

August 2, 2004

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 Holmes, Kemp, Frye, Davis, and Mason were present. Rev. Daniel Thames, Hopewell Friends Meeting, gave the invocation, and everyone recited the Pledge of Allegiance.

Special Presentation

Jeff Orrock, National Weather Service, Raleigh Office, presented a StormReady recognition letter and special StormReady road signs to the County Commissioners in recognition of Randolph County being recognized as a StormReady County. The StormReady program encourages counties to take a new, proactive approach to improving local hazardous weather operations and public awareness. North Carolina and Randolph County have a long history of severe weather, and it is the goal of StormReady to reduce the impact of severe weather in the state. The StormReady recognition will be in effect until 2007, when the County will go through a recertification process.

Consent Agenda

On motion of Kemp, seconded by Davis, the Board voted unanimously to approve the Consent Agenda, as presented:

- *approve minutes of the 7/12, 2004 regular meeting, 7/9 & 7/12 special meetings, & 7/9, 7/12 (2 sets) closed session;*
- *reappoint Chris McLeod to Randolph County Planning Board (3-yr term);*
- *reappoint Marlana Puls and appoint Joe Goldston, Rev. John Henderson, Steve Motta and Judge William Neely to Criminal Justice Partnership Advisory Board (3-yr term);*
- *approve D.O.T. resolutions authorizing addition of Crooked Creek Rd., Brookdale Rd., Woodhaven Dr. & Guilford Way to State Roads System, as follows:*

***WHEREAS**, the Department of Transportation has investigated Crooked Creek Road in the Crooked Creek 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 Crooked Creek Road in the Crooked Creek Subdivision be added to the Division of Highways' Secondary Road System; and*

***WHEREAS**, the Department of Transportation has investigated Brookdale Rd. in the Pinehaven Acres 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 Brookdale Rd. in the Pinehaven Acres Subdivision be added to the Division of Highways' Secondary Road System; and*

***WHEREAS**, the Department of Transportation has investigated Woodhaven Drive in the Hayfield Acres 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 Woodhaven Drive in the Hayfield Acres Subdivision be added to the Division of Highways' Secondary Road System; and*

***WHEREAS**, the Department of Transportation has investigated 0.21 miles Guilford Way in the Tarlenton's Trail 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 0.21 miles Guilford Way in the Tarlenton's Trail Subdivision be added to the Division of Highways' Secondary Road System.

Adoption of Randolph County Hazard Mitigation Plan

Paula Sloneker, Piedmont Triad Council of Governments, told the Board that the Federal Disaster Mitigation Act of 2000 and N.C. Senate Bill 300 require all local governments to have a hazard mitigation plan submitted to the State for their approval by January 2004. Prior to the plan's submission in January, the public must be offered at least 2 opportunities for review and comment. The first meeting was held in July 2003. Upon review and acceptance by N.C. Division of Emergency Management and FEMA, the plan, in its entirety, must be adopted by the Randolph County Board of Commissioners and each of the county's municipal jurisdictions by November 2004. Failure to adopt a plan means that there will be no State or Federal funding or public assistance in the event of a natural disaster. Financial assistance for disaster aid and recovery is the responsibility of the Federal government. However, constitutional authority to adopt and implement mitigation tools to reduce the impacts of natural disasters resides with State and local government. The multi-jurisdictional hazard plan that PTCOG is currently developing outlines the consensus hazard mitigation goals developed by the counties and their municipalities and the strategies that will be implemented by each jurisdiction to reduce or eliminate exposure to natural hazards. Ms. Sloneker, via a PowerPoint presentation, highlighted the components of the Multi-jurisdictional Hazard Mitigation Plan, including a list of potential natural hazards, mitigation goals and strategies. She also answered questions from the Board.

