

# Minutes

## Randolph County Commissioners

August 6, 2001

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, Davis, Holmes, Frye, and Mason were present. Rev. Steve Parker, Greystone Baptist Church, Asheboro, gave the invocation, and everyone recited the Pledge of Allegiance.

### Recognition of Retiree

On behalf of the Board, Chairman Kemp presented an engraved clock to Ruffin Cole, who is retiring from the Health Department with 24 years of service.

### Recognition of Special Guests

Chairman Kemp called on Dr. Glenn Dawson to introduce Juanita Brookover. Dr. Dawson explained that he is the personal coach and trainer for Mrs. Brookover, who is an 86-year-old senior athlete who recently brought home a combined 5 gold medals from the National Senior Games competition and the U.S. Masters Track and Field national competition, both held in Baton Rouge in July. Additionally, she broke the old records in 3 events and is now the American record holder for her age group (85-89) in shot put, javelin, and discus.

The Board congratulated Mrs. Brookover on her outstanding accomplishments.

Chairman Kemp welcomed Jan Jones and her two sons, Clay and Will. Both boys are members of Cub Scout Troop 513 in Seagrove and are attending this meeting as one of the requirements for a merit badge on citizenship in the community.

### Consent Agenda

*On motion of Frye, seconded by Holmes, the Board voted unanimously to approve the consent agenda as follows:*

- *approve minutes of July 9 and July 23;*
- *approve two sets of closed session minutes of July 9 (Item K and Item M);*
- *reappoint Chris Hardin, Judge Lillian Jordan, and Judge Russell Walker, Jr. to the Criminal Justice Partnership Advisory Board and appoint Marlana Puls of RCC to replace Marcia Daniel (3-year terms);*
- *approve 2002 holiday schedule for County offices, Library, and Public Works as follows:*

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<i>Holiday</i>	<i>County</i>	<i>Solid Waste Facility</i>	<i>Library</i>
New Year's Day	1/1	1/1 closed, 1/2 open	1/1
M.L.King Jr.'s Bday	1/21	1/21 open	1/21
Easter (Good Friday)	3/29	3/29 open, 3/30 closed	3/29, 3/30
Memorial Day	5/27	5/27	5/27
Independence Day	7/4	7/4	7/4
Labor Day	9/2	9/2	8/31, 9/2
Fall Festival			10/5 (Asheboro only)
Veterans' Day	11/11	11/11 open	11/11

Thanksgiving	11/28 & 29	11/28 closed, 11/29 open, 11/30 open	11/28, 11/29, 11/30
Christmas	12/24, 12/25, 12/26	12/24 close @ noon, 12/25 closed, 12/26 open	12/24, 12/25, 12/26

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**Recognition of Social Services for Achievements in Foster Care and Adoptions**

Chairman Kemp congratulated Martha Sheriff, Social Services Director, and her staff for their commitment in ensuring safe, permanent homes for abused and neglected children. Martha Sheriff explained that Randolph County’s net change in foster care backlog for 2000-2001 was –21%. Ms. Sheriff then introduced Twana Causey, Adoptions Unit Supervisor, and said that Ms. Causey had just recently accepted an award on behalf of the Randolph County Department of Social Services from the N.C. Department of Health and Human Services North American Council of Adoptive Children for being one of the top five counties in North Carolina who exceeded the threshold in finalizing adoptions for children.

**Pettycord Foundation Request for Resolution Supporting Their Efforts to Obtain Federal and State Funding to Develop the N. C. Aviation Hall of Fame**

Chairman Kemp introduced Bill Kurdian, who asked for Board of Commissioner support for seeking federal and state funding to develop the N.C. Aviation Hall of Fame here at the Asheboro Municipal Airport.

