

June 2, 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 Kemp, Davis, Mason, Holmes, and Frye were present. Rev. Fran Moran, Calvary United Methodist Church, Asheboro, gave the invocation, and everyone recited the Pledge of Allegiance.

Additions to the Agenda

Chairman Kemp announced the following additions to the agenda: add Abbie Holder's name to Item C. of the Consent Agenda as an appointment and add Item I. Refunding of the 1995 Certificates of Participation under the New Business section.

Consent Agenda

On motion of Frye, seconded by Mason, the Board voted unanimously to adopt the consent agenda, as amended:

- *Approve Regular and Special Meeting Minutes of May 5, 2003;*
- *Unseal Closed Session Minutes of February 25, 2003, March 10, 2003 and April 16, 2003;*
- *Appoint Garlene Rich and Abbie Holder and Reappoint Linda Cranford, Sandra Allen, Charlie Casper, Allan Edwards, Janet Henley, Duffy Johnson, Phil Koonce, Addie Luther, John McGlohon, Jack Pugh, Jr., Joy Ratliffe, Candie Rudzinski, Dr. Ann Suggs, Everett Thomas, Carolyn Vickrey, Frank Willis, Laura King, Adrienne Gwynn Calhoun, and Dick Peterson to the Aging Services Planning Committee (1-yr. terms);*
- *Appoint Gail Briles, Vicki Cox, David Smith and Steve Jones and Reappoint Reynolds Lisk to the Workforce Development Board (3-yr. terms);*
- *Reappoint Annie Shaw to the Jury Commission (2-yr. term); and*
- *Reappoint Robby Davis to the RCC Board of Trustees (4-yr. term).*

Evaluation of Solid Waste Operations

David Townsend, III, Public Works Director, reminded the Board that the County reviewed its solid waste operations early in the calendar year 2002 because we were aware that the BFI contract for transfer station operations would expire in December of 2002. We were also keenly aware that the City of Asheboro was on the verge of constructing and operating its own transfer station, thereby pulling out approximately 24% of all solid waste from the existing Randolph County transfer station. Randolph County began negotiations with BFI, who is by far the biggest volume hauler for the County, to continue operations at the transfer station. We also discussed a potential merger with the City of Asheboro. We have also reviewed purchasing our own equipment and performing all operations. Following much discussion, it appeared, around the middle of the calendar year 2002, that a potential merger with Asheboro would work, allowing the solid waste programs that had been split to merge back together so that the volume could pay for all the operations at a transfer station, either the City's or the County's. Unfortunately the proposed merger collapsed and at that point the County Commissioners directed the Public Works Department to re-review the options as to what would be the best for the remaining eight municipalities and the rest of the rural Randolph County customers.

Randolph County re-evaluated all of the options available to them. The four options are as follows:

- Option 1 – Continue status quo – renew the five-year option on the BFI contract and continue to have multiple contracts out at the facility and continue to operate in what appears to be an inefficient process.
- Option 2 - Randolph County would purchase all the required equipment, hire the necessary employees and operate the entire Solid Waste Facility with our own personnel. The County would contract disposal and hauling to BFI.
- Option 3 - Receive proposals on all services being provided by one vendor – The County would be responsible for continued convenience site operations and scale house operations only.
- Option 4 - Receive proposals for two contracts: one contract for hauling and disposal and the second contract to provide all other operations at the facility (two contracts instead of one contract as recommended in Option 3). The County would be responsible for continued convenience site operations and scale house operations only.

In order to make any of the above options work, the Public Works Department would need to make the following two changes to operations at the Solid Waste Facility:

- Currently Randolph County uses a very labor-intensive method in handling its recycling program. We would continue to maintain recycling operations and also replace our 90 gal. containers with dumpster units, which will be hauled to the recycling vendors. This would deviate from the labor-intensive method we currently use (collecting the material, baling the material, and separating it ourselves). Instead, a truck would be used to pick up the dumpsters and haul them to various locations.
- Randolph County would close its Land Clearing and Inert Debris (LCID) landfill. Currently there is a private Construction and Demolition (C&D) landfill located in Randolph County at Gold Hill Road, owned by Al Morton. It is a permitted C&D landfill, which allows more types of material to be disposed of there. We would close our facility; therefore, no equipment would be required for operations. This would improve the efficiency of the overall solid waste facility. Discussions have been held with Al Morton, and he is willing to work with the County to insure that he will provide the same level of services that is currently being provided. Since this private C&D landfill opened, our volume in wood waste and LCID materials has dropped drastically.

