

Commissioners Meeting Minutes

September 6, 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, Lanier, Frye, Davis and Kemp were present. Rev. Brady Morrison, Science Hill Friends Meeting, Asheboro, gave the invocation and everyone recited the Pledge of Allegiance.

Recognition of New Reporter

Chairman Holmes recognized and welcomed Barbara Arntsen, new reporter for the High Point Enterprise.

Recognition of Retiree

MiMi Cooper, Public Health Director, recognized Ann Newlin, who is retiring from the Health Department with 20 years of service, and Chairman Holmes presented an engraved clock to her.

Special Presentation to Board

Carolyn Langley, Cooperative Extension Director, presented new calculators to Board members on behalf of North Carolina Cooperative Extension Service.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment. No one spoke.

Additions to the Agenda

Chairman Holmes announced that the following had been added to the agenda: New Business Items I. Approval of Room in the Inn Contract—*Aimee Scotton*, and Item J. Approve Change in the County's Mileage Reimbursement Rate—*Will Massie* and Budget Amendment Item C. Emergency Services—*Will Massie*.

Consent Agenda

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

- *approve regular and 4 sets of closed session minutes from 8/1/05 & 8/22/05 special meeting;*
- *adopt proclamation declaring the fourth Monday in September as Family Day—A Day to Eat Dinner with Your Children, as follows:*

WHEREAS, the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

WHEREAS, surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS, teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

WHEREAS, teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

WHEREAS, the correlation between family dinners and reduced risk for teen substance abuse are well documented; and

WHEREAS, parental influence is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers; and

WHEREAS, family dinners have long constituted a substantial pillar of family life in America.

NOW, THEREFORE, the Randolph County Board of Commissioners hereby proclaims September 26, 2005 as **Family Day – A Day to Eat Dinner With Your Children** and urge all citizens to recognize and participate in its observance.

- appoint Dr. D. Luther Hollingsworth and Chris Corsbie as extraterritorial members of Asheboro Planning Board/Board of Adjustment;
- reappoint Darrell Frye to Piedmont Triad Regional Water Authority;
- adopt 2006 County, Solid Waste Facility and Library Holiday Schedules, as follows:

Holiday	County	Solid Waste Facility	Library
New Year's Day	1/2 (Mon.)	1/2 (Mon.) closed	1/2 (Mon.)
M.L.King Jr.'s Bday	1/16 (Mon.)	1/16 (Mon.) open	1/16 (Mon.)
Easter	4/14 (Fri.)	4/14 (Fri.) open 4/15 (Sat.) closed	4/14 & 4/15 (Fri. & Sat.)
Memorial Day	5/29 (Mon.)	5/29 (Mon.) closed	5/29 (Mon.)
Independence Day	7/4 (Tues.)	7/4 (Tues.) closed	7/4 (Tues.)
Labor Day	9/4 (Mon.)	9/4 (Mon.) closed	9/2, 9/4 (Sat. & Mon.)
Fall Festival (Asheboro Library only)			10/7 (Sat.)
Veterans' Day	11/10 (Fri.)	11/10 (Fri.) open	11/10 (Fri.)
Thanksgiving	11/23 & 24 (Thur. & Fri.)	11/23 (Thur.) closed, 11/24 (Fri.) open, 11/25 (Sat.) open	11/23, 11/24, 11/25 (Thur., Fri., Sat.)
Christmas	12/25 & 12/26 (Mon., Tues.)	12/25 (Mon.) closed 12/26 (Tues.) open	12/23, 12/25, 12/26 (Sat., Mon., Tues.)

- ratify individual poll of resolution dated 8/30/05 requesting inclusion in HB 947, as follows:

WHEREAS, education is vitally important to Randolph County, as we realize that our children are our future; and

WHEREAS, Randolph County has enormous capital outlay needs for facilities for our public schools and community college; and

WHEREAS, the Randolph County Board of Commissioners have recently approved the funding for the construction of two new high schools and a major addition to an elementary school, totaling approximately \$57 million, to be financed through the sale of Certificates of Participation, of which the debt service will be paid for by increases in the property tax;

NOW, THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners hereby requests that Randolph County be included in House Bill 947, entitled AN ACT TO AUTHORIZE CERTAIN COUNTIES TO LEVY ONE-HALF CENT LOCAL SALES AND USE TAXES FOR PUBLIC SCHOOL CAPITAL OUTLAY PURPOSES AND COMMUNITY COLLEGE PLANT FUND PURPOSES, IF APPROVED BY THE VOTERS OF THE COUNTIES.

