

RANDOLPH COUNTY COMMISSIONERS MEETING AGENDA

March 10, 2025

Historic Courthouse, 145-C Worth St., 2nd Floor, Asheboro, NC

- I. Call to Order - *Chairman Frye***
- II. Pledge of Allegiance - *Bishop Michael Trogon***
- III. Special Recognition - *Sheriff Greg Seabolt***
 - Brian Arrington Retiring from the Sheriff's Office with 27 Years of Service
- IV. Public Comment Period**
- V. Approve Agenda**
- VI. Consent Agenda**
 - A. Approve Board of Commissioners Regular Meeting Minutes of February 3, 2025 and Special Meeting Minutes of February 13, 2025
 - B. Approve New Audit Contract
 - C. Approve Addressing Agreements with the following municipalities: Archdale, Franklinville, Liberty, Ramseur, Randleman, Seagrove, Staley, and Trinity
 - D. Approve the Resolution to Remove Plat Review Officers for the City of Archdale
 - E. Approve the Resolution to Add a Plat Officer for the Town of Liberty
 - F. Amend the Rules and Procedures for the Randolph County Board of Commissioners
 - G. Approve Budget Amendment - TDA #2025-06 (\$15,000)
 - H. Approve Budget Amendment - Public Health (\$12,280)
 - I. Approve Project Amendment - Agricultural Center #16 (\$228,000)
 - J. Approve Project Amendment - Asheboro High School #19 (\$25,192)
 - K. Approve Project Amendment #2 - StRAP Grant Project Ordinance (\$75,000)
 - L. Approve Historic Courthouse Capital Project Amendment #7 (\$200,000)
 - M. Approve Adjustment of Strategic Planning Program Grants (\$451,948)
 - N. Approve Cost of Upfitting Eight Ford Pursuit Vehicles (\$107,046)
 - O. Appoint Stephen Maness to the Randolph County Planning Board as an Alternate
 - P. Appoint Valery Dambreville and Jeremiah Batchelor to the Randolph County Juvenile Crime Prevention Council
 - Q. Appoint Major Bradley Cooper and Lieutenant Jacob Kennedy to the Randolph County Child Fatality Prevention Team
- VII. New Business**
 - A. Consider Amendments to the Randolph County Watershed Ordinance - *William*

RANDOLPH COUNTY COMMISSIONERS MEETING AGENDA

March 10, 2025

Historic Courthouse, 145-C Worth St., 2nd Floor, Asheboro, NC

Johnson, Assistant County Manager/Operations

1. Public Hearing
2. Consider Ordinance Amending the *Randolph County Unified Development Ordinance*
- B. Consider Atrium Health Contract Update - *Sam Varner, Wellness Administrator*
- C. Consider Strategic Planning Applications - *Leia Stiegmann, Strategic Program Coordinator, Michael McKenzie*
- D. Consider High Bid from Property Auction - *Aimee Scotton, Associate County Attorney*
- E. I-74 and New Hope Church Road Pump Station, Force Main and Sewer Improvements - *William Johnson, Assistant County Manager/Operations*
- F. County Manager's Update
- G. Commissioner's Updates
- H. Closed Session - Personnel {NCGS 143-318.11(a)(6)}

Upcoming Board Term Expirations

May - None

June - Randolph County Historic Landmark Preservation Commission - Bill Ivey



RANDOLPH COUNTY SHERIFF'S OFFICE SHERIFF GREGORY J. SEABOLT

727 McDowell Road
Asheboro, North Carolina 27205
Phone: 336.318.6699 Fax: 336.318.6618

Capt. Brian Arrington



Congratulations to Capt. BRIAN ARRINGTON on his retirement on January 2, 2025, with 27.6 years of service with the Randolph County Sheriff's Office.

Capt. ARRINGTON began his law enforcement career as a Deputy Sheriff in the Bailiff Division in 1997 after graduating from Basic Law Enforcement Training at RCC. He earned his Intermediate Law Enforcement Certificate in 2006 and the Advanced Law Enforcement Certificate in 2010.

BRIAN was promoted through the ranks and served in the Civil Division, VICE/Narcotics, Criminal Investigations, and SRO/School-Based Programs. During the twelve years in Vice, he was involved in over 4000 drug investigations. In 2016 he transferred to the School-Based Programs Division and became an SRO, promoted to Sergeant in 2017 and Captain in 2019.

He is General Instructor Certified. He is also a Field Training Officer Instructor and a School Resource Officer Instructor through the North Carolina Justice Academy (NCJA).

BRIAN's strong work ethic, fearless attitude, and daily professionalism have made him a role model to many. His retirement plans include spending more time with his wife and sons while continuing to work part-time in law enforcement and serving as a board member for the North Carolina Association of School Resource Officers. He's looking forward to less responsibility and a lot less stress! We appreciate his many years of service and dedication to the citizens of Randolph County. We wish him the best of luck and a long and happy retirement.

"When keeping the job means more than doing the job, Mission is lost!"

February 3, 2025

The Randolph County Board of Commissioners met in regular session at 6:00 p.m. in the 1909 Randolph County Historic Courthouse Meeting Room, 145 Worth Street, Asheboro, NC. Chairman Darrell Frye, Vice-Chairman Kenny Kidd, Commissioner David Allen, Commissioner Hope Haywood, and Commissioner Lester Rivenbark were present. Also present were County Manager Zeb Holden, Assistant County Manager/Finance Officer Will Massie, Assistant County Manager William Johnson, County Attorney Ben Morgan, and Clerk to the Board Dana Crisco. Chaplain Kevin Walton from the Randolph County Sheriff's Office gave the invocation and everyone recited the Pledge of Allegiance. The meeting was livestreamed on YouTube.

Special Recognition

Sgt. Julia Hooker from the Sheriff's Office retired with 24 years of service. Sgt. Hooker was recognized by Sheriff Greg Seabolt, after which, Chairman Frye presented her with an engraved clock on behalf of the Board.

Public Comment Period

Pursuant to N.C.G.S. §153A-52.1, Chairman Frye opened the floor for public comment and closed it after everyone wishing to speak had done so. County Attorney Ben Morgan read aloud the Public Comment Rules of Procedure.

Kevin Franklin, 176 N. Fayetteville St., Asheboro, President of the Economic Development Corporation (EDC), introduced **David Hursey** as the new Existing Industry Director for the EDC. He began his employment in December to fill the position that had been vacant for eight months. Mr. Hursey explained his background and thanked the Board for their support.

Lydia Davenport, 1477 Walker Rd., Asheboro, took her husband to the Emergency Room at Randolph Health on January 24, 2025. They waited for ten hours. She decided to take him to Cone Health Urgent Care but was not seen. He ended up going to High Point Hospital. He was in pain and Randolph Health did nothing. She asked that the Board investigate the matter. Chairman Frye stated that he was on the Randolph Health Board and would address the situation.

Agenda Approval

On motion of Kidd, seconded by Rivenbark, the Board voted 5-0 to approve the Meeting Agenda.

Consent Agenda

On motion of Kidd, seconded by Rivenbark, the Board voted 5-0 to approve the Consent Agenda, as presented, as follows:

- *approve Board of Commissioners Regular Meeting Minutes of January 6, 2025 and Special Meeting Minutes of January 13, 2025;*
- *approve Budget Amendment - Building Inspections (\$61,225), as follows:*

2024-2025 Budget Ordinance General Fund – Budget Amendment #52

Revenues	Increase	Decrease
<i>Permits and Fees</i>	\$61,225	
Appropriations	Increase	Decrease
<i>Building Inspections</i>	\$61,225	

- approve Budget Amendment - Economic Development (\$186,223), as follows:

2024-2025 Budget Ordinance General Fund – Budget Amendment #53		
Revenues	Increase	Decrease
<i>Property Taxes</i>	\$186,223	
Appropriations	Increase	Decrease
<i>Other Economic and Physical Development Appropriations</i>	\$186,223	

- approve Budget Amendment - Emergency Services (\$14,000), as follows:

2024-2025 Budget Ordinance General Fund – Budget Amendment #54		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$14,000	
Appropriations	Increase	Decrease
<i>Emergency Services</i>	\$14,000	

- approve Project Amendment – Site Development Capital Project Fund (\$1.5 million), as follows:

Site Development Capital Project Fund Amendment #21		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	\$1,500,000	
Appropriations	Increase	Decrease
<i>I-74 Industrial Center – Road Improvements</i>	\$1,500,000	

- reappoint Chris Collins to the Archdale Planning Board;
- approve request to contract for site preparation and Civil Work for Randleman VIPER Tower.

Toyota Update

Emily Holland, Public Information Officer for Toyota North Carolina introduced some colleagues she had in the audience then presented a video to update the Board on the progress of the Toyota operations.

Chairman Frye questioned if they were continuing to hire for jobs in the plant. Ms. Holland stated that they did have team members ready to start their positions. The need for employees is based on the opening of each line.

Commissioner Allen asked if operations would be affected based on lessening desire from customers to purchase electric vehicles. Ms. Holland said that Toyota has made their production lines flexible to accommodate shifts in customer trends and in the community.

Commissioner Allen asked about their reactions and planning based on the impact from the California fires on an electric battery plant in Moss Landing, California. Approximately 1200 people in the surrounding areas had to be evacuated because of it. Ms. Holland stated that they are working with their fire team to develop plans to keep the community safe in a case such as that. Toyota is planning to have an Open House and invite neighbors of the plants to tour.

Chairman Frye understood that there were meetings with local fire departments working in coordination with the Toyota Fire Department. Ms. Holland confirmed that there has been discussion with some fire departments as well as the Fire Marshal.

Commissioner Allen said there were to be two interchanges off the highway to access the plants. He indicated that one was already open. Ms. Holland stated that the second one should be started in April per the Department of Transportation.

Commissioner Rivenbark asked how Toyota was engaging with students graduating from high school. Ms. Holland said they have career fairs in coordination with the community colleges in the area.

Vice-Chairman Kidd asked for Ms. Holland to list some of the ancillary services that will be available to employees. She stated there will be an Urgent Care, child care, an optometrist, a pharmacy, and a Wal-Mart store without perishable items.

Economic Development Project Blue Crab

Crystal Gettys, RC Economic Development Corp. Business Recruitment Director, said Project Blue Crab has identified a site in Randolph County to potentially establish a pre-cast concrete manufacturing facility to serve the southeast as the company expands their customer base. The 100-year-old company is a family-owned business with a fifth-generation president. Their product line includes underground storm and sanitary standards, wet and dry utility vaults, box culverts, and custom structures that serve the underground utility industry.

Project Blue Crab is considering both North Carolina and Virginia for its operation therefore making this a competitive project. As part of their due diligence in determining which location is most feasible, they are analyzing the cost of doing business, cost of renovation and new construction as well as support from local and state governments. It is imperative that they secure support from local government.

Contingent on state and local incentive approvals and the feasibility of the site, Project Blue Crab anticipates an estimated capital investment of \$9,124,500 in building improvements, new construction and machinery and equipment. The company will create sixty new jobs with average annual wages of over \$63,000 exceeding the average county wage of \$49,355.

The EDC is proposing a total local incentive package of \$92,000 over five years based on the estimated investment. In addition to local incentives, Blue Crab currently qualifies for \$350,000 in state grants which include a One NC Grant and a Building Reuse Grant. Both require the local government to be the applicant on behalf of the company and a local match that will be satisfied as part of the local incentive package.

The EDC believes that Blue Crab will be a tremendous asset to the community and will increase the value of the property, generate significant investment in real and personal property, and provide 60 job opportunities. Therefore, the EDC requests that the County approve the resolution offering \$92,000 in cash grants over a five-year period and approve being the applicant on behalf of the company for the One NC Grant and Building Reuse Grant which require a match that will be satisfied in the local incentive offer.

Commissioner Allen noted that the wage was much higher than the average for Randolph County. Ms. Gettys said many positions were in management, sales, administration, and trained production workers to run specialty equipment.

Public Hearing

Chairman Frye opened the Public Hearing and closed it when no one wished to speak.

On motion of Rivenbark, seconded by Haywood, the Board voted 5-0 to adopt the Resolution Authorizing the County of Randolph to Enter into an Economic Development Incentives Contract, as follows:

RESOLUTION AUTHORIZING THE COUNTY OF RANDOLPH TO ENTER INTO AN ECONOMIC DEVELOPMENT INCENTIVES CONTRACT

WHEREAS, Section 158-7.1 of the North Carolina General Statutes authorizes a county to undertake an economic development project by extending assistance to a company in order to cause the company to locate or expand its operations within the county; and

WHEREAS, the Board of Commissioners of Randolph County has held a public hearing to consider whether to participate in an economic development project that will result in the County of Randolph (the "County") approving an economic development incentives package whereby the County would contribute up to ninety-two thousand dollars (\$92,000) on behalf of an unnamed corporation (the "Company") to offset the costs of the Company's locating its manufacturing facility in Randolph County; and

WHEREAS, upon the completion by the Company of this project, the Company will have generated new value/investment in personal property and equipment associated with the project in an amount equal to or in excess of nine million one hundred twenty-four thousand five hundred dollars (\$9,124,500) and created a minimum of sixty (60) new full-time jobs in the County; and

WHEREAS, this economic development project will stimulate and stabilize the local economy, promote business in the County and result in the creation of a significant number of jobs in the County; and

***WHEREAS**, the County has in its General Fund available revenues sufficient to fund this economic development project; and*

***WHEREAS**, this project is eligible for a one hundred twenty thousand dollar (\$120,000.00) One NC Grant, whereby the County would apply for the Grant on behalf of the Company and the County incentives referenced herein would satisfy the required local match for said Grant, if awarded; and*

***WHEREAS**, the project is also eligible for a minimum of a two hundred thirty-thousand-dollar (\$230,000.00) Building Reuse Grant from the North Carolina Department of Commerce, whereby the County would apply for the funds on behalf of the Company and the County incentives referenced herein would satisfy the required local match for said Grant, if awarded.*

***NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Randolph County, this 3rd day of February 2025, as follows:*

***Section 1.** The County is authorized to expend up to ninety-two thousand dollars (\$92,000) of County funds for the Company's economic development project.*

***Section 2.** The appropriation outlined in Section 1 above will be paid to or on behalf of the Company pursuant to a performance-based incentive contract. In addition to the standard terms found in contracts that the County routinely executes in the ordinary course of business, the economic development incentives contract entered into by and between the County and the Company must contain the following essential terms and conditions:*

- a. The total payment made to or on behalf of the "Company" under this contract shall not exceed ninety-two thousand dollars (\$92,000).*
- b. The contract amount will be paid in equal installments over a period of five (5) years to coincide with the Company's satisfactory completion of certain performance requirements. The said performance requirements include, but are not limited to, the following:*
 - i. The Company must deliver to the County written certification that, the actual value of new investment by the Company in real property, personal property, and equipment in connection with this project equals or exceeds nine million one hundred twenty-four thousand five hundred dollars (\$9,124,500); and*
 - ii. The Company must provide Employment Security Reports to the County evidencing the creation of sixty (60) new full-time jobs.*
- c. The contract must provide the County with a means of recouping a portion of the contract amount if the Company's does not remain in full operation, maintaining the newly created jobs referenced above, for a period of five (5) years immediately following the date on which the final installment of the contract amount is paid to the Company.*

d. If the Company does not remain in full operation during this five (5) year period, a portion of the incentive money must be returned. The amount to be returned shall decrease on a pro-rated amount for each year of said period that the Company remains in full operation in the County.

