

February 4, 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. County Manager Richard Wells read aloud the Rules for the Public Comment Period.

No one spoke, and Chairman Holmes declared the public comment period closed.

Addition to Consent Agenda

Chairman Holmes announced that Item I. Approve Budget Amendment for Transfer of Americhem Economic Development Incentive Initial payment had been added to the Consent Agenda.

Approval of Consent Agenda

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

- *approve minutes of regular and two closed session meetings of January 7, 2013 Board of Commissioners meeting;*
- *unseal Closed Session I minutes of July 9, 2012;*
- *reappoint Marjorie Beeson, Mickey Bowman, Clifford Elliott and Leverette Strider to the Voluntary Agricultural District Advisory Board;*
- *appoint Celena Fleming to the Juvenile Crime Prevention Council to fill unexpired term of Patrick O’Hara (term ending 7/14);*
- *appoint Leane Langston to Workforce Development Board to replace Elbert Lassiter, who has resigned;*
- *appoint David Henderson to Asheboro Planning Board as an ETJ member;*
- *approve Budget Amendment #2 for RCC Capital Project Ordinance, as follows:*

<i>Randolph Community College Capital Project Ordinance-Budget Amendment #2</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
	\$ -	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Construction</i>	\$264,000	
<i>Site Improvement</i>		\$264,000

- *approve Budget Amendment #20 for the transfer of Americhem Economic Development Incentive Initial payment, as follows:*

<i>2012-2013 Budget Ordinance-General Fund- Amendment #20</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Transfer from Economic Development Reserve</i>	\$ 28,125	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Other Economic and Physical Development</i>	\$ 28,125	

Change to New Business Agenda

Chairman Holmes announced that Item C. Economic Development Project Public Hearing and Request to Adopt Economic Incentives Contract had been removed from the New Business Agenda

Voluntary Agricultural District (VAD) Advisory Board Annual Report

Kemp Davis, VAD Advisory Board Chairman, presented the VAD Board's annual report, saying that in 2012, the VAD Board admitted farms into the program totaling 1,395 acres of land. As a result, Randolph County now has over 16,895 acres of land enrolled in the program. Fourteen farms are enrolled in the Enhanced Voluntary Agriculture District with 1,195 acres, and 111 farms with 14,638 acres are enrolled in the Regular Voluntary Agriculture District.

Work in 2012 has concentrated on meeting the strategies outlined in the Farmland Preservation plan for 2011-2012 and 2012-2013. One of the goals was to organize a forum with other local agencies and organizations to coordinate their agricultural curricula. Two forums have been held that involved farmers from the county, VAD Board members, agricultural agency representatives and agricultural teachers from each of the county high schools. These forums have resulted in a better understanding of programs available and a better coordination of efforts. As a result of one of the forums, a new program called Farm to Table was created and piloted by Cooperative Extension in two Randolph County elementary schools to teach first graders where their food comes from. The program consisted of six 40-minute lessons and a field trip to A&T State University Research Farm. In addition, local high school agricultural students read agricultural/farming books to the students each day during Farm City Week in November.

Other activities of the VAD Board included meeting with the Tax department to better understand the procedures and rules of the Present-Use Value program, participating in State VAD training, and reviewing and revising the Voluntary Agricultural District ordinance. The Commissioners approved changes to the VAD ordinance in December. The major change was that property less than 20 acres and that fits the guidelines for Present Use Value size limitations may now be accepted into a Voluntary Agricultural District.

Mr. Kemp thanked the Commissioners for their continued support of the Voluntary Agriculture District program and their recognition of the value of agriculture and agribusiness in Randolph County.

Regional Partnership Workforce Development Board Annual Report

Jim Hardegree, Workforce Development Board member, presented the July 1, 2011-June 30, 2012 annual report of the Regional Partnership Workforce Development Board's Local Workforce Development Area. He said that in Randolph County, they had a very busy and productive year, providing employment services to adult participants, dislocated workers and to youth with total expenditures of \$727,075. He thanked the Commissioners for their continued support.

