

April 1, 2002

The Randolph County Board of Commissioners met 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. John Ogburn gave the invocation, and everyone recited the Pledge of Allegiance.

Consent Agenda

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

- *Approve regular minutes for March 11 and March 18 and closed session minutes for March 11;*
- *Adopt the following proclamation:*
WHEREAS, the Declaration of Arbroth, which was signed on April 6, 1320, created a free and independent Scotland; and
WHEREAS, the history of the State of North Carolina is deeply tied to Scotland and the Scottish culture; and
WHEREAS, the United States Congress has declared April 6 as National Tartan Day; and
WHEREAS, the Governor of the State of North Carolina had declared the month of April as Scottish Heritage Month; and
WHEREAS, the City of Archdale and Randolph County and the Triad area are the home of the Triad Scottish Highland Games and the Triad St. Andrew Society;
THEREFORE, it is resolved that the City of Archdale and Randolph County declare April 6 as Tartan Day and the month of April as Scottish Heritage Month and encourage all citizens to wear and/or display their tartans and learn of the Scottish influence in our history and our present lives.

Approval of Memorandum of Understanding for the Piedmont Triad Rural Transportation Planning Organization (PTRPO)

Paul Kron, Planning Director for the Piedmont Triad Council of Governments, presented a memorandum of understanding for the creation of the PTRPO. He said this RPO includes the five counties of Caswell, Davidson, Montgomery, Randolph, and Rockingham. Alamance County has opted to expand their Metropolitan Planning Organization jurisdiction to include the entire county, thus making them ineligible for RPO participation. He noted that the Department of Transportation had made minor changes to the draft that the Commissioners had received earlier.

On motion of Frye, seconded by Davis, the Board unanimously approved the Memorandum of Understanding for the Piedmont Triad Rural Transportation Planning Organization.

Resolution Donating Ambulance to Randolph Hospital

Susana Vang, Purchasing Technician, reported that Randolph Hospital has requested the donation of one of the County's surplus ambulances to use for transporting patients from the hospital to the helipad on the hospital's property. She said most of the County's surplus ambulances bring \$3500 to \$4800 at public auction.

Neil Allen, Emergency Services Director, told the Board that the unit proposed for donation is worn out, and it would not be cost effective to try to keep it in service.

On motion of Holmes, seconded by Davis, the Board unanimously approved the following resolution:

WHEREAS, Randolph County has in its possession a 1995 Ford F-350 Ambulance (VIN#: 1FDKF37F2SEA54033); and

WHEREAS, Randolph County deems it advisable to declare surplus and dispose of this property; and

WHEREAS, Randolph County has received a request from Randolph Hospital to have this vehicle donated to them to transfer patients from its emergency department and intensive care unit to the helipad on the hospital's property; and

WHEREAS, Randolph County may, under GS160A-279, transfer property to Randolph Hospital;

NOW, THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners declare this vehicle be donated to Randolph Hospital.

BE IT FURTHER RESOLVED that Susana Vang, Purchasing Officer, is authorized to handle the transfer of this vehicle to Randolph Hospital.

Resolution Declaring Property Surplus and Setting Public Auction Date

Susana Vang, Purchasing Technician, presented a list of items no longer needed or usable by County departments and asked that these items be approved for public auction.

On motion of Holmes, seconded by Mason, the Board unanimously approved the following resolution (SEE ATTACHED for list of surplus items):

WHEREAS, Randolph County has in its possession the attached list of surplus personal property; and

WHEREAS, Randolph County deems it advisable to declare surplus and dispose of this property;

NOW, THEREFORE, BE IT RESOLVED that Susana Vang, Purchasing Officer, and Jane H. Leonard, Deputy Finance Officer, are authorized by the Randolph County Board of Commissioners to dispose of this property by public auction on Saturday, April 20, 2002 at 9:00 A.M. in the parking lot of the Old Randolph Rest Home.

BE IT FURTHER RESOLVED that the terms of the sale shall be cash, certified check, cashier's check, or personal check, and that for all items over \$200.00 a minimum of 10% deposit shall be required on the day of the sale to hold the bid for a maximum of five (5) working days following the sale. All sales will be final and all items are sold "as is, where is" with all faults.

