

March 1, 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. Ben Chavis, County Tax Supervisor, gave the invocation, and everyone recited the Pledge of Allegiance.

Special Presentation

Senior Master Sergeant James Rorie, U.S. Air Force Reserves, presented the "Above & Beyond Award" on behalf of the Employer Support for Guard and Reserve (ESGR) to Sheriff Litchard Hurley.

Changes to Agenda

Chairman Holmes announced that Item E. under the Consent Agenda had been changed to: Appoint Brenda Hanes to the Nursing Home Community Advisory Committee and Item H. had been added, as follows: Appoint Betty Hunt to the Adult Care Home Community Advisory Committee.

Consent Agenda

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

- *approve minutes of the February 7 regular and closed session (4 sets) meetings;*
- *approve D.O.T. resolutions adding Sunbeam Ct. & Carl Dr. to State Roads System, as follows:*

***WHEREAS**, the Department of Transportation has investigated Sunbeam Court in the Humble Mill Estates Subdivision; and*

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

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that Sunbeam Court in the Humble Mill Estates Subdivision be added to the Division of Highways' Secondary Road System.*

and

***WHEREAS**, the Department of Transportation has investigated an extension of SR 1515 (Carl Drive) as an industrial access street to serve the Energizer Plant at this location; and*

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

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that an extension of SR 1515 (Carl Drive) as an industrial access street to serve the Energizer Plant at this location be added to the Division of Highways' Secondary Road System;*

and

- *approve D.O.T. resolution for partial road abandonment for SR 2110 (McClintock Rd.), as follows:*

***WHEREAS**, the Department of Transportation has investigated the last 0.09 mile portion of SR 2110 (McClintock Rd.) in Randolph County for purposes of abandonment per property owner's request; and*

***WHEREAS**, it has been determined that this portion of subject road should be abandoned from the Division of Highways' Secondary Road System leaving 0.31 miles from NC22 to the centerline of the cul-de-sac on SR 2110 a part of the NC Division of Highways' Road System.*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that the last 0.09 mile portion of SR 2110 (McClintock Rd.) in Randolph County be abandoned from the Division of Highways' Secondary Road System;*

- *appoint Betsy Moody to Piedmont Conservation Council (formerly RC&D Bd.);*
- *appoint Brenda Hanes to Nursing Home Community Advisory Committee;*
- *approve State Records Retention & Disposition Schedule for County Veterans Service (ATTACHED);*

- *amend Randolph County's plan to further fair housing, as follows:*

The Randolph County Plan to Further Fair Housing, adopted by the Randolph County Board of Commissioners and signed by Chairman Phil Kemp on March 10, 2002 is hereby amended as follows:

The original Grant No. 02-C-1007 was incorrectly assigned and is replaced by the correct Grant No. 03-C-1105.

Item No. 111 is amended to extend Randolph County's Fair Housing activities through December 2005 as detailed below.

May, June, July 2005

The County will contact the North Carolina Human Relations Commission and request additional pamphlets in both Spanish and English for distribution.

August, September, October 2005

The County will recheck the supply of Fair Housing pamphlets distributed throughout the community and replace as needed.

November, December 2005

The County will advertise in the local newspaper the name, address, and telephone number of the Fair Housing Officer and the County's complaint procedure.

- *appoint Betty Hunt to Adult Care Home Community Advisory Committee.*

Introduction of New Tourism Development Authority (TDA) Executive Director

Hal Johnson, County Planning Director, introduced Chris Bulla, new TDA Executive Director.

Adopt Resolution Approving Merger of Lee-Harnett County into Sandhills Center

Mike Watson, Sandhills Center Director, said that the negotiations for the merger of the Lee-Harnett Area Program into the Sandhills Center have been completed. A satisfactory agreement has been reached with the State on the level of management funding the new 8-county local management entity will receive for FY 05-06. The merger should be effective 7/1/05. He said that they are seeking special State legislation to increase the Sandhills Area Board's maximum membership to 30 so that Harnett County can have more than 3 members on the Board.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the merger of Lee-Harnett County into Sandhills Center via the following resolution:

WHEREAS, the Board of Commissioners of the counties of Moore, Montgomery, Richmond, Hoke, Anson and Randolph have established an Area Mental Health Authority under the name of Sandhills Center for Mental Health, Developmental Disabilities and Substance Abuse Services ("Sandhills Center"); and

