

Minutes
Randolph County Commissioners

June 5, 2000

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Kemp, Frye, Davis, Holmes, and Mason were present. Reverend Bill Leist, Parish Associate Minister, First Presbyterian Church, Asheboro, gave the invocation, and everyone recited the Pledge of Allegiance.

Retirement Recognition of Galenda Sandlin

Chairman Phil Kemp presented an engraved clock to Galenda Sandlin, who is retiring after 20½ years of service with the Randolph County Health Department.

Consent Agenda

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

- *approve minutes of April 25 and May 1, 2000 meetings;*
- *reappoint Lisa Lamb, Cindy Schroder, Quincy Siler, and Mary Wade to 4-year terms on the Mental Health Board;*
- *reappoint Cathy Baiden, Susan Milner, and Marie Pugh to 6-year terms on the Library Board of Trustees;*
- *reappoint Mike Lee and appoint Don Allred and Reynolds Lisk to 3-year terms on the Workforce Development Board;*
- *reappoint Jim Campbell to a 4-year term on the RCC Board of Trustees;*
- *appoint Dana Nance to fill the unexpired term of Anna Phillips on the Criminal Justice Partnership Board.*

Resolution Concerning Change in Control of Franchise Agreement from Time Warner, Inc. to AOL Time Warner, Inc.

David Harris, Regional Cable Administrator with the Piedmont Triad Council of Governments, informed the Board that there would be a change in control of Time Warner, Inc. to AOL Time Warner, Inc. He noted that this was just a change of control of the parent company due to the merger of Time Warner with AOL and that the management of cable services will not change. The Board, as the franchising authority, must adopt a resolution transferring control.

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

WHEREAS, *the County of Randolph, North Carolina ("County"), acting by and through its Board of Commissioners ("Board"), passed and enacted a certain Ordinance, ("Franchise") granting a nonexclusive franchise allowing Time Warner Advance-Newhouse ("Time Warner") the authority to construct, operate and maintain a cable television system within the County; and*

WHEREAS, *pursuant to provisions of the Franchise, the approval of the Franchising Authority is required to transfer control of the Franchise; and*

WHEREAS, *pursuant to that certain Agreement and Plan of Merger dated January 10, 2000 pursuant to which AOL and Time Warner established the terms and conditions whereby both AOL and Time Warner would become wholly owned subsidiaries of AOL Time Warner, Inc; and*

WHEREAS, *pursuant to the Cable Television Consumer Protection and Competition Act of 1992 ("1992 Cable Act"), as amended. Time Warner and AOL have submitted to the Franchising Authority an FCC Form 394 Application for Franchise Authority Consent to Assign or Transfer of Control of Cable Television*

Franchise, and other documentary materials required by Federal Communications Commission regulation or state law or as required by the Franchise; and

WHEREAS, the transfer of control of the Franchise shall not alter, affect or otherwise change the terms or conditions of the Franchise; and

WHEREAS, after careful evaluation of the Federal Communication Commission Form 394 and other documentary materials required by Federal Communications Commission regulation or state law or as required by the Franchise it was determined that AOL Time Warner, Inc., has the legal and technical expertise, as well as the financial stability, to operate and maintain the cable television system in accordance with the Franchise; and

WHEREAS, it is in the best interests of the County and its citizens to consent to the above referenced transfer of control of the Franchise.

NOW THEREFORE, BE IT RESOLVED by the Board acting on behalf of the County that:

1. The Franchising Authority hereby gives consent to the transfer of control of Time Warner, Inc. to AOL Time Warner, Inc.

2. The Grantor confirms that (a) the Franchise has been properly granted, is in full force and effect; (b) there have been no amendments or modifications to the Franchise, except as set forth herein; (c) there are no defaults under the Franchise or events which upon the giving of notice or passage of time, or both, would constitute an event of default thereunder;

3. That consent to and any required approval of the transfer of control of Franchise from Transferor to Transferee, as described in FCC Form 394, is hereby granted; and

4. That following the transfer of control, the Franchisee, may at any time and from time to time, assign, grant or pledge or otherwise convey one or more liens or security interests in its assets, including its rights, obligations and benefits in and to the Franchise, to any lender ("Secured Party") providing financing to Transferee, from time-to-time, and that such Secured Party shall have the rights of a secured creditor with respect thereto; and

5. That the consent to change of control herein provided shall be effective upon and only effective concurrent with the closing of the transactions described in FCC Form 394, and the Franchising Authority shall be notified promptly upon the closing of such transactions; and

BE IT FURTHER RESOLVED AS FOLLOWS:

6. Upon completion of the closing of the transactions described in FCC Form 394, Time Warner will continue to provide the required performance bond and insurance certificates required by the Franchise; and

7. The Franchisee shall remain responsible for all obligations under the terms of the Franchise Agreement and any other obligations under federal, state or local laws or agreements; and

8. This Resolution will become effective upon adoption by the franchise authority. **ADOPTED** by the Board of Commissioners of the County of Randolph this the 5th day of June, 2000.

D.O.T. Secondary Road Improvement Program Public Hearing

Jeff Picklesimer, D.O.T. District Engineer, presented the 2000-2001 Secondary Roads Program and noted that they would not be receiving any bond funds this year. He introduced Mr. G.R. Kindley, N.C. Board of Transportation member, who thanked the Board for their support.