BE IT FURTHER RESOLVED that all balance-due payments shall be made by 5:00 P.M. on the Friday following the sale in the Randolph County Purchasing Office, 725 McDowell Road, Asheboro, NC 27205, and that any bid deposit previously paid shall be forfeited if the balance due is not received by 5:00 P.M. on the Friday following the sale. Items purchased may not be removed from the County's premises until payment in full is made.

BE IT FINALLY RESOLVED that the County reserves the right to remove any item from the list of items to be sold prior to the auction. The County reserves the right to dispose of any items that do not sell at the auction by the appropriate method.

Request for Increase in Ambulance Fees

Neil Allen, Emergency Services Director, announced that the long-awaited national Ambulance Fee Schedule established by Congressional legislation would go into effect April 1, 2002. Medicare reimbursements for ambulance providers in North Carolina and several other states have been low, compared to actual costs to provide this service. The N.C. Association of County Commissioners adopted a goal to correct this disparity about five years ago. They also discovered that only N.C. and Tennessee do not receive Medicare reimbursement for mileage and brought a lawsuit against the Health Care Financing Administration to allow NC providers to charge for mileage. The Ambulance Fee Schedule establishes allowable charges based upon the level of care rendered to the patient and allows for the reimbursement for mileage from the point of pick-up to the nearest appropriate medical facility. This fee schedule will have a five-year phase-in period in order to allow for a fair and orderly manner of transition. Since Medicare reimbursement is based on the fee schedule or actual charges, whichever is less, we would be losing federal dollars if we do not adopt this fee schedule.

Mr. Allen noted that our ambulance fees have not increased since 1994. About 50% of the cost of this service is subsidized by taxes. The effect on citizens using this service would be minimal because only about 15% of transports are private pay. Mr. Allen reviewed the proposed new fee schedule and a comparison to charges in surrounding counties. He estimated that \$560,000 in new revenues would be generated next year through the adoption of the proposed fee schedule.

On motion of Frye, seconded by Holmes, the Board unanimously approved the proposed ambulance fee schedule, effective April 1, 2002, as follows:

<i>Basic Life Support (BLS) – Non-emergency</i>	<i>\$175</i>
<i>Basic Life Support (BLS) – Emergency</i>	<i>\$280</i>
<i>Advanced Life Support (ALS-1)</i>	<i>\$210</i>
<i>Advanced Life Support (ALS-1) – Emergency</i>	<i>\$330</i>
<i>Advanced Life Support (ALS-2)</i>	<i>\$480</i>
<i>Specialty Care Transport</i>	<i>\$570</i>
<i>Multiple Patients</i>	
<i>2 Patients</i>	<i>Base Rate x 75%</i>
<i>3+ Patients</i>	<i>Base Rate x 60%</i>
<i>Mileage</i>	<i>\$5.50</i>
<i>Treatment – No Transport</i>	<i>\$100</i>
<i>Patient Return</i>	<i>\$100</i>

Courthouse Security and Building Procedure Manual

David Townsend, III, Public Works Director, reviewed the Courthouse Security and Building Procedure Manual, which he had provided to the Board at their last meeting.

County Attorney Alan Pugh stated that, in his opinion, this manual should be adopted as a resolution to be sent to the resident Superior Court Judge with a recommendation that he issue an Order of the Court to make this manual mandatory.

On motion of Davis, seconded by Holmes, the Board approved the following resolution:

Be it resolved by the Board of Commissioners of the County of Randolph that it recommends to the Honorable Resident Judge of the Superior Court of the County of Randolph that the following be incorporated by Order of the Court, the following:

RANDOLPH COUNTY COURTHOUSE SECURITY AND BUILDING PROCEDURE MANUAL

This courthouse security and building procedure manual is designed to maintain a safe and contraband-free environment within the criminal and civil courtrooms and other areas of the Randolph County Courthouse. This manual also provides the guidelines for the day-to-day operations throughout the courthouse.

The courthouse will be open from 7:30 a.m. until 5:30 p.m. Monday-Friday for all employees. The courthouse will be open from 8:00 a.m. until 5:00 p.m. Monday- Friday to the general public. The Randolph County Sheriff's Office will provide security for the courthouse from 7:30 a.m. until 11:00 p.m. Monday-Friday.

This schedule will be implemented on the 1st day of July 2002.