WHEREAS, the Board of Commissioners of Lee and Harnett Counties have established an Area Mental Health Authority under the name of Lee-Harnett Area Mental Health, Developmental Disabilities and Substance Abuse Authority ("Lee-Harnett Authority"); and

WHEREAS, with the authority and consent of the Board of Commissioners of Lee and Harnett Counties, the Lee-Harnett Authority will cease to exist as a legal and recognized entity and cease doing business in its catchment area effective July 1, 2005, and Sandhills Center will commence providing services in the catchment area of Lee and Harnett Counties on July 1, 2005; and

WHEREAS, the Board of Commissioners of Randolph County consents to Lee-Harnett Authority's termination of service and to Sandhills Center commencing to provide services in the catchment area of Lee and Harnett Counties; and

WHEREAS, the Board of Commissioners of Randolph County believes it will be in the best interests of the citizens of all of the applicable counties to have the Sandhills Center catchment area include Lee and Harnett Counties effective July 1, 2005, under the terms and conditions set forth below;

BE IT RESOLVED JOINTLY BY THE BOARDS OF COMMISSIONERS OF RANDOLPH COUNTY, as follows:

1. Sandhills Center for Mental Health, Developmental Disabilities and Substance Abuse Services' commencement of services in Lee and Harnett Counties effective July 1, 2005.

Effective July 1, 2005, Sandhills Center shall provide mental health, developmental disabilities, and substance abuse services in the counties of Moore, Montgomery, Hoke, Richmond, Anson, Randolph, Lee and Harnett. Nothing contained in this Resolution shall affect the previous legal status of the Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Services.

2. Status, Powers and Duties of Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Authority.

Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Services shall continue to be a local political subdivision of the State of North Carolina pursuant to N.C.G.S. §122C, and shall have all powers and duties conferred upon it by that statute.

3. Structure of the Board. Effective July 1, 2005, the Area Board of Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Services shall meet the requirements of N.C.G.S. §122C-118 and be comprised of twenty-five (25) members. To the extent necessary, each county shall appoint one County Commissioner to sit on the Board. Six (6) of the Board members shall be chosen by the appointing Commissioner of Randolph County; three (3) of the Board members shall be chosen by the appointing Commissioner from Moore County; one (1) of the Board members shall be chosen by the appointing Commissioner from Anson County; two (2) of the Board members shall be chosen by the appointing Commissioner from Richmond County; one (1) of the Board members shall be chosen by the appointing Commissioner from Montgomery County; one (1) of the Board members shall be chosen by the appointing Commissioner from Hoke County; one (1) of the Board members shall be chosen by the appointing Commissioner from Lee County; and two (2) of the Board members shall be chosen by the appointing Commissioner from Harnett County. The County Commissioners appointed to the Board shall make the appointments pursuant to N.C.G.S. §122C-118. The number of appointments assigned to each county will remain in effect, subject to the possible addition referenced directly below, until all of the Commissioners for each county agree to modify the number of appointments assigned to each county. Sandhills Center shall make all reasonable efforts to lobby the 2005 North Carolina General Assembly for permission to increase the size of Sandhills Center's Area Board from the statutory limit of twenty-five (25) to a maximum of thirty (30). In the event Sandhills Center is successful in increasing the number of Board members to twenty-six (26) or more, Harnett County will be permitted one (1) additional Board member. If applicable, the remaining four (4) Board positions will be subject to County Commissioners' approval and appointment.

4. Organization of the Area Board. The Sandhills Area Board shall elect a chairman and a vice-chairman, and shall be organized as provided by N.C.G.S. §122C-119.

5. Budget and Audit Requirements. Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse Services shall maintain in its budget, in accordance with Article 3 of Subchapter III of Chapter 159 of the General Statutes, the Local Government Budget and Fiscal Control Act, as required by N.C.G.S. §122C-144.1(c). A copy of this audit shall be given to the County Commissioners of each constituent county of the Area Authority.

6. Amendment. This Resolution may be amended by a Resolution jointly approved by the Boards of Commissioners of the counties of Moore, Montgomery, Hoke, Anson, Richmond, Randolph, Lee and Harnett.