Chairman Kemp opened the public hearing at 4:15 p.m..

Linda Cox, 6576 Jimmy Cox Road, asked how their road (SR2881) could get further up the priority list. She stated that there are 4 businesses on her road and that she doesn't think that her beauty shop business was counted because there isn't a business sign in her yard.

Jeff Picklesimer told her that her road was #136 out of 234, explained how the priority system works and said that a new survey will be done next year and, hopefully, her road will move closer to the top of the list. He also stated that he would document that there is a beauty shop at her address for the new survey.

Barbara Hardister, 6125 Carl Cox Road, said that she understood that her road (SR2882) was #85 on the priority list and that there was one new business since the last survey was done.

Linda Cox asked about owner participation paving.

Jeff Picklesimer explained that a written request must be sent to his office and must be approved by the transportation board. Cost of paving to citizens is approximately \$8/ft.

Chairman Kemp closed the public hearing.

Secondary Roads Improvement Program Resolution

On motion of Davis, seconded by Mason, the Board unanimously adopted the following resolution approving the 1999-2000 Secondary Roads Improvement Program as presented.

WHEREAS, the North Carolina Department of Transportation anticipates July 2000 an allocation of \$2,014,880 and remaining funds of \$0 from the previous Secondary Construction Program, a total of \$2,014,880 for secondary road improvements in Randolph County for the forthcoming fiscal year. A public meeting was held on June 5, 2000 in the Randolph County Commissioners Meeting Room on the expenditures of said funds:

WHEREAS, it is proposed to utilize approximately \$1,300,000 to construct roads down the priority list as far as possible, provided rights of way are available:

PROGRAM SUBJECT TO AVAILABILITY OF FUNDING, RIGHT-OF-WAY, AND ENVIRONMENTAL REVIEW

Priority No.	SR No.	Road Name	From	To	Miles	Description	Cost
44 Rural	1338	Jim Pierce Rd	SRI 339	SRI 340	1.00	G.D.B.P.EC	\$200,000
45 Rural	2860	Potters Way Rd	SR2859	D.E.	0.50	G,D,B,P,EC	100,000
46 Rural	1199	Doul Mountain Rd	SR1163	D.E.	0.60	G,D,B,P,EC	120,000
47 Rural	1512	Turner Dairy Rd	SR1511	D.E.	1.10	G.D.B.P.EC	220,000
48 Rural	1112B	Abner Rd	SRI III	SR1114	1.90	G.D.B.P.EC	380,000
49 Rural	1962	Walter Meadow Rd	SRI 961	D.E.	0.50	G.D.B.P.EC	100,000
50 Rural	1104M	Kidd's Mt/Burnery Mill Rd	SR1181	D.E.	0.90	G,D,B,P,EC	180,000

WHEREAS, it is proposed to retain \$234,494 of the total allocation for spot stabilization, paved road improvements, replace small bridges with pipe, or safety projects.

WHEREAS, it is proposed to retain \$480,386 of the total allocation for road additions, property owner participation paving, volunteer fire departments, rescue squad driveways, old subdivision improvement program, overruns, county surveys and right of way acquisition.

WHEREAS, the North Carolina Department of Transportation anticipates July 2000 an allocation of \$1,767,170 and remaining funds of \$0 from the North Carolina Highway Trust Fund, a total of \$1,767,170 for Secondary Road Improvements in Randolph County for the forthcoming fiscal year. A public meeting was held on June 5, 2000 in the Randolph County Office Building on the expenditures of said funds:

WHEREAS, it is proposed to utilize approximately \$1,320,000 to construct roads down the priority list as far as possible, provided rights of way are available:

PROGRAM SUBJECT TO AVAILABILITY OF FUNDING, RIGHT-OF-WAY, AND ENVIRONMENTAL REVIEW

Priority No.	SR No.	Road Name	From	To	Miles	Description	Cost
51 Rural	1413	Mountain View Rd	SR1414	1004	0.90	G.D.B.P.EC	\$180,000
52 Rural	2641 B	Lambeth Mill Rd	SRI 005	Co. Line	2.20	G,D,B,P,EC	440,000
53 Rural	1807	Kindley Rd	US 64	SR1409	0.30	G.D.B.P.EC	60,000
54 Rural	1526	Edgar Rd	E.O.P.	SR 1525	1.00	G,D,B,P,EC	200,000
55 Rural	1635	Sweetbriar Rd	SR 1542	D.E.	0.50	G.D.B.P.EC	100,000
56 Rural	1545	Miller's Mill Rd	SR3106	E.O.P.	1.10	B&P	220,000
57 Rural	1521	Sawyer Rd	SR1524	D.E.	0.60	B&P	120,000

WHEREAS, it is proposed to retain \$244,294 of the total allocation for spot stabilization, paved road improvements, replace small bridges with pipe, or safety projects.

WHEREAS, it is proposed to retain \$202,876 of the total allocation for property owner participation paving and overruns.

BE IT RESOLVED that all of the above be carried out by the Department of Transportation.

Resolution of Final Approval of Industrial Revenue Bonds for Instrument Specialties Co., Inc.

Bill Ivey, County Bond Attorney, gave an update on Instrument Specialties, stating that they are seeking \$2,000,000 in industrial revenue bonds for the renovation of buildings and purchase of new equipment. He also stated that this expansion would create 40 new jobs.

