

Minutes

Randolph County Commissioners

January 4, 1999

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Frye, Kemp, Davis, and Holmes were present. Commissioner Mason entered the meeting where so noted in these minutes. Rev. Marion Smith, retired Social Services Director, gave the invocation, and everyone recited the Pledge of Allegiance.

Chairman Frye announced that he had asked the Clerk to research County Commissioners' minutes from 1900 to see what kinds of issues faced the County a hundred years ago. He then read some of the January, 1900 minutes and noted that he plans to read other items of interest from 1900 during the coming months.

Consent Agenda

On motion of Holmes, seconded by Davis, the Board unanimously approved the following consent agenda:

- approve minutes of December 7, 1998;*
- reappoint Larry Brown to the County Planning & Zoning Board (3-Year Term);*
- approve resolutions Adding Nassau Trail Ext., Huntington Drive, Hunt Ridge Court, Whitetail Drive, Courtland Drive, and Josh Court to the State System of Roads;*
- reappoint Phil Skeen as outside member on the Asheboro Planning Board (5-Year Term);*
- reappoint Charles Teague to the Randolph County Fire Commission (2-Year Term).*

Audit Report

Will Massie of Strand, Skees, Jones & Company presented the County's independent audit report for FY1997-98. He reported that the County is in good financial shape, is well managed, and that no violations of law were discovered during the audit process.

Bid Award for Library Computers

Jane Leonard, Deputy Finance Officer, reported the following bids received for ten personal computers for the Randolph County Public Library:

	Did Vendor Meet	Did Vendor	Total Price
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Company Name	Specifications?	Include Warranty?	
Computer Discount Warehouse	Yes	Yes	\$25,190.00
Southern Computer Supplies	Yes	Yes	\$25,372.50
Comp USA	Yes	Yes	\$27,080.80
IKON Technology Service	Yes	Yes	\$29,000.00

On motion of Davis, seconded by Holmes, the Board unanimously awarded the bid to the low bidder, Computer Discount Warehouse, for \$25,190.

Appointment of Insurance Advisor for COPS Installment Financing Agreement

Jane Leonard, Deputy Finance Officer, stated that to satisfy the requirements of the November 1995 Installment Financing Agreement, the County had to select an insurance advisor to act as a third-party agent to review the County's insurance program. Tyler R. Lisk, Sr., with Neely and Lisk Insurance, was appointed as the insurance advisor and annually reviews the County's insurance program to verify coverage of property listed in the Deed of Trust Agreement for the debt trustee and debt insurer. Mr. Lisk retired December 31, 1998. Ms. Leonard requested that Tyler Reynolds Lisk, Jr. be appointed as the County's insurance advisor.

On motion of Holmes, seconded by Kemp, the Board unanimously appointed Tyler Reynolds Lisk, Jr. to be the County's insurance advisor.

Budget Amendment - Planning and Zoning

Jane Leonard, Deputy Finance Officer, reported that the Hal Johnson, Planning and Zoning Director, had received an invoice for \$11,496.85 for attorney services for a case that began in fiscal year 1995-96 and concluded in November, 1998. This item was not included in his current budget, but Mr. Johnson has stated that he has \$2,497 in his budget that can be used to help pay this invoice.

On motion of Holmes, seconded by Kemp, the Board unanimously approved Budget Amendment #25 to the FY 1998-99 Annual Budget, as follows:

GENERAL FUND - #25	
Appropriation	Increase

<i>Planning & Zoning</i>	<i>\$9,000</i>
<i>Revenue</i>	<i>Increase</i>
<i>Fund Balance Appropriated</i>	<i>\$9,000</i>

Changes in the Classification Plan

Hal Scott, Jr., Personnel Director, explained that two series of classes are recommended for change in the County Classification Plan, both necessary because of changes to required education, experience, training, and certifications. These changes create the addition of the following:

Clinical Social Worker (Grade 69) Human Services Clinical Counselor Specialist (Grade 72)

Human Services Clinical Counselor I (Grade 67) Human Services Counselor (Grade 64)

Human Services Clinical Counselor II (Grade 69) Library Technician II (Grade 62)

On motion of Kemp, seconded by Holmes, the Board unanimously approved the requested changes to the Classification Plan.

Administration of Day Reporting Center as a County Department

Hal Scott, Jr., Personnel Director, reviewed the process under which the Day Reporting Center was created through State Criminal Justice Partnership Program grant funds in 1994. At that time, the County Commissioners established a board to supervise and oversee the daily operations of the DRC. Recently the State clarified that this program should come under the management of the County Manager and function as a County department.

