

Minutes
Randolph County Commissioners

February 7, 2000

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. Commissioners Kemp, Frye, Davis, and Mason were present. Commissioner Holmes entered the meeting where so noted in these minutes. State Representative Arlie Culp gave the invocation, and everyone recited the Pledge of Allegiance.

Consent Agenda

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

- *approve minutes of January 10 and January 24, 2000;*
- *reappoint Jack Smith to a three-year term as outside member of the Liberty Planning Board;*
- *approve the following resolution:*

***WHEREAS**, the Department of Transportation has investigated Hunt Master Trail and Hunter Court in the Hunters Creek 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 Hunt Master Trail and Hunter Court in the Hunters Creek Subdivision be added to the Division of Highways' Secondary Road System.*

- *approve the following resolution:*

***WHEREAS**, the Department of Transportation has investigated SR 1562 (Collett Farm Road) in Randolph County for purposes of abandonment; and*

***WHEREAS**, it has been determined that subject road should be abandoned from the Division of Highways' Secondary road System;*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that SR 1562 (Collett Farm Road) in Randolph County be abandoned from the Division of Highways' Secondary Road System.*

- *approve the following proclamation:*

***WHEREAS**, according to the statistics by the American Cancer Society, this year approximately 563,100 Americans are expected to die of cancer; and*

***WHEREAS**, more than 1,500 people a day in the United States will die from cancer; and*

***WHEREAS**, nearly 5 million lives in this country have been lost to cancer since 1990; and*

***WHEREAS**, Randolph County had the largest first-time Relay in the history of Relay For Life, raising \$165,000 in 1996; and*

***WHEREAS**, Randolph County's Relay For Life raised \$496,000 in 1999; and*

***WHEREAS**, Randolph County's Relay For Life is the only Relay to raise the largest amount of money for its population size for all three years; and*

***WHEREAS**, Randolph County's Relay For Life had the most cancer survivors for its population group in the Southeast Division; and*

***NOW, THEREFORE, THE RANDOLPH COUNTY BOARD OF COMMISSIONERS DOES HEREBY PROCLAIM** that the 3rd day of May, 2000 be declared Purple Ribbon Day throughout Randolph County; and*

***FURTHER**, that we urge all citizens in Randolph County join this celebration by remembering those loved ones who have lost their fight with cancer, been affected by cancer or who*

simply want to eliminate this disease to wear a purple ribbon on the 3rd day of May, 2000 in support of Relay For Life.

Commissioners Holmes entered the meeting at this point.

Economic Development Corporation (EDC) Request for County to Pay Interest on Land Purchase Loan

Bonnie Renfro, President of the EDC, stated that Randolph County has very few industrial sites or facilities available for industries seeking placement here. Therefore, EDC has purchased an option on a 47.3-acre industrial tract in Randleman that can be marketed, developed, and sold to support quality economic development to benefit Randolph County. Ms. Renfro said that EDC is seeking a 100% loan of \$762,500 through a voluntary partnership of local financial institutions who are members of the Randolph County Partnership, the private membership of the EDC. The EDC Board is requesting that the County pay the interest costs associated with the purchase, which should be \$53,000 - \$58,000 per year, depending on the interest rate.

Allen Holt, Chairman of the EDC Board of Directors, said that if this project is successful, EDC plans to complete similar projects in other parts of the county in the coming years.

Mike Miller, Past Chairman of the EDC Board of Directors, discussed the structuring of the financing of this purchase.

On motion of Frye, seconded by Davis, the Board unanimously agreed to pay interest costs on the loan for the EDC's purchase of the 47.3-acre tract located at the intersection of Commonwealth Road and Island Ford Road in Randleman.

Report on Randolph Health Improvement Partnership (RHIP)

Bob Morrison, Randolph Hospital Administrator, reviewed the history of RHIP since its beginnings in 1997, when United Way of Randolph County, Randolph County Government, Randolph Hospital, and ten sponsoring businesses initiated a collaborative process to identify the most pressing health and human service needs in Randolph County and create strategies for community action to address them.

Karen Dozier, RHIP Coordinator, stated that four task forces identified the following areas of concern: awareness of services, literacy, financial/insurance barriers, and personal responsibility.

