

February 7, 2011

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 David Miller, Christ Fellowship, 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, and the public comment period was closed.

Changes to Consent Agenda

Chairman Homes announced the addition of *Item M: Appoint Robbin L. Adams to Adult Care Home Advisory Committee* to the Consent Agenda.

Approval of Consent Agenda

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

- *approve minutes of regular meeting of 1/3/11;*
- *unseal closed session minutes of 8/2/10 II, 9/7/10 II & 10/4/10 I;*
- *appoint Phyllis Calloway to replace Brent McNeill as Deputy Finance Officer for the Jail Commissary Account and set bond for \$10,000, effective February 7;*
- *appoint Suzanne Dale to replace Jane Leonard as Deputy Finance Officer for the County and set bond at \$500,000, effective March 1, and authorize her signature on all bank accounts;*
- *reappoint Wilbert Hancock, Ken Austin, Bernard Beck and Bobby Allen to the Voluntary Agricultural District Adv. Bd.;*
- *adopt Budget Amendment #24 for Health Department (H1N1 Grant), as follows;*

2010-2011 BUDGET ORDINANCE		
General Fund—Amendment #24		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$80,000	
Appropriations	Increase	Decrease
<i>Public Health</i>	\$80,000	

- *adopt Budget Amendment #25 for Administration (Safety & Wellness Grant), as follows;*

2010-2011 BUDGET ORDINANCE		
General Fund—Amendment #25		
Revenues	Increase	Decrease
<i>Miscellaneous Revenue</i>	\$7,500	
Appropriations	Increase	Decrease
<i>Administration</i>	\$7,500	

- adopt Budget Amendment #26 for Cooperative Extension (Farmland Protection Plan Development Grant), as follows;

2010-2011 BUDGET ORDINANCE		
General Fund—Amendment #26		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$25,000	
Appropriations	Increase	Decrease
<i>Cooperative Extension</i>	\$25,000	

- adopt Budget Amendment #27 for Jail Renovation, as follows;

2010-2011 BUDGET ORDINANCE		
General Fund—Amendment #27		
Revenues	Increase	Decrease
<i>Appropriated Fund Balance</i>	\$200,000	
Appropriations	Increase	Decrease
<i>Sheriff</i>	\$200,000	

- appoint Nan Kemp to the Randolph County Historic Landmark Preservation Commission to fill unexpired term;
- approve Budget Amendment #28 to purchase Jury Selection/Management Software for Clerk of Court, as follows;

2010-2011 BUDGET ORDINANCE		
General Fund—Amendment #28		
Revenues	Increase	Decrease
<i>Appropriated Fund Balance</i>	\$13,000	
Appropriations	Increase	Decrease
<i>Other Public Safety Appropriations</i>	\$13,000	

- appoint Lorie White to fill Seat One, representing the Hotel/Motel Industry in Archdale.
- Appoint Robbin Adams to Adult Care Home Advisory Committee.

Changes to New Business

Chairman Holmes stated that *Item F: Approve CDBG Language Action Plan* had been removed from the agenda

Randolph Community College (RCC) Capital Projects Update

Dr. Robert Shackelford, RCC President, introduced Board members, Senior Leadership Academy Team members and staff who were present at the meeting.

Dr. Shackelford thanked the Board for their continued support of RCC and its commitment to the community. Via a PowerPoint presentation, he reviewed recently completed projects totaling \$708,000, current capital projects totaling \$1,519,602, future critical capital needs totaling \$8,287,398 and additional needs of the master facility plan, which include land acquisitions and future buildings, totaling \$22,557,000.

