

Minutes

Randolph County Commissioners

April 5, 1999

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 Frye, Kemp, Davis, Holmes and Mason were present. Invocation was given by Rev. Dwight Ayers, Chaplain for the Sheriff's Department, and everyone recited the Pledge of Allegiance.

Recognition of Retirees

On behalf of the Board, Chairman Frye presented a retirement plaque to Geraldine Allred, Sheriff's Office, who is retiring after 26 years of service. He read and presented a proclamation of appreciation to Maria Bliss, Director of Elections, who is retiring after 16 years of service.

Consent Agenda

On motion of Davis, seconded by Mason, the Board unanimously approved the consent agenda as follows:

- *approve regular and closed session minutes of March 8, 1999;*
- *appoint Marcia Daniel to replace Angela Moore on the Workforce Development Board (term expiring June, 2001);*
- *reappoint Larry Brown to the Industrial Bond Authority (6-year term);*
- *reappoint Stephanie Dobbins, Ken Jordan, and Joann Wells to the Nursing Home/Adult Care Home Community Advisory Committee (3-year terms);*
- *reappoint John Waugh, Frank Fields, and James Dalton Bowman to the Climax Fire Protection District Commission (appointed jointly with Guilford County - 2-year terms);*
- *reappoint William Oliver Collier, Glenn Flinchum, and Glenn Gilmore, Jr. to the Julian Fire Protection District Commission (appointed jointly with Guilford County - 2-year terms);*
- *appoint John Wicker as an ETJ member of the Asheboro Planning Board to replace Tom Mullinax, who resigned (term expiring January, 2001);*
- *approve the following resolution:*

WHEREAS, *the Department of Transportation has investigated Taylor Woods Lane in the Murphy Acres Subdivision, Section Two; and*

WHEREAS, *the subject street has been found to meet minimum requirements for addition.*

NOW, THEREFORE, BE IT RESOLVED *by the Randolph County Board of Commissioners that Taylor Woods Lane in the Murphy Acres Subdivision, Section Two be added to the Division of Highways' Secondary Road System.*

- *adopt the following proclamation:*

WHEREAS, America faces many challenges as our nation nears the 21st century, and meeting those challenges successfully lies with the county form of government; and

WHEREAS, county government leaders are committed to improving the communities in which citizens live, work, play and raise families; and

WHEREAS, county governments are the nation's health safety net, providing hospital and health services to the poor and indigent; and

WHEREAS, county government is leading the fight to end violence and reduce crime through programs and policies in pursuit of solutions to help our nation's troubled youth; and

WHEREAS, county government is using the Internet and other innovative technologies to improve the lives of all citizens; and

WHEREAS, county government is flexible and adaptive in providing services directly to the individual people who receive them, and are able to provide county-wide and regional solutions to the most pressing of challenges; and

WHEREAS, America's counties are America's future, and the contributions made and the leadership offered by our nation's counties should be recognized;

NOW, THEREFORE, be it resolved by the Randolph County Board of Commissioners that all counties should join together in one voice in proclaiming April 18-24, 1999 as National County Government Week.

- *adopt the following proclamation:*

WHEREAS, every individual, family and community in America has the right to live free from fear and harm; and

WHEREAS, while most crimes continued to decrease in our nation in 1998, U.S. residents still experienced nearly 35 million criminal victimizations, including nearly 9 million violent crimes; and

WHEREAS, the victims' rights discipline and countless individual victims have worked over a quarter of a century to ensure victims' voices are heard throughout our justice system and in communities concerned with safety; and

WHEREAS, over 30,000 federal and state laws have been passed that define and protect the rights of crime victims, with over 10,000 national, state, and local agencies today providing support and services to victims of crime; and

WHEREAS, during 1999 National Crime Victims' Rights Week, the powerful voices of victims and those who serve them will be commemorated with the theme "Victims' Voices: Silent No More"; and

WHEREAS, the voices of victims offer us important insights into the personal pain and loss that victims endure, and are voices that deserve our nation's attention and respect;

NOW, THEREFORE, BE IT RESOLVED that Randolph County proclaims the week of April 25 to May 1, 1999 to be Randolph County Crime Victims' Rights Week.

BE IT FURTHER RESOLVED that we recognize the valuable contributions made this year by crime victims and advocates who diligently promote justice for all, and offer strong voices for personal and public protection and safety.

