

November 4, 2013

The Randolph County Board of Commissioners met in regular session at 6:00 p.m. in the 1909 Randolph County Historic Courthouse Meeting Room, 145 Worth Street, Asheboro, NC. Commissioners Holmes, Frye, Haywood and Kemp were present. Commissioner Lanier was absent. Dr. Bob Shackelford, RCC President, gave the invocation.

### **Recognition of Retiree**

Edith Baldwin, who is retiring with 21 years of service to the Randolph County Department of Social Services, was recognized by DSS Director Beth Duncan, after which, Chairman Holmes presented Ms. Baldwin with an engraved clock on behalf of the Board.

### **Public Comment Period**

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment. County Attorney Ben Morgan read aloud the Public Comment Rules of Procedure.

**Alan Ferguson**, 4794 Troy Smith Rd., Liberty, NC, stated that this was the 11<sup>th</sup> consecutive month that members of the North East Property Owners had attended. He informed the Commissioners that they had written the Secretary of Commerce on two occasions and asked for information about the mega site project and expressed why they are opposed to it; they have received no response. Mr. Ferguson said that he felt they had nowhere else to go other than to stand before the Commissioners again and respectfully request information regarding their property and community and what is happening with it at this time.

**Jon Nance**, 3483 New Hope Church Rd., Asheboro, stated that he would like to tie a national issue to a local one regarding recent revelations that the NSA is tracking personal information of US citizens. He said the logic for this is if you have nothing to hide, you have nothing to fear. Mr. Nance said if government watches us for our safety, perhaps we should be able to watch government for our safety, as well. Mr. Nance said that he was not accusing anyone, just requesting transparency in all levels of government. He encouraged the Commissioners to consider no more closed sessions.

Chairman Holmes responded that some personnel issues will never be discussed in open session, in which case, those closed session minutes may never be unsealed, but that the other closed session minutes are eventually unsealed once it is deemed that the information has been acted upon and is no longer confidential. Chairman Holmes said unsealed closed session minutes are available on the internet for public viewing.

### **Approval of Consent Agenda**

*On motion of Frye, seconded by Kemp, the Board voted unanimously to approve the Consent Agenda, as presented:*

- *approve minutes of the regular meeting of 10/7/13 and two sets of closed session minutes of 10/7/13;*
- *appoint Sherry Farster & Brett Houser; reappoint Col. Fred Rutledge, J.R. Beard, Evan Grady & Annette Jordon to the Randolph County Local Emergency Planning Committee;*
- *appoint Bradley Beck and Angel Cartegena; reappoint Dr. Robert Dough, Mike Honeycutt, Paula Lineberry, Sandy Smith, Donovan Davis, Lewis Schirloff, Raphael Beech, Benny*

*Lopienski, Steven Staley, Brent Powell, Cheryl Ivey, Cynthia Grantham, Thomas Brown and Jason Phillips to the Randolph County EMS Peer Review Committee;*

- *reappoint Wanda Hilton, Ted Hollingsworth, Steve Holland and Judy Kirkman to the Randleman Planning and Zoning Board;*
- *reappoint Donnie Lassiter to the Seagrove–Ulah Metropolitan Water District;*
- *reappoint Linda Covington to the Randolph County Adult Care Home Community Advisory Committee;*
- *reappoint James (Jim) Norman to the Tax Commission & Board of Equalization and Review;*
- *approve Budget Amendment #15 –LCID Closure (Landfill Closure Fund), as follows:*

| <b>2013-2014 Budget Ordinance—Landfill Closure Fund—Budget Amendment #15</b> |                  |                 |
|--|------------------|-----------------|
| <b>Revenues</b>  | <b>Increase</b>  | <b>Decrease</b> |
| <i>Appropriated Fund Balance</i>   | <i>\$ 34,000</i> |                 |
| <b>Appropriations</b>  | <b>Increase</b>  | <b>Decrease</b> |
| <i>Solid Waste Management</i>  | <i>\$ 34,000</i> |                 |

**Approval of Request for Assistance for Honor Guard**

Vern Sieg, representing the Randolph County Honor Guard, said that the Honor Guard is a non-profit 501c3 organization formed in 1990 by 12 veterans who have served in all branches of America’s Armed Forces. They currently have 98 members and have performed 438 funerals in 2013.

Mr. Sieg requested financial assistance from the County to supplement current donations to purchase a van because the oldest one of three has over 270,000 miles and the instrument panel has quit working. They are seeking the County’s financial assistance in the amount of \$15,000 to purchase a van, in order to continue their mission of providing formal military honors and tributes to fallen and departed fellow veterans at no charge to the families. He said that the group is not affiliated with the U.S. military, and receives no funding or resources from the military or from any local state or federal government.

Mr. Sieg said the Randolph County Honor Guard is supported solely by donations or contributions provided by the families and funeral homes they serve. Initially, Honor Guard members bore all expenses related to the services performed. However, with the addition of coverage to the eight other counties outside of Randolph; vehicles, maintenance and fuel; and uniform costs; outside sources of income became a necessity.