7. Effective Date. This Joint Resolution shall be effective as of July 1, 2005.

Request for Approval of Site Purchase Price for New N.E. High School

Dr. Bob McRae, Randolph County Schools Superintendent, asked the Board to approve the site purchase price of the property that the school board has selected for the location of the new Northeast Randolph High School pursuant to N.C.G.S. 115C-426(f). Tract #1 (4518 Cheek Farm Rd.) consists of 100.11 acres, is appraised at \$500,000, and the offered price is \$5500/per or \$550,065. Tract #2 (adjacent to tract #1) consists of 23.11 acres and has been offered for \$3000/per acre or \$69,330. Tract #2 includes a pond that could be used to provide water for fire protection and irrigation purposes. Dr. McRae said that the purchase of this land is contingent upon favorable results from all soils testing and the issuance of a special use permit by the County zoning board. He said that they plan to present their request to the County zoning board at its 4/5/05 meeting. He said that 60% of the property would be used by the school's facilities.

Aimee Scotton, Associate County Attorney, spoke to clarify the Board of Commissioners' role in the purchase of this property. She said that it is very clear in both statute and case law that the determination of a site for a school is in the complete discretion of the local board of education. In this case, where the school board is purchasing the property and will be the entity taking title, the County's role in the process is only to approve the amount to be spent for the site, pursuant to NCGS 115C-426(f); the approval is not

an approval of the site itself, nor is it approval of the contract to purchase the site. The only reason that this approval can be withheld is if the purchase price is clearly unreasonable.

Ms. Scotton also made another clarification regarding some confusion as to whether or not a public hearing is required. The proposed school site would be purchased by the local board of education and no public hearing is required. The confusion probably stems from NCGS 153A-158.1(a), which requires a public hearing when property is purchased by the County for use by a school administrative unit. That is not the case here. When it comes time to actually construct the school, which will be done through NCGS 160A-20 financing, the County will be required to hold a public hearing at that time regarding the structure of the financing.

On motion of Holmes, seconded by Kemp, the Board voted unanimously to table a decision on this request for approval of the purchase price for the proposed new Northeast Randolph High School property until a special use permit has been granted by the Randolph County Planning & Zoning Board.

Request for Funding for ArcView Licenses for Tax Department; Budget Amendment

Ben Chavis, Tax Supervisor, said that our GIS system is undergoing a major conversion. Part of this conversion involves a new licensing agreement with our vendor. The County purchased a pool of licenses for users of the ArcView software; however, it does not appear that the pool of licenses (5) that have been allocated to our department will be sufficient to cover our needs. A maximum of 14 users can be on the system at any given time, but only 5 would have access under our current structure without dipping into some other department’s pool of licenses. Four additional licenses are needed to do our jobs efficiently. He said that unfortunately, we were not aware that the conversion to ArcView would affect our software licensing agreement in this manner; therefore, this unexpected expense was not budgeted. Our Computer Services Department has determined that the cost of these new licenses would be \$7,318 (4 licenses @ \$1,829.48).

On motion of Kemp, seconded by Davis, the Board voted unanimously to approve the purchase of 4 additional licenses for ArcView software in the amount of \$7,318 and approved Budget Amendment #32, as follows, which appropriates the \$7,318 from Fund Balance.

2004-2005 Budget Ordinance General Fund – Amendment #32	
Revenues	Increase
<i>Appropriated Fund Balance</i>	<i>\$7,318</i>
Appropriations	Increase
<i>Tax</i>	<i>\$7,318</i>

Approve Purchase of Emergency Notification System with Grant Funds

Allen McNeill, Chief Deputy, said that the County issued a request for proposals for an Emergency Notification System from Homeland Security Grants on December 1, 2004. This system would be used for emergency situations to activate team members or to notify residents within a specific area of an emergency situation nearby such as searching for a lost child or the need to evacuate a geographic area due to a possible hazard. Homeland Security Grant funds have been approved for use with this type of system. This project has also been previously approved by the Commissioners in January 2005 as part of the Technology Work Plan for 2005. The following bids were received:

Vendor Information:	Sprint	Voice Technologies, Inc. Richmond, VA	Mystateusa.com Boise, Idaho	21st Century Communications Columbus, Ohio
Total Cost for 1 st year	\$61,717	\$77,225	\$43,000	\$30,747.36 \$0.2982 Per Call,etc.

On-going cost after 1 st year for maintenance	\$ 9,291	\$ 7,165	\$1,500 Plus Neg. Fees	\$13,082.96
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After extensive review and investigation, no one vendor's proposal included everything we desired in our project. 21st Century was not considered because it included a per-call fee in addition to the original cost, and MyStateUSA was not considered because their solution was dependent on an Internet portal-based solution while we desired an in-house controlled solution. After evaluating the ratings on the proposals, we selected and worked with the two most responsive bidders. These two contractors and their proposed systems were evaluated more extensively. Below are their adjusted quotes after reviewing the County's requirements with these two vendors.

