

Minutes

Randolph County Commissioners

September 5, 2000

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 Kemp, Frye, Davis, Holmes, and Mason were present. Rev. Benn Fleming, Director of Pastoral Care, Randolph Hospital, Asheboro, gave the invocation, and everyone recited the Pledge of Allegiance.

Addition to Agenda

Chairman Kemp announced an additional consent agenda item: Appoint Stacey Senters to fill the unexpired term of Ann Miller on the Tourism Development Authority.

Consent Agenda

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

- *approve regular and closed session minutes of August 7, 2000;*
- *reappoint Maxton McDowell to the County Planning Board (3-year term);*
- *approve the following resolution:*
WHEREAS, the Department of Transportation has investigated River Heights Drive in the River Heights 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 River Heights Drive in the River Heights Subdivision be added to the Division of Highways' Secondary Road System.
- *reappoint Bob McDuffie to the Piedmont Triad Regional Water Authority (3-year term);*
- *appoint Marian Tillman to an initial one-year term on the Nursing Home/Adult Care Home Community Advisory Committee;*
- *reappoint MiMi Cooper, Phil Kemp, Brad Long, Dare Oldham, and Garland Yates and appoint Steve Lepore to the Criminal Justice Partnership Advisory Board (3-year terms);*
- *appoint David Leonard, Harold Holmes, Jim McIntosh (terms expiring 11/01); John Ogburn, Phil Kemp (terms expiring 11/02); Dean Spinks (term expiring 11/03); and reappoint Mac Whatley and David Cotton (terms expiring 11/03) to the Water Resources Advisory Board;*
- *appoint Stacey Senters to the Tourism Development Authority to fill the unexpired term of Ann Miller (term expiring 10/01).*

Mental Health Accreditation

Mazie Fleetwood, Mental Health Director, announced that the Randolph County Mental Health, Developmental Disabilities and Substance Abuse Program was recently accredited by the Council on Accreditation for Children and Family Services (COA). COA is an independent, non-profit, internationally recognized accreditor of mental health and social service organizations. The COA accreditation process involves a rigorous examination of an organization's total operations. COA accreditation attests that the Randolph County Area Program is meeting the highest national standards.

The Board congratulated the Area Program board, management and staff on this significant achievement. Chairman Kemp noted that he and the County Manager had been present during COA's exit interview, and they were impressed with the accreditation team's comments about our program.

Amendments to the Animal Control Ordinance

MiMi Cooper, Health Director, reminded the Board that the Animal Control Ordinance designates the

Sheriff as the individual who determines when a dog is dangerous or potentially dangerous, and the Health Director, Chairman of the Board of Health, and the veterinarian member of the Board of Health are designated as the Dangerous Dogs Appeals Board. To avoid a situation in which the Health Director might be involved in the investigation of a complaint but also called upon to hear the appeals, Ms. Cooper recommended the following: Change the person appointed to determine when a dog is dangerous or potentially dangerous from the Sheriff to the Health Director; remove the Health Director from the Appeals Board and add the physician member of the Board of Health.

On motion of Frye, seconded by Mason, the Board unanimously amended Section C.4.a. of the Animal Control Ordinance to read:

“The Randolph County Board of Commissioners have appointed the Health Director as the person designated to determine when a dog is dangerous or potentially dangerous. The Appeals Board appointed by the Commissioners shall consist of the Chairman of the Board of Health, the veterinarian member, and the physician member.”

Annual Report of the Combined Child Fatality Prevention Team and Community Child Protection Team

MiMi Cooper, Health Director, gave the annual report from this team. She reported the investigation of 23 child deaths during the last year but stated that the team found no system problems contributing to these deaths. They also reviewed and made recommendations concerning two active child protection cases in the Department of Social Services.

Work First County Plan; Electing Status; Work First Planning Committee Appointments

Martha Sheriff, Social Services Director, reported that this fall each North Carolina county will again develop a Work First Block Grant Plan to be effective July 1, 2001 through June 30, 2003. The first decision to be made in the development of the plan is to decide whether Randolph County will seek electing county or standard county status. Ms. Sheriff stated that we have operated as an electing county for two years, and she feels we have made progress with this arrangement. She said she would like to continue as an electing county. She presented a suggested list of Work First Planning Committee members for the 2001-2003 Plan. This committee will develop a proposed plan, which will be open for public comment in November, and presented to the Board of Commissioners for their approval at their December meeting.

On motion of Davis, seconded by Frye, the Board unanimously voted to remain an electing county and appointed the following people to the Work First Planning Committee: George Gusler and Beverly Nelson (Chamber of Commerce), Scott Wagoner (Board of Social Services), Dr. Ann Suggs (Mental Health Board), Sandra Martin (Public Health Board), Dr. Cindy Schroder (County Schools), Kurt Lorimer (City Schools), Harold Holmes (County Commissioners), Janice Scarborough, Elaine Haigler, and Jerry Hill (Community-Based Organizations), Rev. Marion Smith (Faith Community), Dr. Bob Shackelford (Randolph Community College), Robert Ware (Employment Security Commission), and Ray Newton (Randolph Coordinated Area Transportation System).

