

**Minutes
Randolph County Commissioners**

June 7, 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, Holmes, and Mason were present. Invocation was given by Rev. John Butler, Wesley Chapel A.M.E. Zion Church in Asheboro and Aging Planning Specialist with Piedmont Triad Council of Governments Area Agency on Aging. Following invocation, everyone recited the Pledge of Allegiance.

Presentation of Retirement Plaque

On behalf of the Board, Chairman Frye presented a retirement plaque to Jason Thornburg, Maintenance Department, for 21½ years of service.

Additions to Agenda

Chairman Frye announced the addition of New Business Item K. Voting Delegate and Alternate for NACo Annual Conference and Budget Amendment Item D. Mental Health.

Consent Agenda

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

- *Approve minutes of May 3 and May 10, 1999;*
- *Approve two sets of closed session minutes (J.1 and J.2) of May 3, 1999;*
- *Reappoint Rhonda Winters to the Nursing Home/Adult Care Home Committee (three-year term);*
- *Reappoint Phil Ridge to the County Planning Board (three-year term);*
- *Aging Services Planning Committee: appoint Rev. John Butler, Debbie Conley and Sandra Allen; reappoint Pat Callicutt, Rosemary Fox, Janet Henley, Duffy Johnson, John McGlohon, Donna Moore, Peggy Morrison, Lee Phoenix, Eloise Poe, Jack Pugh, Jr., Joy Ratliffe, Candie Rudzinski, Marion Smith, Dr. Ann Suggs, Rev. Charles Tyson, Carolyn Vickrey, Janet Ward, and Frank Willis (one-year terms);*
- *Reappoint Dr. Ted Anderson, Pressley Barnette, Dr. Ann Suggs, and Leo Derrick, Jr. to the Mental Health Board (four-year terms);*
- *Reappoint Robby Davis to the RCC Board of Trustees (four-year term);*
- *Reappoint Annie Shaw to the Jury Commission (two-year term);*
- *Appoint Ron Fay to fill unexpired term of Guy Troy on TDA (term expires 10/99);*
- *Approve the following resolutions:*

Whereas, the Department of Transportation has investigated 0.58 mile Sandy Ridge Drive in the Sandy Ridge Subdivision; and

Whereas, the subject street has been found to meet minimum requirements for addition;

Now, Therefore, Be It Resolved by the Randolph County Board of Commissioners that 0.58 mile Sandy Ridge Drive in the Sandy Ridge Subdivision be added to the Division of Highways' Secondary Road system.

Whereas, the Department of Transportation has investigated 0.57 mile Wildwood Road and 0.28 mile Huckleberry Lane in the Brookgreen Subdivision; and

Whereas, the subject streets have been found to meet minimum requirements for addition;

Now, Therefore, Be It Resolved by the Randolph County Board of Commissioners that 0.57 mile Wildwood Road and 0.28 mile Huckleberry Lane in the Brookgreen Subdivision be added to the Division of Highways' Secondary Road system.

Whereas, the Department of Transportation has investigated 0.36 mile Lamplight Drive in the Crossridge Subdivision; and

Whereas, the subject street has been found to meet minimum requirements for addition;

Now, Therefore, Be It Resolved by the Randolph County Board of Commissioners that 0.36 mile Lamplight Drive in the Crossridge Subdivision be added to the Division of Highways' Secondary Road system.

Aging Services - 1999-2000 Home and Community Care Block Grant (HCCBG) Allocations

Candie Rudzinski, Aging Services Planning Coordinator, reported that the Aging Services Planning Committee has approved a recommendation for the HCCBG allocations for FY 1999-2000, totaling \$578,217. The Aging Services budget should also include DSS match of \$9,657.

On motion of Kemp , seconded by Mason, the Board unanimously approved the HCCBG Funding Plan as indicated on Form DOA-731 requesting a total of \$578,217 and the DSS match totaling \$9,657 for FY 1999-2000 for Randolph County.

Acceptance of 1999-2000 EDTAP and Other Supplemental Funds

Ms. Rudzinski stated that during the next fiscal year the County may be allotted additional funds from EDTAP (Elderly & Disabled Transportation Assistance Program), the NC General Assembly, and/or HCCBG. Since the turn-around time for completing the necessary budgets and paperwork can be as little as 5-10 working days, she requested blanket approval for the Aging Services Planning Committee to allocate these funds.