A. Exceptions to Operating Hours:

- 1. In the event that a court or special hearing must continue to operate beyond normal hours, judicial officials, court personnel and court deputies will be on staff to work these events.*
- 2. Teen court is held on the 2nd and 4th Mondays of every month starting between 6:00 p.m. and 6:30 p.m. in the evening. All individuals and court personnel seeking entry after 5:00 p.m. will be required to go*

through the screening process. No public access will be allowed into the courthouse after 5.00 p.m. unless required for court or a special hearing.

The security committee must approve requests for non-court events at the courthouse.

B. The Security Plan Includes:

1. Screening of all persons entering the courthouse. This procedure will be accomplished in an efficient and effective manner.
2. Walk-through search of all secure areas prior to admittance of staff or public.
3. Monitoring of all public lobbies and exit doors by use of CCTV.
4. Walking patrols of all secure areas and response to areas inside or outside the courthouse where problems arise.
5. Response to activations of panic alarms or door alarms at various locations.
6. Walk-through search of all areas to make sure building is empty after lockdown.

C. The Screening Procedure:

1. All persons entering the courthouse through the main (north) entrance will go through the security screening process.
2. Judges, Clerk of Court, District Attorney, Magistrates, Court Reporters, and Sheriff will have access to the restricted lot on the south side of the courthouse.
3. All courthouse personnel **may be required** to go through the security screening process when using the employee entrance located on the first floor, west side of the building. All courthouse personnel are required to wear a picture ID access card at all times while inside the courthouse.
4. All law enforcement officers who come to the courthouse will check in at the security station for identification purposes. **Uniformed Officers** and **Plain Clothes Officers** unknown to security staff must have a standard picture ID card issued by their agency to be allowed to enter the courthouse while armed. Officers may go to the information desk on the first floor and sign out an access card for secured areas of the courthouse. If there is a need for officers to respond to an emergency situation at the courthouse when called upon for assistance, they will be passed through the screening point immediately.
5. **Officers On Personal Business In The Courthouse:** Officers who are a party to or witness for a case in which they are personally involved will not be allowed to enter the courthouse while armed. There will be no exceptions to this rule. Violations will be reported to head of courthouse security (Lt. Hussey or Sgt. Brewer).
6. **Out-of-County Officers-** Law enforcement officers who are not employed by a local department or assigned to Randolph County will not be allowed access to secured areas of the courthouse unless they are accompanied by a local officer who is properly identified and who identifies the out-of-county officer. When this situation occurs, the out-of-county officer will be escorted at all times by the local officer who is familiar with the security procedures.

D. Screening Steps:

1. Individuals entering the courthouse will be screened by use of walk-through magnetometers and/or hand-held magnetometers.
2. Individuals who bring items into the courthouse for court purposes must check in at the screening station on the first floor where the items will be checked and a validation sticker placed upon them.
3. The X-ray machine will scan packages, handbags, briefcases, books, mail, and file folders.
4. Individuals shall place all packages, handbags, briefcases, books, and large file folders on the X-ray conveyor belt and empty all pockets that contain any metal objects into a tray before entering the walk-through magnetometer. A positive indication by the magnetometer will require a second walk-through by the individual.
5. A second positive indication by the walk-through magnetometer will require a search using the hand magnetometer to locate the source of the positive indication. The security officer may take the person to the side and pat down the individual if it is determined that some suspected object is causing the positive indication and there is reasonable suspicion that the individual has an object that poses a security risk. **Only A FEMALE officer may conduct a pat-down search of a FEMALE.**
6. Suspicious images observed in packages or handbags shall be closely examined by having the owner open the package for inspection. If the officer believes that the suspicious item could be an explosive device, he should not open the package. He will clear the area and contact the supervisor.

7. Mail being brought into the courthouse will be screened through the X-ray machine, as will all packages delivered to the various departments in the courthouse. If a package is too large to fit into the X-ray machine, it will be inspected by the security officers prior to its passing the screening checkpoint.