911 Center Equipment Lease Contract

Neil Allen, Emergency Services Director, explained that Randolph County Emergency Services has been working with Sprint to upgrade the County E911 communications equipment. The proposed upgrade includes a 911 telephone answering system, 2-way radio dispatch control system, telephone and radio control system, and furniture. This upgrade will allow the E911 Center to expand from four-position stations to six-position stations.

Will Massie, Deputy Finance Officer, presented a detailed cost analysis for this equipment, based on both purchase and five-year lease:

<u>Purchase Option</u>		<u>Lease Option</u>	
Purchase costs	\$ 442,157	Total lease payments	\$ 740,640
Maintenance costs (5 yrs)	129,754	Interest earnings during period	<u>(95,800)</u>
Software upgrades (4 yrs)	40,000	Net purchase cost	\$ 644,840
Interest earnings during period	<u>(23,928)</u>		
Net purchase cost	\$ 587,983		

Mr. Massie stated that the overall difference in the net cost of leasing new E911 equipment is \$56,857, or \$1,895 additional cost per station per year. However, the lease option allows us to upgrade the existing equipment to better technology any time during the five-year lease. Telephone and communication equipment is continually changing as new advanced technology is developed. By leasing the system, the County will not be restricted with a system that could become obsolete within the five years; Sprint will assume that risk and take back the equipment if we decide it no longer meets our needs. The lease will allow flexibility in maintaining effective 911 response services as well as eliminate the uncertainty of the cost of the software upgrades. Therefore, it is recommended that the County enter into a five-year lease contract with Sprint for this equipment.

On motion of Frye, seconded by Holmes, the Board unanimously approved a five-year lease contract with Sprint Corporation for E911 equipment and authorized the County Manager to sign the contract.

Request for Two New Positions at the Day Reporting Center

Jane Leonard, Deputy Finance Officer, reported that the Day Reporting Center received a Governor’s Crime Prevention Grant to provide services to juvenile offenders. Originally the grant was to be used to hire a teacher to continue the juveniles’ education while they were suspended from school. However, this plan did not meet the school systems’ requirement for re-entry into the system. Now the Day Reporting Center wants to hire two case managers to work with these offenders. The grantor agency has agreed to this change.

On motion of Holmes, seconded by Mason, the Board unanimously approved the allocation of two case manager positions (grade 63) to the Day Reporting Center, effective immediately.

Request for Additional School Resource Officer Position

Major Allen McNeill stated that the Randolph County School system has requested that the Sheriff’s Office hire an additional school resource deputy. As in the past, they would reimburse the County 100% of the cost of this position. This officer would be based at Southeast Middle School but work in different locations as a supervisor. The total cost of \$54,504 includes salary, fringes, vehicle, uniforms, and supplies.

On motion of Davis, seconded by Holmes, the Board unanimously approved the allocation of a Deputy Sheriff Sergeant, Grade 166, and approved Budget Amendment #8 to the 2000-2001 Annual Budget, as follows:

GENERAL FUND - #8	
Revenue	Increase

<i>Miscellaneous</i>	<i>\$54,504</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Sheriff & Jail</i>	<i>\$54,504</i>

Lease of Electronic House Arrest Equipment

Major Allen McNeill explained that Randolph County has had an electronic house arrest program since 1988 and has always used BI, Inc. equipment. Several years ago the State, using BI, Inc. equipment, offered free monitoring service to all counties with this program. Through a competitive bid process, the State has now contracted with SecurityLink for the monitoring of these programs. Their service is still free, but to take advantage of it, we will have to change to SecurityLink equipment. Major McNeill said that the County's current equipment needs replacing anyway, and the cost of renting from SecurityLink will be less than from BI, Inc. The daily rental fee is \$1.52 per unit per day. We currently charge the person on house arrest \$5.00 per day to participate in the program. Major McNeill asked for approval to enter into an agreement with SecurityLink for leasing of house arrest equipment.

On motion of Frye, seconded by Davis, the Board unanimously approved the leasing of house arrest equipment from SecurityLink.

Budget Amendment - Sheriff

Major McNeill presented a list of items the Sheriff would like to purchase from the Restricted Law Enforcement Fund. These items include a used vehicle, computers, mugshot software, ID card system, mobile video systems, a pan/tilt for CCTV system, a repeater, ballistic raid gear, cameras, and various smaller items.