On motion of Kemp, seconded by Davis, the Board unanimously approved the following resolution:

WHEREAS, in 1993 NCGS 143B, Article 6A created the North Carolina State-County Criminal Justice Partnership Act; and

WHEREAS, under the authority of this Act, Randolph County in 1994 established a Criminal Justice Partnership Program Advisory Board (CJPPAB) to plan and implement a local community-based corrections plan to serve as an alternative to incarceration; and

WHEREAS, the CJPPAB determined a need for and successfully submitted a grant application to the State for the operation of a day reporting center; and

WHEREAS, since the creation of the Randolph County Day Reporting Center, the CJPPAB has managed the day-to-day operations of the Day Reporting Center; and

WHEREAS, Patsy Joiner, Correctional Planner II with the North Carolina Department of Correction, Criminal Justice Partnership Program, during a meeting with the CJPPAB on November 16, 1998, advised that the CJPPAB function in an advisory capacity and that the management of the Day Reporting Center come under the authority of the County Manager;

NOW, THEREFORE, BE IT RESOLVED that the management of the Day Reporting Center be transferred from the CJPPAB to the County Manager or his designee and that the Day Reporting Center fall under the auspices of Randolph County policies and procedures, effective immediately.

BE IT FURTHER RESOLVED that the CJPPAB continue to serve in an advisory capacity and that they be commended for their tremendous commitment and valuable service to this program since its inception.

Old Landfill Closure Construction Contract

David Townsend, III, Public Works Director, stated that he had received 7 bids for the construction contract for the landfill closure cap, as follows:

Mapco \$1,353,859.00 H.E. Sargent \$1,684,000.00

GIT \$1,437,785.00 Phillips and Jordan \$1,754,800.00

S.T. Wooten \$1,479,289.20 Anson Grading \$1,998,294.03

Glover Construction \$1,515,634.00

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Commissioner Mason entered the meeting at this point and was present for the remainder of the meeting.

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Mr. Townsend reported that Hazen and Sawyer, engineering consultants, had evaluated all the bids and found them to meet bid specifications. They recommended the contract be awarded to the low bidder, Mapco.

On motion of Holmes, seconded by Davis, the Board unanimously awarded the bid to Mapco, the low bidder, for \$1,353,859.00.

Randolph County Economic Development Corporation Annual Report

Walter Sprouse, EDC President, stated that 1998 had been an excellent year, with more than \$101,000,000 in new investment recorded and nearly 1,100 new jobs created. EDC worked on 86 new and expanding industrial projects, and 32 of those projects resulted in new investment for Randolph County.

Bonnie Renfro, EDC Vice President, reviewed EDC's plans to construct a speculative industrial building on 15 acres purchased in 1998 near Liberty. She mentioned that the Industrial Park Task

Force was re-activated in 1998. She also discussed development zones, which are identified by census tract, must touch a city limits line, have a population of at least 5,000, and be at least 20.1% poverty level. Industries locating in development zones can receive tax credits of \$4,500 per job created and \$1,000 per worker trained.

Request for New C.O.P.S. Program Officers

Sheriff Litchard Hurley requested that his office be allowed to apply for 6 new officer positions for the FY 1999-2000 through the C.O.P.S. (Community Oriented Policing Services) Program offered by the U.S. Department of Justice. This program funds 75% of the salaries for 3 years and requires a 25% match from the County. Sheriff Hurley stated that since Randolph County has undergone substantial population growth, it is imperative to continue to add staff to keep up with the demands for service.

On motion of Holmes, seconded by Davis, the Board unanimously authorized the application for 6 C.O.P.S. officer positions for FY 1999-2000.

Closed Session - Economic Development Project

On motion of Kemp, seconded by Holmes, the Board unanimously voted to go into closed session at 5:45 p.m. to discuss matters relating to the location or expansion of business in the area served by the Board, pursuant to NCGS 143-318.11(a)(4). They returned to regular session at 6:30 p.m.