Section 3. *The County is authorized to apply for and accept, on behalf of the Company, a One NC Grant from the North Carolina Department of Commerce in the amount of one hundred twenty thousand dollars (\$120,000.00) with the incentives referenced in paragraph 2 satisfying the required local match for said grant.*

Section 4. *The County is hereby authorized to apply for and accept, on behalf of the Company, a Building Reuse Grant from the North Carolina Department of Commerce in the amount of at least two hundred thirty thousand dollars (\$230,000.00) with the incentives referenced in paragraph 2 satisfying the required local match for said grant.*

Section 5. *The Chairman of the Randolph County Board of Commissioners is hereby authorized to execute on behalf of the County of Randolph a contract drafted in accordance with Section 2 of this resolution and any other documents necessary for the implementation of this economic development project.*

Commercial Zoning Changes

Tonya Caddle, Planning and Zoning Director, stated the Randolph County Planning Board has discussed Watershed Ordinance text amendments in the *Unified Development Ordinance* to change zoning districts relative to the Highway Commercial district. A summary of the changes was presented to the Board. The Planning Board voted to recommend the attached changes to the Commercial Districts in the *Unified Development Ordinance*. The Planning Board also recommended additional language regarding more than one home on a parcel. The Board is currently hearing Special Use Permit requests from landowners to have a second home on their property. The Board would like to have staff give those approvals as long as they meet the requirements. Changes requested follow these minutes as **Attachment A.**

Commissioner Haywood asked if applicants understood the lasting implications of having multiple homes on one property. Ms. Caddle said the staff makes applicants aware that the properties must be subdivided before they could be sold.

Commissioner Haywood asked about recommendations on shared driveways. Ms. Caddle stated that the DOT is making that recommendation.

Commissioner Allen commented that dividing the commercial uses into different categories would make the Planning Board's job easier.

Vice-Chairman Kidd asked if the "skill games" could be removed from the UDO. Mr. Holden stated that legislation had changed and zoning boards must provide a use most closely aligned with the type of business being zoned. Mr. Morgan said removing the "skill game" classification would make it harder for the Planning Board and staff enforce zoning rules against such use.

Public Hearing

Chairman Frye opened the Public Hearing and closed it when no one wished to speak.

On motion of Haywood, seconded by Allen, the Board voted 5-0 to approve the Ordinance to amend the Randolph County Unified Development Ordinance, to include the new definitions, zoning districts and proposed uses that are included in the Board of Commissioners agenda as Summary of Commercial Zoning Changes, submitted during the Randolph County Unified Development Ordinance amendment presentation, and based upon the Determination of Consistency and Findings of Reasonableness and Public Interest statement that is included in the Board of Commissioners agenda, submitted during the amendment presentation and as may be amended, incorporated into the motion, to be included in the minutes, and that the request is also consistent with the Randolph County Growth Management Plan pursuant to Article 400, Section 408 (C) of the Randolph County Unified Development Ordinance and adopt the associated Ordinance Amending the Randolph County Unified Development Ordinance, as follows:

Ordinance Amending the Randolph County Unified Development Ordinance

WHEREAS, the North Carolina General Assembly and the Randolph County Unified Development Ordinance allow for the amendments of zoning regulations as necessary to achieve the goals of adequate light and air; preventing the overcrowding of land, avoiding undue concentration of population; lessening congestion in the streets, securing safety from fire, panic, and dangers; facilitating the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and to promote the health and well-being of the community; and

WHEREAS, the Randolph County Planning Board has held a public meeting on the proposed Summary of Commercial Zoning Changes authorized by this Ordinance and recommends to the Randolph County Board of Commissioners that these amendments be adopted.

BE IT ORDAINED that the Randolph County Board of Commissioners concludes that the proposed amendments to the Randolph County Unified Development Ordinance, as included in the agenda packets, are reasonable and in the public interest as shown on the Consistency Determination and Finding of Reasonableness and Public Interest, also included in the agenda packet. Additionally, the proposed amendments support the policies and goals in the Randolph County Growth Management Plan; and

THEREFORE, BE IT ORDAINED that the Randolph County Board of Commissioners does hereby adopt by this Ordinance the proposed amendments as recommended by the Randolph County Planning Board, as included in the agenda packet, and as may be amended, and shall take effect and have full power on February 3, 2025.

Watershed Ordinance Changes

Tonya Caddle, Planning and Zoning Director, said on January 7, 2025, the Randolph County Planning Board considered text amendments in the *Unified Development Ordinance*. Changes follow these minutes as **Attachment B**. The Planning Board voted unanimously to recommend approval to the Randolph County Board of Commissioners.

Public Hearing

Chairman Frye opened the Public Hearing and closed it when no one wished to speak.

On motion of Rivenbark, seconded by Kidd, the Board voted 5-0 to approve amending the Randolph County Unified Development Ordinance, to include all required legislative updates along with updates to the Randolph County Watershed Protection Ordinance and the Randolph County Flood Damage Prevention Ordinance as recommended by the Randolph County Planning Board, that is included in the Board of Commissioners agenda, submitted during the Randolph County Unified Development Ordinance amendment presentation, and based upon the Determination of Consistency and Findings of Reasonableness and Public Interest statement that is included in the Board of Commissioners agenda, submitted during the amendment presentation and as may be amended, incorporated into the motion, to be included in the minutes, and that the request is also consistent with the Randolph County Growth Management Plan pursuant to Article 400, Section 408 (C) of the Randolph County Unified Development Ordinance and the associated Ordinance Amending the Randolph County Unified Development Ordinance, as follows:

Ordinance Amending the

Randolph County Unified Development Ordinance

WHEREAS, the North Carolina General Assembly and the Randolph County Unified Development Ordinance allow for the amendments of zoning regulations as necessary to achieve the goals of adequate light and air; preventing the overcrowding of land, avoiding undue concentration of population; lessening congestion in the streets, securing safety from fire, panic, and dangers; facilitating the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and to promote the health and well-being of the community; and

WHEREAS, the Randolph County Planning Board has held a public meeting on the proposed changes authorized by this Ordinance and recommends to the Randolph County Board of Commissioners that these amendments be adopted.

BE IT ORDAINED that the Randolph County Board of Commissioners concludes that the proposed amendments to the Randolph County Unified Development Ordinance, as included in the agenda packets, are reasonable and in the public interest as shown on the Consistency Determination and Finding of Reasonableness and Public Interest, also included in the agenda packet. Additionally, the proposed amendments support the policies and goals in the Randolph County Growth Management Plan; and

BE IT FURTHER ORDAINED that the proposed amendments to the Randolph County Watershed Ordinance contained within the Randolph County Unified Development Ordinance, as included in the agenda packet, are as strict or more strict than the State Model Watershed Ordinance.

THEREFORE, BE IT ORDAINED that the Randolph County Board of Commissioners does hereby adopt by this Ordinance the proposed amendments as recommended by the Randolph County Planning Board, as included in the agenda packet, and as may be amended, and shall take effect and have full power on February 3, 2025.

Voluntary Agriculture District (VAD) Annual Report

Lauren Langley, Interim Cooperative Extension Director, reported that 15 new parcels totaling 555 acres were added to the VAD in 2024. There were 206 acres removed from VAD in 2024. The total acres in the VAD currently are 20,131 acres. That makes 13% of all agricultural acres (157,000 ac) in Randolph County in the VAD. She explained that if a parcel is sold, it is removed from the VAD program until the new owner enrolls.

Chairman Frye stated that an article from the *Randolph Record* had reported that Randolph County had more farms than any other county in North Carolina.

Commissioner Allen said the VAD and Enhanced VAD programs allow the property owners to have some conservation of their land. It also lets citizens know there are farm related activities in that area.

Ms. Langley reminded the Board that the Cooperative Extension had received grant money to update the VAD signs.

Child Fatality Prevention Team (CFPT) and Community Child Protection Team (CCPT) Updates

Tracie Murphy, Social Services Director, said in accordance with NCGS 143-576.1(a) (2), the following is the annual report to the County Commissioners of Recommendations for system improvements in Randolph County.

Team Activities: The Community Child Protection Team (CCPT) met in person monthly during 2024 (January 1, 2024 – December 31, 2024). 10 current cases of children under the protection of Social Services were reviewed.

Areas of concern were:

Substance Abuse	4
Improper Supervision	3
Domestic Violence	3
Improper Care	4
Injurious Environment	3
Improper Supervision	1
Improper Medical Care	2
Adult Mental Health	2

The purpose of the Community Child Protection Team (CCPT) is to identify systemic deficiencies in child welfare services or resources. Once identified, teams develop strategies to address the gaps in the local child welfare system. **The following gaps and recommendations were identified:**

- Child deaths related to co-sleeping: CCPT had a Safe Sleep training during a monthly meeting.
- Public awareness must increase about conditions that impact child protection within the community: CCPT recommended continuous community education with law enforcement, school systems, daycare centers, all medical professions, mental health facilities, and churches.

Action steps taken by DSS:

- CCPT and CFPT held another training on Safe Sleep to educate all CPS employees on the dangers of parents co-sleeping with their children.
- DSS was able to take part in the Asheboro and Archdale Police Departments' In-Service Training, educating staff on making CPS reports, and new policies and procedures to increase awareness and open communication between DSS and community partners.
- DSS continues to use 911 communications scheduling calendar to continue open and clear communication between DSS and 911 communications. DSS keeps 911 communications aware of the after-hours CPS Supervisor with their contact information so that someone is always readily available to them. DSS also completed training with 911 communications educating them on new policies and procedures and making reports.
- DSS met with Charter Schools, Randolph County and Asheboro City School nurses, counselors, social workers, and teachers to keep them abreast of all new policies and procedures.
- DSS met with Randolph County Partnership for Children educating them on how to make reports, policies, and procedures as well as what signs to look for regarding abuse and neglect.
- DSS met with Randolph Health Hospital nursing staff to update them on DSS' new policies and procedures. DSS also established a relationship with Thomasville Medical Center and their leadership. Each entity was given informational handouts and flyers on how to report abuse, neglect, and dependency, in addition to policy updates and procedures.

Were there any *intensive death reviews* during this reporting period?

- There were no Intensive Fatality Reviews during this reporting period.

Members of the Community Child Protection Team

Tracie Murphy, Randolph County DSS Director

- Tara Aker, Randolph County Public Health Director
- Bradley Beck, Randolph County EMS/Medical Examiner (Retired August 2024)
- Bradley Cooper, Randolph County EMS/Medical Examiner (Replaced Bradley Beck)
- Chuck Mears, Department of Juvenile Justice
- Cyrena Welch, Randolph Health Hospital
- Danielle Fisher, Randolph County Public Health – Care Management Supervisor
- Donna Wright, Family Crisis Center
- Dr. Kathleen Riley, Pediatrician – Randolph Health Pediatrics
- Dr. Sharon Castelli, Superintendent – Uwharrie Charter Academy
- Edwina Ashworth-Randolph County School System
- Gail Higgs, Asheboro City School System
- Jaynetta Butler, Randolph County DSS Assistant Director
- Jennifer Evans, Randolph County DSS CPS Supervisor – CCPT Designee
- Jerry Earnhardt, Daymark Recovery Services
- Laurie Perez, Trillium Health Resources
- Lt. Scott Brown, Asheboro Police Department
- Meghan Kology, Guardian ad Litem

- Melody Huggins, Randolph County Public Health – CFPT Team Review Coordinator
- Myra Gaddy, Randolph County Sheriff’s Office
- Robert Nelson, Trillium Health Resources (Replaced Laurie Perez)
- Tena Lester, Asheboro City Schools
- Trooper Brian Martin, NC State Highway Patrol
- Walker Brown, Randolph County DSS Program

Tara Aker, Public Health Director, stated in accordance with N.C.G.S. 7B-1407.10(d), the following is the annual report to the County Commissioners of recommendations for systems improvements that may prevent child fatalities in Randolph County.

Team Activities:

Eighteen child deaths were received for the calendar year 2023. Thirteen of those deaths were reviewed by the Child Fatality Prevention Team (CFPT). At the time of this report, the other 5 child deaths remain in “pending” status and will be reviewed by the CFPT once the case reports are finalized by the North Carolina Office of the Chief Medical Examiner (OCME). *A pending case is one that the OCME has not yet finalized the report of the investigation, autopsy, and/or toxicology. All applicable documents must be completed and approved before a case can be released.*

The CFPT met in person four times during calendar year 2024.

