

Minutes
Randolph County Commissioners

March 13, 2000

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. Commissioners Kemp, Holmes, Frye, and Mason were present. Commissioner Davis entered the meeting where so noted in these minutes. Rev. Eugene Akins, retired Baptist minister, gave the invocation, after which everyone recited the Pledge of Allegiance.

Presentation of Retirement Plaque

On behalf of the Board, Chairman Kemp presented an engraved clock to Donna Kirkman, Cooperative Extension, who is retiring after 26½ years of service.

Additions to the Agenda

Chairman Kemp added two items to the agenda: consent agenda--appoint Thelma Renigar to the Nursing Home/Adult Care Home Advisory Committee (one-year term); new business--request for resolution regarding desecration of the flag.

Consent Agenda

On motion of Frye, seconded by Holmes, the Board unanimously approved the consent agenda, as follows:

- *approve minutes of February 7, 2000;*
- *reappoint Olen Stuart to a 3-year term as outside member of the Archdale Planning Board;*
- *reappoint Dick Renigar to a 3-year term and appoint Thelma Renigar to an initial 1-year term on the Nursing Home/Adult Care Home Advisory Committee;*
- *approve the following resolution:*
 - WHEREAS, the Department of Transportation has investigated Windsor Trail Extension and Camden Court in the Hamlet Lakes Subdivision; and*
 - WHEREAS, the subject streets have been found to meet minimum requirements for addition.*
 - NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that Windsor Trail Extension and Camden Court Subdivision be added to the Division of Highways' Secondary Road System.*
- *appoint Chris Hardin to fill the unexpired term of Nancy Coble on the Criminal Justice Partnership Program Board (term expiring August, 2001);*
- *designate Randolph County Senior Adults Association as lead agency for the Home and Community Care Block Grant.*

Award of Construction Contracts for Courthouse Project

David Townsend, III, Public Works Director, reminded the Board that they had awarded multi-prime pre-construction contracts for the Courthouse project at their January meeting and authorized letters of intent covering Phase I and Phase II work (construction and renovation). He reported that multi-prime bids have been received for Phase I and II (BID TABULATIONS ATTACHED). The successful low bidders are as follows:

General Contractor: J.H. Allen, Inc. - \$7,397,101 (\$7,761,000 less \$363,899 for pre-construction)

Electrical Contractor: Wayne J. Griffin Electric, Inc. - \$825,900 (\$915,900 less \$90,000 for pre-construction)

Plumbing Contractor: Tommy V. Strigo, Inc. - \$457,838 (\$499,950 less \$42,112 for pre-construction)

HVAC Contractor: Crutchfield Plumbing and Heating Co., Inc. - \$1,327,000 (\$1,347,000 less \$20,000 for pre-construction)

On motion of Holmes, seconded by Mason, the Board unanimously awarded Phase I and II construction contracts to the successful low bidders listed above, contingent on the successful sale (March 15) and closing (April 4) of the Certificates of Participation transaction and upon the approval of the contracts' content and form by County Attorney Alan Pugh, and authorized the County Manager to sign these contracts on or after April 5, 2000.

Litter Sweep Program

David Townsend, III, Public Works Director, stated that the Public Works Department plans to join forces with the NC Department of Transportation (D.O.T.) on their roadside cleanup project "Spring Litter Sweep." D.O.T. will provide trash bags, safety vests, and gloves to local groups who participate. Mr. Townsend requested that the tipping fees to D.O.T. be waived for debris they bring to the County Solid Waste Facility as a result of this cleanup project.

On motion of Mason, seconded by Frye, the Board unanimously approved waiving tipping fees associated with D.O.T.'s Spring Litter Sweep.

Expansion of Staley Fire District

Neil Allen, Emergency Services Director, reported that the Staley Fire Department has requested the annexation of adjoining property into their existing fire tax district. They would like to build a sub-station in this area, which is not in any existing tax district but which is in portions of response districts currently served by Coleridge Fire Department, Franklinville Fire Department, and Staley Fire Department. Mr. Allen stated that annexation could be accomplished through a petition or a public hearing process, and he explained the specific steps of each.

