

Commissioners Meeting Minutes
March 10, 2008

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, Frye, Haywood, Kemp and Lanier were present. Rev. Julio Olivares, Multi-Cultural Pastor, Sunset Avenue Church of God, gave the invocation and everyone recited the Pledge of Allegiance.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment.

No one spoke.

Approval of Consent Agenda

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

- *approve minutes of the February 4, 2008 meeting;*
- *unseal closed session minutes from 5/2/05;*
- *ratify by resolution Board's previous action on 11/5/07 to extend City of Trinity's ETJ North;*
- *adopt joint resolution with NCACC celebrating 100 years of county unity in recognition of our Association's centennial:*

***WHEREAS**, the Randolph County Board of Commissioners is an advocacy and service organization made up of all one hundred North Carolina counties; and*

***WHEREAS**, the active participation and engagement of all 100 counties have directed, strengthened and enhanced our Association; and*

***WHEREAS**, the dedication and talents of individual county commissioners and county staff have led our Association's success in advocacy, county-centered services and educational programs; and*

***WHEREAS**, an informal agreement to form our Association was made by a handful of county commissioners who, at the behest of Craven County Commissioner C.E. Foy, met in New Bern in 1908, to discuss county issues of common interest; and*

***WHEREAS**, the first session of our unofficial Association was held at the Atlantic Hotel in Morehead City on August 19, 1908, where C.E. Foy was elected as president; and*

***WHEREAS**, the North Carolina General Assembly passed an act on March 8, 1909 establishing our Association on behalf of counties.*

***NOW, THEREFORE, BE IT RESOLVED**, effective March 10, 2008, that the North Carolina Association of County Commissioners and each Board of County Commissioners jointly recognize and celebrate "100 Years of County Unity" in tribute to our Association's Centennial.*

***BE IT FURTHER RESOLVED** that the Association communicate its copy of this joint resolution to each Board of County Commissioners.*

***BE IT FURTHER RESOLVED** that the Randolph County Board of Commissioners communicates its copy of this joint resolution to the North Carolina Association of County Commissioners.*

- *designate County officials to conduct inspections of schools in Randolph County with the exception of any school located within the corporate limits of the City of Asheboro and designate Asheboro City officials to conduct the City inspections pursuant to NCGS 115C-525;*
- *appoint Dr. Robert Dough to Board of Health;*
- *appoint Eddie Causey, Beverly Nelson, and Edith Reddick to Guil-Rand Fire District Commission (Joint appointment with Guilford County);*

- approve Budget Amendment #38 for Library (State Aid), as follows:

2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT # 38		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$ 5,618	
Appropriations	Increase	Decrease
<i>Public Library</i>	\$5,618	

- approve Budget Amendment #39 for Public Health (Family Planning), as follows:

2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT # 39		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$ 4,735	
Appropriations	Increase	Decrease
<i>Public Health</i>	\$4,735	

- approve Budget Amendment #40 for ROAP Grant, as follows:

2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT # 40		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$ 86,233	
Appropriations	Increase	Decrease
<i>Other Human Service Appropriations</i>	\$ 86,233	

Additions to Agenda

Chairman Holmes announced the following additions to the New Business Agenda:

- G.1. Authorize Staff to Negotiate Engineering Design Contract with Hobbs Upchurch & Assoc. for Hwy 64 East Infrastructure Improvements—*David Townsend, III*
- G.2. Set April 22, 8:00 a.m. in the Asheboro City School’s Professional Development Center as the Date and Location for Joint Meeting with the Asheboro City Schools Board of Education—*Harold Holmes*
- G.3. Adopt June Budget Meeting Schedule, as Presented—*Harold Holmes*
- H. Declare Five Desks at Former Cooperative Extension Office as Surplus and Donate Them to the County Board of Education—*Will Massie*
- I. Approve Brownfield Grant Funds for United Furniture—*David Townsend, III*

Requests from Therapeutic Alternatives Concerning Old Randolph County Home and Cemetery

Kenny Burrow said that his business, Therapeutic Alternatives, is celebrating its 50th anniversary of providing services for the citizens of Randolph County and North Carolina. In 1958, the Randolph County Board of Commissioners asked Mr. Burrow’s parents, Cap and Mabel Burrow, to become the superintendents of the county home on S. Fayetteville St. In 1961, they started leasing the building from the County when it became licensed as a rest home. In 1968, they turned over the operation of the home to his sister, Lou Wilson. The Burrows continued to lease the property from the County and operate it as an assisted living facility until 1990 when they built Brookstone Haven in Randleman and moved out of the county home building. Since then, the building has been used for storage by the County.