On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the following resolution titled "Randolph County Multi-Jurisdictional Hazard Mitigation Plan As Required By State Senate Bill 300 And In Order To Remain Eligible For State And Federal Disaster Relief Funding," which adopts the Randolph County Hazard Mitigation Plan, as presented:

WHEREAS, Randolph County, the Cities of Archdale, Asheboro, Randleman, and Trinity, and the Towns of Franklinville, Liberty, Ramseur, Seagrove, and Staley desire to remain eligible for State and federal disaster relief funds in the event of a declared disaster in Randolph County; and

WHEREAS, the Randolph County Board of Commissioners recognizes the value of having a plan in place for identifying, prioritizing, and mitigating potential and real hazards that could affect Randolph County; and

WHEREAS, Randolph County, the Cities of Archdale, Asheboro, Randleman, and Trinity, and the Towns of Franklinville, Liberty, Ramseur, Seagrove, and Staley have prepared a Multi-Jurisdictional Hazard Mitigation Plan and have revised the Plan as suggested by the North Carolina Division of Emergency Management after its submittal to the State and to County, City, and Town Departments for review and comment; and

WHEREAS, the North Carolina Division of Emergency Management has endorsed the proposed Randolph County Multi-Jurisdictional Hazard Mitigation Plan.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of Randolph County that it adopts the Randolph County Multi-Jurisdictional Hazard Mitigation Plan.

BE IT FURTHER RESOLVED that the Commissioners direct the County Manager to annually review the plan and propose revisions to Subsection 1: Unincorporated Randolph County Hazard Mitigation Plan when new data and information become available, as mitigation measures are achieved, and as mitigation strategies evolve; and

FURTHER, that the County may update and revise the hazard mitigation plan as it relates to any unincorporated area but does not affect any other jurisdiction. If any revision, update or amendment involves more than one jurisdiction, then the updates and revisions must be approved by all Commissioners and City and Town Councils of those jurisdictions which are affected. Copies of any revision, amendment or update to the plan by Randolph County must be sent to each jurisdiction to be filed with the City or Town Clerk and added to the Hazard Mitigation Plan; and

FURTHER, that after every five year cycle, the hazard analysis, vulnerability assessment and local capability sections of the plan will be reviewed, revised, and submitted to the respective County Board of Commissioners, and

City and Town Councils for its review prior to resubmission to the NC Division of Emergency Management and FEMA for approval.

FURTHER, that administrative changes, wording corrections, or insubstantial changes do not require additional action by the County Board of Commissioners or City and Town Councils. However, changes that may have a significant impact or significant expenditure of non-budgeted funds, may require action by respective elected bodies.

Presentation of Planning Process for Work First Program for FY 2005-2007

Martha Sheriff, County DSS Director, said that this fall, each county in North Carolina will again develop a Work First Block Grant Plan to be effective October 1, 2005 through September 30, 2007. The first decision to be made in the development of our plan is to decide whether Randolph County will seek electing county or standard county status. This decision must be reported to the NC Department of Health and Human Resources by September 30, 2004. The decision must be approved by the county commissioners with at least three fifths voting in favor. Electing counties will be designated by the General Assembly. Ms. Sheriff said that Randolph County DSS prefers to remain a standard county since we have operated as a standard county for the past two years and feel this is a better path for Randolph County than to be an electing county. A public comment period will be arranged in September. The plan for Randolph County will then be presented to the Commissioners at their October 4th meeting and then sent to the State for review by November 1, 2004. In addition, a planning committee must be appointed by the commissioners regardless of the status of the County. This committee must include representatives of the County Board of Social Services, the board of the Local Management Entity, the Local Public Health Board, the local school systems, the business community, the Board of County Commissioners, and community-based organizations that are representative of the population to be served. The Department of Health and Human Services also encourages the County to include other interested parties in the planning process, such as former and/or current Work First recipients, employers, child welfare staff, faith-based organizations, and others who may be a valuable resource in the planning process. Ms. Sheriff presented the following list of people who have agreed to serve on the 2005-2007 Planning Committee, many of whom served on the committee for the 2003-2005 planning process:

<u>CATEGORY</u>	<u>2005-2007</u>
Chamber of Commerce, Asheboro	George Gusler
Chamber of Commerce, Archdale	Beverly Nelson
DSS Board/Faith Community	Scott Wagoner
Board of Local Management Entity	Ann Suggs
Public Health Board	Carol Coble
County School System	Cindy Schroder
City School System	Kurt Lorimer
Board of County Commissioners	Robert Mason
Community Based Organization	Janice Scarborough
DSS Staff (Income Maintenance)	Gerri Britt, Libby Davis
Current Recipient	Arthur G. Williams

On motion of Mason, seconded by Davis, the Board voted unanimously to remain a “standard” county and appointed the Work First Planning Committee, as recommended above.

