

**Board of Equalization and Review
April 4, 2006**

Chairman Maness reconvened the Board of Equalization and Review from its April 4, 2006 meeting. No one was present to appeal their property valuation.

Chairman Maness recessed the Board of Equalization and Review until April 18, 2006.

William D. Maness, Chairman

Laura B. Morton, Clerk to the Board

**Montgomery County Commissioner's Meeting
April 4, 2006**

**Chairman – William D. Maness
Vice Chairman – Sally M. Morris
Commissioner – Dolon W. Corbett
Commissioner – R.C. Bostic
Commissioner – George H. Knight, Jr.
County Manager – Lance L. Metzler
Finance Officer - Cathy S. Baxter
Clerk to the Board – Laura B. Morton
County Attorney – Russell J. Hollers**

The Montgomery County Board of Commissioners met in a regular session on Tuesday, April 4, 2006 at 6:00 p.m. in the Commissioner's Assembly Room. A full Board was present. *Chairman Maness reconvened the meeting and the following was heard:*

Invocation

Commissioner Bostic gave the invocation.

Consent Agenda

In a motion made by Commissioner Knight, seconded by Commissioner Bostic, and so the motion carried unanimously to approve the following consent agenda items:

- Budget Amendment 53-06 – Airport - \$24,444.00
- March 21, 2006 Work Session
- March 21, 2006 Regular Session

Public Forum

Teresa Greene and Cathy Thompson, co-chairpersons of the Relay for Life event were present. They requested the support of the Board of Commissioners for the efforts made in the Relay for Life fundraiser.

Public Hearing FY 2006-2007 Rural Operating Assistance Program (ROAP) Grant Application

Mr. Metzler explained this is a grant application to fund the Elderly and Disabled Transportation Assistance Program, the Work First Transitional/Employment Transportation Assistance Program and the Rural General Public Program amounting to \$84,328.

Chairman Maness recessed the regular session and called to order the Public Hearing for FY 2006-2007 Rural Operating Assistance Program (ROAP) Grant Application.

Mr. Roger King RCATS Transportation Director was present.

Commissioner Corbett asked Mr. King how many veterans RCATS transports to the VA Hospitals. Mr. King said he would look up the information and get back to Commissioner Corbett.

Approval of the FY 2006-2007 Rural Operating Assistance Program (ROAP) Grant Application

In a motion made by Commissioner Corbett, seconded by Commissioner Knight, and so the motion carried unanimously to approve the Application for the FY 2007-2007 Rural Operating Assistance Program (ROAP).

Appointment to the Badin Lake Fire Tax District

This item was tabled until the April 18, 2006 meeting.

Planning Board Report

Mr. Phil Henley presented the following Planning Board Report:

Barry Lamonds Rezoning Request

Mr. Barry Lamonds requested a one-acre plot located at 1311 Spies Road be rezoned from R3 to Commercial Use. Mr. Henley stated that all adjoining property owners were notified and he explained he had not received any calls or letters against this request. Mr. Lamonds is proposing to construct a Paint Ball Game facility. He stated this would give the youth in Montgomery County a place to play the game in a safe and supervised manner with rules and regulations. Mr. Lamonds has 59 acres adjoining the land and stated that this would not be changed or requested to be rezoned to Commercial.

The ages for children to play would be a minimum of eight to ten years with parental permission. Any children under the age of 18 years would require parents to view the safety film and take a course on safety. The facility would be open on the weekends.

Mr. Henley explained that one person, Mr. Charles Davis spoke in opposition to this request. He lives in front of the site. His concern was the net. Mr. Lamonds said he would lower the net if that is a concern and take it down when the business is closed.

The Planning Board unanimously recommended this request be approved.

In a motion made by Commissioner Bostic, seconded by Commissioner Morris, and so the motion carried unanimously to uphold the Planning Board and approve the rezoning request of a one-acre plot at 1311 Spies Road for Mr. Barry Lamonds.

Daniel C. Mann Variance Request

Mr. Mann of 724 Pinehaven Road in New London is requesting a setback in order to place a modular home on the property and closer to the road.

Mr. Henley stated that all adjoining property owners were notified and he explained he had not received any calls or letters against this request. The Planning Board unanimously recommended this request be approved.

In a motion made by Commissioner Morris, seconded by Commissioner Corbett, and so the motion carried unanimously to uphold the Planning Board and approve the variance request for Mr. Daniel C. Mann.

Height & Special Use Update

Mr. Henley also stated that the Planning Board has made recommendations that were sent to County Attorney Russ Hollers.

Commissioner Knight said what do we have now. Mr. Henley said we have nothing now.

Chairman Maness asked what is the height of a normal three-story house. Mr. Henley said in Uwharrie Point 65 feet.

Mr. Metzler said I am going to recommend 35 feet and if above a 35 feet, conditional use permit will be required. He also said the board can redistrict that area so not to affect the entire county.

Commissioner Corbett said Mr. Paul Kron at the Piedmont Triad Council of Governments could handle this in the Land Use Plan he is working on. Mr. Metzler agreed.

Mr. Metzler said the Council of Government recommends measuring from the highest grade.

Chairman Maness said we don't want people to have to come in every time the height of a building is an issue, it will be a waste of their time.

Building Without a Permit and Junk Car Ordinance

The Commissioners had other questions for Mr. Henley. The Board was concerned about policing the problem with building without a permit and the County's Junk Car Ordinance. Commissioner Knight asked Mr. Henley if he needs additional help. Mr. Metzler said we will be addressing this in the upcoming budget presentation.