Mr. Burrow explained that in 1919, the Board of Commissioners approved the selling of \$30,000 in bonds for the purpose of erecting a new county home. Formerly known as poorhouses, the origins of

county homes goes back to pre-colonial almshouses in England. In 1922, the occupants of the previous county home in Randolph County (also known as the county farm) moved from what is now known as Caraway Mountain Road to the new county home on S. Fayetteville St. In 1919, there were 84 county homes throughout the state. Today, none of those sites continue to be county homes, and only a handful of them continue to exist. The several hundred acres that had been the county farm in the vicinity of Caraway Mountain Road was sold by auction in the early 1920s. One acre, which is the location of a paupers' graveyard, remains the property of Randolph County. Currently, there is only one visible headstone and several rock markers; however, based on the number of indented areas, a conservative estimate of the number of graves would be between 200 and 300. Mr. Burrow asked the Board for the following:

1. designation of the county home building as a historic site;
2. that the old county home be restored and a new use for the building be found;
3. permission for Therapeutic Alternatives and the Burrow family to coordinate a volunteer cleanup day at the old graveyard;
4. that the County Commissioners request permission from NCDOT to erect a sign on the state right-of-way that recognizes the cemetery;
5. permission from the County Commissioners for Therapeutic Alternatives and the Burrow family to erect a granite memorial at the cemetery to honor all the men, women and children who have been buried on the site.

Mr. Burrow said that his family would provide assistance to the County with grant writing, fundraising and any other steps necessary to restore the county home in order to honor all Randolph County citizens who lived in the building and with assistance in providing citizens who died as paupers a final resting place in the old cemetery that exhibits the respect and dignity they deserve.

Board members told Mr. Burrow that the County is interested in establishing a Historic Preservation Commission soon. This Commission would be responsible for designating historic landmarks around the county and the old County cemetery would be a likely candidate for designation.

On motion of Frye, seconded by Haywood, the Board voted unanimously to (1) grant permission for Therapeutic Alternatives and the Burrow family to coordinate a volunteer cleanup day at the old county cemetery with the understanding that each volunteer will need to sign a waiver of County liability, (2) request permission from NC Department of Transportation for the Burrow family to erect a sign on the State right-of-way recognizing the cemetery and (3) grant permission for Therapeutic Alternatives and the Burrow family to erect a granite memorial at the cemetery to honor the citizens who have been buried on the site.

Approval of Livescan Purchase and Related Budget Amendment

Col. Allen McNeill, Chief Deputy with the Sheriff's Office, said that the State of North Carolina has awarded Randolph County a grant in the amount of \$23,780 to purchase a new livescan fingerprint machine to replace the old one now in use and past its useful life. The grant provides a list of approved vendors from whom we can purchase the machine. DataWorks Plus is one of the approved vendors and has agreed to payment only after we receive payment from the State. Once we have received our new equipment the State will send us a check for the \$23,780.

On motion of Haywood, seconded by Lanier, the Board voted unanimously to approve the purchase of a new livescan fingerprint machine for the Sheriff's Dept. from Data Works Plus at a total cost of \$23,780, using a \$23,780 grant from the State and to approve Budget Amendment # 41, as follows:

2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT # 41		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$23,780	
Appropriations	Increase	Decrease
<i>Sheriff</i>	\$ 23,780	

Canine and Kennel Declared Surplus

Col. Allen McNeill requested the following items declared as surplus property and disposed of as listed:

1. One full-size canine kennel for a Ford Crown Victoria vehicle. The kennel’s probable value is approximately \$200. This has been in storage and not used for the past year. The Asheboro City Police Department is in need of a kennel for a new canine they have received. Col. McNeill requested approval to donate the used canine kennel to the City of Asheboro.
2. One Malinois Police Canine; 12 years of age. This canine (Buck) has been retired and is no longer healthy enough to participate in canine police duties. Scottie Hicks, the handler of Buck, requests that Buck be allowed to live out his remaining years under his care. It is believed that there is no monetary value that can be attached to this canine. Col. McNeill requested that Buck be allowed to continue to live with his handler, Scottie Hicks. Mr. Hicks is willing to sign any waivers requested by Randolph County in regards to the future actions of Buck.