Award Bid on Imaging System

Annette Crotts, Computer Services Director, told the Board that pursuant to N.C. General Statute 143-129.8, which addresses the purchase of information technology goods and services, Randolph County issued a request for proposals for an Electronic Document Imaging and Management System on February 19, 2004. Under NCGS 143-129.8, information technology procurements should be based on the “Best Value” method. This means the selection of a contractor will be determined where the trade-off between

price and performance IS evaluated using quality as an integral performance factor. The announcement regarding our request for proposals was placed in the local newspaper and on our County website as well as mailed to various vendors on February 20, 2004.

This request for proposals was issued because Randolph County has been struggling for years with tons of paper stored for archival or current purposes. As part of our Strategic Planning Work Plan for 2004-2005, we identified a need for electronic records management, including a method of scanning existing paper documents as well as a method of reducing future paper documents through imaging at the time of creation. The request for proposal stated that at a minimum Social Services Food Stamps would be our pilot project; however, we wanted the option to include Public Health medical records and environmental records, Sheriff's Office paper files, and Tax Department historical files. (Tax has since decided to be excluded from this phase of the project. When funds are available for their equipment purchases, they can utilize the system.) The following proposals were received:

Vendor Information:	AmCad Reston VA	OneSource Greensboro NC	DocuVantage Winter Haven FL	Wausau Mosinee WI	Sovidian Charlotte NC
System hardware/software & DSS food stamps	302,085	366,137	1,107,526	717,995	1,315,977
Public Health records	7,206	49,890	162,800	20,998	50,930
Sheriff's Office records	10,455	20,290	33,629	14,575	18,980
Tax Department	37,400	48,600	138,800	2,000	37,850
Total Cost for 1 st year	357,146	484,917	1,442,755	755,568	1,423,737
Ongoing cost after 1 st year for maintenance	-0-	55,855	69,512	75,371	130,126

After extensive review and investigation, we found that no one vendor's proposal included everything we desired in our project. After evaluating the ratings on the proposals, we selected and worked with the two most responsive bidders. These two contractors and their proposed system were evaluated extensively. Below are their adjusted quotes.

Vendor:	AmCad	OneSource
Total Cost for 1 st year (excluding Tax Dept. options)	\$523,079	\$466,470
On-going cost after 1 st year for maintenance	\$57,013	\$52,050

The Technology Policy Team has voted unanimously to recommend the purchase of OneSource's software solution with the exception of their proposed backup solution. Instead, we are requesting that Computer Services be allowed to use the backup solution dollars to implement an alternate automated backup solution for the same dollars. To summarize:

\$ 436,317 OneSource
\$ 30,153 Backup Solution – (multiple vendors, with no vendor exceeding \$14,999)
 \$ 466,470 Total Project Cost

Presently, there is \$100,000 slated in the technology contingency fund for this project. Sufficient funds for the remaining purchase are currently available in the individual department's budget from encumbered funds or current budgetary dollars. Ms. Crofts requested that the Commissioners award the bid for an

Electronic Records Management system to OneSource for \$436,317 and approve the transfer of \$100,000 from the technology contingency fund to the Computer Services department. This transfer includes the \$30,153 for Computer Services to purchase an automated backup system through various vendors. Also, future budgets will need to include the ongoing cost of yearly maintenance for this system.

On motion of Davis, seconded by Frye, the Board voted unanimously 1) to award the bid for an Electronic Records Management system to OneSource for \$436,317, 2) to authorize the County Manager to approve purchases from this price proposal for an additional 18 months, as departments have funds available to implement a system within their departments, 3) to allow Computer Services to use \$30,153 to purchase a back-up system and 4) to approve Budget Amendment # 2, which transfers \$100,000 from the Technology Contingency Fund to the Computer Services department, as follows:

GENERAL FUND - #2		
Revenues	Increase	Decrease
Appropriations	Increase	Decrease
<i>Computer Services</i>	<i>\$100,000</i>	
<i>Contingency</i>		<i>\$100,000</i>

