

November 2, 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. Pastor Ray McCormick, Eastside Baptist Church of Asheboro, gave the invocation, and everyone recited the Pledge of Allegiance.

**Approval of Consent Agenda**

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

- *approve minutes of regular and closed session meetings of October 5, 2009;*
- *ratify individual poll of appointments to Firemen’s Relief Fund: Southwest (New Hope) Fire District-Troy Powell and Guil-Rand Fire District-Aaron Roberts;*
- *adopt Proclamation honoring Col. Allen R. McNeill on his retirement, as follows:*

**WHEREAS**, Colonel Allen R. McNeill has given thirty-one years of loyal service to the citizens of Randolph County through his career with the Randolph County Sheriff’s Office; and  
**WHEREAS**, Col. McNeill has achieved the highest rank in the history of the Randolph County Sheriff’s Office; and  
**WHEREAS**, Col. McNeill has, during his tenure, proven himself to be a dedicated professional of the highest caliber; and  
**WHEREAS**, Col. McNeill has always demonstrated a spirit of cooperation and a readiness to share his successes with, and even attribute them to, any and all who responded whenever he needed help; and  
**WHEREAS**, largely due to Col. McNeill’s leadership, commitment to excellence, and caring manner, the Randolph County Sheriff’s Office is considered one of the most professional and best-run Sheriff’s Offices in the state—his perseverance, dedication and integrity are unquestioned.  
**NOW, THEREFORE, BE IT PROCLAIMED** that the Randolph County Board of Commissioners does hereby recognize and honor Col. Allen R. McNeill for his exceptional accomplishments and for his many contributions to County services, and we wish for him a long and prosperous retirement.
- *approve close-out of 2006 Single Family Rehabilitation Grant Ordinance and Assistance Policy and 2007 Urgent Repair Grant Ordinance;*
- *approve webinar training as a qualified source for Code of Ethics training pursuant to NCGS 160A-84(c);*
- *approve Budget Amendment #11 for Health Department (Women’s and Children’s Health/Immunization), as follows:*

<b>2009-2010 BUDGET ORDINANCE</b>		
<b>General Fund—Amendment #11</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$ 7,000	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Public Health</i>	\$ 7,000	

- *approve Budget Amendment #12 for Sheriff's Office Building, as follows:*

<b>2009-2010 BUDGET ORDINANCE</b>		
<b>General Fund—Amendment #12</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$ 118,624	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Sheriff</i>	\$ 118,624	

- *reappoint Addie Luther to the Nursing Home Community Advisory Committee;*
- *reappoint Karen Smith to the Adult Care Home Community Advisory Committee;*
- *reappoint Wayne Joyce to the Randolph County Planning & Zoning Board & Board of Adjustment;*
- *reappoint Ben Ramsey to the Randolph County Tax Commission;*
- *reappoint Ben Ramsey to the Randolph County Board of Equalization and Review;*
- *reappoint Randy McNeill to the Randolph County Board of Health;*
- *reappoint Eddie Causey, Edith Reddick and Beverly Nelson to the Guil-Rand Fire District Commission (Joint appointment with Guilford County);*
- *approve Records Retention and Disposition Schedule Amendment for Sheriff's Dept. (ATTACHED) (Issued 9/28/09 by NC Dept. of Cultural Resources, Div. of Archives and History, Gov. Records Branch and Recommended for Approval by Sheriff Maynard Reid).*

---

Chairman Holmes read aloud the Proclamation recognizing the retirement of Col. Allen McNeill.

---

### **Recognition of Retiree**

Chairman Holmes recognized Col. Allen McNeill for 31 years of service to the Randolph County Sheriff's Department and presented him with an engraved clock. Chairman Holmes read aloud a proclamation in Col. McNeill's honor.

### **Announcement of Emergency Services Department Employee of the Year**

Emergency Services Director Donovan Davis announced the Randolph County Emergency Services 2009 Employee of the Year: Raphael Beech. Mr. Davis said that this is the first year for this award, and stated that Mr. Beech's dedication of time and effort exemplifies what emergency services is all about.

### **Announcement of NCPLDA Program Awards for Randolph County Library Programs**

Suzanne Tate, Randolph County Public Library Director, stated that each year the North Carolina Public Library Directors Association recognizes and awards certificates for special achievements. She said that this year, Randolph County won in the following three categories: (1) Liberty Public Library for a new/improved library facility in "Under 10,000 square feet—remodeled facility" category; (2) Outstanding Adult Service Innovation Program—Medium Library Category – "RandQuest: Research Starts Here"; and (3) Outstanding Promotional Program—Medium Library Category – "Be Creative at Your Library" – Summer Reading Promotion Campaign.