On motion of Frye, seconded by Kemp, the Board voted unanimously to declare one full-size kennel for a Ford Crown Victoria vehicle surplus and approved its donation to the Asheboro Police Dept. Further, the Board declared Buck, a Malinois Police Canine surplus and granted permission for Buck’s handler, Scottie Hicks, to adopt Buck from the Randolph County Animal Shelter.

Approval of Criminal Justice Partnership Program Application; Contractual Agreement with Montgomery County

Pam Smith, Day Reporting Center (DRC) Director, asked the Board for their approval of the grant application for submission to the State for continuation of implementation funding for FY 2008-09. She said that the Randolph County DRC provides a structured supervision program for the intermediate offender which will enable him or her to progress forward toward achievement and accomplishment. The Pre-trial Release Program offers an alternative to incarceration and is a cost-effective means of reducing the population of correctional facilities (including the Randolph County Jail) by providing daily supervision for the Pre-trial participants.

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 2008-09 and to approve the contractual agreement with Montgomery County for another year.

Approval of Resolution of Support for Road Improvements at Providence Grove High School

David Townsend, III, Public Works Director, said that the construction of Providence Grove High School has caused the need for realignment of Mack Lineberry Road and NC 22 to be shifted south to align with Benny Lineberry Road and NC 22 to create a four-legged intersection with appropriate turn lanes for safety reasons. Randolph County, Randolph County Schools and NCDOT are partnering together to accomplish this realignment. NCDOT will fund the survey, design and construction costs, and

the County will acquire and donate to NCDOT the necessary rights-of-way. NCDOT needs a resolution of support declaring the County's intent toward this project.

On motion of Frye, seconded by Haywood, the Board voted unanimously to adopt a resolution supporting road improvements at Providence Grove High School, as follows:

***WHEREAS**, the North Carolina Department of Transportation (NCDOT) required a driveway permit for Providence Grove High School for access to Mack Lineberry Road (SR 2138); and*

***WHEREAS**, a Traffic Impact Analysis was prepared by Kimley Horn and Associates for Randolph County Schools, which recommended certain improvements to NC 22, Mack Lineberry Road (SR 2138) and Benny Lineberry Road (SR 2445); and*

***WHEREAS**, the NCDOT has reviewed the aforementioned Traffic Impact Analysis and recommends that the alignment of Mack Lineberry Road and NC 22 be shifted south to align with Benny Lineberry Road and NC 22 to create a four-legged intersection with appropriate turn lanes; and*

***WHEREAS**, the NCDOT will fund the survey, design and construction costs associated with said road improvements; and*

***WHEREAS**, Randolph County will acquire and donate to NCDOT necessary right-of-way needed to perform said improvements based on NCDOT plans.*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that, in the best interest of the traveling public, Randolph County will fund the right-of-way acquisition of this project and NCDOT will fund the road improvements of this project.*

Appointment of New Deputy Clerk to the Board; Oath of Office

On motion of Haywood, seconded by Lanier, the Board unanimously appointed Amanda Varner as Deputy Clerk to the Board.

Chairman Holmes administered the oath of office to Ms. Varner.

Approval of Contract for Hwy 64 East Infrastructure Improvements

On motion of Lanier, seconded by Haywood, the Board voted unanimously to authorize County staff to negotiate an engineering design contract with Hobbs Upchurch & Associates for Hwy 64 East (from Asheboro city limits to the Blue Mist Restaurant) infrastructure improvements and authorized the Chairman to approve and sign the contract.

Special Meeting Date Set

On motion of Kemp, seconded by Frye, the Board voted unanimously to set April 22, 8:00 a.m. in the Asheboro City School's Professional Development Center, as the date and location for a joint meeting with the Asheboro City Schools Board of Education.

