

Commissioners Meeting Minutes

March 9, 2009

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. This meeting was rescheduled from March 2, 2009 due to inclement weather. Pastor Ken Thames of Asheboro Friends Meeting 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.

Richard K. Paul addressed the Board regarding its responsibility to ensure the protection of life and property of its citizens. He said that unfortunately, the Board is not accomplishing this responsibility. He cited some statistics from the Courier-Tribune's law logs in February and March regarding theft and property damage in Randolph County and said that the County Commissioners needed to provide more law enforcement to combat these thefts. Mr. Paul said that it is the citizens' responsibility to ask for more deputies and the County's responsibility to provide these officers and to find a way to pay for them.

Changes to Consent Agenda

Chairman Holmes announced the following changes to the Consent Agenda: 1. Remove Item I. *Approve Budget Amendment for Purchase of Real Estate (Lion's Club Building)*; 2. Add Item J. *Reappoint Mack Priest and Bob Wright to the Industrial Bond Authority* and Item K. *Appoint Jimmy Crane to the TDA Board.*

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 regular & closed session meetings of February 2, 2009;*
- *unseal closed session minutes of 11/3/08 & 1/5/09 (Personnel) and 1/5/09 (Real Estate);*
- *appoint Suzanne West, Alice Dawson, and Marian Auman to the Adult Care Home Community Advisory Committee;*
- *appoint Donovan Davis to the EMS System Quality Management Committee to replace Neil Allen;*
- *approve 2010 Holiday Schedule for County, Solid Waste Facility & Library, as follows:*

Holiday	County*	Solid Waste Facility**	Library
<i>New Year's Day</i>	<i>1/1 (Fri.)</i>	<i>1/1 (Fri.) closed</i>	<i>1/1(Fri.)</i>
<i>M. L. King Jr. 's B-day</i>	<i>1/18 (Mon.)</i>	<i>1/18 (Mon.) open</i>	<i>1/18(Mon.)</i>
<i>Easter</i>	<i>4/2 (Fri.)</i>	<i>4/2 (Fri.) open</i> <i>4/3 (Sat.) closed</i>	<i>4/2 & 4/3</i> <i>(Fri. & Sat.)</i>
<i>Memorial Day</i>	<i>5/31 (Mon.)</i>	<i>5/31 (Mon.) closed</i>	<i>5/31(Mon.)</i>
<i>Independence Day</i>	<i>7/5 (Mon.)</i>	<i>7/5 (Mon.) open</i>	<i>7/5 (Mon.)</i>
<i>Labor Day</i>	<i>9/6 (Mon.)</i>	<i>9/6 (Mon.) closed</i>	<i>9/6 (Mon.)</i>
<i>Bush Hill Festival (Archdale Library Only)</i>			<i>9/11 (Sat.)</i>
<i>Fall Festival (Asheboro Library Only)</i>			<i>10/2 (Sat.)</i>
<i>Veterans' Day</i>	<i>11/11 (Thur.)</i>	<i>11/11 (Thur.) open</i>	<i>11/11 (Thur.)</i>
<i>Seagrove Pottery Festival (Seagrove Library Only)</i>			<i>11/20 (Sat.)</i>

Thanksgiving	11/25 & 26 (Thur. & Fri.)	11/25 (Thur.) closed, 11/26 (Fri.) <i>open</i> , 11/27 (Sat.) <i>open</i>	11/25, 26 & 27 (Thur., Fri. & Sat.)
Christmas	12/24 & 27 (Fri. & Mon.)	12/24 (Fri.) close at noon, 12/25 (Sat.) closed, 12/27 (Mon.) <i>open</i>	12/24, 25 & 27 (Fri., Sat. & Mon.)