In order to compare the four options available, four individual Public Works budgets indicating what would be required to perform each one of the four options are as follows. *Note: Last fiscal year, for the first time, the Public Works Department had to receive \$169,000 of County dollars to provide a balanced budget. This was necessary because of several factors: loss of recycling revenues, reductions in tire and white goods taxes, approximately 24% reduction in solid waste total, and continued increase of the current five-year contract based on CPI.*

Option No. 1 budget requirement: to extend all contracts currently in operation and maintain status quo, the Public Works Dept. has estimated it would be necessary for approximately \$361,300 of County dollars to be put into the Public Works budget to make this option viable.

Option No. 2 budget requirement: to have the County purchase its own equipment, hire the necessary personnel to operate and maintain the equipment, run all functions of loading the solid waste, handle switching of trucks, handle the motor grading and bush hogging operations of the roads and the processing of white goods and tires. All this would require an initial investment to the County. The annual budget for this option would require \$315,300 of County dollars. In addition to that number the County would be required to purchase six pieces of equipment totaling

approximately \$660,000. In preparing this budget a seven-year life on the equipment was assumed and total cost for annual debt service cost was divided over seven years to include in the \$315,300 amount.

Option No. 3 budget requirement: to have one vendor operate everything at the Solid Waste Facility with the exception of the scale house and the convenience site. Proposals were received from two different vendors. One proposal was from BFI and the second proposal was from Hilco Trucking. Local contractors were contacted to see if they were interested in submitting a proposal, but due to the heavy up-front cost of purchasing equipment and trucks, they declined. The two prices are as follows based on per ton figure:

- BFI of Troy, NC \$36.00 per ton
- Hilco Trucking of Kernersville, NC \$37.49 per ton

Assuming the lower cost from BFI, the Public Works budget would require \$169,000 of County dollars (the same as budgeted this year) to make this option work.

Option No. 4 budget requirement: (includes a combination of prices.) One price is for BFI to haul and dispose of the solid waste and the other price would be for either Wayne Wright Grading Services or Hilco Trucking Services to provide the operations of loading the solid waste, tires and white goods, grading of the roads, bush hogging, mowing, picking up the litter and all other standard operations. The County would be responsible for continued convenience site operations and scale house operations only. The two types of bids submitted on this option were as follows:

- Hauling and disposal BFI \$32.50 per ton
- All other operations Hilco Trucking \$ 4.99 per ton
- All other operations Wayne Wright Grading \$ 5.58 per ton

Assuming the lower of these, which was Hilco Trucking, in combination with BFI, would require an additional \$303,800 of County dollars to make this option viable.

Mr. Townsend stated that based on the careful evaluation of the proposals for solid waste services, it is apparent that utilizing the one vendor option, Option 3, is the most economical and efficient. This proposal would be for a 3-year contract with BFI of Troy, including a renewal clause for an additional 3 years. It would also include a Consumer Price Index (CPI) clause.

To contract with one vendor to provide all services except the scale house and convenience sites would result in elimination of 2 employees from the Public Works budget. Also, the Public Works Department currently includes a personnel position (currently Eric Martin) that deals with illegal garbage dumping in the county. This position, for the past 4 years, has performed activities related to illegal dumping, management of the convenience sites, organization of the tire program, and has served as backup for the scale house and recycling positions. The Public Works Dept. plans to perform these duties with remaining staff and allow Eric Martin to perform only duties related to illegal dumping and, in addition, take on the role of code enforcement officer in the Planning Department. The Public Works budget, as presented, has funds available to fund this position for 1 year. Based on discussions with Frank Willis, the code enforcement position has been a long-time need, and the job tasks would be relatively consistent with the job tasks of Eric Martin, as he has dealt with illegal dumping. If this is approved, then both Eric Martin and the activities related to illegal garbage dumping would be transferred from the Public Works Department to the Planning and Zoning Department.

It was the consensus of the Board to go with Option 3, and they directed Mr. Townsend to negotiate with BFI and bring the prepared contract before the Board at their June 12 meeting for their final decision.

Resolution Approving Ten-Year Solid Waste Plan

Mr. Townsend stated that during the 1996 General Assembly, House Bill 859 was passed, and the State of North Carolina now requires that each county government be responsible for managing the solid waste plan for all of the county and its municipalities. In 1997 Randolph County and all the municipalities agreed to work together to develop our ten-year plan. The State requires this plan be updated every three years. For the approval of the plan every municipality has to pass a resolution approving it as well as a resolution by the Randolph County Board of Commissioners.