Causes of death were:	
Accidents	2
Birth defects	0
Illnesses	6
Perinatal Conditions	5
Suicide	0
Homicide	0
Other <i>(Pending)</i>	4
SIDS <i>(Pending)</i>	1
Total	18

The purpose of the **Child Fatality Prevention Team** is to review the deaths of all Randolph County children from birth up to 17 years of age. The review is to determine if system problems exist that contributed in any way to the delay of or lack of services that might have prevented the death. If gaps exist, the team works to improve/add services that will prevent problems for families in the future.

The CFPT made the following recommendations: No gaps were identified.

Additional CFPT activities:

In November 2024, the team requested and received education provided by Jennifer LaBonte, Trillium Health Resources, for Question, Persuade, & Refer (QPR) Gatekeeper training. The training is designed to teach people without a professional mental health background to recognize the warning signs of a suicide crisis and how to question, persuade, and refer someone to help. Team members that attended the training received a one-year QPR Gatekeeper Certificate.

The CFPT received a Safe Sleep Educational kit in July 2024. The kit includes: a retractable tabletop display of key safe sleep messaging (English/Spanish), a Pack ‘n Play/doll display from Cribs for Kids and two safe sleep board books (English/Spanish). The Safe Sleep Educational kit will be used to train staff, community partners, and CFPT members how to create a safe sleep environment for infants up to 12 months of age and reduce the risk of SIDS and unsafe sleep injury/death.

Ongoing safe sleep efforts continue and include providing Pack ‘n Play portable cribs to eligible families and providing safe sleep education through the Books for Babies Program in partnership with the Randolph Partnership for Children and Randolph Health. Additional safe sleep efforts include providing 200 Safe Sleep Bags (125 English/75 Spanish) to area pediatrician offices for dissemination to new parents. Each Safe Sleep Bag included a safe sleep sack, a fitted crib sheet, a pacifier, a safe sleep board book, a safe sleep educational flyer, and a Randolph County Public Health brochure. A safe sleep marketing campaign (four billboards across the county) was also created and implemented during the month of September which is SIDS/Safe Sleep Awareness Month. The marketing campaign highlighted the ABCs of safe sleep; **Alone. Back. Crib.**

Members of the Combined Teams Child Fatality Prevention Team and Community Child Protection Team

- Tara Aker, Randolph County Public Health Director
- Tracie Murphy, Randolph County DSS Director
- Melody Huggins, Randolph County Public Health - CFPT Review Coordinator
- Jennifer Evans, Randolph County DSS Child Protective Services Supervisor
- Dr. Kathleen Riley, Pediatrician /Randolph Health Pediatrics
- Lt. Scott Brown, Asheboro Police Department
- Laurie Perez, Trillium Health Resources
- Robert Nelson, Trillium Health Resources (Replaced Laurie Perez)
- Chuck Mears, Department of Juvenile Justice
- Meghan Kology, Guardian ad Litem
- Myra Gaddy, Randolph County Sheriff’s Office
- Tena Lester, Asheboro City Schools
- Trooper Brian Martin, NC State Highway Patrol
- Jerry Earnhardt, Daymark Recovery Services
- Donna Wright, Family Crisis Center
- Jaynetta Butler, Randolph County DSS Assistant Director
- Bradley Beck, Randolph County EMS/Medical Examiner (Retired August 2024)
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- Dr. Sharon Castelli, Superintendent, Uwharrie Charter Academy
- Cyrena Welch, Randolph Health Hospital
- Edwina Ashworth, Randolph County School System
- Gayle Higgs, Asheboro City Schools
- Danielle Fisher, Randolph County Public Health – Care Management Supervisor
- Walker Brown, Randolph County DSS

Chairman Frye asked if the pending cases had suspicious circumstances. Ms. Aker said the team does not know until final reports are released.

Commissioner Haywood said she had learned that exposure to minute amounts of certain drugs can kill an infant.

Commissioner Rivenbark asked if Safe Sleep information was provided to parents of every newborn. Ms. Aker said the information is shared with parents at the hospital about Safe Sleep and about reporting to Social Services.

Tara Aker, Public Health Director, stated the NC Child Fatality Review System is undergoing changes. These changes are a part of the 2023 Appropriations Act [NC Session Law 2023-134, Section 9H.15] and include overarching goals that will improve the work related to preventing child fatalities and maltreatment. The NC Child Fatality Prevention System changes are listed below with most slated to take effect July 1, 2025. Implementation of the national data system is scheduled to take effect January 1, 2026.

- Creation of a new State Office of Child Fatality Prevention.
- Combining the child fatality prevention team (CFPT) and community child protection team (CCPT). The combined team will be referred to as the “local team”. The local team can be a single-county team or a multi-county team.
- In lieu of reviewing all child deaths, new unified local teams will be required to review certain categories of death.
- Information from required reviews will be collected via the use of a national data system.
- Review of active child protective services (non-fatality) cases will be optional rather than required.
- Some additional funding will be available for local teams.

Operating as a local team necessitates the evaluation and determination of whether the local team will be a single-county team or a multi-county team. Randolph County Public Health and Randolph County Department of Social Services CFPT/CCPT team members met and discussed the single-county versus multi-county team options and believe that a single-county team is the best fit for Randolph County. Being a local single-county team will require little change as Randolph County already has a strong, engaged, and diverse team that is dedicated to preventing the death and maltreatment of children.

Chairman Frye asked about restrictions for additional money in the program. Ms. Aker stated the additional funding was minimal and could be used for training, community outreach, and hosting meetings.

On motion of Haywood, seconded by Allen, the Board voted 5-0 to approve the single-county option for the Child Fatality Prevention Team and the Community Child Protection Team.

Randolph County Agriculture Center Road Sign Bid

Paxton Arthurs, County Engineer, said for the last few months he has been working with a local sign company (Stonetree Signs) to design and prepare bid documents for a new road sign that will be at the entrance of the Agriculture Center. Last month, a Request For Bids was issued for this project and set a bid deadline of January 21st. Because there was concern that there could be hidden costs in the LED Display board that could affect the bid results, a “Preferred Alternate” was included for an LED Display board by Optec Displays. The bid results are:

	Base Bid	Preferred Alternate (Optec)
Clark Sign Corp.	\$204,915.70 (Vantage)	\$215,615.70
Signage Industries	\$164,416.23 (Vantage)	\$190,858.52
Stonetree Signs	\$170,739.90 (Grandwell)	\$187,703.05

Mr. Arthurs presented the differences in technology to allow the Board to make an informed decision on which package to choose. He said to the best of his knowledge the Optec sign had newer technology and was lighter weight. The Vantage sign used less energy but had older technology.

Commissioner Haywood asked about the difference between the brightness and longevity of the two products. Mr. Arthurs said the sign could be dimmed in the beginning then brightened as needed. He wasn’t sure of the longevity of the two products but stated that heat causes electronics to breakdown more quickly.

Mr. Holden said his research had shown that DIP technology is best for outdoor use and longer distance viewing. The SMD technology was recommended for indoor use. He commended Mr. Arthurs for the added information he presented to help the Board make the best decision.

Commissioner Haywood stated she doesn’t know enough about the products, longevity, and maintenance to comfortably make the right choice.

Mr. Arthurs said these products did come with a one-year labor and ten-year parts guarantee. They also had onboard diagnostics.

Commissioner Allen asked about the software and its ease of use for each. Mr. Arthurs replied that each company has their own software making it difficult to compare.

Commissioner Rivenbark stated that the DIP technology works better outdoors and it is most durable.

Vice-Chairman Kidd said he wants to purchase the most durable and least expensive alternative.

Chairman Frye confirmed that the price was not only for the sign but also included installation and training. Mr. Arthurs said it did.

On motion of Kidd, seconded by Rivenbark, the Board voted 4-1 with Haywood opposing to award the Randolph County Agricultural Center Road Sign to Signage Industries at a cost of \$164,416 and authorize the County Manager to sign the contract.

Bush Creek Pedestrian Bridge Bid

Paxton Arthurs, County Engineer, said for the past year and a half he has been working with Wetherill Engineering for the Design, Permitting, and Bidding of the Bush Creek Pedestrian Bridge, which is a critical part of the Deep River Rail Trail. On January 16th at 2:00 p.m., eight bids were received for this project. Following these minutes **as Attachment C** is the Certified Bid Tab from Wetherill. The low bid was received from Eastern Structures, LLC, who was the same contractor that recently built the Sandy Creek Pedestrian Bridge. Mary Joan Pugh was able to get a grant to cover most of this amount.

Commissioner Allen asked why the engineer's estimate was so much lower than the bids. Mr. Arthurs explained that it was more difficult to get to this site. The engineers were doing comparisons from previous bids.

Commissioner Haywood stated that the County has worked with Eastern Structures, LLC and they did a great job.

Commissioner Allen asked about the grant amount that Mary Joan Pugh, Trails Coordinator, had gotten the County. Mr. Arthurs said it was \$806,828 and could only be used for this project.

Commissioner Rivenbark stated that the rest must be made up by the County. Mr. Arthurs explained that there was enough trail money left of the \$1 million that had been put aside. However, this project would deplete that.

Chairman Frye asked if the engineer could make changes for some cost savings. Mr. Arthurs replied that because the property belongs to the State, they would have to approve any changes.

Commissioner Rivenbark asked where the \$1 million had come from. Commissioner Haywood said it was Strategic Planning money.

Ms. Pugh stated that the engineering had been completed. She had hoped the County's contribution for all the projects would only be \$300,000 more. Now there is only \$28,000 left for this trail given the commitments to build the Harlan Creek Bridge and the Randleman Paddleyway.

Commissioner Rivenbark said he felt like this project was just going to be "a bridge to nowhere." Ms. Pugh reassured him that there would be a trail. She said it had already been graded so a base is there and drainage has been addressed. The money from the County had made it possible to leverage over \$800,000.

Commissioner Haywood asked how long the trail would be once this portion was complete. Ms. Pugh stated it would be 5 miles from the Sapona Manufacturing plant in Cedar Falls to Ramseur.

Mr. Holden said there was interest in these projects from many supporters. He suggested that Ms. Pugh might be able to find grants to help cover costs.

Ms. Pugh gave statistics based on a trails app that showed Randolph County was one of the top counties for trails being visited by people outside the county.

Chairman Frye said it may not be possible to get any State grants right now. Ms. Pugh stated that there was \$25 million available from the State earmarked for trails. She hoped that at least one if not all of the four applications submitted for Randolph County trails would be awarded some of that funding because preliminary work has already been done on the Randolph County projects.

Vice-Chairman Kidd confirmed that there would be only \$28,000 remaining from the original \$1 million. Ms. Pugh agreed and stated that this bridge is imperative for the project and the County loses the \$800,000 if it is not done.

Commissioner Haywood said it would be a shame not to do this project because of all the work that has already been done.

Commissioner Allen agreed and said he would hate to lose the \$800,000 grant. This bridge is the major expense of this project.

Chairman Frye said this project would only add 1 ½ miles trail. He asked if the \$800,000 could be used for other trails. Ms. Pugh reminded the Board that it could only be used for this project.

On motion of Allen, seconded by Haywood, the Board voted 4-1 with Rivenbark opposing to award the Bush Creek Pedestrian Bridge Bid to Eastern Structures, LLC at a cost of \$987,000.

Proposed Budget Schedule

Zeb Holden, County Manager, presented the Proposed Budget Schedule.

On motion of Allen, seconded by Rivenbark, the Board voted 5-0 to adopt the Proposed Budget Schedule, as presented, as follows:

Thursday, May 29 Proposed Budget Presentations

<i>6:00 - 6:40 p.m.</i>	<i>Proposed County Budget</i>
<i>6:40 - 7:00 p.m.</i>	<i>Asheboro City Schools</i>
<i>7:00 - 7:20 p.m.</i>	<i>Randolph County Schools</i>
<i>7:20 - 7:40 p.m.</i>	<i>Randolph Community College</i>

Monday, June 2 Regular June Commissioners Meeting

<i>6:00 p.m.</i>	<i>Trillium Health Resources - Mental Health LME/MCO</i>
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Thursday, June 5 County Department Presentations

<i>3:00 - 5:00 p.m.</i>	<i>All County Departments</i>
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Monday, June 9 Public Input

<i>6:00 – 6:30 p.m.</i>	<i>Community Agencies Requesting Financial Assistance</i>
<i>6:30 p.m.</i>	<i>Fire Department Presentations</i>
<i>6:30 p.m.</i>	<i><u>Public Hearings</u></i>

- 1) *Appropriation to Randolph Economic Development Corp.*
- 2) *Proposed County Budget*

Monday, June 16
6:00 p.m.

Budget Adoption

Approve Close-out Budget Amendments for FY 2024-25
Capital Improvement Plan
Review Capital Project Schedule for 2025-26
2025-26 Budget Adoption
Adopt Fire Districts Property Tax Rates Adopt School
Districts Property Tax Rates Adopt County Fee Schedules
Discussion of Manager's Proposed 2025-26 Budget
Adoption of Final County Budget and County Property Tax
Rate

County Manager’s Update

The County Manager did not have any updates.

Commissioner’s Updates

Chairman Frye said that he and Commissioner Allen had attended a meeting with the state association where legislative items were discussed.

Adjournment

At 8:25 p.m., on motion of Kidd , seconded by Rivenbark, the Board voted 5-0 to adjourn.