Forestry Services Annual Report

Lloyd Brown, District Forester, updated the Board on the work that our local foresters do. He said that there were 135 forest management plans written in Randolph County during the 04-05 fiscal year and gave statistics regarding hazard reduction burning, site preparation, forest establishment and fire control accomplishments. He mentioned that Randolph County landowners received approximately \$38,000 in cost share assistance to reforest woodland last year.

Mr. Brown also said that for many years all N.C. Forest Service employees have served “on call” duty during times of high fire danger without any compensation. This meant that personnel could not be away from their equipment and had to be ready to respond to fire calls around the clock. In essence, even away from work their time was not their own and without any compensation. Recently, the

division and department implemented a policy to compensate employees for “on call” time at the rate of \$2.00/hour for “on call” hours. It has been projected that it will cost approximately \$3,000 per employee per year for this change. Randolph County’s share would be about \$1,200 per employee per year. Mr. Brown said that his staff would attempt to work within their 05-06 approved budget to make the new policy work, but he asked for the Board’s support should they need additional funds to support this new “on call” policy.

City of Archdale Request for Resolution for 2-mile ETJ Extension

Hal Johnson, County Planning Director, said that the City of Archdale is requesting that the Board of County Commissioners approve the extension of Archdale’s extra territorial zoning jurisdiction (etj) to 2 miles beyond the city limits. Since state law requires that a municipality have a population of 10,000 before it can extend its etj to 2 miles, the N.C. General Assembly, on 6/28/05, approved special legislation to allow Archdale the opportunity to extend its etj up to 2 miles from the city limits. However, approval by the Board of County Commissioners is required for a city to extend its etj if the County is enforcing zoning, building codes and subdivision regulations. Because the County already has zoning in place in the requested area, the City must secure the County’s approval by the County’s adoption of a resolution. Once the County has approved the extension, the City must notify the owners of all parcels of land proposed for addition and must hold a public hearing on the matter.

Commissioner Kemp said that his concern with extending the etj is due to junked vehicles. Archdale’s junked vehicle regulations do not apply outside city limits because the regulations are not part of their zoning ordinance and the property owners within the extended etj would no longer be protected from unsightly junked vehicles.

Mayor Bert Lance Stone and Archdale City Planner Jeff Wells said that the City would be willing to adopt junked vehicle regulations to their zoning ordinance in order to be able to extend its etj.

Frye made a motion, which was seconded by Kemp, to adopt a resolution to extend Archdale’s etj up to 2 miles.

The Board expressed concerns with extending the etj the full 2 miles in some of the requested areas.

Frye and Kemp amended their motion and second to adopt a resolution approving an extension of Archdale’s etj but not extending the full 2 miles, and contingent upon Archdale’s adoption and incorporation of junked vehicles regulations into the City’s zoning ordinance. The resolution was unanimously adopted, as follows:

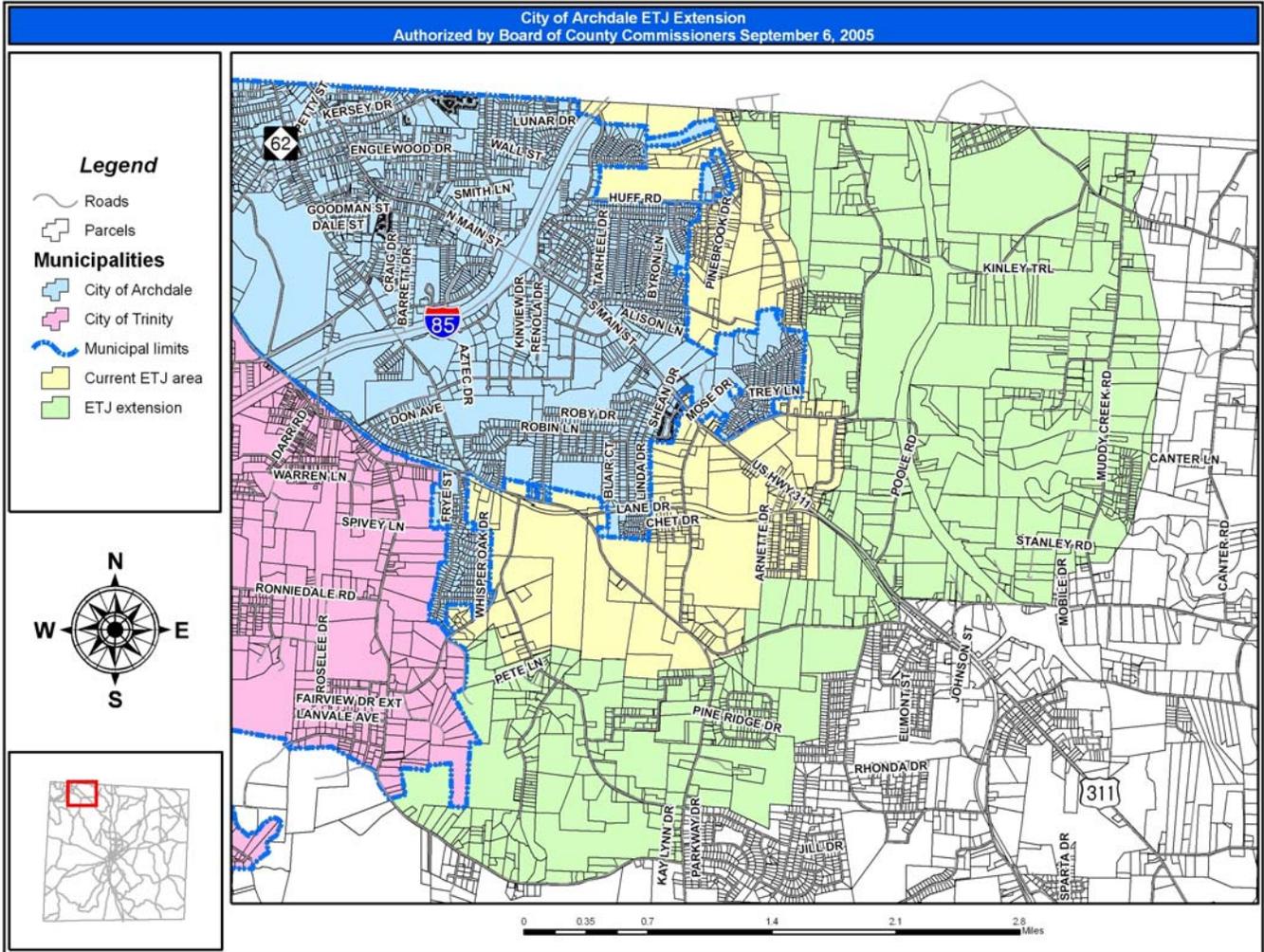
WHEREAS, North Carolina General Statute § 160A-360 allows a city to extend its territorial jurisdiction up to two miles beyond its corporate limits provided that the city has a population of 10,000 residents or more; and,

WHEREAS, the City of Archdale has a population of approximately 9,800 residents, but has received authorization through special legislation known as Session Law 2005-115 SB 138, which was ratified by the General Assembly of the State of North Carolina on the 28th day of June 2005, which allows the City of Archdale to extend its extraterritorial jurisdiction for a distance of two miles beyond its corporate limits; and,

WHEREAS, N.C.G.S. § 160A-360 further provides that the City must seek approval from Randolph County in the form of a formally adopted resolution prior to the extension of its extraterritorial jurisdiction because the County has in place zoning, subdivision, and building code regulations that govern the area affected by such an extension; and,

WHEREAS, the City of Archdale has requested that the County grant its approval of the extension of its extraterritorial jurisdiction from the City’s corporate limits based on the authority given to the City of Archdale by the above-referenced legislation.

NOW THEREFORE BE IT RESOLVED that the Randolph County Board of Commissioners, effective anuary 1, 2006, does hereby grant the City of Archdale the authority to extend its extraterritorial jurisdiction as shown on the attached map, which is herein incorporated into and made a part of this resolution, subject to the provisions of Session Law 2005-115, which exempts Archdale from the population requirement of N.C.G.S. § 160A-360 and upon the City's fulfillment of all other requirements of state law regarding said extension, and also contingent upon the City's adoption and incorporation of junked vehicles regulations into the City's zoning ordinance.



Approval of Room In The Inn Contract

Aimee Scotton, Associate County Attorney, said that according to the Board’s prior instructions, she has drafted a contract that will allow the Christians United Outreach Center to administer the Room In the Inn program in a County-owned house located on Cox Street in Asheboro.

On motion of Lanier, seconded by Kemp, the Board voted unanimously to approve the Room In the Inn contract, as follows:

This Agreement, made and entered into this 6th day of September 2005, by and between the Christians United Outreach Center, Inc. (hereinafter referred to as “CUOC”) and the County of Randolph, a political subdivision of the State of North Carolina (hereinafter referred to as the “County”).