On motion of Mason, seconded by Frye, the Board unanimously approved Budget Amendment #9 to the 2000-2001 Annual Budget, as follows:

<i>GENERAL FUND - #9</i>	
<i>Revenue</i>	<i>Increase</i>
<i>Fund Balance Appropriated</i>	<i>\$158,450</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Sheriff & Jail</i>	<i>\$158,450</i>

Rural Operating Assistance Program Grant Application

Ray Newton, RCATS Coordinator, informed the Board that the N.C. Department of Transportation has revised their funding allocations for Randolph County's Rural Operating Assistance Program and requested approval to apply for these additional funds and a budget amendment to accept them.

On motion of Davis, seconded by Frye, the Board unanimously approved the application for funds for transportation and approved Budget Amendment #10 the 2000-2001 Annual Budget, as follows:

GENERAL FUND - #10	
Revenue	Increase
<i>Restricted Intergovernmental</i>	\$25,706
Appropriation	Increase
<i>Aging Services</i>	\$25,706

Waiver of Tipping Fees for “Litter Sweep”

David Townsend, III, Public Works Director, stated that the N.C. Department of Transportation is requesting our assistance with their semi-annual roadside cleanup project known as “Litter Sweep.” The fall cleanup will be held from September 17th to September 30th. DOT will provide trash bags, safety vests, and gloves to participating groups. The Public Works Department proposes to waive the tipping fees for debris from this cleanup brought to the County Solid Waste Facility.

On motion of Mason, seconded by Holmes, the Board unanimously approved waiving tipping fees for the “Litter Sweep” cleanup.

2001 Holiday Schedule for County Offices, Public Works, and Public Library

On motion of Frye, seconded by Holmes, the Board unanimously adopted the following 2001 holiday schedules:

Holiday	County Offices	Solid Waste Facility	Library
<i>New Year’s Day</i>	<i>1/1</i>	<i>1/1 closed, 1/2 open</i>	<i>1/1</i>
<i>M.L. King Jr.’s B-day</i>	<i>1/15</i>	<i>1/15 open</i>	<i>1/15</i>
<i>Easter (Good Friday)</i>	<i>4/13</i>	<i>4/13 open, 4/14 closed</i>	<i>4/13, 4/14</i>
<i>Memorial Day</i>	<i>5/28</i>	<i>5/28</i>	<i>5/28</i>
<i>Independence Day</i>	<i>7/4</i>	<i>7/4</i>	<i>7/4</i>
<i>Labor Day</i>	<i>9/3</i>	<i>9/3</i>	<i>9/1, 9/3</i>
<i>Fall Festival (Asheboro Lib)</i>			<i>10/6 (Asheboro only)</i>
<i>Veterans’ Day</i>	<i>11/12</i>	<i>11/12 open</i>	<i>11/12</i>
<i>Thanksgiving</i>	<i>11/22 & 11/23</i>	<i>11/22 closed, 11/23 & 11/24 open</i>	<i>11/22, 23, 24</i>
<i>Christmas</i>	<i>12/24, 12/25, 12/26</i>	<i>12/24 close noon, 12/25 closed, 12/26 open</i>	<i>12/22, 24, 25, 26</i>

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Update on Proposed Changes to the Unified Development Ordinance and the Growth Management Plan

Hal Johnson, Planning Director, discussed the continued rapid and sustained growth occurring in all areas of Randolph County. GIS maps indicate that the county is fast growing in sprawl development more typical of urban areas. This type of sprawl could threaten Randolph County’s economic growth by hindering the County’s ability to continue to provide cost-effective services and a high quality of life. Mr. Johnson said that the Planning staff have been working on a draft Growth Management Plan and specific Zoning Ordinance amendments to more effectively implement that plan. This draft completes the first phase of a recommended four-phase process. Phase two will consist of the Planning Director consulting with and seeking advice from citizens’ groups and representatives from the real estate and construction/development sector so that the final Growth Management Plan presented to the County Planning Board and Board of Commissioners is a comprehensive plan that is community-driven initiative reflecting the Randolph County community’s desires and vision as we enter the 21st Century. Phase three will be the presentation of the proposed Growth Management Plan and Zoning Ordinance amendments to the Planning Board and Commissioners in a special working session in which both boards will review the proposals in detail. Phase four will include formal public hearings to obtain additional citizen input before a recommendation from the Planning Board and a final decision by the Commissioners.

Rezoning Public Hearing

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning & 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. BARRY LAWRENCE, Thomasville, is requesting that 11.09 acres on Wright Road, Trinity Township, be rezoned from RA and LI/CU to LI/CU in order to allow a planned business development of three 20,000 sq. ft. buildings and one 10,000 sq. ft. building for light manufacturing and warehousing, and five 2,200 sq. ft. mini-warehouse storage buildings. The property is located within the Lake Reese Watershed and the applicant is also requesting a SNIA allocation of 42.6%. The Planning Board unanimously recommended approval with the condition that a 50' natural buffer be maintained along the western property line adjoining Southgate Estates Subdivision.

