

## Commissioners Meeting Minutes

February 7, 2005

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 Holmes, Kemp, Frye, Davis, and Lanier were present. Rev. Mark Jordan, Pastor of Grace and New Union United Methodist Churches, gave the invocation, and everyone recited the Pledge of Allegiance.

### **Consent Agenda**

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

- *approve minutes of the January 3, 2005 regular and closed session meetings;*
- *unseal closed session minutes of 8/5/02, 12/2/02, 2/3/03, 3/8/04, 7/12/04, and 8/2/04;*
- *ratify individual poll of Resolution in Opposition to a Special Statewide Election;*
- *reappoint Bernard Beck, Wilbert Hancock, Shane Whitaker (Alt.), & Roy Chriscoe (Alt.) to Voluntary Agricultural District Advisory Board;*
- *appoint Zach Ziegler to Juvenile Crime Prevention Council.*

### **FY2003-2004 Independent Audit Report**

Steve Hackett, CPA with the firm of Maxton McDowell CPA, presented and reviewed the Comprehensive Annual Financial Report for year ended June 30, 2004. He stated that the County is in good financial shape and pointed out that Randolph County has done an excellent job providing services to its citizens while still maintaining an excellent fund balance.

### **Request for 3 New Food Stamp Income Maintenance Positions and Budget Amendment**

Martha Sheriff, Randolph County Social Services Director, told the Board that her department desperately needs 3 additional food stamp positions (2 IMC I positions and 1 IMC II position). She said that the food stamp caseload has continued to increase dramatically over the past 4 years and more markedly over the last year. The economy has impacted many of the DSS programs but has touched the food stamp program the most. She said that these positions are funded by 50% County funds. The total County share for the 3 requested new positions for the months of April, May and June is \$10,924.

*On motion of Frye, seconded by Davis, the Board voted unanimously to allocate 1 new IMC I position and 1 new IMC II position and appropriated \$7,385 from Fund Balance for the 50% County share of the cost of these new positions for the months of April, May and June and approved Budget Amendment # 26, as follows, to account for these 2 new positions.*

<b><i>2004-2005 Budget Ordinance General Fund – Amendment #26</i></b>		
<b><i>Revenues</i></b>	<b><i>Increase</i></b>	<b><i>Decrease</i></b>
<i>Appropriated Fund Balance</i>	<i>\$7,385</i>	
<i>Restricted Intergovernmental</i>	<i>\$7,385</i>	
<b><i>Appropriations</i></b>	<b><i>Increase</i></b>	<b><i>Decrease</i></b>
<i>Social Services</i>	<i>\$14,770</i>	

### **Repeal Old and Adopt New Voluntary Agricultural District Ordinance**

Carolyn Langley, Randolph County Cooperative Extension Director, presented a proposed replacement Voluntary Agricultural District Ordinance to the Board. She said that Alice Dawson, Aimee Scotton, Kemp Davis, Hal Johnson, and she had reviewed the current ordinance and had made extensive proposed changes to it. Most of them were minor changes for clarification and/or corrections. The one major change is the inclusion of a written description and map of the six geographic areas of the county that will serve as agricultural districts.

*On motion of Davis, seconded by Kemp, the Board voted unanimously to repeal the old Voluntary Agricultural District Ordinance and adopt the new one, as follows:*

**ARTICLE I--AUTHORITY**

*The articles and sections of this ordinance are adopted pursuant to authority conferred by the N.C.G.S. Chapter 153A and Chapter 106, Article 61, the Farmland Preservation Act, as amended.*

**ARTICLE II--PURPOSE**

*The purpose of this ordinance is to promote agricultural and environmental values and the general welfare of the county and, more specifically, increase identity and pride in the agricultural community and its way of life, encourage the economic health of agriculture, and increase protection from non-farm development and other negative impacts on properly managed farms.*

*This ordinance establishes a Voluntary Agricultural District Program that has the following benefits for participating farmers and other county residents:*

*The program preserves and maintains agricultural areas within the county.*

*The program informs non-farming neighbors and potential land purchasers that the participating farm may emit noise, dust, and smells. (This may help avoid conflicts between neighbors and potential nuisance claims.)*

*The program gives the farming community a better voice in Randolph County Commissioners' decisions affecting farmland.*

*Farmer participation in the program is voluntary, and the farmer may terminate his/her participation at any time.*

*The program conserves green space and natural resources as the county's population and development expand.*

*The program maintains opportunities to produce locally grown food and fiber.*

**ARTICLE III--AGRICULTURAL ADVISORY BOARD**

- A. Creation--*The Board of Commissioners hereby establishes The Randolph County Agricultural Advisory Board to implement the provisions of this ordinance.*
- B. Appointments and Memberships--*The Advisory Board shall consist of seven (7) members appointed by the Board of Commissioners, six (6) geographically representative of the county and one (1) member at large. The Board of Commissioners shall also appoint seven (7) alternate Advisory Board members, six (6) geographically representative of the county and one for the member at large.*
- C. Requirements
  1. *Each Advisory Board Member shall be a Randolph County resident.*
  2. *At least six (6) of the seven (7) members shall be actively engaged in farming or own qualifying farmland in Randolph County.*

3. *The Advisory Board Members actively engaged in farming shall be selected for appointment from the names of individuals submitted by Cooperative Extension, the Soil and Water Conservation District, the Natural Resources Conservation Service, the Farm Service Agency, and any other agricultural-related group, with an effort to have the broadest geographical representation possible. The Cooperative Extension Director shall coordinate efforts to solicit nominations for appointment.*
4. *Each District shall have a representative on the Advisory Board.*