Each of the Commissioners expressed their appreciation for veterans and for the services that the Honor Guard provides.

*On motion of Frye, seconded by Kemp, the Board voted unanimously to approve a contribution of \$15,000 to the Randolph County Honor Guard to assist with the purchase of a van and to approve Budget Amendment #16, as follows:*

| <b>2013-2014 Budget Ordinance--General Fund—Budget Amendment #16</b> |                  |                 |
|--|------------------|-----------------|
| <b>Revenues</b>  | <b>Increase</b>  | <b>Decrease</b> |
| <i>Appropriated Fund Balance</i>                                     | <i>\$ 15,000</i> |                 |
| <b>Appropriations</b>  | <b>Increase</b>  | <b>Decrease</b> |
| <i>Governing Body</i>  | <i>\$15,000</i>  |                 |

### **Adoption of Orders Concerning 2013 Revaluation**

Debra Hill, Tax Collector, stated that the final step in the process leading up to the 2014 Revaluation is the adoption of the Orders adopting the true value and present use schedules, standards and rules, pursuant to NCGS 105-317. These documents were presented to the Board on September 3, 2013, and all required notices have been published, and the public hearing was held at the Board's October 7, 2013 meeting.

Following adoption of the Orders, a notice will be published, as prescribed by NCGS 105-317, on November 7, 14, 21 and 28, stating that the Orders were duly adopted and are available for public inspection in the Office of the County's Assessor. The notice will also state that any property owner who asserts that these schedules, standards and rules are invalid may appeal them to the North Carolina Property Tax Commission within 30 days from November 7, 2013.

*On motion of Kemp, seconded by Frye, the Board voted unanimously to approve an Order Concerning The Present Use Schedule Of Values, Standards And Rules To Be Used In Appraising Real Property At Its True Value For The January 1, 2014 Revaluation, as follows:*

#### **ORDER CONCERNING THE PRESENT USE SCHEDULE OF VALUES, STANDARDS AND RULES TO BE USED IN APPRAISING REAL PROPERTY AT ITS TRUE VALUE FOR THE JANUARY 1, 2014 REVALUATION**

*Upon motion by Commissioner Kemp, seconded by Commissioner Frye, the Randolph County Board of Commissioners hereby issues an order adopting the final schedules, standards, and rules to be used in appraising real property at its present use value for January 1, 2014.*

*The Randolph County Tax Assessor is hereby ordered to provide for public examination a copy of these schedules in her office at 725 McDowell Road, Asheboro, NC. A property owner who asserts that these schedules, standards, and rules are invalid may appeal them to the North Carolina Property Tax Commission, P. O Box 871, Raleigh, NC 27602-0871, within 30 days from November 7, 2013.*

*The Randolph County Clerk to the Board is hereby ordered to publish in a newspaper of general circulation a notice of this order and the rights of the property owner. This notice shall be published for four successive weeks, on November 7, 14, 21 and 28, 2013.*

*On motion of Kemp, seconded by Frye, the Board voted unanimously to approve an Order Concerning The Market Value Schedule Of Values, Standards And Rules To Be Used In Appraising Real Property At Its Market Value For The January 1, 2014 Revaluation, as follows:*

#### **ORDER CONCERNING THE MARKET VALUE SCHEDULE OF VALUES, STANDARDS AND RULES TO BE USED IN APPRAISING REAL PROPERTY AT ITS MARKET VALUE FOR THE JANUARY 1, 2014 REVALUATION**

*Upon motion by Commissioner Kemp, seconded by Commissioner Frye, the Randolph County Board of Commissioners hereby issues an order adopting the final schedules, standards, and rules to be used in appraising real property at its market value for January 1, 2014.*

*The Randolph County Tax Assessor is hereby ordered to provide for public examination a copy of these schedules in her office at 725 McDowell Road, Asheboro, NC. A property owner who asserts that these schedules, standards, and rules are invalid may appeal them to*

*the North Carolina Property Tax Commission, P. O Box 871, Raleigh, NC 27602-0871, within 30 days from November 7, 2013.*

*The Randolph County Clerk to the Board is hereby ordered to publish in a newspaper of general circulation a notice of this order and the rights of the property owner. This notice shall be published for four successive weeks, on November 7, 14, 21 and 28, 2013.*

### **Presentation of a Proposed Ordinance Establishing Procedures for the Application and Issuance of Franchises for Solid Waste Facilities**

County Manager Richard Wells stated that a franchise is the governmental grant of a privilege to conduct business. In the context of solid waste facilities, local governments use franchises to control the types of waste the company is allowed to dispose, the geographic territory the company is permitted to haul from, and the fee or fees payable to the government for granting such privilege.