Surplus Property Sale

Jane Leonard, Deputy Finance Officer, presented a list of personal property reported to the purchasing office as no longer needed or usable by County departments.

On motion of Kemp, seconded by Holmes, the Board approved the following resolution (list of surplus items attached at end of minutes):

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

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

NOW, THEREFORE BE IT RESOLVED that Lisa D. Owens, Purchasing Technician and Jane H. Leonard, Deputy Finance Officer, are authorized by the Randolph County Board of Commissioners to dispose of this property by public auction on Saturday, April 24, 1999 at 10:00 a.m. in the parking lot of the Old Rest Home.

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

BE IT FURTHER RESOLVED that all balance due payments shall be made by 5:00 p.m. on the Friday following the sale in the Randolph County Purchasing Office, 725 McDowell Road, Asheboro, NC 27203, and that any bid deposit previously paid shall be forfeited if the balance due is not received by 5:00 p.m. on the Friday following the sale. Items purchased may not be removed from the County_s premises until payment in full is made.

BE IT FINALLY RESOLVED that the County reserves the right to add items whose estimated total does not exceed \$500.00 to the list to be sold prior to the auction and also the County reserves the right to remove any item from the list of items to be sold prior to the auction. The County reserves the right to dispose of any items that does not sell at the auction by the appropriate method.

Bid Award for Social Services Computers

Jane Leonard, Deputy Finance Officer, stated that informal bids had been received for 12 computers to be used with the current networking system in Social Services. The following bids were received: Dell Computers, \$20,772; Gateway 2000, \$19,596; and Micron Electronics, \$20,796.

On motion of Mason, seconded by Holmes, the Board unanimously awarded the bid to Gateway 2000, the low bidder, for a total of \$19,596.

Construction Contracts for Storage Buildings for Maintenance and Sheriff Departments

David Townsend, III, Public Works Director, stated that he had worked with Bill McDaniel, Maintenance Supervisor, to locate two sites on County-owned property for two new storage buildings for the Maintenance Department and the Sheriff's Office.

As part of the courthouse renovations project, the Maintenance Department will need to relocate their equipment and vehicles from the basement of the 911 building to their new facility, which will be located between the old County Home and the McDowell Center off Fayetteville Street. This project includes a 120' x 60' metal building, a 20' wide shed, and a fenced area for

equipment storage, for a total approximate cost of \$102,000. Grading and fencing will be separate contracts and were not included on bids received for the building construction contract. The following quotes were received for the Maintenance storage building: Pritchard Construction, \$77,500; Asheboro Construction, \$79,300; Myrick Construction, \$80,128; S. E. Trogdon & Sons, Inc., \$83,814; J & J Builders, Inc., \$84,000.

The Sheriff's storage building will be located off of New Century Drive, on the eastern side of the street across from the Randolph County Office Building. This project includes a 125' x 60' metal building, secured fencing, gravel, grading, concrete pads, and wash down areas, for a total approximate cost of \$120,000. The following quotes were received for the Sheriff's storage building only: Pritchard Construction, \$72,400; Asheboro Construction, \$76,500; S. E. Trogdon & Sons, Inc., \$76,883; Myrick Construction, \$81,656; J & J Builders, Inc., \$86,000.

On motion of Kemp, seconded by Holmes, the Board unanimously awarded two contracts to Pritchard Construction: Maintenance Department storage building, at \$77,500, and Sheriff's Department storage building, at \$72,400; and they authorized the County Manager to sign these contracts.

Contract for Grinding of Wood Waste

David Townsend, III, Public Works Director, reported that a request for proposal had been sent to vendors for grinding (2 times per year) all the wood waste the County receives in a 3-year period. The following bids were received: TODCO, Inc. of Lexington, \$305,962.50; Richard Banks Trucks and Grading of Marion, \$307,347; Henson's, Inc. of Tryon, \$347,062.50; EJE Recycling, Inc. of Greenville, \$465,900; Mapco, Inc. of Asheboro, NO BID; Wright's Grading of Ramseur, NO BID. Mr. Townsend stated that TODCO has been serving Randolph County for the past 18 months and has been a very good contractor to work with. He recommended the contract go to TODCO, Inc., the low bidder.

