SAN). The cost to upgrade the SAN is estimated to be \$150,000. The last part of the network infrastructure project that needs to be undertaken is an upgrade of the County email server. The estimated cost of this upgrade is \$50,000. These upgrades have been delayed as long as possible, but the time has come to move forward or there will be a much greater impact on our core applications and to the services provided to our citizens.

On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the 2013 Strategic Technology Work Plan, as proposed, which includes \$250,000 to upgrade the network infrastructure and to approve Budget Amendment #18 to the General Fund and Budget Amendment #8 to the County Technology Fund, as follows:

2012-2013 Budget Ordinance		
General Fund—Budget Amendment # 18		
Revenues	Increase	Decrease
<i>Appropriated Fund Balance</i>	\$250,000	
Appropriations	Increase	Decrease
<i>Transfer to Technology Capital Project</i>	\$250,000	

TECHNOLOGY CAPITAL PROJECT ORDINANCE		
Amendment # 8		
Revenues	Increase	Decrease
<i>Transfer from General Fund</i>	\$250,000	
Appropriations	Increase	Decrease
<i>Network Infrastructure Upgrades</i>	\$250,000	

Update on 2013 Planning Issues

Hal Johnson, Planning Director, presented updates affecting the planning and zoning of the County, as follows:

(1) On December 6, 2012, the Asheboro City Council voted to release 12,000 acres of lands formerly within their extra-territorial zoning jurisdiction (ETJ) to Randolph County. The estimated population of this area is 8,000 persons and 3,741 individual land parcels. The 12,000 acres released to the County are those urban areas where the City has determined that utility extensions and annexation will not take place unless the City is petitioned by the residents and approved for annexation on a case by case basis by the City Council.

Mr. Johnson said that to his knowledge this is one of the largest withdrawals of a city ETJ in the state’s history. Prior to this vote, the City of Asheboro exercised ETJ over

approximately 18,000 acres. The City will be retaining approximately 6,000 acres of ETJ with an estimated population of 4,000 persons. Asheboro first established ETJ in the 1970s and last extended its ETJ prior to countywide zoning in 1987.

State laws authorizing cities to exercise extra-territorial zoning jurisdictions began in the 1950s when few counties regulated land use. The ETJ was designed to allow cities to have regulatory jurisdiction within those areas outside the city that might be expected to receive city utilities at some point in the future.

In 2011, the N.C. Legislature made changes in existing laws on how cities could process forced annexations. Formerly, a city could annex lands close to its municipal limits that met certain legal criteria. A city could use forced annexation, regardless of whether or not the residents supported the annexation. Residents of the ETJ could not vote for city councils. The new legislation now requires that a referendum be held. A majority of registered voters must support the annexation. The legislature also began discussions on the authority of cities to extend extra-territorial zoning. One of the concerns was that citizens residing in a city ETJ were being regulated by a governing body for which they had no voting opportunity. The new law makes it less likely that cities will be pursuing large annexations unless they are requested by the residents.

The City of Asheboro has retained approximately 6,000 acres that will remain in the city ETJ. Asheboro has retained ETJ jurisdiction along strategic corridors and areas that might have economic development potential. The strategic corridors and areas identified by the city for economic development potential are primarily located along 1/73/74; US 220 Business; and Zoo Parkway.

Withdrawal of Asheboro ETJ became effective January 1, 2013. However, state law requires that city zoning regulations remain in place for up to 60 days in order for the County to establish County land use regulations within the area previously regulated by the City. The Randolph County Planning Department will be notifying approximately 3,000 landowners advising of the implementation of County zoning and the related public hearings of the County Planning Board and the County Commissioners. In order to allow for one mailing and still meet the legal requirements for public hearing notice, the County Planning Board has set Tuesday, February 19, 2013, 6:30 pm, as the date to conduct a public meeting and make recommendations to the County Commissioners. Final decision after public hearing by the Board of County Commissioners is scheduled for Monday, March 11, 2013, 7:00 pm.