N.C. General Statutes allow, but do not require, a county to adopt an ordinance establishing the procedures by which solid waste franchises shall be considered and issued. In light of the County's deliberate and cautious consideration of a long-term partner to construct and operate the proposed landfill, the prudent step is to adopt an ordinance that specifies the method for application, consideration and award of the franchise.

The draft of the ordinance was included in the agenda packet and serves the following purposes:

- Enables the county to issue exclusive franchises.
- Protects existing facilities already permitted by NCDENR.
- Creates a simple but thorough process consistent with G.S. 130A-294 by which the applicant is approved. This process would presumably occur after an operating partner is selected.
- Articulates the powers and rights reserved to the county for suspension or termination. These powers are independent of any rights to be included in an operating agreement and can be exercised if the operating partner is sold or control is transferred to another person or entity, or if the franchisee fails to remedy health or safety violations or breaches other contracts with the county.

Mr. Wells stated that no action is required at this meeting, but a request to adopt a "boiler plate" ordinance establishing procedures for the application and issuance of franchises for solid waste facilities would be on the December agenda. An actual Ordinance Granting a Franchise to an operating partner for the landfill will be presented after choosing an operating partner.

### **Position Requests at DSS**

Beth Duncan, DSS Director, introduced DSS Board Chair Sam Frazier, prior to her PowerPoint presentation and request.

Ms. Duncan stated that the goal of DSS is to provide the minimum manpower necessary to accomplish the DSS mission in serving the citizens of Randolph County and summarized the following areas of need:

Food and Nutrition Service (FNS) caseloads have seen a steady growth over the last 8 years. In 2005, Randolph County DSS had five FNS caseworkers with 786 cases each (3,930 cases) that has grown to 14 caseworkers with 837 cases each (11,718 cases). The average caseload for

similar counties is 696 cases per worker. Ms. Duncan said that Randolph County DSS is asking for one additional caseworker position to keep caseloads per worker at an average of 781 cases per worker.

Medicaid caseloads have also seen a steady growth over the last 8 years. In 2005, Randolph County DSS had 26 Medicaid caseworkers with 521 cases each (13,546 cases) that has grown to 31 caseworkers with 664 cases each (20,584 cases). The average caseload for similar counties is 560 cases per worker. Ms. Duncan asked for one additional caseworker to keep caseloads per worker at an average of 643 cases per worker, which is still higher than average.

Child Protective Services has 14 Social Work (SW)-Investigators under two supervisors. There is a need for an additional SW Supervisor and a SW-Investigator so that each worker will be receiving 6.5 new cases a month and each supervisor meets the state standard of a five to one ratio (currently seven to one). Ms. Duncan said that recent data shows that each supervisor staffs 49 new cases per month and this must be reduced to less than 35 to ensure that mission and legal (NC Statutes) requirements are met.

Ms. Duncan said that two unfunded permanent full time positions must be funded to allow the agency to effectively greet and route 38,650 clients per year, answer 10,000 phone calls a month, and accept, scan, and effectively route 78,000 pieces of incoming mail per year. The agency can no longer fund these positions by lapsed salaries of other critical positions.

These requests increase salary and benefit costs by \$136,266 for six months and also increases state reimbursement potential (revenues) by a minimum of \$20,806 for the same period.

Commissioners expressed their understanding for the dire needs at DSS, but explained that no funding is available to grant these requests at this time. They indicated they would consider the requests again at budget time.

**Approval of Health Department Fee Schedule Changes**

Public Health Director MiMi Cooper said that on October 28, 2013, the Randolph County Board of Health approved the changes to the 2013-2014 Fee Schedule, which reflects changes in fees based on a clinical actual cost study, which occurs in the fall of each year. There are also some recommended increases in Environmental Health and Animal Control fees. Ms. Cooper recommended that these fee increases become effective immediately.

*On motion of Haywood, seconded by Kemp, the Board voted unanimously to approve, effective immediately, the revised Health Department Fee Schedule, as follows with changes highlighted:*

Randolph County Health Department Fees for Services  
Effective November 2013

Clinical Services

|                                     |                  |
|-------------------------------------|------------------|
| Glucose/Blood sugar screening ..... | \$12.00          |
| Hemoglobin.....                     | \$ 8.00          |
| TB skin test .....                  | \$16.00          |
| <b>TB Screening (LU102) .....</b>   | <b>\$16.00</b>   |
| Pregnancy test .....                | \$21.00          |
| <b>Menactra Vaccine .....</b>       | <b>\$108.91*</b> |

|                              |           |
|------------------------------|-----------|
| Guardisil Vaccine .....      | \$135.73* |
| TDAP vaccine .....           | \$30.78*  |
| Varicella vaccine .....      | \$94.97*  |
| Hepatitis B vaccine .....    | \$36.00*  |
| Measles Mumps Rubella.....   | \$54.07*  |
| Rabies (pre-exposure).....   | \$215.25* |
| Rabies Immune Globulin ..... | \$203.00* |
| Pneumonia.....               | \$67.50*  |