On motion of Davis, seconded by Mason, the Board unanimously awarded the woodgrinding contract to TODCO, Inc. at \$101,987.50 for the annual cost and \$305,962.50 for the total contract price, and authorized the County Manager to sign the contract.

Solid Waste Service Operations Contract

David Townsend, III, Public Works Director, explained that the County must have a contract with a vendor to provide operational services for all the areas of the solid waste facility outside the transfer station (white goods area, scrap tire area, wood waste area, construction and demolition area, as well as maintaining gravel roads and grounds and policing the entire facility). Bids have been received for a 3-year contract for these services, as follows: Mapco, Inc., \$178,467.60 per year; Wright's Grading, \$200,617 per year; Mace Grading Company, Inc., \$234,423 per year.

On motion of Mason, seconded by Holmes, the Board unanimously awarded a contract to Mapco, the

low bidder, for \$178,467.60 per year, a total contract amount of \$535,402.80, and authorized the County Manager to sign the contract.

Leasing of Office Space for District Court Judges and District Attorney

David Townsend, III, Public Works Director, reported that he and his staff have, after several months of searching, have finally found two rental locations that can meet the needs of the offices of the District Attorney and the District Court Judges and that have met with their approval. They are all currently housed in the Auman House, which will be torn down to make way for the new courthouse project. The County intends to lease 3,145 square feet of space at 21 S. Fayetteville Street for the Judges, for \$2,500 per month. The space is available now, but the County must do some extra cabling in these offices to comply with requirements of the Administrative Office of the Courts. The County also intends to lease 3,540 square feet of space at 100 Sunset Avenue for the D.A. and his staff, for \$2,800 per month. The County must also provide additional wiring for these offices, and this space will be ready by mid-May. Funds to cover these leases were included in the Courthouse Capital Project budget.

On motion of Kemp, seconded by Davis, the Board unanimously approved leasing the described space for the District Court Judges at \$2,500 per month and authorized the County Manager to sign the lease agreement.

On motion of Davis, seconded by Holmes, the Board unanimously approved leasing the described space for the District Attorney at \$2,800 per month and authorized the County Manager to sign the lease agreement.

Litter Sweep

David Townsend, III, Public Works Director, advised that the Public Works Department is proposing to join forces with the NC Department of Transportation on their annual roadside cleanup project called "Litter Sweep," to be held between April 17 and April 30. D.O.T. will provide trash bags, safety vests, and gloves to any group wishing to participate. Mr. Townsend said he would like to waive the tipping fee for any debris brought to the solid waste facility from Litter Sweep.

On motion of Kemp, seconded by Mason, the Board unanimously approved waiving the tipping fees for debris collected as part of Litter Sweep.

Revision of Resolution for Glenola Water Project

David Townsend, III, Public Works Director, reported that the resolution that the Commissioners adopted November 2, 1998 concerning the Glenola water project was submitted to the Public Water Supply Section, who sent it to the Local Government Commission (LGC). The LGC has asked for a minor revision to the resolution concerning the repayment of principal and interest on the debt.

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

WHEREAS, *The Federal Clean Water Act Amendments of 1987, Federal Safe Drinking Water Act Amendments of 1996, and the North Carolina Clean Water Revolving Loan & Grant Act of 1987 have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems; and*

WHEREAS, *the County of Randolph has need for a water supply system to provide water service to about 250 residences in the Glenola area that have some contaminated wells and having no water system in this area of its own; and*

WHEREAS, *the County of Randolph intends to construct this system through contract with Davidson Water, Inc. and to request state loan assistance for the project;*

NOW, THEREFORE, BE IT RESOLVED *by the Commissioners of the County of Randolph that:*

The County of Randolph will arrange financing for all remaining costs of the project, if approved for a State loan award.

The County of Randolph will set the rates through a Water Services Agreement between the County and Davidson Water, Inc. Randolph County's source of repayment of the loan will be through various sources including but not limited to revenues from Davidson Water, Inc. to serve this project area. The schedule of fees and charges will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

The governing body of the County of Randolph agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the County of Randolph to make scheduled repayment of the loan, to withhold from the County of Randolph any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

The County of Randolph will provide for efficient operation and maintenance of the project on completion of construction thereof.

William F. Willis, County Manager, or any successor so titled, is hereby authorized to execute and file an application on behalf of the County of Randolph with the State of North Carolina for a loan to aid in the construction of the project described above.