Rezoning Public Hearing

The Board adjourned at 6:30 p.m. for a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning and Zoning Director, presented the following requests after noting that the Richard Grindstaff request had been withdrawn:

1. Allen Bullard, Randleman, is requesting that 7.4 acres on Back Creek Road, Back Creek Township, be rezoned from RA to RR/CU to develop a 7-lot residential subdivision for site-built or modular homes. The Planning Board unanimously recommended approval. Their recommendation was based on the fact that the applicant could put in a minor subdivision (5 lots fronting the road, with any type housing, including single-wide mobile homes) without a zoning permit, and this would be just 7 lots and no mobile homes.
2. Don Bristow, Asheboro, is requesting that 5.83 acres on NC Hwy 134S be rezoned from LI/CU to HC in order to use the property for commercial purposes. The Planning Board unanimously recommended approval with the following restrictions: no billboard signs, no outside or junk storage, appropriate buffers, and a site plan. Mr. Johnson stated that the applicant now has a site plan, which is part of the application, and that he is requesting a conditional use permit.
3. Bobby Hancock, Thomasville, is requesting that 2.56 acres on Hughes Grove Road, Tabernacle Township, be rezoned from RA to LI/CU for expansion of his current operation with

a 40' x 60' addition to his existing building used for sanding and carving furniture parts. The Planning Board unanimously recommended approval. Mr. Johnson said that this business has been located there for many years and there was no opposition to this request.

Citizen Comments - Request #1

Steve Schmidly, 115 S. Fayetteville St., stated he is an attorney representing David and Judy Butler, adjoining property owners. They oppose this request based on its density and inconsistency with the area. Back Creek Road is hilly and curvy, and 7 driveways would be dangerous. The Butlers are also concerned about the close proximity of this proposed development to a large pond on their property.

Seven others stood in opposition to this request.

Genevieve Hepler, adjoining property owner, said she agreed with Mr. Schmidly's comments.

Ed Siler, 568 Back Creek Road, opposed the request as detrimental to the neighborhood because of the density and size of homes planned.

Citizen Comments - Request #2

Don Bristow stated that he represents Cox's Harley Davidson Motorcycle Shop. Mr. Cox wants to locate a motorcycle shop at this location, with a 15,000 square-foot showroom and an area for retail sale of clothing. Everything will be stored inside, and the shop will close at 5:00 p.m. and on Sundays and Mondays. They must also meet Harley Davidson's standards, which are very stringent. Mr. Bristow pointed out that Mr. Cox's present location is well kept.

Citizen Comments - Request #3

No one spoke.

Chairman Frye closed the public hearing.

Board Action on Requests

Kemp made a motion, seconded by Frye, to postpone a decision on the Allen Bullard request until other business on tonight's agenda (dealing with the zoning ordinance) has been concluded.

County Attorney Allen Pugh stated that if a zoning decision is delayed so that the zoning ordinance can first be amended, it is arguable that the decision to delay was made for the wrong reason.

Chairman Frye asked for a roll-call vote on the motion, and Mrs. Dawson polled the Board, as follows: Davis - No; Holmes - Yes; Frye - No; Kemp - Yes; Mason - No. The motion failed.

On motion of Davis, seconded by Holmes, the Board voted 4 to 1, with Kemp opposing, to deny the request of Allen Bullard.

On motion of Kemp, seconded by Mason, the Board unanimously approved the request of Don Bristow, with the following restrictions: no billboard signs, no outside or junk storage, appropriate buffers, site plan.

On motion of Davis, seconded by Holmes, the Board unanimously approved the request of Bobby Hancock.

White Goods Contract

David Townsend, III, Public Works Director, stated that the company that had the contract to dispose of the County's white goods at the Solid Waste Facility has gone out of business. He contacted 10 companies that provide these services, but only 2 companies submitted proposals. Therefore, he rebid this service and received the following proposals:

Stateline Scrap Metal, Gastonia - will pay \$2.00/ton (estimated revenue - \$1,650.00)

D.H. Griffin Wrecking Co., Greensboro - will charge \$10.90/ton (estimated expense - \$8992.50)

Lee Iron & Metal Company, Inc., Sanford - NO BID

Sandhills Recycling Company, Southern Pines - SUBMITTED QUALIFIED BID (Randolph County would have to deliver all our white goods to them for processing.)

On motion of Davis, seconded by Mason, the Board unanimously awarded a contract to Stateline Scrap Metal for white goods services for \$2.00/ton to be paid to the County.

Engineering Contract for Management of Old Landfill Closure Construction

David Townsend, III, Public Works Director, explained that the engineering firm of Hazen and Sawyer has served the County since the early 1990's by providing the original vertical expansion to the landfill, its transition plan in 1994, and subsequently designed the closure cap for the landfill in 1998. He said that since the Commissioners have awarded a contract for the construction of the old landfill closure cap, he recommends that they award a contract to Hazen and Sawyer for the construction management of that project. The State requires that the consulting engineer certify that all work meets their requirements. Therefore, Hazen and Sawyer must be on site on a daily basis. They have proposed to provide these services for \$79,100.

