

Board of Commissioners Meeting Minutes

March 12, 2007

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. Kim Newsom, County Personnel Director, gave the invocation and everyone recited the Pledge of Allegiance.

Public Comment Period

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

Approval of Consent Agenda

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

- *approve 2/5/07 regular meeting minutes & unseal 7/10/06, 2/6/06, 4/3/06, 7/10/06-I, 7/10/06-II, 9/5/06-I, 9/5/06-II, 9/5/06-III, 10/2/06, 11/6/06-I, 11/6/06-II closed session minutes;*
- *reappoint Dick Peterson & Michael Ayers to the Board of Equalization & Review;*
- *appoint Bettie Knight to the Adult Care Home Advisory Committee (1-year initial term);*
- *approve 2008 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 (Tues.)</i>	<i>1/1 (Tues.) closed</i>	<i>1/1 (Tues.)</i>
<i>M.L.King Jr.'s B-day</i>	<i>1/21 (Mon.)</i>	<i>1/21 (Mon.) open</i>	<i>1/21 (Mon.)</i>
<i>Easter</i>	<i>3/21 (Fri.)</i>	<i>3/21 (Fri.) open 3/22 (Sat.) closed</i>	<i>3/21 & 3/22 (Fri. & Sat.)</i>
<i>Memorial Day</i>	<i>5/26 (Mon.)</i>	<i>5/26 (Mon.) closed</i>	<i>5/26 (Mon.)</i>
<i>Independence Day</i>	<i>7/4 (Fri.)</i>	<i>7/4 (Fri.) closed</i>	<i>7/4 (Fri.)</i>
<i>Labor Day</i>	<i>9/1 (Mon.)</i>	<i>9/1 (Mon.) closed</i>	<i>8/30, 9/1 (Sat. & Mon.)</i>
<i>Fall Festival (Asheboro Library only)</i>			<i>10/4 (Sat.)</i>
<i>Veterans' Day</i>	<i>11/11 (Tues.)</i>	<i>11/11 (Tues.) open</i>	<i>11/11 (Tues.)</i>
<i>Bush Hill Festival (Archdale Library Only)</i>			<i>11/15 (Sat.)</i>
<i>Seagrove Pottery Festival (Seagrove Library Only)</i>			<i>11/22 (Sat.)</i>
<i>Thanksgiving</i>	<i>11/27 & 11/28 (Thur. & Fri.)</i>	<i>11/27 (Thur.) closed, 11/28 (Fri.) open, 11/29 (Sat.) open</i>	<i>11/27, 11/28, 11/29 (Thur., Fri., Sat.)</i>
<i>Christmas</i>	<i>12/24, 12/25 & 12/26 (Wed., Thurs., Fri.)</i>	<i>12/24 (Wed.) close at noon, 12/25 (Thurs.) closed, 12/26 (Fri.) open</i>	<i>12/24, 12/25, 12/26 (Wed., Thurs. Fri.)</i>

- *adopt DOT Resolution adding Hollings Road to State Roads System, as follows:*

WHEREAS, the Department of Transportation has investigated Hollings Road in the Woodmere Park Subdivision; and

WHEREAS, the subject street has been found to meet minimum requirements for addition.

NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that Hollings Road in the Woodmere Park Subdivision be added to the Division of Highways' Secondary Road System.

- *approve Budget Amendment #31 for Public Health (Environmental Health Food & Lodging), as follows:*

2006-2007 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #31		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Restricted Intergovernmental Revenues</i>	\$5,159	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Public Health</i>	\$5,159	

- approve Budget Amendment #32 for ROAP Grant (RCATS), as follows:

2006-2007 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #32		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Restricted Intergovernmental Revenues</i>	\$30,169	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Other Human Service Appropriations</i>	\$30,169	

- approve Budget Amendment #33 for Timken Economic Development Incentive, as follows:

2006-2007 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #33		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Transfer from Economic Development Reserve</i>	\$50,000	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Other Economic & Physical Development</i>	\$50,000	

Regional Partnership Workforce Development Board Annual Report

David Smith, Workforce Development Board member, reviewed the 7/1/2005-6/30/2006 Annual Report of the Regional Partnership Local Area. He said that 125 people were served in the JobLink program and 42 participated in the Building Futures Youth program, with 17 people earning diplomas and six entering employment.