Report from Randolph Hospital

Bob Morrison, Randolph Hospital Administrator, updated the Board on the hospital's growth, accomplishments, services added, and new services planned for the near future. He said 63 physicians have been recruited since 1993. In 1999, over 4600 people attended health education programs at the Hospital. Major renovation of the Emergency Department has begun, and a new Cancer Center and a Chest Pain Center have opened. Mr. Morrison stated that the Hospital has had no price increase for six years but that the uninsured population in Randolph County continues to grow and Medicare payments have been frozen.

Approval of Contract between Public Library and Smart Start

Richard Wells, Library Director, explained that the Public Library has been awarded a grant of \$181,878 by the Randolph County Partnership for Children Advisory Board. Funding from this grant would enhance the Library's collection of books and materials for children ages 0-5, materials for child care teachers and parents, and materials for children and families with limited English proficiency.

On motion of Frye, seconded by Mason, the Board unanimously approved a contract with the North Carolina Partnership for Children, authorized the County Manager to sign the contract after review by the Staff Attorney, and approved Budget Amendment # 32 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #32	
Revenue	Increase
<i>Restricted Intergovernmental</i>	<i>\$181,878</i>
Appropriation	Increase
<i>Public Library</i>	<i>\$181,878</i>

Approval of FY 1999-2000 Audit Contract

Frank Willis, County Manager, stated that the only changes to Strand, Skees, Jones & Company's proposed audit contract this year is an additional \$1,000 for inflation. Rick Moll, Mental Health's finance officer, will retire at the end of June, and the new finance officer may not be able to provide the same level of support to the auditors as Mr. Moll. The new contract includes an additional \$2,000 for accounting services, to be charged only in the event that the auditors have to compile information previously provided by Mr. Moll.

On motion of Davis, seconded by Holmes, the Board unanimously approved the contract of Strand, Skees, Jones & Company for the year ending June 30, 2000, as presented.

Appointment of Donald Strider to the Seagrove-Ulah Metropolitan Water District Board

On motion of Holmes, seconded by Mason, the Board unanimously appointed Donald Strider to a three-year term on the Seagrove-Ulah Metropolitan Water District Board.

Budget Amendment - Health

On motion of Frye, seconded by Davis, the Board unanimously approved Budget Amendment #33 to the FY 1999-2000 Annual Budget, which reflects state funding for the Rural Obstetrical Care Incentive Program, as follows:

GENERAL FUND - #33	
Revenue	Increase
<i>Restricted Intergovernmental</i>	<i>\$13,302</i>
Appropriation	Increase

<i>Public Health</i>	<i>\$13,302</i>
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Budget Amendment - Emergency Services

Jane Leonard, Deputy Finance Officer, announced that the Fire Marshal’s Office has been awarded a \$1,425 grant from Factory Mutual Insurance Company to be used towards the purchase of a digital camera and supplies for arson investigations.

On motion of Mason, seconded by Davis, the Board unanimously approved Budget Amendment #34 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #34	
<i>Revenue</i>	<i>Increase</i>
<i>Miscellaneous</i>	<i>\$1,425</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Emergency Services</i>	<i>\$1,425</i>

Budget Amendment - Register of Deeds

Ann Shaw, Register of Deeds, explained that in 1996 the County awarded a contract to Cavin’s, Inc. for a land records system for the Register of Deeds Office. Cavin’s failed to deliver the converted data by the date required in the contract, and the County Attorney notified Cavin’s of our decision to terminate this contract and seek services elsewhere. The negotiations, settlement and lawsuit that followed culminated in the dismissal of Cavin’s lawsuit on November 23, 1999. Attorney’s fees from the law firm of Gavin, Cox, Pugh, Etheridge and Wilhoit in the matter of Cavin’s vs. Randolph County have been billed in the amount of \$7,875. There is no money in the Register of Deeds budget allocated for attorney fees. Ms. Shaw requested that funds be transferred from the County’s fund balance to cover this legal expense.

On motion of Frye, seconded by Holmes, the Board unanimously approved Budget Amendment #35 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #35	
<i>Revenue</i>	<i>Increase</i>
<i>Fund Balance Appropriated</i>	<i>\$7,875</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Register of Deeds</i>	<i>\$7,875</i>

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, and

Chairman Kemp opened the public hearing for comments on each request and closed it before taking action on each request:

1. JERRY & KEN HILL, Asheboro, originally requested that 115.03 acres on Sawyersville Road, Cedar Grove Township, be rezoned from RA to RE/CU to develop an 82-lot subdivision for site-built homes only. The Planning Board recommended approval by a 5 to 1 vote, with one member abstaining. Since the Planning Board meeting, the applicants have changed their request to 72 lots.