Approval of 2013 Audit Contract

Assistant County Manager/Finance Officer Will Massie said that federal and state laws require a local government's annual audit to encompass testing of both financial statements and legal compliance, thus making it a specialized service. The County has historically maintained a lasting relationship with its independent audit firm, resulting in better service and a more efficient audit. Cherry Bekaert LLP, which has an office in Asheboro, has served as the County's independent auditors. The County has been pleased with the level of service provided. For the past four years, the firm maintained the same contract fee. The

proposed audit fee for the 2013 fiscal year is \$57,200, which includes the audit of the Tourism Development Authority. This is a four percent increase over last year, but is reasonable when compared with the fees of other counties our size. Cherry Bekaert has agreed to this contract fee for three fiscal years. Mr. Massie recommended the Board's approval of the three year proposal.

On motion of Lanier, seconded by Frye, the Board voted unanimously to approve a contract with Cherry Bekaert for \$57,200 to conduct the County audit for fiscal year ended June 30, 2013, and to authorize the Chairman to sign the contract.

Approval of Lease Renewal with State for Probation/Parole Offices

Associate County Attorney Aimee Scotton said that the County leases office space in the Randolph County Courthouse to the State of North Carolina. The State pays the County \$11,952.00 per year (or \$996.00 per month) for the use of approximately 996 square feet of office space. The current lease is expiring. In order for this relationship to continue, we will need to enter into a new three-year lease with the State. North Carolina General Statute 160A-274 allows the County to lease property to the State under such terms and conditions as it may deem wise, with or without consideration. Action under this section, however, may only be taken by the governing body.

On motion of Kemp, seconded by Frye, the Board voted unanimously to approve a three-year lease renewal with the State of NC for Probation/Parole Offices at the Courthouse under the same terms and conditions as the previous lease and authorized the County Manager to sign the lease.

Update on Offer to Purchase Randleman Ambulance Base Property

Associate County Attorney Aimee Scotton stated that at the December 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, following the required legal publications, has been upset twice. The current bid of \$507,252.50 was submitted by the original bidder, Crossland Barnes Group. This bid was advertised and an upset bid was submitted by Lodestar Investments, LLC for \$535,000.00, which was the minimum upset bid amount. That bid was advertised in the Courier-Tribune on February 3, which begins another 10-day upset bid period. Interested parties have until 5 p.m. on Wednesday, February 13 to submit an upset bid.

Board Retreat Date Set

On motion of Haywood, seconded by Frye, the Board voted unanimously to set April 24 at 12 noon at the RCC Foundation Conference Center for a Board retreat.

COPS Refinancings – Adoption of Resolutions

Assistant County Manager/Finance Officer Will Massie said that with interest rates at historic lows, he has been monitoring the possibility of refunding some of the County's existing debt in order to lower future principal and interest costs. Our debt policy states that the expected savings be at least 3% of the outstanding balance before we initiate a refunding. Although the markets have fluctuated due to economic conditions, including the "fiscal cliff" negotiations in Washington, he believes that we can achieve this target. He said that three separate refinancings are planned. If the economic benefit disappears due to market conditions, one or two of these refinancings may be postponed.

Mr. Massie explained that IRS regulations allow only one refinancing of tax exempt debt. Accordingly, if we want to save on the 2000 COPS (refunded in 2004), we will reissue with taxable interest rates. This will still allow substantial savings. The 2006 COPS (Providence Grove HS) and 2007

COPS (Wheatmore HS) can be refinanced with tax-exempt interest rates. We expect to obtain Local Government Commission (LGC) approval on March 5 and sell the new bonds on March 13. The new debt proceeds will be invested in U.S. Treasury securities and held by our trustee, US Bank, until certain outstanding certificates can be retired. There will not be new proceeds for additional projects.

Mr. Massie asked the Board to adopt the required resolution following a duly advertized public hearing.

Chairman Holmes announced that this was the hour, day and place fixed for the public hearing for the purpose of considering whether the Board of Commissioners for the County (the "Board") should approve certain documents under which the County would obtain financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended, for the purpose of accomplishing the Refinancing hereinafter described and under which the County would secure the repayment by it of moneys advanced pursuant to such documents by granting a lien on all or a portion of the property subject to the Refinancing. The Refinancing is the refinancing of the County's obligations with respect to all or a portion of the outstanding Refunding Certificates of Participation, Series 2004A, Certificates of Participation, Series 2006, and Certificates of Participation, Series 2007 executed and delivered by the Randolph County Public Facilities Corporation. The Chairman announced that the notice of the public hearing, which is being held pursuant to Section 160A-20(g) of the North Carolina General Statutes, as amended, was published in The Courier-Tribune on or before January 25, 2013.