- approve Budget Amendment #28 for the Health Department (Family Planning & Animal Control), as follows:

2008-2009 BUDGET ORDINANCE		
GENERAL FUND- Amendment # 28		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$ 1,766	
<i>Sales & Service</i>	\$ 1,381	
Appropriations	Increase	Decrease
<i>Public Health</i>	\$ 3,147	

- approve Budget Amendment #29 for the Emergency Telephone System Fund, as follows:

2008-2009 BUDGET ORDINANCE		
EMERGENCY TELEPHONE SYSTEM FUND- Amendment # 29		
Revenues	Increase	Decrease
Appropriations	Increase	Decrease
<i>911 Service</i>		\$ 246,377
<i>Information Management</i>		\$ 524,044
<i>E-911 System</i>	\$ 770,421	

- approve Budget Amendment #30 for the Health Department (Food and Lodging Fees), as follows:

2008-2009 BUDGET ORDINANCE		
GENERAL FUND- Amendment # 30		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$ 12,736	
Appropriations	Increase	Decrease
<i>Public Health</i>	\$ 12,736	

- reappoint Mack Priest and Bob Wright to the Industrial Bond Authority;
- appoint Jimmy Crane to Tourism Development Authority Board to fill the unexpired term of Linda Cook.

Changes to New Business Agenda

Chairman Holmes announced the following additions to the New Business Agenda: Item J. Award Bid for 911 Call Center Servers—Audrey Alexander; Item K. Set Required Public Hearing Date for Historic Landmark Designation of Sandy Creek Primitive Baptist Church—Hal Johnson; and Item L. Closed Session—Discussion of Acquisition of Real Estate (NCGS 143-318.11(a)(5)).

Presentation of Proposed Revisions to Growth Management Plan & Zoning Ordinance Regarding Rural Industrial Zoning Districts & Electronic Changeable Face Signs and Public Hearing Date Set

Hal Johnson, Planning and Zoning Director, said that beginning in the mid-1980's, Randolph County experienced rapid change in what were once rural areas. Although Randolph County adopted countywide zoning in 1987, the issue of major residential subdivision development created growing concerns among county residents about the patterns of residential growth and how it was affecting the

Randolph County rural community. As a result, in 1988, Randolph County was one of the first counties in North Carolina to require major residential subdivisions to go through a rezoning/public hearing process.

As Randolph County entered the 21st Century, the public process of accommodating new residential growth while preserving the county's resources and natural heritage became more difficult. As a result, in 2000, the Board of County Commissioners asked that a Growth Management Plan be developed that would provide guidance to citizens, developers, elected officials, development boards, and staff, as evaluations and decisions were made on rezoning and growth related issues. In 2002, the Board of County Commissioners adopted Randolph County's first Growth Management Plan. The Plan prepared broad policy statements that would, when combined with designated Growth Management Areas (Primary; Secondary; and Rural Growth), form an overall growth management strategy for Randolph County. This Plan has been very effective in providing guidance on issues related to major residential subdivision developments. However, the 2002 Growth Management Plan did not provide adequate policy guidance that took into consideration industrial/commercial activities normally requiring proximity to rural resources. As our economy continues to change with the loss of jobs and global competition, the characteristics of rural industry and commerce are also evolving. With proactive County growth management policies, there could be opportunities for rural industry to be located within Rural Growth Areas without causing unacceptable disturbance to the rural community.

Growth management standards currently utilized by Randolph County emphasize the separation of different land uses. This standard is applied to current Rural Growth Areas, which cover approximately 47% of the planning jurisdiction of Randolph County. However, the unique economic challenges faced by large counties in the 21st Century include the necessity to enhance rural economic development and rural employment opportunities by accommodating industrial/commercial activities that require proximity to rural resources.

Mr. Johnson presented amendments to the Growth Management Plan and Zoning Ordinance that were specifically written to recognize that sustainable economic growth, environmental protection, and rural quality of life can be pursued together as mutually supporting growth management and public policy goals. One does not necessarily exclude the other. He said that the proposed amendments had been reviewed and recommended for approval by the County Planning Board. He told the Board that a public hearing would be required before the Board could approve the amendments.

On motion of Frye, seconded by Kemp, the Board voted unanimously to set a public hearing for April 6, 2009 at 5:30 p.m. to hear comments on proposed amendments to the growth management plan and zoning ordinance.