On motion of Frye, seconded by Holmes, the Board unanimously approved the following resolution titled: RESOLUTION APPROVING THE ISSUANCE BY THE RANDOLPH COUNTY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY OF ITS TAX EXEMPT VARIABLE DEMAND/FIXED RATE INDUSTRIAL REVENUE BONDS (INSTRUMENT SPECIALTIES COMPANY, INC. PROJECT) SERIES OF 2000 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,000,000 TO FINANCE AN INDUSTRIAL PROJECT FOR INSTRUMENT SPECIALTIES COMPANY, INC.

BE IT RESOLVED by the Board of Commissioners of Randolph County, North Carolina as follows:

Section 1. The Board has determined and does hereby declare as follows:

(a) The Randolph County Industrial Facilities and Pollution Control Financing Authority (the "Issuer"), by Resolution adopted on June 1, 2000 has taken the following action, inter alia, in connection with the proposed issuance and sale of its Tax-Exempt Variable Demand/Fixed Rate Industrial Revenue Bonds (Instrument Specialties Company, Inc. Project) Series of 2000 in the aggregate principal amount of \$2,000,000 (the "Bonds");

(i) authorized the issuance, sale, execution and delivery of the Bonds in accordance with the terms and provisions of the Trust Indenture hereinafter referred to:

(ii) authorized the execution and delivery of a Loan Agreement, dated as of June 1, 2000, between the Issuer and Instrument Specialties Company, Inc. (the "Company");

(iii) authorized the execution and delivery of two Assignments to Loan Agreement each dated as of June 1, 2000 between the Issuer and the Trustee and the Issuer and the Bank, respectively;

(iv) authorized the execution and delivery of the Trust Indenture, dated as of June 1, 2000 (the "Indenture"), between the Issuer and First Citizens Bank & Trust Company, as Trustee (the "Trustee");

(v) authorized the execution and delivery of a Bond Placement Agreement among the Issuer, the Company and First Union Securities, Inc.;

(vi) approved the form of the Irrevocable Letter of Credit to be issued by First Union National Bank (the "Bank");

(vii) designated First-Citizens Bank & Trust Company as Trustee under the Indenture, and as bond registrar and tender agent;

(viii) designated First Union Securities, Inc. as Remarketing Agent for the Bonds;

(ix) designated First Union Securities, Inc. as Placement Agent; and

(x) approved the form of the Placement Memorandum to be used in connection with the initial issuance and sale of the Bonds.

(b) The Board has reviewed the action taken by the Issuer in connection with the issuance and sale of the Bonds and has made such other examination and investigation as it deems necessary and relevant as the basis of the approval set forth herein.

Section 2. Pursuant to and in satisfaction of the requirements of Section 159C-4(d) of the General Statutes of North Carolina, the Board of Commissioners of Randolph County, North Carolina hereby approves the issuance by the Issuer of its Tax-Exempt Variable Demand/Fixed Rate Industrial Revenue Bonds (Instrument Specialties Company, Inc. Project) Series of 2000 in the aggregate principal amount of \$2,000,000 to finance the Project.

Section 3. This resolution shall take effect immediately upon its passage.

Purchase of Mobile Computers for Sheriff Patrol Vehicles

Susana Vang, Purchasing Technician, informed the Board that the Sheriff's Department has requested 8 additional mobile computers (4 were approved at the 4/10/00 Commissioners meeting). All state contract procedures have been followed and these Motorola Model F5201 mobile computers may be purchased at a total cost of \$70,600. The Board approved the use of restricted law enforcement funds for purchase of these computers at their 10/4/99 meeting.

On motion of Davis, seconded by Holmes, the Board unanimously approved the purchase of 8 additional Motorola Model F5201 mobile computers at a cost of \$70,600 using restricted law enforcement funds.

Proposed Changes to the Animal Control Program

MiMi Cooper, Health Director, reported that the Health Department and Sheriff's Office are requesting that all aspects of Animal Control in Randolph County be moved to the Health Department with support from the Sheriff's Office when enforcement actions are needed. Currently, responsibility belongs to the Health Department, with field staff supplied by the Sheriff's Department. The staff, or Animal Control Officers, are deputies who have completed basic law enforcement training. While these officers are dedicated, they are ultimately interested in careers in law enforcement, not animal control, and that eleven individuals have held the three Animal Control Officer positions over the past four years. These deputies must also respond to 911 calls that are unrelated to animal control, thereby leaving, at times, only one officer to cover the entire county. Ms. Cooper stated that a training program has been devised that includes relevant parts of basic law enforcement training and important skills needed for animal control. She also proposes to use neighboring counties for ride-along training. This change should produce three field officers dedicated to animal control and greatly help in the response to complaints, requests for assistance, and investigation of problems. Ms. Cooper also stressed that deputies will be called for enforcement purposes.

On motion of Davis, seconded by Mason, the Board unanimously approved the transfer of joint responsibility for animal control existing between the Sheriff and the Health Director solely to the Health Director, with the provision that the Sheriff's office will provide support when enforcement actions are needed, and amended the Animal Control Ordinance to reflect these changes that will become effective July 1, 2000 (Amended Animal Control Ordinance ATTACHED for reference).