\* Vaccines ordered in limited amounts. Fee is manufacturer charge to Health Dept. and subject to change

**CPT Service Type Clinical**

|  |          |
|--|----------|
| 11981 INSERT DRUG IMPLANT DEVICE .....   | \$302.00 |
| 11982 REMOVE DRUG IMPLANT DEVICE .....   | \$342.00 |
| 11983 REMOVE/INSERT DRUG IMPLANT .....   | \$527.00 |
| 36415 ROUTINE VENIPUNCTURE .....         | \$12.00  |
| 56501 TCA VULVA.....                     | \$299.00 |
| 58300 IUD INSERT .....                   | \$172.00 |
| 58301 IUD REMOVAL .....                  | \$220.00 |
| 81002 URINE DIPSTICK .....               | \$8.00   |
| 81025 PREGNANCY TEST (URINE) .....       | \$21.00  |
| 82270 Hemocult .....                     | \$10.00  |
| 82947 GLUCOSE .....                      | \$12.00  |
| 82950 Glucose Test .....                 | \$14.60  |
| 82951 GTT 3 HR .....                     | \$39.96  |
| 82952 GTT 3 HR .....                     | \$12.30  |
| 83986 VAGINAL PH .....                   | \$10.76  |
| 85018 HEMOGLOBIN .....                   | \$8.00   |
| 86580 TB Skin Test .....                 | \$16.00  |
| 86701 HIV-1 .....                        | \$27.67  |
| 87081 CULTURE.....                       | \$20.75  |
| 87084 URICULT .....                      | \$26.90  |
| 87086 URINE CULTURE .....                | \$25.36  |
| 87210 WET PREP .....                     | \$20.00  |
| 88175 PAP PROCESSING FEE .....           | \$15.00  |
| 90471 IM ADMIN .....                     | \$51.00  |
| 90472 IM ADMIN EACH ADD .....            | \$26.00  |
| 90473 IM ADMIN ORAL/NASAL .....          | \$35.00  |
| 90474 IM ADMIN ORAL/INTRANASAL ADD ..... | \$23.00  |
| 90656 FLU VACCINE NO PRESERVE 3 & >..... | \$30.00  |
| 90658 FLU VACCINE, 3 YRS & >, IM.....    | \$27.00  |
| 99201 OV, NEW, MINIMAL .....             | \$94.00  |
| 99202 OV, NEW, LIMITED .....             | \$162.00 |
| 99203 OV, NEW, EXPANDED.....             | \$235.00 |
| 99204 OV, NEW, DETAILED.....             | \$365.00 |
| 99211 OV, EST, MINIMAL .....             | \$46.00  |
| 99212 OV, EST, LIMITED.....              | \$94.00  |
| 99213 OV, EST, EXPANDED .....            | \$158.00 |
| 99214 OV, EST, DETAILED .....            | \$238.00 |
| 99215 OV, EST, COMPREHENSIVE.....        | \$321.00 |
| 99383 NEW PREVENTIVE AGE 5-11 .....      | \$258.00 |
| 99384 NEW PREVENTIVE AGE 12-17.....      | \$259.00 |
| 99385 NEW PREVENTIVE AGE 18-39.....      | \$259.00 |
| 99386 NEW PREVENTIVE AGE 40-64.....      | \$303.00 |
| 99393 EST PREVENTIVE AGE 5-11 .....      | \$225.00 |
| 99394 EST PREVENTIVE AGE 12-17 .....     | \$225.00 |

|  |          |
|--|----------|
| 99395 EST PREVENTIVE AGE 18-39 .....           | \$226.00 |
| 99396 EST PREVENTIVE AGE 40-64 .....           | \$247.00 |
| 99501 POSTNATAL HOME VISIT .....               | \$296.00 |
| 99502 NEWBORN HOME VISIT .....                 | \$296.00 |
| 90471-EP IMMUNIZATION ADMIN.....               | \$51.00  |
| 99384-EP PREVENTIVE VISIT NEW PAT, 12-17 ..... | \$259.00 |
| J1055 DEPO .....                               | \$122.00 |
| J2790 RHOGAM .....                             | \$204.00 |
| J7300 IUD DEVICE .....                         | \$869.00 |
| J7302 LEVONORGESTREL IU CONTRACEPTIVE .....    | \$905.00 |
| J7307 ETONOGESTRIL IMPLANT SYSTEM.....         | \$577.00 |
| Q0114 Fern Test .....                          | \$25.00  |
| S4993 CONTRACEPTIVE PILLS FOR BC.....          | \$6.00   |
| T1002 RN SERVICES .....                        | \$89.00  |

Environmental Health Services

|                                      |          |
|--------------------------------------|----------|
| Swimming Pool Plan Review.....       | \$200.00 |
| Swimming Pool Permits (annual).....  | \$100.00 |
| Return visit if Pool not ready ..... | \$50.00  |
| Tattoo Permits .....                 | \$250.00 |