Approval of Resolution of Support for City of Asheboro's Designation of the Old County Home as a Historic Landmark

Hal Johnson, County Planning Director and Historic Landmark Preservation Commission Chairman asked the Commissioners to approve a resolution of support for the City of Asheboro's designation of the Old Randolph County Rest Home, 2210 South Fayetteville Street, Asheboro, North Carolina, as a local historic landmark. (Asheboro is the designating authority due to the property being located in Asheboro's planning jurisdiction.) He stated that on February 25, 2008, the Randolph County Historic Landmark Preservation Commission conducted a public hearing, after which it formally recommended that the Old County Rest Home be designated a Local Historic Landmark.

Mr. Johnson said the Asheboro City Council has set April 9, 2009, at 7:00 p.m., for the final public hearing pending landmark designation of the Old County Rest Home. Resolutions of support will be provided to the City Council at this time.

On motion of Frye, seconded by Kemp, the Board voted unanimously to approve a resolution of support for the City of Asheboro's designation of the Historic 1922 County Rest Home, as follows:

Recommending Local Historic Landmark Designation Old County Rest Home

WHEREAS, Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes provides for the designation of local historic landmarks; and

WHEREAS, the Randolph County Board of Commissioners has established the first Randolph County Historic Landmark Preservation Commission and provided opportunities for municipalities within Randolph County to designate the Commission as a joint historic preservation commission, having the authority to exercise, within the planning jurisdiction of the municipalities, all the power and duties given it in the Randolph County Historic Preservation Ordinance; and

WHEREAS, the City of Asheboro and the County of Randolph entered into such an inter-local agreement on September 4, 2008; and

WHEREAS, the Randolph County Historic Landmark Preservation Commission has taken into consideration all information contained in the Historic Landmark Designation Application for the Old County Rest Home requested and filed by the Randolph County Board of Commissioners on January 28, 2009; and

WHEREAS, the North Carolina Department of Cultural Resources, State Historic Preservation Office, has been given the opportunity to review and comment upon the local landmark designation; and

WHEREAS, the Randolph County Historic Landmark Preservation Commission conducted the required public hearing on February 28, 2009 and recommended unanimously that this landmark designation be approved; and

NOW THEREFORE, BE IT RESOLVED, that the Randolph County Board of Commissioners requests that the Asheboro City Council designate the exterior of the property known as the Old County Rest Home as a Local Historic Landmark pursuant to Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes and by inter-local agreement between the City of Asheboro and the Randolph County Board of Commissioners.

This property is more specifically described as follows:

That portion of Randolph County property consisting of the Rest Home Building at 2210 South Fayetteville Street, Tax PIN 7750513961, Asheboro, North Carolina.

Approval of Criminal Justice Partnership Programs (CJPP) Application and Contract with Montgomery County

Pam Smith, Day Reporting Center Director, informed the Commissioners that the pre-trial, drug treatment and sentencing programs were all up for elimination in the State budget. She said that she is lobbying very hard with the State to keep these programs. She asked the Board to approve the grant application for continuation of implementation funding for the Randolph Adult Resource Center and the contract between the Randolph and Montgomery CJP Advisory Boards for the Montgomery program.

On motion of Kemp, seconded by Haywood, the Board voted unanimously to approve the 09-10 CJPP Application for the Randolph County Adult Resource Center Program and to approve the 09-10 Agreement between the Randolph and Montgomery CJPP Advisory Boards and to authorize the County Manager to sign the documents.

Approval of Resolution of Support for Designation of Pisgah Covered Bridge Scenic Byway As An Extension of Birkhead Wilderness Route

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve a resolution of support for the designation of Pisgah Covered Bridge Scenic Byway as an extension of Birkhead Wilderness route, as follows:

***Supporting the Designation of the Pisgah Covered Bridge Scenic Byway As Extension of
The Birkhead Wilderness Route***

WHEREAS, the North Carolina Department of Transportation has developed a system of designated scenic byways across the state; and

WHEREAS, the purpose of the Scenic Byway Program is to identify and highlight scenic roads with unusual, exceptional or unique intrinsic qualities; and

WHEREAS, designated scenic byways provide rural areas with additional tourism opportunities while interpreting and preserving distinctive geologic, natural and cultural features; and

WHEREAS, designation of this byway will provide visitors a glimpse of our unique local history, geography and culture along the "road less traveled."