### **Public Comment Period**

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

### **Change to New Business**

Chairman Holmes announced the following changes to the Agenda: Remove Item C. Award Grant Administration Contract for the 2009 Scattered Site Standard CDBG Grant, and add Item G. Request to Award New Ambulance Bid – *Donovan Davis*; Item H. Approve Budget Amendment for Public Health – Grant Award (WIC) and Request Upgrade of Part-time Position – *Mimi Cooper* and Item I. Update from the Recovery Zone Advisory Committee – *Will Massie/Bonnie Renfro*.

### **Tourism Development Authority (TDA) Annual Report**

Tammy O’Kelley, TDA Director, reported on the TDA’s activities during the past year, which included the creation of a new interactive web site, and the completion of the 2008 Heart of NC Visitors Guide. Ms. O’Kelley gave tourism statistics from the 2008 Economic Impact of Travel on NC report. She said that state tourism grew by 2.1% in 2007, and cited Randolph County’s tourism growth at 5.5%. Randolph County gained one new hotel, the Country Inn & Suites in Archdale and saw the close of one bed and breakfast inn, Bouldin House, also in Archdale. However, a bed and breakfast inn, Parkside Bed & Barn in Farmer, opened. Ms. O’Kelley reviewed highlights of 2008, including:

- addition of Richland Creek ZipLine, Sunny Slopes Farm, and Zoo City Motor Sports Park;
- sponsored and assisted six major sporting events;
- sponsored 10 major festivals and events including both the Seagrove Pottery and Celebration of Seagrove Potters Festivals;
- served as a member of the special Legislative Council and actively lobbied for Save Our Summers with the NC Travel Industry Association;
- attended Southeastern Tourism Society Marketing College for the third year, earning the staff’s first Tourism Marketing Professional certification (O’Kelley);
- participated in the Tourism Leadership Summit in Washington, D.C. and actively lobbied for the national Travel Promotion Act with the United States Travel Association.

Ms. O’Kelley announced that the Tourism Development Authority would be moving their offices to the Historic Courthouse in December.

### **Approval of 2008 Urgent Repair Grant Closeout**

David Townsend, III , Public Works Director stated that in 2008, Randolph County received a grant in the amount of \$75,000 from the NC Housing Finance Agency for urgent repairs to homes. Shortly after receipt of the grant, the Public Works Dept. received notice that the County would receive \$400,000 in Federal Stimulus Grant funding for major housing innovation improvements for eligible homes. Mr. Townsend said that due to workload issues and limited staff, the Public Works Department is requesting approval to return the \$75,000 Urgent Repair Grant in order to focus on the larger grant. Mr. Townsend asked the Board to close out the 2008 Urgent Repair Grant Ordinance and Assistance Policy. He stated that advanced funds of \$37,500 plus earned interest of \$494.71 will be returned.

*On motion of Frye, seconded by Kemp, the Board voted unanimously to close out the 2008 Urgent Repair Grant Ordinance and Assistance Policy and return the advanced funding plus*

interest to the NC Housing Finance Agency, and to approve Budget Amendment #1 to effect this action, as follows:

<b>2009-2010 BUDGET ORDINANCE – 2008 Urgent Repair Program (CDBG)</b>		
<b>General Fund—Amendment #1</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Interest Earnings</i>	\$495	
<i>Urgent Repair Grant</i>		\$75,000
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Program Costs</i>		\$75,000
<i>Grant funds returned</i>	\$ 495	

**Update on NC Child Support Enforcement Agency Transfer to County**

County Manager Richard Wells said that the NC General Assembly directed, through its 2009 Appropriations Act (I Senate Bill 202, Section 10.46A), that effective July 1, 2010, each Child Support Enforcement (CSE) office currently being administered by the NC Department of Health and Human Services, Division of Social Services, will be administered by county government. Counties are required to submit their plans for operation by January 1, 2010. He said that numerous meetings have taken place to determine the best manner in which to effect the transfer of CSE to County responsibility, beginning July 1, 2010. Counties have three choices in absorbing CSE: contract through a private vendor, operate a regional program with other counties, or operate the program as a county department. Mr. Wells recommended that the Randolph County CSE transition as a stand-alone County department. He said that this as the most efficient manner to absorb CSE as it will allow the local office to continue their good track record while costing the taxpayers of the county less than other options. The local office is competent and well-managed. The draft budget projected for 2009-10 shows estimated total expenditures of \$863,763. Revenues include a 66% reimbursement from federal CSE grants and other fee revenues totaling \$570,763; hence, the County’s estimated cost is \$293,000. He said it is not clear yet if the State will allow the computer equipment and all office furniture and equipment to remain or if they will remove it; this would obviously affect the county’s costs, as well. A decision by the Commissioners will need to be made at the Board’s December 7 meeting.