William F. Willis, County Manager, or any successor so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

The County of Randolph has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Acquisition of Fred Kearns Property at Courthouse

David Townsend, III, Public Works Director, stated that for several months he and Commissioner Kemp have attempted to obtain, through trade or purchase, a small parcel of land located within the Courthouse block. The property, located directly east of the C.W. Henley

Building, is only 20' x 94' and has no street frontage. It is used for rental parking spaces. The building's exterior wall sits on Mr. Kearns' property line. The County needs to obtain this property so that the City of Asheboro can close the alleyway in that block and so that we can demolish the Henley Building and build a parking lot. Attempts to negotiate with Mr. Kearns have failed. Mr. Townsend recommended that the County begin condemnation procedures in order to obtain this property.

Commissioner Kemp stated that Mr. Kearns' property has a tax valuation of \$3,150, but Mr. Kearns' asking price for selling the parcel to the County was \$48,000. He also offered to swap his parcel for two acres owned by the County on New Century Drive, across from the Randolph County Office Building. Mr. Kemp stated that neither of these offers is acceptable. Commissioner Kemp noted that Mr. Kearns has been a member of the Courthouse Advisory Committee and is aware of the County's need for this property.

Aimee Scotton, Staff Attorney, explained the acquisition by eminent domain procedure for acquiring property, as prescribed in Chapter 40A of the North Carolina General Statutes. The County must give Mr. Kearns 30 days notice before filing a complaint. After 30 days, the County may file a complaint, including a declaration of taking, in Superior Court. The complaint must be accompanied by a deposit of the amount we estimate to be just compensation for the property. Mr. Kearns will have 120 days to answer the complaint. Then there are various options he and the County have. The entire process could take several months to be resolved.

On motion of Kemp, seconded by Davis, the Board unanimously set the amount of \$3,150 as just compensation for the Kearns property and adopted the following resolution:

WHEREAS, the Randolph County Board of Commissioners has approved the construction of a new Courthouse building along with various improvements to the entire Courthouse area; and

WHEREAS, the approved plans include plans to improve and increase the available parking area for the Courthouse; and

WHEREAS, there is a small parcel of property owned by Fred Kearns and surrounded by property owned by Randolph County, the acquisition of which is necessary in order for work to begin on the planned improvements mentioned above; and

WHEREAS, attempts by Randolph County to negotiate the purchase of this property from Mr. Kearns have been unsuccessful; and

WHEREAS, Randolph County is authorized by North Carolina General Statutes §40A-3(b)(2), (6) and §153A-274(5) to use the power of eminent domain to acquire property to be used for constructing, enlarging, or improving buildings for use by any department, board, commission or agency as well as for constructing, enlarging or improving off street parking facilities;

NOW, THEREFORE, BE IT RESOLVED THAT the Randolph County Board of Commissioners hereby authorizes and directs that the eminent domain procedure, as prescribed by North Carolina General Statute, be used to acquire that parcel of property referenced above, owned by Fred Kearns and having the tax identification number 7751834044;

BE IT FURTHER RESOLVED that power to oversee the administration of this acquisition by eminent domain is hereby delegated to Alan V. Pugh, Randolph County Attorney;

AND BE IT FURTHER RESOLVED that the authority be delegated to Vice Chairman Phil Kemp to negotiate the purchase of the property when and if such opportunity arises during the eminent domain procedure.

Application to LGC for Grant Anticipation Notes (Public Building Act of 1996)

Jane Leonard, Deputy Finance Officer, stated that the Randolph County Schools has requested an advancement on a portion (\$4,500,000) of their fourth year state building bond allocation. Currently the State Treasurer has an excess in bond proceeds because some school systems are not ready for their construction projects. In order to avoid arbitrage, the State Treasurer and the Department of Public Instruction are allowing school systems that need to accelerate their projects an advancement on the fourth year allocation if they and their county commissioners do the following: apply for authorization of a grant anticipation loan and receive approval from the LGC; agree to complete the grant anticipation loan to return the funds to the state bond fund within 60 days of notification should a shortfall in bond resources occur prior to the time at which the allocation was initially scheduled to be made.