*On motion of Frye, seconded by Davis, the Board voted unanimously to adopt the following resolution:*

**WHEREAS**, the Randolph County Board of Commissioners wishes to support the North Carolina Aviation Hall of Fame to be located at the Asheboro Municipal Airport; and

**WHEREAS**, the Asheboro Municipal Airport already hosts the Peddycord Foundation for Aircraft Conservation; and

**WHEREAS**, the Asheboro Municipal Airport has plenty of available space and would readily make space available to the State of North Carolina for the North Carolina Aviation Hall of Fame building; and

**WHEREAS**, the Peddycord Foundation for Aircraft Conservation, with its efforts at rebuilding vintage bomber and fighter aircraft, as well as its annual “War Birds Airshow,” successfully demonstrates the support for this type of project in our community and state; and

**WHEREAS**, the location of the North Carolina Aviation Hall of Fame, with appropriate state and federal funding, would increase tourism and have a positive economic impact to the entire Randolph County community;

**NOW THEREFORE, BE IT RESOLVE**, that the Randolph County Board of Commissioners does hereby endorse the application of the Peddycord Foundation for all appropriate state and federal funding as the North Carolina Aviation Hall of Fame.

**Declare Bloodhound Named “Snoopy” Surplus Property**

Major Allen McNeill said that the Sheriff’s Office has a bloodhound named Snoopy that is now legally blind. The Sheriff’s Office believes that they have found a good home for Snoopy and would like for the Board to declare him as having no monetary value.

*On motion of Davis, seconded by Holmes, the Board voted unanimously to declare Snoopy as having no monetary value and to try to secure a good home for him.*

**Proclamation Declaring Celebrate Hosiery Month**

*On motion of Frye, seconded by Mason, the Board voted unanimously to adopt the following proclamation:*

*Whereas, the North Carolina hosiery industry has been an important contributor to the state's economy for more than a century; and*

*Whereas, the industry provides employment to 33,000 persons in North Carolina, enhancing their quality of life; and*

*Whereas, North Carolina hosiery companies produce 60 percent of the domestic hosiery products in the United States, representing sales of \$3.2 billion which flows throughout the businesses of our communities; and*

*Whereas, Randolph County is one of 33 counties in North Carolina that includes hosiery manufacturing and companies that supply producers of ladies hosiery, body wear and socks for men, women and children;*

***THEREFORE,** the Randolph County Board of Commissioners do hereby proclaim August 2001 as Celebrate Hosiery Month to recognize the contributions of the hosiery industry to the livelihood of our citizens, and the economic base of our communities and the State of North Carolina.*

**Appointment to County Planning Board**

*On motion of Frye, seconded by Davis, the Board voted unanimously to appoint Chris McLeod to the Randolph County Planning Board and to revert Mark Brower to alternate member status.*

**Budget Amendment - Encumbrances**

Jane Leonard stated that an encumbrance is created when a contract is entered into or a purchase order is issued. Encumbrances outstanding at June 30th must be recorded in the Fund Balance section of the County's Financial Statements and are added to the next year's budget by amending the budget.

*On motion of Frye, seconded by Holmes, the Board unanimously approved Budget Amendment #4 to the FY 2001-2002 Annual Budget, as follows:*

<b>General Fund - #4</b>	
<b>Revenue</b>	<b>Increase</b>
<i>Fund Balance Appropriated</i>	607,140
<b>Appropriation</b>	<b>Increase</b>
<i>Administration</i>	22,750
<i>Computer Services</i>	29,724
<i>Tax</i>	7,200
<i>Register of Deeds</i>	18,698
<i>Public Buildings – Maintenance</i>	432,068
<i>Sheriff &amp; Jail</i>	3,490
<i>Emergency Services</i>	3,185
<i>Planning &amp; Zoning</i>	502
<i>Public Health</i>	18,152
<i>Cooperative Extension Service</i>	11,774
<i>Public Library</i>	9,597
<i>Special Appropriations</i>	50,000

<b>Public Works Fund - #4</b>	
<b>Revenue</b>	<b>Increase</b>
<i>Fund Balance Appropriated</i>	7,967
<b>Appropriation</b>	<b>Increase</b>

<i>Landfill Operations</i>	7,967
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<b><i>Emergency Telephone System Fund - #4</i></b>	
<b><i>Revenue</i></b>	<b><i>Increase</i></b>
<i>Fund Balance Appropriated</i>	52,130
<b><i>Appropriation</i></b>	<b><i>Increase</i></b>
<i>911 Services</i>	25,705
<i>Information Management</i>	26,425

<b><i>Landfill Closure Fund - #4</i></b>	
<b><i>Revenue</i></b>	<b><i>Increase</i></b>
<i>Fund Balance Appropriated</i>	275
<b><i>Appropriation</i></b>	<b><i>Increase</i></b>
<i>Landfill Operations</i>	275

