

## **Commissioners Meeting Minutes**

December 1, 2008

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, Frye, Haywood, Kemp and Lanier were present. Kim Newsom, Personnel Director, gave the invocation, and everyone recited the Pledge of Allegiance.

### **Recognition of Retiree**

Chairman Holmes recognized Neil Allen, Director of Emergency Services, for his 25½ years of service to Randolph County and presented him with an engraved clock.

### **Presentation of County Employee Service Awards**

Chairman Holmes and Vice Chairman Frye, assisted by Personnel Director Kim Newsom and Personnel Technician Sara Baker, presented County employee service award certificates and a piece of pottery to the following honorees: 15 Years of Service: Janice Kearns, Administration; Tammy Swaney, EMS; Marlene Dawalt, Health; Marion Ledbetter, Health; Jonna Libbert (not present), Library; Robert Cross, Maintenance; David Townsend, Public Works; Vicki Barton, Sheriff; Raymond Brady, Sheriff; Earl King, Sheriff; Lloyd Locke, Sheriff; George Morris, Sheriff; Jaynetta Butler, DSS; Tawanna Cain, DSS; Angel Little, DSS; Heather Thomas, DSS; Vickie Wilhoit, DSS; Sharon York, DSS; Marcus Frick, Tax; 20 years of service: Lisa Walker, Administration; Lewis Schirloff, EMS; Robin Whatley, EMS; Andrea Brunk, Health; Janet Nelson-Cagle, Health; Teresa Chamblee, Health; Diane Hicks, Health; Michael Walker, Health; Linda Hurley, Library; Joan Pittman, Sheriff; Pearl Ritter, DSS; Annette Sineath, DSS; 25 years of service: Neil Allen, EMS; Ann Vrem, EMS; Janice Pell, Health; Susan Coltrane, Library; Myra Long (not present), Library; Patricia Atwood, DSS; 30 years of service: Ronald Thompson, EMS; MiMi Cooper, Health; Annette Crofts, IT; Lindale Thomas, Maintenance; Allen McNeill, Sheriff; Charles Ratcliffe, Sheriff.

### **Announcement of Budget Award**

Will Massie, County Finance Officer/Assistant County Manager, announced that the County had received the Government Finance Officers Association Distinguished Budget Presentation Award for its 2007-2008 budget document. This is the fifth year for this accomplishment.

### **Special Presentation—Social Services**

Robert Suggs, Chairman, Social Services Board, presented the Commissioners a framed certificate recognizing the Commissioners in appreciation of their support of the Randolph County Department of Social Services. Mr. Suggs stated that the DSS mission is to provide residents access to programs that promote economic independence and family stability.

### **Special Presentation—Cooperative Extension**

Carolyn Langley, Director, Cooperative Extension—Randolph Center, presented each of the Commissioners, County Finance Officer and Clerk to the Board with a “thank-you and Merry Christmas” gift bag. Ms. Langley thanked the Commissioners for their support over the last year, especially with the move into their new location.

### **Reorganization of the Board**

*On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the following appointments: Chairman of the Board, Harold Holmes; Vice Chairman of the Board, Darrell Frye; County Attorney, Darren Allen (from Interim to Permanent Status); Associate County Attorney, Aimee*

Scotton; Clerk to the Board, Cheryl Ivey; Deputy Clerk to the Board, Amanda Varner; Representative to the Board of Health, Stan Haywood; Representative to the Social Services Board, Arnold Lanier; Representative to the Consolidated Mental Health Board, Darrell Frye; Representative to the Juvenile Crime Prevention Council, Phil Kemp; Representative to the High Point Transportation Advisory Board, Darrell Frye; Alternate Representative to the High Point Transportation Advisory Board, Stan Haywood; PTCOG Delegate, Darrell Frye; Piedmont Triad Partnership, Phil Kemp; Piedmont Authority for Regional Transportation, Darrell Frye; NCACC Legislative Liaison and Regional Planning Organization Transportation Advisory Committee, Stan Haywood.

**Public Comment Period**

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment. No one spoke.