Presentation of Proposed Health Savings Account Program for County Employees

Human Resources Director Stacy Griffin stated that in an effort to be future oriented and strategic in our approach to managing the rising costs of employer provided health care coverage, she asked the Board to consider offering a second option to employees for medical coverage. The option would be a high deductible plan with a Health Savings Account (HSA) option. In doing so, the County would like to engage MARK III Brokerage, our current benefits broker, on all products except the NCACC medical plan, to help us educate employees and implement and manage the new medical plan option. The first step in the process is to provide education on a high deductible HSA plan and its benefits to each employee so that we all have the same understanding as to the benefits of such a plan. If approved, the plan is to offer the HSA option this year at the May annual enrollment at no cost differential to our current PPO (Preferred Provider Organization) plan. Ms. Griffin stated that eventually, as health care costs continue to rise, we will be positioned to offer the HSA as the 100% employer paid option and continue to offer the PPO plan, but with the understanding that to stay enrolled in the PPO plan, an employee will be required to pay a percentage of the monthly premium. We believe this is a win-win approach in that the employees will still have excellent health care options and the County will be strategic and forward thinking in managing our risk associated with ever increasing health care costs.

Mark Browder, Mark III Brokerage, gave a PowerPoint presentation comparing the PPO and FSA (Healthcare Flexible Spending Account) to an HSA. Mr. Browder explained that a HSA is similar to a PPO except that a HSA has a high deductible, which is required by the federal government; no co-payments; and one pays 100% of health care and prescription costs until the deductible is met. A patient's costs stop when deductible and coinsurance limits are met. An employee contributes tax-free, uses the money to pay for medical expenses tax-free and the interest earned is tax-free. A Visa Debit Card would be issued to the employee to be used at pharmacies or healthcare facilities. Mr. Browder stated that the HSA plan is not a "use it or lose it" account.

Commissioner Haywood made the motion to approve the contract with Mark III for \$17,800 for HSA education, implementation and monitoring, effective July 1, 2011. The motion died for lack of a second. After discussion, the Board asked Ms. Griffin to bring the issue back to the Commissioners at another meeting, thereby allowing them some time to research on their own prior to making a decision.

Economic Development Corporation (EDC) Annual Report

Bonnie Renfro, Economic Development Corporation President, introduced EDC Board President Laura Wilson. Ms. Wilson thanked the Board for their support of the EDC's efforts to bring strong businesses to Randolph County.

Ms. Renfro presented the EDC's annual report, saying that despite the continuing struggle of the economy from a deep recession in 2010, the EDC announced the creation of 564 new jobs linked to new capital investments of \$206,700,000 by 25 companies. The projects will impact 1,137,000 square feet of industrial and commercial real estate and secure \$958,242 in grant dollars for infrastructure and vacant building renovation. For Randolph County this means new job opportunities, greater income, increased tax base to fund needed services, productive reuse of vacant buildings, expanded infrastructure and construction activity.

Harry Lane, EDC Existing Industries Coordinator, reported that also in 2010, the EDC made 202 visits to existing companies. Twenty-three percent of these companies show an increase in sales, 50% showed their sales remaining stable and 27% showed a decrease in sales. Regarding employment for those same companies, 11% increased, 82% remained stable and only 6% decreased.

Mr. Lane concluded by saying that many companies have weathered the recession by reducing costs and developing new strategies, and he feels they are optimistic in projecting that business will continue to slowly improve throughout 2011.

Presentation of Fatal Flaws Study at Solid Waste Facility

David Townsend, III, Public Works Director, stated that in August of 2010, the Board approved a contract with Golder Associates to perform several studies including a Site Evaluation and Fatal Flaw Study for a proposed Regional Solid Waste Facility. The studies are required by the State in order to move forward in developing a regional solid waste facility.

Representatives from Golder Associates, Rachel Kirkman, Senior Geologist, and Charles Hiner, PE, Associate and Senior Consultant, were present and shared information about the study via a PowerPoint presentation.

An alternate site evaluation is required by state statute evaluating potential sites based on select criteria. Based on alternate site evaluation, the existing landfill property at 1252 County Land Road, Asheboro, appears to be the most suitable for landfill development and the demographic review does not indicate that continued operation of a landfill at the existing landfill property would disparately impact any minority population or disadvantaged socio-economic group. The site is expected to be able to support a 50-acre landfill in the western portion of the site. If adjacent parcels could be purchased it is expected to support a 75-acre landfill.

Under the fatal flaw evaluation, other criteria that limit or prevent use of property must be considered, such as nearby airports, faults/seismic impact zones, State Nature and Historic Preserve, National Wildlife Refuge, State Game Lands, State Parks and water supply watersheds; no issues were identified for the County land. Additional investigation is warranted for wetlands/streams/100-year floodplains, cultural resources and threatened/endangered species, and vertical separation from bedrock and groundwater.