The Public Works Department worked on our current ten-year plan over the past year and has submitted and received approval of this document from eight of the nine municipalities within Randolph County. The City of Asheboro maintains their own ten-year solid waste plan since they operate their own facility and handle all of their own solid waste issues. The plan submitted to all eight municipalities was very similar to the previous plan that has been in place for the past six years. Randolph County will continue to operate its solid waste program as it has in the past six years with the use of a transfer station, continue a recycling program, and continue to accept wood waste. The new plan includes closing the LCID and offering this type of disposal by a private C&D landfill. Therefore, the operations that are detailed within this ten-year plan are consistent with previously submitted plans with some minor adjustments.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the following resolution:

Whereas, better planning for solid waste will help protect public health and the environment, provide for an improved solid waste management system, better utilize resources and control the cost of solid waste management; and

Whereas, NC General Statute 130A-309.09A (b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 10-year comprehensive solid waste management plan; and

Whereas, NC General Statute 130A-309.09A (b) also requires this plan to be revised every three years, so the plan be a continuous 10-year comprehensive solid waste management plan; and,

Whereas, the County of Randolph was represented on the original Randolph County Solid Waste management Committee and has been involved in the new planning process.

Now, therefore, be it resolved that the County of Randolph hereby approves the Randolph County Comprehensive Solid Waste Management Plan.

Request for Refund of Excise Taxes

Aimee Scotton, County Attorney, told the Board that Attorney Durant M. Glover, from the law office of Frassinetti & Glover, has requested the refund of excise tax paid on a deed that was erroneously filed in Randolph County. The deed should have been filed in Durham County. The excise tax paid on this property was \$370 and the law firm of Frassinetti & Glover has requested a refund on this excise tax. Pursuant to N.C.G.S 105-228.37, the Board of Commissioners may approve the requested refund.

On motion of Mason, seconded by Holmes, the Board voted unanimously to approve the refund of \$370.00 to the law office of Frassinetti & Glover contingent upon the attorney making the proper filings.

Resolution Recognizing Hwy 159 as “Zoo Parkway”

Linda Brown, Tourism Development Authority Director, asked the Board to officially designate Hwy 159 as “Zoo Parkway” in order to add signage to all current Hwy 159 signs that identifies it as Zoo Parkway.

On motion of Holmes, seconded by Davis, the Board voted unanimously to approve the following resolution:

WHEREAS, the world-famous North Carolina Zoo, located off North Carolina Highway 159, is an important tourist attraction in Randolph County, bringing in over 700,000 visitors each year; and

WHEREAS, current directional signage for the Zoo is not always easily spotted or has come down because of accidents and vandalism; and

WHEREAS, some current signs read “Zoological Park,” while others read “Zoo,” thereby causing confusion for some motorists.

NOW, THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners request that the North Carolina Department of Transportation formally designate North Carolina Highway 159 as “Zoo Parkway” and that official brown and white signs reading “Zoo Parkway” be placed below each and every Highway 159 sign.

Appointments to New Consolidated Mental Health Board

Mazie Fleetwood, Randolph Area Mental Health Program Director, told the Board that as a part of the merger of the Randolph Area Mental Health Program and the Sandhills Center a new Consolidated Board is scheduled to be formed as of 7/1/03. According to the merger agreement, the Board will be apportioned by population with the following number of Board members from each county: Randolph County—8, Moore County—5, Richmond County—3, Hoke County—2, Anson County—2, and Montgomery County—2. The current members of each of the Area Boards who have appointments going beyond 6/30/03 will resign their positions effective at midnight on 6/30/03.

Ms. Fleetwood said that the following 6 members of the current Board wish to continue serving: Dr. Ann Suggs, Mary Wade Carlson, Ann Shaw, Dr. Cindy Schroder, Pastor Jury Price and Becky Faucette. One new member, Sue McCullah, has worked with the Area Board as a non-Board member of our Client Rights Committee for several years and currently serves as the Chair of the Consumer and Family Advisory Committee. The eighth Board member from Randolph County will always be the County Commissioner designated by the County Commission Board. Harold Holmes, current Area Board member, wishes to continue to serve on the new Consolidated Board.

On motion of Frye, seconded by Davis, the Board voted unanimously to table the vote on the new appointments until the June 12, 2003 budget meeting.

Budget Amendment—Mental Health

Ms. Fleetwood said that a budget amendment is needed to account for the final revenues and expenses associated with their budget.