Vendor:	Sprint	Voice Technologies
Total Cost for 1 st year	\$61,717.00	\$61,780.00
On-going cost after 1 st year for maintenance	\$ 9,291.25	\$7,165.00

Major McNeill recommended that the County purchase an Emergency Notification System from Voice Technologies for \$68,945 (includes 2nd year maintenance) and approve \$4,300 for the additional purchase of phone equipment and labor to tie the system directly into our existing phone system. The ongoing maintenance charges will become the County's responsibility beginning in 2007. He said that it is imperative that the Commissioners understand that our configuration of this system is based upon our expected use of the system. Should this notification system be used more extensively by other public safety agencies or other County departments, it will most likely result in the need for an additional T1 line to handle the added volume of calls on our phone system. Should this happen, County personnel will notice frequent busy signals when trying to make outgoing calls. We have obtained a quote of \$850 per month for a 12-month contract and a one-time installation charge of \$990 from Concord Telephone Co. to add an additional T1 line that could handle the increase in traffic. However, he said that our personnel would like to try the system without incurring the extra expense of an additional T1 line at this time. It may require future consideration depending upon the actual usage of the system.

Although \$70,000 was originally slated in the Homeland Security Grant for this project, there are enough unspent funds remaining from other projects in this grant to accommodate the extra \$3,245.00. Therefore, Major McNeill requested that the Commissioners award the bid for an Emergency Notification System to Voice Technologies for \$68,945. He also asked that the Commissioners approve \$4,300 to purchase the parts and labor necessary to integrate the notification system with the County's existing phone system.

On motion of Frye, seconded by Lanier, the Board awarded the bid for an Emergency Notification System to Voice Technologies for \$68,945 and approved \$4,300 for the purchase of parts and labor necessary to integrate the new system with the County's existing system.

Establish County Schools Capital Projects Fund Ordinance

Will Massie, Deputy Finance Officer, said that the Board of County Commissioners has previously discussed the construction of two new high schools for the Randolph County Board of Education, with certificates of participation to finance the project. Transactions relating to the Northeast High School project will be occurring soon. As authorized in the Board's January meeting, the County's General Fund will advance funds as needed until the permanent financing is available. As a result, he requested that the Board adopt a capital project ordinance to account for the financing proceeds and costs related to this project. The projects are expected to be completed in approximately three years.

On motion of Frye, seconded by Lanier, the Board voted unanimously to adopt a County Schools Capital Project Fund Ordinance, as follows:

BE IT ORDAINED by the Board of the Randolph County Commissioners that, pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. In order to reduce student overcrowding, the construction of two new high schools by the Randolph County Board of Education is hereby authorized as a capital project with revenues and expenditures projected for the duration of the project.

Section 2. The officers of the Randolph County Board of Commissioners and the officers of the Randolph County Board of Education are hereby authorized to proceed with the capital project in accordance with all General Statutes of North Carolina and within terms of the contracts approved by the Randolph County Board of Commissioners and the Randolph County Board of Education.

Section 3. The following amounts are anticipated to be available to complete this capital project:

Proceeds from Debt Financing	\$	28,000,000
Interest Earned		5,000
Sales Tax Refunds		<u>5,000</u>
TOTAL:	\$	<u>28,010,000</u>

Section 4. The following amounts are appropriated for expenditures for the capital project:

Administrative	\$	283,015
Professional Fees		1,261,575
Land Acquisition		572,000
Site Development Costs		228,000
Construction		23,947,000
Furniture and Equipment		1,000,000
Contingency		<u>718,410</u>
TOTAL:	\$	<u>28,010,000</u>

Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of General Statutes of North Carolina.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the financial institution in an orderly and timely manner.

Section 7. This Capital Project Ordinance shall be entered in the minutes of the Board of the Randolph County Commissioners and after adoption copies of this Ordinance shall be filed with the finance officer, the budget officer, and the clerk to the board.

Section 8. This Capital Project Ordinance is adopted on March 1, 2005 and shall continue in effect until the project is completed.