Update on Area Agency on Aging

Blair Barton-Percival, Piedmont Triad Council of Governments Area Agency on Aging, said that the Agency is responsible for planning, developing, implementing, and coordinating aging services for seven counties (including Randolph) in the Piedmont Triad and their 171,268 residents age 60 and older. About \$6.6 million in federal, state and local funding, including Home and Community Care Block Grants, Title IIID, Title IIIE, Senior Center and Legal Services, are available to the aging. Services include in-home aides, transportation, nutrition, senior centers, information and assistance, group respite and adult day care.

Sabrena Lea, PTCOG Long-Term Care Ombudsman, said that she represented the institutional side of long-term care. About 1% of the Older Americans Act funding is dedicated to advocacy to insure that older and disabled adults have full knowledge of services available to them and to insure that their rights are respected. Randolph County has 6 nursing homes, 11 adult care homes and 8 family care homes. She said that the Agency investigates concerns/complaints, mediates disputes, monitors plans of correction, advocates for residents, provides education/training/consultation, provides information and referral, and

advocates for reform in long-term care policies. She thanked the Board for appointing outstanding volunteers to the Nursing Home and Adult Care Home Advisory Committees.

Approval of Asheboro City Schools’ Zoo School and Budget Amendment

Harold Blair, Finance Officer for Asheboro City Schools, introduced Dr. Denise Jennings, Assistant Superintendent of Curriculum and Instruction, who presented a PowerPoint program on the proposed Asheboro High School Zoo School. She said that the Zoo School is an opportunity for students to experience high school differently. The NC Zoo will be the setting for the program and will serve as a laboratory for learning. It will offer a smaller learning community of 80-100 students working on a rigorous curriculum through a science focus. The school will still be a part of Asheboro High School but will add flexibility for those students with science interests outside of the standard high school setting. Students will attend one class on the Asheboro High School campus, then finish their school day in core courses at the Zoo School. English, math, science and social studies will be taught at the Zoo School with a science focus, meaning examples and applications will be science related. Tenth, eleventh and twelfth grade students may participate. One hundred twenty-two applications were received and 100 students have been selected for the first year. A modular unit containing classrooms, labs, and offices will be erected in the parking lot of the North American entrance of the Zoo.

Dr. David Jones, NC Zoo Director, spoke in support of the Zoo School.

Heather Soja, lead teacher at the Zoo School, answered questions from the Board.

Harold Blair said that the Asheboro City Schools are proposing to use \$217,500 of Public School Building Capital Fund (ADM) funds to establish the Zoo School campus. The application requires approval from both the School Board and the County Commissioners. The School Board requested that the County commit to the required 25% match of \$72,500.

On motion of Haywood, seconded by Frye, the Board voted unanimously to support the establishment of the Zoo School campus, to approve Budget Amendment #34, as follows, which transfers \$72,500 from the General Fund to the Asheboro City Schools Capital Project, and Budget Amendment #5, as follows, which recognizes the matching contribution, and authorized the Chairman to sign the application.

2006-2007 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #34		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Appropriated Fund Balance</i>	\$72,500	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Transfer to City School Capital Project</i>	\$72,500	

2006-2007 ASHEBORO CITY SCHOOLS CAPITAL PROJECT ORDINANCE—AMENDMENT #5		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Transfer from General Fund</i>	\$72,500	
<i>Restricted Intergovernmental</i>	\$217,500	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Project Costs-Zoo School</i>	\$290,000	

Request from RCC Regarding Early College High School Capital Needs

Dr. Bob Shackelford, RCC President, said that the first year of the Randolph Early College High School (RECHS) was very successful. One hundred students were enrolled the first year; however, additional building space is needed. He requested \$6,390,922 in funding for the construction (and equipment) of a 36,575 sq. ft. building.

Cathy Waddell, Principal of RECHS, spoke in support of the program, saying that of the 100 students enrolled, 97 are still enrolled. Currently, they have 310 new applications for the upcoming school year. She said that they hope to be in the new building by fall of 2008.

The Board stated that they would consider this request during their upcoming budget deliberations.

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

Pam Smith, Day Reporting Center Director, asked the Board to approve the grant application for FY 07-08 and to approve the contract between Randolph and Montgomery programs.