- D. Tenure--*Both the initial Advisory Board and alternates are to consist of three (3) members for terms of three years; two (2) members for terms of two years; and two (2) members for a term of one year. Thereafter, all appointments are to be for terms of three years. Members shall serve at the pleasure of the Board of Commissioners.*
- E. Vacancies--*Any vacancy on the Advisory Board is to be filled, from recommendations of the above groups (in C.3.), by the Board of Commissioners for the remainder of the unexpired term.*
- F. Funding--*The Board of Commissioners shall appropriate funds to Cooperative Extension for the following Advisory Board expenses:*
1. *mileage related to Advisory Board business;*
  2. *supplies;*
  3. *road signs identifying Voluntary Agricultural Districts.*
- G. Advisory Board Procedure
1. Officers--*The Advisory Board shall elect a Chairperson and Vice-Chairperson each year at its first meeting of the calendar year. The Chairperson shall preside over all regular or special meetings of the Advisory Board. In the absence or disability of the Chairperson, the Vice-Chairperson shall preside and shall exercise all powers of the Chairperson. Additional officers may be elected as needed.*
  2. Procedure--*The Advisory Board may adopt rules of procedure that are not inconsistent with this ordinance or with other provisions of State law.*
  3. Meetings--*Meetings of the Advisory Board shall be held at least quarterly and otherwise at the call of the Chairperson and at such other times as the Advisory Board may specify in its rules of procedure and in accordance with the open meetings law. Notice of all meetings shall be made to the members in writing unless otherwise agreed to by all Advisory Board members.*
  4. Majority Vote  
*All issues shall be decided by majority vote of the members of the Advisory Board.*
  5. Records--*The Advisory Board shall keep minutes of the proceedings and shall keep records of its examinations of applications and other official actions, all of which shall be filed in the office of the Advisory Board (Cooperative Extension Office) and shall be public record.*
  6. Administrative Services--*The Advisory Board shall work through the Cooperative Extension Director for record keeping, correspondence, application procedures under this ordinance, and whatever services the Board needs to complete its duties.*
- H. Powers and Duties
1. *The Advisory Board shall*
    - a. *review and approve applications for inclusion in, the establishment of, and modification of Voluntary Agricultural Districts.*
    - b. *review and make recommendations concerning any ordinance or amendment adopted or proposed for adoption pursuant to NCGS 106, Article 61.*
    - c. *advise the Board of Commissioners on projects, programs, or issues affecting the agricultural economy or agricultural community within the county.*
    - d. *approve a report that is due in January each year to the North Carolina Commissioner of Agriculture (required by N.C.G.S. 106-743), prepared by the Cooperative Extension Director, giving the status, progress and activities of the county's Voluntary Agricultural District Program.*
    - e. *hold public hearings on public projects likely to have an impact on agricultural operations, particularly if such projects involve condemnation of all or part of a qualifying farm in a Voluntary Agricultural District.*
    - f. *perform other related tasks or duties assigned by the Board of County Commissioners.*
    - g. *have the authority to recommend to the Board of Commissioners to waive, on a case-by-case*

- basis, the minimum acreage requirements to be a qualifying farm.
2. Each Advisory Board Alternate shall
    - a. attend all Advisory Board meetings.
    - b. vote on business of the Advisory Board only in the absence of the regular Advisory Board member for whom he is the alternate.

#### **ARTICLE IV--CERTIFICATION AND QUALIFICATION OF FARMLAND**

*In order for farmland to qualify under this Article, it must be real property that*

- A. *Is participating in the farm present-use-value taxation program established by N.C.G.S. 105-277.2 through 105-277.7 or is otherwise determined by the County to meet all qualifications of this program set forth in N.C.G.S. 105-277.3;*
- B. *Is certified by the North Carolina Forest Service and/or Natural Resources Conservation Service of the United States Department of Agriculture, in consultation with the Cooperative Extension, as being a farm on which at least two-thirds of the land is composed of soils that (i) are best suited for providing food, seed, fiber, forage, timber, oil seed crops, and horticultural crops, including Christmas trees and ornamentals, (ii) have good soil qualities, (iii) are favorable for all major crops common to the county where the land is located, (iv) have a favorable growing season, and (v) receive the available moisture needed to produce high yields an average eight out of ten years; or on which at least two-thirds of the land has been actively used in agricultural, horticultural or forestry operations as defined in N.C.G.S. 105-277.2 (1), (2), and (3) during each of the five previous years, measured from the date on which the determination must be made as to whether the land in question qualifies;*
- C. *Is managed, if highly erodable land exists on the farm, in accordance with the Natural Resources Conservation Service-defined erosion control practices that are addressed to highly erodable land; and*
- D. *Is the subject of a conservation agreement, as defined in N.C.G.S. 121-35, between the County Soil and Water Conservation District and the owner of such land, that prohibits non-farm use or development of such land for a period of at least 10 years, except for the creation of not more than three new lots that meet applicable County zoning and subdivision regulations. Revocation of a conservation agreement by the Agricultural Advisory Board or by the landowner of qualifying farmland shall result in the loss of eligibility to participate in a Voluntary Agricultural District.*

#### **ARTICLE V--CREATION OF VOLUNTARY AGRICULTURAL DISTRICTS**

- A. *Number of Agricultural Districts*--*In order to provide geographic representation on the Advisory Board, Randolph County shall be divided into six (6) Agricultural Districts. The map designating these Districts is attached as Exhibit A and is incorporated herein by reference.*

*District One: Northern boundary shall be the Randolph County-Guilford County line; eastern boundary shall be US Hwy 220 Bypass; southern boundary shall be US Hwy 64; western boundary shall be Randolph County-Davidson County line.*

*District Two: Northern boundary shall be the Randolph County-Guilford County line; eastern boundary shall be NC Hwy 22; southern boundary shall be US Hwy 64; western boundary shall be US Hwy 220 Bypass.*

*District Three: Northern boundary shall be the Randolph County-Guilford County line; eastern boundary shall be Randolph County-Chatham County line; southern boundary shall be US Hwy 64; western boundary shall be NC Hwy 22.*

*District Four: Northern boundary shall be US Hwy 64; eastern boundary shall be Randolph County-Chatham County line; southern boundary shall be NC Hwy 22-42; western boundary shall be NC Hwy 42.*

*District Five: Northern boundary shall be US Hwy 64 and NC Hwy 42 to Coleridge; eastern boundary shall be NC Hwy 22-42 from Coleridge and Randolph County-Moore County line; western boundary shall be US Hwy 220 Bypass.*

*District Six: Northern boundary shall be US Hwy 64; eastern boundary shall be US Hwy 220 Bypass; southern boundary shall be Randolph County-Montgomery County line; western boundary shall be Randolph County-Davidson County line.*