Presentation of Property Development For Non-Professionals New Program

Hal Johnson, Planning Director, reviewed a new program designed earlier this year to assist non-professionals through property development. He said that licensed general contractors, architects, engineers, and other professional developers have found the Randolph County Central Permit system effective and timely. However, our existing system has not always adequately supported those citizens who were not professional developers or contractors. These citizens often “fell between the cracks” of the development process and were often confused by the laws and codes that they had to navigate in order to complete their project. The County Planning Department will facilitate a specialized Property Development Advisory Team (PDAT) consisting of representatives from the Central Permit Office, Planning & Zoning Department, Environmental Health Department, Building Inspections Office, and the Fire Marshal’s Office. This team will meet on a weekly basis. The PDAT is designed to assist and help property owners who are not professional builders. Property owners in this context would include (but not be limited to): individuals, business owners, church groups or church organizations, athletic booster clubs, school groups or organizations (ex. parent teacher organizations), or any other for-profit or non-profit organization. The types of projects reviewed by the PDAT include (but are not limited to) conversions of residential structures to assembly, commercial, or industrial use, changing the use of existing assembly, commercial, or industrial structures, or building new assembly, commercial, or industrial structures. In addition the PDAT is required to review all special use permit applications and rezoning applications (with exception of major subdivisions) before application of public hearing can be applied for. These “non-professional” applicants will be identified by the Property Development Technicians and/or the Plan Review Officer. The Plan Review Officer will work with the applicant to determine the proposed development and will assist the applicant in writing his proposal. The Plan Review Officer will schedule a date for the applicant to meet with the PDAT. The Plan Review Officer will set the agenda with the assistance of the Planning Department Administrative Secretary. The agenda will be circulated to each committee member prior to the meeting. The meeting will allow the applicant to speak with all of the development departments at the same time to present a clear picture of the applicant’s plans. Each department representative will explain the department's requirements for the proposed development. After the meeting, the applicant will receive in writing a schedule of the permits and requirements necessary for his development. The Plan Review Officer will be available for continued assistance through the completion of the applicant’s project.

Announcement of Most Innovative & Effective Program Award

Frank Willis, County Manager, said that the North Carolina Association of County Commissioners' Risk Management Pool Board of Trustees has announced that Randolph County has been named the winner of the 3rd Annual Most Innovative & Effective Program Award for the Liability & Property Pool. In recognition of Randolph County's outstanding loss ratio, the Randolph County will receive a plaque and a cash award of \$10,000 at the State Association's Annual Conference later this month.

Request for New Position at Day Reporting Center and Budget Amendment

Jane Leonard, Deputy Finance Officer, said that the NC General Assembly has appropriated \$190,000 to the Randolph County Day Reporting Center. The juvenile program will receive \$140,000 and the adult drug court program will receive \$50,000. This money is recurring and does not require a County match. The juvenile funds will be used to keep existing employees and services that were in jeopardy of being cut because of reduced grant funds. The adult drug court funds will be used to hire a full-time case manager position to work more directly with the courts. She asked the Commissioners to allocate a new position (Case Manager I: Grade 63) to the Day Reporting Center and make a budget amendment to accept these funds.

On motion of Frye, seconded by Mason, the Board unanimously voted to allocate a new position (Case Manager I, Grade 63) to the Day Reporting Center and made Budget Amendment #3, as follows, to accept these grant funds:

GENERAL FUND--#3	
Revenue	Increase
<i>Restricted Intergovernmental</i>	<i>\$190,000</i>
Appropriation	Increase
<i>Day Reporting Center</i>	<i>\$190,000</i>

Invitation to RCS Watermelon Seed Spitting Contest

Chairman Holmes extended an invitation to attend the 2nd Annual Regional Consolidated Services Watermelon Seed Spitting Contest between the Board of Commissioner and the Asheboro City Council, to be held on 9/18 at 9:00 a.m. The defending champion is Commissioner Robby Davis.

Budget Amendment--Encumbrances

Jane Leonard, Deputy Finance Officer, said that an encumbrance is created when a contract is entered into or a purchase order is issued. Encumbrances outstanding at 6/30 must be recorded in the Fund Balance section of the County's Financial Statements and are added to the next year's budget by amending the budget. At 6/30/04, the encumbrances to be carried over to the 2004-2005 budget totaled \$3,700,053.