On motion of Kemp, seconded by Mason, the Board unanimously agreed to accept EDTAP and other supplemental funds for Aging Services, should they become available, and to allow the Aging Services Planning Committee to decide how to allocate these funds.

Aging Services Planning Committee Bylaws Revisions

Ms. Rudzinski presented proposed revisions to the Aging Services Planning Committee Bylaws to add one new non-voting agency (Randolph County Volunteer Center), change membership to 14 voting members, and to clarify July as the month for electing officers.

On motion of Kemp, seconded by Mason, the Board unanimously approved the proposed revisions.

Contract for Plat Software System

Ann Shaw, Register of Deeds, reported bids received for a digital plat system for her office, as follows. This module would allow the department to scan plats into the land records system, making them immediately available for public retrieval. Plats would also be accessible to the Tax Department and other

County offices through the County network, eliminating paper copies currently transferred between departments.

Vendor	Software	Training & Travel	Annual Support	Total
IKON Office Solutions	No Bid	No Bid	No Bid	No Bid
Landata Foresight	\$18,490	Included	\$2509	\$20,999
SMI-Imaging	\$18,195	\$1990 (2 days)	\$1950	\$22,135

On motion of Kemp, seconded by Davis, the Board unanimously awarded the contract to Landata-Foresight, the low bidder, for \$20,999.

Policy Allowing Retiring Law Enforcement Officers to Purchase Their Service Side Arms

Major Allen McNeill explained that NCGS 20-187.2 allows the governing bodies of law enforcement agencies to award a retiring law enforcement officer or his/her surviving spouse that officer’s service weapon and to set a cost for that weapon. He recommended the following policy for sworn officers who are retiring (from the NC State Employees Retirement System under law enforcement retirement) or their surviving spouses: 5-9 years of service--75% of purchase price of weapon; 10-14 years of service, 50% of purchase price; 15-19 years of service--25% of purchase price; 20 years or more of service--\$1.00. When officers have worked for the Sheriff’s Office at different times, their length of service would be determined by adding together the years of service from each employment period.

On motion of Davis, seconded by Holmes, the Board unanimously approved this policy as recommended and made the effective date July 1, 1998.

Appointment of Alternate Member on the County Planning Board

No nominees were offered. This item will be placed on the July 12 agenda.

Voting Delegate and Alternate for NACo Annual Conference

On motion of Kemp, seconded by Davis, the Board unanimously appointed Harold Holmes as voting delegate and Robert Mason as alternate voting delegate for the NACo Annual Conference.

Budget Amendment - Library

Frank Willis, County Manager, reported that the Public Library has received an e-rate refund of \$12,109.19 from Sprint and the State due to a discounted rate that was mandated by the federal government. The library will also be receiving additional checks in FY 1999-00. They would like to use this money and next year’s money to purchase a van in the fall.

On motion of Mason, seconded by Davis, the Board unanimously approved Budget Amendment #44 to the FY 1998-99 Annual Budget, as follows:

GENERAL FUND - #44	
Revenue	Increase
<i>Miscellaneous</i>	\$12,110
Appropriation	Increase
<i>Public Library</i>	\$12,110

Budget Amendment - CBA

Mr. Willis stated that the Randolph County Juvenile Crime Prevention Council had applied for \$12,255 in discretionary funding to operate a Junior Sheriff Academy program for 36 at-risk middle school-aged youth. Randolph County Schools will be the lead agency for this program, and they will contract with the Sheriff’s Office to provide the service.

On motion of Holmes, seconded by Mason, the Board unanimously approved Budget Amendment #45 to the FY 1998-99 Annual Budget, as follows:

GENERAL FUND - #45	
Revenue	Increase
<i>Restricted Intergovernmental</i>	\$12,255
Appropriation	Increase
<i>Community Based Alternatives</i>	\$12,255

Governor’s Crime Commission Grant for DRC

Pam Hill, Adult Day Reporting Center Director, stated that Randolph County has been awarded a Governor’s Crime Commission Grant of \$100,000 over a two-year period (a total allotment of \$75,000 requiring a local match of \$25,000). These funds are to be used for inpatient residential treatment and intensive/regular outpatient treatment services for substance abuse.