- B. Implementation--*In order to implement the purposes stated in Article II, the Advisory Board may consider creation of Voluntary Agricultural Districts that meet one of the following standards:*
  - 1. *Each initial or subsequent District shall contain a minimum of 20 contiguous acres of qualified farmland; or*
  - 2. *Each initial or subsequent District shall contain two or more tracts of qualifying farmland that contain a minimum total of 20 acres and are located within one-half mile of each other.*
- C. Education--*The County may take such action as it deems appropriate through the Advisory Board or other entities or individuals to encourage the formation of the Districts and to further their purposes and objectives, including the implementation of a public information program to reasonably inform landowners of the Voluntary Agricultural District program.*
- D. Withdrawal--*In the event that one or more participants in a District withdraws or loses eligibility to participate and the acreage becomes less than the minimum or results in land being noncontiguous, a District will continue to exist so long as there is one qualifying farm.*

#### **ARTICLE VI--APPLICATION, APPROVAL AND APPEAL PROCEDURE**

- A. Application Procedure--*A landowner may apply to participate in the program by submitting application to the Cooperative Extension Office. The application shall be on forms provided by Cooperative Extension and approved by the Advisory Board.*
- B. Approval Process
  - 1. *Upon receipt of an application, the Cooperative Extension Director will forward copies to the following agencies for their prompt evaluation and response:*
    - a. *the Randolph County Tax Department,*
    - b. *the Natural Resources Conservation Service office for Randolph County, and/or*
    - c. *the North Carolina Forest Service.*
  - 2. *Upon receipt of the responses from the Randolph County Tax Department and the Natural Resources Conservation Service, the Advisory Board shall meet within 90 days to consider the application. The Cooperative Extension Director shall notify the applicant by first-class mail of the Advisory Board's decision within 15 days.*
- C. Appeal--*If the Advisory Board denies an application, the petitioner has 30 days to appeal the decision to the Board of Commissioners. Such appeal shall be presented in writing. The decision of the Board of Commissioners is final.*

#### **ARTICLE VII—NOTIFICATION**

*Upon approval of a Voluntary Agricultural District, the County Planning Department shall provide notification of said District by the following methods:*

- A. *Signs approved by the Advisory Board shall be installed along the right-of-way of major roads adjoining the District in a manner so that current and potential residents and property owners might be aware that farming and agricultural activities may take place at any time. Specific location of the signs, including number of signs necessary to provide adequate notice of the specific District, shall be approved by the County Planning Director.*
- B. *The County Planning Department shall maintain maps of approved Districts within the Randolph County Geographic Information Mapping System Database. This mapping information may be viewed by accessing the Randolph County website at [www.co.randolph.nc.us](http://www.co.randolph.nc.us), or at the County Planning Department.*
- C. *The Randolph County Tax Department shall add a special notice to the Tax Inquiry Land Records System so that anyone doing title searches and record searches for outstanding tax bills will be advised to contact the County Planning Department concerning location of area Voluntary Agricultural Districts prior to change of parcel ownership.*

- D. *Notice of these methods of District notification and identification shall be included in all Randolph County Voluntary Agricultural District Program information brochures, which are made available to the public by the Cooperative Extension Service, County Planning Department, and the County Tax Department.*

#### **ARTICLE VIII--PUBLIC HEARINGS ON PROPOSED CONDEMNATIONS**

- A. Purpose--*No state or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland within a District until such agency or unit has requested the Advisory Board hold a public hearing on the proposed condemnation, this ordinance provides for such hearing.*
- B. Procedure
1. *Upon receiving a request, the Advisory Board shall direct the Cooperative Extension Director to publish notice describing the proposed action in a newspaper of general circulation in Randolph County within five (5) business days of the request, and in the same notice to notify the public of a public hearing on the proposed condemnation to be held within ten (10) days of receipt of the request.*
  2. *The Advisory Board shall meet to review*
    - a. *if the need for the project has been satisfactorily established by the agency or unit of government involved, including a review of any fiscal impact analysis conducted by the agency involved;*
    - b. *alternatives to the proposed action that have less impact and are less disruptive to the agricultural activities of the District within which the proposed action is to take place.*
  3. *The Advisory Board shall consult with the County Extension Director, the Natural Resources Conservation Service District Conservationist, and any other individuals, agencies or organizations deemed by the Advisory Board to be necessary for its review of the proposed action. Land value will not be a factor in the selection between properties under consideration for the proposed action.*
  4. *The program requires the Randolph County Commissioners to use farmland "as a last resort" if they are attempting to condemn county lands;*
  5. *Within five (5) days after the public hearing, the Advisory Board shall make a report containing its findings and recommendations regarding the proposed action. The report shall be made available to the public for comment prior to its being conveyed to the decision-making body of the agency proposing acquisition.*
  6. *There will be a period of ten (10) days allowed for public comment on the report of the Advisory Board.*
  7. *After the ten- (10-) day period for public comment has expired, the Advisory Board shall submit a final report containing all of its findings and recommendations regarding the proposed action to the decision-making body of the agency proposing the acquisition.*
  8. *The total time period, from the day that a request for a hearing has been received to the day that a final report is issued to the decision-making body of the agency proposing the acquisition shall not exceed thirty (30) days. If the agency agrees to an extension, the agency and the Advisory Board shall mutually agree upon a schedule to be set forth in writing and made available to the public.*
  9. *No state or local agency may formally initiate a condemnation action while the proposed condemnation is properly before the Advisory Board within these time limitations.*

#### **ARTICLE IX--WAIVER OF WATER AND SEWER ASSESSMENTS**

- A. No Requirement to Connect--*No requirement to connect to Randolph County water and/or sewer systems shall be imposed upon qualifying farms inside a District.*
- B. Abeyance--*Water and sewer assessments will be held in abeyance, without interest, for qualifying farms, inside a District, until improvements on such property are connected to the water or sewer system for which the assessment was made.*
- C. Termination of Abeyance--*When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.*

- D. Suspension of Statute of Limitations--Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest.
- E. Other Statutory Abeyance Procedures--Nothing in this section is intended to diminish the authority of Randolph County to hold assessments in abeyance under N.C.G.S. 153A-201.