Food and Lodging Plan Review

|   |          |
|---|----------|
| 1-100 seats.....                          | \$100.00 |
| 101 + seats.....                          | \$200.00 |
| Food Stands (no seats).....               | \$100.00 |
| Meat Markets .....                        | \$100.00 |
| Temporary Food Establishments.....        | \$75.00  |
| Limited Food Service Establishments ..... | \$75.00  |

New wastewater improvement permits

|   |          |
|---|----------|
| (0-600 gal) .....                                   | \$200.00 |
| (601-1000 gal) .....                                | \$300.00 |
| (1001-3000 gal) .....                               | \$400.00 |
| (3001-10000 gal) .....                              | \$600.00 |
| Wastewater expansion permits regardless of size ... | \$100.00 |

Authorization to Construct

|  |          |
|--|----------|
| Type I and II.....                                   | \$50.00  |
| Type III and IV systems.....                         | \$150.00 |
| Type V and VI systems.....                           | \$500.00 |
| Authorization to connect to an existing system ..... | \$50.00  |
| Consultative visits .....                            | \$100.00 |
| Re-inspection.....                                   | \$50.00  |
| Well Permits.....                                    | \$250.00 |

Water Samples

|  |         |
|--|---------|
| Bacteriological .....                  | \$35.00 |
| Inorganic chemical .....               | \$40.00 |
| Petroleum .....                        | \$50.00 |
| Pesticide .....                        | \$50.00 |
| VOC.....                               | \$50.00 |
| Nitrate/Nitrite .....                  | \$50.00 |
| Sulfur Sulfate Reducing Bacteria ..... | \$50.00 |
| Iron Bacteria.....                     | \$50.00 |

## Dental Services

|       | Procedure                    | Randolph |
|-------|------------------------------|----------|
| D0150 | Comp Oral Exam               | 82       |
| D0120 | Periodic Oral Exam           | 50       |
| D0140 | Limited Oral Exam            | 62       |
| D0270 | BWX 1 Film                   | 24       |
| D0272 | BWX 2 Film                   | 42       |
| D0274 | BWX 4 Film                   | 52       |
| D0220 | PAX 1st Film                 | 28       |
| D0230 | PAX additional Film          | 22       |
| D0330 | Panorex                      | 90       |
| D1120 | Prophylaxis Child            | 53       |
| D1110 | Prophylaxis Adult            | 72       |
| D4355 | Debridement                  | 110      |
| D1206 | Fluoride Varnish High Risk   | 54       |
| D1208 | Topical Fluoride             | 40       |
| D1351 | Sealant per tooth            | 46       |
| D2140 | Amalgam 1 surface            | 100      |
| D2150 | Amalgam 2 surfaces           | 130      |
| D2160 | Amalgam 3 surfaces           | 160      |
| D2161 | Amalgam 4 + surfaces         | 190      |
| D2330 | Resin 1 surface Anterior     | 110      |
| D2331 | Resin 2 surfaces Anterior    | 119      |
| D2332 | Resin 3 surfaces Anterior    | 180      |
| D2335 | Resin 4 + surfaces Anterior  | 207      |
| D2390 | Resin crown Anterior         | 207      |
| D2391 | Resin 1 surface Posterior    | 144      |
| D2392 | Resin 2 surfaces Posterior   | 174      |
| D2393 | Resin 3 surfaces Posterior   | 224      |
| D2394 | Resin 4 + surfaces Posterior | 227      |
| D2930 | SSC Primary                  | 200      |
| D2931 | SSC Permanent                | 200      |
| D3120 | PulpCap Indirect             | 50       |
| D3220 | Pulpotomy                    | 134      |
| D7140 | Extraction Erupted Tooth     | 140      |
| D7210 | Extraction Surgical          | 184      |
| D7111 | Ext coronal remnants prim    | 75       |
| D910  | Palliative Treatment         | 60       |
| D2940 | Sedative Filling             | 76       |
| D1510 | Spacer Fixed Unilateral      | 280      |
| D1515 | Spacer Fixed Bilateral       | 380      |
| D0470 | Diagnostic Casts             | 60       |
| D7270 | Tooth Stabilization Trauma   | 250      |
| D7510 | I & D intraoral              | 154      |

## Animal Control Fees

### Nuisance violation

|                               |          |
|-------------------------------|----------|
| 1 <sup>st</sup> offense ..... | \$25.00  |
| 2 <sup>nd</sup> offense ..... | \$50.00  |
| 3 <sup>rd</sup> offense.....  | \$100.00 |

### Animal running at large

|                               |          |
|-------------------------------|----------|
| 1 <sup>st</sup> offense ..... | \$25.00  |
| 2 <sup>nd</sup> offense ..... | \$50.00  |
| 3 <sup>rd</sup> offense.....  | \$100.00 |

