

December 3, 2001

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, Davis, Holmes, Frye, and Mason were present. Rev. Michael "Kim" Snyder, First Assembly of God Church, Asheboro, gave the invocation, and everyone recited the Pledge of Allegiance.

### **Reorganization of the Board**

*On motion of Davis, seconded by Holmes, the Board unanimously voted to maintain the current organization of the Board, as follows: Chairman, Phil Kemp; Vice Chairman, Darrell Frye; County Attorney, Alan Pugh; Clerk to the Board, Alice Dawson; Deputy Clerk to the Board, Cheryl Ivey; Representative to the Board of Health, Robert Davis; Representative to the Mental Health Board, Harold Holmes; Representative to the Social Services Board, Robert Mason; Representative to the High Point Transportation Advisory Board, Darrell Frye; PTCOG Delegate, Darrell Frye; Piedmont Triad Partnership, Darrell Frye; Piedmont Authority for Regional Transportation, Darrell Frye.*

### **Consent Agenda**

*On motion of Davis, seconded by Mason, the Board voted unanimously to approve the consent agenda as follows:*

- *approve minutes from the November 5, 2001 meeting;*
- *reappoint Linda Covington to the Adult Care Home Community Advisory Committee (3-Year Term);*
- *reappoint Donnie Lassiter to the Seagrove-Ulah Metropolitan Water District (3-Year Term);*
- *reappoint Carol Coble, Dr. Cheryl Freeman, and Dr. Charles West to the Board of Health (3-Year Terms);*
- *reappoint James Lloyd Blair, Randal Bowman, and Donald Dalton to the Guil-Rand Fire District Commission (joint appointment with Guilford County);*
- *appoint Gary Parker (Archdale City Manager) to replace John Ogburn in the Archdale slot on the Water Resources Advisory Board (John Ogburn has been appointed to the Asheboro Slot);*
- *appoint Michael Rice (replacing Jose Palma, Jr.) and Jennifer Voss (Citizen-at-Large Slot) to the Juvenile Crime Prevention Council (Terms Expire July, 2002).*

### **Discussion of Rural Transportation Planning Organizations**

Darrell Frye introduced Randy Billings from the Piedmont Triad Council of Governments. Mr. Billings told the Board that recent state legislation has authorized voluntary Rural Transportation Planning Organizations (RPOs) comprised of local officials and representatives of local transportation systems for the purpose of rural transportation planning and to advise the N.C. Department of Transportation on rural transportation policy. These RPOs will be counterparts to Metropolitan Planning Organizations (MPOs) in urban areas. It is anticipated that the counties of Alamance, Caswell, Davidson, Montgomery, Randolph and Rockingham will join to form the Piedmont Triad RPO. This RPO will receive \$100,000 in state funding and will require a local match of \$25,000. Each participating county will need to provide a portion of the match based on either population or simply a one-sixth match. Mr. Billings asked that the Piedmont Triad Council of Governments be designated as the lead planning agency for this RPO. Once the county membership of the RPO has been determined (probably in January) Randolph County will need to approve a Memorandum of Understanding.

### **Resolutions for Extension of 18 Fire Insurance Districts**

Rick Davis, County Fire Marshal, told the Board that the N.C. Department of Insurance has enacted new regulations allowing counties to increase the size of their insurance districts so that they encompass up to six road miles from the fire station rather than the previous five. This designation allows property owners who fall within the insurance district to receive a discount on their insurance premiums with no additional cost or tax. New maps were drawn reflecting the new district boundaries along with written boundary descriptions

and sent to the N.C. Dept. of Insurance, who has granted approval. The next step is Board of Commissioner approval of the appropriate resolution for each fire district. Mr. Davis mentioned that Guil-Rand Fire District was the only district that elected not to change their insurance district boundaries because they did not want a split insurance rating.

*On motion of Frye, seconded by Davis, the Board approved resolutions (ATTACHED) for 18 fire districts in order to extend the fire district boundaries to encompass up to six road miles from the fire station for insurance rating purposes.*

### **NC Local Government Debt Setoff Clearinghouse Designation of Coordinator & Contact, Approve Resolution for Participation and Approve Memorandum of Understanding**

Ben Chavis, Tax Supervisor, told the Board that new state legislation allows a local taxing authority to enter into an agreement with the N.C. Local Government Debt Setoff Clearinghouse in order to file claims for state income tax refunds with the N.C. Department of Revenue against individuals who owe local government debts. Randolph County's cost of participation would be \$15 for each successful match of debt against an individual debtor's tax refund.