The Chairman then announced that the Board would immediately hear anyone who might wish to be heard on such matters. No one spoke.

The Clerk to the Board of Commissioners announced that no written statement related to such matters had been received.

On motion of Frye, seconded by Kemp, the Board unanimously to approve the following resolution:

RESOLUTION (1) AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF AN INSTALLMENT FINANCING AUTHORIZED BY SECTION 160A-20 OF THE NORTH CAROLINA GENERAL STATUTES AND (2) APPROVING SUCH INSTALLMENT FINANCING AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS IN CONNECTION THEREWITH.

WHEREAS, financing pursuant to Section 160A-20 of the North Carolina General Statutes must be approved by the Local Government Commission of North Carolina and will only be approved if the findings of Section 159-151(b) of the North Carolina General Statutes are met;

WHEREAS, the Board of Commissioners of the County duly conducted a public hearing today regarding an installment financing to accomplish the refinancing of the County's obligations with respect to all or a portion of the outstanding Refunding Certificates of Participation, Series 2004A, Certificates of Participation, Series 2006, and Certificates of Participation, Series 2007 executed and delivered by the Randolph County Public Facilities (the "Refinancing");

WHEREAS, the County and Randolph County Public Facilities Corporation (the "Corporation") previously entered into an Installment Financing Agreement dated as of March 1, 2000 and amendments and supplements thereto for the purposes specified therein;

WHEREAS, the Corporation and a trustee entered into a Trust Agreement dated as of March 1, 2000 and amendments and supplements thereto pursuant to which the Corporation executed and delivered its Refunding Certificates of Participation, Series 2004A (the "2004A Certificates");

WHEREAS, the County and the Corporation previously entered into an Installment Financing Agreement dated as of August 1, 2006 for the purposes specified therein;

WHEREAS, the Corporation and a trustee entered into a Trust Agreement dated as of August 1, 2006 thereto pursuant to which the Corporation executed and delivered its Certificates of Participation, Series 2006 (the "2006 Certificates");

WHEREAS, the County and the Corporation previously entered into an Installment Financing Agreement dated as of September 1, 2007 for the purposes specified therein;

WHEREAS, the Corporation and a trustee entered into a Trust Agreement dated as of September 1, 2007 thereto pursuant to which the Corporation executed and delivered its Certificates of Participation, Series 2007 (the "2007 Certificates");

WHEREAS, in order to generate economic savings, the County wants to refinance its obligations with respect to all or a portion of the 2004A Certificates, the 2006 Certificates and the 2007 Certificates by having the Corporation execute and deliver Additional Certificates under those respective Trust Agreements in the form of limited obligation bonds (the "2013 Bonds");

WHEREAS, there have been available at this meeting drafts of the forms of the following:

- (1) Third Supplemental Installment Financing Agreement relating to the 2004A Certificates, First Supplemental Installment Financing Agreements relating to the 2006 Certificates and the 2007 Certificates;
- (2) Third Supplemental Trust Agreement relating to the 2004A Certificates, First Supplemental Trust Agreements relating to the 2006 Certificates and the 2007 Certificates;
- (3) Escrow Deposit Agreement;
- (4) Preliminary Official Statement;
- (5) Bond Purchase Agreement.

WHEREAS, the Board of Commissioners of the County wants to approve those and related documents and the sale of the 2013 Bonds and to authorize the Refinancing and other actions in connection therewith; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County as follows:

1. The Board hereby finds and determines in connection with the proposed installment financing that (a) such proposed installment financing is necessary or expedient to the County, (b) such proposed installment financing, under current circumstances, is preferable to a bond issue of the County for the same purpose, (c) the sums estimated to fall due under such proposed installment financing are adequate and not excessive for its proposed purpose, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed installment financing agreement will not be excessive and (f) the County is not in default regarding any of its debt service obligations.
2. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed installment financing under Article 8 of Chapter 159 of the General Statutes of North Carolina.
3. The County Manager and Finance Officer is hereby designated as the representative of the County to file an application for approval of such proposed installment financing with the Local Government Commission of North Carolina and is authorized to take such other action as may be advisable in connection with the negotiation of such proposed installment financing and the development of the related financing; and all actions heretofore taken by the County Manager and Finance Officer relating to such matters are hereby approved, ratified and confirmed.
4. Each of the documents referred to above, in the form submitted to this meeting, is hereby approved, and the Chairman of the Board, the County Manager and Finance Officer and the Clerk to the Board are each hereby authorized and directed to execute and deliver

each of those documents to which it is a party, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.

