

Minutes
Randolph County Commissioners

November 6, 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. Invocation was given by Rev. Dale Kennedy, First Evangelical & Reformed United Church of Christ, Asheboro, and everyone recited the Pledge of Allegiance.

Special Recognition

Chairman Kemp presented an engraved clock in appreciation to Allen N. Holt, who is retiring from the Randolph County Tax Commission and Board of Equalization and Review after 16½ years of service.

Presentation of Retirement Plaques

On behalf of the Board, Chairman Kemp presented an engraved clock to Karen Smith for 25 years of service in the Department of Social Services and to Richard Hughes for 30 years of service in the Sheriff's Office.

Consent Agenda

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

- *approve regular minutes and closed session minutes of the October 5, 2000 meeting;*
- *appoint Mark Brady to the Child Fatality Prevention/Child Protection Team (3-year term);*
- *appoint Vic Freitas to the Criminal Justice Partnership Program Advisory Board (3-year term).*
- *appoint Ben Ramsay to the Tax Commission (3-year term).*

Piedmont Authority for Regional Transportation (PART) Status Report

Commissioner Frye, member of the PART Board, made opening remarks about this agency and introduced Brent McKinney, PART Executive Director.

Mr. McKinney gave a status report on PART's work program and discussed regional transportation issues. PART has no paid employees but has a board made up of 13 elected and 4 appointed officials. They have received some funding through state and federal grants for transportation studies. One issue that is being addressed is a regional bus system. Mr. McKinney stated that the County, through enabling legislation, could generate local revenue for PART through a tax on rental vehicles or through a tax on all vehicles.

Resolution Concerning Staley Fire Department Loan

Frank Willis, County Manager, told the Board that the Staley Fire Department has asked that the County approve the Fire Department's entering into a tax-exempt financing of up to \$150,000 for a new fire station and two used fire trucks.

Larry Hicks, Assistant Fire Chief for Staley Fire Department, stated that the recent expansion in the Staley Fire District, approved by the County Commissioners, necessitates the construction of another fire station and the addition of two fire trucks. No one spoke at the public hearing Staley Fire Department held on the proposed financing.

On motion of Holmes, seconded by Mason, the Board unanimously approved the following

resolution:

WHEREAS, *Staley Volunteer Fire Department has determined to finance an amount of up to \$150,000 for a new fire station building and two used fire trucks; and the United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, this Board must first approve the financing; and*

WHEREAS, *the Fire Department has held a public hearing on the financing after published notice, as required by the Code; and the Fire Department has reported the proceedings of the hearing to this Board;*

NOW, THEREFORE, BE IT RESOLVED *by the Randolph County Board of Commissioners that:*

1. *The County approves the Fire Department's entering into the financing, as required under the Code for the financing to be carried out on a tax-exempt basis. The Fire Department's conduct of the required public hearing is approved.*

2. *Nothing contained or set out herein should be construed as obligating the County in any manner as a guarantor of any indebtedness whatsoever.*

3. *The County is not obligated nor legally or equitably responsible for the payment of or the security of any debt incurred by the Fire Department, nor does the County pledge any of its full faith and credit nor does it in any manner make this resolution to induce any party to lend monies or otherwise finance the Fire Department.*

Adoption of New Safety Policy

Ron Williams, County Safety and Training Officer, explained proposed changes to the County Safety Policy. These changes are in the areas of committee names, meeting schedules, and responsibilities.

On motion of Frye, seconded by Davis, the Board unanimously adopted the proposed new Safety Policy to replace the Safety Policy adopted July 11, 1994 and revised October 7, 1996.

Request for Endorsement of Designated Medical Provider for Workers' Compensation Claims

Kim Newsom, Personnel Director, stated that County employees currently may seek medical attention from any doctor of their choosing for a Workers' Compensation injury. The N.C. Workers' Compensation Act grants authority for employers to designate a medical provider for all Workers' Compensation injury claims by their employees. He said that the County would like to pursue this option in order to enhance the well-being of County employees through medical coverage that will be precise, speedy and thorough. The County would solicit input from local medical providers and would choose a medical provider based on certain criteria, such as level of experience in the diagnosis and treatment of work-related injuries, knowledge of applicable state Workers' Compensation laws, and 24-hour, seven-days-a-week coverage provided either directly or in a coordinated manner through an emergency department.

On motion of Frye, seconded by Holmes, the Board unanimously endorsed the concept of designating a medical provider for all employees' Workers' Compensation claims.