On motion by Holmes, seconded by Mason, the Board voted unanimously to approve Budget Amendment #35, as follows:

GENERAL FUND - # 35	
Revenues	Increase
<i>State Revenue</i>	\$ 500,000
<i>Medicaid Revenue</i>	\$353,079
<i>Fund Balance Appropriated</i>	\$110,635
Appropriations	Increase
<i>Mental Health</i>	\$ 963,714

Approval of Interlocal Stormwater Education Agreement

Hal Johnson, Planning Director, reminded the Board that they had adopted the Randleman Lake Watershed Protection Ordinance in December 1999, as mandated by the N.C. Environmental Management Commission. This was the first phase in meeting the requirements of the Randleman Lake Watershed Protection Rules. The second phase requires the County to implement a watershed stormwater education program. The proposed Piedmont Triad Water Quality Partnership consists of all member governments of the Piedmont Triad Regional Water Authority. The specific purpose of the interlocal agreement is to pool resources to provide a regional approach to stormwater education programs, which will include educational brochures, watershed signs, television advertising, and other educational components that may be required by the Randleman Lake Rules. The agreement includes a cost breakdown of each local government’s participation in this Partnership. Randolph County’s cost (based on population within the watershed) is \$5,800, which was previously approved by the Board of Commissioners and has been encumbered in the Randolph County Planning Department budget.

On motion of Frye, seconded by Holmes, the Board voted unanimously to approve the Interlocal Stormwater Education Agreement (ATTACHED)

Voting Delegates for NACo and NCACC Conferences

The Board discussed the annual NACo conference to be held in Wisconsin in July and announced that no one from Randolph County would be attending.

On motion of Frye, seconded by Holmes, the Board voted unanimously to appoint Phil Kemp as voting delegate for the NCACC Annual Conference to be held in Guilford County in August, 2003.

Budget Amendment—Energizer Economic Development Project

On motion of Davis, seconded by Mason, the Board voted unanimously to approve Budget Amendment #36, as follows, in order to set aside funds for the future economic incentive payments (5 annual) to Energizer, Inc.

GENERAL FUND - # 36	
Revenues	Increase
<i>Fund Balance Appropriated</i>	\$ 635,000
Appropriations	Increase
<i>Other Economic & Physical Development Appropriations</i>	\$ 635,000

Budget Amendment—Smart Start Child Day Care

Jane Leonard, Deputy Finance Officer, told the Board that DSS has received a funding authorization from the Division of Social Services in the amount of \$48,173.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve Budget Amendment #37, as follows:

GENERAL FUND - # 37	
Revenues	Increase
<i>Restricted Intergovernmental</i>	<i>\$ 48,173</i>
Appropriations	Increase
<i>Social Services</i>	<i>\$ 48,173</i>

Budget Amendment—Fire Districts Fund

Jane Leonard said that the budget for the Fire Districts Fund has exceeded the original estimated tax collections by approximately \$40,000.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve Budget Amendment #38, as follows:

GENERAL FUND - # 38	
Revenues	Increase
<i>Ad Valorem Property Taxes</i>	<i>\$ 40,000</i>
Appropriations	Increase
<i>Tax Distributions</i>	<i>\$ 40,000</i>

Budget Amendment—Public Works

Jane Leonard said that the Solid Waste Facility had an increase in volume this fiscal year over what was projected. Our disposal cost is based on this volume. As a result, the budget to pay for the disposal is insufficient to cover this additional cost. Fortunately, the fees have also increased over the original budget and need to be adjusted.

On motion of Davis, seconded by Mason, the Board voted unanimously to approve Budget Amendment #39, as follows:

GENERAL FUND - # 39	
Revenues	Increase
<i>Sales & Services</i>	<i>\$ 156,000</i>
Appropriations	Increase
<i>Public Works</i>	<i>\$ 156,000</i>

Budget Amendment—2000 Emergency Services Training Center Project

Will Massie, Deputy Finance Officer, told the Board that the 2000 COPS project to construct the Emergency Services Training Center is near completion. There are several adjustments necessary to recognize the additional interest earnings and refunds of sales taxes that can be used for additional project costs. The remaining funds for this project will be disbursed within the month, so that the fund can be closed out as of June 30, 2003.