NOW THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners hereby endorses the designation of the Pisgah Covered Bridge Scenic Byway as an extension of the Birkhead Wilderness Route, and further requests the Board of Transportation give the proposed byway extension its most serious consideration.

Discussion of Tourism Occupancy Tax and Public Hearing Set

Commissioner Kemp said that when the room occupancy tax was first adopted in 1997, the Board set the rate at 3% rather than the maximum allowed (5%) primarily due to the Sir Robert Motel renting rooms by the day, week or month. Mr. Kemp said this tax is not paid by county citizens unless they just happen to stay at an area hotel. Raising the tax will provide funds to assist in promoting the area. Mr. Kemp stated that the slow economy is causing people to vacation closer to home, which will probably bring many people to our area. Mr. Kemp suggested that the County expand the occupancy tax from 3% to 5% in order to help promote area attractions a little more.

On motion of Kemp, seconded by Frye, the Board voted unanimously to set a public hearing for April 6, 2009 at 5:00 to consider increasing the room occupancy tax to 5%, effective July 1, 2009.

Commissioner Frye asked that TDA Director Tammy O'Kelley be prepared to present a plan at the April 6 meeting for how the increased revenue will be used.

Bid Award for Landfill Timber Sale

Aaron Carter, Public Works Staff Engineer, said that according to our timber management plan at the solid waste facility, the second section of timber has been identified for harvesting. He said that our consultant has determined that approximately 130 acres of timber is near its peak maturity, and bid requests were sent to prospective timber buyers. Of the 130 acres, 22 acres are of smaller poor quality trees, and 108 acres are all mature hardwoods. Bids were received on February 19, 2009, as follows:

- | | |
|----------------------------|-----------|
| 1. Uwharrie Lumber Company | \$206,916 |
| 2. Chatham Lumber Company | \$165,000 |
| 3. Edwards Lumber Company | \$163,000 |
| 4. McDowell Lumber Company | \$143,414 |

Mr. Carter said the County intends to work closely with the timber consultant to replant every acre harvested once the harvesting process is finished. He said that replanting was just completed the previous week from the first harvest last year. This is the subsequent step that follows in developing the timber management program which will give the County a long term renewable resource.

Mr. Carter recommended that the Board enter into a contract with Uwharrie Lumber Company, through a timber deed, for the tree harvesting to be done over the next 24 months, at a total cost of \$206,916 and to authorize the Chairman to sign the contract.

On motion of Lanier, seconded by Haywood, the Board voted unanimously to award the bid for landfill timber harvesting to Uwharrie Lumber Company at a total price of \$206,916 and to authorize the Chairman to sign the contract.

Request by Duke Energy for Easement at Level Cross School

Aimee Scotton, Associate County Attorney, stated that Duke Energy has requested a utility easement across property owned by Randolph County, located at Level Cross Elementary School. The easement is necessary for the upgrade of power lines across the property due to the Randleman Lake Water Plant project. Ms. Scotton said that according to State law, the County has the authority to grant an easement over, through, under, or across any County property.

Following discussion, the Board asked Ms. Scotton to approach Duke Energy about the possibility of monetary compensation for the easement. The Board indicated that they would make a decision on this item at their April meeting.

Approval of Proposal to Accept Offer to Purchase County Property

Aimee Scotton said that Russell Lineberry has offered to buy a lot owned by the County. This property is located adjacent to his property on Ward Street in Staley. The subject property was acquired by the County in 1978 (Parcel ID# 8734824267) and is valued by the Tax Department at \$1020. Mr. Lineberry has offered to purchase the property for \$580. The procedures by which a County may dispose of property are set out in Chapter 160A, Article 12 of the North Carolina General Statutes. Since Mr. Lineberry has already made an offer on the property, the method of sale by negotiated offer, advertisement and upset bid is perhaps the most flexible procedure available.