E. Identification and Confiscation of Contraband:

1. Items such as illegal narcotics, firearms, knives, scissors, carpet or box cutters, letter openers or other edged weapons are considered contraband unless it can be shown that the person has a legitimate need to possess the item inside the courthouse.
2. When individuals are found with contraband, which constitutes a criminal violation, the items shall be seized and the person taken into custody or issued a criminal citation, depending on the circumstances.
3. Individuals found with items that would otherwise be legal to carry, such as small pocketknives or pepper spray, will be advised that they must take these items to their vehicles, homes, or offices, or place them in storage lockers located on the first floor of the courthouse. **The security officers will not store items for the individuals nor accept them as discarded property.**

F. Access to Restricted Areas:

1. No one is allowed in secured areas of the courthouse unless he is wearing a proper ID badge.
2. One-day visitor passes may be applied for and issued at the information desk located on the first floor. A visitor pass is good only in the secured areas of the courthouse and when accompanied by a proper ID holder (Photo ID).
3. Local attorneys, out-of-county attorneys and their employees may apply for an ID access card by filling out an application at the courthouse security office located on the first floor. The fee is \$15.00 for the initial card. There will be a \$25.00 fee for a duplicate card if lost or stolen.

G. Use of Attorney/Client Interview Rooms at Front Entrance to Courtrooms:

1. Attorneys or other court officials who take their clients or witnesses into the interview rooms at the front entrances of the courtrooms must be responsible for escorting them back into the courtroom. **ATTORNEYS SHOULD NEVER TAKE THEIR CLIENT OR WITNESS INTO THE SECURED AREAS OF THE COURTROOM.**
2. The secure areas are for court personnel and security officers (with proper ID picture access badge) and the only **EXCEPTION** will be for official business that requires the presence of a civilian.

H. Waiting Area:

The only public waiting area in the courthouse is located on the west side of the first floor. Vending machines will be in this area. **(NO SMOKING)**

I. Smoking Area:

1. The Randolph County Courthouse is a **NON-SMOKING** facility.
2. Smoking will be permitted in a designated area **OUTSIDE** of the main entrance (first floor) of the courthouse.

J. Exiting the Building:

1. The public exiting the building should use the front entrance doors located on the first floor.
2. Under no circumstances should anyone open one of the emergency exit doors to allow any person to enter the courthouse.

K. Emergency Evacuation Plan:

In the event of an evacuation at the courthouse, the courthouse security supervisor or his designee will notify each departmental supervisor. It will be each department supervisor or designee's duty to evacuate his or her division.

1. Clerk of Court for Clerk's personnel;
2. Chief Magistrate for the Magistrate's Office;
3. Chief Court Deputy for Sheriff's Office;
4. District Attorney for District Attorney's Office;
5. Probation Office Supervisor for Probation personnel;
6. Supervisors in each of the following offices: Guardian Ad Litem, Community Service Coordinator, Judges' Assistants, Department of Juvenile Justice, Maintenance/ Housekeeping, and any other personnel occupying offices or facilities on a regular basis in the courthouse.

L. Building Maintenance:

Building Maintenance will consist of one employee assigned to the courthouse 8:00 a.m. until 5:00 p.m. Monday- Friday. When other County maintenance staff needs entry into the courthouse, they must go to the

security check point and check in and advise the information officer of the nature and the location of their work. They will be allowed to take the necessary tools and materials to perform their duties, but will be cautioned to keep the tools in their possession at all times while in the public areas of the courthouse and not leave them unattended when leaving to get additional tools or materials. **When the maintenance staff have completed their tasks, they should return to the information desk and check out.**

M. Custodial Staff:

1. Custodial personnel assigned to the courthouse will clean the courthouse between 5:30 p.m. and 11:00 p.m. Monday- Friday.
2. Custodial personnel assigned to the courthouse will enter and exit through the security checkpoint at the public/employee entrance.

N. Civilian Contractors or Maintenance Workers:

A member of the Randolph County Maintenance staff must accompany civilian contractors or maintenance workers for them to have access to the courthouse.

O. Penalties:

1. Any violations of this manual may result in revocation of an individual's I.D. access card by the courthouse security supervisor.
2. Any revocation of an I.D. access card may be appealed to the Courthouse Security Supervisor or Security Committee.

P. Security Committee:

The Commissioners hereby appoint the Chief District Court Judge, Elected District Attorney, Elected Sheriff, Elected Clerk, and Local Bar President or their designees to enforce or modify this document in their discretion.

Resolved this first day of April 2002.

Budget Amendment – Health

MiMi Cooper, Health Director, reported that the Health Department has received an increase in Food & Lodging Fees funding from the State because we have successfully completed all quarterly inspections in the county.