Commissioner Holmes said he had received a petition from some citizens who want to remain in the Franklinville response district; therefore, he favors holding a public hearing on this issue.

Randy Macon, 378 Foushee Road, Ramseur, said he represented the citizens in the Franklinville response district and that they want to remain in that response district. He said he has land that he would be willing to donate for an additional fire station in the Franklinville Fire District.

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Commissioner Davis entered the meeting at this time and was present for the remainder of the meeting.
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On motion of Holmes, seconded by Frye, the Board unanimously agreed to hold a special meeting at 6:30 p.m. on April 25 in order to hold a public hearing to consider an increase in fire tax districts for Staley and Franklinville Fire Departments and instructed Neil Allen to advertise the public hearing and to notify all property owners in the affected areas.

Approval of Criminal Justice Partnership Program Grant Application and Budget for FY 2000-2001

Pam Hill, Day Reporting Center Director, presented the Criminal Justice Partnership Program application for continuation of implementation funding and budget for fiscal year 2000-2001. She provided statistics from this year's Pre-Trial and Sentenced Programs. She also reported that the new juvenile program had 14 participants.

On motion of Frye, seconded by Davis, the Board unanimously approved the Criminal Justice Partnership Program Grant application and budget for FY 2000-2001.

Approval of Contract between Public Health and Smart Start

MiMi Cooper, Health Director, stated that the Health Department has been awarded \$20,488 funding from the Randolph County Partnership for Children (Smart Start) for an activity involving preschool dental health education and prevention. Dental screenings and fluoride varnish will be provided to preschool children attending daycare, participating in WIC, and participating in the public

school pre-school program. The funding will pay for a dental hygienist to provide this treatment.

On motion of Davis, seconded by Holmes, the Board unanimously approved a contract with the North Carolina Partnership for Children, authorized the County Manager to sign the contract, allocated a dental hygienist II position (grade 71), effective April 1, 2000, and approved Budget Amendment #36 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #36	
<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	\$20,488
<i>Appropriation</i>	<i>Increase</i>
<i>Public Health</i>	\$20,488

Social Services Request for New Position

Martha Sheriff, Social Services Director, reported that the Division of Social Services has awarded Randolph County DSS funding for an additional half-time Adult Protective Services position, at no cost to the County for the remainder of this fiscal year and next fiscal year.

On motion of Mason, seconded by Frye, the Board unanimously allocated one half-time Social Worker III position (grade 69), effective April 17, 2000, and approved Budget Amendment #37 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #37	
<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	\$3,416
<i>Appropriation</i>	<i>Increase</i>
<i>Social Services</i>	\$3,416

Adoption of Capital Project Ordinances for Randolph County Schools, Asheboro City Schools, and Randolph Community College Series 2000 COPS Financing

On motion of Frye, seconded by Davis, the Board unanimously adopted Capital Project Ordinances for Randolph County Schools, Asheboro City Schools, and Randolph Community College Series 2000 COPS Financing (ATTACHED).

Resolution Designating Official to Apply for FEMA Reimbursement for Snow Removal

Jane Leonard, Deputy Finance Officer, stated that Randolph County qualifies for federal disaster assistance for snow removal and requested that the Board adopt a resolution designating the County Manager as the County’s agent to apply to FEMA for such reimbursement.

On motion of Mason, seconded by Davis, the Board unanimously adopted a resolution designating the County Manager as the County’s agent to apply to FEMA for snow removal reimbursement (ATTACHED).

Request for Resolution Concerning Desecration of Flag

Frank Rose, Veteran, stated that on March 28, 2000, Congress will be voting on a Constitutional amendment to prevent desecrating the flag. He asked the Board to adopt a resolution asking Senator Edwards to support a Constitutional amendment to protect the flag.