Adoption of 2008-2009 Budget Meeting Schedule

On motion of Haywood, seconded by Kemp, the Board voted unanimously to set the following dates for their budget sessions: June 2 (4:00 p.m.), June 3 (5:00 p.m.), June 9 (5:30 p.m.), June 16 (2:00 p.m.), and June 23 (6:00 p.m.) including a public hearing on the budget at 7:00 p.m. on June 16.

Desks Declared Surplus

Will Massie, Assistant County Manager/Finance Officer, asked the Board to declare five custom-built desks at the former Cooperative Extension office as surplus and donate them to the County Board of Education.

On motion of Frye, seconded by Kemp, the Board voted unanimously to declare five desks at the former Cooperative Extension office as surplus and donate them to the County Board of Education.

Approval of Brownfield Grant Funds for United Furniture

David Townsend, III, Public Works Director, said that Rural Center Grant funds provided funding for improvements to the fire protection system and building (due to environmental issues) so that United Furniture could buy the building from Confluence (Guilford Mills Corp.).

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the receipt of Rural Center Brownfield Grant funds for the United Furniture project and to authorize the Chairman to sign the grant.

Recess

At 5:05 p.m., the Board recessed and returned to regular session at 6:30 p.m.

Rezoning Public Hearing

At 6:30 p.m., the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson 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. JEROME DAVIS, Archdale, North Carolina, is requesting that 20.5 acres out of 58.36 acres located on Elmer Beeson Road, New Market Township, be rezoned from RA to RBO-CD. Rural Growth Area. Tax ID# 7737832650. The proposed Conditional Zoning District would specifically allow the operation of a sports riding arena and facility as per site plan. The Planning Board reviewed this request at public meeting on February 5, 2008, and unanimously recommended that this request be approved with the following conditions:

- The site plan attached to this request shall be followed as part of the Conditional zoning approval
- No parking shall be allowed along Elmer Beeson Road. The applicant shall be responsible for providing security staff to insure that overflow parking is directed in a safe and orderly manner.
- Adequate bathroom facilities, as approved by the Health Department, shall be maintained for all events.

The Planning Board found the following Policies within the Growth Management Plan that support determination of consistency with the adopted plan with this recommendation:

Policy 1.3 The continued growth of Randolph County's heritage tourism industry will be encouraged.

Policy 10.4 The County should recognize through land use decisions that properly designed development can co-exist along conservation areas, protecting our natural heritage and making Randolph County's quality of life sustainable.

Jerome Davis, applicant, spoke in support of his request, saying that his family has been holding events since 1973 and at this location since construction of the Randleman Dam commenced. They hold professional bull riding competitions and Christian Children's rodeos. He would like to increase concessions. He said that the first year at this location, there were parking problems. However, since then, he opened a second driveway and hires off duty law enforcement officers to direct traffic. The only other time there has been a parking problem on Elmer Beeson Road was last month when his father's funeral was held at this location and 2000 people attended.

Tommy Wilson lives across the street from the applicant and spoke in support of the request. He said the Davis family does a lot for the children in the community. He added that Jerome and wife Tiffany are good, religious people.

Beverly Nelson, President of the Archdale/Trinity Chamber of Commerce, spoke in support of the request, saying that this sports facility significantly impacts the tourism efforts of the Northwest corner of Randolph County.

Adam Slake, Cedar Square Road, said that Jerome and Tiffany are great people. He said he knows their events always stop at 11:00 p.m. because he can hear the noise from his house and said that traffic is not a problem.

Tiffany Davis, wife of applicant, said that she loves Archdale and thanked everyone for their support. She read a letter of support from Barry Bunting of the Randolph County Sheriff's Office; Mr. Bunting provides security and parking assistance during events. She said they do not allow alcohol at the events. She encouraged the Board to approve the request.

Lori Vanbury said that her family moved here from New York because of Jerome Davis. She said her son is at Jerome's house all the time because Jerome is his idol; Jerome has done so much for her son.

Approximately 10 people stood in support of this request.

Nancy Hinshaw, Spencer Road, said that she is not opposed to what Jerome has done; she commends him. She opposes the noise. She said she has to leave her home on event days and doesn't want to be forced to leave her home every weekend if this request is approved. She asked why there should be a commercial business in a rural neighborhood.