**Approval of Consent Agenda**

On motion of Haywood, seconded by Lanier, the Board voted unanimously to approve the Consent Agenda, as follows:

- approve minutes of October 27, 2008 Retreat and November 3, 2008 regular & closed session;
- repeal the following Cable TV Ordinances:
  1. Procedure for Granting a Cable TV Franchise in Randolph County
  2. An Ordinance Granting a Franchise to Construct, Operate and Maintain a Community Antenna Television System in Randolph County, North Carolina to American Television and Communications Corporation (the 20-year agreement expired July 6, 2007)
  3. A Resolution by the County of Randolph, North Carolina Providing for the Change in Control of a Cable Television Franchise (Time Warner, Inc. to AOL Time Warner, Inc.)
  4. An Ordinance Amending Franchise Agreement Between Randolph County, North Carolina and Time Warner Cable (regarding franchise fee change from 3% to 5%)
- reappoint Cathy Clark, Rachel Fesmire, & Catherine Carter to Randolph County Board of Health;
- reappoint Reid Pell, Lynden Craven and Danny Shaw to Randolph County Planning & Zoning Board and Board of Adjustment;
- reappoint Luther Hollingsworth to Asheboro Planning Board as an Outside Member;
- reappoint Charles Teague to Randolph County Fire Commission;
- reappoint Christine Caviness to Adult Care Home Community Advisory Committee;
- appoint Janine Cone to the Nursing Home Community Advisory Committee (initial 1-yr. term);
- reappoint Roger King to PART Seamless Mobility Technical Advisory Committee;
- approve Budget Amendment #14 for Health Department (Family Planning Grant), as follows:

<b>2008-2009 BUDGET ORDINANCE</b>		
<b>GENERAL FUND- Amendment # 14</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$18,191	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Public Health</i>	\$18,191	

- approve Budget Amendment #15 for Health Department (Randolph Hospital Foundation), as follows:

<b>2008-2009 BUDGET ORDINANCE</b>		
<b>GENERAL FUND- Amendment # 15</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Miscellaneous Revenue</i>	\$4,775	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Public Health</i>	\$4,775	

- approve Budget Amendment #16 for Day Reporting Center, as follows:

<b>2008-2009 BUDGET ORDINANCE</b>		
<b>GENERAL FUND- Amendment # 16</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$10,998	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Day Reporting Center</i>	\$10,998	

- approve Budget Amendment #17 for Emergency Services (Homeland Security Grant), as follows:

<b>2008-2009 BUDGET ORDINANCE</b>		
<b>GENERAL FUND- Amendment # 17</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$35,000	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Emergency Services</i>	\$35,000	

- approve Pawnbroker License for Frank Chamberlin;
- approve Budget Amendment #18 for DSS (Crisis Intervention & Work First Functional Assessments), as follows:

<b>2008-2009 BUDGET ORDINANCE</b>		
<b>GENERAL FUND- Amendment # 18</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$226,960	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Social Services</i>	\$226,960	

### **Seamless Mobility Study**

Kurt Newfang, URS Corporation, presented the Piedmont Triad Seamless Mobility Plan, which is a comprehensive assessment of transit service and functions. He reviewed recommendations from the study, including funding needs: \$16 Million in unmet operating needs and \$24 Million in unmet capital needs. He also recommended that all Counties (in the region) implement a \$5 vehicle license fee and a ¼-cent sales tax to meet these needs. Mr. Newfang asked the Board to adopt a resolution accepting the Piedmont Triad Seamless Mobility Study and authorizing staff to participate in the development of the Piedmont Triad Seamless Mobility Work Plan, as recommended.

*Following discussion, on motion of Frye, seconded by Haywood, the board voted unanimously to table the Resolution Accepting the Piedmont Triad Seamless Mobility Study and asked the Clerk to invite Brent McKinney, Piedmont Authority for Regional Transportation Executive Director, to come to the January meeting in order to present the Study's impact on Randolph County. Following the January presentation, the Board will reconsider the requested resolution.*

**Approval of Convenience Site in Liberty**

Aaron Carter, County Public Works Staff Engineer, reported that his department has worked with the Town of Liberty for the past year to develop plans for a manned convenience site located in Liberty at 504 W. Brower Avenue. The Town has given the County a lease for the land at no charge with the understanding they will work with the County to provide the yard maintenance for the facility, as well. Randolph County will provide the capital cost for building the site, as well as hiring the contract employees to man the site. This will be a combination household solid waste collection site and recycling site. Mr. Carter stated that it will be manned all the hours it is open, which should be a very good benefit to the County residents in that part of Randolph County.