### Livestock running at large

|                               |         |
|-------------------------------|---------|
| 1 <sup>st</sup> offense ..... | \$50.00 |
|-------------------------------|---------|

|  |                |
|--|----------------|
| 2 <sup>nd</sup> offense .....                    | \$100.00       |
| 3 <sup>rd</sup> offense.....                     | \$200.00       |
| Interference with an animal control officer      |                |
| 1 <sup>st</sup> offense .....                    | \$250.00       |
| 2 <sup>nd</sup> offense .....                    | \$500.00       |
| 3 <sup>rd</sup> offense.....                     | \$1000.00      |
| Abandoning an animal.....                        | \$100.00       |
| Intentional Damage/Neglect                       |                |
| To a dog trap .....                              | up to \$250.00 |
| To a cat trap.....                               | up to \$75.00  |
| Interference with Traps                          |                |
| 1 <sup>st</sup> offense .....                    | \$50.00        |
| 2 <sup>nd</sup> offense .....                    | \$75.00        |
| 3 <sup>rd</sup> offense.....                     | \$100.00       |
| Dangerous dogs                                   |                |
| 1 <sup>st</sup> offense .....                    | \$250.00       |
| 2 <sup>nd</sup> offense .....                    | \$500.00       |
| 3 <sup>rd</sup> offense.....                     | \$1000.00      |
| Wild and dangerous animal .....                  | \$300.00       |
| Exotic Reptile/Mammals .....                     | \$100.00       |
| Rabies vaccination tag and certification .....   | \$50.00        |
| Violation of Quarantine .....                    | \$100.00       |
| Failure to Confine for Observation .....         | \$200.00       |
| Cruelty to animals .....                         | \$200.00       |
| Reclaim penalty for                              |                |
| 2 <sup>nd</sup> impoundment of same animal.....  | \$10.00        |
| 3 <sup>rd</sup> impoundment of same animal ..... | \$25.00        |
| 4 <sup>th</sup> impoundment of same animal ..... | \$50.00        |
| Adoption rule violation.....                     | \$200.00       |

Non-penalty fees (animal control)

Adoption Fees

|  |          |
|--|----------|
| Dogs and Cats .....                    | \$25.00  |
| Other small animals .....              | \$5.00   |
| Euthanasia request (owned animal)..... | \$25.00  |
| Rabies Quarantine Observation.....     | \$100.00 |
| Animal Board fee per day .....         | \$10.00  |
| Owner Surrender .....                  | \$15.00  |

**Rezoning Public Hearing & Action**

At 7:21 p.m., the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning Director, presented the following requests and chairman Holmes opened the public hearing for comments on each request and closed it before taking action on the requests.

**TWO MILLS, LLC**, Asheboro, North Carolina, is requesting that 50.77 acres located at 2205 Lassiter Mill Road, Cedar Grove Township, be rezoned from RA to CVOE-CD. Tax ID# 7629462058. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow the development of a 7-lot residential subdivision for site-built and

conventional modular homes with a minimum house size of 1,200 sq. ft. The Planning Board reviewed this request at public meeting on October 8, 2013, and unanimously recommended that this request be approved. The Planning Board found the following policies within the 2009 Growth Management Plan that support determination of consistency with the adopted plan with this recommendation:

*Policy 6.4 Innovative and flexible land planning techniques should be supported as a means of encouraging development configurations which are more desirable and which may better safeguard existing natural land and water resources.*

*Policy 6.13 Conventional residential subdivisions are anticipated of similar housing characteristics to the community.*

**Lee Roberts**, 122 N. Fayetteville St., Asheboro, stated that he does not oppose the subdivision, but opposes the conventional modular homes and the minimum house size of 1,200 square feet. Mr. Roberts developed the adjoining property to the east of this property. He said that he set greater restrictions to it to be in conjunction with other developments in the area and does not feel that the proposed subdivision is consistent with surrounding developments of site-built homes. He asked the Commissioners to consider increasing the square footage and a requirement that the developer pave the road.

**Dale Cox**, property owner, stated the subdivision will have a private maintained gravel road with state standards. He also confirmed that it is restricted to off frame modular and site-built homes, and added that protective covenants indicate and dictate what can be built. He said that there will be a road maintenance agreement with monthly dues that go into an escrow account for the upkeep of the road.

**Barbara Bodsford**, 2131 Lassiter Mill Rd, Asheboro, spoke in opposition to the request because she is concerned with the loss of vegetation along her property, which adjoins, and requested a retention pond for run off.

Mr. Johnson stated that the property would not be clear-cut, and homes would be built on the front of the lots leaving the trees on the back of the property as buffers and protection to neighboring properties.