#### **ARTICLE X--NORTH CAROLINA AGENCY NOTIFICATION**

- A. Adoption--Upon adoption of this ordinance and any subsequent amendment, the Clerk to the Board of County Commissioners shall record this ordinance with the North Carolina Commissioner of Agriculture and Consumer Services.
- B. Annual Report--The Cooperative Extension Director, on behalf of the Advisory Board, shall make an annual report each January to the North Carolina Commissioner of Agriculture and Consumer Services as specified in N.C.G.S. 106-743.

#### **ARTICLE XI--LEGAL PROVISIONS**

- A. Limit of Liability--In no event shall the County or any of its officers, employees, or agents be held liable in damages for any misfeasance, malfeasance, or nonfeasance occurring in good faith in connection with the duties or obligations imposed by this ordinance.
- B. No Cause of Action--In no event shall any cause of action arise out of the failure of a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm or District as defined in this ordinance.
- C. Severability--If any article, section, subsection, clause, phrase or portion of this ordinance is for any reason invalid or unconstitutional as determined by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.
- D. Conflict with other Ordinances and Statutes--Whenever the provisions of this ordinance conflict with other ordinances of Randolph County, this ordinance shall govern to the extent allowed by law. Whenever the provisions of any federal or state statute require more restrictive provisions than are required by this ordinance, the provisions of such statute shall govern.
- E. Repeal of Previous Ordinance--The ordinance entitled "RANDOLPH COUNTY VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE," adopted February 4, 2002, is hereby repealed.
- F. Effective Date-- This ordinance shall become effective upon the date of its adoption.

#### **Criminal Justice Partnership Program Application; Contractual Agreement with Montgomery County**

Pam Hill, Day Reporting Center Director, asked the Board for their approval of the grant application for submission to the State for continuation of implementation funding for FY 2005-06. She said that it looks as though the State funding for next year will be reduced once again. She also asked that the Board approve the contractual agreement with Montgomery County for the purpose of providing substance abuse treatment and educational services, transportation services, employability/job search classes, and case management for pre-trial participants referred by the Adult Probation Officers and the Court.

*On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the application, as presented, for the Randolph County Criminal Justice Partnership Program for FY 2005-06 and to approve the contractual agreement with Montgomery County for another year.*

#### **Presentation Regarding National FFA Week (Feb. 19-26)**

Mark Walker, Chapter Advisor for the FFA program at Randleman High School, introduced Jessica Grant, Chapter President. Ms. Grant spoke in commemoration of National FFA Week 2005 and briefly discussed the mission of the FFA Program. Ms. Grant presented a certificate to the Board

in appreciation for helping develop students' potential for premier leadership, personal growth and career success through agricultural education.

### **Amendment to Centralized Permitting Ordinance**

Paxton Arthurs, County Inspections Director, said that several months ago his department decided to change the cut-off time for calling in requests for same-day inspections from 9:00 a.m. to 8:30 a.m. on a trial basis to determine whether this would solve some scheduling problems. The change was not implemented until January, 2005, but for months in advance notices were posted in the department and on the County website and the change was personally communicated to individuals and groups associated with the construction business. The change has gone very smoothly, with no complaints or problems, and it has helped the Inspections Department tremendously in scheduling of daily work. Mr. Arthurs requested that this change be made permanent, which requires that the Centralized Permitting Ordinance Article D. Section 2. must be amended to reflect this change.

*On motion of Frye, seconded by Davis, the Board voted unanimously to amend the Centralized Permitting Ordinance Article D. Section 2. to read as follows:*

*“Randolph County attempts to conduct all inspections on the same day for requests that are received in the Central Permit Office by 8:30 a.m. All inspections requested after 8:30 a.m. will be performed no later than 5:00 p.m. the following working day, if possible.”*

### **Approve Purchase of Communications Equipment With Homeland Security Grant Funds**

Allen McNeill, Chief Deputy, reminded the Board that in August 2004, the Commissioners accepted a Homeland Security grant, which has no matching requirements, in the amount of \$260,331 for fiscal year 2004. One of the allowable purpose areas for expenditure of these funds is to develop/enhance interoperable communications systems. The Homeland Security Committee recommends that these FY2004 grant funds be spent in this manner. The proposal is to spend \$246,600 of the grant funds to enhance and upgrade all County radio systems to include law enforcement, fire services, and emergency services. Competitive bids were not sought due to the fact that the equipment needed to upgrade/enhance our radio systems is available on the N.C. State Procurement Contract. The deadline to expend these funds is currently August 15, 2005.

*On motion of Lanier, seconded by Davis, the Board voted unanimously to approve the purchase of radio upgrades from Amerizon Wireless of Fayetteville, N.C in the amount of \$246,600, using the 2004 Homeland Security Grant funds.*

### **Adopt Resolution Supporting State Assumption of County Share of Medicaid**

*On motion of Kemp, seconded by Frye, the Board voted unanimously to adopt a resolution supporting state assumption of county share of Medicaid, as follows:*

**WHEREAS**, about 6.3% or \$5,690,235 of Randolph County's 2004-05 total budget is designated for Medicaid costs; and

**WHEREAS**, the counties' share of Medicaid reimbursements has increased over 67 percent in the last five years and now totals approximately \$440 million; and

**WHEREAS**, North Carolina is one of only two states in the nation that require counties to pay a share of all Medicaid services costs; and

**WHEREAS**, in Randolph County, 7¢ of our tax rate is required for Medicaid expenditures; and

**WHEREAS**, Randolph County's per capita cost for Medicaid is \$42.52; and

*WHEREAS, in Randolph County, Medicaid costs have increased 11.35% per year over the past 10 years.*

*NOW, THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners urges the North Carolina General Assembly to provide immediate Medicaid relief to Randolph County.*

*FURTHER BE IT RESOLVED that copies of this resolution be transmitted to the members of the General Assembly representing Randolph County.*

### **Adopt Resolution in Support of the Advancement of Roadway Projects in the Interstate 74 Corridor**

Hal Johnson, Planning & Zoning Director, said that the North Carolina Triad I-74 Association is seeking the support of local governments to advance 2 NCDOT projects, which are critical to completion of the I-74 corridor. These projects are the extension of I-74 from Interstate 85 to US 220 in Randolph County and the extension of the Eastern Beltway around Winston-Salem from Business 40 to US 311. Neither of these projects is currently funded in the North Carolina Transportation Improvement Program (U-2579 Forsyth County and R2606 Randolph County). Resolutions adopted by local governments and tourism agencies will be presented later this year to the members of the N.C. Board of Transportation and the N.C. General Assembly.