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

BE IT HEREBY RESOLVED *unanimously by the Board of County Commissioners of the County of*

Randolph in regular meeting held 13 March 2000 that:

WHEREAS, the flag of the United States of America is the symbol of the unity and indivisibility of the American nation, its states, its people and their freedoms; and

WHEREAS, the soil of the nation and that of foreign lands is steeped in the blood of American soldiers and airmen, and the bleached bones of American sailors lie at rest at the bottom of the seven seas, all sacrificed in following and defending the flag and all that it represents; and

WHEREAS, the freedoms enjoyed by all Americans and guaranteed by their Constitution, including the freedom of speech, can continue and flourish only if succeeding generations are willing to follow and defend Old Glory, and if it is ever otherwise these freedoms will cease;

NOW, THEREFORE, this Board of Commissioners of the County of Randolph on behalf of the people of same do hereby petition the Honorable John Edwards, United States Senator from North Carolina, to support and vote for Senate Joint Resolution Fourteen (14) currently pending before that honorable body submitting to the states an amendment to the Constitution of the United States granting the Congress the power to prohibit the physical desecration of the flag of the United States.

Done in the county seat of Asheboro this thirteenth day of March in the year of our Lord 2000.

Budget Amendment - Social Services (CP&L Project Share)

On motion of Mason, seconded by Holmes, the Board unanimously approved Budget Amendment #38 to the FY 1999-2000 Annual Budget, which reflects new allocations to the Social Services Department for the Carolina Power & Light Project Share and the Crisis Intervention Prevention programs, as follows:

GENERAL FUND - #38	
Revenue	Increase
Restricted Intergovernmental	\$38,665
Appropriation	Increase
Social Services	\$38,665

Budget Amendment - Library

On motion of of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #39 to the FY 1999-2000 Annual Budget, which reflects an e-rate refund from Sprint to the Public Library due to a federally mandated discount rate for schools and libraries, as follows:

GENERAL FUND - #39	
Revenue	Increase
Miscellaneous	\$3,432
Appropriation	Increase
Public Library	\$3,432

Budget Amendment - Industrial Recruitment Grant--Sealy, Inc.

Jane Leonard, Deputy Finance Officer, explained that Sealy, Inc. received approval for a \$100,000 grant from the State's Industrial Recruitment Competitive Fund. Receipt of this grant is contingent upon the company's increasing their employment by 247 jobs within a three-year period. Last year Sealy received the first payment of \$40,000; this year they have received an additional \$40,000 for their creation of 197 of the 247 new jobs. The check was issued to the County, to be disbursed to Sealy; therefore, it requires a budget amendment.

On motion of Frye, seconded by Holmes, the Board unanimously approved Budget Amendment #40 to the FY 1999-2000 Annual Budget, as follows:

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GENERAL FUND - #40	
Revenue	Increase
<i>Restricted Intergovernmental</i>	\$40,000
Appropriation	Increase
<i>Special Appropriations (Industrial Recruitment Grant - Sealy)</i>	\$40,000

Credit Rating Upgrade Announcement

Frank Willis, County Manager, announced that he had just received notification that Standard and Poor's has upgraded Randolph County's credit rating from A+ to AA-. They visited Randolph County on March 3, touring the county and hearing presentations from various officials. Mr. Willis thanked several people who helped make Standard & Poor's visit successful.

Rules of Procedure for Board of Commissioners

Chairman Kemp advised the Board that the Clerk had provided a draft copy of *Rules of Procedure for the Randolph County Board of Commissioners* in their agenda books. He said that he recently attended an Institute of Government workshop for new board chairmen. During that class he learned that most counties already have rules of procedure in place, and he asked Mrs. Dawson to draft some rules for this board's consideration. He asked the Board to read the draft rules and to be ready to discuss it at the April or May meeting.

Rezoning Public Hearing

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Chairman Kemp opened the public hearing for comments on each request and closed it before taking action on each request. Hal Johnson, Planning and Zoning Director, presented the following requests:

1. BOBBY EARNHARDT, Asheboro, is requesting that 107 acres (out of 223.98 acres) on Wright Road, Trinity Township, be rezoned from RA to RR/CU for a 75-lot subdivision for modular homes, site-built homes, or Class A doublewide mobile homes on permanent foundations. The Planning Board unanimously recommended denial. Some of their concerns were that there is only one access from Wright Road to Fuller Mill Road, which is heavily trafficked; the back of this parcel is in a flood zone; and there are no buffer zones between this parcel and Gaddy Place Subdivision. Mr. Johnson stated that he had received a request earlier in the day that this item be postponed because the developer and realtor both have a family member in the hospital and could not be present tonight. However, he noted, there were other people present tonight regarding this request.