On motion of Frye, seconded by Davis, the Board unanimously approved Budget Amendment #4 to the FY 2004-2005 Annual Budget, as follows:

General Fund--4	
Revenue	Increase
<i>Appropriated Fund Balance</i>	\$3,621,111
Appropriations	Increase
<i>Administration</i>	\$ 34,782
<i>Computer Services</i>	11,560
<i>Elections</i>	127,623
<i>Tax</i>	1,865
<i>Register of Deeds</i>	162,227
<i>Public Buildings - Maintenance</i>	548,815
<i>Sheriff</i>	90,966
<i>Emergency Services</i>	197,936
<i>Public Health</i>	116,119
<i>Cooperative Extension Service</i>	19,500
<i>Social Services</i>	437,867
<i>Soil & Water</i>	38,851
<i>Other Economic & Physical Development</i>	1,333,000
<i>Contingency – Technology</i>	500,000

Emergency Telephone System Fund--4	
Revenue	Increase
<i>Appropriated Fund Balance</i>	\$78,942
Appropriations	Increase
<i>Wire line</i>	\$73,762
<i>Wireless</i>	\$5,180

Budget Amendment—Homeland Security Grants

Jane Leonard said that at June 30, 2003, two departments had revenue sources designated for a particular purpose with a balance remaining to be spent. These revenues need to be budgeted in the current fiscal year so the expenditures can be made for the purpose intended. The contributions for the Junior Sheriff’s Academy had an unspent balance of \$16,037.20. These contributions are collected in the spring and used for the Academy that is held annually, in July. The contributions and fund-raisers for the DARE program have an unspent balance of \$9,995. The Triad Chief’s and Sheriff’s Taskforce had contributions from several cities and counties for a match to our Governor’s Crime grant. Of these contributions, \$9,522.80 was not used to match the grant. These funds will be used to continue the program once the grants are exhausted. The Emergency Services department received approval for several Homeland Security grants. These grants had a balance of \$ 390,529.24 in unobligated funds.

On motion of Mason, seconded by Davis, the Board voted unanimously to approve Budget Amendment #5, as follows:

GENERAL FUND--#5	
Revenues	Increase
<i>Restricted Intergovernmental</i>	\$390,530
<i>Miscellaneous</i>	\$35,556
Appropriations	Increase
<i>Sheriff</i>	\$35,556
<i>Emergency Services</i>	\$390,530

Budget Amendment—Emergency Operations Center Grant

Will Massie, Deputy Finance Officer, said that Emergency Services has received a 2004 grant of \$740 from the NC Department of Crime Control and Public Safety to enhance the operation of the Emergency Operations Center. The funds will allow the County to purchase a ceiling-mounted projection screen and two inkjet computer printers.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve Budget Amendment #6, as follows:

Revenues	Increase
<i>Restricted Intergovernmental</i>	\$ 740
Appropriations	Increase
<i>Emergency Services</i>	\$ 740

Budget Amendment—Homeland Security Grant—Part II

Will Massie said that in order to to enhance the capacity of State and local first responders to react to a terrorism incident involving chemical, biological, nuclear, radiological, incendiary, and explosive devices, the Department of Homeland Security is providing a series of grants to assist in several areas of emergency preparation. These grants are partially allocated to counties on the basis of population and partially on a competitive basis. Randolph County has received a 2004 State Homeland Security grant for \$260,331; there are no matching requirements. A grant application has been filed to allow the County to enhance radio equipment interoperability (process signals from various public safety communications devices).

On motion of Kemp, seconded by Davis, the Board voted unanimously to approve Budget Amendment #7, as follows:

Revenues	Increase
<i>Restricted Intergovernmental</i>	\$ 260,331
Appropriations	Increase
<i>Emergency Services</i>	\$ 260,331

Update on Homeland Security Grants

Donovan Davis, Deputy Director of Emergency Management, updated the Board on all Homeland Security Grants that the County has received since 2002. He said that a Homeland Security Grant

Committee was established to oversee these grants by following grant guidelines issued and regulated by the NC Division of Emergency Management and the U.S. Department of Homeland Security, with final delegation to the Local Emergency Management Office. To date, Randolph County has been awarded a total of \$835,605.99 for equipment, training and exercises.