Appoint New Deputy Finance officer for Mental Health; Set Bond; Authorize Signature on Mental Health Checking Account

Mazie Fleetwood, Mental Health Director, told the Board that a new Mental Health Finance Officer, Susan Rice, was hired effective May 15 due to the retirement of Rick Moll on June 30. Mr. Moll will continue to train Mrs. Rice until he leaves. Ms. Fleetwood asked the Board to take the following action:

On motion of Holmes, seconded by Frye, the Board unanimously appointed Susan Rice as Deputy Finance Officer, set a bond of \$100,000 for Mrs. Rice, and authorized her signature on both Mental Health checking accounts.

Resolution Levying Gross Receipts Tax on Rental/Leased Vehicles

Ben Chavis, Tax Supervisor, informed the Board that with the final approval of Senate Bill 1076, the property tax on rental or leased motor vehicles has been repealed effective July 1, 2000. To replace this tax the bill authorizes counties to levy a gross receipts tax of up to 1½%. The new law applies to all short-term leases and rentals (less than 365 continuous days). The motor vehicles that will be subject to

the gross receipts tax include passenger cars, vans, mini-vans, sport utility vehicles, cargo vans, pickup trucks, trucks with gross vehicle weight of 26,000 pounds or less, and trailers or semi-trailers of 6,000 pounds or less. The new law requires the rental/leasing agencies to collect the gross receipts tax, and the County will provide forms to the taxable establishments, who will file the returns with the County and remit the taxes on a monthly basis. Mr. Chavis stated that this change will probably be revenue-neutral.

On motion of Frye, seconded by Holmes, the Board unanimously voted to adopt the following resolution imposing the rental car gross receipts tax effective July 1, 2000:

WHEREAS, the North Carolina General Assembly has ratified Senate Bill 1076, signed into law as Session Law 2000-2 and effective for taxable years beginning on or after July 1, 2000; and

WHEREAS, this act repealed the property tax on certain vehicles leased or rented under retail short-term leases or rentals and authorized counties to replace the lost tax revenue through enactment of a local tax on gross receipts derived from retail short-term leases or rentals;

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

1. The County of Randolph hereby imposes and levies a tax of one and one-half percent of the gross receipts from the short-term lease or rental of vehicles at retail to the general public.

2. The County will administer and collect from operators of leasing and rental establishments the taxes levied hereby, and the County may promulgate additional rules and regulations necessary for implementation of the taxes.

3. The taxes levied hereby are due and payable to the County in monthly installments on or before the fifteenth day of the month following the month in which the tax accrues. Every taxable establishment required to collect the tax shall, on or before the fifteenth day of each month, prepare and render a return to the County. The County shall design, print, and furnish to all taxable establishments the necessary forms for filing returns and instructions to insure the full collection of the tax. A return filed for this purpose is not a public record as defined by Section 132-1 of the North Carolina General Statutes and may not be disclosed except as required by law.

4. In case of failure or refusal to file a return or pay the tax for a period of thirty days after the time required for filing the return or paying the tax, there shall be an additional tax, as a penalty, of five percent of the tax due, with an additional tax of five percent for each additional month or fraction thereof until the tax is paid. The County Board of Commissioners for good cause shown may compromise or forgive any penalty or additional tax imposed hereunder.

5. Any person, firm, corporation or association who willfully attempts in any manner to evade a tax imposed herein or who willfully fails to pay the tax or make and file a return shall, in addition to the penalties provided by law and herein, be guilty of a misdemeanor punishable as provided by law.

6. The short-term rental or leased vehicle gross receipts tax levied herein shall become effective July 1, 2000.

Deep River Heritage Corridor Legislation

Mac Whatley told the Board that the Randolph County Tourism Development Authority has been actively involved in the effort to have the Deep River Basin designated as North Carolina's first officially acknowledged "State Heritage Corridor." This designation will be a significant step toward ultimate national designation as a heritage corridor and will provide the first catalyst for the development of our area as a nationally recognized tourism destination. Legislation will be jointly introduced by Senator Ellie Kinnaird and Representative Harold Brubaker during this legislative session. Mr. Whatley also stressed that this designation requires no financial support from the County.

On motion of Davis, seconded by Frye, the Board unanimously approved the following resolution in support of the "State Heritage Corridor" bill:

WHEREAS, the Deep River comprises a thread of human history, commerce, industry and community running through a fabric of natural, scenic, and recreational resources of major significance to the Randolph County Tourism Development Authority, the State of North Carolina, and the South as a region; and

WHEREAS, the 250-year history of the Society of Friends along the Deep River valley has been a pivotal force in the development of the social, cultural and political environments of the Town and the State, illustrating the

history of what has been called "the Other South"; the pro-industrial South which ran counter to the Southern plantation tradition; and

WHEREAS, the unique history of the region with its role in establishing some of the earliest textile manufacturing operations in the Southern United States; role as one of the birthplaces of the Underground Railroad; and its tradition of anti-slavery activism; all offer an opportunity to establish and develop a nationally significant corridor representative of North Carolina's unique cultural heritage; and

WHEREAS, the public interest would be served by preserving, protecting and enhancing these resources for the benefit of the people of North Carolina, and by improving the planning and coordination between all levels of government within the region.

