

March 10, 2003

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 Davis, Mason, Holmes, and Frye were present. Vice Chairman Frye presided in Chairman Phil Kemp's absence. Rev. Marion Smith gave the invocation, and everyone recited the Pledge of Allegiance.

Recognition of Retirees

Vice Chairman Frye presented engraved clocks to Elizabeth Ruffin, who is retiring from the Department of Social Services with 32½ years of service, and to Linda Cockerham, who is retiring from the Library with 35½ years of service.

Consent Agenda

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

- *approve regular and closed session minutes of February 3, 2003 and special meeting minutes of February 25, 2003;*
- *unseal closed session minutes of 5/7/01, 7/9/01, 9/4/01, 1/7/02, 2/4/02, 5/6/02, 6/3/02, 6/20/02, 7/8/02, and 8/5/02;*
- *reappoint Gray Ferguson as Animal Cruelty Investigator (1-yr. term);*
- *reappoint Dick Renigar to Adult Care Home Advisory Committee (3-yr. term)*
- *reappoint W. Jack Smith to Liberty Planning & Zoning Board as an extra-territorial member (3-yr. term);*
- *reappoint Olen Stuart to the Archdale Planning Board as an extra-territorial member (3-yr. term)*

Recognition of Randolph County Outstanding Volunteers for 2002

Garlene Rich, Randolph County Volunteer Center Interim Director, recognized their outstanding volunteers for 2002: Anne Potter, Robert Jenkins, Gail Walker, Katie Snuggs and Helen Steele. Vice Chairman Frye presented certificates of appreciation to the volunteers on behalf of the Board of Commissioners.

Vote on Mental Health Merger With Sandhills Mental Health Program; Resolution Authorizing Merger; Merger Agreement

Mazie Fleetwood, Randolph County Area Mental Health Director, told the Board that during the past year, the Randolph County Mental Health, Developmental Disabilities, and Substance Abuse Board of Directors and staff have been working to meet the requirements of the reform of the N.C. Mental Health System as specified in the Reform Bill (House Bill 381) and the reform plan developed by the Secretary of Health and Human Services. The plan seeks to address five areas of system reform, which include governance, consolidation of area programs, change in area program roles, redefinition of service populations, and reduction of institutional beds. The proposed deadline for the consolidation of all area program/local management entities from 38 systems down to 20 is January 1, 2007. She reminded the Board that, at their September 3, 2002 meeting, they had adopted a resolution of support for our Mental Health Program to pursue an affiliation with the Sandhills Center.

Ms. Fleetwood answered questions from the Board about the proposed merger. Board members expressed concern about whether local funding would be used proportionately so that Randolph County residents would not suffer a significant decrease in services. Vice Chairman Frye expressed concern about whether the Archdale site would remain open for service delivery. Ms. Fleetwood said that all this

would have to be worked out during the coming months and years that they will be jointly developing their plan. She said that she would be coming back to this Board in April or May for their appointments to the newly formed joint board.

Ms. Fleetwood stated that the Randolph County Mental Health Board also recommends that the Randolph program merge with the Sandhills program since Randolph County's population of 133,309 is well below the catchment area size of 200,000 that the State has specified.

On motion of Holmes, seconded by Mason, the Board voted 3-1, with Frye opposing, to approve a resolution authorizing the merger between the Randolph County Mental Health Program and the Sandhills Mental Health Program, as follows:

WHEREAS, the Boards of Commissioners of the counties of Moore, Montgomery, Richmond, Hoke and Anson have established an Area Mental Health Authority under the name of Sandhills Center for Mental Health, Developmental Disabilities and Substance Abuse Services; and

WHEREAS, the Board of Commissioners of Randolph County have established an Area Mental Health Authority under the name of Randolph County Mental Health, Developmental Disabilities, Substance Abuse Program; and

WHEREAS, with the authority and consent of the Board of Commissioners of Randolph County, the Randolph County Mental Health, Developmental Disabilities, and Substance Abuse Program wishes to merge with Sandhills Center for Mental Health, Developmental Disabilities and Substance Abuse Services; and

WHEREAS, the Board of Commissioners of Randolph County consent to the addition of the Randolph County Mental Health, Developmental Disabilities, and Substance Abuse Program to the Sandhills Center for Mental Health, Developmental Disabilities and Substance Abuse Services; and