Asheboro City Schools Request

Dr. Diane Frost, Asheboro City Schools Superintendent, said that after the Commissioners decided to reprioritize the capital projects for the 2 school systems and RCC, thereby delaying the City Schools projects for several years, her staff and Board did their own reprioritizing. They identified the Teachey School expansion project as their most urgent and immediate need. Her staff began work with their architect, County Manager Frank Willis and Deputy Finance Officer Will Massie and devised a new phasing schedule that would allow completion of the project by fall 2007. By structuring the construction into 2 phases, with the construction beginning August 2005 and the proposed completion date of October 2007, the school construction plan is coordinated with the County's plan to sell Certificates of Participation in November 2006 to provide the project's permanent financing.

On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the Teachey Elementary School expansion capital project, as presented, and approved the reimbursement of project expenditures beginning immediately.

Waive Repayment of Outstanding Loan to Seagrove-Ulah Metropolitan Water District and Budget Amendment

Will Massie said that in April 1994, Randolph County Commissioners approved a loan via resolution to the Seagrove-Ulah Metropolitan Water District (District) for \$50,000. The loan was to be repaid following the District's issuance of bonds for their water line construction. The loan was for approximately two years with interest at 3%. The \$50,000 is still listed as a note receivable on the County's books and a note payable on the District's records. The interest that has accrued on this loan is \$18,791.95 as of March 1, 2005. Seagrove Mayor Mike Walker has requested that the County Commissioners change the loan to a contribution. If the Board chooses to waive repayment of the \$50,000 loan and accrued interest from the Seagrove-Ulah Metropolitan Water District a budget amendment to the General Fund is needed.

On motion of Frye, seconded by Lanier, the Board voted unanimously to consider the \$50,000 loan to the Seagrove-Ulah Metropolitan Water District a contribution and waive its repayment and accrued interest, and approved Budget Amendment #33, as follows:

2004-2005 Budget Ordinance General Fund – Amendment #33		
Revenues	Increase	Decrease
<i>Appropriated Fund Balance</i>	<i>\$50,000</i>	
Appropriations	Increase	Decrease
<i>Other Economic & Physical Development Appropriations</i>	<i>\$50,000</i>	

Closed Session—Economic Development

On motion of Frye, seconded by Lanier, the Board voted unanimously at 5:22 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).

At 5: 35 p.m., the Board returned to regular session.

Budget Amendment—Library

Richard Wells, Library Director, said that the library has received a grant from the Randolph County Partnership for Children (Smart Start) to purchase books and educational materials for use and education of young children up to the age of five years. The grant funds must be expended from March 15, 2005 to May 15, 2005. The grant also allows the purchase of supplies and materials to properly process the books. There are no matching funds required.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve Budget Amendment #34, as follows:

2004-2005 Budget Ordinance General Fund – Amendment #34		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	<i>\$100,000</i>	
Appropriations	Increase	Decrease
<i>Public Library</i>	<i>\$100,000</i>	

Budget Amendment—Health

Will Massie said that the Health Department has received additional funding for medical supplies for family planning in the amount of \$1,000 and program supplies for CDC TB control in the amount of \$420. Environmental Health (food and lodging) has received additional funding in the amount of \$11,975 for program supplies.

On motion of Kemp, seconded by Davis, the Board voted unanimously to approve Budget Amendment # 35, as follows:

2004-2005 Budget Ordinance General Fund – Amendment #35		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$13,395	
Appropriations	Increase	Decrease
<i>Public Health</i>	\$13,395	

Budget Amendment-Day Reporting Center

Will Massie said that the Criminal Justice Partnership Program has approved an allocation of discretionary funding for one-time expenses for the Adult Day Reporting Center. They have approved \$4,000 in funds for the Randolph County program and \$6,000 for the Montgomery County program. The Day Reporting Center requested these funds in order to assist with the high cost of client transportation.

On motion of Kemp, seconded by Davis, the Board voted unanimously to approve Budget Amendment #36, as follows:

2004-2005 Budget Ordinance General Fund – Amendment #36		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$4,000	
<i>Miscellaneous</i>	\$6,000	
Appropriations	Increase	Decrease
<i>Day Reporting Center</i>	\$10,000	

Recess

The Board recessed at 5:48 p.m. and then returned to regular session at 6:35 p.m.