*On motion of Frye, seconded by Kemp, the Board voted unanimously to approve the request of Two Mills, LLC, as determined consistent with the standards and policies contained within the Growth Management Plan outlined in the recommendations provided by the County Planning Board.*

**STRATA SOLAR DEVELOPMENT, LLC**, Chapel Hill, North Carolina, is requesting that 43.98 acres located at 4477 Wall Brothers Road, New Market Township, be rezoned from RA to RIO-CD. Tax ID# 7745862260. Secondary Growth Area. Randleman Lake Watershed. The proposed Conditional Zoning District would specifically allow the development of a five Mega-Watt Solar PV Farm as per site plan. The Planning Board reviewed this request at public meeting on October 8, 2013, and unanimously recommended that this request be approved. The Planning Board found the following policies within the 2009 Growth Management Plan that support determination of consistency with the adopted plan with this recommendation:

*Policy 3.11 New rural industrial development shall be located in areas of the site that would lessen impact to adjoining residential and agricultural lands.*

*Policy 3.12 New rural industrial development should provide site specific development plans*

*along with vegetated buffers or other landscaping designed to reduce substantial impacts to adjoining land uses.*

*Commissioner Resolution Adopting the 2009 Randolph County Growth Management Plan, #3. Ensure the opportunity for landowners to achieve the highest and best uses of their land that are consistent with growth management policies in order to protect the economic viability of the County's citizens and tax base.*

Mr. Johnson said that if approved, this 44-acre site will be the largest solar farm in Randolph County. The only other solar farm in the county is relatively small (approved in 2009) and is located south of Seagrove using about ½-acre out of a total 8-acre site. This five megawatt site will supply five million watts of electricity that can power 600 – 700 homes. It will include 575 individual panels or solar racks and employ 120 – 130 temporary specialists during the construction, which is expected to last three to four months.

The property is currently used for agriculture. Over half the remaining property (frontage & east) is located within the Extra Territorial Zoning Jurisdiction of Randleman.

Mr. Johnson reviewed some issues raised during the Planning Board meeting, as follows:

**1: Economic Development vs. Land Use.** Why zone land for a Solar Farm when it might best be used for commercial or industrial development that creates jobs? (Located on land near the Intersection of the new 1-74.) There are no commercial or industrial prospects and no municipal water and sewer. The property is located in the Randleman Lake Watershed, which strictly controls the amount of impervious surface – not more than 12%. The solar farm would use less than the 12% allowed. Over half of the property remains in the Extra Territorial Zoning Jurisdiction of Randleman – front and east, and could still be farmed while waiting for future developments if the economy changes and sewer becomes available.

**2: Wall Brothers Road, a state road, should be paved all the way through from Walker Mill Rd. to Hwy 311.** It is paved on both ends and the entrance to the solar farm would be on the paved portion. The land owner has not granted easement to NCDOT because the easement would be several acres and would take up land used for farming.

**3: Would dust be a problem from unpaved portion?** The site has access from the paved road and there is no case of dust posing problems to solar panels.

**4: Tax incentives given by the State & Federal government to Solar Farms are not fair to other land owners.** The property is in Farm Deferred now, and even with the property tax reductions allowed (80%), it would be paying more in taxes than it does as farm land. This is a right given by State & Federal government to encourage investment in green energy.

**Gerry Dudzic**, partner and the Chief Operating Officer of Carolina Solar Energy II, Durham, NC, and primary developer of the project, said that they have partnered with Strata Solar Development, Chapel Hill, NC and are co-developing the solar farm. Mr. Dudzic said his job is to negotiate site control with the land owner, and take it through the permitting process once control is gained. He stated that they are proposing a 44-acre project on land that the Wall family owns. The project would have 26,600 solar panels aligned in rows fixed to the ground with no moving parts, with a planned life expectancy of at least 30 years. The system would be

continuously monitored and all of the medium and high voltage would run underground and eventually tie into the Duke Energy grid, to whom the electricity would be sold.

Mr. Dudzic stated that as Mr. Johnson stated, they would employ 120 – 130 temporary specialists, who would spend \$300,000-\$500,000 for food, lodging, supplies, equipment, labor and other things to establish the site during the three to four months of construction.

Property value of the solar farm is estimated to be \$15,900,000. County property tax revenues are estimated at around \$22,000, after discounts, plus land tax revenues.

**Phil Wall**, Managing General Partner of the Philip Tracy Wall Family Limited Partnership, stated that this land had been used for farming since 1856. Mr. Wall said he feels they have the right to do anything with their property that they wish and requested that the Commissioners approve the request.

**Lynn Small**, 4807 Walker Mill Rd, Asheboro, said he feels the community has been neglected in the process and said that he was not opposing the solar farm, but is seeking a balance between the rights of the land owner, the rights of the county to regulate zoning, and the interests of the Sophia Community. The solar farm injects a small dose of revenue into the county for a limited time because there are no permanent jobs being created during the 15-to 45-year time span. He said that if the 44 acres were devoted to regular business development, even though 12% is located in a watershed, far more property tax would be created for the county, as well as, many permanent jobs. The I-74 corridor interchange holds the best promise for future business development along the corridor to provide permanent jobs and tax revenue that the county desperately needs. Mr. Small stated he is not opposing the solar farm, just pointing out that it has weaknesses.