Pam Hucks, 2785 Spencer Rd., said that they think a lot of Jerome and his wife, but these weekly events are disruptive to their lifestyle. She said she would like clarification on what type of events would be held and if there would be a public address system. She said there should be limits to hours of operation. She asked if retail sales would be allowed only during events; she said she didn't want any live animal sales or auctions there.

Virginia Yarborough, neighbor of Jerome Davis, said that noise from the facility is loud and goes on after 11 p.m. She said that weekly events will adversely affect her family's lifestyle. She wanted to know exactly what kind of events would be allowed. She told the Board that there should be limits on the types and frequency of events because the area should remain rural.

Approximately 6 people stood in opposition to this request.

Jack Swigart, neighbor of Jerome Davis, said that the Jerome and Tiffany are wonderful people. However, he's afraid that there will be people coming to the facility every day of the week to buy things. He asked the Board to consider the neighbors and stipulate that merchandise sales should be allowed only during events.

There was considerable discussion between the Board and Mr. Davis about the frequency and types of events he plans to have.

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the request of Jerome Davis, as determined consistent with the adopted policies of the Growth Management Plan and with the recommendations of the Planning Board, as follows:

- *The site plan attached to this request shall be followed as part of the Conditional zoning approval*
- *No parking shall be allowed along Elmer Beeson Road. The applicant shall be responsible for providing security staff to insure that overflow parking is directed in a safe and orderly manner.*
- *Adequate bathroom facilities, as approved by the Health Department, shall be maintained for all events*

and with the following additional conditions:

- *1 event per week with no more than a total of 24 in a year (all events to end by 11 p.m.)
The 24 events may consist of the following: 20 small weekly events (attended by 999 or fewer participants), 4 large events lasting up to 3 days (attended by 1,000 or more participants)*

2. BARRY MANESS, Asheboro, North Carolina, is requesting 30.00 acres out of 42.76 acres located on Joe Farlow Road., Richland Township, be rezoned from HI-CD/RA to HI-CD. Primary Growth Area. Tax ID# 7666057269. The proposed Conditional Zoning District would specifically allow the operation of a motorcycle course and training facility as per site plan. The Planning Board reviewed this request at public meeting on February 5, 2008, and unanimously recommended that this request be approved with the following conditions:

- The site plan as submitted shall be part of this Conditional zoning request.
- The applicant shall maintain all existing vegetation east of the old drag strip and reflected on the site plan.
- There shall be a 30 ft. buffer consisting of existing vegetation along the northern property line.

The Planning Board found the following Policies within the Growth Management Plan that support determination of consistency with the adopted plan with this recommendation:

- Policy 3.2 Industrial development should be on land that is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land should be encouraged.
- Policy 3.3 Heavy industrial sites should be separated from nonindustrial areas by natural features, green belts and/or other suitable means.
- Policy 3.4 Light industrial sites should be located in urbanized areas to take advantage of available services and to reduce home-to-work distances. Careful design and/or buffering shall be required to insure compatibility with surrounding areas.

Barry Maness, applicant, spoke in support of his request. He said that he had just received an approval letter from NCDOT for his lighting plan. He also presented a packet of information to the Board with a site plan, a lighting plan, pictures of racing events, information about the type of fencing he plans to use and a picture of the house he plans to build for himself on the property.

David Peryear, attorney representing Mr. Maness, said that the applicant does not own the property yet; it's under contract pending approval of this request. He said that the property is currently zoned heavy industrial due to the asphalt plant that was previously there and the current trucking company and the proposed use would be no worse than what's already permitted; the neighbors can't expect a quiet, genteel neighborhood here. He said the proposed use is consistent with the current zoning. Also, the training facility will promote tourism for the County as there aren't very many of these training facilities around; it should bring people from all over, possibly even from overseas. Since the people who will come to use the facility are motorsports enthusiasts, they will probably visit the motorsports attractions in the area as well. He reemphasized that the request is entirely consistent with the Growth Management Plan as was indicated by the Planning Board's recommendation. Also, since Mr. Maness plans to build his own home there, this should be some assurance to the neighbors that the facility will not be a nuisance to the neighborhood.

Scott Cole, 312 Copple's Rd., Asheboro, said that he is opposed to this request because his family will be adversely affected by this facility. He's also concerned that the site plan does not show rest room facilities; where will these people use the bathroom? Since many of the visitors to the facility will probably be in motor homes, where will they dispose of their sewage? Mr. Cole explained that the asphalt plant that was previously here was just a temporary one for the construction of I73-74.