WHEREAS, the Board of Commissioners of Randolph County do believe it will be in the best interests of the citizens of all of the applicable counties to add to the Sandhills Center for Mental Health, Developmental Disabilities and Substance Abuse Services catchment area the Randolph County Mental Health, Developmental Disabilities, and Substance Abuse Program under the terms and conditions set forth below;

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF RANDOLPH COUNTY, as follows:

1. **Merger of Sandhills Center for Mental Health, Developmental Disabilities and Substance Abuse Services and Randolph County Mental Health, Developmental Disabilities, and Substance Abuse Program.**

Effective July 1, 2003, Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Services shall provide mental health, developmental disabilities, and substance abuse services in the counties of Moore, Montgomery, Hoke, Richmond, Anson, and Randolph. Nothing contained in this Resolution shall affect the previous legal status of the Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Services, and this Resolution establishes and recognizes the merger of Randolph County Mental Health, Developmental Disabilities, and Substance Abuse Program into Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Services.

2. **Status, Powers and Duties of Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Authority.**

Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Services shall continue to be a local political subdivision of the State of North Carolina pursuant to N.C.G.S. §122C, and shall have all powers and duties conferred upon it by that statute.

3. **Structure of the Board.** Effective July 1, 2003, a new Area Board of Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Services shall be appointed and shall meet the requirements of N.C.G.S. §122C-118 and be comprised of twenty-two (22) total members, with five (5) from Moore County, two (2) from Anson County, three (3) from Richmond County, two (2) from Hoke County, two (2) from Montgomery County; and eight (8) from Randolph County.

4. **Organization of the Area Board.** *The newly created Area Board shall elect a chairman and a vice-chairman, and shall be organized as provided by N.C.G.S. §122C-119.*

5. **Budget and Audit Requirements.** *Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Services shall maintain in its budget, in accordance with Article 3 of Subchapter III of Chapter 159 of the General Statutes, the Local Government Budget and Fiscal Control Act, as required by N.C.G.S. §122C-144.1(c). A copy of this audit shall be given to the County Commissioners of each constituent county of the Area Authority.*

6. **Amendment.** *This Resolution may be amended by a Resolution jointly approved by the Boards of Commissioners of the counties of Moore, Montgomery, Hoke, Anson, Richmond, and Randolph.*

7. **Effective Date.** *This Resolution shall be effective as of July 1, 2003.*

On motion of Holmes, seconded by Mason, the Board voted 3-1, with Frye opposing, to approve an agreement (ATTACHED) to merge the Randolph County Mental Health Program and the Sandhills Mental Health Program.

On motion of Holmes, seconded by Mason, the Board voted 3-1, with Frye opposing, to approve the April 1 submission of the Local Business Plan, as presented.

Vice Chairman Frye commended Ms. Fleetwood, her staff and the Mental Health Board for their hard work.

At this time, Vice Chairman Frye recognized Archdale Mayor Bert Lance-Stone, who was in attendance due to a requirement of an Archdale/Trinity Chamber of Commerce leadership program that she is taking.

Community Development Block Grant Project for the 2003 Scattered Site Housing Grant Public Hearing; Adoption of Resolution Approving Administrative Guidelines and Policies; Appointment of Committee

David Townsend, III, told the Board that following this Board's 2/3/03 approval, the grant ordinance, funding approval and grant agreement for the 2003 Scattered Site Housing Project were forwarded to the North Carolina Department of Commerce in Raleigh. The second required public hearing was duly advertised and scheduled for 5:00 p.m. today. Since Federal HUD funds are used for this project, a requirement of the CDBG program is that the County must adopt various policies to insure these funds are spent correctly. He said that there are 19 administrative policies, plans, certifications and procedures that need to be approved and one to be reaffirmed by the Board of Commissioners for submission to the Dept. of Commerce. These items have been incorporated into one resolution for the Board's approval. Mr. Townsend also told the Board that a Scattered Site Housing Committee needed to be appointed to oversee the program.

At 5:40 p.m., Vice Chairman Frye opened a duly advertised public hearing and, hearing no comments, closed the public hearing.

