

August 3, 2015

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 Frye, Haywood, Kemp, Lanier, and Allen were present.

Dr. Bob Shackelford, RCC President, gave the invocation and everyone recited the Pledge of Allegiance, which was led by Carter Crisco who is working on his Citizenship Merit Badge. He was assisted by his brother Elijah Allmon. Both are members of Boy Scout Troop 525.

### **Changes to New Business**

Chairman Frye announced New Business *Item D. 7:00 PM Rezoning Public Hearing* had been postponed due to a death in the applicant's family and will be rescheduled for a later date.

### **Special Recognition: Governor's Volunteer Awards**

Chairman Frye, with the assistance of United Way Director Elizabeth Mitchell, presented certificates of appreciation to the winners of the 2015 Governor's Award for Volunteer Service: Bob Cox, Vickie Gallimore, Thomas Herbert (not present), Toni Marley (also received the Governor's Medallion Award), Julie Moore (not present), Milton Piedra and Lucy Rice. *Note: The volunteers were also honored at a County-sponsored reception just prior to the meeting.*

### **Sheriff's Recognitions**

Sheriff Maynard Reid introduced the following promotions in his department that were effective August 1: William Edward Blair was promoted to Colonel/Chief Deputy; Capt. Tony King was promoted to Major over Administrative Division; and Capt. Aundrea Azelton was promoted to Major over Field Operations.

### **Public Comment Period**

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

**Lena Keller**, Humane Society of Randolph County (HSRC), spoke requesting the County establish an anti-tethering law. She said they feel it would alleviate the abuse and neglect of dogs tied outside and diminish unwanted litters of puppies that are now being dumped at the shelters or at rescue organizations.

Ms. Keller feels that many cruelty cases involve pets being left to live on a chain or cable for so long that often their collars become embedded in their necks. They can also become entangled in the chain and unable to move; and in some cases, unable to escape predators. She said that tethering has been linked to animal aggression.

She said the HSRC recommends a phase in period, in the form of written warnings before a fine is levied to the owner and asked the Board to support the proposal.

**Jon Nance**, 3483 New Hope Ch. Rd., Asheboro, shared a few Samuel Adams quotes with the Board.

08/03/15

“If ye love wealth better than liberty, the tranquility of servitude better than the animating contest of freedom, go home from us in peace. We ask not your counsels or arms. Crouch down and lick the hands which feed you. May your chains set lightly upon you, and may posterity forget that ye were our countrymen.”

“No people will tamely surrender their Liberties, nor can any be easily subdued, when knowledge is diffused and virtue is preserved. On the Contrary, when People are universally ignorant, and debauched in their Manners, they will sink under their own weight without the Aid of foreign Invaders.”

“A general dissolution of principles and manners will more surely overthrow the liberties of America than the whole force of the common enemy. While the people are virtuous they cannot be subdued; but when once they lose their virtue then will be ready to surrender their liberties to the first external or internal invader.”

Mr. Nance said these are things that we need to think about as Americans; what freedom really means to each of us and what the role of government should be.

**Consent Agenda**

*On motion of Lanier, seconded by Allen, the Board voted unanimously to approve the Consent Agenda, as follows:*

- *approve Board of Commissioners regular meeting minutes of 7/6/15;*
- *approve Budget Amendment #3 for Encumbrance Carryforwards, as follows:*

<b>2015-2016 Budget Ordinance General Fund—Budget Amendment #3</b>	
<b>Revenues</b>	<b>Increase</b>
<i>Restricted Intergovernmental</i>	\$267,067
<i>Appropriated Fund Balance</i>	\$2,176,484
<b>Appropriations</b>	<b>Increase</b>
<i>Administration</i>	\$168,576
<i>Information Technology</i>	\$56,136
<i>Tax</i>	\$110,000
<i>Elections</i>	\$60,650
<i>Register of Deeds</i>	\$25,085
<i>Public Buildings</i>	\$262,016
<i>Sheriff</i>	\$810,881
<i>Emergency Services</i>	\$418,663
<i>Building Inspections</i>	\$13,000
<i>Planning &amp; Zoning</i>	\$2,498
<i>Other Economic &amp; Physical Development Appropriations</i>	\$293,087
<i>Public Health</i>	\$45,198
<i>Social Services</i>	\$141,006
<i>Child Support Enforcement</i>	\$16,695
<i>Public Library</i>	\$20,060