WITNESSETH

WHEREAS, North Carolina General Statute 157-9 gives a County Housing Authority the power to engage in housing projects; and

WHEREAS, North Carolina General Statute 157-3(12) defines a housing project as a project to provide safe and sanitary accommodations for persons of low and/or moderate income; and

WHEREAS, North Carolina General Statute 153A-376 allows the County to exercise directly those powers granted by law to County Housing Authorities and further provides that the County may contract with any person, association or corporation in undertaking any specified community development activities; and

WHEREAS, CUOC administers a program called Room In The Inn ("RITI") that offers the homeless a warm, safe place to stay temporarily; and

WHEREAS, RITI has historically been a nomadic program, frequently changing locations, and is in need of a permanent location; and

WHEREAS, Randolph County is the owner of a house located at 323 Cox Street in Asheboro that was formerly used by the Sandhills Center for Mental Health, Developmental Disabilities, and Substance Abuse services; and

WHEREAS, the house is no longer needed by the Sandhills Center and is available for other use by Randolph County; and

WHEREAS, it is beneficial and desirable to the County for its homeless population to have the benefit of safe, temporary housing.

NOW THEREFORE, for valuable consideration and the mutual covenants exchanged between the parties hereto, it is agreed as follows:

- 1. CUOC shall administer and manage the RITI program to provide safe, temporary housing to the homeless on behalf of the County.*
- 2. The County shall provide CUOC with the use of a county-owned house located at 323 Cox Street in Asheboro (the "Premises") as the RITI location during the term of this Agreement.*
- 3. The County shall pay all real estate taxes and assessments upon the Premises, together with all fire insurance premiums, and shall continue to carry the Premises on its general liability insurance policy.*
- 4. CUOC shall pay the costs of all utilities incurred in connection with the use of the Premises during the term of this Agreement.*
- 5. No alterations, changes, or improvements shall be made to the Premises without the express written consent of the County.*
- 6. CUOC shall perform all normal repairs and maintenance of the Premises during the term of this Agreement. Responsibility for any major repairs shall be negotiated between the parties at the time that the need for said repairs arises.*
- 7. CUOC shall have the sole responsibility to the administration of the RITI program, and CUOC warrants and represents that RITI shall pose no federal or state constitutional problems for the County. CUOC further warrants that it shall not discriminate against any person on the grounds of race, color, national origin, sex, age, or disability in the administration of this Agreement.*
- 8. CUOC shall provide insurance to cover its administration of the RITI program and any claims by individuals involved therewith, whether employees of CUOC, volunteers, clients, or others involved in the carrying out of this Agreement.*
- 9. CUOC shall indemnify and hold harmless the County, its employees, officers, directors, and agents from and against any liabilities, obligations, losses, claims, damages, actions, suits, proceedings, costs and expenses, including attorneys' fees (a) that arise out of, are connected with, or result directly or indirectly from CUOC's failure to perform any of its obligations under this Agreement; or (b) which result from any negligent act or omission of CUOC, its employees, volunteers, or agents in the performance of services or (c) which are a result of any breach of CUOC's warranties contained herein.*
- 10. This Agreement may be terminated by either party at any time upon sixty (60) days prior written notice to the other party.*
- 11. CUOC shall not assign, transfer, convey, sublet, or otherwise dispose of its obligations under this Agreement without the previous consent and approval in writing by Randolph County.*
- 12. This Agreement shall not be amended or modified except in writing executed by both parties hereto.*

13. *This Agreement shall be governed in accordance with the laws of the State of North Carolina, and any action filed to enforce the provisions herein shall be filed in the General Court of Justice in Randolph County, North Carolina.*
 14. *In the event that any paragraph or part of this Agreement is held to be void or unenforceable under any law or regulation, all other paragraphs and subparagraphs hereof shall be deemed severable and shall remain in full force and effect.*
 15. *It is understood that this instrument constitutes the Entire Agreement between the parties and that not representation or understanding not contained herein shall be binding.*
- IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first written above.*

Presentation and Adoption of National Incident Management System Ordinance

Aimee Scotton, Associate County Attorney, reminded the Board that she and Neil Allen, Emergency Services Director, had introduced a proposed National Incident Management System Ordinance to the Board at their August meeting. She said that meetings had been held with representatives from the County’s municipalities, fire departments, and rescue agencies, where the ordinance was presented and where it received a unanimous vote of approval to recommend it to their respective governing boards, including the Board of Commissioners, for approval.

On motion of Kemp, seconded by Davis, the Board voted unanimously to adopt the National Incident Management System Ordinance, as follows:

The County of Randolph ordains: The National Incident Management System.

Section 1. Short Title

This ordinance shall be known and may be cited and referred to as “The National Incident Management System (NIMS) Ordinance for the County of Randolph.”