Don Lanier, 2615 Tot Hill Farm Road, spoke on behalf of the owner, Armond Corporation. He said 8 driveway connections are planned for Sawyersville Road, and lots will not be clear cut.

John Trotter, 608 Sawyersville Road, said there are two branches running through this property that are not shown on the map, and one of them creates a swamp . He also stated that Sawyersville Road could not handle the extra traffic that would be generated by this development.

Sarah Southern, 993 Sawyersville Road, presented a petition with 133 signatures of area residents who oppose the density of this proposed development and its impact on the community. She said this development is not up to the standards of other area developments such as Back Creek Hills and Hunters Creek.

Raymond Moore, 1222 Moore Road, expressed concern that the quality of neighborhood wells would go down if this request is approved as proposed.

Rob Jackson, 1378 Moore Road, called for a new site plan showing 72 lots before approving the request. He said D.O.T. approval of proposed driveways should be obtained first, as well.

Frank Rose, 3564 Sam Jackson Road, voiced concerns about water quality, citing specific cases of area residents who have had to drill new wells already.

Approximately 30-35 people stood in opposition to this request.

Commissioner Frye stated that he could not support this request as presented because of the number of driveways, the density, the size of the houses, and the lack of restrictive covenants. *Frye made a motion, seconded by Holmes, to deny this request.*

Mr. Lanier asked the Board if he could negotiate changes with area residents immediately so that everyone would not have to come out to another meeting later. He stated that he is authorized to negotiate and make changes on behalf of the applicant.

Commissioners Frye and Holmes withdrew their motion and second. The Board discussed Mr. Lanier's request and agreed that he and neighborhood representatives could attempt to negotiate a plan acceptable to both.

2. CEDAR CREEK LAND COMPANY, Lynchburg, Virginia, is requesting that 150 acres (out of 651 acres) on Bachelor Creek Road, Richland Township, be rezoned from RA to RR/CU to develop a 39-lot residential subdivision for double-wide mobile homes on permanent masonry foundations,

modular homes, or site-built homes. The Planning Board unanimously recommended denial, citing concerns about the private roads and the proposed development being off a dirt road.

Reed Edwards, 709 Carthage Street, Sanford, representing Cedar Creek Land Company, said buyers would be required to participate in a road maintenance agreement and that failure to pay would constitute a lien on their property. He said he had discussed the one-lane bridge on Bachelor Creek Road with D.O.T. and was told it should not be a problem. Individual wells and septic tanks are planned.

Jon Megerian, attorney representing the opposition, said that the dirt roads, the proposed 16 driveways and 2 private roads coming onto Bachelor Creek Road, and the one-lane bridge are all problems. He added that after the first doublewide is placed there, no site-built homes will be constructed.

Approximately 30 people stood in opposition to this request.

George Bain, 3966 Bachelor Creek Road, said he is a geologist who has studied this area. It is his opinion that there is not enough water in the area for this development.

Reed Edwards requested that his request be amended to show that part of the conditional use will be that no mobile homes will be permitted.

Randy Cavallier, 3902 Bachelor Creek Road, said there is already a traffic count of 75 cars per day on his road and that the development would triple that. He said he is concerned about quantity and quality of water and the density of the proposal.

County Attorney Alan Pugh advised the Board that, in his opinion, approving this request would constitute spot zoning and would be difficult to defend in court.

On motion of Frye, seconded by Mason, the Board unanimously denied the request of Cedar Creek Land Company.

3. **APRIL MOORE**, Trinity, is requesting that 16.4 acres on Hoover Hill Road, Tabernacle Township, be rezoned from RA to RR/CU to develop a 10-lot subdivision for double-wide mobile homes on permanent masonry foundations. The Planning Board unanimously recommended denial, stating that this proposal is too intense for the configuration of the land; it is on a dangerous curve; and the 2 off-site septic systems would be bad planning.

Charles Powell, 4859 Beeson Farm Road, Sophia, presented a new site plan with 5 lots, with lots 1 and 2 entering onto the new road.