5. *Each of the Preliminary Official Statement and the final Official Statement in the form of the Preliminary Official Statement submitted to this meeting, is hereby approved, in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof in connection with the public offering and sale of the 2013 Bonds is hereby authorized. The Chairman of the Board and the County Manager and Finance Officer are each hereby authorized and directed to execute and deliver on behalf of the County, the final Official Statement in substantially such form, with such changes, insertions and omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.*
6. *The Chairman of the Board, the County Manager and Finance Officer, the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution and to effect the installment financing and the Refinancing pursuant to the documentation therefor. Without limiting the generality of the foregoing, the County Manager and Finance Officer are authorized to approve all details of the Refinancing, and execution of the financing documents by the Chairman of the Board or the County Manager and Finance Officer shall conclusively evidence approval of all such details of the financing.*
7. *All actions of the County effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the documents referred to above.*
8. *This Resolution shall become effective immediately upon its adoption.*

This the 4th day of February, 2013.

Presentation of Revised Site Plan at Proposed Regional Landfill/Authorization to Request Special Use Permit

Public Works Director Paxton Arthurs said that at the January Commissioners' meeting, there were some questions that arose concerning traffic details, as well as, the overall design details for the Proposed Regional Landfill. The questions relating to traffic details mainly centered on uncertainty of the location of the entrance to the proposed facility from Old Cedar Falls Road. Based on comments from the last meeting, Golder Associates has proposed a new entrance located approximately halfway between Foxworth Road and Training Center Drive. This new layout has now been reviewed by the traffic engineer with CDM Smith who has determined, from a traffic safety and operational perspective, that the new proposed entrance is an excellent location. However, he still recommends that a left-hand turning lane should be installed and caution signs erected as an alert about truck traffic.

Ms. Arthurs also provided some information on accident data that had been omitted from the traffic study because the information was not available. NCDOT has since provided this data, which has been evaluated by CDM Smith Engineering. Mr. Arthurs provided highlights of the evaluation: the number of accidents along Henley Country Rd. and Old Cedar Falls Rd. is above the state average; however, it was found that the majority of the accidents were from animal collisions or collisions with fixed objects, such as a mailbox or fence. Another finding of the study was that the majority of accidents involved vehicles driving over the speed limit or during off hours or involved alcohol. Of all the data provided, only three accidents occurred during the landfill hours, and they involved vehicles that were following the recommended speed limit. Ultimately, the traffic engineer concluded that the increase in truck traffic associated with the proposed landfill would not cause a decrease in safety or increase in accidents along the roadway.

One final concern involved the safety of citizens crossing the road to their mailboxes. After looking into the issue, it was found that the US Post Office already allows mailboxes to be located on both sides of Henley Country Road and Old Cedar Falls Road.

Mr. Arthurs also mentioned that the County can have as a requirement in our contract with the landfill operator that the trucks adhere to a certain speed limit.

Rachel Kirkman, Engineer with Golder Associates, gave a PowerPoint presentation, giving the following high lights of the proposed facility layout:

- Proposed footprint for entire facility once complete, approximately 200 acres
- Proposed final grades at closure < 110 feet above highest natural grade (approx. 950 feet)
- Capacity: approximately 48 million cubic yards
- Well over 30 years of airspace at desired daily tonnage (1,500 tons/day)
- Estimates of up to 100 trucks per day at desired daily tonnage (1,500 tons/day)
- Buffers > 300 feet to property lines/Deep River (exceeds State requirements) and > 400 feet along portions of southern property line (utilize all natural existing vegetation)
- Entrance along Old Cedar Falls Road between Foxworth Road and Training Center Drive

Ms. Kirkman provided and discussed diagrams of the Landfill Schematic, Existing Conditions and Proposed Footprint, Proposed Development Plan, and Conceptual Cross-Section/Detail, and she showed the new Facility Entrance Plan, as well as, a diagram of Typical Construction Details.

Activities completed to date are Fatal Flaw Study (FFS), Alternate Site Evaluation, Financial Analysis, Market Study, Site Suitability Study (Geophysical Survey, Phase I Cultural Resources Survey, Phase II Cultural Resources Survey, and a Rare Plant Survey). She said that no issues had been identified in the Fatal Flaw Study regarding the following: airports; faults/seismic impact zones; state nature and historic preserve, national wildlife refuge, state game lands, and state parks; water supply watersheds. Additional investigation was warranted in the FFS for wetlands/streams/100-year floodplains, cultural resources and threatened/endangered species, and vertical separation from bedrock and groundwater.