Section 2. Intent and Purpose

- A. *It is the intent and purpose of this Ordinance to formally recognize the National Incident Management System (NIMS) and adopt the principles and policies of the NIMS that will insure the complete and efficient utilization of all of the County of Randolph’s resources to combat disaster resulting from enemy actions or other disasters as defined herein.*
- B. *The purpose of the NIMS is to provide a consistent nationwide approach for Federal, State, territorial, tribal, and local governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.*
- C. *The NIMS provides a common foundation for day to day operations, training and other preparedness efforts; communicating and sharing information with other responders and with the public, ordering resources to assist with a response effort, and for integrating new technologies and standards to support incident management.*

Section 3. Definitions

The following definitions shall apply in the interpretation of this Ordinance:

- A. *“Coordinator” means the Coordinator of the Randolph County Emergency Management Agency, appointed as prescribed in this Ordinance.*
- B. *“Disaster” includes but is not limited to actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, accident, chemical spill or other impending or*

actual calamity endangering or threatening to endanger health, life or property of constituted government.

- C. *“Emergency Management” refers to the basic government functions of maintaining the public peace, health and safety during an emergency. This term includes plans and preparations for protection and relief, recovery and rehabilitation from effects of an attack by the forces of an enemy nation or the agents thereof, or a disaster as defined herein. It does not, however, include any activity that is the primary responsibility of the military forces of the United States.*
- D. *“Emergency Management Forces” means the employees, equipment and facilities of all County departments, boards, councils, institutions and commissions; and in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies that are assigned the duties of responding to emergencies within Randolph County.*
- E. *“Incident Command System (ICS)” means the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in domestic incident management activities as outlined in the NIMS Document under Appendix A.*
- F. *“National Incident Management System (NIMS)” means a document produced by the Department of Homeland Security under the direction of Presidential Directive-5 that strengthens response capabilities through a balance between flexibility and standardization, and use of common doctrine, terminology, concepts, principles, and processes.*
- G. *“NIMS Integration Center (NIC)” means the federal agency established to provide strategic direction and oversight of the NIMS, supporting both routine maintenance and continuous refinement of the system and its components. NIC develops and facilitates national standards for the NIMS.*

Section 4. Adoption of NIMS.

- A. *The County formally adopts NIMS as its system of response to a disaster and to provide a common foundation for training and other preparedness efforts, for communicating and sharing information with other responders and with the public, for ordering resources to assist with a response effort and for integrating new technologies and standards to support incident management.*
- B. *NIMS principles and policies are to be adhered to by all emergency management forces and across all functional disciplines within Randolph County.*
- C. *Randolph County shall institutionalize the use of the ICS as outlined in Appendix A of NIMS in order to enhance command, control and communications capabilities.*

Section 5. Appointment and Duties of Coordinator.

- A. *The Randolph County Director of Emergency Services shall serve as the Coordinator of NIMS operations pursuant to this Ordinance.*
- B. *The Coordinator shall have the following duties and responsibilities:*
 - (1) *To consult with other agencies, municipalities, and affected organizations in Randolph County to recommend levels of NIMS training. However, it shall be the responsibility of each agency to implement said training and to ensure its own commitment to NIMS.*
 - (2) *To oversee Randolph County’s commitment to NIMS through planning, training, and implementation.*

Section 6. Violations

It shall be a misdemeanor for any person to violate any of the provisions of this Ordinance or plans issued pursuant to the authority contained herein, or to willfully obstruct, hinder or delay

any member of the Emergency Management organization as herein defined in the enforcement of the provisions of this Ordinance or any plan issued hereunder.

Section 7. Severability

Should any of the provisions of this Ordinance be declared invalid for any reason, such declaration shall not affect the validity of other provisions of this Ordinance, as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and remain valid notwithstanding such declaration.

Section 8. Conflicting Ordinances, Orders, Rules and Regulations Suspended

At all times when the orders, rules and regulations made and promulgated pursuant to this Ordinance shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith.

Section 9. Applicability Extension

The undersigned municipalities and organizations hereby ratify this ordinance and adopt it as their own including all forms and conditions specified herein.

Section 10. Effective Date

This Ordinance shall take effect on the 6th day of September 2005.

Request to Place Monetary Gift into Library Trust Fund

Will Massie, Deputy Finance Officer, said that the Seagrove Library Board of Trustees has requested that funds in the amount of \$3,415 be transferred to the Randolph County Public Library Board of Trustees Trust Fund since the new Seagrove Library will become a part of the Randolph County Public Library System on October 1, 2005. On September 1, 1992 the County established the Library Trust Fund via resolution for the deposit of all bequests and gifts to the Randolph County Public Library, with each deposit to be so designated for this fund by the Board of Commissioners. The resolution also states that the Randolph County Public Library Board of Trustees is authorized to control, use and dispose of all funds from such bequests and gifts as it deems appropriate and in accordance with the wishes of the donor.

On motion of Lanier, seconded by Davis, the Board voted unanimously to place \$3,415 into the Library Trust Fund and charged the Randolph County Public Library Board of Trustees to disperse these funds for the Seagrove Public Library.