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

WHEREAS, the Public Building Bond Act of 1996 has taken effect and the Board of Commissioners of the County of Randolph desires to borrow money for the purpose for which bonds are authorized to be issued by said Bond Act in anticipation of the receipt of a grant of a portion of the proceeds of the sale of said bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Randolph, as follows:

- 1. The maximum aggregate principle amount of notes to be issued is \$4,500,000 of negotiable notes, each designated "Public Building Bond Act of 1996 Grant Anticipation Notes" shall be issued for any portion of said sum so borrowed.*
- 2. The Chairman of the Board of Commissioners of the County of Randolph is hereby authorized to fix the rate of interest up to a maximum interest rate not to exceed seven percent (7%), the place or places of payment, and the denomination or denominations of the notes.*
- 3. Each of said notes shall be signed by the Chairman and the Clerk of the Board of Commissioners of the County of Randolph and the seal of said County shall be affixed to each of said notes.*
- 4. The County Manager of the County of Randolph is hereby authorized to make application to the Local Government Commission of North Carolina for its approval of said notes in the manner prescribed by the Local Government Finance Act. Said Local Government Commission is hereby requested to authorize and approve the issuance of said notes and upon request, to sell the notes in the manner prescribed by said Act. Said notes, when they shall have been executed by said Commission in the manner provided by law and when they shall have been executed in the manner prescribed by this resolution, shall be turned over to the State Treasurer of the State of North Carolina for delivery to the purchasers to whom they may be sold by said Commission.*

ABC Commission Request for Designation of Local Official

Aimee Scotton, Staff Attorney, advised the Board that before issuing a retail ABC permit, the ABC Commission must give notice of the permit application to the governing body of the local government in which the establishment is located. The governing body then has 15 days to file a written objection to the issuance of the permit, which the Commission is required to consider before making their decision. Ms. Scotton noted that 15 days may not be enough time for the governing body to meet, let alone investigate, determine, and compose a response. For this reason, NCGS 18B-904(f) allows the governing body to designate an official to make recommendations on ABC permit applications. Ms. Scotton said that the ABC Commission recently received an application for an ABC permit from a facility in Randolph County, but the County has never designated an official to make recommendations on ABC permit applications.

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

WHEREAS, NCGS 18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS, the County of Randolph wishes to notify the North Carolina ABC Commission of its designation as required by NCGS 18B-904(f);

BE IT THEREFORE RESOLVED that Aimee Scotton is hereby designated to notify the North Carolina ABC Commission of the recommendations of the County of Randolph regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED that notices to the County of Randolph should be mailed or delivered to the official designated above at the following address:

Mailing Address: P.O. Box 4728, Asheboro, NC 27204-4728

Office Location: 725 McDowell Road, Asheboro, NC 27203

Appointment of Alternate Member to County Planning Board

Commissioner Holmes stated that he may have a name to recommend by the May meeting.

Economic Development Request - TIEPET, Inc.

Bonnie Renfro of Randolph County Economic Development Corporation stated that TIEPET, Inc., formerly Tolaram Polymers, is considering a \$10,000,000 capital project at its Asheboro plant. The project would convert the plant from production of polymers used in the textile industry to production of a polyester product used in the beverage and food industry. The company is requesting \$90,000 each from the County and the City of Asheboro to assist with costs associated with construction of an additional rail spur(\$125,000) and booster pump and pump house (\$55,000). Ms. Renfro said that with the additional tax revenue from this project, payback would occur for the County in less than 2 years. She noted that the City of Asheboro will vote on this request at their next council meeting.

On motion of Kemp, seconded by Davis, the Board unanimously voted to appropriate \$90,000 from the fund balance of the General Fund during the 1998-99 fiscal year to match the same amount of funds from the City of Asheboro for TIEPET, Inc. (formerly Tolaram Polymers) and to make this appropriation payable to TIEPET, Inc. upon satisfaction of the following performance requirements: (1) that the project is 100% complete and a Certificate of Occupancy has been issued by the City of Asheboro to the company and (2) that TIEPET, Inc. delivers a legally binding statement that the assessed value for property tax purposes of this project shall be no less than \$10,000,000.