Darrell Frye, Chairman

Kenny Kidd

David Allen

Hope Haywood

Lester Rivenbark

Dana Crisco, Clerk to the Board

Summary of Commercial Zoning Changes in the Randolph County Unified Development Ordinance

102: UNIFIED DEVELOPMENT ORDINANCE DEFINITIONS

Add the following definitions to Section 102:

Large Outdoor Sales: An outdoor area that may include a structure larger than 10,000 square feet that is used for the sales of goods and services.

Large Outdoor Storage: An outdoor area that may include a structure larger than 10,000 square feet that is used for the storage of goods and products such as building materials, automobiles, boats, and recreational vehicles.

Pet Grooming: An activity that involves shaving, clipping, or trimming the coat or nails of any pet.

Small Box Discount Store: A retail establishment with a floor area of less than 15,000 square feet, offering a wide variety of new merchandise at discounted prices, averaging under \$10.00. These stores provide convenient shopping options for a range of consumable goods (such as food, paper products, cleaning supplies, health and beauty options, and pet supplies) and non-consumable goods (such as seasonal merchandise, home décor, domestics, and basic apparel.) For the purposes of this Ordinance, these stores are not classified as convenience stores.

Taxi Stand – Park and Ride Lot: A system for reducing traffic congestion in which drivers leave their vehicles in parking lots and travel to other locations on various means of transportation.

Towing Service: A temporary holding place for vehicles that have been towed or impounded. This definition does not include the permanent storage or dismantling of vehicles.

Transitional Housing: Housing designed for the transition from a treatment program back into their community. Transitional housing is intended for individuals and families who are in recovery and require further assistance before living independently.

613: ZONING DISTRICTS ESTABLISHED

A. INTENT OF ZONING DISTRICTS

The following pages include detailed descriptions of the base zoning districts contained within this Ordinance. Overlay Zoning Districts are not included in the following charts since the districts *lay over* the base districts and the specific guidelines are covered in more detail later in this section. *Conditional Districts* are not listed below as there are notes on each page that addresses the Conditional Districts. After the adoption of GC: General Commercial District, LC: Limited Commercial District, and CC: Community Commercial District, the HC: Highway Commercial District shall not be used in Randolph County zoning jurisdiction for future rezonings.

B. **MINIMUM LOT SIZES**

For this Ordinance, all minimum lot sizes shall be computed by excluding any area in a designed right-of-way, and land subject to flooding or land that may aggravate the flood hazard.

Add the following tables to Section 613:

GC: GENERAL COMMERCIAL DISTRICT

PURPOSE

The purpose of the *General Commercial (GC) District* is to provide a place for regional commercial uses and for which a full range of commercial and professional uses may be located that attract customers from a larger service area. The district regulations are designed to protect and encourage the transitional character of the district by permitting uses that are compatible with the surrounding area.

Landscape buffer Level II will be required along adjacent residentially zoned property or adjacent residential uses and a landscape buffer Level III along all property lines for all manufacturing uses.

DIMENSIONAL STANDARDS FOR PRIMARY STRUCTURE

<u>Lot size with a minimum of 100 ft. of State road frontage</u>	<u>40,000 sq. ft.</u> <u>Water Quality Critical Area: 80,000 sq. ft.</u>
<u>Lot size with less than 100 ft. of State road frontage</u>	<u>5 acres</u>
<u>Lot width</u>	<u>100 ft. at the building line</u>
<u>Front setback</u>	<u>35 ft. from the right-of-way</u>
<u>Corner side setback</u>	<u>35 ft. from the right-of-way</u>
<u>Side setback</u>	<u>10 ft. from any side property line</u>
<u>Rear setback</u>	<u>30 ft. from the rear property line</u>

DIMENSIONAL STANDARDS FOR ACCESSORY STRUCTURES

<u>Road setback</u>	<u>20 ft. from any road right-of-way</u>
<u>Property line setback</u>	<u>5 ft. from any property line</u>

DIMENSIONAL STANDARDS NOTES

1. Lot areas and setbacks shall be increased if required by Randolph County Public Health.
2. Lot areas in designated Watersheds and Protected Areas are controlled by the Randolph County Watershed Protection Regulations.
3. Front yard setback shall be maintained on all road rights-of-way.
4. Minimum lot size requirements within *Primary Growth Areas* may be reduced to a minimum of 30,000 sq. ft. or 20,000 sq. ft. with public utilities.
5. The minimum lot size requirements within *Secondary Growth Areas* are 40,000 sq. ft.
6. The minimum lot size requirements within *Rural Growth Areas* are 3 acres.
7. Lots in major subdivisions within *Rural Growth Areas* must maintain a 1:4 ratio.
8. The minimum lot size requirements within the *Natural Heritage Overlay* are 6 acres.
9. Conditional Districts are identical to the general use districts except for site plans and individualized development conditions are imposed only upon the signed petition of all owners of the land to be included in the Conditional District.

LC: LIMITED COMMERCIAL DISTRICT

PURPOSE

The purpose of the *Limited Commercial (LC) District* is to provide a place for low to medium-intensity crossroad businesses and community shopping establishments. The district regulations are designed to protect and encourage the transitional character of the district by permitting uses that are compatible with the surrounding area.

Landscape buffer Level III will be required along adjacent residentially zoned property or adjacent residential uses.

No building within this district shall exceed 40,000 square feet, including all floors.

DIMENSIONAL STANDARDS FOR PRIMARY STRUCTURE

<u>Lot size with a minimum of 100 ft. of State road frontage</u>	<u>40,000 sq. ft.</u> <u>Water Quality Critical Area: 80,000 sq. ft.</u>
<u>Lot size with less than 100 ft. of State road frontage</u>	<u>5 acres</u>
<u>Lot width</u>	<u>100 ft. at the building line</u>
<u>Front setback</u>	<u>35 ft. from the right-of-way</u>
<u>Corner side setback</u>	<u>35 ft. from the right-of-way</u>
<u>Side setback</u>	<u>10 ft. from any side property line</u>
<u>Rear setback</u>	<u>30 ft. from the rear property line</u>

DIMENSIONAL STANDARDS FOR ACCESSORY STRUCTURES

<u>Road setback</u>	<u>20 ft. from any road right-of-way</u>
<u>Property line setback</u>	<u>5 ft. from any property line</u>

DIMENSIONAL STANDARDS NOTES

1. Lot areas and setbacks shall be increased if required by Randolph County Public Health.
2. Lot areas in designated Watersheds and Protected Areas are controlled by the Randolph County Watershed Protection Regulations.
3. Front yard setback shall be maintained on all road rights-of-way.
4. Minimum lot size requirements within *Primary Growth Areas* may be reduced to a minimum of 30,000 sq. ft. or 20,000 sq. ft. with public utilities.
5. The minimum lot size requirements within *Secondary Growth Areas* are 40,000 sq. ft.
6. The minimum lot size requirements within *Rural Growth Areas* are 3 acres.
7. Lots in major subdivisions within *Rural Growth Areas* must maintain a 1:4 ratio.
8. The minimum lot size requirements within the *Natural Heritage Overlay* are 6 acres.
9. Conditional Districts are identical to the general use districts except for site plans and individualized development conditions are imposed only upon the signed petition of all owners of the land to be included in the Conditional District.

CC: COMMUNITY COMMERCIAL DISTRICT

PURPOSE

The purpose of the *Community Commercial (CC) District* is to provide a place for crossroads commercial services to residences with basic trade and personal services that occur regularly. The district regulations are designed to protect and encourage the character of the district by permitting uses that are compatible with the surrounding area.

Landscape buffer Level II will be required along adjacent residentially zoned property or adjacent residential uses.

No building within this district shall exceed 10,000 square feet, including all floors.

DIMENSIONAL STANDARDS FOR PRIMARY STRUCTURE

<u>Lot size with a minimum of 100 ft. of State road frontage</u>	<u>40,000 sq. ft.</u> <u>Water Quality Critical Area: 80,000 sq. ft.</u>
<u>Lot size with less than 100 ft. of State road frontage</u>	<u>5 acres</u>
<u>Lot width</u>	<u>100 ft. at the building line</u>
<u>Front setback</u>	<u>35 ft. from the right-of-way</u>
<u>Corner side setback</u>	<u>35 ft. from the right-of-way</u>
<u>Side setback</u>	<u>10 ft. from any side property line</u>
<u>Rear setback</u>	<u>30 ft. from the rear property line</u>

DIMENSIONAL STANDARDS FOR ACCESSORY STRUCTURES

<u>Road setback</u>	<u>20 ft. from any road right-of-way</u>
<u>Property line setback</u>	<u>5 ft. from any property line</u>

DIMENSIONAL STANDARDS NOTES

1. Lot areas and setbacks shall be increased if required by Randolph County Public Health.
2. Lot areas in designated Watersheds and Protected Areas are controlled by the Randolph County Watershed Protection Regulations.
3. Front yard setback shall be maintained on all road rights-of-way.
4. Minimum lot size requirements within *Primary Growth Areas* may be reduced to a minimum of 30,000 sq. ft. or 20,000 sq. ft. with public utilities.
5. The minimum lot size requirements within *Secondary Growth Areas* are 40,000 sq. ft.
6. The minimum lot size requirements within *Rural Growth Areas* are 3 acres.
7. Lots in major subdivisions within *Rural Growth Areas* must maintain a 1:4 ratio.
8. The minimum lot size requirements within the *Natural Heritage Overlay* are 6 acres.
9. Conditional Districts are identical to the general use districts except for site plans and individualized development conditions are imposed only upon the signed petition of all owners of the land to be included in the Conditional District.

Amend Section 618 to include the following uses and districts.

Commercial Uses	GC	LC	CC
Amusement, Indoor - (e.g., bowling alleys, skating rinks)	✓	✓	
Amusement Out of Doors - (e.g., roller coasters, fairgrounds, Theater, Drive-In, Ferris Wheels)	✓		
Assembly - (e.g., Event Center, Community Center, public or non-profit club and recreation, Fitness and recreational sports center)	✓	✓	
Auction Sales, Temporary, One-time use	✓	✓	✓
Automobile carwash, drive-through, requiring vehicle stacking	✓	✓	
Bus station	✓		
Clubs and Places of Entertainment - commercial	✓		
Consumer Services (Dry cleaners/laundry, veterinary Clinic, locksmith, post office government offices, repair shop, Bakery, Barber/Beauty Services, bank, restaurant, exterminating services, library, gunsmith, tailor)	✓	✓	✓
Daycare - Freestanding	✓	✓	✓
Drive-in Window services (banks, laundries, fast food) if permitted in the district	✓	✓	
Funeral Home	✓	✓	
Health and social services centers	✓	✓	
Home Occupation	✓	✓	✓
Hotel/Motel	✓		
<u>Large Outdoor Sales (e.g., Auction Sales - permanent, Flea market)</u>	✓	✓	
<u>Large Outdoor Storage (e.g., Contractor's Yard with outdoor storage, Towing Service yards, Boat and RV storage)</u>	✓	✓	
Manufacturing (e.g., Glass Manufacturing, Bottling Plant, <u>cabinet making</u>, upholstering and furniture refinishing, <u>machine/welding shop</u>)	✓	✓	
Mixed Commercial and residential use where commercial use is primary and both occupy the same structure or lot	✓	✓	
Outdoor Storage Services (Service Stations, Auto Body Shops, RV, Service and Sale)	✓	✓	✓
<u>Pet Boarding/Grooming</u>	✓	✓	<u>S</u>
Planned Business Development	✓	✓	

Commercial Uses	GC	LC	CC
Pottery manufacturing	✓	✓	✓
Professional Offices (Laboratory, Clinic medical/dental, law office, accountant, printing/reproduction shop)	✓	✓	✓
Professional Services (e.g., Automobile repair/service station,)	✓	✓	
Public Utilities Substation	S	S	S
Radio or Television Tower	S	S	S
Religious Facility (Churches and customary uses including childcare on site)	✓	✓	✓
Sales - (e.g., Drugstore, convenience store, Flea market indoors, retail sales - apparel, accessories shoes, grocery store, Florist)	✓	✓	✓
Sales with Outdoor Display - (e.g., Farm supplies/machinery sales, mobile homes sales, accessory building sales, builders supply sales, Automobile sales, automobile/trailer rentals, auction yards-permanent, nursery, monument and cut stone manufacturer sales, industrial equipment/service, Wholesale sales)	✓	✓	✓
School (e.g., Schools, Business/Trade)	S	S	S
Sign - Directional Gateway	✓	✓	✓
Sign - On-premises	✓	✓	✓
Sign - Outdoor advertising (off-premises)	✓		
Skills, Games of Chance	S	S	S
<u>Small Box Discount Stores</u>	✓	✓	✓
Storage (e.g. mini-warehouse, automobile storage)	✓	✓	
Telecommunication Tower	S	S	S
<u>Transportation</u> (e.g., Taxi Stand, park and ride lot)	✓	✓	✓
<u>Transitional Housing</u>	✓	✓	✓
Warehouse sales or service	✓	✓	✓

Add the following information to Article 600, Section 621.

SMALL BOX DISCOUNT STORE

Zoning District: CC, GC, and LC.

Parking: Off-street parking and loading shall be provided per Article 600, Section 634.

Signs: Signs shall be permitted as described in Article 600, Section 635.

- Required Plans:
- a. A Level III buffer between residential zoning or current residential uses.
 - b. Site Plan showing all buildings including dimensions of buildings.
 - c. Proposed points of access, egress, and patterns of internal circulation.
 - d. Layout of parking spaces.
 - e. Location and type of security lighting.
 - f. No more than seventy percent of the building exterior shall be metal.

Add the following information as Section 628 and renumber existing Section 628 to be Section 629 and renumber the remainder of the Article.

628: MULTIPLE HOMES ON ONE PARCEL

Multiple homes are allowed on one parcel provided that the following requirements are met.