*On motion of Mason, seconded by Holmes, the Board voted unanimously to designate Ben Chavis as Dept Setoff Coordinator and Debt Setoff Contact, adopt the following resolution for participation and to approve a Memorandum of Understanding and Agreement:*

*WHEREAS, NCGS Chapter 105A, Setoff Debt Collection Act, authorizes the North Carolina Department of Revenue to cooperate in identifying debtors who owe money to local governments and who qualify for refunds from the Department of Revenue; and*

*WHEREAS, the law authorizes the setting off of certain debts owed to local governments against tax refunds; and*

*WHEREAS, the North Carolina Association of County Commissioners and the North Carolina League of Municipalities have jointly established a clearinghouse to submit debts on behalf of Randolph County, as provided by law;*

*NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of commissioners that the County will participate in the debt setoff program and hereby designates Ben Chavis, Tax Administrator, as the person to hold hearings and conduct necessary proceedings.*

*The Chairman and County Manager are hereby authorized to execute such documents and agreements as necessary to participate in the debt setoff program.*

### **Operational Agreement Between the County and the Soil & Water Conservation District Board of Supervisors**

Frank Willis explained that the Operational Agreement of October 2, 2000 between the County and the Soil & Water Conservation District Board states that the District Conservationist (a Federal employee) will act as department head. At the November 5, 2001 Board of Commissioners meeting, at the request of the Soil & Water Board, the Board of Commissioners appointed Jennifer Parks (a County employee) as department head for the Soil & Water Conservation District Department. Because of this change, the Operational Agreement needs to be amended to reflect the corrected wording.

*On motion of Frye, seconded by Holmes, the Board voted unanimously to amend the Operational Agreement between the County and the Soil & Water Conservation District Board of Supervisors to reflect the change that was made at the November 5, 2001 Commissioners meeting concerning the appointment of a County employee as department head from the previously required District Conservationist (Federal employee).*

### **Pawnbroker License Renewal for Frank Chamberlin**

Aimee Scotton, Staff Attorney, reported that Harry Frank Chamberlin had applied for a one-year renewal of his pawnbroker's license and that she had found his application to meet all County requirements.

*On motion of Mason, seconded by Holmes, the Board voted unanimously to renew the pawnbroker license of Frank Chamberlin for another year.*

### **Proposed Growth Management Plan**

Hal Johnson highlighted some changes in the proposed Growth Management Plan that had resulted from discussion during the last meeting. These changes sparked more discussion from the Commissioners and, as a result, Chairman Kemp suggested that at the January Commissioners meeting the Board set a special meeting date in January to work out the final details of the plan so that the Board could vote on it in February.

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Commissioner Mason left the meeting at this point and did not return.

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### **Public Hearing on Community Transportation Program**

Russ Keeney, Transportation Director for the Randolph County Area Transit System, told the Board that as a requirement of the Community Transportation Grant Application, the Randolph County Senior Adults Association, as the grant recipient, must hold a public hearing to receive citizen input. This public hearing has been duly advertised and requires no action from the Commissioners. Chairman Kemp asked for any comments or questions from the audience and, hearing none, closed the public hearing.

### **Recognition of Donated Internet Access to Juvenile Day Reporting Center Participants**

Joseph DiDona, Counselor with the Day Reporting Center, recognized and thanked Jane Moore from Atomic Networks for donating Internet access to the Juvenile Day Reporting Center. He stated that having this connection is crucial to the participants for study purposes. Chairman Kemp also commended and thanked Ms. Moore and Atomic Networks for their generosity and also commended all the employees of the Day Reporting Center for the outstanding work they are doing with these juveniles.

### **Rezoning Public Hearing**

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning and Zoning Administrator, 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. KEN MCDOWELL, Ramseur, is requesting that 31.90 acres located on Tall Pine Street, Cedar Grove Township, be rezoned from RA to RM/CU. The proposed Conditional Use Zoning would specifically allow the development of a 26-lot subdivision for singlewide mobile homes, doublewide mobile homes, modular homes and/or site-built homes. The Planning Board recommended, by a 6 to 1 vote, that this request be denied. The County Commissioners heard this request November 5, 2001, and tabled the request until the December meeting.