Golder representatives stated that the anticipated date for draft submittal for the preliminary hydro geologic and soil evaluation is mid-March, and the conceptual design/site layout and preliminary economic evaluation by end of March

Ms. Kirkman stated that following favorable results of the market study, financial analysis and site suitability report, an application to permit to construct could happen as early as fall 2011.

Approval to Begin Phase II Study on Proposed Regional Landfill

David Townsend, III, Public Works Director, said that Golder Associates has completed the initial fatal flaw and environmental assessments on the proposed regional landfill. The

next stages are 1) a market study to evaluate market conditions to determine the economic feasibility of such an operation and 2) a financial evaluation to determine the costs of permitting, construction, operation, and closure/post-closure costs of the facility. The fee for these evaluations is \$25,000, to be paid out of the Landfill Closure Fund.

On motion of Frye, seconded by Kemp, the Board voted unanimously to authorize the Phase II Study on the proposed regional landfill, to approve the contract and related budget amendment #29, as follows:

2010-2011 BUDGET ORDINANCE		
General Fund/ Landfill Closure Fund—Amendment #29		
Revenues	Increase	Decrease
<i>Appropriated Fund Balance</i>	\$25,000	
Appropriations	Increase	Decrease
<i>Landfill Post-Closure Expenditures</i>	\$25,000	

US Hwy 64 Update

David Townsend, III, Public Works Director, stated that the Hwy 64 E water line will be able to be extended another 430 feet east due to unused NC Rural Center grant funds. Consequently, the water line will have been extended 500 feet more than originally projected.

Approval to Purchase Viper Equipment at 911

Donovan Davis, Emergency Services Director, stated that Emergency Services is ready to move forward with the VIPER radio project. The project will be implemented in phases. Phase 1 will be to upgrade the 9-1-1 Center console software and adding necessary hardware. Phase 2 will be to write an RFP to revamp the VHF paging system needed for Fire and EMS, with plans to publish it sometime in March. Phase 3 will be to purchase portable and mobile radios for field units. Mr. Davis expects to make the cutover to VIPER by July 2012, six months prior to the FCC deadline.

Mr. Davis also gave an update on the VIPER towers. The construction on the new Franklinville/Staley tower is near completion and expected to be online during the first quarter of 2011. Construction on a new tower at the NC DOT camp site in south Asheboro has not started, but is expected to start during the first quarter of 2011. The Riverdale tower, just inside the Guilford County line, was reported to be turned on today.

Mr. Davis requested approval for two (2) purchases to begin the VIPER radio project:

1. Approve software upgrade for the 9-1-1 consoles to Amerizon Wireless, Inc., our current radio vendor, in the amount of \$156,829.98. The main components of the console system will remain. Funds will be taken from the Emergency Telephone Fund.
2. Approve the purchase of necessary radio hardware equipment at the 9-1-1 Center, to Amerizon Wireless, Inc., our current radio vendor, in the amount of \$156,223.52. This coincides with the necessary software upgrade and adds to the current system. All equipment is on State contract. Funds will be taken from the

unrestricted public safety portion of the Emergency Telephone Fund, pursuant to last year's legislative change.

On motion of Haywood, seconded by Kemp, the Board voted unanimously to approve the purchase of the software upgrade for 911 consoles from Amerizon Wireless in the amount of \$156,829.98 and the purchase of the radio hardware equipment, also from Amerizon Wireless, in the amount of \$156,223.52, all using Emergency Telephone Fund monies, in order to begin the upgrade process to the Viper System for 911, as requested above.

Update on Volunteer Fire Department Audits

Will Massie, Finance Officer, said that the Board of County Commissioners is authorized under Session Law 2007-217 to require audits from volunteer fire departments. In March 2007, Randolph County established a timetable in order to improve financial accountability to citizens served by volunteer fire departments. The County offered a four-year phase-in to allow departments time to work toward accumulating the financial information and developing internal controls needed for an audit.