*On motion of Frye, seconded by Davis, the Board voted unanimously to adopt a resolution in support of the advancement of roadway projects in the I-74 Corridor, as follows:*

*WHEREAS, the State of North Carolina is recognized as the sixth fastest growing state in the nation and the third fastest growing state east of the Mississippi River; and*

*WHEREAS, Randolph County is a fast growing rural county in the state and serves as a major destination and travel corridor in North Carolina via Interstate 74 coming from the State of Virginia, the West Virginia Turnpike, and the industrialized mid-western states and extending to the Atlantic Coast; and*

*WHEREAS, the approved routing of Interstate 74 which enables greater access to rural areas of the state is an integral part of the highway system for the State of North Carolina; and*

*WHEREAS, economic development, tourism, and job creation will benefit through the construction of Interstate 74 that serves the citizens and visitors of North Carolina; and*

*WHEREAS, the construction of Transportation Improvement Program projects U-2579 (Forsyth County) and R-2606 (Randolph County) are vitally important for completion of the North Carolina segment of I-74; and*

*WHEREAS, this resolution is an instrument to express the unified support of communities along the Interstate 74 corridor for advancement of construction and completion of this project within the State of North Carolina.*

*NOW, THEREFORE, BE IT RESOLVED THAT the Randolph County Board of Commissioners, through the adoption of this resolution, supports the advancement of projects U-2579 and R-2606 for design and construction to complete the I-74 Corridor in the Piedmont Triad Region.*

### **Reminder of March Meeting Change**

Chairman Holmes reminded everyone that the March regular meeting date had been changed to Tuesday, March 1, 2005.

### **Budget Amendment—Homeland Security Grant**

Will Massie said that the State is providing the County with \$6,252 in additional Homeland Security funds from the Federal FY2002 allocation. This is funding the County can use for further upgrades to our response equipment.

*On motion of Davis, seconded by Holmes, the Board voted unanimously to approve Budget Amendment #27, as follows:*

<b>2004-2005 Budget Ordinance General Fund – Amendment #27</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$6,252	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Emergency Services</i>	\$6,252	

**Budget Amendment—Employee Assistance Program**

Will Massie reminded the Board that they had authorized a contract with Frank Horton Associates in December 2004 to provide employee assistance program (EAP) services. As agreed upon, Sandhills Center reimbursed the County \$6,300 for the cost of services over the next 6 months. A budget amendment is needed to reduce the annual appropriation due to Sandhills Center and place the cost of the EAP contract in the Administration budget.

*On motion of Frye, seconded by Davis, the Board voted unanimously to approve Budget Amendment #28, as follows:*

<b>2004-2005 Budget Ordinance General Fund – Amendment #28</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Administration</i>	\$6,300	
<i>Other Human Service Appropriations</i>		\$6,300

**Budget Amendment—CDBG Scattered Site Housing Project**

Will Massie said that when the \$400,000 2003 Scattered Site Housing Project was first planned, there were funds budgeted for relocation assistance (\$44,500) and clearance costs (\$9,000). None of these costs have been incurred at this point of the project. It has been determined that these funds will be better spent on further rehabilitation of residences. Accordingly, \$53,500 should be transferred to Rehabilitation. The Division of Community Assistance has already authorized the County to use these funds for rehabilitation.

*On motion of Davis, seconded by Lanier, the Board voted unanimously to transfer \$53,500 from other grant service areas to the rehabilitation grant service area and approved Budget Amendment #1, as follows:*

<b>Community Development Block Grant Project 2003 Scattered Site Housing Ordinance – Amendment #1</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Rehabilitation</i>	\$53,500	
<i>Clearance</i>		\$9,000
<i>Relocation</i>		\$44,500

**Budget Amendment—Health Department**

Will Massie said that the Health Department has received additional funding for medical supplies for family planning in the amount of \$7,175 and \$2,173 from the Randolph Hospital Community Health Foundation for pregnancy prevention.

*On motion of Frye, seconded by Davis, the Board voted unanimously to approve Budget Amendment #29, as follows:*

<b>2004-2005 Budget Ordinance General Fund – Amendment #29</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$9,348	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Public Health</i>	\$9,348	

**Budget Amendment—DSS Funding Authorization**

Will Massie said that the Department of Social Services has recently received 4 funding authorizations from the Division of Social Services. Two are for child day care programs: Smart Start (\$166,145) and Child Care Development (\$178,877). The third and fourth authorizations are for the Crisis Intervention (\$29,581) and Progress Energy Project Share (\$4,713) programs. All programs are 100% reimbursable.

*On motion of Frye, seconded by Lanier, the Board voted unanimously to approve Budget Amendment #30, as follows:*

<b>2004-2005 Budget Ordinance General Fund – Amendment #30</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$379,316	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Social Services</i>	\$379,316	

**Budget Amendment—Public Library**

Will Massie said that the library has been awarded a grant from Dolgencorp, Inc. to be used by the Franklinville Parents As Teachers Program. A local match is not required.

*On motion of Kemp, seconded by Davis, the Board voted unanimously to approve Budget Amendment #31, as follows:*

<b>2004-2005 Budget Ordinance General Fund – Amendment #31</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Miscellaneous</i>	\$1,000	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Public Library</i>	\$1,000	

**Closed Session**

*On motion of Frye, seconded by Lanier, the Board voted unanimously at 5:15 p.m. to go into closed session to discuss matters relating to the location of expansion of business in the area, pursuant to NCGS 143-318.11(a)(4) and to consult with the County Attorney to consider and give instructions concerning a judicial action titled “State of North Carolina, on Relation of, County of Randolph vs.*

Clarence Ray Jernigan individually and d/b/a Heath Amusement; Heath Cigarette and Music Service, Inc. d/b/a Heath Amusement; and James Worth Heath individually and d/b/a Heath Amusement,” pursuant to N.C.G.S. 143-318.11(a)(3).