Approval of Contract for Scrap Tire Disposal

David Townsend, III, Public Works Director, reported that only one sealed bid had been received for scrap tire disposal services at the Randolph County Solid Waste Facility, even though all three companies who handle scrap tire disposal in North Carolina were notified. Even after rebidding this service, only one company submitted a bid. The other two companies, U.S. Tire Recycling of Concord and Tires, Inc. of Winston-Salem, returned faxes declining to bid. The one company who submitted a bid was Central Carolina Tire Disposal of Cameron, NC. This company has been providing these services

for Randolph County for the last several years for \$61 per ton of tires removed from the scrap tire site at the Solid Waste Facility. The bid for the new three-year contract is for \$64.98 per ton. Mr. Townsend said he has been satisfied with this vendor's work and recommended awarding the new contract to them.

On motion of Davis, seconded by Holmes, the Board unanimously awarded a three-year contract for scrap tire disposal to Central Carolina Tire Disposal of Cameron, NC at a unit price of \$64.98 per ton, and authorized the County Manager to sign the contract.

Approval of Contract for Radios for Sheriff's Office

Jane Leonard, Deputy Finance Officer, stated that informal bids had been received for thirteen MCS2000 Model II and five CDM1250 UHF mobile radios for the Sheriff's Office. The following bids were received: MOBEX Communications, Inc., \$23,132.00; Wireless Communications, Inc., \$23,701.09; and Commonwealth Radio Services, Inc., \$26,500.00.

On motion of Frye, seconded by Holmes, the Board unanimously awarded the bid to the low bidder, MOBEX Communications, Inc., for \$23,132.00.

Approval of Purchase of Two Used Patrol Vehicles for Sheriff's Office

Susana Vang, Purchasing Technician, stated that the Sheriff's Office has requested to purchase two 1996 Ford Crown Victoria vehicles from the North Carolina State Surplus Property Agency, to be used by school resource officers. She advised that, pursuant to NCGS 143-129(e), Randolph County is exempt from competitive bidding laws when purchasing from a governmental unit.

On motion of Holmes, seconded by Davis, the Board unanimously approved the purchase of these two vehicles for the total cost of \$16,000.00.

Approve Use of Local Law Enforcement Grant Funds; Set Public Hearing

Major Allen McNeill informed the Board that Randolph County has been awarded the Local Law Enforcement Block Grant this year in the amount of \$28,803. One of the requirements for this grant is to have an advisory committee who recommends to the County Commissioners how the money should be used. Another requirement is to hold a public hearing on the proposed usage. The County must provide a local match of \$3,200. Major McNeill said that the advisory committee is recommending that we continue to use the grant money for enhanced security (part-time bailiffs) at the Randolph County Courthouse, as we have in the past.

On motion of Davis, seconded by Mason, the Board unanimously approved the proposed use of these grant funds for enhanced security at the Courthouse and set a public hearing on this matter for 4:30 p.m. on December 4, 2000.

Approval of New Fee Policy and Eligibility Policy for Dental Program

MiMi Cooper, Health Director, reported that on October 30 the Board of Health approved a dental clinic eligibility policy and fee schedule. The eligibility policy matches those most in need with the resources for care at the Health Department. The fee schedule reflects a change in the Medicaid reimbursement rates for services rendered.

On motion of Frye, seconded by Davis, the Board unanimously approved the proposed dental clinic eligibility policy and fee schedule as approved by the Board of Health.

Set Date for Public Hearing on Community Transportation Program Grant Application

On motion of Holmes, seconded by Frye, the Board unanimously agreed to set a public hearing

on the Community Transportation Program Grant application for 5:00 p.m. on December 4, 2000.

Replacement Bylaws for the Criminal Justice Partnership Program Advisory Board (CJPPAB)

Chairman Kemp, who serves on the CJPPAB, explained that the CJPPAB had voted to repeal their old bylaws and adopt new ones, subject to subsequent approval by the County Commissioners. Some of the sections in the old bylaws were no longer needed or appropriate after the Day Reporting Center became a County department, and other sections just needed “cleaning up.” The County Manager’s Office was heavily involved in developing the proposed new bylaws.

On motion of Holmes, seconded by Mason, the Board unanimously gave final approval to the proposed new CJPPAB bylaws.

January Meeting Date

On motion of Frye, seconded by Holmes, the Board unanimously agreed to hold their regular January, 2001 meeting on January 8.

Budget Amendment - Library

On motion of Frye, seconded by Davis, the Board unanimously approved Budget Amendment #18 to the FY 2000-2001 Annual Budget, which reflects additional State Aid to Public Libraries funding dispersed to Randolph County, as follows:

GENERAL FUND - #18	
Revenue	Increase
<i>Restricted Intergovernmental</i>	\$9,640
Appropriation	
<i>Public Library</i>	\$9,640

Budget Amendment - Planning & Zoning

Jane Leonard, Deputy Finance Officer, reported that the Planning & Zoning Department had incurred legal expenses that totaled more than what they had budgeted. They need an additional \$1,525.