On motion of Kemp, seconded by Haywood, the Board voted unanimously to approve the application, as presented, for the Randolph County Criminal Justice Partnership Program for FY 2007-08, and to approve the contractual agreement with Montgomery County for another year.

Approval of Purchase of Fingerprint Station & Motorcycles with Law Enforcement Restricted Funds

Col. Allen McNeill, Randolph County Sheriff's Department, said that the N.C. State Bureau of Investigation has contracted with Printrax, a Motorola Company, to replace its latent fingerprint system. Consequently, the latent fingerprint machine owned by the Sheriff's Office will have to be replaced. However, once the state's new system is brought on line around the first of August 2007, our current system will no longer work. Because the state is forcing us to change our equipment because of their upgrade, they have offered to pay us \$32,436 for a very basic latent station. However, the basic equipment offered by the state would actually be a downgrade compared to our current system. Motorola has offered their full latent station at a discounted cost of \$68,000.00. The County would be allowed to apply the state grant amount of \$32,436 to that, which would bring our final cost to \$35,564. An additional \$9,000 is needed for the purchase of additional printers, which are not supplied. He asked the Commissioners to allow the Sheriff's Office to use \$44,564 in law enforcement restricted monies to purchase the Motorola Latent Station, and to approve the contract with the State of North Carolina accepting the grant amount of \$32,436. He also asked the Board to approve the purchase from Motorola based on the fact that the State of North Carolina has completed the bidding process and awarded this contract to Printrax, Motorola.

Col. McNeill also asked the Commissioners to approve the use of \$75,000 in law enforcement restricted monies for the Sheriff's Office to begin a motorcycle unit. Four Harley Davidson police motorcycles would be purchased at a cost of about \$54,800. An additional \$20,200 would be used to outfit the motorcycles with lights and other police equipment and to provide riding equipment for the operators. Initially, the unit would work special events.

On motion of Frye, seconded by Lanier, the Board voted unanimously to approve a contract with the state accepting a grant amount of \$32,436, to approve the purchase of a Motorola Latent Fingerprint station via state contract using \$44,564 in law enforcement restricted funds, to approve the use of \$75,000 in law enforcement restricted funds for the purchase of 4 Harley Davidson police motorcycles and equipment at a cost of no more than \$74,400, and to approve Budget Amendment #35 to effect these expenditures, as follows:

2006-2007 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #35		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	<i>\$152,000</i>	
Appropriations	Increase	Decrease
<i>Sheriff & Jail</i>	<i>\$152,000</i>	

Approval of Bid Award for Modems for Sheriff’s Office

Col. Allen McNeill said that the Sheriff’s Office has obtained a quote from the state contract vendor, Motorola Inc., for 19 Motorola VRM850 modems, as well as a mobile antenna and cable for each modem for patrol cars. The quote is \$2,468.93 for each unit, or \$46,909.67 for the 19 systems. He said that there are sufficient funds in the Sheriff’s budget for this purchase and asked the Board to approve and award the bid.

On motion of Haywood, seconded by Kemp, the Board voted unanimously to approve and award the bid for 19 modems with antenna and cable to Motorola, Inc. at a total cost of \$46,909.67.

Request for Jail Tour

Commissioner Frye asked Col. McNeill to arrange a tour of the jail for the Board soon.

Recess

At 6:00 p.m., the Board recessed until 6:30 p.m.

Rezoning Public Hearing

At 6:37 p.m., the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning and Zoning Director, 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. **GARRETT SMITH**, Asheboro, North Carolina, is requesting 59.64 acres located at Old Cedar Falls Road, Asheboro Township, be rezoned from RA to LI-CD. Secondary Growth Area. Tax ID# 7771190499. The proposed Conditional Zoning District would specifically allow metal fabrication in a proposed 100’ x 160’ building with future expansion as per site plan. The Planning Board reviewed this request at public meeting on February 6, 2007, and unanimously recommended that this request be approved as consistent with standards and policies contained within the Growth Management Plan.

Examples of Growth Management Policies that the Planning Board found supporting this recommendation are:

Policy 3.1 Industrial development should not be located in areas that would diminish the desirability of existing and planned residential use, nor should major subdivisions be allowed to encroach upon existing or planned industrial sites without appropriate buffers.