**Budget Amendment – City Schools**

Ms. Leonard told the Board that the Asheboro City Schools has received approval from the Office of State Budget and Management for \$597,482 from the State Public School Building Capital Fund that will be used for the construction of a multi-purpose building, a classroom connector and a parking lot addition at the Lindley Park Elementary. It requires the following budget amendment:

*On motion of Mason, seconded by Holmes, the Board voted unanimously to approve Budget Amendment #5 as follows:*

<b><i>General Fund - #5</i></b>	
<b><i>Revenue</i></b>	<b><i>Increase</i></b>
<i>Restricted Intergovernmental</i>	597,482
<b><i>Appropriation</i></b>	<b><i>Increase</i></b>
<i>Special Appropriations</i>	597,482

**Budget Amendment – Library**

Richard Wells explained that the library has received an E-rate refund from Sprint in the amount of \$3,044 and requested that these funds be placed into the automation operating expense line item. In addition, the library has also received from the State reimbursement of State Aid to Public Libraries that was initially cut, then reinstated in the amount of \$4,973 and requests that these funds be placed into the automation operating expense line item.

*On motion of Davis, seconded by Mason, the Board voted unanimously to approve Budget Amendment #6 as follows:*

<b><i>General Fund - #6</i></b>	
<b><i>Revenue</i></b>	<b><i>Increase</i></b>
<i>Restricted Intergovernmental</i>	4,973
<i>Miscellaneous</i>	3,044
<b><i>Appropriation</i></b>	<b><i>Increase</i></b>
<i>Public Library</i>	8,017

**Budget Amendment – Junior Sheriff’s Academy**

Ms. Leonard told the Board that the Sheriff’s Office has received \$21,757 in funding to operate the third annual Junior Sheriff’s Academy.

*On motion of Frye, seconded by Holmes, the Board voted unanimously to approve Budget Amendment #7 as follows:*

<b>General Fund - #7</b>	
<b>Revenue</b>	<b>Increase</b>
<i>Miscellaneous</i>	21,757
<b>Appropriation</b>	<b>Increase</b>
<i>Sheriff &amp; Jail</i>	21,757

**Budget Amendment – LLEBG 2000 and Governor’s Crime Prevention – Adult**

The 2000 Local Law Enforcement Block Grant (LLEBG) that provides for additional security at the courthouse had an unspent balance of \$3,515. This grant runs for a period of two years or until all proceeds are depleted. The balance will be spent by the end of August. The Governor’s Crime Prevention (Adult) Grant had an unspent balance of \$6,216. The State extended this grant for an additional three months to end on 9/30/01. The balance will be spent by the end of August.

*On motion of Mason, seconded by Davis, the Board voted unanimously to approve Budget Amendment #8 as follows:*

<b>General Fund - #8</b>	
<b>Revenue</b>	<b>Increase</b>
<i>Restricted Intergovernmental</i>	9,731
<b>Appropriation</b>	<b>Increase</b>
<i>Sheriff &amp; Jail</i>	3,515
<i>Day Reporting Center</i>	6,216

**Public Hearing on the Expenditure of Public Funds on the Randolph County Economic Development Corporation’s Randleman Property**

Chairman Kemp opened the duly advertised public hearing at 5 p.m. Bonnie Renfro explained that the EDC has had successful development for 16 years but that sites are rapidly being depleted. The EDC, in April, 2000, purchased a 47.3-acre site in Randleman for development of its second industrial park. This property, now know as the West Randleman Business Park, was financed by the EDC through a bank loan for \$762,500 with a credit line of up to \$1 million for additional development costs. The Randolph County Board of Commissioners intends to consider supporting this project through payment of the debt service on the EDC’s loan. If approved, the first debt service payment of \$60,190 will be due September 1, 2001. Subsequent annual debt service payments will then be made by the County for so long as this property is not sold and the debt is outstanding.

Chairman Kemp asked for public comment and, hearing none, closed the public hearing.

