

# MINUTES

## RANDOLPH COUNTY PLANNING BOARD

**August 4, 2009**

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, August 4, 2009, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Chris McLeod** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: **Chris McLeod**, Chairman, present; **Reid Pell**, Vice Chairman, present; **Larry Brown**, present; **Phil Ridge**, present; **Jim Rains**, present; **Lynden Craven**, present; **Wayne Joyce**, present; and **Danny Shaw**, Alternate, present. **County Attorney Darren Allen** was present for the meeting.
3. **Pell** made the motion, seconded by **Joyce**, to approve the Minutes of the July 7, 2009 Randolph County Planning Board meeting. The motion passed unanimously
4. **SPECIAL USE PERMIT REQUEST:**

*Swearing in of the Witnesses - "Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God."*

- A. **BOBBY MCPEEK**, Seagrove, North Carolina, is requesting a Special Use Permit for a Planned Rural Development (4 homes for family members) at his property located at 6704 Bennett Road, 38.02 acres, Brower Township, Rural Growth Area, Zoning District RA, Tax ID# 8615535242.

**Donnie McPeek**, son, said his father would like to add two additional homes for his granddaughters. McPeek said he lives on the property and they would like to locate his daughters on the property also. McPeek explained that in the future the property would be divided. McPeek said they would not be creating any new driveways. McPeek said his father has owned the property for 19 years.

**There was no one present in opposition to this request.**

**Brown** said he felt this would meet the requirements for a Special Use Permit. **Brown** made the motion, seconded by **Craven**, to approve this request. The motion passed unanimously.

- B. **EMMANUEL DAY SCHOOL**, Randleman, North Carolina, is requesting a Special Use Permit for a Private Day School (K-9th grade) in an existing church facility located at 4215 New Hope Church Road, 3.14 acres, Union Township, Secondary Growth Area, Zoning District RA, Tax ID# 7656672103. Property Owners - New Hope United Methodist Church.

**Dr. Jerry Cruthis**, said he has been in Christian education for the past 10 years. Cruthis said they have looked at several properties. Cruthis said one of their board members is the pastor of New Hope United Methodist Church. Cruthis said they have been approved for 49 occupants (students and teachers). Cruthis said the school is from August through June. Cruthis said they operate under state requirements for non-public schools. Cruthis said they are inspected quarterly by the State. Cruthis said the staff will include: 7 teachers, 1 administrator, and 2 assistants. Cruthis said the school is not currently operating, but they do have some students registered. Cruthis said the teachers are not required to have state certification. Cruthis said the teachers are required to have at least a 2-year degree and they certify their teachers. **Allen** asked what the student age range would be, and **Cruthis** answered K-9.

**Johnson** asked if they had looked at other facilities, and **Cruthis** answered yes. **Johnson** asked why they chose this facility, and **Cruthis** answered that the basement of this facility is set-up with classrooms. **Cruthis** said that the school is privately funded by fund-raisers and tuition. **Johnson** asked Cruthis how many students would be permitted, and **Cruthis** answered 49 students. Cruthis added that they only plan to be in this facility for one year and then move to their own facility next year.

**Kelly Ottinger**, Pastor, New Hope United Methodist Church, said they are currently increasing their membership with lots of children coming into the church. Ottinger said they are combining their youth groups with other Methodist Churches in the area. Ottinger said they are looking to begin a children's service in September of this year. Ottinger said they see this private school as another opportunity to serve the children in this community. Ottinger said the church rarely uses the facility during the week and they feel this would be good for the community. Ottinger said the rent will be just enough to cover the utilities used by the school. Ottinger said their church council has voted 10-2 to using the facilities for this school. Ottinger said they are gathering the paperwork and the attorneys are working up the contracts at this time. **Brown** asked what the church plans to do about funerals. **Ottinger** said the school could function completely downstairs if necessary.

**Johnson** asked Ottinger if the church is physically able to handle this and was this

an opportunity for church growth. **Ottinger** said yes. **Johnson** asked what the church would do if this situation didn't work out. **Ottinger** answered they will have an escape clause if it is not working out for the church.

**Victoria Satterfield**, mother of registered student, said her children have always been in a Christian school. Satterfield said this was the most important thing to her. Satterfield said the knowledge that her children have come home with is incredible. Satterfield described Emmanuel Day School as amazing. Satterfield said this is a great thing.