In addition to the required public hearings, the Randolph County Planning Department will host an informal Public Information Meeting between the hours of 4:00 pm and 7:00 pm, Monday, February 18, 2013, at the Historic Courthouse. Citizens will have the opportunity at this Public Information Meeting to review maps and meet with County planning staff concerning how the pending establishment of County land use regulations may affect their property.

Mr. Johnson said he intends to recommend to the Planning Board and County Commissioners that we replace the established City of Asheboro zoning districts with comparable Randolph County zoning districts. Permits, lots, and zoning approvals that were previously allowed by the City of Asheboro will be honored by the County.

There are some basic differences between City of Asheboro and Randolph County land use regulations. Examples of these differences include that much of the land in the released ETJ had been zoned by the City for residential lots of 7,500, 10,000, and 15,000 sq. ft. County standards are from 30,000 to 40,000 sq. ft. and are specifically designed to enable the lot to meet septic tank and the necessary repair area requirements. Randolph County requires a minimum lot size of five acres on private roads. Randolph County also requires that major subdivisions of more than three lots be processed using the public hearing/rezoning overlay district procedures. The County Planning Department also actively enforces junk vehicle and unmaintained garbage/litter regulations. Mr. Johnson stated that current lot sizes will be grandfathered in as they move under the County guidelines.

(2) The release of Asheboro ETJ will also impact the Randolph County Growth Management Plan. Land previously noted as Municipal Growth Areas within the former ETJ will need to be adjusted to reflect Randolph County Primary Growth Areas. Adjustments to the Growth Management Plan in the vicinity of the proposed regional landfill will also be recommended.

(3) Recommendations are being developed concerning the establishment of new Economic Enhancement Corridors located along the borders of Interstate 1/73/74, Hwy 421, and US Hwy 64/49 located within Randolph County planning and zoning jurisdiction. One of the purposes of the Economic Enhancement Corridors, as part of a comprehensive plan, will be to allow the opportunity for multi-business advertising, utilizing only the new electronic/LED billboards after issuance of a special use permit by the Randolph County Planning Board. Yearly traffic counts on these major transportation routes are in excess of 40 million vehicles and represents over 70 miles of highway located within Randolph County jurisdiction. Over the past years, and particularly with the declining economy, it has become very apparent that current Randolph County zoning standards do not provide the opportunity to promote Randolph County and its business/tourism assets utilizing modern outdoor advertising methods. Another public benefit of electronic/LED billboards is that there may be opportunities available to provide emergency and public service announcements through partnership/agreements with the advertising companies.

Presentation of Traffic Study Regarding Proposed Regional Landfill

Will Letchworth, PE, CDM-Smith, said that in response to the concern about traffic issues at the proposed regional landfill which were expressed at the public information session in October, the County obtained the help of his firm, CDM-Smith, which specializes in design and consulting in highway and traffic engineering. He has performed an in-depth study of the impact that a regional landfill would have on the roads and traffic surrounding the proposed area.

Mr. Letchworth said that the traffic that will be generated by the facility would be coming in at two separate entrances. Residential traffic is already on the roadways and using the County Land Road entrance off of Henley Country Road. The entrance for commercial traffic would access the facility on Old Cedar Falls Road at one of two locations being considered: 1) connecting to the existing training center entrance, or 2) creating a new entrance from Old Cedar Falls Road.

Mr. Letchworth said the study focused on the commercial traffic since it would be newly generated. They used the figure of 100 trucks per day over a nine-hour period, as worst case

scenario, for calculations. The public concerns were the volume of traffic, the speed and the location of entrances. CDM Smith performed mechanical 24-hour tube counts in the area. Mr. Letchworth's study concluded that all roadways along commercial routes were well under capacity and could withstand the minor increases to overall traffic volume. He did recommend that a speed limit of 45 mph be established and enforced on Henley Country Road. Considering the low amount of traffic expected to be accessing the facility in any one hour, no auxiliary turn lanes are needed at the access point from a capacity standpoint. However, the County may wish to consider a left turn lane at the access point on Old Cedar Falls Road to provide adequate stopping distances for trucks; this should be constructed of sufficient pavement depth to avoid pushing of the pavement due to heavy vehicles frequently decelerating in this lane. They also examined the overall frequency of traffic at the busiest time of the day. Based on accepted guidelines and measurements, an average pedestrian should be able to cross the entire roadway in 5.5 seconds. Therefore, it was their opinion that the frequency of traffic generated will not endanger public safety.