*On motion of Davis, seconded by Frye, the Board voted unanimously to approve the West Randleman Business Park project and Budget Amendment #9 as follows:*

<i>General Fund - #9</i>	
<i>Revenue</i>	<i>Increase</i>
<i>Fund Balance Appropriated</i>	60,190
<i>Appropriation</i>	<i>Increase</i>
<i>Special Appropriations</i>	60,190

**Report on Courthouse (HVAC Contract)**

Chairman Kemp reviewed the problem with Crutchfield Heating and Plumbing Company, the HVAC contractor who walked off the new courthouse construction job recently, apparently bankrupt, and with Amwest Surety Insurance Company, Crutchfield’s bonding company, which is being liquidated.

Alan Pugh, County Attorney, stated that the County has retained the services of an attorney in Raleigh who deals with these kinds of matters. He explained that North Carolina General Statutes provide that when the bidding process is followed and the company that was awarded the contract cannot finish the job, the County Commissioners may award a bid to someone else to finish the job without rebidding it. This is an important provision because the courthouse project was bid as a multi-prime project. If one contractor gets off schedule, that slows up the work of the other contractors and gets them off schedule, resulting in potential liability for the County. Therefore, at their last meeting, the Commissioners authorized the County Manager and the Chairman to negotiate a new HVAC contract. Mr. Pugh clarified that the County is not liable for subcontractors of Crutchfield who have not been paid for materials or work because the County has no contract with them.

David Townsend, III, Public Works Director and Courthouse Project Manager, stated that the County has negotiated with J. H. Allen, the general contractor, to choose a new HVAC contractor. They have chosen Superior Mechanical and have submitted a cost proposal to the County. The original contract with Crutchfield was for \$1,347,000; to date the County has paid them \$872,525. J. H. Allen’s proposal to finish the job is \$866,711, which gives a new total of \$1,739,236. Mr. Townsend said that some of Crutchfield’s subcontractors who were not paid are refusing to come back at the end of construction to start up the equipment and are also refusing to give warranties on some equipment.

Bill Moser, project architect, said that J.H. Allen was reluctant to contract with a new HVAC company to finish that work, but that they have been very cooperative and are moving the process along quickly. He noted that Superior Mechanical was the second lowest bidder originally (by \$38,000) when Crutchfield was awarded the contract.

Chairman Kemp stated that timing brought this issue before the Board; he and the Manager could have entered into this contract without further approval.

Frank Willis, County Manager, reported that funds for the courthouse project were set up so that interest earned from those funds could be used as a contingency for problems such as the one we have just experienced. Interest earned so far on County dollars is \$486,500, and interest earned on borrowed funds is \$101,500, for a total of \$588,000 earned to date.

*On motion of Frye, seconded by Holmes, the Board unanimously approved Change Order GC-7 to J.H. Allen's contract.*

*On motion of Frye, seconded by Davis, the Board unanimously approved Budget Amendment #5 to the Randolph County Courthouse Project Capital Project Ordinance, as follows:*

<b>COURTHOUSE PROJECT CAPITAL PROJECT ORDINANCE - #5</b>	
<b>Revenue</b>	<b>Increase</b>
<i>Interest Earned</i>	<i>\$486,500</i>
<i>Interest Earned – Borrowed Fund</i>	<i>\$101,500</i>
<b>Appropriation</b>	<b>Increase</b>
<i>Project Construction &amp; Renovation</i>	<i>\$588,000</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 Administrator, 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. CAROLINA CAST STONE CO., Greensboro, is requesting 24 acres on Hwy 22 North (just before the county line), Providence Township, Polecat Creek Watershed, be rezoned from LI to HI/CU to allow the manufacturing of pre-cast concrete in the existing building and proposed buildings (as per site plan). Property owner is James Ferree, Jr. The Planning Board recommended denial by a vote of 4 to 2. They felt this business was inappropriate for the proposed location because of noise, dust, etc. It is also in the watershed, and it would not create 100 new jobs; it would just relocate them to Randolph County. Mr. Johnson stated that at 12:33 p.m. today he received a fax from the applicant asking to be rescheduled for the September meeting. Then at 4:00 p.m. their attorney advised him that the applicant had withdrawn the request for Heavy Industrial zoning.

Chairman Kemp asked for comments from those in support of this request.

**Jon Megerian**, attorney for the applicant, stated that the applicant has withdrawn its application and is not asking for this request to be rescheduled.