On motion of Davis, seconded by Mason, the Board voted unanimously to approve Budget Amendment #2, as follows:

2000 RCC EMERGENCY SERVICES TRAINING CENTER CAPITAL PROJECT ORDINANCE - #2	
Revenues	Increase
<i>Interest Earned</i>	\$ 150,000
<i>Sales Tax Reimbursement</i>	\$ 50,000
Appropriations	Increase
<i>Emergency Services Training Center</i>	\$ 200,000

Refunding of 1995 COPS

Frank Willis, County Manager, told the Board that he believes the County should consider a refunding of the 1995 COPS due to the decrease in interest rates in the bond market. The Local Government Commission (LGC) will allow the sale if the County will see at least 3% in interest savings. The possible range of interest savings is estimated between \$681,000 and \$1,202,405 on the 1995 COPS issue, depending on the interest rate at the time of sale. In discussions with bond counsel and the LGC, a sales date of 7/30/03 has been set, pending approval by the Board of Commissioners. Mr. Willis stated that a special meeting of the Board of Commissioners would need to be held the week of June 23 and this meeting would include a public hearing on the refunding. If, at the time of the sale, the interest rate has dropped to a point such that the interest savings is less than 3%, the sale will not take place. The County’s only monetary risk is the bond attorney fee, which will be \$25,000 - \$35,000.

On motion of Frye, seconded by Davis, the Board voted unanimously to authorize the County Manager to proceed with the refunding and set a special meeting with public hearing for June 24, 4:30 p.m.

Presentation of Proposed FY 2003-2004 Budget

Frank Willis, County Manager, presented his proposed FY 2003-2004 budget message. He said that this proposed budget continues the “hold the line” budgeting stance from the last fiscal year. This budget proposes a tax rate of 48¢ per \$100 valuation, is based on a total valuation of \$8,400,000,000, and totals \$84,382,203. He mentioned the few areas of increases, which include workers compensation coverage, individual bonds and property & liability coverage expenses; employee health insurance expenses; new Sheriff’s Dept. vehicles; county and city schools increases based on average daily membership; a 3.5% increase for Randolph Community College; and a 2.5% pay plan adjustment and \$50,000 for the Merit Increases Program for County employees (County employees received no pay increases last fiscal year). In order to balance this budget without a tax increase \$900,000 was appropriated from the County’s fund balance.

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.

COLON & BETTY OWENS, Robbins, North Carolina, are requesting that 9.77 acres located on Erect Road, Brower Township, be rezoned from Residential Agricultural to Rural Business Overlay/Conditional Use. The Conditional Use Permit would specifically allow a 32' x 80'

building for a restaurant. The Planning Board considered this request at a public hearing on May 6, 2003 and recommended unanimously that this request be denied.

George Clerk, 905 Erect Rd, spoke in opposition, saying that his driveway would be needed for the restaurant.

Chris Salmons, 4274 Maness Rd., spoke in opposition.

On motion of Mason, seconded by Frye, the Board voted unanimously to deny the request of Colon and Betty Owens.

GARY TROGDON, Asheboro, North Carolina, is requesting that 3.00 acres (out of 21.33 acres) located on Burney Road, Union Township, be rezoned from Residential Agricultural to Light Industrial /Conditional Use. This Conditional Use Permit would specifically allow an automotive body shop in an existing 30' x 40' building with a future expansion of 50' x 50' and an automotive junkyard for repair parts. The Planning Board considered this request at a public hearing on May 6, 2003 and recommended unanimously that this request be approved with the conditions of buffers and setbacks as established on the site plan. The Planning Board felt the County would be placing an undue hardship on the property owner if the County required all the existing vehicles to be removed.

Gary Trogdon, applicant, said that he is not in the auto salvage business. Some of the old cars have been there for more than 30 years. He is in the process of cleaning up the area and removing some of the cars. He also stated that he does not plan to acquire any additional old cars on this property. He answered questions from Board members.

Mason made a motion, seconded by Davis, to approve the request as presented.

Board members expressed concern about the possibility of the applicant adding to the junked cars by placing them on top of one another and creating a potential health hazard from contaminated ground water.

The motion and second were withdrawn.

On motion of Frye, seconded by Davis, the Board voted unanimously to table this decision for one month in order to allow Planning staff time to get an exact count of all the junked cars located on this property and to make sure that this site is in compliance with existing State and Federal laws as they pertain to salvage yards.

CLIFTON KINDLEY, Archdale, North Carolina, is requesting that 22.20 acres located on Hoover Hill Road, Tabernacle Township, be rezoned from Residential Agricultural to Residential Mixed/Conditional Use. The Conditional Use Permit would specifically allow the development of a 4-space mobile home park. The Planning Board considered this request at a public hearing on May 6, 2003 and recommended unanimously that this request be approved.

Clifton Kindley, applicant, said that he has no plans to continue farming the land behind the requested property. He wants to rent the space for doublewide homes with shingled roofs and underpinning.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the request of Clifton Kindley.

Adjournment

The Board adjourned at 7:25 p.m.

Phil Kemp, Chairman

Darrell L. Frye, Vice Chairman

J. Harold Holmes

Robert B. Davis

Robert O. Mason

Cheryl A. Ivey, Clerk to the Board