Ms. Scotton said that according to N.C.G.S. § 160A-269, the Board may receive, solicit, and/or negotiate an offer to purchase property. Once the Board has an offer it likes, it does not accept the offer. Instead, the Board *proposes* to accept it. When the Board proposes to accept an offer, the offeror is required to deposit 5% of the bid with the Clerk to the Board. At this point, a notice of the offer must be published. This notice must: describe the property, describe the amount and terms of the offer, and state that within 10 days any person may raise the bid by not less than 10% of the first \$1,000.00 and 5% of the remainder. After the advertisement runs, the Board must wait the 10-day period to see if an upset bid is received. If the bid is raised, then the new bidder must deposit 5% of the increased bid with the Clerk to the Board, and the Clerk must re-advertise the offer at the raised bid. This procedure is repeated until no further upset bids are received, and the Board can then accept the offer and sell the property to the highest bidder. While the Board may reject any and all offers at any time, if the Board accepts an offer under this procedure, it must accept the highest bid, the last bid that qualifies.

On motion of Frye, seconded by Haywood, the Board voted unanimously to propose to accept the offer of \$580 from Russell Lineberry to purchase County property located on Ward Street in Staley (Parcel ID# 8734824267).

Discussion of July Meeting Date

The Board discussed the possibility of changing its July regular meeting date due to the Independence Day holiday. A decision was made on this item later in the meeting.

Bid Award for 911 Call Center Servers

Audrey Alexander, Purchasing Agent, said that pursuant to NCGS 143-131 and the Purchasing Procedures of Randolph County, an informal bid process was performed by the Information Technology Department for two new 911 servers to replace existing servers in the Emergency Services 911 Call Center. This proposal included hardware, software and a one-year warranty. No services are included. Funding for the purchase of these servers was previously set aside in the Technology Fund and the 911 surcharge budget as a 50/50 split. The following bids were received:

Vendor	State Contract	Total Bid	
Champion Solutions Group	Yes	\$55,342.00	Lowest
Mainline Information Systems	Yes	\$56,887.64	
IBM	No	\$63,322.60	

Ms. Alexander recommended that the Board approve and award the purchase of two servers for the 911 Call Center at a total cost of \$55,342 to Champion Solutions Group.

On motion of Frye, seconded by Kemp, the Board voted unanimously to award the bid for two 911 Call Center servers to Champion Solutions Group at a total cost of \$55,342.

Public Hearing Date Set for Historic Landmark Designation of Sandy Creek Primitive Baptist Church

On motion of Kemp, seconded by Haywood, the Board voted unanimously to set a public hearing for historic landmark designation of Sandy Creek Primitive Baptist Church on April 6, 2009 at 4:30 p.m.

Closed Session—Discussion of Acquisition of Real Estate

At 5:40 p.m., on motion of Frye, seconded by Kemp, the Board voted unanimously to go into closed session to establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property, pursuant to N.C.G.S. 143.318.11(a)(5).

Regular Meeting Resumed

At 6:10 p.m., the Board returned to regular session.

Recess

At 6:10 p.m., the Board recessed.

Road Name Change Public Hearing

At 6:30 p.m., the Board adjourned to a duly advertised public hearing to consider road renaming 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. Portion of Poole Road (SR 1919) as per site plan, Trinity Township, Randolph County. The public necessity for this road change is a result of road closings made necessary by the new I-74/Hwy 311 Loop and to insure the continued ability of Randolph County Emergency Services to provide timely 911 responses. Mr. Johnson said that the Planning Department had asked the community for suggestions for new names. The following suggestions were received: Collins Trace Road, Tyndall Road and Redding Road. The County Planning Board reviewed the public necessity for this road name change on February 3, 2009. Rather than having to choose from the three suggested names and in an attempt to avoid animosity in the community, the Planning Board voted unanimously to recommend that the road be named “Old Poole Road.”

No one spoke.

On motion of Frye, seconded by Lanier, the Board voted unanimously to approve the request to change a portion of Poole Road to Old Poole Road.

2. Petition signed by residents of Earnhardt Road, whose signatures were gathered by students at Randolph Community College, requesting a portion of Earnhardt Road (SR 1539) beginning at the intersection of Earnhardt Road and Caraway Mountain Road/Flint Hill Road to Jericho Butler Drive, Back Creek Township, be renamed Jericho Butler Road. Mr. Johnson said it is always difficult to consider a road name change when there are two groups asking for different names. He gave a brief history of the process used by the County in 1989/90 in naming roads and advised the Commissioners that the Planning Board felt dividing the existing road into two additional names would adversely affect the natural flow of the road as known by citizens for the past 20 years. The Planning Board reviewed this request at public meeting on February 3, 2009, and recommended unanimously that this request be denied.