On motion of Mason, seconded by Davis, the Board voted unanimously to appoint David Townsend, III, Director of Randolph County Public Works; Patty Brown, Ass't. Director of Randolph County Public Works; Paxton Arthurs, Randolph County Chief Building Inspector; Lynn Priest, City of Asheboro Community Development Director; Mike Walker, Randolph County Environmental Health

Supervisor; Chad Howell, Liberty Town Manager; and Janice Scarborough, Regional Consolidated Services Director, to the Randolph County Scattered Site Housing Committee.

On motion of Holmes, seconded by Davis, the Board voted unanimously to approve a resolution (ATTACHED), which includes 19 administrative policies, plans, certifications and procedures.

Criminal Justice Partnership Program Application; Contractual Agreement with Montgomery County

Pam Hill, Day Reporting Center Director, asked the Board for their approval of the grant application and budget for submission to the State for continuation of implementation funding for FY 2003-04. She mentioned that the Governor's (recently released) budget proposes only a 5% reduction in CJP programs. She also asked that the Board approve the contractual agreement with Montgomery County for the purpose of providing substance abuse treatment and educational services, transportation services, employability/job search classes, and case management for pre-trial participants referred by the Adult Probation Officers and the Court.

On motion of Holmes, seconded by Mason, the Board voted unanimously to approve the application and budget as presented for the Criminal Justice Partnership Program for FY 2003-04.

On motion of Holmes, seconded by Mason, the Board voted unanimously to approve the contractual agreement with Montgomery County, as presented.

Approve Emergency Pay Policy

Kim Newsom, Randolph County Personnel Director, told the Board that currently the County has no mechanism that would allow for monetary compensation to employees who work overtime due to an emergency or disaster situation. The proposed addition to the Personnel Policy would remedy the situation, regardless of an official declaration of emergency.

On motion of Davis, seconded by Holmes, the Board voted unanimously to approve an emergency pay policy to be included as Section 11 of the County Personnel Policy as the last section in Article III—Pay Plan to be effective immediately, as follows: Section 11. Emergency Pay. In the event of a significant disaster or emergency, the County Manager may authorize emergency pay for essential employees, determined by the Department Heads, to perform emergency work activities beyond their typical work assignments. In these circumstances, the County Manager may approve non-exempt employees under the Fair Labor Standards Act to be paid monetary compensation rather than compensatory time for hours deemed to be overtime. Also, exempt employees, other than Department Heads, may be authorized for emergency pay on an hour-for-hour basis.

Bid Award For File Storage System

Susana Vang, Purchasing Technician, told the Board that the Randolph County Board of Elections has requested to purchase an automated file storage/retrieval system for the storage of voter registration cards. The following informal bids were received:

Vendor	Equipment Description	Total Bid
Add-Rite Business & Financial Systems	Lektriever 2000	\$23,979
Patterson Business Systems	Lektriever 2000	\$17,979
Southern Business Systems	Lektriever 2000	No Bid

On motion of Holmes, seconded by Mason, the Board voted unanimously to award the bid for the Lektriever 2000 system to the low bidder, Patterson Business Systems, for \$17,979.

Appoint Barbara Wall to Agricultural Advisory Board

Lynn Qualls, Cooperative Extension Director, reminded the Board that at their February meeting, they had appointed Jill Smith to the Agricultural Advisory Board. It was later ascertained that the Board had been inadvertently given the wrong name and that Kim Griffin was actually the person the Board believed they were appointing. However, Kim Griffin, who had agreed to serve as an Area 3 member, cannot serve due to her current appointment on the Randolph County E&R Board. Ms. Qualls said that Barbara Wall has agreed to represent Area 3 on this Board.

On motion of Holmes, seconded by Davis, the Board voted unanimously to appoint Barbara Wall as an Area 3 regular member of the Randolph County Agricultural Advisory Board.

Approve Contract with Justice Benefits International (JBI) to Seek Federal Financial Participation at the Jail

Aimee Scotton, County Attorney, and Fred Rutledge, Jail Supervisor, told the Board that there are a number of law-enforcement services that the County provides for which the federal government offers reimbursements. JBI provides professional assistance to explore opportunities for federal reimbursement and will then assist the County in securing those reimbursements. There is no up-front fee for these services; JBI instead charges a percentage (17%) of any new funds received by the County as a result of its efforts. The initial term of the proposed contract is four years, but either party may cancel the contract upon 30 days’ written notice prior to the beginning of the County’s fiscal year.