**There were 18 citizens present in support of this request.**

**Bruce King**, 4235 New Hope Church Road, adjoining property owner, said that he and his mother own the property that surrounds the church. King described the area as rural and explained that he has horses in the pasture behind the church. King said he has an electric fence on his property and is concerned about his liability. King said his horses can put their heads over the fence and he is concerned that his horses may bite someone. King said he is also concerned about a child possibly getting hurt trying to go into his pasture after a ball. King said he fertilizes his property with chicken litter and is concerned about people complaining of the smell. King said he is also concerned about noise. King said that the cows bellow night and day sometimes. King said he was also concerned about how gun laws may change for him if his property is next to a private school. **Allen** said he was not aware of any law that would prevent him from having his personal guns on his property. **Brown** asked King how the building being used as a school would be so different than when it is used as a church. **King** answered that most of the time the church is only used 2 hours a week instead of 7 hours per day 5 days a week. King added that most of the time children are supervised by their parents at church, and children are not supervised by their parents in school. **Johnson** said that if the permit is issued, the permit will be valid as long as the property is being used for the purpose that has been described by the applicant. Johnson said if they wanted to build a bigger building on the property they would have to come back to this Board. **King** said he is concerned that the 2 septic tanks on the property would not handle the school. King said in the past one of the septic tanks spilled out and onto his property. King expressed concern for his well.

**David Voncannon**, church member, said he is opposed 100% to the church being used as a school. Voncannon said that the members of the church didn't know about this until after inspections had been made and letters had gone out concerning this meeting. Voncannon said this has not cleared the vote of the people in this church. Voncannon said he didn't see why the County should

approve something before it is approved by the church members and the church conference. Voncannon said the safety of the kids should be the first concern. Voncannon said that the septic tank is not even recorded in the Health Department because it is so old. Voncannon said this road is a small narrow road and could be a problem.

**Kenneth Meyers** said he has been a member of this church for 26 years. Meyers said that his 17-year old daughter is the president of the youth group and is on the committee that voted on this matter. Meyers said his daughter voted against it. Meyers said they are against this.

**Gene Smith** said that he lives across the road in front of the church. Smith said he and his wife remodeled his wife's home place to move here 4 months ago. Smith said that the preacher said this would benefit the community. Smith said that no one has welcomed them back to this community from the church and he couldn't see how this could benefit them. Smith said they are opposed to this school. Smith said there is no posted speed limit on this road and the road is dangerous.

**There were 12 citizens present in opposition to this request.**

**Brown** asked Ottinger how many students would attend this private school. **Ottinger** answered 49 students. **Brown** asked how many people attend church on Sundays, and **Ottinger** answered approximately 100. **Johnson** asked about the septic tank issues, and **Ottinger** said the Health Department has approve the facilities for the school. **Brown** asked if the church has approved the church to be used as a school. **Ottinger** said the Board of Directors asked for the inspections to be done first. **Ottinger** said the inspections passed and they took it to the Board of Trustees for approval. Ottinger said they then took it to the Church Council, who approved it by a vote of 10-2. Ottinger said once the contract is completed the church will look at the contract, and it will go to the charge conference. Ottinger said the district superintendent could bring it to the entire church or just to the church council for approval.

**Rains** asked if the special use permit would be to Emmanuel Day School or to the church. **Allen** said that the school would cease to operate if Emmanuel Day School didn't operate it. Allen said if another school came in they would have to come back to the Board.

**Dr. Cruthis** said that if anything (accidents) were to happen the school would be liable. Cruthis said that if anything happened, the children would be covered by Emmanuel Day School's insurance. Cruthis said that if King's horse bit a child it

would be the liability of Emmanuel Day School. Cruthis said they are fully insured. Cruthis said the septic tank has been approved by the County Health Department. **King** asked if a student came on his property would the child be covered by the school, and **Cruthis** said the school's policy would cover the child. **King** asked if this could be placed in writing by Dr. Cruthis, and **Cruthis** agreed to do so.

**Rains** read the 4 tests that must be considered by the Board. Rains said that his understanding of the church, there would be a very strict discipline of how things are approved through the Methodist Church. **Allen** said this could not be part of the Board's consideration.

**Ridge** asked if it would be appropriate to add to the permit that the children be contained on the church property; and **Allen** answered that would be reaching beyond the scope this Board could control.

**Brown** made the motion, seconded by **Craven**, to approve this request for a Special Use permit. The motion passed by a vote of 6 to 1. *Rains voted against the motion.*

5. The meeting adjourned at 7:33 pm. There were 36 citizens present for this meeting.

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NORTH CAROLINA  
RANDOLPH COUNTY

*HAL JOHNSON*

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Planning Director

*JILL WOOD*

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Date

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Clerk/Secretary