- A. No more than two dwelling units are permitted on the parcel and one of the dwelling units shall be occupied by the owner of the property.
- B. There shall be no less than the required area and road frontage per dwelling unit for the district in which the development is located.
- C. Points of ingress and egress shall consist of a driveway or roadway with a minimum width of twenty feet and located in such a way as to minimize traffic hazards, inconvenience, and congestion.
- D. Stormwater and sanitary sewage shall be provided as approved by the Randolph County Planning Department and Randolph County Public Health.
- E. Plans, as may be required, shall be submitted showing the following:
 - (1) Dimensions of the property;
 - (2) Location, use, and ownership of all existing and proposed buildings; and
 - (3) Public and private roads.
- F. Multiple homes are allowed in the E-1, RA, RE, RM, and RR zoning districts.



ARTICLE 800: WATERSHED PROTECTION ORDINANCE

801: WATERSHED PROTECTION ORDINANCE

A. AUTHORITY AND ENACTMENT

The North Carolina General Assembly has, in Chapter 153A, Article 6, Section 121, General Ordinance Making Power; and in Chapter 143, Article 21, Water and Air Resources, authorized Randolph County to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. In addition, NCGS § 160D-926 specifically authorized Randolph County to enact and enforce water supply watershed management regulations. The Randolph County Board of Commissioners does hereby ordain and enact into law the following articles as the *Randolph County Watershed Protection Ordinance*.

B. JURISDICTION

The provisions of this *Randolph County Watershed Protection Ordinance* shall apply within the areas designated as a Water Supply Watershed by the North Carolina Environmental Management Commission and shall be defined and established on a water supply watershed protection map of Randolph County, North Carolina, which is adopted simultaneously herewith. The watershed map and all explanatory matter contained thereon accompany and are hereby made part of this *Randolph County Watershed Protection Ordinance*. This Ordinance shall be permanently kept on file in the office of the Clerk to the Randolph County Board of Commissioners.

C. EXCEPTIONS TO APPLICABILITY

Nothing contained herein shall repeal, modify, or amend any Federal or State law or regulation, or any ordinance or regulation pertaining thereto except any ordinance which these regulations specifically replace; nor shall any provision of this Ordinance amend, modify, or restrict any provisions of the Code of Ordinances of Randolph County; however, the adoption of this Ordinance shall and does amend all ordinances, resolutions, and regulations in effect in Randolph County at the time of the adoption of this Ordinance that may be construed to impair or reduce the effectiveness of this Ordinance or to conflict with any of its provisions.

It is not intended that these regulations interfere with any easement, covenants, or other agreements between parties. However, if the provisions of these regulations impose greater restrictions or higher standards for the use of a building or land, then the provisions of these regulations shall control.

Existing development, as defined in this Ordinance, is not subject to the



requirements of this Ordinance.

Expansions to existing development must meet the requirements of this Ordinance, except expansions to single-family residential development unless the expansion is a part of the common plan of development. In an expansion, the built-upon area of the existing development is not required to be included in the density calculations. Where there is a net increase of built-upon area, only the area of net increase is subject to this Ordinance. Where existing development is being replaced with a new built-upon area, and there is a net increase of built-upon area, only areas of the net increase shall be subject to this Ordinance.

If a nonconforming lot of record is not contiguous to any other lot owned by the same party, then that lot of record shall not be subject to the development restrictions of this Ordinance if it is developed for single-family residential purposes. Randolph County requires the combination of contiguous nonconforming lots of records owned by the same party to establish a lot or lots that meet requirements in Section 802 of this Ordinance.

Any lot or parcel created as part of a family subdivision after the effective date of these rules shall be exempt from these rules if it is developed for one single-family detached residence and if it is exempt from local subdivision regulation.

Any lot or parcel created as part of any other type of subdivision, that is exempt from the *Randolph County Subdivision Ordinance* shall be subject to the land use requirements (including impervious surface requirements) of these rules, except that such a lot or parcel must meet the minimum buffer requirements to the maximum extent practicable.

An applicant may exceed the density limits in Article 803 if all of the following circumstances apply:

- (1) The property was developed before the effective date of the *Randolph County Watershed Protection Ordinance*;
- (2) The property has not been combined with additional lots after January 1, 2021;
- (3) The property has not been a participant in a density averaging transaction under NCGS § 143-214.5(d2);
- (4) The current use of the property is nonresidential;



- (5) In the sole discretion, and at the voluntary election, of the property owner, the stormwater from all of the existing and new built-upon area of the property is treated under all applicable Randolph County, State, and Federal laws and regulations; and
- (6) The remaining vegetated buffer on the property is preserved per the requirements of this Ordinance.

D. REPEAL OF EXISTING WATERSHED ORDINANCE

This Ordinance in part carries forward by re-enactment, some of the Randolph County Watershed Protection Ordinance adopted by the Randolph County Board of Commissioners on October 7, 1997, and as amended, and it is not the intention to repeal but rather to re-enact and continue in force such existing provisions so that all rights and liabilities that have accrued thereunder are preserved and may be enforced. All provisions of the Randolph County Watershed Ordinance which are not re-enacted herein are hereby repealed. All suits at law or in equity and/or all prosecutions resulting from the violation of any ordinance provisions heretofore in effect, which are now pending in any court of this state or of the United States, shall not be abated or abandoned by reason because of the adoption of this Ordinance, but shall be prosecuted to their finality the same as if this Ordinance had not been adopted; and all violations of the existing Randolph County Watershed Protection Ordinance, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this Ordinance shall be so construed as to abandon, abate or dismiss any litigation or prosecution now pending and/or which may heretofore have been instituted or prosecuted.

E. CRIMINAL PENALTIES¹

Any person violating any provisions of this Ordinance shall be guilty of a violation of this Ordinance and be subject to Article 400, Section 405. The maximum fine for each offense shall not exceed \$500.00. Each day that the violation continues shall constitute a separate offense.

F. REMEDIES

If any subdivision, development, and/or land use is found to violate this Ordinance, the Randolph County Board of Commissioners may, in addition to all other remedies available either in law or in equity, institute a civil penalty of \$500.00, action or proceedings to restrain, correct, or abate the violation; to prevent the occupancy of the building, structure, or land; or to prevent any illegal act, conduct, business, or use in or about the premises. Also, the North Carolina Environmental Management Commission may assess civil penalties under NCGS 143-215.6(a). Each day that the violation

¹ Water quality rules are found in NCGS 143 so it is possible that additional criminal penalties may apply.



continues shall constitute a separate offense.

If the Watershed Administrator finds that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation, and ordering the action necessary to correct it. He shall order the discontinuance of the illegal use of land, buildings, or structures; removal of illegal buildings or structures, or additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions. If a ruling of the Watershed Administrator is questioned, the aggrieved party or parties may appeal such ruling to the Watershed Review Board.

H. SEVERABILITY

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, the declaration shall not affect the validity of this Ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

I. EFFECTIVE DATE

This Ordinance shall take effect and be in force on the date of adoption of the *Randolph County Unified Development Ordinance*.

802. SUBDIVISION REGULATIONS

A. GENERAL PROVISIONS

No subdivision plat of land within the Water Supply Watershed shall be filed or recorded by the Randolph County Register of Deeds until it has been approved with the provisions of this Article. Likewise, the Randolph County Clerk of Superior Court shall not order or direct the recording of a plat if the recording of such plat would conflict with this Article.

The approval of a plat does not constitute or affect the acceptance by Randolph County or the public of the dedication of any street or other ground, easement, right-of-way, public utility line, or other public facility shown on the plat and shall not be construed to do so.

All subdivisions shall conform to the mapping requirements contained in NCGS 47-30.

All subdivisions of land within the jurisdiction of Randolph County after the effective date of this Ordinance shall require a plat to be prepared, approved, and recorded under this Ordinance.



B. SUBDIVISION APPLICATION AND REVIEW PROCEDURES

All proposed subdivisions shall be reviewed before recording with the Randolph County Register of Deeds by submitting a vicinity map to the Watershed Administrator to determine whether the property is located within the designated Water Supply Watershed. Subdivisions that are not within the designated watershed area shall not be subject to the provisions of this Ordinance and may be recorded provided the Watershed Administrator initials the vicinity map. Subdivisions within a WS-IV watershed are subject to the provisions of this Ordinance only when an erosion and sedimentation plan is required under the provisions of State law or an approved local program unless another stormwater program applies. Subdivisions within the designated watershed area shall comply with the provisions of this Ordinance and all other state and local requirements that may apply.

Subdivision applications shall be filed with the Watershed Administrator. The application shall include a completed application form, two copies of the plat, a description of the proposed method of providing stormwater drainage, and supporting documentation deemed necessary by the Watershed Administrator or the Watershed Review Board.

The Watershed Administrator shall review the completed application and shall either approve, approve conditionally, or disapprove each application. The Watershed Administrator shall take final action within forty-five days of submission of the application. The Watershed Administrator or the Board may provide public agencies an opportunity to review and make recommendations. However, the failure of the agencies to submit their comments and recommendations shall not delay action within the prescribed time limit. Said public agencies may include, but are not limited to, the following:

- (1) The NCDOT district highway engineer concerning proposed streets and highways;
- (2) The director of Randolph County Public Health concerning the proposed private water system or sewer systems normally approved by Randolph County Public Health;
- (3) The state Division of Water Resources concerning proposed sewer systems normally approved by the Division;
- (4) The State Division of Energy, Mineral and Land Resources concerning engineered stormwater controls or stormwater management in general;



- (5) Randolph County for subdivisions located in the Extraterritorial Jurisdiction of a municipality;
- (6) Local government entities responsible for proposed sewer and/or water systems; or
- (7) Any other agency or official designated by the Watershed Administrator or Watershed Review Board.

If the Watershed Administrator approves the application, such approval shall be indicated on both copies of the plat by the following certificate and signed by the Watershed Administrator:

Certificate of Approval for Recording

I certify that the plat shown herein complies with the *Randolph County Watershed Protection Ordinance* and is approved by the Randolph County Watershed Review Board for recording in the Randolph County Register of Deeds Office.

Date Watershed Administrator

NOTE: This property is located within a Public Water Supply Watershed. Development restrictions may apply.

If the Watershed Administrator disapproves or approves conditionally the application, the reasons for such action shall be stated in writing for the applicant and may be entered in the minutes. The subdivider may make changes and submit a revised plan which shall constitute a separate request for review.

As a condition for approval, all subdivision plats shall comply with the requirements for recording with the Randolph County Register of Deeds.

The plat shall be recorded within thirty days of approval. The Subdivider shall provide the Watershed Administrator with evidence the plat has been recorded with the Randolph County Register of Deeds within five working days.

C. SUBDIVISION STANDARDS AND REQUIRED IMPROVEMENTS

All lots shall provide adequate building space with the development standards contained in Article 803. Lots that are smaller than the minimum required for residential lots may be developed using built-upon area criteria under Article 803.

To calculate the built-upon area, the total project area shall include the total



acreage in the tract on which the project is to be developed.

The application shall be accompanied by a description of the proposed method of providing stormwater drainage. The subdivider shall provide a drainage system that diverts stormwater runoff away from surface waters, incorporates Stormwater Control Measures to minimize water quality impacts, and meets any local requirements.

The application shall, where required, be accompanied by the Sedimentation and Erosion Control Plan approved by the North Carolina Division of Land Quality administering a Sedimentation and Erosion Control Ordinance approved by the North Carolina Division of Energy, Mineral and Land Resources.

Roads constructed in critical areas and watershed vegetated conveyance areas. Where possible, roads should be located outside of critical areas and watershed vegetated conveyance areas. Roads constructed within these areas shall be designed and constructed to minimize their impact on water quality.

D. CONSTRUCTION PROCEDURES

No construction or installation of improvements shall commence in a proposed subdivision until a subdivision plat has been approved.

No building or other permits shall be issued for the erection of a structure on any lot not on record at the time of adoption of this Ordinance until all requirements of this Ordinance have been met. The subdivider, before commencing any work within the subdivision, shall plan with the Watershed Administrator to provide for adequate inspection.

E. PENALTIES FOR TRANSFERRING LOTS IN UNAPPROVED SUBDIVISIONS

Any person who, being the owner or agent of the owner of any land located within the jurisdiction of Randolph County, thereafter subdivides his land in violation of this Ordinance or transfers or sells land by reference to, the exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under this Ordinance and recorded in the Randolph County Register of Deeds, shall be guilty of violation of this Ordinance and be subject to Article 400, Section 405. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. Randolph County may bring an action for an injunction of any illegal subdivision, transfer, conveyance, or sale of land, and the court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with this Ordinance.

F. STORM WATER DRAINAGE FACILITIES



The application shall be accompanied by a description of the proposed method of providing stormwater drainage. The subdivider shall provide a drainage system that diverts stormwater runoff away from surface waters, incorporate Storm Water Control Measures to minimize water quality impacts and meet Randolph County requirements.

803: ESTABLISHMENT OF WATERSHED AREAS

The purpose of this Article is to list and describe the watershed areas herein adopted.

For purposes of this Ordinance, Randolph County is hereby divided into the following areas as appropriate.

<u>Watershed Classification</u>	<u>Watershed Type</u>
<u>WS-I</u>	<u>Watershed One</u>
<u>WS-II-CA</u>	<u>Watershed Two Critical Area</u>
<u>WS-II-BW</u>	<u>Watershed Two Watershed Area</u>
<u>WS-III-CA</u>	<u>Watershed Three Critical Area</u>
<u>WS-III-BW</u>	<u>Watershed Three Watershed Area</u>
<u>WS-IV-CA</u>	<u>Watershed Four Critical Area</u>
<u>WS-IV-PA</u>	<u>Watershed Four Protected Area</u>
<u>WS-V</u>	<u>Watershed Five</u>

Table 20: Watershed Area Table

For this Ordinance, the following watershed falls into the appropriate classification and allows the stated percent of impervious surface.