No one spoke.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the request of Barry Lawrence, with the condition that a 50' natural buffer be maintained along the western property line adjoining Southgate Estates Subdivision.

2. LESTER AND SHEILA DAVIS are requesting that 20.21 acres on Spencer Road, New Market Township, be rezoned from RA to RE/CU in order to allow the development of a 10-lot residential subdivision for site-built homes only. The Planning Board unanimously recommended approval.

Lester Davis spoke in support of his request and pointed out that he is the owner of the property, not Sophia Investments, as the survey shows.

On motion of Davis, seconded by Holmes, the Board voted unanimously to approve the request of Lester and Sheila Davis.

3. CAROLINA FAIRWAYS, LLC. is requesting that 210.88 acres on Old Lexington Road, Back Creek Township, be rezoned from RA to RE/CU in order to allow a planned unit development for traditional site- built single-family residences, townhouses, and cluster residential developments. The Planning Board unanimously recommended approval.

Jon Megerian, attorney for the applicant, pointed out that although there is density to this development, it is surrounded by open spaces. Lots will be a minimum of \$40,000. Townhouses will be 1800 square feet; houses, 2000 square feet. D.O.T. will require a turning lane to be installed at the entrance to this development from Highway 64.

Jim Bivens, engineer for the project, stated that there will be no problem with the entrances from Highway 64 or from Old Lexington Road. The development will have a community water system and individual septic tanks.

Breck Richardson distributed drawings of floor plans for some of the units.

On motion of Holmes, seconded by Mason, the Board voted unanimously to approve the request of Carolina Fairways, LLC.

4. R B INVESTMENT COMPANY, Linden, is requesting that 120.57 acres on Bachelor Creek Rd, Richland Township, be rezoned from RA to RE/CU in order to allow the development of a 60-lot residential subdivision of site-built homes only. The Planning Board unanimously recommended that this request be denied because of inappropriate infrastructure in this area to support a development of this density, largely due to the dirt road and the one-lane bridge.

Doug Turner stated that lot 16 on the revised plat does not have a driveway to Bachelor Creek Road. He said that 60 lots would be the maximum they could have, but, having determined that some of the soils are unsuitable, they probably would not have this many lots. He stated that the southern portion of Bachelor Creek Road is being paved. He said this development is planned in three phases and that they would consider the option of having the first phase approved and the other phases' approval contingent on the remainder of Bachelor Creek Road being paved. Mr. Turner stated that he has a letter from D.O.T. saying that the one-lane bridge can be replaced with a culvert type bridge in 2002 or 2003. The developer, through D.O.T.'s property owner participation program, would pay to upgrade the current bridge to handle construction traffic and would pave the road from where the creek crosses on the south to the one-lane bridge on the north (about one mile). He pointed out that Indian Creek Subdivision (31 lots) was approved on a dirt road in 1985.

Jon Megerian, attorney for the opposition, said that the bridge and road are not the only problems with this development; density is also a problem. Lots should be much larger. He argued that rural conservation districts are primarily agrarian and rural and that this development is not in accordance with the County's land use plan.

Sixteen people stood in opposition.

George Bain, Bachelor Creek Road, stated that he is a geologist and that the groundwater in this area is

not sufficient for the proposed development. He said he has done research that shows 5-7 acres are needed per family to have a sustained water supply during a drought. He said he has 230 acres adjacent to the proposed development and that he commonly sees deer, wild turkeys, and other forms of wildlife. He asked what would happen to the wildlife if this development is built. He pointed out that there are wetlands along the creek that should be protected.

Randy Cavallier, 3902 Bachelor Creek Road, expressed his concerns about dust, density, minimum square footage of proposed houses, and groundwater. He said the developer wants to make a profit without regard for people or natural resources.

Mike Jones, Osborn Mill Road, said that he is concerned with the density of the proposed subdivision and that he wants the area to remain rural. He also stated that tractor trailers and school buses are not allowed past the bridge.

Foy Gann, Old Hwy 13, stated that he owns property on this road and that the yellow clay soil is not suitable for this density. The other subdivisions mentioned earlier are 4 and 7 miles away. Also the addition to the tax base will not offset the cost of more teachers, schools, etc.

Alan Pugh, County Attorney, advised the Board that because of distances between this and similar developments, approval of this request could be construed by the courts as spot zoning.

On motion of Mason, seconded by Frye, the Board voted unanimously to deny the request of R B Investment Company.

Adjournment

The meeting adjourned at 8:10 p.m.

Phil Kemp, Chairman

J. Harold Holmes

Darrell L. Frye

Robert O. Mason

Robert B. Davis

Alice D. Dawson, Clerk to the Board