On motion of Holmes, seconded by Davis, the Board voted unanimously to approve the proposed contract with Justice Benefits International and authorized the County Manager to sign the contract.

Approval of Agreement between Randolph County Sheriff’s Department and North Carolina Administrative Office of the Courts (AOC) to Provide Access to AOC Data

Major Allen McNeill told the Board that the Sheriff’s Department would like to enter into an agreement with the AOC in order to gain access to the State’s AOC Magistrate System. The purpose would be to access potentially vital investigative information contained therein and to streamline the issuance of warrants by members of the Sheriff’s Office. There is only a \$200 initial set-up fee.

On motion of Holmes, seconded by Mason, the Board voted unanimously to approve an agreement, as presented, with the N.C. Administrative Office of the Courts in order to access AOC data.

Budget Amendment For a Multi-County Drug Task Force

Sheriff Litchard Hurley told the Board that he would like to join a new multi-county drug task force that consists of Guilford, Forsyth, Alamance, Caswell, Davidson and Person. Each county will appoint an officer to work on the task force full-time during the duration of the operation. Each agency is funding the task force with \$25,000 in up-front money. He would like to use \$25,000 of restricted law enforcement funds to fund this operation.

On motion of Davis, seconded by Holmes, the Board voted unanimously to approve Budget Amendment #27, as follows:

GENERAL FUND - # 27	
Revenues	Increase
Appropriated Fund Balance	\$25,000
Appropriations	Increase
Sheriff’s Department	\$25,000

Library Agreement Between City of Archdale and Randolph County for FY 2003-2004

Richard Wells, Library Director, told the Board that the Archdale City Council approved the new City-County library agreement regarding the sharing of expenses for maintenance and service delivery for FY2003-2004 at its last Council meeting and asked this Board to do the same.

On motion of Holmes, seconded by Davis, the Board voted unanimously to approve the Archdale-Randolph County library agreement, as presented.

Request for Refund of Excise Taxes

Aimee Scotton, Staff Attorney, told the Board that Attorney James Wilson has requested the refund of excise tax paid on two deeds that were erroneously filed in Randolph County. One deed (\$225.00 excise tax paid) should have been filed in Davidson County and the other deed (\$220.00 excise tax paid) should have been filed in Alamance County. The total refund due to Mr. Wilson’s office is \$445.00. The law firm of Wyatt Early Harris & Wheeler has requested a refund on excise tax paid in the amount of \$4,472.00 on 7 deeds that were filed in Randolph but should have been filed in Guilford County. Pursuant to N.C.G.S 105-228.37, the Board of Commissioners may approve the requested refund.

On motion of Holmes, seconded by Mason, the Board voted unanimously to approve the refund of \$445.00 to Attorney Jim Wilson’s office and \$4,472.00 to the law firm of Wyatt Early Harris and Wheeler.

Budget Amendment – Mental Health

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

GENERAL FUND - # 28	
<i>Appropriations</i>	<i>Increase</i>
<i>Mental Health Expenditures</i>	<i>\$1,450,101</i>
<i>Revenue</i>	<i>Increase</i>
<i>State Mental Health Revenue</i>	<i>\$33,092</i>
<i>Medicaid Revenue</i>	<i>\$1,396,961</i>
<i>Local Mental Health Revenue</i>	<i>\$20,048</i>

Budget Amendments to Randleman Dam Capital Project Ordinance

Vice Chairman Frye said that we have just learned that, according to the Piedmont Triad Regional Water Authority (PTRWA), the Randleman Lake will cost an additional \$25 million to complete and Randolph County’s share would be \$3,762,051. The new cost for 1 mgd (million gallons per day) will be \$1,851,033, an increase of \$627,008. The cost to buy 2 additional mgd from High Point/Greensboro will be \$3,489,716, or \$1,744,858 per 1 mgd. This \$1,744,858 cost per 1 mgd is less than Randolph County’s \$1,851,033 per 1 mgd because it does not include Randolph’s cost of \$637,051 to run a line across the lake. He also mentioned that the water treatment plant is not ready to bid yet.

The PTRWA has requested that Randolph County pay its share in 2 payments: \$1,250,000 by April 1, 2003 and \$2,512,051 by December 31, 2003. Although Randolph County has been budgeting funds each year since 1988, an additional \$1,154,762 is needed.