Closed Session

On motion of Frye, seconded by Kemp, the Board voted unanimously at 5:35 p.m. to go into closed session (1) to consult with the County Attorney to consider and give instructions concerning a judicial action titled "State of North Carolina, on Relation of, County of Randolph vs. Clarence Ray Jernigan individually and d/b/a Heath Amusement; Heath Cigarette and Music Service, Inc. d/b/a Heath Amusement; and James Worth Heath individually and d/b/a Heath Amusement," pursuant to N.C.G.S. 143-318.11(a)(3) and (2) to consider the qualifications, competence, performance, or condition of appointment of a public officer or employee or prospective public officer or employee, pursuant to N.C.G.S. 143-318.11(a)(6).

(Note: Closed session was recessed at 6:40 p.m. in order to hold the duly advertised rezoning public hearing scheduled for 6:30 p.m. The Board resumed this closed session following the rezoning public hearing where so noted in these minutes.) The Board returned to regular session at 6:40 p.m.

Rezoning Public Hearing

At 6:40 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 Holmes opened the public hearing for comments on each request and closed it before taking action on each request.

1. **ALLEN LONG & CHARLES GETTIG**, Seagrove, North Carolina, are requesting that 10.43 acres located on the corner of N.C. Hwy Bus 220 South/Burney Road, Richland Township, be rezoned from Highway Commercial/Residential Restricted/Residential Agricultural to Highway Commercial/Conditional Use. Tax ID# 7665770080, 7665667863, and 7665667680. The proposed Conditional Use Permit would specifically allow a public recreational club to include clubhouse, meeting hall, swimming pool, tennis courts, snack bar, batting cages, arcade, and 18-hole golf course. The Planning Board considered this request at a public meeting on July 13, 2004, and recommended unanimously that this request be denied as being incompatible with the community.

Allen Long, co-applicant residing at 6544 Old U.S. Hwy 220, Seagrove, withdrew his request.

On motion of Kemp, seconded by Mason, the Board voted unanimously to accept Mr. Long's withdrawal of his request.

2. **EARNHARDT BUILDERS, INC.**, Trinity, North Carolina, is requesting that 42.40 acres located on Hoover Hill Road (just past Old Park Drive), Trinity Township, be zoned to allow a residential exclusive cluster subdivision overlay. Lake Reese Watershed. Parcel ID# 7715861818. Zoning District RA. The Conditional Use Zoning District would specifically allow a 42-lot cluster residential subdivision for site-built or conventional modular homes with a minimum house size of 1,300 sq. ft. The Planning Board considered this request at public meeting on July 13, 2004, and recommended unanimously that this request be denied.

Charles Morgan, 4233 Village Dr., Trinity, said that he was the surveyor who had designed the proposed subdivision. He said that the soil testing that they had done indicates that most of the proposed site drains well. He said that Mr. Earnhardt had withdrawn his previous plat submission and they had completely redesigned the subdivision. Now there will be a buffer along the entire perimeter of the

subdivision. He said that almost all the lots are at about the same elevation. He said that there shouldn't be a lot of erosion and that the subdivision will be environmentally friendly. Davidson Water will be available. He said that 3 or 4 lots will be facing Hoover Hill Road and that the subdivision would be an asset to the community and should raise the tax value of surrounding properties.

Michael Pugh, Archdale realtor, said that this was a very good plan and that the developer had worked very diligently with the Planning Staff to meet all required criteria. He said that the developer would probably plant hardwoods along the Hoover Hill Road frontage to make the subdivision more attractive from the road. He said that the property across the road hasn't been developed yet simply because the land hasn't been available. He said the developer wants to be agreeable with the community and agreed to increase the minimum house size to 1500 sq. ft. He said that everyone who buys a home in this subdivision would have to join the homeowners association and pay dues.