On motion of Kemp, seconded by Holmes, the Board unanimously awarded a contract for \$79,100 to Hazen and Sawyer for construction management engineering services for the landfill closure cap.

Proposed Amendments to the County Zoning Ordinance

Hal Johnson, Planning and Zoning Director, stated that in 1998 the County Planning Board and County Commissioners considered 14 major subdivision requests totaling 541 new residential lots in Randolph County. As a result, the Commissioners requested that amendments to the County Zoning Ordinance be brought back to them for consideration. The Planning Board has reviewed and unanimously recommended approval of the following amendments:

1. Establish a new zoning district called "Residential Exclusive" that would allow only site-built residential dwellings (to include off-frame modular homes as defined in this ordinance).
2. Change the definition of "Minor Subdivision" from "five or fewer" to "three or fewer" owner-occupied lots. This change of definition automatically changes the definition of "Major Subdivision" from "six or more" to "four or more" owner-occupied lots.
3. Add a new regulation to require a Special Use Permit from the County Planning Board for major residential subdivisions being developed in areas already zoned RM, RR, E-1, or RE to insure standards of design and to allow the opportunity for public comment.
4. Establish a "Municipal Overlay District" to establish height regulation within designated approach zones to the municipal airport and to prohibit other obstructions that could endanger the lives of airport users and property or occupants of land within the specialized airport overlay district. The approach zones were developed and approved by the Asheboro Airport Authority.

The Board discussed these proposals and decided not to include the new regulation for special use permit. They then set a public hearing on the other proposed amendments for 6:30 p.m. on January 25th.

Amendments to Sheriff's Department Retention Schedule

On motion of Davis, seconded by Holmes, the Board unanimously approved amending the records retention and disposition schedule for County Sheriff's Office records by amending Items 7 and 10 on pages 29 and 30, as follows:

7. CASE HISTORY FILE. Records concerning felony or misdemeanor complaints and investigations by sheriff's office. File includes investigative reports, complaint reports, fingerprint cards, original arrest reports, copies of warrants, special expenditure reports, statements of seized and returned property, interview sheets, case status reports, photographs, court orders, correspondence, officer's notes, pertinent laboratory tests, court dispositions, and other related records. (Comply with applicable Provisions of G.S. § 132-1.4 regarding confidentiality of criminal investigation records.)

DISPOSITION INSTRUCTIONS:

(a) FELONY CASES

(1) Destroy in office records concerning solved cases after 20 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

(2) Retain in office records concerning unsolved cases until solved, then follow disposition instructions in part (1).

(b) MISDEMEANOR CASES

(1) Destroy in office records concerning solved malicious misdemeanor cases after 3 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

(2) Retain in office records concerning unsolved malicious misdemeanor cases until solved, then follow disposition instructions in part (1).

(3) Destroy in office records concerning all misdemeanor cases not covered in (1) or (2) after 3 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

(c) CASES NOT OFFICIALLY INVESTIGATED: Destroy in office when administrative value ends.

10 CIVIL, PROCESS RECORDS FILE. Records concerning civil papers processed and served by sheriff's office. File includes lists of summons, notices, subpoenas, and court orders served, lists of items seized or sold on executions; lists of judgments collected; and ejectments. (Entries are usually filed numerically by case number and indexed by name.)

DISPOSITION INSTRUCTION:

(a) Destroy in office execution sales concerning real or personal property after 10 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

(b) Destroy in office all other records after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

Budget Amendment - Landfill Closure Fund

On motion of Holmes, seconded by Mason, the Board unanimously approved Budget Amendment #26 to the FY 1998-99 Annual Budget to pay closure and post-closure costs of the landfill, as follows:

LANDFILL CLOSURE FUND - #26	
Appropriation	Increase
Closure Cost	\$1,432,959
Post-closure Cost	\$2,030,300
Revenue	Increase
Fund Balance Appropriated	\$2,819,183

<i>Investment Earnings</i>	\$114,648
<i>Contribution from Public Works Fund</i>	\$529,428

Budget Amendment - Public Works Fund

On motion of Holmes, seconded by Mason, the Board unanimously approved Budget Amendment #27 to the FY 1998-99 Annual Budget to transfer funds from the Public Works Fund to the Landfill Closure Fund, as follows:

<i>PUBLIC WORKS FUND - #27</i>	
<i>Appropriation</i>	<i>Increase</i>
<i>Contribution to Landfill Closure</i>	\$529,428
<i>Revenue</i>	<i>Increase</i>
<i>Fund Balance Appropriated</i>	\$529,428

Budget Amendment - Public Health

On motion of Holmes, seconded by Mason, the Board unanimously approved Budget Amendment #28 to the FY 1998-99 Annual Budget, to receive additional state funding for the Breast and Cervical Cancer Control Program, as follows:

<i>GENERAL FUND - #28</i>	
<i>Appropriation</i>	<i>Increase</i>
<i>Public Health</i>	\$2,380
<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	\$2,380

Closed Session - Economic Development Project

On motion of Kemp, seconded by Holmes, the Board unanimously voted to go into closed session at 8:15 p.m. to discuss matters relating to the location or expansion of business in the area served by the Board, pursuant to NCGS 143-318.11(a)(4). They returned to regular session at 8:40 p.m.

Administration of Workforce Investment Act (Formerly JTPA)

On motion of Kemp, seconded by Mason, the Board unanimously recommended the continuation of the Regional Partnership Service Delivery Area consortium of Alamance, Orange and Randolph Counties as a designated sub-state area for administration of the Workforce Investment Act (formerly the Job Training Partnership Act).

Resolution Authorizing Membership in the Piedmont Authority for Regional Transportation

Hal Johnson, Planning Director, presented information on transportation congestion in the Piedmont Triad area. He said that even if the government spent \$180 million per year for 30 years on roads, we would not keep up with projected Piedmont Triad travel demands, where 75% of the person-miles traveled daily are with only one person in the car. Therefore, there must be a dependable transportation system that relies less on single-passenger cars and more on multiple-rider forms. Recognizing the need for regional planning, House Bill 993 created regional transportation authorities. Concurrent resolutions of the cities of Burlington, Greensboro, High Point, and Winston-Salem resulted in the incorporation of the Piedmont Authority for Regional Transportation (PART) on July 17, 1998. At their first meeting, PART voted to invite all county governments to become members. PART will be funded by N.C.D.O.T. for at least 2 years during startup. The N.C. General Assembly provided new revenue sources at local option by boards of county commissioners for long-term funding of regional transportation boards.

On motion of Holmes, seconded by Davis, the Board unanimously approved the following resolution authorizing membership:

WHEREAS, the Piedmont Area Regional Transportation Authority has been created to promote the development of sound transportation Systems within its territorial jurisdiction; and

WHEREAS, the initial territorial jurisdiction of the Authority consists of the areas of Metropolitan Planning Organizations (MPOs), which include all of Guilford, Forsyth and Alamance counties and parts of Davidson and Randolph counties; and

WHEREAS, the initial Board of Trustees of the Authority is comprised of the mayors of the four largest cities within the territorial jurisdiction, two members of the State Board of Transportation (ex officio) and the Chairs of each of the MPOs within the initial territorial jurisdiction; and

WHEREAS, the membership on the Board of Trustees may be expanded to include the Chair of the Board of Commissioners of any county within the Authority's territorial jurisdiction if the Board of Trustees by resolution expands the Board of Trustees to include that county and the Board of Commissioners of that county has consented; and

WHEREAS, the Board of Trustees of the Piedmont Area Regional Transportation Authority has resolved that the Board of Trustees is expanded to include the Chair of the Board of Commissioners, or a member of the Board of Commissioners designated by the board to serve in the absence of the Chair, of the counties of Guilford, Forsyth, Davidson and Randolph, provided that the affected county consents by resolution of its Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Randolph County Board of Commissioners does consent to the Board of Trustees of the Piedmont Area Regional Transportation Authority resolution for expansion to include the Chair of the Board of Commissioners, or a member of the Board of Commissioners so designated to serve in absence of the Chair.

Update on State Transportation Improvement Plan 2000-2006 Hal Johnson, Planning Director, presented a draft State Transportation Improvement Plan for Randolph County. N.C.D.O.T. will hold a series of public input meetings on the plan. Mr. Johnson asked the Board to review the draft and give comments to him.

Adjournment

The Board adjourned at 8:50 p.m.

_____ Darrell L. Frye, Chairman	_____ Phil Kemp
_____ J. Harold Holmes	_____ Robert B. Davis
_____ Robert O. Mason	_____ Alice D. Dawson, Clerk to the Board