Mr. Small said that rezoning almost always has conditions attached and that the purpose of a rezoning is to find the proper balance between the rights of the land owner, the rights and needs of the county, and the rights of the local citizens in the rezoned area. He feels the duty of the planning board is to sort out these priorities and does not feel they have in this request. Mr. Small stated that the buffers are not adequate and that there appear to be no real buffers at the front of the solar placement along the easement of the roadway. Mr. Small said his primary concern for the community is the need for completed pavement of the Wall Brothers Road providing the community with an improved roadway to connect I-74/Business 311 to the Coggins ball field, as well as, a quicker and improved roadway to the Cedar Square area. All of the unpaved section is located on the Walls' property. Mr. Small contacted DOT regarding the right-of-way that would be needed. Mr. Small said that DOT stated that up to an acre of land would be needed at the elbow in the current road to realign the road and allow for paving and that the Wall family would only be trading land to allow for the realignment. He said DOT was willing to stake the area for the road to allow for inspection. Mr. Small requested that the Wall Family Partnership grant the right-of-way to DOT for the remaining portion of Wall Brothers Road to be paved. He said this would balance Mr. Wall's right to develop his property while meeting the needs of the community through an improved transportation route and improve the value of the land without affecting the acreage. Mr. Small said that when one is paying less in taxes than their neighbors, because that property is farm tax deferred, it is not too much for the community to ask that one give a little bit toward the improvement to benefit everyone in the area. Mr. Small requested that the Commissioners grant the rezoning with the added condition that the Wall Family Partnership grant the DOT right-of-way to complete the paving of Wall

Brothers Road and if the Wall Family Partnership does not agree to the added condition, he asked that the Commissioners table the rezoning so the Planning Board can have additional time to study the important interchange for future development, as well as, to give the Commissioners more time to review the solar farm project.

Mr. Wall responded that he has always been told by DOT that it would take around two acres to realign the road, which would leave him with a section of land, currently a gravel road, which would not be farmable.

**Commissioner Frye** stated that he knew that paving the road has always been an issue and that he contacted DOT during the construction of I-74 to see if there were enough funds to add the paving completion of Wall Brothers Road, but was informed it was a separate issue. He said the Commissioners do not have the power to force Mr. Wall to do that. It would be up to him and his agreements with DOT. Under the new formula for distribution of DOT funds there are no funds for paving roads, so even if Mr. Wall gave those rights, it probably would not be paved for some time.

*On motion of Haywood, seconded by Frye, the Board voted unanimously to approve the request of Strata Solar Development, LLC, as determined consistent with the standards and policies contained within the Growth Management Plan outlined in the recommendations provided by the County Planning Board.*

#### **2014 Board of Commissioners Planning Retreat**

Will Massie, Finance Director stated that the Board typically holds a board retreat in order to become better informed on a variety of current topics. This allows the Commissioners to ask questions and discuss policy in an informal setting. A retreat provides the Board an opportunity to identify priorities and to guide management's efforts.

He said that, ideally, the 2014 retreat could be held between the February 3 and March 10 regular Board meetings, which are before departments begin working on their 2014-15 budgets. He said that the school and community college capital needs updates will be presented at the regular March meeting.

Mr. Massie asked that a date for the retreat be set at the December meeting. Suggested dates include Saturday, February 22 from 8:30 a.m. – 1:00 p.m. or Wednesday, February 26 from 12:00 p.m. – 5:00 p.m.

He asked the Board to let him know if there were any specific presentations that would like to be heard or included as a topic for Board discussion and said subjects for the retreat might include economic development options, funding of ED Reserve; County department staffing levels, personnel recruitment and retention, compensation and benefit alternatives; Update on County capital improvement plan (911 Center, Animal Shelter) and approach to capital replacement funding.

#### **Regional Update**

Vice Chair Frye stated that he was reappointed to the state board of the NCACC as a past president. He reported that the NCACC is doing well financially and have reduced county dues four years in a row. They will be paying off their building and will be debt free.

He advised that the NCACC is seeking county board support in lawsuits filed against counties. One was for governmental immunity in Wilson County. Courts ruled they were, in fact, charging a fee and therefore, had no immunity.

Union County School Board sued the County Commissioners, stating they were not given enough money during the budget process. Courts ruled against the County and allowed the school system to go back a number of years to recoup funding. Instead of \$9 million, the County was ordered to give the schools \$100 million. County Commissioners have filed an appeal and the NCACC is planning to join in that lawsuit.

**Adjournment**

At 8:54 p.m., there being no further business, the meeting adjourned.

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J. Harold Holmes, Chairman

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Darrell L. Frye

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Phil Kemp

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Stan Haywood

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Amanda Varner, Deputy Clerk to the Board