Mr. Carter added that the Liberty location will be the fourth site the County has and that the ultimate goal of Public Works will be to have five sites, one in each quadrant of the County and one at the Solid Waste Facility. Mr. Carter stated Public Works is still looking for a piece of property and a partner in the Archdale/Trinity area.

Mr. Carter presented bid tabulations from the bid opening on November 24, as follows:

<u>Company</u>	<u>Location</u>	<u>Bid Amount</u>
Uwharrie Builders, LLC	Troy, NC	\$132,582.00
Triangle Paving & Grading, Inc	Burlington, NC	\$148,619.20
Thompson-Arthur Division Apac-Atlantic, Inc.	Greensboro, NC	\$154,373.53
Barr Construction Company, Inc.	Greensboro, NC	\$158,284.55
Henley’s Construction Company, Inc.	Cheraw, SC	\$217,178.50

Mr. Carter asked the Commissioners to authorize Randolph County to enter into a contract with Uwharrie Builders of Troy, the low bidder. He added that the Randolph County Public Works budget already includes funds to build this site.

Mr. Carter also presented the proposed lease agreement between Randolph County and the Town of Liberty that states the length of the lease to be 25 years and details the responsibility of both parties. Mr. Carter asked the Board to authorize the County Manager to sign the agreement

*On motion of Kemp, seconded by Lanier, the Board voted unanimously to enter into a contract with Uwharrie Builders of Troy, NC for the construction of the convenience site at Liberty at a cost of \$132,582, to approve the proposed lease agreement with the Town of Liberty and to authorize the County Manager to sign the agreement.*

**Economic Development/CDBG Public Hearing Held and Second Public Hearing Set**

David Townsend, Public Works Director, said that the Randolph County Economic Development Corporation has applied for grant funds from the Department of Commerce and the Rural Center to assist an existing industry to expand. A requirement of the CDBG program requires two public hearings to be held. Mr. Townsend said that the first one, which had been duly advertised, was scheduled for 5:00 p.m. today, and would inform citizens that the County is considering proceeding with the grant application. A second public hearing is required where the actual details, including the cost of the grant and the potential industry’s name, will be duly noticed and discussed.

Chairman Holmes opened the public hearing. Hearing no comments, the Chairman declared that the hearing was closed.

*On motion of Kemp, seconded by Frye, the Board voted unanimously to set the second public hearing for 5:00 p.m. on January 5, 2009 for consideration of an economic development/CDBG project.*

**Jail Addition Study Presentation and Acceptance**

Col. Allen McNeill, Randolph County Sheriff’s Office, reminded the Commissioners that they approved a contract with Brennan Architects LLC to conduct a feasibility study for Randolph County to determine the County’s future jail needs. The study was to gather information that would allow the Commissioners to make an informed decision about the future long-term needs for jail space. Col. McNeill said that the 1997 jail already suffers from overcrowding on many occasions. The current jail is rated at 196 beds, but has housed well over 250 inmates many times. The Sheriff’s Department knows that the process of adding to the jail will take several years to plan and build. Col. McNeill and Sheriff Reid emphasized the importance of getting started now because the overcrowding situation will only get worse. Col. McNeill introduced Jim Brennan and Todd Davis and stated that they have met several times with County personnel to gather information, seek input, and offer ideas.

Jim Brennan, Brennan Architects, LLC, presented the results of the feasibility study, predicting average daily head counts of over 266 inmates by 2010. By 2030, the County could be dealing with as many as 335 prisoners per day. He also presented the following estimate to renovate the existing building and to construct a 256-bed addition that would address the growing population through 2030:

<b>BUILDING CONSTRUCTION COST</b>	<b>BASE BID</b>
New Construction (67,519 sq. ft. @ \$278/sq. ft.)	\$18,770,282
Door Renovations at Little “G” Housing Unit	\$227,360
Plumbing Additions at Little “G” Housing Unit	\$297,600
Miscellaneous Renovations ( <i>High Density Shelving/Inmate Property Storage, Renovate Existing Booking Area, Renovate Existing Library, Sallyport Add’n</i> )	\$1,077,500
<b>SITE IMPROVEMENTS</b> ( <i>Allowance</i> )	\$2,500,000
<b>ESTIMATED CONSTRUCTION COST</b>	<b>\$22,872,742</b>
<b>OTHER</b> ( <i>Allowance</i> ) Furnishings, Fixtures and Equipment	\$563,108
<b>TECHNICAL COSTS</b>	
A/E Fees	\$1,944,183
Geotech Investigations, Topographic Surveys, Testing	\$228,727
Construction Management Fees	\$1,029,273
Transition/Activation	\$343,091
<b>CONSTRUCTION CONTINGENCY</b> ( <i>Allowance</i> )	\$1,143,637
<b>LAND ACQUISITION/ROADWAY DEVELOPMENT</b> ( <i>Allowance</i> )	\$0
<b>TOTAL PROPOSED BUDGET</b>	<b>\$28,124,763</b>
<b>TOTAL BUDGET INCLUDING ESCALATION</b>	<b>\$30,937,239</b>