Mr. Massie stated that Randolph County believes an audit is a worthwhile effort to protect each department, board treasurer, and the board of directors of each department. Having a yearly financial audit provides discouragement for fraud and increases the confidence of taxpayers and others who rely on the financial information and provide support to the department.

Mr. Massie reported that many volunteer fire departments are now fully compliant with the County's request in obtaining an audit. While some departments are still behind schedule, all are now taking some measures toward compliance. However, Mr. Massie said that beginning with the fiscal year ending in 2011, the County expects an annual audit performed of every department's financial statements.

Approval to Proceed with Fire Tax District Expansion Process; Public Hearing Set

Aimee Scotton, Associate County Attorney, stated that years ago, when the existing fire tax districts were initially formed, only those properties that were located close enough to the fire departments to receive a break on their homeowners' insurance were included in the tax district. The philosophy was to put the burden of paying the tax upon the people who were paying less for their insurance. It is important to note, however, that everyone in Randolph County is in the response district for a fire department; everyone in Randolph County receives services, not just those who are located in a tax district. The practical effect is that the few are paying for the many. Those in the tax district are footing the bill for everyone in the response district. The local fire departments have approached the County to request that the fire tax districts be expanded to include everyone in their response districts. In other words, they would like for everyone to pay for the services that they receive.

Randolph County has local legislation in place that prescribes a method for adding adjoining territory into an existing fire district by resolution adopted by the Board of County Commissioners. This method is contained in Section 2 of Chapter 502, Session Laws of 1985. It basically requires that the Board hold a public hearing prior to the adoption of the resolution. Before the public hearing, the Commissioners shall have a report prepared containing a map of the district and the territory proposed to be added, showing both the

present and the proposed boundaries of the district. This report must be made available for public inspection in the office of the Clerk to the Board for at least two weeks prior to the date of the public hearing. Notice of the hearing must be published at least once, not less than two weeks before the hearing. Notice must also be mailed to the owners (as shown by the county tax records) of all property located within the area to be added at least two weeks before the hearing. The notice must state the date, hour and place of the hearing and its subject, along with a statement that the above-mentioned report is available for inspection in the office of the Clerk to the Board. If the area of a fire protection district is increased pursuant to this section, the increase shall take effect at the beginning of the next succeeding fiscal year after the action is taken, in this case, July 1, 2011.

Ms. Scotton, on behalf of local fire departments, requested that the Board set public hearings to allow for the expansion of the following fire tax districts: Coleridge/Erect, Eastside, Fairgrove, Farmer, Franklinville, Northeast, Randleman, Seagrove, Sophia, Southwest, Tabernacle, Ulah and Westside.

On motion of Kemp, seconded by Frye, the Board voted unanimously to set Fire Tax District public hearings to begin at 5:30 p.m. on April 4, 2011 and to direct the Tax Department to prepare a map showing present and proposed boundaries of each district, and for this map to be made available for public inspections in the office of the Clerk to the Board no later than March 14, as requested.

Adoption of Resolution Approving 5-Year Lease Agreement with Archdale Chamber of Commerce

Associate County Attorney Aimee Scotton stated that when the County purchased the building located at 213 Balfour Drive in Archdale from the Lions' Club, the front office space was already being rented by the Archdale-Trinity Chamber of Commerce. The County assumed this rental agreement upon the purchase of the property. The original rental agreement with the Lions' Club has expired and the lease has been renegotiated with the County.

Pursuant to the terms of the new lease, the Chamber will pay monthly rent of \$400 for the front office space in that building. The County does not use this space and has no plans to use it in the future. This is a five-year lease with an option for the Chamber to renew for one additional five-year term. Ms. Scotton stated that State law allows a County to enter into a lease for ten years or less upon passing a resolution at a regular meeting after publishing notice of intent to do so. Notice has been duly published.