On motion of Frye, seconded by Davis, the Board unanimously approved Budget Amendment #32, as follows:

GENERAL FUND - #32	
Revenue	Increase
Restricted Intergovernmental	\$5,747
Appropriation	Increase
Public Health	\$5,747

Budget Amendment – 911 Fund

Will Massie, Deputy Finance Officer, reported that, as a result of our search for cost savings to reserve in the "Easley Accounts," the Computer Services Department has identified certain costs that can be moved to the Emergency Telephone Fund. These costs are for maintaining and updating the GIS/Addressing system used by emergency communication to locate 911 calls.

On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #33, as follows:

911 EMERGENCY TELEPHONE SYSTEM FUND - #33	
Revenue	Increase
Wireless Tax	\$10,000
Appropriated Fund Balance	\$50,024
Appropriation	Increase
Information Management	\$60,024

Budget Amendment – Glenola Project

Will Massie, Deputy Finance Officer, stated that the Department of State Treasurer has finalized the debt schedule for the Clean Drinking Water Loan, which funded the recently completed Glenola Project. The May 1 payment includes accrued interest that was not part of the original budget. Funds for this payment will come from the annuity purchased by Davidson Water.

On motion of Mason, seconded by Davis, the Board unanimously approved Budget Amendment #34, as follows:

GENERAL FUND - #34	
Revenue	Increase
Miscellaneous	\$21,852
Appropriation	Increase
Debt Service	\$21,852

Junked Vehicle Problem in Municipalities’ Extraterritorial Zoning Jurisdiction (ETJ)

Chairman Kemp reported that he had been approached by Asheboro City officials who are concerned about the problem of junked vehicles in their ETJ. Liberty and Randleman are also concerned about this issue. Municipalities can’t use police power beyond their city limits; they can enforce zoning only. The County’s junked vehicle regulations are in our zoning ordinance, and we can’t enforce zoning the cities’ ETJ.

Aimee Scotton, Staff Attorney, suggested that the cities put their junked vehicle regulations into their zoning ordinances. Alan Pugh, County Attorney, agreed and said enforcement should be through civil penalties, not criminal. He said he, Ms. Scotton, and the city attorneys would have a meeting to discuss this problem. They will also check with the Institute of Government. They will report to the County Commissioners at the May or June meeting.

Public Hearing – Rural Operating Assistance Program (ROAP) Grant

At 5:30 p.m. the Board adjourned to a duly advertised public hearing concerning the FY 2002-03 ROAP grant application.

Russ Keeney, Transportation Director, Randolph County Area Transit System, told the Board that this grant consolidates the Elderly and Disabled Transportation Assistance Program, the Work First Transitional/Employment Transportation Assistance Program and the Rural General Public Program into a single package. The \$129,996 requested is based on formulas approved by the General Assembly.

Chairman Kemp opened the public hearing. No one was present to speak. Chairman Kemp closed the public hearing.

On motion of Frye, seconded by Holmes, the Board unanimously approved the FY 2002-03 ROAP grant application.

Chairman Kemp recessed the meeting until 6:30 p.m.

Rezoning Public Hearing

The Board adjourned at 6:30 p.m. to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning Director, presented the following request:

1. **LABEL LINE**, Asheboro, North Carolina, is requesting that 15.33 acres located at 5356 NC Hwy 49 South, Concord Township, be rezoned from Highway Commercial/Conditional Use to Light Industrial/ Conditional Use. The proposed Conditional Use Zoning District would specifically allow the expansion of the existing business for printing tags, labels and slitting paper as per site plan. Property Owner: William and Rebecca Lineberry. The Planning Board recommended unanimously that this request be approved.

Mr. Johnson noted that the site plan proposes evergreens along Grange Hall Road.

Chairman Kemp opened the public hearing for comments. Hearing none, he closed the hearing.

On motion of Holmes, seconded by Davis, the Board unanimously approved the request of Label Line, with the condition that evergreens be planted on the Grange Hall Road side, as shown on the site plan.

Adjournment

The meeting adjourned at 6:35 p.m.

Phil Kemp, Chairman

Darrell L. Frye

J. Harold Holmes

Robert B. Davis

Robert O. Mason

Alice D. Dawson, Clerk to the Board