Mr. Brennan said that a second option would be to construct a smaller unit that could house 48 inmates plus do the renovations to the existing facility, which would produce another 16 beds at \$5.2

million. He also presented a third option for only the renovations to the existing jail, estimated cost of \$140,000, which would produce about 16 more beds.

Sheriff Reid added that his greatest concern is for the safety of his officers and other employees at the jail since crowded situations can be difficult to control. He stated that one officer recently suffered a broken nose in an altercation at the jail.

*On motion of Haywood, seconded by Frye, the Board voted unanimously to accept the jail addition study, as presented.*

### **Adoption of Resolution of Mutual Aid with Other Law Enforcement Agencies**

Col. Allen McNeill said that in 1979, the County Commissioners adopted a resolution of mutual aid with other law enforcement agencies. The North Carolina Sheriffs Association is now recommending that the following updated resolution be adopted by participating governing boards.

*On motion of Frye, seconded by Kemp, the Board voted unanimously to adopt a resolution of mutual aid with other law enforcement agencies, as follows:*

#### **RESOLUTION ADOPTING A POLICY FOR MUTUAL ASSISTANCE WITH OTHER LAW ENFORCEMENT AGENCIES**

**WHEREAS**, pursuant to N.C.G.S. 160A-288, the governing body of a county may adopt appropriate guidelines for the purpose of mutual assistance with other municipal and county law enforcement agencies; and

**WHEREAS**, pursuant to said laws, the law enforcement assistance to be rendered authorizes lending officers to work temporarily with officers of the requesting agencies, including in an undercover capacity, and lending equipment and supplies; and

**WHEREAS**, it is deemed to be in the best interests of the citizens of Randolph County to adopt a reasonable policy and guidelines whereby reciprocal law enforcement assistance can be both rendered to and obtained from other governmental jurisdictions; and

**WHEREAS**, such reciprocal assistance is necessary for effective law enforcement for the protection of the citizens of Randolph County.

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

1. The Sheriff is hereby authorized to enter into mutual assistance arrangements with other municipal and county law enforcement agencies, provided that the head of the requesting law enforcement agency makes such a request in writing.

2. The Sheriff is hereby authorized to permit officers of the Randolph County Sheriff's Office to work temporarily with officers of the requesting agency, including in an undercover capacity, and the Sheriff may lend such equipment and supplies to requesting agencies as he deems advisable.

3. All such requests and authorizations shall be in accordance with North Carolina General Statutes 160A-288, as applicable.

4. While working with a requesting agency, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and payment of judgments) as the officers of the requesting agency in addition to those the officer normally possesses.

5. While on duty with the requesting agency, an officer shall be subject to the lawful operational commands of the officer's superior officers in the requesting agency, but the officer shall for personnel and administrative purposes, remain under the control of the officer's own agency, including for the purposes of pay. An officer shall furthermore be entitled to worker's compensation and the same benefits to the extent as though he were functioning within the normal scope of the officer's duties.

6. The Sheriff is hereby authorized to enter into mutual assistance agreements with other law enforcement agencies in accordance with such reasonable arrangements, terms and conditions as may be agreed upon between the respective heads of the law enforcement agencies.

**Discussion of Holding Another ¼-Cent Sales Tax Referendum**

Following discussion of the overwhelming failure of ¼-cent sales tax referendums held across the state in November and other economic factors, the general consensus of the Board was to delay another referendum until economic conditions improve.

**Adjournment**

At 5:58 p.m., there being no further business, the meeting adjourned.

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J. Harold Holmes, Chairman

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Darrell L. Frye

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Phil Kemp

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Arnold Lanier

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Stan Haywood

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Cheryl A. Ivey, Clerk to the Board