Sixteen sites were evaluated as part of the Alternate Site Evaluation in relation to the following: size; land use/zoning; proximity to schools, scenic or recreational areas, and state or city parks; transportation infrastructure; topography; environmental features, such as streams, wetlands, and floodplains; and surrounding land use. The Evaluation concluded that the County landfill property was as the most suitable for landfill development; the demographic review does not indicate that continued operation of a landfill at the existing landfill property would disparately impact any minority population or disadvantaged socio-economic group.

Ms. Kirkman reviewed Financial Analysis Findings, the Market Study and the Site Suitability Study and provided the following highlights from each:

Financial Analysis Findings

- Maximum capacity of approximately 54,000,000 cubic yards
- Design capacity of greater than 30 years of life at a 1,500 tons per day

- Waste acceptance rates are assumed to be 750 tons per day in year 1, increasing to 1,500 tons per day by year 3, and increasing 1.5% thereafter
- Gate rate of \$34 per ton in year 1 with a projected 1.5% annual increase
- Capital investment recovered after approximately 5.5 years
- After year 6, break even waste tonnage is approximately 800 tons per day

Market Study

- 11 counties in central North Carolina with a population of 1.92 million and a growth rate of at least 15% for most counties
- 16 landfills (10 - C&D, 4 - MSW, and 2 - MSW/C&D) handle approximately 2 million tons per year
- Tipping fees: \$34 to \$52 per ton (MSW) and \$28 to \$45 per ton (C&D)
- Up to 1,500 tons/day may be available for disposal at the facility from surrounding counties
- Controlling factors: hauling distance, existing contracts, status of City of Greensboro MSW facility/solid waste contract

Site Suitability Study

- Geophysical Survey completed
- Phase I and II Cultural Resources Surveys--Field work completed and draft reports in review; 4 archaeological sites warranted additional (Phase II) investigation; No data recovery effort required based on Phase II investigation
- Rare Plant Survey completed--Limited Piedmont indigo bush in areas already timbered (out of future waste footprint area); Limited to no impacts anticipated to indigo bush as part of site development; No threatened or endangered species identified

Ms. Kirkman provided a list of activities in progress:

- **Site Suitability Study**

- Cultural Resources Surveys: No sites eligible for the National Register for Historic Places; Mitigation alternatives will be evaluated in EIS
- Wetlands and Stream Delineations: Request for Jurisdictional Determination (JD) submitted; Limited wetlands impacts and intermittent stream mitigation; Maintaining required buffers from Deep River and perennial tributaries; Site meetings with USACOE and NCDENR complete (waiting on JD); Individual permit application and evaluation of mitigation alternatives

- **Hydrogeologic/Geotechnical Investigation**

- Drilling/Survey completed
- Other field work in progress: Aquifer testing, Bedrock mapping, Water level gauging

- **Facility Plan**

- Preliminary footprint
- Facility entrance
- Support structures
- Grading and phasing

- **Environmental Impact Study**
 - Site Suitability
 - Sound and visual impacts
 - Cumulative impacts
 - Socioeconomic factors
 - Long-term growth
 - Resource commitment
 - Forest resources
 - Available infrastructure
 - Potential mitigation activities
 - Traffic Study: In progress with CDM-Smith; Additional data/maps as required by state law

- **Environmental Impact Study – State Clearinghouse**
 - Agencies involved in review:
 - NCDENR (Waste Management, Land Quality, Air Quality, Water Quality, Natural Heritage Program)
 - NC DOT
 - NC Department of Cultural Resources
 - FAA
 - US Army Corps of Engineers
 - Others

Ms. Kirkman outlined proposed future activities:

- Environmental Impact Study to be submitted in late February/early March
- Site Suitability Report to be submitted upon receipt of Special Use Permit
- Facility Plan & Design Hydrogeologic Report to be submitted with Site Suitability Report
- Application for *Permit to Construct* to be prepared upon receipt of site suitability from NCDENR and after operator is chosen
- Regulatory Meetings and Public Hearings: Hearing for Special Use Permit/Related Commissioner meeting(s); 2 Hearings for EIS; 2 Hearings for DENR; Potential Hearing for Franchise Agreement

Commissioner Frye asked about a franchise agreement. Ms. Kirkman said that the State will determine whether or not a franchise agreement will be required and whether it will require a public hearing.