Kim Lee, 4364 Old Park Rd., Trinity, said that she was representing herself, her husband and many neighbors. She asked for a show of hands of people who were present in opposition to this request—about 29 people raised their hands. Ms. Lee questioned why this area is classified as a primary growth area when there are no plans for a county sewer system in the foreseeable future. Mr. Johnson said that the plan looks at a 20-year projection and that it is possible that the area could have sewer by then. Ms. Lee cited major objectives passages from the growth management plan that stated that the plan tried to protect the quality of life of Randolph citizens as well as protecting farmland. Ms. Lee said that a subdivision such as the one proposed would very much worsen the quality of life for her family and neighbors. She said her husband's family had lived in the area for over 100 years. Ms. Lee distributed notebooks filled with pictures of homes in the area showing that the proposed subdivision was not compatible with surrounding homes. Ms. Lee stated that she had water quality concerns also since her property is downhill from the proposed subdivision. Ms. Lee cited watershed requirements that seemed to contradict the suitable construction of the proposed subdivision. She asked if she could get a guarantee that her water would not be adversely affected should the subdivision be built. Ms. Lee also had questions about the proposed homeowners association. She asked whose responsibility it would be to maintain all the open-space area. She also had concerns about increased traffic on the already congested Hoover Hill Road and nearby intersections. She asked about the Old Park Road easement—who has clear legal rights to use it and who will be liable for it? Also, she had concerns about the already overcrowded schools at Braxton Craven and Trinity High Schools. She also fears that her farm animals will suffer if this subdivision is built. She said that this area has been farmland for a very long time. Recently her husband cranked his tractor at 6:30 a.m. on a Saturday and a neighbor who lived in a new subdivision across the street complained about the noise. She said that farmers don't know the difference between a weekday and a weekend—it's just the "country" way of life. Ms. Lee distributed copies of questions that she would like the Board to consider.

Russell Draughn, 4650 Hoover Hill Road, had concerns about the septic systems in the proposed subdivision. He said that in the Planning Board meeting it was stated that most of the land wouldn't perk. Now the surveyor says that most of it will perk. He said that there is a low place on this land that will cause a lot of run-off.

On motion of Frye, seconded by Davis, the Board voted unanimously to deny the request of Earnhardt Builders.

3. **C. R. BOWERS**, Sophia, North Carolina, is requesting that 38.70 acres located at the corner of Hoover Hill Road/Snyder Country Road, Tabernacle Township, Lake Reese Watershed, be rezoned to allow an exclusive residential cluster subdivision overlay. Parcel ID#7714376743. Zoning District RA. The Conditional Use Zoning District would specifically allow a 17-lot residential cluster subdivision for

site-built homes with a minimum house size of 1,300 sq. ft. The Planning Board considered this request at a public meeting on July 13, 2004, and recommended by a vote of 5 to 1 that this request be approved.

Mark Terry, surveyor residing at 10837 N. Main St., High Point, said that a soils scientist had been hired to determine the maximum number of lots for this proposed subdivision. It was determined that the best use would be one house per three acres of land. He said that the developer wants the community to be happy with the subdivision. He said that the State would take over the road once all requirements are met.

John Beal, Poplar Ridge Subdivision, has concerns about the proposed sub-surface sewage system. If this system malfunctions, what will happen to the water? Will it contaminate the Uwharrie River? He said that his land would not perk.

Steve Garrison, 2308 Thayer Rd., asked how this land would perk now when it wouldn't one year ago when he tried to buy it. He asked Mr. Johnson to explain the open-space requirements. He also asked how the septic system would work. The Board explained to Mr. Garrison that the Health Department regulates the septic systems. If the Board approves the subdivision tonight and the Health Department determines that the septic systems are not feasible, then the subdivision cannot be built.

Dennis Farlow, 2563 Thayer Road, said that there was no way the soil would perk there. He also questioned the integrity of some of the environmental health specialists.

Keith Tucker, 2058 Thayer Road, said that he had lived here since he was 4 or 5 years old. The reason his family moved here was because they wanted to live in the country. He wouldn't dream of letting his children ride bikes on the roads now like he used to do because the road is so busy. He also has run-off concerns and he believes the septic system will not work properly. Also, with the requirement of tree buffers, who's going to keep the roots out of the septic systems? He says the proposed subdivision will add more burden to the already overcrowded schools. He spoke about a newspaper article where a realtor stated, "Help Change Randolph County's Image." He thinks Randolph County's image is just fine now. He said that some of the proposed homes might end up as rental property.