Ruth Trent, 3209 Earnhardt Rd., spoke against the name being changed. She said she recently had her driver's license changed and doesn't want to have to pay to change it again. Her children grew up on Earnhardt Rd., so it would be sad to her if the road name changed. Since there's already a Jericho Butler Drive and a Jerico Rd., naming another road so close to these others would be confusing, especially for 911.

Todd Kearns, 4117 Earnhardt Rd., said that he was the grandson of Lawrence Earnhardt and doesn't want the name to change. He said that he means no disrespect to Mr. Butler, but his grandfather built most of the houses on Earnhardt Rd., and it should remain Earnhardt Rd. The proposed change would also be confusing to 911. Since there is already a Jerico Rd. and a Jerico Butler Rd. and a monument, he suggested that the RCC students write a book about Mr. Butler to honor him.

John Wagoner, 1651 Mountain Meadow Dr., said that he knows first-hand how confusing road names can be because there are lots of roads with similar names to his road. He said about 30% of their packages delivered by UPS get delivered to Mountain View Dr., and it's also confusing to EMS. He said there should be a better way to honor Mr. Butler.

Dale Bennett, 4067 Earnhardt Rd., said that he has lived on Earnhardt Rd. practically all his life. Mr. Earnhardt built his house and about 75% of all the houses on Earnhardt Rd. He said that Mr. Earnhardt got the road paved. Mr. Bennett agreed that a book to honor Mr. Butler would be a better idea than changing the road name. He said Mr. Earnhardt did a lot of good things for the community and the road name should remain the same.

Melissa Kearns, 4007 Earnhardt Rd., said that Lawrence Earnhardt, who was her father, died in 2001. She asked that out of respect for Mr. Earnhardt that the road name be unchanged.

Betty Earnhardt Lamar, Garner Farm Rd., said that she was Mr. Earnhardt's daughter. She remembers all the long hours that her father worked and said that he almost died from a tractor accident in a field facing Earnhardt Rd. She wants the road named to remain unchanged in honor of her daddy.

Joseph Gee, 4045 Earnhardt Rd., spoke against the name being changed due to the inconvenience to residents on the road and safety concerns. Mr. Butler has already been honored with other road names. The RCC students should be commended, but the name shouldn't change.

About 20 people raised their hands in opposition to the road name change.

Joseph Goins, attorney, spoke on behalf of Ray Butler's friends. (Ray Butler's grandfather was Jericho Butler.) Mr. Goins said that Earnhardt Rd. was known as Jericho Rd. until around 1989 when the County began setting up its EMS system. He said that roads that had not been officially named at that point were given names based on input from area residents. He said that Mr. Butler was not informed of the decision to honor a request from other people on the road to officially name it Earnhardt Rd. until after the fact. Mr. Goins said that he means no disrespect to Mr. Earnhardt's family, but this action would actually correct a mistake that was made long ago. He referenced a letter from Donovan Davis, Emergency Services Director, which stated that if the Jericho Butler Drive (private drive) sign was removed from the system in lieu of a new Jericho Butler Road that would extend 1.1 mile to Caraway Mountain Road, this would lessen the opportunity for confusion for emergency services. Mr. Goins said that we are very fortunate to have Ray Butler as a piece of living history since his grandfather walked out of slavery and came to Randolph County and bought land for 2 cents an acre. He cleared the area where there was no road. He has lots of family that live and has lived on this road. Mr. Goins distributed pictures to the Board showing the Jeremiah Butler monument on the road and other landmarks.

Ray Butler spoke, saying that he is the son of Dave Butler, who is the son of Jerry Butler. He said that in the 1800's, his grandfather was one of the first freed slaves to come north from South Carolina to find land to buy, build on and raise a family. He said he came to Asheboro and built a two-room house. He cleared and built the road with a chopping axe, and his family would like to see the road name changed back to the way it was originally. He doesn't want to cause any hard feelings with his neighbors, though.