Commissioner Lanier asked about the State's monitoring of the facility. Ms. Kirkman said that the State is involved and monitors the facility for the life of the facility, even after the facility is closed.

County Manager Wells said that the Board of Commissioners will remain in control of the tonnage rates. He also mentioned that the franchise agreement will be structured such that the operator of the facility will pay for the upfront construction costs of the facility rather than the County.

Commissioner Haywood asked about airborne pathogens and microorganisms that might present themselves to the public. He hasn't seen anything about that in any of the presentations.

Ms. Kirkman said that she would be presenting information at the Randolph County Board of Health the following week about potential health impacts of a regional landfill.

Commissioner Haywood said that his research shows that airborne pathogens are a potential issue at landfills.

Ms. Kirkman said that garbage is tarped until it is dumped.

Commissioner Haywood said it doesn't take a long time for an airborne pathogen to spread. He said everything that's been presented on the proposed landfill is wonderful and it is proposed to bring a lot of money to the County. But, what about the bad stuff?

Commissioner Kemp said that if this was an issue, then it could already be occurring at our transfer station.

Ms. Kirkman said that there is a very detailed waste screening plan that ensures that medical wastes don't get into the facility.

Commissioner Haywood said that he would like more information about possible toxins from methane gas collection wells.

Ron DiFrancesco, Senior Engineer with Golder Associates, said that all modern landfills have an Unauthorized Waste Acceptance Program designed to keep regulated medical waste out of Municipal Solid Waste Facilities (MSWF). Prevention is the first step in addressing concerns with airborne pathogens and things that shouldn't be placed in MSWF. The types of wastes that go into landfills are household garbage, construction demolition debris, waste from commercial businesses, things that we are in contact with every day of our lives. Unauthorized Screening Programs require loads to be inspected when they come in, and inspected at the work site. When an operator suspects something in the load that shouldn't be there, those trucks are sent back from where they came from. There are also precautions in the operations plan that if something gets dumped at a work site that's not supposed to be there, the area is cordoned off and the material is collected and sent to a proper disposal facility.

Commissioner Haywood asked if there were any statistics on how often loads are rejected at landfills and sent back.

Mr. DiFrancesco said that he has been in the waste business for 25 years and has worked for big private waste companies. They have a very strict set of criteria and rules whereby they refuse loads all the time. He said he will try to get some of that data for the Board. As part of regulatory process, an Unauthorized Acceptance Program is required in the operating record. Everything must be documented for State inspections.

Commissioner Frye inquired about the Environmental Impact Study and asked if the State comes and listens to the public and will they address the types of issues that we should be concerned with, such as airborne pathogens?

Ms. Kirkman said that at the State conducted public hearing, there will be a question and answer period, as well as, a public comment period.

Commissioner Frye asked who monitors the Troy landfill?

Ms. Kirkman said that all regulated landfills are regulated by State and Federal agencies, related to air, water, and surface quality.

Ms. Kirkman said that there is a public record of all government inspections.

Ms. Kirkman said that inspections are done regularly and randomly.

Commissioner Haywood asked if Golder will be addressing issues such as airborne pathogens, combustion and mercury at the Board of Health meeting; he is curious and wants answers.

Ms. Kirkman said that there have been a lot of studies and data on the composition of landfill gas, and she will provide that at the Board of Health meeting next week.

Mr. DiFrancesco said that landfill gas consists of methane and carbon dioxide, unlike an incinerator that would burn garbage and release substances, such as mercury.

Chairman Holmes asked when methane is vented, is it not burned?

Ms. Kirkman said that it depends on quantity. Sometimes solar flares can be installed to help mitigate problems, such as odor.

Mr. DiFrancesco said that there are Federal thresholds involved and that once so much waste is in place, gas must be collected.

Commissioner Kemp mentioned the County's old landfill that was built in 1972 and capped in 1997. Methane is being monitored out there now. He asked how long it takes before methane gas is produced?

Ms. Kirkman and Mr. DiFrancesco replied that it depends on tonnage and type of waste, but generally, methane gas peaks in 10-15 year range and after 20-25 years, minimal gas is produced.