Al Horner, 31 Salem Street, Thomasville, project surveyor, said previous opposition was to the number of lots and the traffic. In redesign, lots have been cut in half and driveways onto Hoover Hill Road have been reduced.

Charles Powell requested that his conditional use be amended to require a minimum lot size of 1 - 1.25 acre.

Patsy Hunt, 1909 Hoover Hill Road, said this development would enter onto a very dangerous curve. There are already two lumber yards on this road which generate logging, shaving, and lumber trucks traveling along this road. There is also a lot of cut-through traffic. She said the number of lots is not as important as the fact that anyone in this development would be entering the road on a dangerous curve.

Joe Beeson, 1958 Hoover Hill Road, reiterated concerns about traffic and the dangerous road.

Kelly Amick, 1848 Hoover Hill Road, stated that he is afraid this development will not appreciate the value of his property.

James Benfield, 1847 Hoover Hill Road, said he is a victim of this dangerous curve; he was involved in a head-on collision there. He said the speed limit needs to be lowered and that more homes mean more danger.

On motion of Frye, seconded by Holmes, the Board denied this request by a vote of 3 to 2. Commissioners Kemp and Davis opposed this motion.

4. RUSSELL LINEBERRY, Siler City, is requesting that 48 acres (out of 91.12) located at the end of Oliver's Chapel Road, Columbia Township, be rezoned from RA to RR/CU to develop a 14-lot subdivision of double-wide mobile homes on permanent masonry foundations, modular homes, or site-built homes. The Planning Board recommended approval by a vote of 5 to 2. Mr. Johnson noted that this request has changed significantly since it was considered earlier, with changes to the driveways and one 42-acre tract left out.

Russell Lineberry, 81 Albright Road, Siler City, said the number of lots has been reduced; there are no off-site septic systems; and there is no private road. He said neither Goldkist nor Freeman Ford would be jeopardized by this development.

Helen Headen, 2601 Oliver's Chapel Road, said she is a life-long resident of this area who would love to see this development take place and to have a park for the community's children.

Jon Megerian, attorney representing Goldkist, said Goldkist has plans for expanding soon, but they fear the State will not grant an extension permit if they are close to a residential subdivision. He reminded the Board that 71 chicken growers in Randolph County who are part of Goldkist's farm co-op have petitioned against this request.

Commissioner Davis asked what Goldkist's setback requirements are.

Ken Walker of Goldkist said he does not know if they have any setback requirements.

Tim Moffitt, 6623 Hinshaw Farm Road, Ramseur, said that he is one of the chicken growers supported by Goldkist and that this industry brings in more money to the local economy than 14 mobile homes. He said there are setback requirements and new rulings on odor control.

On motion of Holmes, seconded by Davis, the Board unanimously denied the request of Russell Lineberry.

5. DONALD GRAHAM, Asheboro, is requesting that 2.94 acres at 6220 U.S. Hwy 220 South, Richland Township, be rezoned from RA to HC/CU for a welding fabrication and machine shop in the existing church building, an art studio in the second existing building, and a residence for the future property owner. The Planning Board unanimously recommended approval.

Don Graham, 1122 S. Park Dr., Asheboro, said his proposal will be good for the community.

On motion of Frye, seconded by Mason, the Board unanimously approved the request of Donald Graham.

Don Lanier reported that he and community representatives had reached a compromise on the request of Jerry & Ken Hill (Request #1). He asked that the following be made a part of their conditional use:

- a minimum of 1350 square feet heated and 1600 square feet under roof;
- average lot size of 1.52 acre;
- entrances onto Sawyersville Road only for the two streets in the development and for the driveways of the four lots fronting on Sawyersville Road which have no access to the two streets;
- a maximum of 66 lots;
- restrictive covenants equivalent to those for Hunter's Creek Subdivision.

On motion of Frye, seconded by Holmes, the Board unanimously approved the request of Jerry and Ken Hill, with all the amendments to the conditional use requested by Mr. Lanier as detailed above.

Adjournment

The meeting adjourned at 10:30 p.m.

Phil Kemp, Chairman

Darrell L. Frye

J. Harold Holmes

Robert B. Davis

Robert O. Mason

Alice D. Dawson, Clerk to the Board