<b>2015-2016 Budget Ordinance Emergency Telephone Fund—Budget Amendment #3</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Appropriated Fund Balance</i>	\$67,585	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Emergency Telephone System</i>	\$67,585	

- *reappoint Bob McDuffie to the Piedmont Triad Regional Water Authority;*
- *declare Sheriff’s Office canine (“Rocky”) as surplus property (having no monetary value) and grant permission for handler to adopt canine;*
- *approve Budget Amendment #4 for Cooperative Extension (4-H/FFA Livestock Show Program), as follows:*

<b>2015-2016 Budget Ordinance General Fund—Budget Amendment #4</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Sales and Service</i>	\$19,898	
<i>Miscellaneous</i>	\$2,652	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Cooperative Extension</i>	\$22,550	

- *approve Budget Amendment #1 for Animal Shelter Capital Project Fund (\$179,170), as follows:*

<b>2015-2016 Budget Ordinance Animal Shelter Capital Project Fund—Budget Amendment #1</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Timber Sale</i>	\$179,170	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Professional Fees</i>	\$75,000	
<i>Construction</i>	\$104,170	

- *reappoint Mazie Fleetwood, Leanne Henkel, and David Allen to the Sandhills Center Board of Directors;*
- *reappoint Jodi Allred to the Randolph County Juvenile Crime Prevention Council;*
- *approve Budget Amendment #5 for Public Health (BT/BCCCP \$60,545), as follows:*

<b>2015-2016 Budget Ordinance General Fund—Budget Amendment #5</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$60,545	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Public Health</i>	\$60,545	

- *appoint Richard Wells to fulfill the unexpired term of J. Harold Holmes (resigned) on the Library Board of Trustees.*

### **Annual Report of the Historic Landmark Preservation Commission (HLPC)**

Mac Whatley, HLPC Chairman, provided an annual update as required by the ordinance creating the Commission, which was adopted by the Board of County Commissioners on June 2, 2008.

Mr. Whatley recapped that on January 5, 2015, the Board of Commissioners amended the Historic Landmark Preservation Commission Ordinance that transferred the administrative responsibility for the Commission to the Randolph County Public Library and appointed the Director of the Public Library Ross Holt as the liaison for Randolph County Government to the HLPC. The Randolph County Planning Department continues to provide technical and other support to the Public Library as needed for the HLPC.

Mr. Whatley presented information with a supporting PowerPoint about the additions to the Cultural Heritage Site designations (Buildings, Structures, Objects, Monuments, Sites) since August of 2014, as follows: Strieby Congregational Church, School and Cemetery; Buffalo Ford; 1838 Courthouse Belfry Bell; Randolph Hornets Flag; and the County Official Weights and Measures.

He stated that the HLPC would be considering other revolutionary war sites, as well as sixteen sites located in Randolph County already listed on the National Registry of Historic Places but not yet designated as local historic landmarks.

Mr. Whatley said that the Tourism Development Authority is funding and developing a brochure that would list all of the local landmarks and history museums in the County.

Mr. Whatley also reviewed the Certificate of Appropriateness that was approved by the HLPC to allow for the installation of additional hand railings on the front steps of the 1909 Historic Courthouse.

Mr. Whatley shared the website statistics for the HLPC, as follows: It had 349,049 separate visits; with 22,500 of those being unique visitors. The Pisgah Covered Bridge and the Sandy Creek Primitive Baptist Church were the top two most visited historic landmarks on the website.