Cary Coble said that before she started working on the RCC project, she didn't know anyone. But regardless of the decision, she feels blessed to have gotten to know the Butlers. She did most of the leg work for the petition to have the road name changed. There are 23 "yeses" and six "noes." She suggested that the Commissioners ask for a show of hands of the people in opposition who actually live on the affected portion of the road.

Paul Dalton said that in 1973, he came to Randolph County looking for some land to build on. He saw an old man working with a block and plow on Jericho Rd. who happened to be Mr. Butler. Mr. Butler showed Mr. Dalton 100 acres of land that had just been surveyed and told him who owned it. Mr. Dalton said that he had lived on a Jericho Rd. in Davie County growing up and decided he wanted to live on Jericho Rd. in Randolph County. He called the real estate agent who told him they weren't ready to sell yet. Mr. Dalton said that he and his wife came back later and walked across the property and eventually became lost. They happened upon Lawrence Earnhardt, who helped them find their way. Mr. Dalton said that there was a Dalton Street in High Point once that was done away with, but the current sign reads, "Formerly Dalton Street." Mr. Dalton suggested that there could be a sign erected that said, "Formerly Jericho Rd."

Amy Lou Smith, 2864 Jess Smith Rd., said that she knows the pain of having to change licenses and checks because the County mistakenly gave her the wrong address once. She said that since the emergency services confusion issue had been cleared up with Mr. Davis's letter, there should not be a problem with changing the name. She doesn't want to disrespect the Earnhardts, but the road should go back to Jericho Rd. She said she wishes there could be a compromise between the two families.

About 7 people raised their hands in favor of changing the road name to Jericho Butler Rd.

On motion of Lanier, seconded by Frye, the Board voted unanimously to deny the request that a portion of Earnhardt Rd. (SR 1539) beginning at the intersection of Earnhardt Rd. and Caraway Mountain Rd./Flint Hill Road to Jericho Butler Drive, be renamed Jericho Butler Rd.

Rezoning Public Hearing

At 7:43 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. **GREG BRYANT**, Asheboro, North Carolina, requested that 45.29 acres located on Carl Allred Road (at the intersection of Wicker Lovell Road), Franklinville Township, be rezoned from RA to CVOE-CD. Tax ID #'s 7773983838 and 7773981212. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow the addition of 10 lots to Redding Subdivision for conventional modular homes and site-built homes with a minimum house size of 1,500 sq. ft. William Redding - Property Owner. The Planning Board reviewed this request at public meeting on February 3, 2009, and recommended unanimously that this request be approved.

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 6.13 Conventional residential subdivisions are anticipated of similar housing characteristics to the community.

Policy 6.14 Residential subdivisions should, in order to promote efficiencies in the delivery of urban services, be encouraged to develop in a fashion which minimizes "leap frog" development (i.g. leaving large vacant areas between developments).

Greg Bryant, realtor, said he was representing the property owner, William Redding. He spoke in favor of the request.

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the request of Greg Bryant, as determined consistent with policies contained within the adopted Growth Management Plan and as outlined in the Planning Board recommendations.

2. **CINDY BROWN**, Asheboro, North Carolina, requested that 25.64 acres located on Luck Road (just east of Craig Street), Grant Township, be rezoned from RA to CVOR-CD. Tax ID #'s 7771803889 and 7771718024. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow the development of a 6-lot residential subdivision for double-wide mobile homes, modular homes and site-built homes with a minimum house size of 1,200 sq. ft. The Planning Board reviewed this request at public meeting on February 3, 2009, and recommended unanimously that this request be approved.

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 6.13 Conventional residential subdivisions are anticipated of similar housing characteristics to the community.

Policy 6.14 Residential subdivisions should, in order to promote efficiencies in the delivery of urban services, be encouraged to develop in a fashion which minimizes "leap frog" development (i.g. leaving large vacant areas between developments).

No one spoke.