Approval of Mileage Reimbursement Rate Increase

Will Massie said that Randolph County currently reimburses its employees 40.5 cents per mile for using their personal vehicle for County business. Due to the recent and rapid increase in gasoline prices, this rate no longer adequately covers our employees' operating costs. A temporary adjustment to the reimbursement rate is needed until gasoline prices stabilize. For travel reimbursement during the month of September, he suggested an increase of 4.5 cents to a total standard rate of 45 cents per mile. He recommended that the Board review the status of the mileage adjustment at their October meeting, should the Board approve this recommended adjustment.

On motion of Davis, seconded by Frye, the Board voted unanimously to increase the County mileage reimbursement rate to 45 cents per mile for the month of September.

Budget Amendment—Seagrove Library Capital Project Ordinance

Will Massie said that the Seagrove Library Capital Project is rapidly nearing completion. An amendment to the project ordinance is needed to reflect 1) the interest earned (\$7,000) on the bank account and 2) the sales tax refunds (\$5,000) to be received on construction materials. The extra funds can be used to help pay for the furniture, fixtures, and other costs necessary to open a new facility. The project total will then be \$763,000.

On motion of Lanier, seconded by Frye, the Board voted unanimously to approve Budget Amendment #2, as follows:

<i>Seagrove Library Capital Project Ordinance Budget Amendment # 2</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Interest Earned</i>	<i>\$7,000</i>	
<i>Sales Tax Refunds</i>	<i>\$5,000</i>	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>New Furnishings</i>	<i>\$12,000</i>	

Budget Amendment—Emergency Services

Will Massie said that in fiscal year 2002-03, the County received \$6,000 in donations for a generator to be used for a planned emergency relief shelter at First Baptist Church. The gifts were from Progress Energy (\$5,000) and REMC (\$1,000). The Church has completed the necessary renovations and can now operate this unit. Emergency Services is requesting the \$6,000 be added to the 2005-06 budget so that the generator can be purchased. Since the funds were received in a prior year, appropriated fund balance will also be increased.

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

<i>2005-2006 Budget Ordinance General Fund--Budget Amendment # 8</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Appropriated Fund Balance</i>	<i>\$ 6,000</i>	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Emergency Services</i>	<i>\$ 6,000</i>	

Update on Birkhead Wilderness/Uwharrie Forest Moratorium

Hal Johnson, County Planning Director, reminded the Board that on June 6, 2005, the Board of Commissioners asked that the Planning Department study current County zoning/growth management regulations to determine if these regulations were adequate in the environmentally sensitive area of southern Randolph County that adjoins the Birkhead Wilderness/Uwharrie Forest. The Commissioners also requested that a special Community Information Meeting be held to solicit comments from property owners within the study area, which includes those properties that lie within the borders of High Pine Church Road, Lassiter Mill Road, and the Betty McGee Creek. The study area includes approximately 20 square miles and 212 individual property owners. He also reminded the Board that the County received an application for a residential subdivision located within the Birkhead Wilderness/Uwharrie

Forest area that would have included 54 lots on 327 acres. There were numerous concerns expressed at the public meetings relative to density and compatibility with the National Forest and Wilderness Area. Therefore, in order to maintain the rural/low density character of this area the Planning Department staff drafted a plan that recommends increasing what the County already has in place (minimum of 3 acres) in subdivisions. A new lot size of 10 acres is proposed in 3 new types of subdivisions: Natural Heritage Subdivisions (Overlay District), Natural Heritage Cluster Subdivision (Overlay District) and a Family Subdivision. The new Family Subdivision is designed to provide greater flexibility for long-time property owners to divide land among immediate family members that will help maintain the continuance and heritage of rural family lands. On August 25, 2005 approximately 60 landowners from within the study area (over 200 were invited) attended an informal Community Information Meeting. All were given copies of the draft plan. Most supported the concept of low density development that would be based on one residence per ten acres within the study area. They understood that, if approved, new developments that met these standards could be expected in this area. Much support was expressed for the new special Family Subdivision rules being proposed for this area. However, several citizens felt these rules needed to be better defined to prevent abuse. The Randolph County Planning Board will consider the revisions at a special meeting on 9/20/05. Recommendations from the Planning Board will be forwarded to the County Commissioners for any final decision. A public hearing to formally consider any revisions will be held at the County Commissioners October 3, 2005 meeting.