He thanked the Board for their continued support to preserve history.

### **Award Bid for Tax Appraisal / Land Records Software Conversion Package**

Michael Rowland, IT Director, stated that the 2008 Strategic Technology Work plan consisted of a replacement for the old Tax Appraisal system. The bid for the replacement was awarded in August 2009 to Farragut Systems. The Tax Department went live with the software in February 2011. Since that time, Farragut has been diligently working to improve the software and recently completed a major rewrite of that software. The improvements included in the new version were designed to eliminate the problems that delayed the initial go-live and which ultimately delayed the completion of the 2013 property revaluation. The new software is now available and Farragut has started migrating existing installations. However, since this is a major rewrite, the upgrade requires a data conversion and system migration. This is due to major changes in the underlying data schema and additional

functionality included in the new software. Farragut has provided a proposal to migrate our current system to the new version. The proposal covers the data mapping, data conversion, business process alignment, installation, testing, and training required for the migration. The total cost for the data conversion and software migration is \$165,000. Migration to the new software will be necessary for the completion of the 2019 property revaluation.

Mr. Rowland said due to careful management of prior technology projects, there is money available in the Technology Fund to complete this upgrade. To cover the costs of the migration, he requested that unspent funds from past completed Technology Work plan projects be moved to cover this project. The original Tax Appraisal software project still has a balance of \$49,169 in the Technology Fund. These savings were possible due to doing some work in-house, leveraging existing infrastructure resources, and deciding not to include additional modules. He requested moving an additional \$124,822 from other areas of the Technology Fund to the Tax Appraisal software project. Currently there is \$24,906 left from the Central Permitting project and \$99,916 in unspent funds in the Tax Billing/Collections project. The Tax Appraisal software conversion will complete the projects identified in the Strategic Technology plan that was initiated in 2005. Mr. Rowland said no other projects of this magnitude are expected in the next five years.

Commissioner Kemp expressed his concerns regarding how difficult the new GIS system has been for appraisers to navigate, print, and get the information they need. Mr. Rowland explained why the County had to go to a new system and that the IT Department is continually updating for ease of use. He welcomed suggestions and said his department offers training to anyone who wants to know more about using the GIS.

*On motion of Kemp, seconded by Allen, the Board voted unanimously to award the bid to convert the Tax Appraisal data and implement the new version of software to Farragut Systems for \$165,000, to authorize the County Manager to negotiate and sign the contract, and to approve the related Budget Amendment #10, as follows:*

<b>2015-2016 Budget Ordinance Technology Fund—Budget Amendment #10</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Central Permitting Project</i>		\$24,906
<i>Phase I Tax Application</i>		\$99,916
<i>Tax Appraisal Software Project</i>	\$124,822	

**Award Bid for Register of Deeds / Tax Integration Software**

Michael Rowland, IT Director, said that due to the enhancements expected with the conversion of the Tax Appraisal/Land Records software, the Tax Department would like to purchase an additional Tax Appraisal/Land Records module that would allow for the integration of the Register of Deeds and Tax systems. This additional module called DeedSync would allow for the seamless transfer of new deed information to the Tax Appraisal/Land Records system. Automating this process would increase efficiency and reduce errors. Farragut Systems is the vendor that provided the current Tax Appraisal/Land Records software. This is an add-on for the existing system so the County was only able to get one quote that covered the software at \$30,000 plus first year maintenance costs of \$6,000

for a total of \$36,000.

Mr. Rowland stated that the Tax Department has funds in their current budget to cover the purchase.

*On motion of Kemp, seconded by Allen, the Board voted unanimously to award the bid for \$36,000 for the DeedSync application to Farragut Systems and to authorize the County Manager to negotiate and sign the contract.*

### **Approval of Contracts to Conduct Fire Inspections for Ramseur and Franklinville**

Fire Marshal Erik Beard said that until recently, the City of Randleman contracted to perform fire inspections for the Town of Franklinville and the Town of Ramseur. Randleman notified these towns that they will no longer be providing this service due to the expansion of their district, which now includes Sophia. Both Franklinville and Ramseur have asked that the County consider contracting with them to provide this service. Mr. Beard met with Finance Officer Will Massie and Associate County Attorney Aimee Scotton to determine how much to charge for this service and how to structure the agreement.