The Board returned to regular session at 6:30 p.m. and then recessed for a 5-minute break.

### **Action Resulting From Closed Session Regarding Lawsuit Settlement**

*Upon returning to regular session, on motion of Frye, seconded by Davis, the Board unanimously adopted the following resolution:*

*WHEREAS, the County of Randolph is the plaintiff in that certain action styled “State of North Carolina, ex rel County of Randolph v. Clarence Ray Jernigan”, et al 04—CVS—1012, Randolph; and*

*WHEREAS, the Board of County Commissioners has examined a memorandum of a mediated settlement agreement reached in court ordered mediation, and executed by the Randolph County Attorney; and*

*WHEREAS, the Board of County Commissioners finds that the terms and conditions of the memorandum are satisfactory to it as a full settlement of all the matters and things at issue in said civil cause of action.*

*NOW THEREFORE, the Board of Commissioners of the County of Randolph, State of North Carolina does hereby authorize J. Harold Holmes, Chairman of the Board, and Alan V. Pugh, County Attorney, to execute a formal agreement to settle said civil action, and terminate all further proceedings in said action other than the enforcement of said settlement agreement, and hereby ratifies said signatories as an act of this Board they possessing full authority to act on behalf of the Board and in its name under the terms and conditions set out in said memorandum.*

*THE BOARD FURTHER DIRECTS that the County Attorney shall present any formal settlement agreement executed by him and the Chairman to the Clerk to the Board as soon as practicable after signing of same by all parties, which agreement shall be made immediately available to the public and spread upon the minutes.*

### **Rezoning Public Hearing**

At 6:40 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning & Zoning Director, presented the following requests, and Chairman Holmes opened the public hearing for comments on each request and closed it before taking action on the requests.

1. **SHANE HINSHAW**, Asheboro, North Carolina, is requesting that 6.24 acres located at 4864 US Hwy 220 South, Cedar Grove Township, be rezoned from RA/HC-CU to HC-CU/RA-CU. Tax ID#s 7657760862, 7657667862, 7657770068, and 7657667567. The proposed conditional use rezoning would specifically rezone 2.67 acres for a landscaping & nursery business and billboard, and 3.60 acres to allow owners’ residence and 2 rental mobile homes as per site plan. Worth D. & Christine D. Johnson - Property Owners. The Planning Board considered this request at public meeting on January 4, 2005, and recommended unanimously that this request be approved as consistent with the Growth Management Plan as a Primary Growth Area.

**Shane Hinshaw**, applicant, spoke in support of his request, saying that he has tried to clean up all the trash and junked cars from the property. He has remodeled one existing mobile home and is ready to rent it. He said that the landscaping and nursery business would not be a retail business.

*On motion of Davis, seconded by Frye, the Board voted unanimously to approve the request of Shane Hinshaw.*

2. **FERGUSON REALTY & DEVELOPMENT**, Staley, North Carolina, is requesting that 55 acres located on Whites Chapel Road (just east of Ferguson Farms Clubhouse), Columbia Township, be

rezoned to allow a residential subdivision. Tax ID# 8714626370. Zoning District RA. Sandy Creek Watershed. The Conditional Use Zoning District would specifically allow the development of a 29-lot site-built subdivision, as per site plan, with a minimum house size of 1,500 sq. ft. The Planning Board considered this request at public meeting on January 4, 2005, and recommended unanimously that this request be approved as consistent with the Growth Management Plan.

**Garland Ferguson**, 5428 Whites Chapel Rd., Staley, said that the Ferguson Farms Golf Course has been in business since 1992 and is considered an asset to eastern Randolph County. He said that the proposed subdivision would make the course more playable and attractive to golfers. The subdivision will not adversely impact traffic, the school system or infrastructure.

*On motion of Kemp, seconded by Davis, the Board voted unanimously to approve the request of Ferguson Realty & Development.*

3. **LARRY FERREE**, Ramseur, North Carolina, is requesting that 3 acres located at 1142 Mill Creek Road, Coleridge Township, be rezoned from Residential Restricted to Residential Agricultural/Conditional Use. Tax ID# 8701215508. The proposed Conditional Use Zoning District would specifically allow a singlewide mobile home to be placed to the rear of the existing home as per submitted site plan. The Planning Board considered this request at public meeting on January 4, 2005, and recommended unanimously that this request be approved with the condition that the mobile home be removed if it was no longer used by a family member.

**Mrs. Larry Ferree stood in support of the request.**

*On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the request of Larry Ferree with the condition recommended by the Planning Board that the mobile home be removed if it was no longer used by a family member.*

4. **NEIL HAMMOND**, Asheboro, North Carolina, is requesting that the Conditional Use Permit issued on 1.01 acres (out of 4.67 acres) located on the corner of Union Church Road/Old NC Hwy 49, Cedar Grove Township, Zoning District RBO-CU, be amended to include minor auto repair and used car sales. Tax ID# 7730518447. The current Conditional Use Permit was issued to allow only a convenience store. Harvey & Joan F. Hammond - Property Owners. The Planning Board considered this request at public meeting on January 4, 2005, and recommended unanimously that this request be approved with the condition that the used car display lot consist of no more than 8 vehicles and no outside storage of junk cars and/or materials/parts.

**Neil Hammond**, applicant, said that he may or may not sell gas at the convenience store because of the expense and regulation of underground storage tanks. He plans to do oil and tire changes, sell tires and do inspections.

*On motion of Lanier, seconded by Davis, the Board voted unanimously to approve the request of Neil Hammond.*

5. **SCHWARZ PROPERTIES, LLC**, Asheboro, North Carolina, is requesting that 13.04 acres (out of 21.90 acres) located at 4675 US Hwy 64 East, Franklinville Township, be rezoned from LI/RA to HC-CU/LI-CU. Tax ID# 7782909327. The proposed conditional use rezoning would specifically rezone 1.94 acres for retail sales and services, and 11.10 acres for industrial shops and storage as per site plan. The Planning Board considered this request at public meeting on January 4, 2005, and

recommended unanimously that this request be approved as consistent with the Growth Management Plan.