Rezoning Public Hearing

At 6:35 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. TROY HARTMAN, Asheboro, North Carolina, is requesting that 8.24 acres located at 2296 Old Cedar Falls Road, Asheboro Township, be rezoned from Light Industrial/Conditional Use to Heavy Industrial/Conditional Use. Tax ID# 7761999025. The proposed Conditional Use Zoning District would specifically allow manufacturing of wire mesh in the existing facility with a 120' x 200' addition as per site plan. The Planning Board considered this request at public meeting on February 8, 2005, and recommended unanimously that this request be approved.

Troy Hartman, applicant, said that the machines used for this business are very similar to textile machines except that these machines use metal instead of cloth. He said that he would construct the building so that the bay doors face east/west, away from neighbors, and he will put buffers along Cedar Falls Road.

On motion of Kemp, seconded by Davis, the Board voted unanimously to approve the request of Troy Hartman.

2. KEVIN HILL, Seagrove, North Carolina, is requesting that 8.23 acres located on Ridge Road, Richland Township, be rezoned from RA to CVOR-CU. Tax ID#'s 7675382848, 7675395001, and 7675383556. The proposed Conditional Use Zoning District would specifically allow the development of a 7-lot residential subdivision for doublewide mobile homes, site-built homes, or modular homes. The Planning Board considered this request at public meeting on February 8, 2005, and recommended unanimously that this request be approved. Mr. Johnson mentioned that Mr. Hill's original request had

been for singlewide mobile homes, but changed the request after the neighborhood information meeting was held.

Jerry King, surveyor, spoke on behalf of the applicant. He said that as the land is currently zoned the owner could put 4 singlewide mobile homes on this property; therefore, the applicant's request for 7 lots for doublewides is a "higher and better" use of the property. He said that Mr. Hill plans to clean up the old house and mobile home on the property. The lots' average road frontage is 129 feet. There is a 1,300 sq. ft. minimum house size requirement. He also said that he would not allow anything older than 15 years to be put on the lots. He said that he will be asking \$25,000 per lot.

Jon Megerian, attorney, said that he was representing the Smiths and other neighbors who oppose this request. He said that a special use permit is used to lessen the impact on neighbors; approval of this request would not lessen the impact on the neighbors. Mr. Megerian said that although Mr. Hill says that he will be asking \$25,000 per lot, that does not mean that he will be able to sell them for that price since that is not a condition of the request. The neighbors have a big problem with the possibility that 15-year-old doublewide mobile homes would be allowed here. He said that the road is not ideal for 7 new driveway entrances. Mr. Megerian said approval of this request would be a violation of the Growth Management Plan and the conditions offered do not include any landscaping or buffers. He said that the first home placed in the subdivision will determine what the other 6 will be; therefore, if a doublewide is the first to go in then they all will be doublewides. He distributed photographs of surrounding properties in the area including old singlewides. He said the neighbors didn't want or need any more mobile homes.

Approximately 18 people stood in opposition to the request.

Tammy Cole, 5332 Ridge Rd., Seagrove, said that she lives right up the street from the proposed subdivision. She said that this used to be a quiet street but it's not anymore. The traffic is bad and people drive 60 mph on this narrow road that is badly in need of repair in many places. She goes to school at home and is disturbed by all the traffic noise. She also has well and septic concerns.

Jack Smith, 5095 Ridge Rd., Seagrove, asked the Board if they would want this subdivision located across from their homes.

Kathy Smith, 5175 Ridge Rd., Seagrove, said that she runs a licensed day care in her home across the street from this proposed subdivision. Ridge Road is very narrow and drivers often run off the road. She said that the speed limit needs to be reduced.

Glen Smith, 5197 Ridge Rd., Seagrove, said that he has lived directly across the road from the proposed subdivision since 1991. The area used to be very peaceful until the greedy developers came in and sold properties to minorities and low-income people. He said that he had asked Mr. Hill recently if he would like a subdivision like this near his home and that Mr. Hill said "No." Mr. Smith said that there are drug dealers and ex-felons that live on this road already. He mentioned 196 pages of 911 calls, many of which were burglary and theft related. He mentioned another nearby property that's being developed by Randle Brim where there was no public hearing held. He said that Mr. Brim told him that this property had been "grandfathered in" and a public hearing was not required. Mr. Smith wants to know what Mr. Brim is planning and how it will affect them. He asked the Board for "common decency" to deny the request.