Mr. Beard said the amount to charge was determined by the number of inspections that would need to be performed in each municipality and the approximate cost of conducting each inspection. This service can be offered to Franklinville for \$2,200 per year and to Ramseur for \$10,200 per year. Both municipalities have indicated that this is agreeable to them.

North Carolina General Statute §160A-413 allows a city council to designate an inspector from the county to serve as a member of its inspection department with the approval of the governing body of the county. Under this arrangement, the inspector is considered to be a municipal employee while conducting inspections within the city and the city has the same potential liability for inspections conducted by him as it would for an employee of the city.

*On motion of Kemp, seconded by Haywood, the Board voted unanimously to approve contracts to conduct fire inspections for Ramseur for \$10,200 and Franklinville for \$2,200.*

### **Request to Repeal Current Animal Control Ordinance and to Approve New Animal Control Ordinance**

MiMi Cooper, Public Health Director, said the Humane Society of Randolph County (HSRC) and the staff of the Randolph County Animal Shelter are recommending several changes (*italics*) be made to the Ordinance to Control Animals in Randolph County. (**Bold** is explanation for the change.):

- Definition of Shelter: A structure with a minimum of three sides, a roof, *and a bottom* used to house the animal and protect it from weather.

**Most citizens provide their animals with more than adequate shelter from excessive heat and cold. However, Animal Control often finds that the current definition leaves some animals on the ground where they are not truly protected from the weather. This recommendation comes from our local humane society. They do a great deal of education and home visiting and requested that the County make this change.**

She recommended that the change in the definition of “shelter” become effective January 1, 2016.

- *Definition of Tethering: The act of tying, chaining or restraining a dog to a fixed object with a rope, chain or other device in order to keep the dog confined.*

**In order to regulate tethering, Ms. Cooper is proposing the definition used most commonly in animal control ordinances for this practice.**

- **8. Tethering Dogs**
  - a. It shall be unlawful to tether a dog(s) as a regular method of keeping the dog(s) on the owner's property.*
  - b. Owners may tether a dog(s) for a reasonable period of time to allow for waste elimination.*
  - c. Owners may tether a dog(s) on a runner for a reasonable period of time that allows the dog(s) to exercise.*
  - d. The provisions of paragraphs (b) and (c) above notwithstanding, it shall be unlawful for a dog to be tethered twenty-four (24) hours a day.*
  - e. Owners may only tether their dog(s) for reasons other than those set out in paragraphs (b) and (c) or for extended periods in emergency situations or under extreme extenuating circumstances. Owners should be prepared to explain to Animal Control Officers what circumstances existed that required them to tether their dog(s).*

**A search of animal welfare literature states that dogs are social animals that thrive in a family environment. Chaining a dog out for long periods of time deprives the animal of interaction with the family and can cause sensory deprivation, boredom, frustration, anxiety, agitation and aggression. A list of risk factors that contributed to children being bitten by dogs, which were identified in a study by the American Academy of Pediatrics, included the dog being chained while in the yard. The official journal of the United States Public Health Service, *Public Health Reports*, identified and studied 16 incidents involving dog bites, fitting the description of severe. Of those incidents, half involved were either chained or broke loose from chains to attack their victims. The *Journal of the American Veterinary Medical Association* published a comprehensive study of dog bite-related fatalities listing co-occurring factors that are potentially preventable. Included in this list was "keeping dogs as resident dogs rather than family pets." Dogs that spend most of their time chained often display unsocial behavior and are a risk to the public. Limiting or eliminating the amount of time a dog is chained improves the emotional health of the animal as well as public safety.**

Ms. Cooper said they realize that this is a significant change for citizens. Neighboring counties that have adopted rules concerning tethering have placed the rule in an education phase for one year before there is a penalty assessed. She said many partners in animal rescue have pledged to help get the word out during the first year. If approved, she recommended the tethering change become effective January 1, 2016, but remain in a warning/educational state until January 1, 2017.