**Shane Barker**, 454 Newbern Ave., Asheboro, spoke on behalf of J & S Rentals in support of the request.

*On motion of Frye, seconded by Kemp, the Board voted unanimously to approve the request of Schwarz Properties.*

6. **MCDOWELL LUMBER COMPANY**, Asheboro, North Carolina, is requesting that 30 acres (out of 120.30 acres) located at 2473 Falling Oak Road, Concord Township, be rezoned from Light Industrial and Residential Agricultural to Heavy Industrial/Conditional Use. Tax ID# 7619762602. The Conditional Use Zoning District would specifically allow a sawmill operation for lumber and pallets as per site plan and restrictions on file in the County Planning Department. The Planning Board first considered this request at public meeting on December 7, 2004 and the request was continued to January 4, 2005. At that public meeting the Planning Board recommended, by a vote of 3 to 2, that this request be approved. Mr. Johnson said that in 1987 the County contracted with the Piedmont Triad Council of Governments (PTCOG) to begin mapping those townships bordering Guilford County for possible zoning districting. Within a few months, the County Commissioners requested that PTCOG expand their mapping to include all of Randolph County. Since there was a deadline for completion of this countywide zoning study, PTCOG was not able to visit all sites and roads in the county to establish the zoning district boundaries. Instead, PTCOG used existing county mapping that dated around 1982. A portion of the existing McDowell Lumber Company had been zoned in error by the PTCOG as Light Industrial, and the entire area of the lumberyard had not been accurately reflected on the zoning maps adopted in 1987. Mr. Johnson said the applicant is now asking the County to properly zone the property, which would include a small area to the rear of that portion of the property currently used by the lumberyard. Mr. Johnson said that the applicant has requested that the following list of conditions be considered as an amendment to his rezoning request:

1. Shall contact AT&T officials before digging or building near any area of cable right-of-way and obtain appropriate clearance from AT&T.
2. No construction of any buildings north of any existing structure facing Old NC Hwy 49.
3. Shall maintain three staggered rows of evergreen trees fronting Old NC Hwy 49 as per site plan.
4. Shall maintain three staggered rows of evergreen trees along the eastern property line embankment area as per site plan.
5. Shall maintain one row of evergreen trees along the southeastern open area of the property line as per site plan.
6. Shall maintain one row of evergreen trees along the western property line.
7. Existing exterior fans on the northern wall of the pallet building must be relocated to the eastern wall. The eastern wall must be enclosed with an insulated addition of roof, north, and east walls so the existing eastern wall becomes an interior wall to reduce noise.
8. The open breathing/inspection hole at the top of the sawdust waste bin must be enclosed and the "breathing" must be channeled within a newly constructed sheet metal pipe to the ground area to reduce dust.
9. Current lighting (9 outside lights) must be reduced by approximately one-half (within the safeguards of employee security).
10. Install and maintain a scheduling system for trucks owned by McDowell Lumber to reduce the truck traffic during the weekend and late night.
11. Continue to comply with all OSHA requirements concerning safety, noise, and air quality.

12. Continue to comply with all State or Federal regulations concerning storm water run-off.

**Teresa Durham**, President of Safety-Net, said that she had been working with the applicant for 2 years and that Mr. McDowell has complied with all safety requirements. She said that Mr. McDowell has tried to appease the neighbors and their concerns and that McDowell Lumber Company is an asset and good steward to the community. She said that representatives from OSHA have been on-site and found no irregularities or violations. A representative from N.C. Air Quality Section performed inspections and did not find anything to warrant any further testing. An inspection of storm water management was done by a NCDENR representative and he found no problems with the existing program that has been in place for 10 years. Ms. Durham addressed concerns about loud noise coming from the lumberyard. She said that tests were conducted and it was determined that noise levels were not excessively high. She said that employees are required to wear hearing protection and have been advised to have annual hearing tests. She said that the applicant has done a lot of paving to help with the dust problem and the dust bin collection system is going to include a fabricated piece that will help control any dust that escapes from its breathing vent. She said that the Department of Natural Resources has determined that McDowell Lumber Company actually qualifies for exemption status due to its low dust levels. She also said that about 10 to 15% of the tree buffer has been cleared; however, when fans are moved and insulated buildings are completed, this should eliminate some of the noise. *(Note: Ms. Durham read from a packet of information that had been provided to the Commissioners prior to the meeting; she requested that this packet be made part of the permanent record. Therefore, the contents of the packet entitled "McDowell Lumber Company Response to Planning & Zoning Board Meeting" is incorporated herein by reference and is made a part of the record as if set out in full. The original packet will be kept on file in the Clerk's office. Copies are available upon request.)*

**Bob Hornik**, attorney from Chapel Hill, N.C., spoke on behalf of some of the neighbors. He said that it was obvious that this property had been erroneously zoned from the beginning; the entire property that the lumberyard encompasses should have been zoned as Heavy Industrial. He said that the mistake should have been corrected long ago when, instead, the problem was perpetuated because building permits have been issued for the last 10-12 years for more expansion of the business. He referred to the Table of Permitted Uses in the Randolph County Zoning Ordinance and said that it was very clear that this was a non-conforming use. He said that the reason that the sawmill was "grandfathered in" in 1987 when countywide zoning was begun was because the sawmill was considered a temporary structure. He also referred to the County's Growth Management Plan (GMP) and said that this error should have been corrected at the time the GMP was implemented because this property is located in a Rural Growth Area. He said that it is a policy of the State of North Carolina that non-conforming uses be eventually eliminated, not legalized. He also said that there is case law that supports the destruction of expansion via building permits that were issued erroneously. He said that it would be bad policy to legalize what's been a non-conforming use for the past 17 years.