THEN THEREFORE, be it ordained by the Board of County Commissioners of Randolph County, North Carolina, at their regular meeting held on the 5th day of June, 2000, that the Bill pending before the General Assembly which designates the Deep River region as a State Heritage Corridor has the full support and approval of the Board, that the Chairman of the Randolph County Board of Commissioners, or his delegated representative, is hereby directed to serve on the Committee charged with developing a management plan for the Corridor, and that the administrative staff of the Randolph County Board of Commissioners is directed to participate and cooperate in all respects in developing said plan.

Resolution Concerning Guil-Rand Fire Department Loan

Alan Pugh, County Attorney, told the Board that the Guil-Rand Fire Protective Association, Inc. has asked that the County approve the Fire Association's entering into the financing of up to \$2,500,000 for a fire station project to be carried out on a tax-exempt basis.

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

WHEREAS, Guil-Rand Fire Protective Association, Inc. has determined to finance an amount of up to \$2,500,000 for a new fire station; and the United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, this Board must first approve the financing; and

WHEREAS, the Fire Association has held a public hearing on the financing after published notice, as required by the Code; and the Fire Association has reported the proceedings of the hearings to this Board;

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

1. The County approves the Fire Association's entering into the financing, as required under the Code for the financing to be carried out on a tax-exempt basis. The Fire Association's conduct of the required public hearing is approved.

2. Nothing contained or set out herein should be construed as obligating the County in any manner as a guarantor of any indebtedness whatsoever.

3. The County is not obligated nor legally or equitably responsible for the payment of or the security of any debt incurred by the Association, nor does the County pledge any of its full faith and credit nor does it in any manner make this resolution to induce any party to lend monies or otherwise finance the Association.

Election of NACo and NCACC Voting Delegates and Alternates

On motion of Mason, seconded by Frye, the Board unanimously elected Harold Holmes as the voting delegate and Robby Davis as the alternate for the 2000 NACo conference and elected Darrell Frye as voting delegate and Phil Kemp as the alternate for the 2000 NCACC conference.

Public Hearing for Rural Operating Assistance Program (ROAP) Grant

Ray Newton, RCATS Transportation Director, told the Board that a public hearing must be conducted in order for Randolph County to apply for \$102,334 in grant funds from the state for the following programs: Elderly & Disabled Transportation Assistance Program (E&D), Work First Transitional/Employment Transportation Assistance Program and the Rural General Public Program (RGP).

Chairman Kemp opened the public hearing at 5:30 p.m.. No one spoke and Chairman Kemp closed the public hearing.

On motion of Frye, seconded by Mason, the Board unanimously voted to approve the Rural Operating Assistance Program (ROAP) Grant application for \$102,334 from the state for the Elderly & Disabled Transportation Assistance Program (E&D), Work First Transitional/Employment Transportation Assistance Program and the Rural General Public Program (RGP).

Appointments to the Aging Services Planning Committee

Candie Rudzinski, Aging Services Planning Coordinator, asked the Board to approve the following list of nominations for membership on the Aging Services Planning Committee:

On motion of Davis, seconded by Holmes, the Board voted unanimously to appoint Addie Luther, Allan Edwards, Charlie Casper, Douglas Aitken, Jr., Jean Johnson, Julie Prince-Bell, and William Allred and to reappoint Candie Rudzinski, Frank Willis, Joy Ratliffe, Ann Suggs, Carolyn Vickrey, Charles Tyson, J. T. Pugh, Jr., John McGlohon, Peggy Morrison, Donna Moore, Duffy Johnson, Janet Henley, RN, Janet Ward and Sandra Allen to the Aging Services Planning Committee for one-year terms.

Acceptance of 2000-2001 EDTAP and Other Supplemental Funds

Ms. Rudzinski stated that during the next fiscal year the County may be allotted additional funds from EDTAP (Elderly & Disabled Transportation Assistance Program), the NC General Assembly, and/or HCCBG. Since the turn-around time for completing the necessary budgets and paperwork can be as little as 5-10 working days, she requested blanket approval for the Aging Services Planning Committee to allocate these funds.

On motion of Frye, seconded by Mason, the Board unanimously agreed to accept EDTAP and other supplemental funds for Aging Services, should they become available, and to allow the Aging Services Planning Committee to decide how to allocate these funds.

Aging Services - 2000-2001 Home and Community Care Block Grant (HCCBG) Allocations

Candie Rudzinski, Aging Services Planning Coordinator, reported that the Aging Services Planning Committee has approved a recommendation for the HCCBG allocations for FY 2000-2001, totaling \$603,655. The Aging Services budget should also include DSS match of \$9,657.

On motion of Kemp, seconded by Mason, the Board unanimously approved the HCCBG Funding Plan as indicated on Form DOA-731 requesting a total of \$603,655 and the DSS match totaling \$9,657 for FY 2000-2001 for Randolph County.

Resolution in Support of Grant Application for the "Central Piedmont Discovery Center"

On motion of Frye, seconded by Holmes, the Board voted unanimously to approve the following resolution of support as presented by Hal Johnson, Chairman, Randolph County Tourism Development Authority:

WHEREAS, the Randolph County Tourism Development Authority (RCTDA) has been charged with the promotion of Randolph County as a tourism, meeting and convention destination.

WHEREAS, in the execution of those duties, the Tourism Development Authority has made a commitment to the development of the Central Piedmont Discovery Center, a public facility that will combine a permanent headquarters for the RCTDA and a visitor convenience/rest area with a state-of-the-art facility to showcase the unique natural, cultural and historic aspects of Randolph County and the central Piedmont region of North Carolina and the RCTDA is now seeking funding for this facility through the Department of Transportation, Transportation Enhancement Program funding.