Mr. Letchworth reported that all of the existing bridges are new and would not be impacted by commercial vehicles. There were no significant evidence of accidents that would be affected by trucks but they were still awaiting accident data from the NCDOT. Mr. Letchworth contacted the school system regarding the bus routes and reported that the morning busses operate before the landfill opens, and there was no overlap with routes in the afternoon. He did not see any substantial impact to farming operations from the commercial traffic. His final recommendation was to place the entrance gate far enough into the property that there is sufficient distance for trucks to park in the entrance prior to gates opening.

Mr. Letchworth concluded, based on the organization's professional opinion, data compiled, site visits, and nationally accepted roadway design and safety criteria, that the additional traffic generated by the proposed landfill will not materially endanger public safety.

Commissioner Kemp stated that he had visited the site and rode the proposed routes and commented that the commercial access point on Old Cedar Falls Road may be better suited ahead of the training center entrance, which would go in behind the center and possibly allow more queuing room for arriving trucks at an access point that connects directly with Old Cedar Falls Road. It would not cause any problems with activities at the training center.

Mr. Letchworth stated that it is up to the Commissioners where the entrance is to be, but that there is a permitting process through NCDOT to get a driveway put in.

Commissioner Kemp said that moving the entrance west may solve some of the concerns of the residents that lived along the area of the training center entrance.

Commissioner Haywood's concern was the time estimated between vehicles and the time a pedestrian would take to cross a roadway that was reported in the study. He didn't feel that 5.5 seconds was enough time for some people to get across the road.

Commissioner Lanier commented that it may be possible for the postal service to allow mail boxes on both sides of the road, such that a resident's mailbox is on the same side of the road as his house.

Approval of Contract for Next Phase of Regional Landfill Process & Budget Amendment

Public Works Director Paxton Arthurs stated that over the past couple of years the County has put forth a great deal of time and energy into investigating the feasibility of constructing a regional landfill. The next step in this process is to obtain the necessary zoning approval. Based on Randolph County's Unified Development Ordinance, a sanitary landfill is not allowed by right in any zoning district, but instead, must be permitted as a special use. This process will require submitting an application to the Randolph County Planning Board for a special use permit. Because this process will require plans and specifications that will ultimately be designed by our consultants, Golder and Associates, it is necessary to have them included in this process. Golder and Associates has submitted a proposal to assist with this endeavor on a time and expense basis with a price not-to-exceed \$36,000. Mr. Arthurs requested the Commissioners (1) authorize the County Manager to apply for a special use permit for the Proposed Regional Landfill, and (2) award a contract to Golder and Associates in the amount of \$36,000 to assist with this process, along with the associated budget amendment.

Chairman Holmes asked Hal Johnson to verify if the special use permit would have to be site specific for the entrance, and Mr. Johnson confirmed that it would.

Commissioner Frye stated that there are a lot of things yet to be determined that the public is going to want to know. Mr. Arthurs responded that the contract with Golder and Associates would determine those unanswered questions so it could be included in the application for the special use permit that would go before the Planning Board. Golder may give several options on the site plan for the entrance or recommend only one, but the Commissioners have the final say.

County Manager Wells said that an entrance at the intersection of Foxworth Road was not possible due to the topography of land, but somewhere between there and the training center entrance is something that Golder would be reviewing. The facility will need a long entrance drive so that trucks can line up on County property. They will not be allowed to line up on Old Cedar Falls Road. Mr. Arthurs said the details build on themselves. Golder will be providing more site specific construction details with this contract, where previously they were more concerned with site suitability, alternate locations and environmental impact. Mr. Arthurs said he feels confident that Golder can put the entrance wherever requested as long as it goes along with their engineering design. Commissioner Kemp suggested seeing an update to the site plan, which could be presented at the February meeting. Mr. Wells verified with Hal Johnson the most efficient way to put the request on the Planning Board's agenda. Mr. Johnson said actions taken at the February Commissioners' meeting regarding a special use permit could go on the March Planning Board's agenda. Commissioners Kemp and Lanier both agreed that approval of the contract for the special use permit application needed to be approved immediately. Then, a revised site plan can be approved prior to the special use permit being requested. The request to authorize the County Manager to apply for a special use permit for the proposed regional landfill could possibly be on the February Commissioners agenda.