- *She also recommended a penalty for violating the tethering section ranging from warning (no fine) to first charge \$50, second charge \$100 and third charge \$200 to be effective January 1, 2017.*

**To establish penalty fees and an effective date.**

- *The Board of Health recommends that Section 6 (A) remove the specifics of NCGS 14-4.*

**The statute's fees and penalties have changed since this ordinance was last updated. Ms. Cooper recommended referring to the NCGS instead of stating the fee and penalty.**

- *The Board of Health also recommends removal of Section 6 (C) 4.*

**This is the area where fines and fees are listed. The fees and fines will still apply but they will not require an ordinance change to update them. Any change to fees or fines still requires both Board of Health and Board of Commissioners approval.**

Ms. Cooper asked the Board to repeal the current ordinance and adopt a new ordinance to reflect all the proposed changes.

Chairman Frye said the request for tethering restrictions has been mostly made in municipalities but feels this is trending and other counties could follow suit. It is an issue that needs to be addressed.

Commissioner Lanier said education about the new law in the rural areas would definitely take time. He feels there will be controversy on the request.

Commissioner Allen asked if the aggressiveness of the dog had anything to do with the size or breed of the dog. Ms. Cooper stated that they have seen every aspect of tethering and it has nothing to do with the size or breed. The frustration and aggression comes from the 24/7 tethering of the animal and the reason the change to the ordinance has been requested.

Commissioner Kemp made a motion to repeal the current ordinance and adopt the new proposed ordinance. The motion died for lack of a second.

Commissioner Lanier made a motion to revisit the request in sixty days after getting feedback from citizens.

Commissioner Allen said he would like to hear from other citizens regarding the matter and to see what other governments have enacted and get their opinions of what worked and what didn't.

Ms. Cooper said this would only apply to areas in which the County monitors animal control.

*On motion of Lanier, seconded by Kemp, the Board voted unanimously to table the request to repeal the current animal control ordinance and adopt the new Ordinance Governing the General Control of Animals in Randolph County for the suggested sixty days in order to gather additional information.*

### **Approval to Amend Pawnbroker's License Ordinance**

Associate County Attorney Aimee Scotton explained the request to amend the Pawn Brokers License Ordinance to reflect changes in the references to the statutory authority for the ordinance. The state laws regarding pawnbroker licensure were formerly contained in Chapter 91A of the North Carolina General Statutes. They are now codified in Article 45, Chapter 66. The Pawn Brokers License Ordinance has been updated to change any reference to the former statutes. In the penalties section, the specific penalties contained in North Carolina General Statute 14-4 were removed. This

way, if the state updates those penalties, our ordinance would not need to be amended to reflect the update. There are no substantive changes to the ordinance. All of the contents of the existing ordinance are still contained within the provisions set forth in state law, so there was no need to change anything other than the statutory reference.

*On motion of Haywood, seconded by Allen, the Board voted unanimously to amend the Pawnbroker's License Ordinance, as requested and as follows:*

## *PAWNBROKER'S LICENSE ORDINANCE*

### *Section 1. PURPOSE*

*In the public interest and welfare, for the promotion of convenience, and pursuant to statutory authority contained in Article 45 of Chapter 66 of the N.C.G.S., the following rules are adopted, which set forth the conditions, limitations and requirements under which a person may obtain a license to operate a pawnshop and conduct the business of pawnbroker in the unincorporated areas of Randolph County.*