WHEREAS, the proposed development of this facility would ensure both a high quality public visitor center/rest area and an important visitor information/resource center along an important transportation corridor serving Randolph County and the entire central Piedmont region.

WHEREAS, the public interest would be served by preserving, protecting, showcasing and enhancing these resources for the benefit of the people of North Carolina, by improving the visitor experience in the central Piedmont and by encouraging visitors to the region to extend their time in the region

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Randolph County, North Carolina, at their regular meeting held on the 5th day of June, 2000, that the Transportation Enhancements Program grant application submitted by the Randolph County Tourism Development Authority for the development of the Central Piedmont Discovery Center, now pending before the North Carolina Department of Transportation has the full support and approval of the Board.

Resolution in Support of Grant Application for the “Seagrove Plank Road/Railroad” Project

On motion of Frye, seconded by Holmes, the Board unanimously voted to approve the following resolution of support as presented by Hal Johnson, Chairman, Randolph County Tourism Development Authority:

WHEREAS, the Randolph County Tourism Development Authority (RCTDA) has been charged with the promotion of Randolph County as a tourism, meeting and convention destination;

WHEREAS, in the execution of those duties, the Tourism Development Authority has made a commitment to the development of tourist focused interpretive centers in conjunction with the North Carolina Pottery Center which will showcase the impact of transportation, in the forms of the Salem to Fayetteville Plank Road and the introduction of railroad service, on the Seagrove area and the development and growth of the pottery industry in southern Randolph County;

WHEREAS, the public interest would be served by preserving, protecting, showcasing and enhancing this unique heritage and the historic transportation resources of the Seagrove area for the benefit of the people of North Carolina, and would enhance the potential for economic benefit in the area by improving the visitor experience in the central Piedmont and by encouraging visitors to the region to extend their time in the region

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Randolph County, North Carolina, at their regular meeting held on the 5th day of June, 2000, that the Transportation Enhancements Program grant application submitted by the Randolph County Tourism Development Authority for the development of the Seagrove Train Station/Seagrove Plank Road Project, now pending before the North Carolina Department of Transportation has the full support and approval of the Board.

Compensation Analysis Report

Kim Newsom, Personnel Director, told the Board that Randolph County’s turnover rate has increased for several years to about 14% in 1999. This reflects the loss of 161 employees in budgeted positions, 77 in 1998 and 84 in 1999. Of the 84, 66% of those leaving in 1999 were employees that we had trained and had less than 5 years of service at the time of their leaving. Four common links of concern that have been identified by Mr. Newsom and department heads are the high turnover rate, high training costs, limited career growth opportunities and quality of applicants for positions.

Mr. Newsom recommended that the Board, within their budget process, adopt the proposed new classification and pay plan with a 5% plan adjustment and increase the Standard Job Rate by one step. It is further recommended that the Board adopt the proposed budget to include funds for merit increases and those reclassification and market adjustments to remain competitive. Further, that the Board commit to a 2- to 4-year plan to bring the County compensation package in line with the “market.” These actions will reduce turnover and training costs while enhancing the efficiency and productivity of the County workforce. A recommendation is also made to further study, in depth, the concept of benefit administration. The first-year cost of this plan will be \$1,255,000 as projected in the County Manger’s proposed budget.

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, and Chairman Kemp opened the public hearing for comments on each request and closed it before taking action on each request:

1. **RODNEY & BETSY MOODY**, Randleman, North Carolina, are requesting that 5.82 acres (out of 83.60 acres) located on the corner of Randolph Tabernacle Road and Country Place Road, Asheboro Township, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. The proposed Conditional Use Zoning District would specifically allow the development of a 6-lot subdivision for site built homes only. The Planning Board recommended unanimously that this request be approved.

Rodney Moody, 3139 WOW Camp Rd., Randleman, spoke in favor of his request and stated that he would leave as many of the trees on the property as possible.

On motion of Holmes, seconded by Frye, the Board voted unanimously to approve the request of Rodney and Betsy Moody.

2. **WILLIAM CLEMMONS**, Zionsville, Indiana, is requesting that 20.06 acres located at the end of Farmhouse Road, Liberty Township, be rezoned from Residential Restricted/Conditional Use to Residential Exclusive/Conditional Use. The proposed Conditional Use Zoning District would specifically allow the re-subdivision of Lot # 12 of Walnut Ridge Subdivision into three (3) lots for site built homes only. The Planning Board recommended unanimously that this request be approved.

Deborah Jones, realtor, spoke on behalf of the applicant, stating that applicant plans to build a home on one of the sites and reserve the other sites for family members to build on if and when they so choose.

On motion of Davis, seconded by Holmes, the Board voted unanimously to approve the request of William Clemmons.

3. **ALLEN & JUANITA BULLARD**, Randleman, North Carolina, are requesting that 25.51 acres located on New Salem Road, Providence Township, be rezoned from Residential Agricultural to Residential Agricultural/Conditional Use. The proposed Conditional Use Zoning District would specifically allow a planned unit development of 4 residences (property owner, farm worker, elderly parent and care giver for elderly parent). The Planning Board recommended unanimously that this request be approved.

No one spoke.

On motion of Frye, seconded by Mason, the Board voted unanimously to approve the request of Allen & Juanita Bullard.