**Joint Meeting and Public Hearing with City of Asheboro Set**

*On motion of Haywood, seconded by Lanier, the Board voted unanimously to set a joint meeting with the City of Asheboro for 5:30 p.m. on December 14 in order to hear a request from the NC Zoo and to hold a public hearing on the matter.*

**Public Hearings Set for Economic Development**

*On motion of Kemp, seconded by Haywood, the Board voted unanimously to set public hearings for 4:30 p.m. on December 7 for economic incentive requests from Trinity Furniture and Stickleby Fine Furniture.*

**Approval of Bid Award for New Ambulance**

Donovan Davis, Emergency Services Director, stated that the ambulance Request for Bids (RFB) for two 2009 or later Chevy 4500 Type III ambulances closed on October 27, 2009. Since that time, staff have been reviewing the four submitted bids, which follow. Two bids were found to be non-compliant: *Custom Truck & Body Works, Inc.* did not satisfactorily complete the compliance checklist and added their own specifications; and *Select Custom Apparatus, Inc.* failed

to complete the compliance checklist and will not have any chassis available until February 2010 or later.

<b>Company</b>	<b>Price Each</b>	<b>Total</b>	<b>Recommendation</b>
Custom Truck & Body Works, Inc.	\$115,060	230,120	Non-compliant
Southeastern Specialty Vehicles	\$116,191	232,382	✓
Northwestern Emergency Vehicles	\$119,531	239,062	Compliant
Select Custom Apparatus, Inc.	\$124,000	248,000	No Chassis

*Southeastern Specialty Vehicles* and *Northwestern Emergency Vehicles* both provided similar responsive bids. Of the two, *Southeastern* was the lowest bidder; therefore, Mr. Davis recommended that the Board award the bid to *Southeastern Specialty Vehicles* in the amount of \$232,382 for two ambulances. Adequate funding for two ambulances, design and associated fees is available within the 2009/2010 Emergency Services budget.

*On motion of Frye, seconded by Haywood, the Board voted unanimously to award the bid for two ambulances to Southeastern Specialty Vehicles at a total cost of \$232,382.*

**Approval of Upgrade of Part-time Position and Budget Amendment**

Mimi Cooper, Public Health Director, stated that the Randolph County Health Department has received notice from the Division of Public Health that WIC program client education funding would be increased by \$42,780. This would include increasing a part-time position that was approved in July, to a full-time position, effective November 1, 2009. She stated that the full-time position would greatly increase their ability to see patients who are now waiting for appointments.

*On motion of Kemp, seconded by Frye, the Board voted unanimously to increase a part-time position in the WIC program to full-time, effective November 1, 2009 and Budget Amendment #13, as follows:*

<b>2009-2010 BUDGET ORDINANCE</b>		
<b>General Fund—Amendment #13</b>		
<b>Revenues</b>	<b>Increase</b>	<b>Decrease</b>
<i>Restricted Intergovernmental</i>	\$ 42,780	
<b>Appropriations</b>	<b>Increase</b>	<b>Decrease</b>
<i>Health Department / WIC</i>	\$42,780	

**Recovery Zone Grant Program Update**

Bonnie Renfro, Economic Development Corporation President, said that two new financing options are now available to stimulate economic recovery: one for private companies and one for public use. The American Recovery & Reinvestment Act has authorized tax-exempt bond financing for private companies. Most counties and large cities received allocations for recovery zone facility bonds. Randolph County’s allocation is \$10,870,000 in facility bonds, and they may be used anywhere in the county as the entire county has been designated as a Recovery Zone. Bonds may be used to finance an extremely broad range of depreciable capital projects. Ms. Renfro provided information on the types of commercial development that would qualify for the tax-exempt bonds. She said that the deadline for a private company to request an allocation is November 30, 2009. According to Ms. Renfro, managers of all the County’s municipalities will meet on Nov. 9 regarding any projects that might qualify for the public sector funding. She said that the Board would need to make a decision on this at its December meeting.