Policy 3.5 Warehousing, storage and distribution facilities should have direct access to appropriate thoroughfares and should be visually buffered according to their location.

Garrett Smith, applicant, said that he is running out of space and wants to move his inventory to the new site to keep it out of the way of the public. Currently, there are 30 total employees at all locations. He will keep the Luck Road site for retail business only.

On motion of Kemp, seconded by Lanier, the Board voted unanimously to approve the request of Garrett Smith, as consistent with the County's adopted comprehensive plans and as outlined in the recommendations provided by the County Planning Board.

2. **RUSSELL HACKETT**, Asheboro, North Carolina, is requesting that 19.18 acres out of 86 acres located on Old Country Farm Road, Back Creek Township, be rezoned from RA to CVOE-CD. Lake Reece Watershed. Secondary Growth Area. Tax ID# 7733733411. The proposed Conditional Zoning District would specifically allow the development of an 18-lot residential subdivision for site-built homes only with a minimum house size of 1,100 sq. ft. The Planning Board reviewed this request at public meeting on February 6, 2007, and unanimously recommended that this request be approved as consistent with standards and policies contained within the Growth Management Plan.

Examples of Growth Management Policies that the Planning Board found supporting this recommendation are:

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.e. leaving large vacant areas between developments).

No one spoke.

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the request of Russell Hackett, as consistent with the County's adopted comprehensive plans and as outlined in the recommendations provided by the County Planning Board.

Regular Session Reconvened

At 6:50 p.m., the Board reconvened to regular session.

Approval of Resolution Supporting Statewide Referendum on Bond Issue for School Facility Needs

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve a Resolution Supporting a Statewide Referendum on a Bond Issue for School Facility Needs, as follows:

WHEREAS, North Carolina has the fourth fastest-growing elementary school population in the nation; and

WHEREAS, the Department of Public Instruction's School Planning section 2006 Long Range Facility Plans recently identified \$9.7 billion of school facility needs over the next five years, and \$161,182,495 in needs in Randolph County; and

WHEREAS, the state's mandate that counties pay 15 percent of North Carolina's Medicaid share mandate is projected to cost Randolph County roughly \$7,453,637 during the 2007-08 fiscal year, compromising the county's ability to meet the demands for new classroom space and fund other critical infrastructure needs; and

WHEREAS, the North Carolina Education Lottery is projected to provide just \$140 million statewide for county school capital needs, and just \$1,399,497 for Randolph County; and

WHEREAS, a priority goal of the North Carolina Association of County Commissioners is to support legislation to provide state assistance to meet school construction needs caused by increased enrollment and mandated reduction in class size, through a statewide referendum on a bond issue and/or through authority for counties to raise additional revenues to meet school facility needs; and

WHEREAS, the N.C. Department of Public Instruction found the statewide average to construct a new school in 2006 to cost more than \$146 per square foot – up from a \$96.23 average in 2003;

NOW, THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners urges the North Carolina General Assembly to hold a statewide referendum on a bond issue for school facility needs.

FURTHER BE IT RESOLVED that copies of this resolution be transmitted to the members of the General Assembly representing Randolph County.

Approval of Resolution Supporting Local Option Sales Tax (½¢) for Education

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve a Resolution Supporting a Local Option Sales Tax (½¢) for Education, as follows:

***WHEREAS**, North Carolina is the only state in the nation that requires its counties to pay a fixed percentage of the state's Medicaid services costs; and*

***WHEREAS**, the counties' share of Medicaid services costs is expected to eclipse \$517 million during the 2007-08 fiscal year; and*

***WHEREAS**, counties are not allowed to set Medicaid policy, eligibility criteria, service options or provider rates; and*

***WHEREAS**, it is estimated that in the 2007-08 fiscal year Randolph County will spend \$7,453,637 or approximately seven percent of its expenditures for services to Medicaid eligible citizens; and*

***WHEREAS**, in Randolph County over 15 percent of property tax levy in Randolph County goes to support Medicaid and 14.22 percent of the population is Medicaid eligible; and*

***WHEREAS**, the Department of Public Instruction's School Planning section 2006 Long Range Facility Plans recently identified \$9.7 billion of school facility needs over the next five years; and*

***WHEREAS**, the county Medicaid mandate is compromising Randolph County's ability to meet the demands for new classroom space and fund other critical infrastructure needs; and*