On motion of Haywood, seconded by Lanier, the Board voted unanimously to approve the request of Cindy Brown, as determined consistent with policies contained within the adopted Growth Management Plan and as outlined in the Planning Board recommendations.

3. LARRY DRAUGHN, Asheboro, North Carolina, requested that 2.78 acres located at 10490 US Hwy 220 Business North, Level Cross Township, be rezoned from LI to HC-CD. Randleman Lake Watershed. Tax Parcel ID #7757889809. The proposed Conditional Zoning District would specifically allow an outdoor pistol and rifle range with instructional classes as per site plan. The Planning Board reviewed this request at public meeting on February 3, 2009, and recommended unanimously that this request be denied.

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

Policy 1.2 The benefits of economic development should be balanced against the possible detrimental effects such development may have on the quality of life enjoyed by area residents.

Larry Draughn, applicant, spoke in favor of his request, saying that originally, the facility was going to be a \$350,000 state-of-the-art indoor range, but he has now changed it to an outdoor range. He said that no projectile would leave the facility. The proposed berm would be three-sided and 14 feet high. There will be no long rifles used. He said that he is going to the extreme to insure all safety measures are in place and also said that he planned a three-sided noise abatement. He said there will be 10 public firing lanes, but only two people will be qualifying at one time with two instructors. Mr. Draughn said that he's amending his request to remove outdoor rifle firing; it will be a facility for only concealed weapons classes.

Gary Gallimore, 10463 U.S. Hwy 220 Business, Randleman, said that he lives across the street and he hears every noise across the street already. He can only imagine the noise he'll hear from a shooting range. He has concerns that his grandkids will be traumatized from the shooting. He said that this rural area is no place for a gun range. He argued that this would set a bad precedent.

Terry Toomes, 10376 U.S. Hwy 220 Business, Randleman, presented an opposition petition with 60+ names. He said the shooting would bother his grandkids and his cows. He picks up straw in the field behind the proposed facility and doesn't want to get shot. He warned that if his kids get shot at, he won't need the Sheriff's Dept. because he'll take care of the problem himself. He asked who was going to guarantee that bullets won't come across the 14-ft. berm.

Jay Knight, 10362 U.S. Hwy 220 Business, Randleman, said that he lives up the road and has the same concerns (safety and noise) as others who had spoken. He shouldn't have to suffer because of gunshots in the area.

Chris Faircloth, 10402 U.S. Hwy 220 Business, Randleman, spoke in opposition to the request, citing concerns for the safety of his two children.

Wanda Jester, 10431 U.S. Hwy 220 Business, Randleman, spoke in opposition to the request, saying that she would be worried about the safety of her eight grandchildren and two great-grandchildren who could be at her home at any given time.

Joni Knight, 10360 U.S. Hwy 220 Business, Randleman, said that there are kids crossing through in their fields constantly and they have to rescue them from the bulls. She fears for the safety of these children.

Cindy Toomes said that if Mr. Draughn has so much money, he should go up to the mountain to build the range.

On motion of Haywood , seconded by Frye, the Board voted unanimously to deny the request of Larry Draughn, as determined consistent with policies contained within the adopted Growth Management Plan and as outlined in the Planning Board recommendations.

Addition to Agenda

Chairman Holmes announced that a Closed Session had been added to the agenda for Discussion of Acquisition of Real Estate and Personnel Matters.

Closed Session—Discussion of Acquisition of Real Estate and Personnel Matters

At 8:12 p.m., on motion of Frye, seconded by Kemp, the Board voted unanimously to go into closed session to establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property, pursuant to N.C.G.S. 143.318.11(a)(5) and to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee, pursuant to N.C.G.S. 143-318.11(a)(6).

Action from Closed Session

At 8:30 p.m., due to the economic downturn and the uncertainty over possible state actions that could impact the County's budget, on motion of Frye, seconded by Haywood, the Board voted unanimously to change their previous action in February to purchase the Lion's Club building in Archdale and instead to offer a 6-month option to purchase the property with a \$10,000 deposit.

Adjournment

At 8:35 p.m., on motion of Lanier, seconded by Kemp, the Board adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Arnold Lanier

Stan Haywood

Cheryl A. Ivey, Clerk to the Board