On motion of Holmes, seconded by Mason, the Board voted unanimously to approve Budget Amendment #29, as follows:

GENERAL FUND - # 29	
Appropriations	Increase
<i>Interfund Transfers Out</i>	\$1,154,762
Revenue	Increase
<i>Fund Balance Appropriated</i>	\$1,154,762

The following budget amendment to the Randleman Dam Capital Project Fund is also needed in order to bring up to date prior year contributions and interest earned.

On motion of Holmes, seconded by Mason, the Board voted unanimously to approve Budget Amendment #1 to the Randleman Dam Capital Project Fund, as follows:

RANDLEMAN DAM CAPITAL PROJECT FUND - # 1	
Appropriations	Increase
<i>Dam Construction</i>	\$ 3,762,051
Revenue	Increase
<i>Interest on Investments</i>	\$ 494,289
<i>Contribution from General Fund</i>	\$ 3,267,762

Budget Amendment – Public Health

County Manager Frank Willis told the Board that the Health Department has received additional funding for the Food & Lodging Program in the amount of \$10,853 for 100% compliance with mandated inspections of food and lodging establishments in FY2001-02. The funds will be used to purchase supplies for the program and for continuing education opportunities for the staff.

On motion of Mason, seconded by Davis, the Board voted unanimously to approve Budget Amendment #30, as follows:

GENERAL FUND - # 30	
Appropriations	Increase
<i>Public Health</i>	\$10,853
Revenue	Increase
<i>Restricted Intergovernmental</i>	\$10,853

Update On County Recreation Master Plan Study

Hal Johnson told the Board that the County Planning staff has completed the first 3 components of the 7-component planning process. We are now entering one of the most crucial parts of the process, which involves the determination of what is considered by county residents to be the essential recreation needs of the community. To obtain citizen input, 5 community meetings have been scheduled in late March and early April to be held at RCC and the 4 county high schools. Also, “focus group” meetings will be held to determine community needs. Following all the meetings, draft proposals from the Steering Committee will be presented at a public forum prior to approval by the Steering Committee and the Tourism Development Authority. It is anticipated that a final plan may be ready for presentation to the Board of County Commissioners by 10/03.

Vice Chairman Frye suggested that each Commissioner attend the community meeting at the high school within his own district, with Chairman Kemp attending the meeting at RCC.

Rezoning Public Hearing

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider a rezoning request. Hal Johnson, Planning and Zoning Administrator, presented the following request.

LARRY MCKENZIE & OTHERS, Asheboro, are requesting that 7.80 acres located on US Hwy 64 East (just before Rocky Knoll Road), Franklinville Township, be rezoned from RA to CVOM-CU. The proposed Conditional Use Zoning District would specifically allow the development of a 4-lot subdivision for singlewide mobile homes and doublewide mobile homes on masonry foundation, modular homes or site-built homes. The Planning Board recommended that this request be approved.

Vice Chairman Frye opened the public hearing.

Larry McKenzie, applicant, spoke in support of his request.

Jerry King, surveyor, said that the lots will have wells and septic tanks.

Marian Wallace, 947 Rockcliff Terrace, spoke on behalf of a Mrs. Spence, adjoining property owner. She said that Mrs. Spence was not opposed to the double-wides, but she is opposed to any singlewides. She was told that the existing singlewide would have to be moved.

Following some discussion, the applicant asked that the following condition be added to his request: No single-wides will be located on lots 3 & 4.

Vice Chairman Frye closed the public hearing.

On motion of Holmes, seconded by Davis, the Board voted unanimously to approve the request of Larry McKenzie with the applicant's requested added condition that lots 3 & 4 have no single-wides located on them and with the appropriate changes to the deed restrictions reflecting this new condition.

Closed Session

At 6:45 p.m., on motion of Davis, seconded by Holmes, the Randolph County Board of Commissioners adjourned to closed session to consider the qualifications, competence, performance, character, fitness, or conditions of appointment of a public officer or employee pursuant to North Carolina General Statute 143-318-11(a)(6).

At 7:30 p.m., the Board resumed open session.

Adjournment

At 7:35 p.m., on motion of Frye, seconded by Davis, the Board voted unanimously to adjourn.

Darrell L. Frye, Vice Chairman

J. Harold Holmes

Robert O. Mason

Robert B. Davis

Cheryl A. Ivey