Mary Brewer, adjoining property owner, said that she has been a resident here for 30 years. It's a quiet neighborhood, and she would like to keep it that way. She said that Mr. Maness came to her house and said he would build a house there and didn't mention anything about a race track. She's also concerned that this facility will attract the wrong type of people. Other concerns involved the hours of operation. She asked Board members to consider the request as if it was in their own neighborhood.

Alan Copple, 6356 US Hwy. 220 S., Asheboro, said that he lives 1/8-mile as the crow flies from the track and has lived there his whole life. He enjoys lying in his hammock by the pond and watching his grandkids play in the quiet neighborhood. He said that when the asphalt plant was operating, he couldn't hear it and can't hear the trucking company now. The noise from I-73 is not bad, but the noise from a racing facility would be very loud and continuous and impossible to get used to.

Elizabeth Carnwale, 146 Scott Farm Rd., Asheboro, said that she goes to bed early and doesn't want to listen to the noise seven days a week; there should be a time limit on its operation because it's continuous noise. Her son rides bikes, but she tries to keep her son from bothering folks.

Kay Copple, 6356 US Hwy. 220 S., said she came to a meeting several years ago opposing a proposed drag strip but the property wasn't zoned heavy industrial then. The bypass noise isn't annoying like the constant noise from a bike track would be. She said that after the meeting several years ago, they were threatening that worse things would come; the asphalt plant came, but it was temporary. She said that the proposed track is awfully close to neighbors. She also has concerns about the hours of operation and the fact that it could later be a spectator facility in addition to a training facility.

Sue Snipes, 354 Scott Farm Rd., said that they love the peace and quiet from her husband's family farm and frequently watch deer and beavers in the neighborhood. However, the constant noise of motorcycles will end this tranquility. She added that the bypass noise isn't bad at all. She also has concerns about the dust that a dirt track will create. A training facility might be good for the kids, but this isn't the right place to have it.

Mark Bouldin, 225 Bobby Moran Dr., said that he works swing shifts and sleeps during the day; the noise from the bikes will keep him awake. If this is approved he'll be forced to move, which is a shame since he's lived there since 1985.

April Locke, 132 Scott Farm Rd., said that they have horse pastures and the noise will rile her horses. She said this is farmland and they don't want this much noise seven days a week and at night.

Tim Richardson, 390 Burney Rd., Asheboro, said that he lives north of the proposed track and a corner of his property is zoned for an asphalt plant. He said that there are other neighbors who oppose the request, but they couldn't attend this meeting. He's concerned about the days and hours of operation. He rides four-wheelers but tries to respect other people when he rides. This proposed facility will be very loud and he said there needs to be a limit on the hours of operation. Also the dust and lights will be a problem.

Paul Bauer, 425 Scott Farm Rd., said that he's lived here for 17 years and his mother-in-law was raised here. He would like clarification on the hours of operation. He has noise concerns as well.

The Board discussed with the applicant plans for hours of operation and bathroom facility needs. Mr. Maness said that the Health Department said that Porta-johns would be sufficient. He said that he understands that he has to keep the dust under control because of I-73 being in close proximity of the track.

Commissioner Kemp made a motion to approve the request of Barry Maness with the recommended conditions of the Planning Board and with the added condition: hours of operation will be 10 a.m. to 10 p.m. Monday through Saturday and 12:00 (Noon) to 10 p.m. on Sunday. Commissioner Frye seconded the motion for the sake of discussion. Due to confusion during the vote, Chairman Holmes asked the Board to revote via individual poll of each Commissioner: Kemp-Aye, Haywood-Aye, Lanier-Aye, Frye-No, Holmes-Aye; therefore, the request was approved by a vote of 4-1, with Frye opposing, to approve the request of Barry Maness, as determined consistent with the adopted policies of the Growth Management Plan and with the recommendations of the Planning Board and the added condition concerning hours of operation.

Adjournment

At 9:20 p.m., there being no further business, the meeting adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Stan Haywood

Arnold Lanier

Cheryl A. Ivey, Clerk to the Board