Kathryn Garrison, 2308 Thayer Road, said that she played in the nearby stream as a child. She said that e-coli was found in well water nearby. She has run-off concerns, as well.

Dwayne Hamby, 4602 Poplar Ridge Road, said that he is a wastewater treatment employee with the City of High Point and his experience tells him that these types of sub-surface septic systems fail frequently. He says he thinks the State allows some of these sub-standard systems so the State can make money from the fines of the failed systems.

About 30 people raised their hands in opposition to this request.

Mr. Bowers agreed to change the minimum house size to 1,500 sq. ft.

On motion of Davis, seconded by Kemp, the Board approved the request of C.R. Bowers by a vote of 4-1, with Frye opposing.

4. **JAMES STOUT**, Randleman, North Carolina, is requesting that the Conditional Use Permit at 5909 Harold Meadow Road, 6.90 acres, Providence Township, be amended to include propane gas sales and distribution and an office addition of 14' x 70' to the existing 100' x 80' building. Light Industrial/Conditional Use Zoning District. Sandy Creek Watershed. Tax ID# 8708138602. The existing Conditional Use Permit allows for a diesel repair business in the existing 100' x 80' building and a 70' x 30'

building to be constructed on site. The Planning Board considered this request at a public meeting on July 13, 2004, and recommended unanimously that this request be approved.

George Mueller, 5572 Earl Trail, said that he is concerned about these huge propane tanks being so close to his property. What will happen if the tanks leak or explode? Will it affect his house/property? Are the fire departments equipped and trained to handle a potential explosion of this size? He said that these big tanks would devalue his property. His wife mentioned that it was ironic because they elected to have electric heat because she didn't want a gas tank on her own property.

On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the request of James Stout.

5. **NORMAN LIVENGOOD**, Asheboro, North Carolina, is requesting the Conditional Use Permit for Three Lakes Subdivision on Luck Road, Grant Township, be amended to allow one additional 5-acre lot. Residential Restricted/Conditional Use Zoning District. Tax ID# 7771418438. The existing Conditional Use Permit for this subdivision allows 5 lots. The Planning Board considered this request at public meeting on July 13, 2004, and recommended unanimously that this request be approved.

Norman Livengood, 532 Luck Road, said that this parcel of land was the last that he would be able to develop. He had been raising goats but now it's no longer fun to raise goats.

On motion of Mason, seconded by Kemp, the Board voted unanimously to approve the request of Norman Livengood.

6. **BRANDON JENNINGS**, Randleman, North Carolina, is requesting that 1.86 acres located on the corner of Hwy 49 South/Union Church Road, Cedar Grove Township, be rezoned from Residential Agricultural to Highway Commercial/Conditional Use. Tax ID# 7639689801. The proposed Conditional Use Permit would specifically allow a landscaping supply business and construction of a 16' x 32' building for the office as per site plan. Vernon Cagle - Property Owner. The Planning Board considered this request at a public meeting on July 13, 2004, and recommended unanimously that this request be approved with the condition that Jennings provides a buffer along his north property line where his neighbor's residence is located.

Brandon Jennings, 1448 Betsy Lane, said that there would be no more than 4 employees and that the site would be graded level with Hwy 49. The entrance to the business would be from Union Church Rd.

Jerry Rorie, 1517 Union Church Rd. and adjoining property owner, is concerned that there won't be proper buffers between his property and the proposed business. He said that the banks would have to be properly sloped, seeded and maintained.

On motion of Davis, seconded by Frye, the Board unanimously approved the request of Brandon Jennings.

At 9:25 p.m., the Board resumed Closed Session.

At 9:50, the Board returned to Regular Session.

On motion of Frye, seconded by Davis, the Board voted unanimously to create a new position called Associate County Attorney and to appoint Aimee Scotton to this position at her current salary and to retain

Alan Pugh as County Attorney at an annual retainer of \$17,500, which will require Mr. Pugh to attend all County Commissioner meetings and all Planning Board meetings.

Adjournment

At 10:00 p.m., the Board adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Robert B. Davis

Robert O. Mason

Cheryl A. Ivey, Deputy Clerk to the Board