LGC Conference Concerning Capital Project Financing

Frank Willis, County Manager, stated that he, Tom Morris, and Jane Leonard met with Local Government Commission staff on March 24 to explain the capital project financing plan that was presented to the Randolph County Commissioners at their March 8 meeting. On March 30, the LGC notified the County that they feel we have a workable plan and that we could proceed with our financing plan. Mr. Willis suggested setting a public hearing in order to hear the public’s opinion on the proposed financing plan and tax increase.

The Board agreed to hold a public hearing at 6:30 p.m. on Monday, May 10, 1999 in the Learning Resources Auditorium of Randolph Community College.

Appointment to Criminal Justice Partnership Advisory Board

On motion of Kemp, seconded by Mason, the Board unanimously appointed Judge Lillian O’Brient to fill the vacancy created by the resignation of Tony Gibbons on the Criminal Justice Partnership Advisory Board.

Appointment to the Industrial Bond Authority

On motion of Frye, seconded by Kemp, the Board unanimously appointed Vernel Gibson to fill the vacancy created by the death of Larry Brown on the Industrial Bond Authority.

Budget Amendment - Industrial Recruitment Grant for Sealy

On motion of Kemp, seconded by Mason, the Board unanimously approved the following Budget Amendment #36 to the FY 1998-99 Annual Budget, which reflects \$40,000 of pass-through funds for Sealy, Inc., who received an Industrial Recruitment Competitive Fund grant from the State:

GENERAL FUND - #36	
<i>Appropriation</i>	<i>Increase</i>
<i>Industrial Recruitment Grant - Sealy</i>	<i>\$40,000</i>
<i>Revenue</i>	<i>Increase</i>

<i>Restricted Intergovernmental</i>	\$40,000
-------------------------------------	----------

Budget Amendment - Public Health

On motion of Mason, seconded by Davis, the Board unanimously approved Budget Amendment #37, which reflects an additional \$932 received in the Family Planning Program of the Health Department, as follows:

GENERAL FUND - #37	
<i>Appropriation</i>	<i>Increase</i>
<i>Public Health</i>	\$932
<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	\$932

Budget Amendment - Sheriff

On motion of Kemp, seconded by Mason, the Board unanimously approved Budget Amendment #38 to the FY 1998-99 Annual Budget to allow the Sheriff's Office to purchase a 1994 Chrysler minivan from their restricted law enforcement funds, as follows:

GENERAL FUND - #38	
<i>Appropriation</i>	<i>Increase</i>
<i>Sheriff and Jail</i>	\$7,100
<i>Revenue</i>	<i>Increase</i>
<i>Fund Balance Appropriated - Restricted Funds</i>	\$7,100

Budget Amendment - TIEPET, Inc.

On motion of Kemp, seconded by Davis, the Board unanimously approved Budget Amendment #39 to the FY 1998-99 Annual Budget to provide for the disbursement of funds that were approved for TIEPET approved earlier in the meeting, as follows:

<i>GENERAL FUND - #39</i>	
<i>Appropriation</i>	<i>Increase</i>
<i>Economic Development - TIEPET, Inc.</i>	<i>\$90,000</i>
<i>Revenue</i>	<i>Increase</i>
<i>Fund Balance Appropriated</i>	<i>\$90,000</i>

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 Director, presented the following requests:

1. J.C. and Roy Scarboro, Archdale, are requesting that 14.23 acres at the end of Chase Drive, Tabernacle Township, be rezoned from RA to RM/CU to allow a 3-space mobile home park. The Planning Board unanimously recommended approval.

2. Kearns & McDowell Developers, Asheboro, is requesting that 159.4 acres on Snyder Country Road, Tabernacle Township, be rezoned from RA to RR/CU to allow a 104-lot residential subdivision for site-built homes, modular homes, and class A mobile homes with permanent masonry foundations. The Planning Board unanimously recommended denial. Mr. Johnson stated that the applicants have reduced the number of lots to 86 since the Planning Board meeting.

3. Harry Griffin, Climax, is requesting that 57.1 acres on Soapstone Mountain Road, Columbia Township, be rezoned from RA to RR/CU to allow an 11-lot subdivision of class A mobile homes with permanent foundations. The Planning Board unanimously recommended denial. Mr. Johnson noted that this recommendation resulted from concerns about the long private road into the subdivision and the upkeep problems.

Citizen Comments - Request #1

Bill Englebert, 9730 Concord Church Road, Lewisville, adjoining property owner, stated that he would be opposed to any further development beyond what is being requested.