On motion of Kemp, seconded by Mason, the Board unanimously agreed to accept the grant funds and to allocate the required matching funds, as shown in the following budget amendment:

GENERAL FUND - #46	
Revenue	Increase
<i>Fund Balance Appropriated</i>	\$12,500
Appropriation	Increase
<i>Adult Day Reporting Center</i>	\$12,500

Acquisition of Property for County Schools

Wilson Alexander, Attorney, presented an offer by his client Watkins and Morris, LLC to sell to Randolph County some property near Eastern Randolph High School. The offer consisted of two offers: (a) 59.4 acres adjoining Eastern Randolph High School for \$300,000, which would be payable in 3 equal annual payments of \$100,000 with no interest on January 10, 2000, January 10, 2001 and January 10, 2002; or (b) 132.74 acres adjoining Eastern Randolph High School for \$420,000, which would be payable in 3 equal annual payments of \$140,000 with no interest on January 10, 2000, January 10, 2001 and January 10, 2002.

The Board discussed this offer and agreed it was a generous offer but that it came at a time when the County has no extra funds to purchase it. The Board took no action on this matter.

Budget Amendment - Mental Health

On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #47 to the FY 1998-99 Annual Budget, which reflects an additional \$465,861 received from the State for Mental Health, as follows:

MENTAL HEALTH - #47	
Revenue	Increase
<i>State of NC Revenues</i>	\$465,861
Appropriation	Increase
<i>Mental Health Expenditures</i>	\$465,861

Forestry Service Annual Report

Vic Owen, District Forester, reported that Randolph County has had a very busy year, with 2,276 acres planted (an all-time high in the district), 51 tracts with logging activities checked for compliance with forest practice guideline laws, and 81 forest management plans written. They have been involved with 67

fires since January. He said there is a gypsy moth infestation in Rockingham County and that these moths will eventually get to Randolph County.

Presentation of Proposed FY 1999-2000 Budget

Frank Willis, County Manager, presented his proposed FY 1999-2000 budget message. This budget proposes a tax rate of 51.25¢, which is an increase of 4.75¢, and is based on a total valuation of \$5,740,000,000. Mr. Willis explained that 3¢ of the increase is for capital projects (County Schools, City Schools, RCC Emergency Training Center, and the Courthouse). The other 1.75¢ is primarily for the Sheriff's Department (pay plan adjustments, additional deputies and jailers, and funding of 2 positions previously 75% covered by grant funds).

Sheriff's Budget

Sheriff Litchard Hurley explained his budget requests and stated that he continues to lose officers to other agencies where they can make more money. He discussed the increase in the call volume his department handles. Major Allen McNeill stated that Randolph County has the 7th highest population in North Carolina for its unincorporated areas.

Rezoning Public Hearing

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning and Zoning Director, presented the following requests:

1. Garland Ferguson, Staley, is requesting that 55.5 acres on Soapstone Mountain Road, Columbia Township, Sandy Creek Watershed, be rezoned from RA to RE/CU to allow a 47-lot subdivision for site-built homes only with a minimum of 1,300 square feet. The Planning Board unanimously recommended denial.

Mr. Johnson stated that the Planning Board had concerns that the proposed development is too intense for the character of the vicinity and that traffic from 47 lots onto Soapstone Mountain Road would be too much. He reported that on June 4 he received from Mr. Ferguson a revised plat and Conditional Use request for 25 lots.

2. Michael Chaffin, Franklinville, is requesting that 5.18 acres at the end of Wedgewood Drive, Providence Township, Polecat Creek Watershed, be rezoned from RR to RR/CU to allow the development of an 11-lot subdivision for site-built or modular homes or double-wide mobile homes with permanent foundations. The Planning Board unanimously recommended denial.

Mr. Johnson explained that this request is for part of an old subdivision that existed prior to zoning and other regulations. The Conditional Use is needed because the existing road is not up to state standards, the lots are not the minimum size required by current zoning regulations, doublewides are being proposed, deed restrictions for this subdivision have expired, and there is a new owner.

Alan Pugh, County Attorney, advised the Board of Commissioners that he had discussed this request with the applicant's attorney, who could not be present tonight but who has stated that because this subdivision was "grandfathered" in when zoning regulations were enacted, the applicant may not need a rezoning permit for this development. There is also a possibility that the applicant will revise his request. Mr. Pugh

recommended that the Board hear public comments on this request tonight but that they not take any action until he has had time to research the legal aspects of this issue.