CLASSIFICATION	WATERSHED	PERCENT OF IMPERVIOUS SURFACE (LOW DENSITY)
<u>WS-I</u>	n/a	n/a
<u>WS-II-CA</u>	<u>Back Creek</u> <u>UT to Cedar Fork</u> <u>Creek</u>	<u>Six percent</u>
<u>WS-II-BW</u>	<u>Back Creek</u> <u>UT to Cedar Fork</u> <u>Creek</u>	<u>Twelve percent</u>
<u>WS-III-CA</u>	<u>Uwharrie River (Lake</u> <u>Reese)</u> <u>Polecat Creek</u> <u>Sandy Creek</u>	<u>Twelve percent</u>
<u>WS-III-BW</u>	<u>Bear Creek (CPF)</u> <u>Uwharrie River (Lake</u> <u>Reese)</u> <u>Polecat Creek</u> <u>Rocky River</u> <u>Sandy Creek</u>	<u>Twenty-four percent</u>
<u>WS-IV-CA</u>	<u>Deep River</u> <u>(Randleman Lake)</u>	<u>Six percent</u>
<u>WS-IV-PA</u>	<u>Badin Lake</u> <u>Big Alamance Lake</u> <u>Deep River</u> <u>(Randleman Lake)</u>	<u>Twelve percent</u>
<u>WS-V</u>	n/a	n/a

Table 21: Randolph County Watershed Classifications

804: WATERSHED AREAS ALLOWED AND NON-ALLOWED USES

The following table lists various allowed and non-allowed uses in the watershed areas of Randolph County. Note that if a use is listed as allowed does not mean that the *Randolph County Zoning Ordinance* will allow the use without required public hearings. A checkmark indicates that the use is allowed and if the use is blank, the use is not allowed.

ACTIVITY/USE	<u>WS-I</u>	<u>WS-II A</u>	<u>WS-II BW</u>	<u>WS-III CA</u>	<u>WS-III BW</u>	<u>WS-IV CA</u>	<u>WS-IV PA</u>	<u>WS-V</u>
<u>Agriculture¹</u>	✓	✓	✓	✓	✓	✓	✓	✓
<u>Animal Operations²</u>	✓	✓	✓	✓	✓	✓	✓	✓
<u>Groundwater remediation project discharges³</u>	✓	✓	✓	✓	✓	✓	✓	✓
<u>Industrial waste</u>								✓ ⁴
<u>New industrial connections and expansions to existing municipal discharge with pretreatment program pursuant to 15A NCA 02H .0904</u>						✓	✓	✓
<u>New landfills</u>			✓		✓		✓	✓



ACTIVITY/USE	WS-I	WS-II A	WS-II BW	WS-III CA	WS-III BW	WS-IV CA	WS-IV PA	WS-V
New NPDES Individual Permit domestic treated wastewater discharge					✓	✓	✓	✓
New NPDES Individual Permit industrial treated wastewater discharge						✓	✓	✓
New permitted petroleum-contaminated soil sites			✓		✓		✓	✓
New permitted residual land application			✓		✓		✓	✓
Nonpoint Source Pollution ⁵	✓	✓	✓	✓	✓	✓	✓	✓
Non-process industrial waste				✓	✓	✓	✓	✓
Non-residential Development ^{6, 7}		✓	✓	✓	✓	✓	✓	✓
NPDES General or Individual Stormwater discharges	✓ ⁸	✓	✓	✓	✓	✓	✓	✓
NPDES General Permit Wastewater discharges pursuant to 15A NCAC 02H .0127	✓ ⁸	✓	✓	✓	✓	✓	✓	✓
NPDES Individual Permit trout farm discharges	✓ ⁸	✓	✓	✓	✓	✓	✓	✓
Other wastes								✓ ⁴
Residential Development ⁵		✓	✓	✓	✓	✓	✓	✓
Sewage								✓ ⁴
Silviculture ⁹	✓	✓	✓	✓	✓	✓	✓	✓

Table 22: Allowed and Non-Allowed Uses

Notes to Allowed and Non-Allowed Uses

¹In WS-I watershed and Critical Areas of WS-II, WS-III, and WS-IV watersheds, agricultural activities conducted after January 1, 1993, shall maintain a minimum 10-foot vegetated setback or equivalent control as determined by SWCC along all perennial waters indicated on more recent versions of USGS 1:24,000 (7.5 minute) topographic maps or as determined by Randolph County studies.

²Deemed permitted, as defined in 15A NCAC 02T .0103 and permitted under 15A NCAC 2H .0217.

³Where no other practical alternative exists.

⁴Not allowed if activity(ies) has/hurt human health.

⁵NPS pollution shall not have an adverse impact, as defined in 15A NCAC 02H .1002, and use as a water supply or any other designated use.

⁶See density requirements in 15A NCAC 02B .0624.

⁷See different allowed and not allowed in this table.

⁸Permitted pursuant to 15A NCAC 02B .0104.



⁹Subject to Forest Practice Guidelines Related to Water Quality (02 NCAC 60C .0100 to .0209) effective April 1, 2018.

805: WATERSHED AREAS: DENSITY AND BUILT-UPON LIMITS

A. PROJECT DENSITY

The following maximum allowable project densities and minimum lot sizes shall apply to a project according to the classification of the water supply watershed where it is located, its relative location in the watershed, its project density, and the type of development:

Density and Built-upon Limits				
Water Supply Classification	Location in the Watershed	Maximum Allowable Project Density or Minimum Lot Size		
		Low-Density Development	High-Density Development	
WS-I	Not Applicable: Watershed shall remain underdeveloped except for the following uses when they cannot be avoided: power transmission lines, restricted access roads, and structures associated with water withdrawal, treatment, and distribution of the WS-1 Water. Built-upon area shall be designed and located to minimize stormwater runoff impact on receiving waters.			
WS-II	Critical Area	One dwelling unit per 80,000 sq. ft.	Six percent	Six percent
	Balance of Watershed	One dwelling unit per 40,000 sq. ft.	Twelve percent	Twelve percent
WS-III	Critical Area	One dwelling unit per 80,000 sq. ft.	Twelve percent	Twelve percent
	Balance of Watershed	One dwelling unit per 40,000 sq. ft.	Twenty-four percent	Twenty-four percent
WS-IV	Critical/Protected Area	One dwelling unit per 40,000 sq. ft.	Twelve percent	Twelve percent
	Protected Critical Area	One dwelling unit per 80,000 sq. ft.	Six percent	Six percent
WS-V	Not Applicable			

Table 23: Density and Built-Upon Limits



806: CALCULATION OF PROJECT DENSITY

The following requirements shall apply to the calculation of project density.

1. Project density shall be calculated as the total built-upon area divided by the total project area.
2. A project with existing development, as that term is defined in the Ordinance, may use the calculation method in Sub-item (1) of this item or may calculate project density as the difference of total built-upon area minus existing built-upon area divided by the difference of total project area minus existing built-upon area.
3. Expansions to existing development shall be subject to 15A NCAC 02B .0624 except as excluded in 15A NCAC 02B .0622 (1) (d).
4. Where there is a net increase of built-upon area, only the area of the net increase shall be subject to 15A NCAC 02B .0624.
5. Where existing development is being replaced with a new built-upon area, and there is a net increase of built-upon area, only the area of the net increase shall be subject to 15A NCAC 02B .0624.
6. The total project area shall exclude the following:
 - a. Areas below the normal high-water line (NHWL); and
 - b. Areas defined as *coastal wetlands* according to 15A NCAC 07H .0205, herein incorporated by reference, including subsequent amendments and editions, and available at no cost at <http://reports.oah.state.nc.us/ncac/>, as measured landward from the NWHL.
7. Projects under a common plan of development shall be considered as a single project for purposes of density calculation except that on a case-by-case basis, Randolph County may allow projects to be considered to have both high and low-density areas based on one or more of the following criteria:
 - a. Natural drainage area boundaries;
 - b. Variations in land use throughout the project; or
 - c. Construction phasing.



Low-Density Projects:

In addition to complying with the project density requirements of this Ordinance, low-density projects shall comply with the following:

1. Stormwater runoff from the project shall be released to vegetative areas as dispersed flow or transported by vegetated conveyances to the maximum extent practicable. In determining whether these criteria have been met, Randolph County shall consider site-specific factors such as topography and site layout as well as protection of water quality. Vegetated conveyances shall be maintained in perpetuity to ensure that they function as designed. Vegetated conveyances that meet the following criteria shall be deemed to satisfy the requirements of this sub-item:
 - a. Side slopes shall be no steeper than 3:1 (horizontal to vertical) unless it is demonstrated to Randolph County that the soils and vegetation will remain stable in perpetuity based on engineering calculations and on-site soil investigation; and
 - b. The conveyance shall be designed so that it does not erode during the peak flow from the ten-year storm event as demonstrated by engineering calculations.
2. In place of vegetated conveyances, low-density projects shall have the option to use curb and gutters with outlets to convey stormwater to grassed swales or vegetated areas. Requirements for these curb outlet systems shall be as follows:
 - a. The curb outlets shall be located such that the swale of a vegetated area can carry the peak flow from the ten-year storm at a non-erosive velocity;
 - b. The longitudinal slope of the swale or vegetated area shall not exceed five percent except where not practical due to physical constraints. In these cases, devices to slow the rate of runoff and encourage infiltration to reduce pollutant delivery shall be provided;
 - c. The swale's cross-section shall be trapezoidal with a minimum bottom width of two feet;
 - d. The side slopes of the swale or vegetated area shall be no steeper than 3:1 (horizontal to vertical);
 - e. The minimum length of the swale or vegetated area shall be one hundred feet; and



- f. Low-density projects may use treatment swales designed under 15A NCAC 02H .1016 instead of the requirements specified in sub-items (a) through (e) above.

OPTIONS FOR IMPLEMENTING PROJECT DENSITY:

Randolph County has the following options in place of or in addition to the requirements of the above sections as appropriate.

1. Randolph County may allow only low-density development in the water supply watershed areas under this Ordinance.
2. Randolph County may regulate low-density single-family detached residential development using the minimum lot size requirements, dwelling unit per acre requirements, built-upon area percentages, or some combinations of these.
3. Outside of WS-I watersheds and the critical areas of WS-II, WS-III, and WS-IV watersheds, Randolph County may regulate new development under the 10/70 Option under the following requirements:
 - a. A maximum of ten percent of the land area of a water supply watershed outside of the critical area and within Randolph County's planning jurisdiction may be developed with new development projects and expansions of an existing development of up to seventy percent built-upon area.
 - b. In the water supply watershed classified on or before August 3, 1992, the beginning amount of acreage available under this option shall be based on Randolph County's jurisdiction as delineated on July 1, 1993. In water supply watersheds classified after August 3, 1992, the beginning amount of acreage available under this option shall be based on Randolph County's jurisdiction as delineated on the date the water supply watershed classification became effective. The average within the critical area shall not be counted under the 10/70 Option acreage;
 - c. Projects that are covered under the 10/70 Option shall comply with the low-density requirements outlined in the Low-Density Project above;
 - d. The maximum built-upon area allowed on any given new development project shall be seventy percent;
 - e. Randolph County having jurisdiction within a designated water supply watershed may transfer, in whole or in part, its



right to the 10/70 land area to another local government within the same water supply watershed upon submittal of a joint resolution and approval by the Environmental Management Commission; and

- f. When the water supply watershed is composed of public lands, such as National Forest land, Randolph County may count the public land acreage within the watershed outside of the critical area in calculating the acreage allowed under this provision.
4. New development shall meet the development requirements on a project-by-project basis except Randolph County may submit ordinances that use density or built-upon area criteria averaged throughout Randolph County's watershed jurisdiction instead of on a project-by-project basis within the watershed. Before approval of the ordinance, Randolph County shall demonstrate to the Environmental Management Commission that the provisions as averaged meet or exceed the statewide minimum requirements and that a mechanism exists to ensure the planned distribution of development potential throughout Randolph County's jurisdiction within the watershed.
5. Randolph County may administer oversight of future development activities in single-family detached residential developments that exceed the applicable low-density requirements by tracking dwelling units rather than percentage built-upon area, as long as the SCM is sized to capture and treat runoff from (i) all pervious and built-upon surfaces shown on the development plan and (ii) any off-site drainage from pervious and built-upon surfaces, and when an additional safety factor of fifteen percent of the built-upon area of the project site is figured in.

807: DENSITY AVERAGING

An applicant may average development density on up to two noncontiguous properties for purposes of achieving compliance with the water supply watershed development standards if all the following circumstances exist:

1. The properties are within the same water supply watershed. If one of the properties is in the critical area of the watershed, the critical area property shall not be developed beyond the applicable density requirements for its classification.
2. Overall project density meets applicable density or stormwater control requirements under 15A NCAC 2N .0200.



3. Vegetated setbacks on both properties meet the minimum statewide water supply watershed protection requirements.
4. Built-upon areas are designed and located to minimize stormwater runoff impact on the receiving waters, minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.
5. Areas of concentrated density development are in upland areas and, to the maximum extent practicable, away from surface waters and drainage ways.
6. The property or portions of the properties that are not being developed will remain in a vegetated or natural state and will be managed by a homeowners' association as a common area, conveyed to Randolph County as a park or greenway, or placed under a permanent conservation or farmland preservation easement unless it can be demonstrated that Randolph County can ensure long-term compliance through deed restrictions and an electronic permitting mechanism. A metes and bounds description of the area to remain vegetated and limits on use shall be recorded on the subdivision plat, in homeowners' covenants, and on the individual deed and shall be irrevocable.
7. Development permitted under density averaging and meeting applicable low-density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.
8. A Special Use Permit or other such permit or certificate shall be obtained from the Randolph County Watershed Review Board or the Randolph County Zoning Board of Adjustment to ensure that both properties considered together meet the standards of this Ordinance and that potential owners have a record of how the watershed regulations were applied to the properties.