**Maxton McDowell**, 5354 Old Hwy 49, Asheboro, spoke in opposition to the request, citing air, noise, dust, soil and water pollution and safety issues. He said that this sawmill operation is not consistent with the County's Growth Management Plan. He talked about Old Hwy 49 South and how the narrow road is congested with logging trucks. He said that the sawmill operation that was built in 1974 was supposed to be a temporary one. He said that the reason the request is being heard now is because a Planning Board member asked in open session some time ago why this operation was allowed to operate since it should be zoned as Heavy Industrial and it lies in a Rural Growth Area, not because the applicant initiated the request. He used pictures that Mr. Johnson had used earlier in the meeting to show the view from Maxton McDowell's front yard and how this view negatively affects the value of his property. He pointed out the holes that had recently been dug in order to plant trees. He

said that he (M. McDowell) was planting the trees because T. McDowell wouldn't do it. He said that it would be many, many years before the trees (buffer) that T. McDowell had planted in November 2004 would be tall enough to provide adequate buffer. He said that there is loud and annoying noise at all hours of the day and night—even at 2:00 a.m. and 4:00 a.m. Should the request be approved with specific operating hours as a condition, M. McDowell asked who would come out to investigate a complaint at 4:00 in the morning? He said that approving this request would definitely set a bad precedent for this area. He concluded his comments by reminding the Board about a court case several years ago in which an attorney said, "If it doesn't fit, you must acquit." In like manner, M. McDowell said to the Board, "If it doesn't comply, you must deny."

Commissioner Frye asked M. McDowell if he thought there was any chance of a compromise between the neighbors and T. McDowell and M. McDowell's response was an emphatic "NO!"

**Barbara Winslow**, adjoining neighbor residing at 5179 Old NC Hwy 49, Asheboro, said that her family moved to this area to enjoy the quiet, country life. However, she says it has been anything but quiet due to loud trucks coming and going all day and night, the stacking of lumber, and the sound of the sawmill itself. She said that the dust has always been really bad. She has developed breathing problems, chronic bronchitis and asthma and has been told by her doctors that the dust from the sawmill could have caused it. She said that she and her neighbors don't want to hinder progress or cause people to lose their jobs. And she never said that T. McDowell wasn't a giving person—he's just forgotten his neighbors. She said that there is a new building going up almost all the time. She said that she and her husband have not complained in the past but now the sawmill operation keeps getting closer and closer and they have to say something. She spoke about their rental house that is situated right on the property line. This house belonged to her husband's family and her husband grew up in it. Their renter is moving out at the end of the month because of the noise and dust and they don't believe they will be able to find another renter who would be willing to live so close to these adverse conditions. She said that they don't want to shut down McDowell Lumber Company, but suggested that T. McDowell move the operation to his 100 acres located to the rear of his property. She also spoke about how the sawmill has devalued her property. Ms. Winslow read a letter from her renter, Gaynelle Vioni, who was unable to attend due to illness. The letter said that she was moving because of the noise and dust pollution. She said that at the time she moved in to this house there were trees that blocked most of the dust and noise. Now those trees are gone. She said that she didn't think that anyone would rent the house after she left.

**Claude Winslow**, 5179 Old NC Hwy 49, distributed pictures of the applicant's property the day before the first Planning Board meeting and pictures taken the day before this (February) meeting. He said it was evident that T. McDowell doesn't think that his request will be denied because he continues to build. He said that he has talked to 8 State-approved appraisers who have all said that the sawmill devalues his property. He said that on January 12, 2005, he sat in his yard continuously from 8 a.m. until 4 p.m. and counted 156 pallet and logging trucks that came in and out of the lumber company. He said that the cover that was put on top of the dust collector doesn't work. He said that he called the State's Air Quality Section and was told that they had never heard of McDowell Lumber Company—it wasn't in their database. He said that the noise control measures that T. McDowell says that he has recently installed have not helped. He mentioned that there have been 2 logging truck accidents recently, one of which was a fatality. He said that one of these trucking companies patronizes McDowell Lumber Company.

**Kim Winslow Hoffman**, 626 Mountain Rd., Asheboro, said that Barbara and Claude Winslow were her parents. She said that she believes that the split zoning in 1987 (part Light Industrial and part

Residential Agricultural) was done in order to maintain the harmony of the rural nature of the area and to prevent more of this kind of business in the area. She showed a homemade video of the property in order to convey the noise and dust problems.

**Hal Winslow**, 817 Monroe Ave., Asheboro, said that he was a brother to Claude Winslow and grew up in the Winslow's rental house that adjoins the lumberyard property. He questioned Teresa Durham's earlier comments about there being no dust. He said that is very inconsistent with any sawmill operation. He said that he could remember his mother being covered in dust for 15 years. He said he believes that the major problem now is that the natural buffer of trees has been removed. He also questioned the efficiency of a mature 30-ft. high buffer of trees for a 60-ft. high dust collector. He said that he's been in real estate for 25 years and location is the most important factor in considering real estate. He said that his brother's property wouldn't come close to market value because of the sawmill operation. He said that even if the decibel levels were acceptable, he understands that noise damage is cumulative and that damage may not be detectable for many years. He said that the lumber company is using this property illegally because it's a heavy industrial use in a rural area. He said that if the request is approved, it would be rewarding illegal use and penalizing people who use their land as it's supposed to be used. He sees no reason why someone would have to go to court to stop this.

**Marion Moller**, 1288 Greene Oak Rd., Asheboro, said that she lives 4½ miles from Asheboro and goes to town 4-5 times a week. She said that she sees 1-2 logging trucks every time she's on Old Hwy 49. If the request is approved, she believes that it could be a potential Pandora's Box.

Chairman Holmes closed the public hearing and lengthy discussion began.

County Attorney Alan Pugh said that now is the time for compromise because if the "losing" party pursues court involvement, the court's decision will be absolutely final.

*On motion of Frye, seconded by Kemp, the Board voted unanimously to continue the request of McDowell Lumber Company until no later than the May Board of Commissioners meeting in order to consider other options and conditions for improving the buffer, dust control and noise concerns, and to utilize the Planning staff as facilitators.*

### **Adjournment**

There being no further business, the meeting adjourned at 9:55 p.m.

\_\_\_\_\_  
J. Harold Holmes, Chairman

\_\_\_\_\_  
Darrell L. Frye

\_\_\_\_\_  
Phil Kemp

\_\_\_\_\_  
Robert B. Davis

\_\_\_\_\_  
Arnold Lanier

\_\_\_\_\_  
Cheryl A. Ivey, Deputy Clerk to the Board