Chairman Kemp asked Mr. McDowell if he had determined an alternate access into the proposed subdivision. Mr. McDowell said that he had not because he had discovered that restrictive covenants in the current deeds prohibited using a lot as an access.

*On motion of Kemp, seconded by Holmes, the Board voted unanimously to approve the request of Ken McDowell as presented.*

2. RACHEL FESMIRE & JOYCE BROWN, Staley, are requesting that 24.81 acres (out of 130.50 acres) located on JC Teague Road, Columbia Township, be rezoned from RA to RE/CU. The proposed Conditional Use Zoning would specifically allow an 11-lot subdivision for site-built homes and off-frame modular homes with a minimum house size of 1,400 sq. ft. The Planning Board recommended unanimously that this request be approved.

**Joyce Brown**, applicant, 644 NC Hwy 42, Ramseur, spoke in support of her request.

*On motion of Holmes, seconded by Davis, the Board voted unanimously to approve the request of Rachel Fesmire and Joyce Brown.*

3. MICHAEL HURLEY, Asheboro, is requesting that 1.53 acres (out of 3.99 acres) located at 120 Spring Forest Road, Tabernacle Township, Lake Reese Watershed, be rezoned to amend the current HC/CU Zoning. The proposed zoning amendment would allow a 40 x 40 addition to the existing 40 x 60 building for motorcycle sales and service. The Planning Board recommended unanimously that this request be approved.

**Michael Hurley**, applicant, 148 Spring Forest Rd., Asheboro, spoke in support of his request, stating that he needs a place to store his junk.

*On motion of Frye, seconded by Davis, the Board voted unanimously to approve the request of Michael Hurley.*

4. DEAN HARDISTER, Randleman, is requesting that 148.80 acres located on Racine Road, Providence Township, Polecat Creek Watershed, be rezoned from RA to RE. The proposed Conditional Use Zoning would specifically allow the development of a 117-lot subdivision for site-built homes only with a minimum house size of 1,300 sq. ft. The Planning Board recommended unanimously that this request be approved.

**Dean Hardister**, applicant, 318 E. Brown St., Randleman, spoke in support of his request.

**Jay Pritchett**, 3570 Rolling Meadow Rd., Randleman, stated that the proposed subdivision, with its small lot sizes and 1,300 s.f. minimum house size, is not consistent with surrounding properties. He said that these homes would lower the tax values in nearby Woodfield Acres.

**Clarence Reynolds**, 2131 Providence Church Rd., stated that he is concerned about the number of lots proposed because they would substantially lower the water table. He asked that the minimum lot and house size be increased. He also mentioned that the traffic on Providence Church Road has increased drastically in the last several years and this proposed subdivision, if built, would ultimately require the building of another school in this area.

**Mark Roberts**, 5710 Racine Rd., said that he is concerned about the possibility of 117 more homes in the immediate area. These homes would greatly deplete the water table and cause drainage problems.

**Robert Reynolds**, 2219 Providence Church Rd., said that he was opposed to such a dense subdivision because people who live in subdivisions such as the one proposed with small lot sizes and small house sizes tend to be transient and don't usually contribute to the community.

**Wayne Reynolds**, 445 Terrance Creek Rd., Pittsboro, stated that he owns land near the proposed subdivision and he has water concerns as they relate to the farmers in the area as well as well/septic concerns to all surrounding property owners.

**Alice Carroll**, 2170 Providence Church Rd., asked everyone in opposition to Mr. Hardister's request to

stand. Approximately 18 people stood in opposition.

**Possum Ledbetter**, 8657 N.C. 22 N., stated that the road is not sufficient for current traffic, much less for 117 more homes.

**Margaret Reynolds Wade**, 2223 Providence Church Rd., stated that the proposed subdivision is too dense, would create hazardous traffic problems, would require the construction of a new school and would reduce the quality of life for neighbors. She also stated that much of the surrounding land is leased out for deer hunting and that this could be a potentially dangerous problem.

Darrell Frye stated that he felt this proposed subdivision was not consistent with rural nature of the area.

*On motion of Frye, seconded by Holmes, the Board voted unanimously to deny the request of Dean Hardister.*

There being no further business, the Board voted to adjourn at 7:25 p.m.

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Phil Kemp, Chairman

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J. Harold Holmes

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Darrell Frye

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Robert O. Mason

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Robert B. Davis

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Cheryl A. Ivey, Deputy Clerk to the Board