## **Recess**

At 5:42 p.m., the Board recessed.

## **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. **MARTHA LAMBETH**, Trinity, North Carolina, is requesting that 46.67 acres located on Finch Farm Road, Tabernacle Township, be rezoned from RA to CVOE-CD. Tax ID#s 7705139972, 7705047174, and 7705148401. Secondary Growth Area. Lake Reese Watershed. The proposed Conditional Zoning District would specifically allow a 5-lot residential subdivision for site-built homes and conventional modular homes. The Planning Board reviewed this request at public meeting on October 6, 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 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.*

*Resolution of Adoption - Policy #4 Consider the costs as well as the benefits of growth management policies in order to preserve affordability for citizens real estate and housing needs.*

**Martha Lambeth**, applicant, spoke in favor of her request.

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

2. **MARTIN GUTIERREZ CABRAL**, Trinity, North Carolina, is requesting that 34 acres (out of 63.10 acres) located at 712 Flake Briles Road, Tabernacle Township, be rezoned from RA to RBO-CD. Lake Reese Watershed. Secondary Growth Area. Tax ID# 6792723465. The proposed Conditional Zoning District would specifically allow a rodeo-riding arena open to the public. The Planning Board reviewed this request at public meeting on October 6, 2009, and recommended unanimously that this request be denied.

*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 3.9 Individual rezoning decisions within Rural Growth Areas will depend upon the scale of the development, and the specific nature of the site and its location.*

*Policy 4.3 Individual Rural Business and Highway Commercial rezoning decisions will depend upon the scale of the proposed development as it relates to the specific site and location weighed against impacts to adjoining rural land uses.*

**Martin Gutierrez Cabral**, applicant, spoke via his translator, Nora Gutierrez, in support of the request. He apologized to his neighbors for the noise from events in the past and said that if they had any concerns, he will try to address them now. Mr. Cabral said that he anticipates having only one event per month during the summer, with the maximum of 300 people in attendance. He said these events would include horse riding and bull riding and that only about 300 people attended the events that had already been held. No food will be sold. The event hours would probably run from noon until 7 p.m. Mr. Cabral said that although no security had been used at prior events, he would

have some type of security at any future events.

**Eddie Surratt**, 938 Bescher Chapel Rd., Trinity, said that he has a problem with the number of people that will inevitably attend these events. He estimated that there were approximately 400 cars and at least 2,000 people who came to prior events. He mentioned counting 2 cars a minute for 5 hours and said that the events began at noon and lasted until midnight. The music, according to Mr. Surratt, could be heard three miles away. He also had concerns about dust, trash and traffic on the narrow dirt road. He said that people were so drunk that they were vomiting in yards. Since this is a rural farming community, this type of business does not fit.

**Marlon Winters**, 6019 Briles Meadow Rd., Trinity, said that their house was the first house on Briles Meadow Road. The type of proposed business is not a good fit for this area. He's not opposed to progress, but this area is predominately agricultural. A business such as this one would destroy the entire rural character of the area. He also stated that he doesn't believe that this will be an occasional rodeo since there have been at least three prior events with nearly 2,000 in attendance. People urinated and vomited in yards. A band was brought in on a Greyhound bus. He said he appreciates Mr. Cabral's apology, but he's still against this request. Mr. Cabral has already ignored County regulations. Mr. Winters also has traffic concerns since this is a narrow dirt road.

**John Mishka**, 772 Bescher Chapel Rd., Trinity, said that he moved to the area a few months ago. Since this is a rural farming community, this type of business contradicts zoning policy. He asked the Board to deny the request.

**Jessie Smith**, Trinity, said that he was not invited to the Neighborhood Information Meeting. He said he often heard music when prior events were held. He urged the Board to deny the request.

*On motion of Haywood, seconded by Lanier, the Board voted unanimously to deny the request of Martin Gutierrez Cabral, as determined consistent with policies contained within the adopted Growth Management Plan and as outlined in the Planning Board recommendations.*

**Adjournment**

At 7:00 p.m., there being no further business, the meeting adjourned.

---

J. Harold Holmes, Chairman

---

Darrell L. Frye

---

Phil Kemp

---

Arnold Lanier

---

Stan Haywood

---

Cheryl A. Ivey, Clerk to the Board