3. Joe and Tambreia Wall, Sophia, are requesting that 1.41 acres on Hwy 311, New Market Township, Randleman Lake Watershed, be rezoned from RR to Office and Institutional/Conditional Use to allow the existing structure to be used for the administrative processing of clients. The Planning Board unanimously recommended approval.

Citizen Comments - Request #1

Garland Ferguson, 5428 Whites Chapel Road, distributed a copy of restrictive covenants he had prepared and asked that they be a part of his Conditional Use permit. He said he had listened to concerns of those opposing this request at the Planning Board meeting and had tried to compromise by reducing the lots to 25. He said D.O.T. had informed him that Soapstone Mountain Road can bear up to 2000 cars per day.

Hoke Hahn, 5881 Whites Chapel Road, said that Soapstone Mountain Road has a yellow line the entire length on one side or the other and has 14 signs indicating curves in the road. He said that the proposed development property line is about 300 feet from an old Town of Liberty landfill and that area residents are concerned about their water supply.

Ray Albright, Ramseur Town Commissioner, stated that he represented the mayor and the Ramseur Board of Commissioners, who are all opposed to this request. They are concerned about Sandy Creek Watershed.

Lynn Clay, 1959 Soapstone Mountain Road, opposed the request, stating that many of the existing homes can't be seen from the road and the residents want to leave the natural beauty intact.

Alice Bolton, 1731 Land Estates Drive, stated that she wants to see at least 5-acre tracts in this development. She presented a petition which she said contained 213 signatures of those opposing the rezoning.

Leslie Thompson, 2050 Soapstone Mountain Road, quoted results from a '94 study that showed Sandy Creek Reservoir support was threatened because of elevated nutrients in the water. She also said that water testing done for the new school nearby showed high levels of many chemicals in the water. Some, but not all, may come from farm operations. She said there are 67 chemicals recognized by the EPA as coming from landfills, and this water testing showed 59 of those were present in the water. She stated that this old landfill was used for 34 years, with no buffer around it. She also contented that blasting in the area may have fractured the rock structure underground and made the contamination from the landfill worse. She urged the Board not to allow any development in this area until it can be determined for sure what is coming from the landfill, which she said would also affect people downstream since it is in the watershed.

Ted Fulk, 2151 Soapstone Mountain Road, said that he drives 25 miles to work so that he can live in this rural setting and that the Board should do what they would want done if they lived there.

Em Vastagh, 1707 Land Estates Drive, expressed concern about more guns and crime with more people moving in.

Citizen Comments - Request #2

Robin Williams, 4719 Silverwood lane, stated that when mobile homes go in, one can't expect the surrounding site-built homes to maintain their value.

Sherry Hackett, 4785 Silverwood Lane, opposed placing mobile homes in this area.

Allen Bullard, New Salem Road, opposed Mr. Chaffin's being permitted to do what no one else in the county can do and asked if one man's rights are more important than everyone else's. He said he is building a new house on 27 acres across the road and opposes the mobile homes going in.

Kevin Fruchtnicht, 1744 Sylvan View, voiced concern about the mobile homes and about restrictions running out.

David Snyder, 1677 Harvest View, said it is dangerous to develop this way.

Citizen Comments - Request #3

Dean Wall, 2073 Old Plank Road, Sophia, stated that he owns the house on the property, lives behind it, and rents a house adjacent to it. This house is needed as office space for Carolina Care, a company that does home visits to handicapped clients.

Chairman Frye closed the public hearing.

Board Action on Requests

Commissioner Kemp made a motion to approve the request of Garland Ferguson. This motion died for lack of a second.

On motion of Davis, seconded by Frye, the Board voted 3 to 1 to deny the request of Garland Ferguson. Commissioner Kemp opposed this motion. Commissioner Holmes abstained from voting because of the relationship between his employer, Randolph Bank, and the applicant.

On motion of Davis, seconded by Mason, the Board unanimously voted to extend the public hearing on the Michael Chaffin request until the July 12 meeting.

On motion of Davis, seconded by Mason, the Board unanimously approved the request of Joe and Tambreia Wall.

Adjournment

The meeting adjourned at 8:55 p.m.

Darrell L. Frye, Chairman

Phil Kemp

J. Harold Holmes

Robert B. Davis

Robert O. Mason

Alice D. Dawson, Clerk to the Board