4. **JOSEPH THOMAS**, Denton, North Carolina, is requesting that 10.20 acres (out of 28.78 acres) located on Brantley Gordon Road, Concord Township, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. The proposed Conditional Use Zoning District would specifically allow the development of a 9-lot subdivision for site built or modular homes. The Planning Board recommended unanimously that this request be approved. Hal Johnson stated that the applicant asked that it be postponed.

No one spoke.

On motion of Frye, seconded by Holmes, the Board voted unanimously to table this request for 1 month.

5. **HAROLD WILKES**, Archdale, North Carolina, is requesting that 9.38 acres located on Jordan Valley Road, Tabernacle Township, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. The proposed Conditional Use Zoning District would specifically allow the development of a 7-lot subdivision for site built homes only. The Planning Board recommended unanimously that this request be approved.

Jerry King, Surveyor, 1366 Cagle Mill Rd., Seagrove, said that the average lot size will be 1.4 acres and some preliminary soil testing has been done. There is a minimum square footage of 1200 sq. ft.

Harold Wilkes, applicant, 7104 Chanterelle Drive, High Point, spoke in support of his request.

On motion of Holmes, seconded by Frye, the Board voted unanimously to approve the request of Harold Wilkes.

6. **JIMMY WARD HARDWOODS, INC.**, Seagrove, North Carolina, is requesting that 32.87 acres located at 485 Burney Road, Richland Township, be rezoned from Residential Agricultural & Light Industrial to Light Industrial/Conditional Use. The proposed Conditional Use Zoning District would specifically allow the expansion of existing lumber yard. The Planning Board recommended that this request be approved by a 5 to 2 vote with the following conditions:

- * 100 ft. buffer along Burney Road, Burrough Avenue, and his private drive into the operation (this would include any proposed access) where possible and where it is not appropriate, buffers should be worked out with the Planning Staff.
- * Any access to Burrough Avenue should be restricted to allow only personal vehicles.

J. Wilson Alexander Jr., attorney for the applicant, explained to the Board that the applicant's business was established prior to County zoning. The applicant didn't realize that his property had two separate zoning districts (R.A. and L.I.) until he came to the County for permits to set up a mobile office. Mr. Alexander then asked that the original request be amended to not rezone the upper portion with entrance off Burney Road (leaving it R.A.), but to rezone the lower portion with entrance off Burrough Ave. as L.I./C.U. for storage only and to provide appropriate buffers.

Discussion ensued concerning amendment of the original request and consequently, Mr. Alexander changed his amendment to rezone the bottom portion of his property to L.I./C.U. with buffers on Burrough Ave. and make the driveway from Burney Road Light Industrial.

Jon Megerian, attorney representing neighbors, asked that the applicant repair (via artificial buffers) everything he has damaged during his unlawful use of his property due to the Residential/Agricultural zoning, and that the middle portion of the property be rezoned to L.I./C.U. for no further expansion to his business. He also presented a petition of about 80 signatures in opposition of this request to the Board along with pictures of the property.

Mr. Megerian asked for a show of hands of all persons in attendance opposing this request; there were approximately 25.

On motion of Frye, seconded by Mason, the Board voted unanimously to table this request and asked that the attorneys negotiate on behalf of their clients and bring back a workable request amiable to both sides.

7. RALPH NEWSOME, Ramseur, North Carolina, is requesting that 172.00 acres located on the corner of Old Staley Road and Langley Road, Columbia Township, be rezoned from Residential Agricultural to Residential Restricted/Conditional Use. The proposed Conditional Use Zoning District would specifically allow the development of a 103-lot subdivision for site built homes, modular homes and Class A double-wide mobile homes on permanent foundations with a minimum house size of 1,200 sq. ft. The Planning Board recommended unanimously that this request be denied.

Hal Johnson informed the Board that he had received a letter from the applicant stating that he wanted it read at the rezoning public hearing. The letter said that although he knew that his request would ultimately be denied, Mr. Newsome was not going to withdraw his request. Mr. Johnson further told the Board that this area is primarily residential and agricultural in nature with low density and contains mainly single-family homes. The proposed subdivision would not be consistent with housing in the existing community.

Jon Megerian, attorney, told the Board that he had been “fired” by the applicant.

Chairman Kemp asked if there was anyone in attendance who wished to speak in support of this request. No one spoke.

Chairman Kemp closed the public hearing.

On motion of Holmes, seconded by Frye, the Board unanimously voted to deny the request of Ralph Newsome.

Budget Amendment - Health Department

Due to extensive flood damage to many eastern North Carolina counties, monies earmarked for the Healthy Carolinians program will not be forthcoming in this fiscal year. The public health budget needs to be amended to reflect this decrease in revenues.

On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #45 to the FY 1999-2000 Annual Budget, as follows:

<i>GENERAL FUND - #45</i>	
<i>Revenue</i>	<i>Decrease</i>
<i>Restricted Intergovernmental</i>	<i>\$10,000</i>
<i>Appropriation</i>	<i>Decrease</i>
<i>Public Health</i>	<i>\$10,000</i>

Budget Amendment - State School Bonds

The State School bonds for public school capital needs are budgeted each year as a grant to the County. The Department of Public Instruction approves the school projects and allocates the necessary portion of the bond proceeds. As payments are made on these projects, the State transfers money to the County’s bank account. Our current year’s budget needs to be amended to include the total amount of anticipated expenditures to be incurred in this fiscal year for the school projects.