On motion of Holmes, seconded by Mason, the Board unanimously approved Budget Amendment #19 to the FY 2000-2001 Annual Budget, as follows:

GENERAL FUND - #19	
Revenue	Increase
<i>Fund Balance Appropriated</i>	\$1,525
Appropriation	
<i>Planning & Zoning</i>	\$1,525

Times Fiber Communications Economic Development Project; Set Public Hearing

Bonnie Renfro, Randolph County Economic Development Corporation (EDC) President, told the Board that Times Fiber Communications/Amphenol is requesting that Randolph County provide a \$50,000 economic incentive toward providing a rail spur that will be built by the company. The site selected is the EDC’s spec building in the Liberty Business Park. Times Fiber is also requesting rail

construction assistance from D.O.T. and other sources. Before the County Commissioners can commit to this request, they must first hold a public hearing.

On motion of Frye, seconded by Davis, the Board unanimously agreed to hold a public hearing on this matter at 5:30 p.m. on December 4, 2000.

Closed Session - Economic Development

On motion of Frye, seconded by Davis, the Board unanimously voted at 5:40 p.m. to go into closed session to discuss matters related to the location or expansion of industry in the area served by the Board, pursuant to NCGS 143-318.11(a)(4). The Board returned to regular session at 6:05 p.m.

Set Public Hearing on Possible Community Development Block Grant Application

On motion of Frye, seconded by Davis, the Board unanimously agreed to schedule a public hearing at 6:00 p.m. on December 4, 2000, for the purpose of considering whether to pursue a CDBG application for an existing industry in Randolph County.

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. ROBERT & WILLIAM SHAW, Asheboro, are requesting that 9.54 acres located at 4960 New Hope Church Road, Union Township, be rezoned from RR/RA to RA/CU to allow 2 single-wide mobile homes on individual lots. The Planning Board unanimously recommended approval.

Robert Shaw, 1786 Burney Road, Asheboro, stated that he wants to replace an existing single-wide mobile home with a new one, but because of the current zoning, he can't replace this mobile home with another single-wide. The existing single-wide mobile home would be moved to William Shaw's property.

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

2. ALTON HARRIS, Burlington, is requesting that 26.1 acres on Old Siler City Road, Coleridge Township, be rezoned from RA to HC/CU to allow the operation of an outdoor amusement park. The Planning Board unanimously recommended denial.

No one spoke in support of this request. Approximately 75 people present raised their hands in opposition to this request.

On motion of Mason, seconded by Holmes, the Board unanimously denied this request.

3. W.R. & NANCY LANIER, JR., Asheboro, are requesting that 25.21 acres on Old NC Hwy 49, Cedar Grove Township, be rezoned from RA to RE/CU for the development of a 23-lot subdivision for site-built homes only. The Planning Board unanimously recommended approval.

W.R. Lanier, 3840 Old NC Hwy 49, said all homes would be brick with a minimum of 1500 square feet. He requested that the conditional use include language stating that lot #4 be used for a substation for Westside Fire Department.

On motion of Mason, seconded by Davis, the Board unanimously approved this request with the

condition that lot #4 be used for a substation for Westside Fire Department.

4. ROGER & CHRISTINA BROWN, Ramseur, are requesting that one acre (out of 14.45 acres) located at 1132 Pleasant Ridge Church Road, Columbia Township, be rezoned from RA to HC/CU to allow the operation of a car dealership with a maximum of 10 vehicles and automotive repair shop from an existing 34 x 84 building. The Planning Board recommended denial with a 5 to 1 vote.

Roger Brown, 2308 Woodell Ave., Ramseur, said he plans to put up a wooden privacy fence between him and his neighbor and to operate from 9-5 Monday-Saturday. He said that he bought this property with the understanding that it was commercial.

Rick Smith, Ramseur Sales & Realty, presented 289 signatures of people living in Ramseur who support this request. Mr. Smith said that Roger Brown provides a valuable service to Ramseur, and people don't want him to go out of business. He said that, in his opinion as a realtor, the proposed use would not adversely affect the value of surrounding properties.

Kenny Brown, adjoining property owner, said he does not want a car lot and garage next door. He said there were 25 signatures presented at the Planning Board meeting of those area residents who oppose this request.

Alan Pugh, County Attorney, discussed the possibility that approval of this request could be considered spot zoning.

On motion of Frye, seconded by Holmes, the Board voted 4 to 1 to deny this request, with Mason opposing the motion.

Adjournment

The meeting adjourned at 7:35 p.m.

Phil Kemp, Chairman

Darrell L. Frye

J. Harold Holmes

Robert B. Davis

Robert O. Mason

Alice D. Dawson, Clerk to the Board