Alan Pugh, County Attorney, stated that the County's zoning ordinance does not allow the same request to come back before the County Commissioners for one year if it is denied and that it is his opinion that the Commissioners can decide whether to allow a withdrawal. If they allow the withdrawal, the same request can be brought back immediately; if it is not withdrawn and is denied, the applicant must wait a year before reapplying.

*On motion of Frye, seconded by Davis, the Board voted unanimously not to allow the withdrawal of Carolina Cast Stone's request.*

Chairman Kemp asked if anyone had any evidence to present in support of the request.

**Attorney Megerian** stated that there is no evidence to present because the application has been withdrawn.

*On motion of Frye, seconded by Holmes, the Board voted unanimously to deny the request of Carolina Cast Stone for a rezoning to Heavy Industrial.*

2. VICTORY JUNCTION GANG CAMP, INC., Randleman, is requesting 62.19 acres (out of 155.4 acres) on Fred Lineberry Road, Level Cross Township, be rezoned from RA to RA/CU to allow the development of a camp for critically and chronically ill children. Property owners are Richard and Lynda Petty. The Planning Board unanimously recommended approval.

**Dean Spinks**, P.O. Box 4509, High Point, architect for the camp, described the layout and plans for the camp. He said the camp could accommodate 160 children and would provide medical facilities and care for the campers. This Victory Junction Gang Camp, founded by Paul Newman, will be one of seven in the world.

*On motion of Frye, seconded by Kemp, the Board unanimously approved this request.*

3. W. G. SINK, Trinity, is requesting 103.72 acres on Finch Farm Road, Trinity Township, be rezoned from RA to RE/CU to develop a 36-lot residential subdivision for site-built homes with a minimum size of 2,200 square feet. Property owner is A.C. Jones. The Planning Board unanimously recommended approval.

**W. G. Sink**, applicant, stated that the project, to be developed in four phases, will take five years or less to complete. He said it will be a development to be proud of.

*On motion of Frye, seconded by Mason, the Board unanimously approved this request.*

4. RANDALL SAGE, High Point, is requesting .86 acres located at the intersection of Hwy 311 North/Allen Drive, New Market Township, be rezoned from RA to HC/CU to allow an auto sales lot and the existing buildings to be removed and replaced with a 22' x 12' building. Property owners are Johnny and Susan Warr. The Planning Board unanimously recommended approval.

**Randall Sage**, applicant, said he recently bought this property and has already made some improvements.

*On motion of Davis, seconded by Holmes, the Board unanimously approved this request.*

5. ANDY AND KEITH AIKENS, Archdale, are requesting 7 acres on Old Mountain Road, Trinity Township, be rezoned from RA to RR/CU to allow the addition of 7 lots to Eagle Creek Subdivision for Class A doublewide manufactured homes. Property owner is Odess Lowery. The Planning Board unanimously recommended approval.

**Todd Farlow**, 3325 Mount Olive church Road, Sophia, attorney for the applicants, stated that this proposal will be phase 8 of the subdivision. It is consistent with the area and will

have the same restrictions as the rest of the subdivision. Houses will have a 50' setback. The Aikens have already purchased this property.

*On motion of Frye, seconded by Holmes, the Board unanimously approved this request.*

6. CEDAR RUN ASSOCIATES, Greensboro, is requesting 31.3 acres on Business Hwy 220 North, Level Cross Township, be rezoned from RA to RE/CU to allow the addition of 15 lots to Cedar Run Subdivision for site-built homes with a minimum of 1,500 square feet. Property owners are Joyce C. and Ann Lee Gray. The Planning Board unanimously recommended approval. Mr. Johnson noted that he had received a complaint from someone in the first section of this subdivision stating that he had drilled two or three wells and had no water.

**Chris Walrond**, 2832 Randleman Road, Greensboro, said he and his partner were the developers for the first phase and that most of the houses were built larger than the minimum size required. He said they are aware of the well problem and that a new well is being drilled.

*On motion of Davis, seconded by Mason, the Board unanimously approved this request.*

### **Adjournment**

The meeting adjourned at 7:40 p.m.

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Phil Kemp, Chairman

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Darrell L. Frye

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J. Harold Holmes

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Robert B. Davis

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Robert O. Mason

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Cheryl A. Ivey, Deputy Clerk to the Board