Commissioner Kemp also mentioned the BMW plant in Greenville/Spartanburg, SC that has been using landfill methane from a nearby landfill to heat their facility. It is definitely a future source of income for the County.

On motion of Kemp, seconded by Lanier, the Board voted 4-1, with Haywood opposing, to authorize the County Manager to seek a special use permit for County property to be used as a regional landfill.

Rezoning Public Hearing

At 7:25 p.m., the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning Director, presented the following requests, and Chairman Holmes opened the public hearing for comments on each request and closed it before taking action on the requests.

1. **AUSTIN BUILDERS, INC.**, Trinity, North Carolina, is requesting that 4.64 acres located at 4695 Kennedy Road, Trinity Township, be rezoned from RA to CVOE-CD. Tax ID# 7715339204. Secondary Growth Area. Lake Reese Watershed. The proposed Conditional District Zoning would specifically allow a 4-lot site-built residential subdivision with a minimum house size of 1,344 sq. ft. as per site plan. The Planning Board reviewed this request at public meeting on January 8, 2013, and unanimously recommended that this request be approved. *The Planning Board found the following policies within the 2009 Growth Management Plan that support determination of consistency with the adopted plan with this recommendation:*

Policy 6.5 *The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long term quality of life in Randolph County.*

Policy 6.13 *Conventional residential subdivisions are anticipated of similar housing characteristics to the community.*

Curtis Austin, with Austin Builders, spoke in support of his request so that he can build four houses on it. He said his plans are to combine a 1.22-acre tract and a 3.38-acre track into one track and then to divide that track into four lots; 1344 sq. ft. homes will be built. Mr. Austin said that his company built a minor subdivision on Hoover Hill Rd and Piney Farlowe Rd and it worked out quite well. He said that there are no new small affordable subdivisions being developed anymore. These four houses would increase the tax base by \$520,000, which would equal about \$4,000 a year for Randolph County. Also, these four houses would provide six people with one year's work. He said that they have built this type of house and were able to sell them. A soil scientist has evaluated the property and the lots perk well. The area has municipal water. The houses will be situated about 100 feet back from the road. The County health dept. will determine where the houses will sit depending on where the septic tanks will be installed. All the houses will have the same basic floor plan, but the elevations will be different and will appear different from the outside. He assured the Board that they will be really nice homes that citizens can afford.

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the request of Austin Builders, Inc. as determined consistent with the standards and policies contained within the Growth Management Plan outlined in the recommendations provided by the County Planning Board.

2. **HERBERT RUSSELL COX, JR.**, Asheboro, North Carolina, is requesting that 33.24 acres located on Ramseur-Julian Road (across from York Acres Drive), Columbia Township, be rezoned from RA to RLOR-CD. Tax ID# 8703895347. Rural Growth Area. Sandy Creek Watershed. The proposed Conditional District Zoning would specifically allow a 7-lot residential subdivision for site-built, modular, or Class-A mobile homes with a minimum house size of 1,200 sq. ft. as per site plan. The Planning Board reviewed this request at public meeting on January 8, 2013, and unanimously recommended that this request be approved. *The Planning Board found the following policies within the 2009 Growth Management Plan that support determination of consistency with the adopted plan with this recommendation:*

Policy 6.13 Conventional residential subdivisions are anticipated of similar housing characteristics to the community.

Policy 6.23 The County should encourage the use of rural lot subdivision designs where the size of lot allows for open space and groundwater recharge areas preserved by careful siting of the principal and accessory uses as noted through subdivision plat notations and related deed restrictions.

Policy 7.10 The County should consider ways to preserve buffers and other sensitive areas through density averaging and/or conservation agreements.

Clayton Burrow, land surveyor, spoke on behalf of the Cox family, who inherited the property that has been in the Cox family for many years. They would like to utilize the property to hopefully recognize some revenue. They have tried to abide by zoning regulations and are requesting housing based on what is compatible with the area. A soil scientist came out and found areas suitable for perk sites. They've tried to design the area, not only to meet zoning regulations, but also to utilize perk sites. They will not be adding any lots, and might actually lose one lot due to two existing streams on Lot #3. If so, Lot #3 will be added to the adjoining lots.

Dan Anderson, Real Estate Agent involved, said that the property across the street consists of one-acre tracts with double-wide mobile homes. Those houses are very visible from the highway. The reason that the subdivision will likely have double-wides is because no one is going to want to put a site-built home on the property since mobile homes are across the street. They will not clear all the land. They will be tastefully done, with homes set back in the woods. They plan to make them desirable to sell, and they won't detract from neighborhood. The deed restrictions will require a minimum house size of 1,200 sq ft.