Dwight Williamson, 5450 Ridge Rd., Seagrove, said that he has lived on Ridge Road for 20 years and his mother's family had lived there for at least 60 years. He said years ago one could recognize every car one would meet on the road. Now, 9 out of 10 cars are not recognizable. He said that once the dirt part of Ridge Road is paved (probably this spring) it will be a direct route from Erect to Seagrove and traffic will increase even more. He said that part of Ridge Road is very narrow and curvy and the speed limit

should be reduced. He said that his son, who was a volunteer firefighter, was almost killed in a car accident on this road due to poor road conditions. He said that more development here will only cause more problems.

Jason Border, 5152 Ridge Rd., Seagrove, said that he had well and septic concerns, as there have been 4 dry wells recently along this road. He lives next door to lot #7 and fears that his water supply could be affected and is also worried about potential sewage problems.

Glen Smith spoke again and said that he had obtained a petition with about 64 signatures opposing this request and that 30 people had come to the Planning Board meeting and 9 people spoke.

Holmes moved to deny the request. Davis seconded. The motion was defeated by a vote of 3-2 (Frye, Lanier and Kemp opposed).

On motion of Frye, seconded by Davis, the Board voted unanimously to delay the request of Kevin Hill for 1 month to give Mr. Hill the opportunity to consider the desires of the Board to reduce the site plan from 7 lots to no more than 6 lots and to include a landscaping plan and a requirement that none of the homes be older than 5 years.

3. DON PRITCHARD, Asheboro, North Carolina, is requesting that 1.96 acres (out of 19.23 acres) located on U.S. Hwy 64 East (just beyond Rocky Knoll Rd), Franklinville Township, be rezoned from Residential Agricultural to Heavy Industrial/Conditional Use. Tax ID# 7772806843. The proposed Conditional Use Zoning District would specifically allow the property to be used for a private Land Clearing Inert Debris landfill (LCID) as per site plan to be used by a single grading business. The Planning Board considered this request at public meeting on February 8, 2005, and recommended by a vote of 6 to 1 that this request be approved with the following conditions:

- **applicant must file plans with NCDENR and comply with all state and federal regulations
- **access must be placed on that portion of property fronting on Hwy 64
- **level 3 buffers installed as per site plan
- **tar and gravel mixed be installed the first 500 ft. of the new road
- **existing easement shall not be used for any construction traffic

Mr. Johnson stated that this is Randolph County's first request of this kind and most likely will not be the last. He said that LCIDs less than 2 acres do not require the strict monitoring by the State that bigger landfills do. Grading and construction businesses are looking for less expensive ways to dispose of their waste since our solid waste facility no longer takes this debris.

Donald Pritchard, applicant, said that he lives in north Asheboro and has had his grading business since 1981. Since the County's solid waste facility stopped accepting this type of waste he has had to deal with the Gold Hill landfill, which has become much too expensive. He said that he wants this landfill for his business only and he will not put any hazardous materials here. He said that he's just trying to keep costs down for himself and his customers.

Brenda Moore, adjoining property owner, said that the dust from the traffic coming in and out of the property already is unbearable. She said that she and other families that live close by cannot stay outside during the day because of the dust. She said that if a small landfill is not monitored closely by someone, who's to say what will be dumped back there.

On motion of Frye, seconded by Davis, the Board voted unanimously to deny the request of Don Pritchard and directed David Townsend, III, Randolph County Public Works Director, to develop a plan

for the acceptance of land clearing inert debris at the County's solid waste facility for the Board's consideration at their April Board meeting.

4. **BOBBY EARNHARDT**, Asheboro, North Carolina, is requesting that 2.54 acres (out of 10.50 acres) located at 5121 Hoover Hill Road, Trinity Township, be rezoned from Light Industrial to Highway Commercial/Conditional Use. Lake Reese Watershed. Tax ID# 7726009266. The proposed Conditional Use Zoning District would specifically allow a planned business park for retail shops and professional offices as per site plan. The Planning Board considered this request at public meeting on February 8, 2005, and recommended unanimously that this request be approved.

Charles Morgan, surveyor, spoke on behalf of the applicant. He said that Mr. Earnhardt wanted to do something nice in this community. The lumberyard has been vacant for about 2 years and Mr. Earnhardt has already cleaned it up some. The business park will be a real asset to the community.

On motion of Frye, seconded by Lanier, the Board voted unanimously to approve the request of Bobby Earnhardt.

Adjournment

There being no further business, the meeting adjourned at 8:20 p.m.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Robert B. Davis

Arnold Lanier

Cheryl A. Ivey, Deputy Clerk to the Board