808: CLUSTER DEVELOPMENT

Cluster development is allowed in all Watershed Areas, except WS-I, under the following conditions:

1. Minimum lot sizes do not apply to single-family cluster development projects; however, the total number of lots shall not exceed the number of lots allowed for single-family detached developments as outlined in Section 805. The density or built-upon area for the project shall not exceed that allowed for the critical area or protected area, whichever applies.



2. All built-upon areas shall be designed and located to minimize stormwater runoff impact on the receiving waters and minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.
3. Areas of concentrated density development shall be located in upland areas and as far as practicable from surface waters and drainage ways.
4. The remainder of the tract shall remain in a vegetated or natural state. The title to the open space area shall be conveyed to an incorporated homeowner's association for management; or a conservation organization for preservation in a permanent easement.
5. Cluster developments that meet the applicable low-density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.

809: VEGETATED SETBACKS REQUIRED

A minimum one-hundred-foot vegetative buffer (fifty feet on each side of perennial water) is required for all new development activities along all perennial waters indicated on the most recent versions of the USGS 1:24,000 (7.5 minute) scale topographic maps or as determined by Randolph County studies. Desirable artificial streambank or shoreline stabilization is permitted.

Where USGS topographic maps do not distinguish between perennial and intermittent streams, an on-site stream determination may be performed by an individual qualified to perform such stream determinations.

No new development is allowed in the buffer except for water-dependent structures, other structures such as flag poles, signs, and security lights which result in only diminutive increases in impervious areas, and public projects such as road crossings and greenways where no practical alternative exists. These activities should minimize built-upon surface area, direct runoff away from the surface waters, and maximize the utilization of stormwater Best Management Practices. Any such development must obtain a Special Use Permit from the Randolph County Watershed Review Board.

810: APPLICATION OF REGULATIONS

No building or land shall hereafter be used, and no development shall take place except in conformity with the regulations herein specified for the watershed area in which it is located.



No area required for complying with the provisions of this Ordinance shall be included in the area required for another building.

Every residential building hereafter erected, moved, or structurally altered shall be located on a lot that conforms to the regulations herein specified, except as permitted in Section 809.

If a use or class of use is not specifically indicated as being allowed in a watershed area, such use or class of use is prohibited.

811: RULES GOVERNING THE INTERPRETATION OF WATERSHED AREA BOUNDARIES

Where uncertainty exists as to the boundary of the watershed areas, as shown on the *Watershed Protection Map of Randolph County, North Carolina*, the following rules shall apply.

- A. Where boundaries are indicated as approximately following either a street, alley, railroad, or highway lines or centerlines thereof, such lines shall be construed to be said boundaries.
- B. Where area boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries. However, a surveyed plat prepared by a registered land surveyor may be submitted to Randolph County as evidence that one or more properties along these boundaries do not lie within the watershed area.
- C. Where the watershed area boundaries lie at a scaled distance more than twenty-five feet from any parallel lot line, the location of the watershed area boundaries shall be determined by use of the scale appearing on the watershed map. Any ambiguities should be resolved in favor of locating the built-upon surface area in the least environmentally sensitive area of the project.
- D. Where the watershed area boundaries lie at a scaled distance of twenty-five feet or less from any parallel lot line, the location of the watershed area boundaries shall be construed to be the lot line.
- E. Where another uncertainty exists, the Watershed Administrator shall interpret the watershed map as to the location of such boundaries. This decision may be appealed to the Watershed Review Board.



812: EXISTING DEVELOPMENT

Existing development as defined in this Ordinance, may be continued and maintained subject to the provisions provided herein. Expansions to structures classified as existing development must meet the requirements of this Ordinance, however, the built-upon area of the existing development is not required to be included in the built-upon area calculations. Please see Section 806, Calculation of Project Density. This section deals with all existing development as defined in the North Carolina Environmental Management Commission rules. All existing development, whether or not it meets the statewide minimum standards, is exempt from the provisions of this Ordinance.

A. USES OF LAND

This category consists of uses existing at the time of adoption of this Ordinance where such use of the land would not permitted if it were a new development. Such uses may be continued except as follows.

- (1) Such use of land has been changed only to an allowed use.
- (2) Such use of land shall be changed only to an allowed use, it shall not thereafter revert to any prohibited use.
- (3) When such use ceases for at least one year, it shall not be re-established.

B. RECONSTRUCTION OF BUILDINGS OR BUILT-UPON AREAS

Any existing building or built-upon area not in conformance with the restrictions of this Ordinance that has been damaged or removed may be repaired and/or reconstructed, except that there are no restrictions on single-family residential development, provided:

- (1) Repair or reconstruction is initiated within twelve months and completed within two years of such damage.
- (2) The total amount of space devoted to the built-upon area may not be increased unless stormwater control that equals or exceeds the previous development is provided.

813: WATERSHED PROTECTION PERMIT

Except where a single family residence is constructed on a lot deeded before the effective date of this Ordinance or for single-family development (even if there is a net increase in the built-upon area or if stormwater controls are not equal to that of previous single-family residential development. ~~Except for a single-family residential development, no building on a built-upon area shall be erected, moved, enlarged, or structurally altered, nor shall~~



any building permit be issued nor shall any change in the use of any building or land be made until a Watershed Protection Permit has been issued by the Watershed Administrator. No Watershed Protection Permit shall be issued except in conformity with the provisions of this Ordinance.

Watershed Protection Permit applications shall be filed with the Watershed Administrator. The application shall include a completed application form and supporting documentation deemed necessary by the Watershed Administrator.

Before issuance of a Watershed Protection Permit, the Watershed Administrator may consult with qualified personnel for assistance to determine if the application meets the requirements of this Ordinance.

A Watershed Protection Permit shall expire if a Building Permit or Watershed Occupancy Permit for such use is not obtained by the application within twelve months from the date of issuance.

814: BUILDING PERMIT REQUIRED

No permit required under the North Carolina State Building Code shall be issued for any activity for which a Watershed Protection Permit is required until that permit has been issued.

815: WATERSHED PROTECTION OCCUPANCY PERMIT

The Watershed Administrator shall issue a Watershed Protection Occupancy Permit certifying that all requirements of this Ordinance have been met before the occupancy or use of a building hereafter erected, altered, or moved and/or before the change of use of any building or land.

A Watershed Protection Occupancy Permit, either for the whole or part of a building, shall be applied for coincident with the application for a Watershed Protection Permit and shall be issued or denied within ten business days after the erection or structural alterations of the building. The applicant should notify the Watershed Administrator and request the issued Watershed Occupancy Permit when the building is complete.

When only a change in the use of land or existing building occurs, the Watershed Administrator shall issue a Watershed Protection Occupancy Permit certifying that all requirements of this Ordinance have been met coincident with the Watershed Protection Permit.

If the Watershed Protection Occupancy Permit is denied, the Watershed Administrator shall notify the applicant in writing stating the reasons for the denial.



No building or structure that has been erected, moved, or structurally altered may be occupied until the Watershed Administrator has approved and issued a Watershed Protection Occupancy Permit.

816: PUBLIC HEALTH, IN GENERAL

No activity, situation, structure, or land use shall be allowed within the watershed that poses a threat to water quality and public health, safety, and welfare.

817: ABATEMENT

The Watershed Administrator shall monitor land use activities within the watershed areas to identify situations that may pose a threat to water quality.

The Watershed Administrator shall report all findings to the Watershed Review Board. The Watershed Administrator may consult with any public agency or official and request recommendations. The Watershed Administrator may also coordinate with local inspection departments since Randolph County can abate most threatening nuisances.

Where the Watershed Review Board finds a threat to water quality and the public health, safety, and welfare, the Board shall institute any appropriate action or proceeding to restrain, correct, or abate the condition and/or violation.

818: WATERSHED ADMINISTRATOR AND DUTIES

The Randolph County Planning Director is hereby appointed the Watershed Administrator, who shall be duly sworn in. It shall be the duty of the Watershed Administrator to administer and enforce the provisions of this Ordinance as follows.

- A. The Watershed Administrator shall issue Watershed Protection Permits and Watershed Protection Occupancy Permits as prescribed herein. A record of all permits shall be kept on file and shall be available for public inspection during regular office hours of the Administrator.
- B. The Watershed Administrator shall serve as Clerk to the Watershed Review Board.
- C. The Watershed Administrator is granted the authority to administer and enforce the provisions of this Ordinance, exercising in the fulfillment of his responsibility the full police power of Randolph County. The Watershed



Administrator, or his duly authorized representative, may enter any building, structure, or premises, as provided by law, to perform any duty imposed upon him by the Ordinance.

- D. The Watershed Administrator shall keep records of all amendments to the local Water Supply Watershed Protection Ordinance and shall provide copies of all amendments upon adoption to the Stormwater Branch of the Division of Energy, Mineral, and Land Resources.
- E. The Watershed Administrator shall keep records of the jurisdiction's use of the provision that a maximum of ten percent of the non-critical area of WS-II, WS-III watersheds, and WS-IV watersheds may be developed with new development at a maximum of seventy percent built-upon surface areas. Records for each watershed shall include the total acres of non-critical watershed area, total acres eligible to be developed under this option, total acres approved for this development option, and individual records for each project with the following information: location, number of developed acres, type of land use, and stormwater management plan if applicable.
- F. The Watershed Administrator shall keep a record of variances to the local Water Supply Watershed Protection Ordinance.
- G. The Watershed Administrator is responsible for ensuring the Stormwater Control Measures are inspected at least once a year and shall keep a record of SCM inspections.

819: APPEAL FOR THE WATERSHED ADMINISTRATOR

Any order, requirement, decision, or determination made by the Watershed Administrator may be appealed to and decided by the Watershed Review Board.

An appeal from a decision of the Watershed Administrator must be submitted to the Watershed Review Board within thirty days from the date of the order, interpretation, decision, or determination is made. All appeals must be made in writing stating the reason for the appeal. Following submission of an appeal, the Watershed Administrator shall transmit to the Board all papers constituting the record upon which the action appealed was taken.

An appeal stays all proceedings in furtherance of the action appealed unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal has been filed with him, that by reasons of facts stated in the certificate of approval for recording, a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on the application of notice of the officer from whom the appeal is taken and upon due cause shown.



All appeals of the Watershed Administrator decisions shall follow the procedures of administrative appeals in NCGS § 160D-405.

820: CHANGES AND AMENDMENTS TO THE WATERSHED PROTECTION ORDINANCE

The Randolph County Board of Commissioners may, on its own motion or on a petition, after public notice and hearing, amend, supplement, change, or modify the watershed regulations and restrictions as described herein.

No action shall be taken until the proposal has been submitted to the Watershed Review Board for review and recommendations. If no recommendation has been received from the Watershed Review Board within forty-five days after submission of the proposal to the Chairman of the Watershed Review Board, the Randolph County Board of Commissioners may proceed as though a favorable report has been received.

Under no circumstances shall the Randolph County Board of Commissioners adopt such amendments, supplements, or changes that would cause this Ordinance to violate the watershed protection rules as adopted by the North Carolina Environmental Management Commission. All amendments must be filed with the North Carolina Division Energy, Mineral, and Land Resources.

821: PUBLIC NOTICE AND HEARING REQUIRED

Before adopting or amending this Ordinance, the Randolph County Board of Commissioners shall hold a public hearing on the proposed changes. A notice of the public hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published for the first time not less than ten nor more than twenty-five days before the date for the hearing.

822: ESTABLISHMENT OF WATERSHED REVIEW BOARD

The Randolph County Zoning Board of Adjustment is hereby appointed as the Watershed Review Board. The members of the Watershed Review Board shall be appointed as outlined in Article 300 of the *Randolph County Unified Development Ordinance*.

823: RULES OF CONDUCT FOR MEMBERS



Members of the Watershed Review Board may be removed by the Randolph County Board of Commissioners for cause, including violation of the rules stated below.

- A. Faithful attendance at meetings of the Watershed Review Board and conscientious performance of the duties required by members of the Watershed Review Board shall be considered a prerequisite to continuing membership on the Watershed Review Board.
2. No Watershed Review Board members shall take part in the hearing, consideration, or determination of any case in which he is personally or financially interested. A Watershed Review Board member shall have a "financial interest" in a case when a decision in the case will (i) cause him or his spouse to experience a direct financial benefit or loss, or (ii) will cause a business in which he or his spouse owns a ten percent or greater interest, or is involved in a decision-making role, to experience a direct financial benefit or loss. A Watershed Review Board member shall have a *personal interest* in a case when it involves a member of his immediate family (ex. parent, spouse, or child.) The intent is to prohibit members of the Watershed Review Board from acting in situations where they have a conflict of interest like the prohibition in NCGS § 14-234 (c) (1). Please also see NCGS § 160D-109 for standards for conflicts of interest for Randolph County development decisions.
3. No Watershed Review Board member shall discuss the substance of any appeal or other quasi-judicial case with any parties thereto before the public hearing on that case; provided, however, that members may receive and/or seek information about the case from the Watershed Administrator or any other member of the Watershed Review Board, or its secretary before the hearing.
4. Members of the Watershed Review Board shall not express individual opinions on the proper judgment of any case before its determination on that case, and shall not form a fixed opinion on the case before the hearing on that case.
5. Members of the Watershed Review Board shall give notice to the Chairman at least forty-eight hours before the meeting of any potential conflict of interest in which he has a particular case before the Watershed Review Board.
 - a. No Watershed Review Board member shall vote on any matter that decides an application or appeal unless he has attended the public meeting or watched a recording of the meeting on that application or appeal.



824: POWERS AND DUTIES OF THE WATERSHED REVIEW BOARD

A. ADMINISTRATIVE REVIEW

The Watershed Review Board shall hear and decide appeals from any decision or determination made by the Watershed Administrator in the enforcement of this Ordinance.