Citizen Comments - Request #2

Ken Keller, attorney for the applicant, discussed the types of housing that would be permitted in the development, stating that the Planning Board minutes had miscommunicated this. He said no driveways would connect to Snyder County Road; water would be supplied from Davidson

Water; the only timber to be removed would be for roads, rights-of-way, and houses; and the pond would be preserved. He stated that Mrs. Jackson's will did not stipulate any restrictions on the use of this property. Mr. Keller presented a study showing the types of housing in the area around this property.

Jon Megerian, attorney for the opposition, asked those opposing this request to stand. At least 75 people stood. Mr. Megerian commented that Mrs. Jackson trusted the Zoo Society to do what it should to protect the environment, and that she had had her ashes scattered on the property. He presented letters of opposition from members of Mrs. Jackson's family. He said most lots are the minimum size allowed and that there would be too much traffic for the two roads to bear. He said the other properties in the area are nicer, and this subdivision would not improve their values.

Barney Pierce, 4561 Pierce Lane, said there is too much development and traffic already in this area.

Keith Tucker, 2058 Thayer Road, said it is hard to believe that Kearns & McDowell won't cut all the timber because that is typically what they do.

Dave Brewer, Snyder Country Road, said the problem is not the kind of houses; it is the number of cars that would be entering Snyder Country road.

Dennis Farlow, 22563 Thayer Road, said he is opposed to this development.

Kathy Brewer, Snyder Country Road, said she moved from High Point to be in the country, and this development would bring the city to the country.

Jack Hughes, Snyder Country Road, told the Board that the audience is looking to them for protection.

Luther Wright, 2413 Thayer Road, opposed this development; he wants the area to remain rural.

Beverly Pierce, 1915 Thayer Road, said traffic in the area is too heavy already.

Katheryn Garrison, 2308 Thayer Road, said she wants this area to remain rural.

Jennifer Leister, 3471 Thayer Road, said she has 13 acres with horses, and some country without dense development is needed.

Mike Cavin, Snyder Country Road, said the Zoo is allowing the destruction of forest here while trying to save the rain forest elsewhere.

John Bartlett, 1698 Skeens Mill Road, opposed the density of this development.

Citizen Comments - Request #3

Harry Griffin, Ventwood Drive, Climax, said he couldn't get enough lots (because of poor soil) to make it profitable to put in a paved road to state standards. He said there would be a homeowners association that will charge fees to pay for road maintenance. There will be a 1600' road to the property line, then a 1700' road through the property. He presented deed restrictions and asked that they be included as conditions in his conditional use rezoning request.

Ted Faulk, 2151 Soapstone Mountain Road, said that if doublewides go into this development, nothing else will go in there or anywhere else in the area.

Dawn Fesmire, 1780 Land Estates, stated that mobile homes would depreciate the values of homes in her area, which are all site-built. She presented a petition with 103 signatures opposing this request unless it is site-built homes only. Approximately 20-25 people stood in opposition to this request.

Curtis Smith, 1700 Land Estates Drive, said this property's road entrance is near a curve on both sides and that the proposal is not in keeping with the character of the area.

Em Vastagh, 1707 Land Estates, opposed mobile homes in this development.

Hoke Hahn, 5881 Whites Chapel Road, opposed mobile homes in this development.

Henrietta McNeill, 515 Greenlawn Extension, opposed this request, stating that the proposed development would devalue her adjacent 60 acres and prevent her from developing it with site-built homes.

Chairman Frye closed the public hearing at 9:00 p.m.

County Attorney Alan Pugh advised the Board that a zoning decision should not be based on the number of people favoring or opposing a request or on the type of housing, but rather on how a proposed use fits in with the existing character of an area and with the long-range land use plan.

Board Action on Requests

On motion of Davis, seconded by Mason, the Board unanimously approved the request of J.C. and Roy Scarboro.

On motion of Davis, seconded by Frye, the Board unanimously denied the request of Kearns and McDowell Developers.

On motion of Holmes, seconded by Davis, the Board unanimously denied the request of Harry Griffin.

The meeting adjourned at 9:05 p.m.

Darrell L. Frye, Chairman

Phil Kemp

J. Harold Holmes

Robert B. Davis

Robert O. Mason

Alice D. Dawson, Clerk to the Board