Mac Whatley, attorney representing Joe Stevens, the seller, spoke in support of the developer's plan. He stated that this is a transitional area, with mobile homes ranging in age from 1974 to 1988 and that the requirement of deed restrictions would upgrade this area.

Pat Meisky, 1001 Oakhurst, High Point, introduced himself as an associate of applicant Bobby Earnhardt. He said they have an option on the remaining acreage of this parcel and plan to put site-built houses there. He said the rezoning request for the 107 acres is appropriate for the area because there are other mobile homes and commercial sites on Wright Road, and this parcel wouldn't sell for anything else. He outlined the proposed deed restrictions, which include a minimum of 1150 square feet, brick foundation and stoop, paved roads, and minimum lot size of about an acre.

Joseph Stevens, property owner, 7400 Waterview Drive, Cornelius, said he had in the past leased this land for agriculture but that people illegally using his land has prevented him from being able to lease it any more. Four wheelers make trails through the property; some group has repeatedly set up a shooting range, even though he continues to tear it down; and people are using the property as a dump site.

Rosemary Stevens, 147 Ridgecliff Drive, Statesville, said they had always had problems with the property.

Larry Miller, 3409 Old Mountain Road, Trinity, said he lived on this property for 12 years and looked after it, but there were so many problems he couldn't do it any more. He moved out two years ago. He said he even had to sell his horses because he couldn't keep the fences up.

Bob Maye, 6570 Leah Justine Drive, Trinity, disputed the developer's claim that he does not object to this development. He said that the owner indicated that he tried to sell this property for 7 years and only Bobby Earnhardt made an offer on it. Mr. Maye said he has found two developers willing to build stick-built homes on this property.

Randy Johnson, 6599 Leah Justine Drive, Trinity, presented a petition with 160 names of homeowners in the surrounding area who oppose this request. He said the proposed development would decrease the value of the stick-built homes in the area and make them harder to sell.

Ronnie Martin, 6625 Leah Justine Drive, Trinity, said modest stick-built homes could be built here for the same price as the proposed mobile homes and would appreciate in value, whereas the mobile homes will depreciate.

John Arruzza, 3513 Old Mountain Road, Trinity, said each time a mobile home is sold, the next owners are a step down from the previous owners, and the new owners are less able to maintain the home. Eventually it becomes a disaster.

Approximately 35-40 people stood in opposition to this request.

James Lysaght, 6629 Jennifer Lynn Drive, Trinity, said he has a \$300,000 house, and he doesn't want to lose his investment as a result of this development going in.

Steve Green, 6615 Leah Justine Drive, Trinity, said there is a great market for houses like the ones in Gaddy Place; people come by his house frequently asking about buying lots and houses there.

On motion of Davis, seconded by Mason, the Board unanimously voted to deny the request of Bobby Earnhardt.

2. **RANDALL HILL**, Asheboro, is requesting that 39.06 acres on Sawyersville Road, Cedar Grove Township, be rezoned from RA to RR/CU for a 12-lot subdivision for modular homes, site-built homes, or Class A doublewide mobile homes on permanent foundations. The Planning Board unanimously recommended denial. Mr. Johnson stated that since the Planning Board meeting, Mr. Hill has changed his request. He now proposes to build an unpaved private road with 3 lots fronting on the new road on one side. On the other side would be one other lot plus a 27-acre tract not to be redivided.

Randy Hill, 669 Sawyersville Road, said he had an offer from Mr. Cole, who owns adjoining property, to buy the 3 lots on one side; the remaining lot he wants for his son, and he will live on the 27 acres.

Hal Johnson noted that lots must be at least 5 acres in order for a private road to be put in. These lots are not nearly 5 acres. Therefore, this plan cannot be considered tonight.

Chairman Kemp advised Mr. Hill to revise his plan to bring it into compliance with County zoning regulations, and the Commissioners would consider it at their April meeting.

Adjournment

The meeting adjourned at 8:00 p.m.

Phil Kemp, Chairman

Darrell L. Frye

J. Harold Holmes

Robert B. Davis

Robert O. Mason

Alice D. Dawson, Clerk to the Board