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

Chairman Holmes opened the duly advertised public hearing at 6 p.m. Bonnie Renfro, Randolph County EDC President, explained that the EDC, in April 2000, purchased a 47.3-acre site in Randleman for development of its second industrial park. Another 5.61 acres was placed under option. This property, now known as the West Randleman Business Park, was financed by the EDC through a bank loan for \$762,500 with a credit line of up to \$1 million for additional development costs. The Randolph County Board of Commissioners agreed to assist with the cost of debt service as needed for the project. In October 2004, 17.18 acres of land was sold to Rheem Air Conditioning Distribution Center. In December 2004, the EDC purchased 3.241 acres of the optioned acreage. Total acreage available currently is 33.36 acres, with 2.3 acres under option. The loan balance is \$436,993.04 and the debt service payment due September 2005 is \$23,628.60. Following Board approval these funds will be reimbursed to the EDC via a transfer from the Economic Development Reserve Fund.

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

On motion of Kemp, seconded by Davis, the Board voted unanimously to approve the \$23,628.60 interest payment for the EDC.

On motion of Davis, seconded by Frye, the Board voted unanimously to approve Budget Amendment #9, which transfers \$23,628.60 to the EDC from the Economic Development Reserve Fund, as follows:

2005-2006 Budget Ordinance General Fund--Budget Amendment #9		
Revenues	Increase	Decrease
<i>Transfer from Economic Development Reserve</i>	<i>\$ 23,629</i>	
Appropriations	Increase	Decrease
<i>Other Economic Development Appropriations</i>	<i>\$ 23,629</i>	

Closed Session—Economic Development

At 6:12 p.m. on motion of Frye, seconded by Davis, the voted unanimously to go into closed session to discuss matters relating to the location or expansion of business in the area, pursuant to N.C.G.S.143-318.11(a)(4).

Public Hearings Set for Economic Development

After returning to regular session, on motion of Frye, seconded by Davis, the Board voted unanimously to set public hearings for 6:30 jointly with the City of Asheboro and 7:00 p.m. jointly with the City of Randleman on 9/22/05 for economic development purposes.

Rezoning Public Hearing

At 6:30 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 each request.

1. KEVIN HILL, Seagrove, North Carolina, is requesting that 10.40 acres located on N.C. Hwy 42 South, Grant Township, Zoo Growth Area, be rezoned from E-1 to CVOM-CU. Tax ID# 7688592767. The proposed Conditional Use Zoning District would specifically allow the development of a 4-lot residential subdivision for single-wide mobile homes, double-wide mobile homes, modular homes, or site-built homes. The Planning Board considered this request at public meeting on August 2, 2005, and unanimously recommended that this request be denied as inconsistent with the Growth Management Plan for this area.

Jerry King, surveyor, speaking on behalf of the applicant, said that Mr. Hill has asked that his request be withdrawn.

On motion of Davis, seconded by Lanier, the Board voted unanimously to accept Mr. Hill's request to withdraw his rezoning application.

2. SCHWARZ PROPERTIES, LLC., Asheboro, North Carolina, is requesting that .69 acre located at 9124 US Hwy 64 West, Tabernacle Township, Lake Reese Watershed, be rezoned from Residential Agricultural to Highway Commercial/Conditional Use. Secondary Growth Management Area. Tax ID# 6793201625. The proposed Conditional Use Zoning District would specifically allow the existing building to be used for commercial retail sales with an upstairs residential apartment. The Planning Board considered this request at public meeting on August 2, 2005, and unanimously recommended that this request be approved as consistent with the Growth Management Plan for this area.

Frank Edmondson IV, Asheboro, speaking on behalf of the applicant, said that Mr. Schwarz will bring this building up to code.

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

3. RAY BUTLER, Asheboro, North Carolina, is requesting that 8.12 acres located on Earnhardt Road (at Jericho Butler Drive), Back Creek Township, Secondary Growth area, be rezoned from RA to CVOR-CU. Tax ID#s 7723498188, 7723486801, 7723581725, and 7723488920. The proposed Conditional Use Zoning District would specifically allow the development of a 5-lot residential subdivision for Class A double-wide mobile homes, modular homes, or site-built homes. The Planning

Board considered this request at public meeting on August 2, 2005, and unanimously recommended that this request be approved as consistent with the Growth Management Plan for this area.

Tracy Pierce, 3835 Earnhardt Rd., said that she owns about 5 acres adjoining the proposed subdivision and doesn't want to see any double-wides or modular homes because they would devalue her property.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the request of Ray Butler with the condition that only off-frame modular or site-built homes be allowed.

4. **TERRY MOFFITT**, Ramseur, North Carolina, is requesting that 2.89 acres located on US Hwy 64 East (just east of Reed Creek Road), Columbia Township, be rezoned from Residential Agricultural to Office Institutional/Conditional Use. Municipal Growth Management Area. Tax ID# 8712164099. The proposed Conditional Use Zoning District would specifically allow the construction of a 52' x 128' building for a religious conference and educational center. Property Owner - Elizabeth L. Spencer. The Planning Board considered this request at public meeting on August 2, 2005, and unanimously recommended that this request be approved as consistent with the Growth Management Plan for this area.