County Manager's Report

County Manager Lance Metzler presented the following report:

Proposed Montgomery County Purchasing Policy

- Currently, the County really has no official purchasing policy, which leaves room for flaws and inconstancy's in purchasing.
- The goal of this policy is to establish and implement a system of internal controls that provide reasonable assurance that the County is in compliance with the General Statutes and this policy.

- All County personnel will be subject to this policy.
- It lays out and provides guidelines on approval limits, how to handle service and lease contracts, construction or repair work delegation, procurement of services, change orders and disposal of personal surplus property, electronic advertising, minority business enterprise goal and purchasing program integrity.
- As I mentioned when I first got here, the County has really not focused on policy and procedure in years past and I want our employees to have structure and constancy for all our employees.

Commissioner Corbett said this is a long time overdue.

Proposed Minority Business Plan

- The Commissioners have always believed in providing our minority population with opportunities to participate in services and project implementation in Montgomery County.
- This Minority Business Outreach Program is a policy that directs staff to go after those minority business if applicable and in accordance with the General Statutes of a goal of 10%
- We have developed a list of all businesses in Montgomery County and will provide those to any contractors who construct public facilities.
- We will ask that they use local and highlight the minority businesses so that they can decide on the subcontractors.
- This Outreach Plan does require the minority business to certify itself through the, NC Administration Department Historically Underutilized Business (HUB), NC Department of Transportation Minority/Disadvantage/Woman-owned Business, Small Business Administration or other governmental agencies that can certify that the business is considered a minority business.
- This Outreach Plan also has compliance requirements to make sure that the contractor makes a good faith effort to attract minority services.
- This Outreach Plan can go hand and hand with our Purchasing Policy of services and our Contractor list.

Commissioner Knight asked if the County has a list of minority businesses that would want to participate. Mr. Metzler said they would have to register and we will advertise to make sure everyone knows about this plan.

River Road Sewer Line Discussion

- In years past and currently one of the goals of the County was to provide sewer down River Road to address environmental issues and to promote residential and commercial development.
- The Chairman, Tim Carpenter and I met with Handy and Troy last week to talk about the likelihood of being able to tie in to the proposed Handy Sanitation force main.
- The proposed force main comes from Uwharrie Point and ties in with Troy down Highway 109.
- Currently, they have a proposed pipe size of 12 inches to accommodate their needs.
- They said that if the County were interested in meeting their future needs on River Road then the size of the pipe would have to be increased to 16 inches.

- The County had discussed doing this project in two phases. Phase 1 was to buy the capacity for future growth and Phase 2 was to install the line down River Road.
- The cost to the County to accommodate the 16 inch line would be \$750,000.
- If the Commissioners were interested in fulfilling this goal then I would recommend using \$350,000 from the funds that the County had left from sales of Taps with the river developments and the fund balance in that enterprise fund. I would recommend that the remaining \$400,000 be taken from the water fund balance.
- Remember, fund balances are good to be used for one time expenditures but awful and financially unsound to use for operations.
- If you are ever going to put sewer down that road, then now is the time to get involved.
- I have given you this information and would like for you to think about it and I will bring it back to you at our next meeting.
- If we are going to participate we need to get involved now because they already have the design at the state.
- They said that upgrading the size of the pipe should not cause a problem at the state.

Chairman Maness said this has been a long time coming and we will also be cleaning up the lake which is our water supply.

Commissioner Knight asked why this sewer line is different than the sewer line on Hwy. 109 S. Mr. Metzler said I can't answer for that project.

After some discussion on the sewer line on Hwy. 109, Chairman Maness suggested that a meeting be set –up with the Town of Mt. Gilead to discuss this. Commissioner Knight said it needs to be looked at.

Discussion on Agriculture Center

Mr. Metzler said that he would be recommending a user fee for groups not associated with Agriculture (i.e. Horseman's Association). Mr. Metzler said it costs approximately \$11,000 per year for utilities, etc. at the Ag. Center.

Discussion on Increase of Rent for Sandhills Mental Health

This item was tabled until another meeting.

Set Date for Suggested Rules of Procedures

- We have had to reschedule the date for the work session with Ron Aycok on the Suggested Rules of Procedure.
- I would ask that the Commissioners set this date tonight.
- April 20th or 25th.

Chairman Maness asked Laura to call all Board members to set up the meeting.

Update on Building without a Permit

- As per your request, I have reviewed the previous minutes in reference to the building without a permit policy.
- The County did have a \$500 penalty for building without a permit.

- In June of 2001 the Commissioners moved to abolish the penalty and go back to just doubling the permit fee.
- There were four violations that were enforced this year and the average was \$50.00

Cemetery Committee Meeting

- The Cemetery Committee met on March 30th.
- We discussed the site and different options of design.
- There are four areas to memorialize and they are emancipated slaves, Montgomery Home Residents, Civil War Vets and prisons.
- We have developed an RFP and asked members for comments.
- We will advertise at the end of April plan development, design, site preparation and implement plan.

In a motion made by Commissioner Knight, seconded by Commissioner Bostic, and so the motion carried unanimously to go into closed session according to the provisions set forth in General Statute 143-318.118(6).

The Board of Commissioners came out of closed session with nothing to report.

There being no further business Chairman Maness adjourned the meeting.

William D. Maness, Chairman

Laura B. Morton, Clerk to the Board