### *Section 2. DEFINITIONS*

- (a) "Pawn" or "Pawn transaction" shall mean a written bailment of personal property as security for a debt, redeemable on certain terms within 180 days, unless renewed, and with an implied power of sale on default.*
- (b) "Pawnbroker" shall mean any person engaged in the business of lending money on the security of pledged goods and who may also purchase merchandise for resale from dealers and traders.*
- (c) "Pawnshop" shall mean the location at which, or premises in which, a pawnbroker regularly conducts business.*
- (d) "Person" shall mean any individual, corporation, joint venture, association, or any other legal entity, however organized.*

### *Section 3. LICENSE REQUIRED*

*It is unlawful for any person, firm, or corporation to establish or conduct a business of pawnbroker in the unincorporated area of Randolph County unless such person, firm, or corporation has procured a license to conduct business in compliance with the requirements of Article 45 of Chapter 66 of the N.C.G.S. and of this ordinance.*

### *Section 4. REQUIREMENTS FOR LICENSURE*

- (a) To be eligible for a pawnbroker's license, an applicant must:
  - (1) Be of good moral character; and*
  - (2) Not have been convicted of a felony within the last 10 years.**
- (b) Every person desiring to engage in the business of pawnbroker shall petition the County for a license to conduct such business. Such applications shall be upon a form approved by the County Manager (See "Appendix A: Application for Pawnbroker's License") and shall contain:*

- (1) *The name and address of the person, and, in case of a firm or corporation, the names and addresses of the persons composing such firm or of the officers, directors, and stockholders of such corporation, excluding shareholders of publicly traded companies;*
  - (2) *The name of the business and the street and mailing address where the business is to be operated;*
  - (3) *A statement indicating the amount of net assets or capital proposed to be used by the petitioner in operation of the business; this statement shall be accompanied by an unaudited statement from an accountant or certified public accountant verifying the information, contained in the accompanying statement;*
  - (4) *An affidavit by the petitioner that he has not been convicted of a felony; and*
  - (5) *A certificate from the Randolph County Sheriff's Department stating that the petitioner has not been convicted of a felony.*
- (c) *Any license granted under this ordinance may be revoked by the County after a hearing, for substantial abuses of Article 45 of Chapter 66 of the N.C.G.S or this ordinance.*

#### **Section 5. BOND REQUIRED**

*Every person licensed under this ordinance shall, at the time of receiving the license, file with the County a bond payable to Randolph County, in the sum of Five Thousand Dollars (\$5,000), to be executed by the licensee, and by two responsible sureties or a surety company licensed to do such business in North Carolina, to be approved by the County, which shall be for the faithful performance of the requirements and obligations pertaining to the business so licensed. (See "Appendix B: Bond for Pawnbroker's License." This form may be used when a surety company is not used or when a surety company does not have its own form.). The County may sue for forfeiture of the bond upon a breach thereof. Any person who obtains a judgment against a pawnbroker and upon which judgment execution is returned unsatisfied may maintain an action in his own name upon the bond, to satisfy the judgment.*

#### **Section 6. ISSUANCE AND RENEWAL OF LICENSE AND PAYMENT OF FEES**

- (a) *After submission of complete application on forms provided by the Office of the County Manager and approval of such application by the Board of County Commissioners and upon payment of a fee of Two Hundred Fifty Dollars (\$250) to the Randolph County Finance Office, the County Manager shall issue an initial license to the applicant that is valid for one year from the date it is issued.*
- (b) *Each license may be renewed annually by submission of a renewal application to the Office of the County Manager at least thirty (30) days prior to the expiration date of the license. After approval of said application by the Board of County Commissioners, and upon payment of a renewal fee of Two Hundred Fifty Dollars (\$250) to the Randolph County Finance Office, the County Manager shall issue to the applicant a renewal license valid for one year from the date it is issued.*
- (c) *If the business to be licensed pursuant to this ordinance is carried on at two or more separate places, a separate County license for each place or location of such business shall be required.*