Donny Wright, 956 Rock Cliff Terrace, Asheboro, spoke in support of this request.

Terry Moffitt, 6573 Buffalo Foard Rd., Asheboro, spoke in support of this request.

Elizabeth Spencer, property owner, spoke in support of this request, saying that she can't think of a better use for her property.

On motion of Frye, seconded by Kemp, the Board voted unanimously to approve the request of Terry Moffitt.

5. **TOBY STRIDER**, Randleman, North Carolina, is requesting that 19.33 acres located on Kindley Farm Road, Franklinville Township, Secondary Growth Area, be rezoned from RA to CVOR-CU. Tax ID# 7791340186. The proposed Conditional Use Zoning District would specifically allow the development of a 18-lot residential subdivision (with buffers as per site plan) for Class A double-wide mobile homes, modular homes, or site-built homes with a minimum house size of 1,200 sq. ft. The Planning Board considered this request at public meeting on August 2, 2005, and recommended that this request be denied by a vote of 6 to 1; McLeod voted against the motion. The Planning Board expressed concern regarding the proposed density, inadequate buffers, and housing type.

Toby Strider, applicant, spoke in support of his request, saying that he thinks the proposed subdivision will fit right in with surrounding homes since there are many mobile home parks in the area.

Darrell Wright, 3540 Wright Farm Lane, Franklinville, said that there are already enough mobile homes in the area. They already have problems with neighbors' dogs and trash. A 25-ft. buffer is not enough. The area schools are already overcrowded. He doesn't believe the land will support that many more septic tanks. He says he farms the area and that the land stays wet.

Frye made a motion to deny the request of Toby Strider; Davis seconded. Following discussion, the motion and second were withdrawn.

On motion of Frye, seconded by Davis, the Board voted unanimously to delay the request of Toby Strider for 1 month, to give the applicant a chance to improve his site plan by increasing house size square footage and buffers and decreasing the number of lots.

6. ERIC DAVIS, Randleman, North Carolina, is requesting that 8 acres (out of 36.80 acres) located on US Hwy 220 Bus North (just south of Holder Inman Road), Level Cross Township, Randleman Lake Watershed, be rezoned from Residential Agricultural to Heavy Industrial/Conditional Use. Primary Growth Management Area. Tax ID# 7767261213. The proposed Conditional Use Zoning District would specifically allow the construction of a 100' x 200' building (and buffers as per site plan) to manufacture building materials. The Planning Board considered this request at public meeting on August 2, 2005, and unanimously recommended that this request be approved as consistent with the Growth Management Plan for this area.

Eric Davis, applicant, spoke in support of his request, saying that he will use recycled asphalt on the driveway for dust control and will use Level 2 buffers.

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

7. GREG BRYANT, Asheboro, North Carolina, is requesting that 12.01 acres located on Wicker Lovell Road (just north of Carl Allred Road), Franklinville Township, Secondary Growth Area, be rezoned from RA to CVOE-CU. Tax ID# 7773891426. The proposed Conditional Use Zoning District would specifically allow the development of a 4-lot residential subdivision for conventional modular homes, or site-built homes with a minimum house size of 1,300 sq. ft. Property Owner - William Redding. The Planning Board considered this request at public meeting on August 2, 2005, and recommended that this request be approved by a vote of 6 to 1; Ridge voted against the motion. The Planning Board expressed concern regarding the 1,300 sq. ft. housing size.

Greg Bryant, 5688 Gallimore Town Rd., Trinity, spoke in support of this request, saying that the septic systems will be on-site systems.

Frank Allred, 2434 Wicker Lovell Rd., said that he is not opposed to this proposed housing development but he would like to have some input on the restrictions. He wants to make sure that there is only one house per lot and only one family per house. He prefers stick-built homes to modular and would like to see the minimum house size increased to 1,800 sq. ft. Also, 3-acre lots would look better. He also has concerns about run-off. He distributed pictures of houses in the community to the Board.

Carla Lovell, 2554 Wicker Lovell Rd., said that the community would be “going backwards” if the minimum house size was 1,300 sq. ft.

Approximately 14 people raised their hands in opposition to this request.

The applicant changed his request to 1,500 sq. ft. minimum house size.

On motion of Kemp, seconded by Davis, the Board voted unanimously to approve the request of Greg Bryant, with the amended condition of 1,500 sq. ft. minimum house size.

Adjournment

There being no further business, the meeting adjourned at 7:48 p.m.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Robert B. Davis

Arnold Lanier

Cheryl A. Ivey, Deputy Clerk to the Board