On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #46 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #46	
<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	\$10,800,000
<i>Appropriation</i>	<i>Increase</i>
<i>County School Building Bond Fund</i>	\$9,500,000
<i>City School Building Bond Fund</i>	\$1,300,000

Budget Amendment - Medical Examiner

The Medical Examiner's Office is increasing their autopsy rates from \$400 to \$1,000 per autopsy. Therefore, a budget amendment transferring \$15,000 from the Legal Department's budget (unfilled vacant position) to the Medical Examiner budget is necessary.

On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #47 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #47	
<i>Appropriation</i>	<i>Increase</i>
<i>Medical Examiner</i>	\$15,000
<i>Appropriation</i>	<i>Decrease</i>
<i>Legal</i>	\$15,000

Budget Amendment - Merit Increases

On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #48 to the FY 1999-00 Annual Budget to transfer merit money from Administration to the various departments using it, as follows:

GENERAL FUND - #48		
<i>Appropriation</i>	<i>Increase</i>	<i>Decrease</i>
<i>Administration</i>	1,163	
<i>Building Inspections</i>	642	
<i>Computer Services</i>	1,500	
<i>Cooperative Extension</i>	189	
<i>Emergency Services</i>	1,799	
<i>Library</i>	1,100	
<i>Maintenance</i>	509	
<i>Planning & Zoning</i>	387	
<i>Public Health</i>	3,299	
<i>Register of Deeds</i>	462	
<i>Sheriff & Jail</i>	3,823	
<i>Social Services</i>	4,571	
<i>Tax</i>	556	
<i>Administration</i>		20,000

Budget Amendment - Office of Juvenile Justice - Day Reporting Center

The Office of Juvenile Justice notified the Day Reporting Center (DRC) that their juvenile programs had received discretionary funding in order to purchase two vans. The Randolph DRC received \$25,000 and Montgomery DRC received \$20,000 in discretionary funds. Montgomery County

Juvenile Crime Prevention Council has also given us an additional \$4,000 to assist in the purchase of the vans. We were able to reserve two 15-passenger vans from the state contract vendor at a cost of \$21,585 each.

On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #49 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #49	
<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	<i>\$25,000</i>
<i>Miscellaneous</i>	<i>\$24,000</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Day Reporting Center</i>	<i>\$49,000</i>

Budget Amendment - Local Law Enforcement Block Grant Revenue & Expenditure for 1999 Grant

The LLEBG paid 90% of the salaries for several part-time bailiffs for extra security at the courthouse. This grant was unusual in that all of the funds were received in advance rather than reimbursed afterwards. The unused grant funds must also earn interest to be spent on the designated purpose of the grant. At June, 1999, the portion of grant funds not yet spent was accounted for as deferred revenue. Since then, the entire grant funds, the local match, and the interest earned have been spent. Therefore, the following budget amendment is necessary to properly account for this grant.

On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #50 to the FY 1999-2000 Annual Budget, as follows:

GENERAL FUND - #50	
<i>Revenue</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	<i>\$14,994</i>
<i>Investment Earnings</i>	<i>948</i>
<i>Miscellaneous</i>	<i>1,665</i>
<i>Appropriation</i>	<i>Increase</i>
<i>Sheriff & Jail</i>	<i>\$17,607</i>

Budget Amendment - 2000 Randolph County Schools Facilities Capital Project Ordinance

Due to bids coming in under estimated budget projections for the Archdale Elementary School project, a budget amendment is needed to transfer \$400,000 to cover shortfalls in other projects.

On motion of Davis, seconded by Mason, the Board unanimously approved Budget Amendment #2 to the 2000 Randolph County Schools Capital Project Ordinance, as follows:

2000 Randolph County Schools Capital Project Ordinance - #2	
<i>Appropriation</i>	<i>Decrease</i>
Archdale Elementary	\$400,000
<i>Appropriation</i>	<i>Increase</i>
Miscellaneous Projects	\$400,000

Presentation of Proposed FY 2000-2001 Budget

Frank Willis, County Manager, presented his proposed FY 2000-2001 budget message. This budget proposes a tax rate of 51.25¢, same as last year, and is based on a total valuation of \$6,190,000,000. The major emphasis of this proposed budget is to try to reduce the turnover rate (14%) of the County's 610 full-time positions. A study conducted by the Personnel Department revealed that our entry level salaries are about 10% below those of comparable counties, that our standard job rate needs to be about 20% above entry level to be competitive, and that the salaries of our department heads and key staff are, on average, 20.25% below the salaries of equivalent positions in comparable counties. Addressing these problems must be accomplished through a multi-year plan. This budget proposes to include the following this year:

5% Pay Plan Adjustment	\$897,290
Increase Standard Job Rate by One Step	\$288,844
Increase Merit Money from \$20,000 to \$45,000	\$ 25,000
Reclassification & Market Adjustments	<u>\$ 43,866</u>
TOTAL:	\$1,255,000

Adjournment

The meeting adjourned at 9:05 p.m.

Phil Kemp, Chairman

J. Harold Holmes

Darrell L. Frye

Robert O. Mason

Robert B. Davis

Cheryl A. Ivey, Deputy Clerk to the Board