On motion of Haywood, seconded by Frye, the Board voted unanimously to approve the request of Herbert Russell Cox, Jr. as determined consistent with the standards and policies contained within the Growth Management Plan outlined in the recommendations provided by the County Planning Board.

Closed Session

At 7:53p.m., on motion of Frye, seconded by Lanier, 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)] and to consult with their attorney, pursuant to [N.C.G.S.143-318.11(a)(3)].

Regular Meeting Resumed

At 8:41p.m., the Board returned to regular session.

Approval of Classification Plan Position Changes

Human Resources Director Stacy Griffin presented requests from three County departments concerning classification plan position changes needed in the respective departments, as follows:

1. **Building Inspections.** David Bryant became the Building Codes Administrator in October 2012. After a review of the department job descriptions, he has determined that the level of experience for the Senior Codes Enforcement Officer should be increased. As a result of the increased credentialing requirements, the position needs to move from a Grade 17 to a Grade 18

in the County Classification Plan. Mr. Bryant has requested to reclassify the position to a Grade 18. No additional funding is needed for this reclassification.

Ms. Griffin requested approval to move the Senior Codes Enforcement Officer from a Grade 17 to a Grade 18 in the Randolph County Classification Plan effective immediately.

2. Public Health. MiMi Cooper is making changes within Animal Control to address workload and recruiting issues. Animal Control employees are all performing the same duties, yet we currently have two Animal Control Officer positions (I and II) within our pay plan. Ms. Cooper would like to consolidate the two current positions into one position within our classification plan. Ms. Griffin asked the Board to remove the following positions from the Randolph County Classification Plan effective immediately: Animal Control Officer I, Grade 10 and Animal Control Officer II, Grade 12; and add the following position to the Randolph County Classification Plan effective immediately: Animal Control Officer, Grade 12. Ms. Griffin stated that no additional funding is needed to effect these changes.

3. Emergency Services. Staffing the EMS area has been difficult to maintain over the past two years due to vacancies attributed to staff turnover, staff suffering employment related injuries and staff with scheduled medical leaves. In addition, the NC Retirement System's requirement that a part-time employee is limited to 999 hours or less per year unless they are enrolled in the NC Retirement System has caused some scheduling struggles and issues for the department.

Emergency Medical Services currently has a group of part-time positions for the EMS area; however, none of these positions are approved for NC Retirement Benefits. This means that EMS Management must limit the employee's hours worked to no more than 999 annually. This creates a hardship for the service.

Ms. Griffin requested, effective immediately, approval to change five (current) part-time auxiliary positions to part-time benefitted positions, therefore making these positions eligible to work up to 1,508 hours per year. These positions are currently capped at 999 hours per year. Approval of this request means the County will be required to contribute to the North Carolina Retirement System and the NC 401(k) plan on behalf of these employees. The cost of these retirement benefits will equal no more than \$9,173.00 annually, and that is only if the employees choose to maximize the 401(k) match at 2%. (Eligibility in the NC Retirement System = Automatic eligibility for the NC 401(k) plan). No additional funding is needed for this request as this expense will be absorbed within the Emergency Services part-time salary budget.

Ms. Griffin also requested approval of the addition of an Administrative Assistant Position, Grade 11, for the Emergency Services department, effective March 1, 2013. This position, including benefits, amounts to an additional \$47,140 annually.

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the following:

- *to reclassify the Senior Codes Enforcement Officer position from a Grade 17 to a Grade 18 in the Classification plan, effective immediately;*

- *to remove the Animal Control Officer I (Grade 10) position and the Animal Control Officer II (Grade 12) position from the Classification Plan and add an Animal Control Officer (Grade 12) position to the Classification Plan, effective immediately;*
- *to change five current part-time auxiliary positions to part-time benefitted positions, effective immediately (2/5/13).*
- *to approve the addition of an Administrative Assistant Position, Grade 11, for the Emergency Services department to the Classification Plan, effective March 1, 2013.*

Adjournment

At 8:50 p.m., on motion of Frye, seconded by Holmes, the Board voted unanimously to adjourn.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Arnold Lanier

Stan Haywood

Cheryl A. Ivey, Clerk to the Board