On motion of Frye, seconded by Lanier, the Board voted unanimously to adopt a resolution approving the lease agreement with Archdale Chamber of Commerce, as follows:

**RESOLUTION AUTHORIZING THE LEASE OF OFFICE SPACE TO
THE ARCHDALE-TRINITY CHAMBER OF COMMERCE**

WHEREAS, Randolph County is the owner of a building located at 213 Balfour Drive in Archdale, North Carolina; and

WHEREAS, when Randolph County purchased said building, the office space at the front of the building (hereinafter the "Premises") was encumbered by a lease to the Archdale-Trinity Chamber of Commerce (hereinafter the "Chamber"), said lease now having expired; and

WHEREAS, Randolph County finds that the office space at the front of the building is surplus to the County's needs; and

WHEREAS, Randolph County and the Chamber have agreed upon a lease under which the Chamber will lease the Premises for a term of five years, beginning March 1, 2011, with the right to renew the lease for one additional term of five years; and

WHEREAS, in consideration of leasing the Premises, the Chamber has agreed to pay annual rent of Four Thousand Eight Hundred Dollars (\$4800.00); and

WHEREAS, North Carolina General Statute §160A-272 authorizes the County to enter into lease of up to ten years upon resolution of the Board of Commissioners adopted at a regular meeting after ten days' public notice; and

WHEREAS, the required notice has been published and the Board of Commissioners is convened in a regular meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Randolph County, this 7th day of February, 2011, that the Board of Commissioners hereby approves the lease of the County property described above to the Archdale-Trinity Chamber of Commerce for five years, with the lessee holding a right to renew for an additional five year period and directs the Chairman of the Board of Commissioners to execute any documents necessary to the lease.

Approval of Sanitary Sewer Easements to City of Trinity

Associate County Attorney Aimee Scotton stated that the City of Trinity has requested that Randolph County grant the City sanitary sewer easements in the following two locations:

1. Trinity Furniture Project for a proposed force main to connect to the existing pump station at Wheatmore High School; and
2. A gravity line running parallel with Mendenhall Road Extension and the eastern property line near Trinity High School.

The proposed easements were prepared by City Attorney Bob Wilhoit.

North Carolina General Statute 160A-274 allows any governmental unit to convey any interest it owns in real or personal property to another governmental until at its discretion, with or without consideration. The only requirement is that action under this section be taken by the governing body of the governmental unit.

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve sanitary sewer easements to the City of Trinity, as requested, and authorized the Chairman to sign the easements.

Closed Sessions—Economic Development

At 6:14 p.m., on motion of Frye, seconded by Kemp, the Board 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).

Regular Session Resumed

At 6:28 p.m., the Board returned to regular session.

Recess

At 6:28 p.m., the Board took a short recess.

Rezoning Public Hearing

At 6:30 p.m., the Board adjourned to a duly advertised public hearing to consider a rezoning request. Hal Johnson, Planning Director, presented the following request, and Chairman Holmes opened the public hearing for comments on the request and closed it before taking action.

1. FRED DAVIS, Asheboro, North Carolina, is requesting that 3.65 acres (out of 9.38 acres), located at 1321 Caraway Mountain Road, Back Creek Township, be rezoned from LI-CU to LI-CD, and the remainder of the property to be rezoned LI-CU to RA. Secondary Growth Area. The proposed Conditional Zoning District would allow the existing building to continue to be used as a tool & die shop, small engine & automotive repair, and retail sales & service of farm equipment. In addition, the owner would be allowed to construct five warehouse storage buildings (four - 30' x 150' and one - 12' x 150') to be used for a mini-warehouse self-storage facility as per site plan. The Planning Board reviewed this request at public meeting on January 4, 2011, and unanimously recommended that this request be approved with the following conditions:

** access to the property shall be from Green Farm Road (not Caraway Mtn. Road)

** that appropriate buffers site plan be worked out with Planning Staff prior to Commissioners Meeting.

The Planning Board found the following policy within the 2009 Growth Management Plan that support determination of consistency with the adopted plan with this recommendation:

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

On motion of Haywood, seconded by Kemp, the Board voted unanimously to approve the request of Fred Small, as determined consistent with policies contained within the adopted Growth Management Plan and with the recommended conditions outlined by the Planning Board.

Adjournment

At 6:34 p.m., there being no further business, the meeting adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Stan Haywood

Arnold Lanier

Amanda Varner, Deputy Clerk to the Board