On motion of Kemp, seconded by Lanier, the Board voted 4 to 1, with Commissioner Haywood opposing, to award a contract to Golder and Associates in the amount of \$36,000 for preparation of a special use permit and to approve Budget Amendment #19 to the Landfill Closure Fund, as follows:

<i>2012-2013 Budget Ordinance</i>		
<i>Landfill Closure Fund—Budget Amendment #19</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Appropriated Fund Balance</i>	<i>\$36,000</i>	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Solid Waste Management</i>	<i>\$36,000</i>	

Regional Update

Vice-Chair Frye reported that the merger with Sandhills Mental Health and Guilford County is complete. He also reported that Guilford County is the only remaining local government pending approval to proceed with the financing of a new facility for the PTRC.

Update on Offer to Purchase Randleman Ambulance Base

Associate County Attorney Aimee Scotton stated that at the last meeting, she had presented the offer from Crosland Barnes Group, LLC. for the purchase of the Randleman EMS base property in the amount of \$460,000 in which the Board proposed to accept the offer. The offer was advertised and an upset bid was submitted by Lodestar Investments, LLC for \$483,050, which was the minimum upset bid amount. That bid was advertised in the Courier-Tribune on January 6, which begins another 10-day upset bid period. Interested parties have until 5 p.m. on Wednesday, January 16 to submit an upset bid.

Closed Session

At 7:50 p.m., on motion of Frye, seconded by Kemp, the Board voted unanimously to go into closed session to discuss matters relating to the location or expansion of business in the area, pursuant to [N.C.G.S.143-318.11(a)(4)]

Regular Meeting Resumed

At 8:14 p.m., the Board returned to regular session.

Approval of NC Department of Commerce Site Development Grant and Related Capital Project Ordinance

Finance Director Will Massie stated that like other areas, Randolph County has discussed having industrial sites available to show when a business is looking for locations for a new facility. The Randolph County Economic Development Corporation (EDC) applied for a grant from the NC Department of Commerce. Randolph County has been awarded \$1,666,667 to assist in future site development.

On motion of Frye, seconded by Lanier, the Board voted unanimously to accept a NC Dept of Commerce Site Development Grant and approved a Site Development Capital Project Ordinance, as follows:

**RANDOLPH COUNTY, NORTH CAROLINA
SITE DEVELOPMENT CAPITAL PROJECT ORDINANCE**

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

Section 1. Randolph County desires to develop an industrial park site or sites suitable for large

scale manufacturing facilities, thus enhancing economic development, providing quality jobs, and raising the standard of living of our citizens. The County will partner with the State of North Carolina and local governments through shared project costs.

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

Section 3. The following amounts are appropriated for expenditures for the capital project:

Purchase of Land	\$	1,666,667
		-
TOTAL:	\$	<u>1,666,667</u>

Section 4. The following amounts are anticipated to be available to complete this capital project:

Grant – State of North Carolina	\$	1,666,667
		-
TOTAL:	\$	<u>1,666,667</u>

Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of General Statutes of North Carolina.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement should be made in an orderly and timely manner. Any advances between fiscal years must be approved by the Board of Commissioners.

Section 7. This Capital Project Ordinance shall be entered in the minutes of the Board of the Randolph County Commissioners and after adoption copies of this Ordinance shall be filed with the finance officer, the budget officer, and the clerk to the board.

Section 8. This Capital Project Ordinance is adopted on January 7, 2013 and shall continue in effect until the project is completed.

Adjournment

At 8:17 p.m., there being no further business, the meeting adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Arnold Lanier

Stan Haywood

Amanda Varner, Deputy Clerk to the Board