***WHEREAS**, a one-half cent local-option sales and use tax could generate \$4,000,000 for Randolph County to help meet the demands for new classroom space and classroom improvements and fund other critical infrastructure needs;*

***NOW, THEREFORE, BE IT RESOLVED** that the Randolph County Board of Commissioners urges the North Carolina General Assembly to authorize Randolph County to enact a local-option, one-half cent sales and use tax to be used for public school capital outlay purposes.*

***FURTHER BE IT RESOLVED** that copies of this resolution be transmitted to the members of the General Assembly representing Randolph County.*

Approval of Resolution Supporting Medicaid Relief for Counties

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve a Resolution Supporting Medicaid Relief for Counties, as follows:

***WHEREAS**, Randolph County is projected to pay \$7,453,637 (capped 06-07) or 7 percent of its expenditures for services to Medicaid eligible citizens; and*

***WHEREAS**, the counties share of Medicaid reimbursements has increased 96 percent since 2000 and is projected to total more than \$517 million during the 2007-08 fiscal year; and*

***WHEREAS**, North Carolina is the only state in the nation that requires counties to pay a fixed share of all Medicaid services costs; and*

***WHEREAS**, Randolph County's per capita cost for Medicaid is approximately \$51.00; and*

***WHEREAS**, in Randolph County, Medicaid costs have increased 10.3 percent per year over the past 10 years.*

***NOW, THEREFORE, BE IT RESOLVED** that the Randolph County Board of Commissioners urges the North Carolina General Assembly to provide immediate Medicaid relief to Randolph County.*

***FURTHER BE IT RESOLVED** that copies of this resolution be transmitted to the members of the General Assembly representing Randolph County.*

Approval of 2007 Audit Contract

Will Massie, County Finance Officer, said that federal and state laws require a local government's annual audit to encompass testing of both financial statements and legal compliance, thus making it a specialized service. The County has historically maintained a lasting relationship with its independent audit firm, resulting in better service and a more efficient audit. Two years ago, the County obtained bids for audit services and chose Cherry Bekaert & Holland. Although we requested a three-year proposal, audit contracts are only awarded one year at a time. The audit fee for the 2007 fiscal year is \$51,700, as stated in the proposal. This is an increase of 4.2% over last year's fee of \$49,600. He recommended the Commissioners approve the contract with Cherry Bekaert & Holland for the audit of the fiscal year ended June 30, 2007 and authorized the Chairman to sign the contract.

On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the contract with Cherry Bekaert & Holland for the audit of the fiscal year ended June 30, 2007 and authorized the Chairman to sign the contract

Set Special Meeting Date for County Planning Retreat

On motion of Frye, seconded by Kemp, the Board voted unanimously to set the special meeting date for the County Planning Retreat for Saturday, March 17, at 8:00 a.m., at the Hampton Inn in Asheboro.

Announcements

Alan Pugh, County Attorney, reported that the Superior Court Judge has ruled that he would allow Mr. Pugh's motion to dismiss on Moore vs. Randolph County, et al. The Plaintiff's petition was for the Court to review the Board of Commissioners' recent amendment to the Growth Management Plan.

Richard Wells, Interim County Manager, and Commissioner Lanier, gave an update on the timber project at the solid waste facility. They said that the first 100 acres have been selected for timbering and the trees will be marked this week. Mr. Lanier also said that some of the currently open land will be set in pines soon.

Mr. Wells said that the new Central Permitting Office will open for business at its new Academy Street location on Monday, April 30. The Planning & Zoning, Building Inspections, Environmental Health and Addressing offices will be closed on April 26 and 27 in order to move.

Closed Session—Personnel [NCGS § 143-318.11(a)(6)]

At 7:13 p.m., on motion of Frye, seconded by Kemp, the Board voted unanimously to go into closed session 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).

At 8:24 p.m., the Board returned to open session.

Action Resulting From Closed Session; Appointment of County Manager

On motion of Frye, seconded by Lanier, the Board unanimously appointed Richard Wells as County Manager, removing his Interim status, and set his salary at \$120,000 per year, plus travel expenses.

Adjournment

There being no further business, the meeting adjourned at 8:24 p.m.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Stan Haywood

Arnold Lanier

Cheryl A. Ivey, Clerk to the Board