- (d) *The County license issued pursuant to this ordinance shall not be transferable to any other person, and shall limit the person named in the license to conducting his pawnbroker business to the location specified in the license; provided, if the holder of a license granted under this ordinance moves the business for which a license has been obtained to another location, a new license may be issued without additional fee to the licensee at a new location for the balance of the license year, upon surrender of the original license for cancellation.*
- (e) *Revocation of a license shall not be a cause for a refund of any fee paid for issuance or renewal of a license.*
- (f) *It shall be unlawful to willfully make a false statement in an application for a license or request for renewal of license under the provisions of this ordinance.*
- (g) *Every license and renewal of license issued shall show on the face thereof the name of the licensee, the nature of the business, the location thereof, the date it was issued, the expiration date, and the payment of the fee. (See "Appendix C: Sample License."). Every person, corporation, partnership, or association licensed pursuant to this ordinance shall display such license in a prominent place located in the pawnshop so licensed.*

#### *Section 7. NOTICE AND HEARING*

*Before the Board of Commissioners revokes a license issued pursuant to this ordinance, or if the Board determines reasonable grounds exist to deny an application for a license pursuant to this ordinance, the Board shall cause a written notice to be sent by certified mail to the licensee or applicant affected, at the address stated in the license or application. The notice shall advise the affected party of a right to appear before the Board of Commissioners with or without legal counsel, at a stated time and place, for the purpose of presenting any evidence relevant to such revocation or denial, and for the purpose of hearing all evidence submitted and examining or cross-examining any person providing such evidence.*

#### *Section 8. ENFORCEMENT AND REVOCATION OF LICENSE*

- (a) *It shall be the duty of the Sheriff of Randolph County to inspect periodically the records of pawns and purchase transactions of each pawnbroker business, which records shall be carefully preserved without alteration and made available during regular business hours.*
- (b) *Upon acquiring substantial and reasonable evidence that any pawnbroker or agent or employee of a pawnbroker establishment requiring licensing pursuant to this ordinance has violated a provision of Article 45 of Chapter 66 of the N.C.G.S or of this ordinance, the Sheriff shall notify the Board of County Commissioners of such violation. If the Board of County Commissioners determines that there is probable cause for revocation of the County license, notice and hearing shall be afforded the licensee as provided in Section 7. Upon licensee's failure to show such good cause, the Board of County Commissioners shall revoke such license.*

#### *Section 9. SEPARABILITY*

*If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any*

*reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions thereof.*

*Section 10. PENALTIES*

*Any person convicted of violating any provision of this ordinance shall be guilty of a misdemeanor and shall face the penalties provided in N.C.G.S. 14-4.*

**Site Development Capital Project Fund Matters**

Will Massie, Finance Officer stated that in June, the Board approved the additional purchase of mega-site land to be financed out of fund balance. The initial transfer was made in June; and it was discussed that the second portion would be needed in August. Only the actual amount needed to fund land purchase costs and related expenses will be transferred.

*On motion of Kemp, seconded by Lanier, the Board voted 3 to 2, with Haywood and Allen opposing, to approve Budget Amendment #6 to transfer \$2,200,000 of fund balance from the General Fund to the Site Development Capital Project Fund and approve Budget Amendment #3 to the Site Development Capital Project Fund, as follows:*

<b>2015-2016 Budget Ordinance General Fund—Budget Amendment #6</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Appropriated Fund Balance</i>	\$2,200,000	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Transfer to Site Development Fund</i>	\$2,200,000	

<b>2014-2015 Budget Ordinance Site Development Capital Project Ordinance—Budget Amendment #3</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Transfer from General Fund</i>	\$2,200,000	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Purchase of Land</i>	\$2,200,000	

**Adjournment**

*At 7:19 p.m., on motion of Kemp, seconded by Allen, the Board voted unanimously to adjourn.*

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Darrell L. Frye, Chairman

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Phil Kemp

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Arnold Lanier

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Stan Haywood

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David Allen

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Amanda Varner, Clerk to the Board