B. VARIANCES

The Watershed Review Board shall have the power to authorize, in specific cases, minor variances from the terms of this Ordinance, and may review major variance requests and make recommendations to the North Carolina Environmental Management Commission regarding the same. In addition, Randolph County shall notify and allow a reasonable comment period for all other local governments having jurisdiction in the designated watershed where the variance is being considered.

(1) Application for a variance shall be made on the proper form obtainable from the Watershed Administrator and shall include the following information:

(a) A site plan is drawn to a scale of at least one inch to forty feet, indicating the property lines of the parcel upon which the use is proposed; any existing or proposed structures; parking areas and other built-upon areas; and surface water drainage. The site plan shall be neatly drawn and indicate the north point, name and address of the person who prepared the plan, date of the original drawing, and an accurate record of any later revisions.

(b) A complete and detailed description of the proposed variance, together with any other pertinent information that the applicant feels would be helpful to the Watershed Review Board in considering the application.

(c) Evidence or proposed witness testimony that tends to support a finding that each of the factors listed in subsection three below are met.

(2) The Watershed Administrator shall notify in writing each local government having jurisdiction in the watershed and the entity using the water supply for consumption. Such notice shall include a description of the variance being requested. Local governments receiving notice of the variance request may submit comments to the Watershed Administrator before a



decision by the Watershed Review Board. Such comments shall become a part of the record of proceedings of the Watershed Review Board.

(3) Before the Watershed Review Board may grant a variance, it shall make the following three findings, which shall be recorded on the permanent records of the case, and shall include the factual reasons on which they are based:

(a) There are practical difficulties or unnecessary hardships in the ways of carrying out the strict letter of the Ordinance. To determine that there are practical difficulties or unnecessary hardships, the Board must find the five following conditions exist:

(i) If he complies with the provisions of the Ordinance, the applicant can secure no reasonable return from, nor make reasonable use of, his property. Merely providing that the variance would permit a greater profit to be made from the property **will not** be considered adequate to justify the Board in granting a variance. Moreover, the Board shall consider whether the variance is the minimum possible deviation from the terms of the Ordinance that will make possible the reasonable use of his property.

(ii) The hardship results from the application of the Ordinance to the property rather than from other factors such as deed restrictions or other hardships.

(iii) The hardship is due to the physical nature of the applicant's property, such as its size, shape, or topography, which is different from that of neighboring property.

- (iv) The hardship is not the result of the actions of an applicant who knowingly or unknowingly violated the Ordinance, or who purchases the property after the effective date of the Ordinance, and then comes to the Board for relief.
 - (v) The hardship is peculiar to the applicant's property, rather than the result of widespread conditions. If other properties are equally subject to the hardship created by the restriction, then granting a variance would be a special privilege denied to others and would not promote equal justice.
 - (b) The variance is in harmony with the general purpose and intent of the Ordinance and preserves its spirit.
 - (c) In the granting of the variance, public safety and welfare have been assured and substantial justice has been done. The Board shall not grant a variance if it finds that doing so would in any respect impair the public health, safety, or general welfare.
- (4) In granting the variance, the Board may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use that relate to the purpose and standards of this Ordinance. If a variance for the construction, alteration, or use of the property is granted, such construction, alteration, or use shall be per the approved site plan.
 - (5) The Watershed Review Board shall refuse to hear an appeal or an application for a variance previously denied if it finds that there have been no substantial changes in conditions or circumstances bearing on the appeal or application.
 - (6) A variance issued under this section shall be considered a Watershed Protection Permit and shall expire if a building permit or Watershed Occupancy Permit for such use is not



obtained by the applicant within six months from the date of the decision.

- (7) If the application calls for the granting of a major variance, and if the Watershed Review Board decides in favor of granting the variance, the Watershed Review Board shall prepare a preliminary record of the hearing with all deliberate speed. The preliminary record of the hearing shall include:
- (a) The variance application;
 - (b) The hearing notices;
 - (c) The evidence presented;
 - (d) Motions, offers of proof, objections to evidence, and rulings on them;
 - (e) Proposed findings and exceptions;
 - (f) The proposed decision, including all conditions proposed to be added to the permit.

The preliminary record shall be sent to the Environmental Management Commission for its review.

C. SUBDIVISION APPROVAL

See Article 800, Section 802.

D. PUBLIC HEALTH

See Article 800, Sections 816 and 817.

E. APPROVAL OF ALL DEVELOPMENT GREATER THAN THE LOW-DENSITY OPTION.

825: APPEALS FROM THE WATERSHED REVIEW BOARD

Appeals from the Watershed Review Board must be filed with the Superior Court within thirty days from the date of the decision. The decision by the Superior Court will be in the manner of certiorari.

826: RANDLEMAN LAKE WATERSHED RIPARIAN BUFFERS

Under 15A NCAC 02B .0724 (the Rule), the protection of the pollutant removal and other water quality services provided by riparian buffers throughout the watershed is an



important element of the overall Randleman Lake water supply pollutant strategy. The following is the management strategy for maintaining and protecting riparian areas in the Randleman Lake Watershed.

A. PURPOSE

The purposes of this rule shall be for local governments listed in the Rule, and in certain cases stated in this Rule the Division, to maintain and protect existing riparian buffers throughout the Randleman Lake Watershed as generally described in this Rule, to maintain their nutrient removal and stream protection functions. Additionally, this Rule will help protect the water supply uses of Randleman Lake and designated water supplies throughout the Randleman Lake Watershed. Terms used in this Rule shall be defined in Rule .0610 of 15A NCAC 02B.

B. APPLICABILITY

This Rule shall apply to landowners and other persons including Randolph County, State, and federal entities conducting activities within the riparian buffers as described in Item (C) of this Rule in the Randleman Lake Watershed.

C. BUFFERS PROTECTED

The following minimum criteria shall be used for identifying regulated riparian buffers:

(1) Surface water shall be subject to this Rule if the feature is approximately shown on any of the following references, or if there is other site-specific evidence that indicates to the Authority the presence of waters not shown on any of these references:

(a) The United States Geological Survey's National Map, available online at <https://www.usgs.gov/core-science-systems/national-geospatial-program/national-map>;

(b) The most recent version of the published manuscript of the soil survey map that shows stream layers prepared by the Natural Resource Conservation Service of the United States Department of Agriculture; or

(c) Other maps approved by the North Carolina Environmental Management Commission as more accurate than those identified in Sub-item (C) (1) (a) and (C) (1) (b) of the Rule. Other



maps shall use a hydrography dataset developed using hydrography specifications and standard metadata approved by the Geographic Information Coordinating Council (GICC) and maintained on a GICC list of the best available hydrography. Edits, deletions, and additions to the hydrography dataset shall follow GICC-approved standards and specifications, per stewardship governance. Other maps shall have their hydrography dataset and procedures for edits, deletions, and additions reviewed and approved by the GICC. Other maps shall be submitted to the Division for review and recommendation to the North Carolina Environmental Management Commission. Before recommendation to the North Carolina Environmental Management Commission, the Division shall issue a thirty-day public notice through the Division's mailing list under 15A NCAC 02H .0503. Division staff shall present recommendations including comments received during the public notice period to the North Carolina Environmental Management Commission for a final decision. Maps approved under this sub-item shall not apply to projects that are existing and ongoing within the meaning of this Rule as set out in Item (F) of this Rule;

- (2) This Rule shall apply to activities conducted within fifty-foot-wide riparian buffers directly adjacent to surface waters in the Randleman Lake Watershed (e.g., intermittent, and perennial streams, lakes, reservoirs, and ponds) excluding wetlands;
- (3) Wetlands adjacent to surface waters or within fifty feet of surface waters shall be considered as part of the riparian buffer but are regulated under 15A NCAC 02H .0506;
- (4) Stormwater runoff from activities conducted outside the riparian buffer shall comply with Item (I) of this Rule;
- (5) Riparian buffers protected by this Rule shall be measured under Item (H) of this Rule;
- (6) A riparian buffer may be exempt from this Rule as described in Items (E), (F), and (G) of this Rule; and



- (7) No new clearing, grading, or development shall take place, nor shall any new building permits be issued in violation of this Rule.

D. ON-SITE DETERMINATION

When a landowner or other affected part believes that the maps listed in Sub-Item (C) (1) of this Rule have inaccurately depicted surface waters or the specific origination point of a stream, or the specific origination point of the steam is in question or unclear, he or she shall request the Authority to make an on-site determination. On-site determinations shall be made by Authority staff that is certified under NCGS 143-214.25A. Registered Foresters under Chapter 98B of the General Statutes who are employees of the North Carolina Forest Service of the Department of Agriculture and Consumer Services can make on-site determinations for forest harvesting operations and practices. Randolph County may accept the results of an on-site determination made by other parties who have completed the Division's Surface Water Identification Training Certification course, its successor, or other equivalent training curriculum approved by the Division. On-site determinations shall expire five years from the date of the determination. Any disputes over on-site determinations shall be referred to the Director in writing within sixty calendar days of written notification from the Authority. The Director's determination is subject to review as provided in NCGS 150B Articles 3 and 4.

E. EXEMPTION BASED ON ON-SITE DETERMINATION

Surface waters that appear on the maps listed in Sub-Item (C) (1) of this Rule shall not be subject to this Rule if an on-site determination shows that they fall into one of the following categories:

- (1) Ditches and manmade conveyances including manmade stormwater conveyances, other than modified natural streams unless the ditch or manmade conveyance delivers untreated stormwater runoff from an adjacent source directly to an intermittent or perennial stream;
- (2) The absence on the ground of a corresponding perennial waterbody, intermittent water body, lake, reservoir, or pond;
- (3) Ephemeral streams; and
- (4) Manmade ponds and lakes that are not fed by an intermittent or perennial stream or do not have a direct discharge point to an intermittent or perineal stream.

F. EXEMPTION WHEN EXISTING USES ARE PRESENT AND ONGOING

This Rule shall not apply to portions of the riparian buffer where its use is existing and is ongoing.



(1) The use shall be considered existing and ongoing if:

- (a) It was present within the riparian buffer as of the effective date of the local ordinance or ordinances enforcing this Rule and has continued to exist since that time. For activities listed in Sub-Item (L) (2) of this Rule, the use shall be considered existing and ongoing if it was present within the riparian buffer as of April 1, 1999, and has continued to exist since that time;
- (b) It was a deemed allowable activity as listed in Item (K) of this Rule; or
- (c) It was conducted and maintained according to an Authorization Certificate or Variance issued by the Authority; or
- (d) The project or proposed development is determined by the Authority to meet at least one of the following criteria:
 - (i) The project requires a 401 Certification/404 Permit, and these were issued before the effective date of the local ordinance or ordinances enforcing this Rule, or for activities listed in Sub-Item (L) (2) of this Rule, before April 1, 1991, and are still valid; or
 - (ii) Projects that require a State permit, such as landfills, NPDES wastewater discharges, land application of residuals, and road construction activities, and have begun construction or are under contract to begin construction, and have received all required State permits and certifications before the effective date of the local ordinance or ordinances implementing this Rule, or for activities listed in Sub-Item (L) (2)



of this Rule, before April 1, 1999;
or

(iii) Projects that are being reviewed through the Clean Water Act Section 404/National Environmental Policy Act Merge 01 Process (published by the US Army Corps of Engineers and Federal Highway Administration, 2003) or its immediate successor and that have reached an agreement with the Department on avoidance and minimization before April 1, 1999; or

(iv) Projects that are not required to be reviewed by the Clean Water Act Section 404/National Environmental Policy Act Merge 01 Process (published by the US Army Corps of Engineers and Federal Highway Administration, 2003) or its immediate successor if a Finding of No Significant Impact has been issued for the project and the project has the written approval of the Division before April 1, 1999.

(2) Existing and ongoing uses shall include, but not be limited to, agriculture, buildings, industrial facilities, commercial areas, transportation facilities, maintained lawns (e.g., can be mowed without a chainsaw or bush-hog), existing utility line maintenance corridors, and on-site sanitary sewage systems, any of which involve either specific, periodic management of vegetation or displacement of vegetation by structures or regular activity.

(3) Only the portion of the riparian buffer that contains the footprint of the *existing* and ongoing use is exempt from this Rule.

(4) Change of ownership through purchase or inheritance is not a change of use.



- (5) Activities necessary to maintain existing and ongoing uses are allowed provided that the site remains similarly vegetated, no built-upon area is added within the riparian buffer where it did not previously exist before the effective date of the local ordinance or ordinances enforcing this Rule, or for activities listed in Sub-Item (L) (2) before April 1, 1999, and the site complies with Item (I) of this Rule.
- (6) This Rule shall apply at the time an existing and ongoing use is changed to another use. Change of use shall involve the initiation of any activity not defined as existing and ongoing in Sub-Items (F) (5) of this Rule.

G. EXEMPTION FOR PONDS CONSTRUCTED AND USED FOR AGRICULTURAL PURPOSES

This Rule shall not apply to a freshwater pond if all the following conditions are met:

- (1) The property on which the pond is located is used for agriculture as that term is defined in NCGS § 160-581.1;
- (2) Except for this Rule, the use of the property complies with all other water quality and water quantity statutes and rules applicable to the property before April 1, 1999; and
- (3) The pond is not a component of an animal waste management system as defined in NCGS § 143-215.10B (3).

H. ZONES OF THE RIPARIAN BUFFER

The protected riparian buffer shall have two zones as follows:

- (1) Zone 1 shall consist of a vegetated area that is undisturbed except for uses provided for in Items (I) and (L) of this Rule. The location of Zone 1 shall be as follows:

 - (a) For intermittent and perennial streams, Zone 1 shall begin at the most landward limit of the top of the bank or the rooted herbaceous vegetation and extend landward a distance of thirty feet on all sides of the stream. Where an intermittent or perennial stream begins or ends, including when it goes underground, enters, or exits a culvert, or enters or exits a wetland, the required distance shall be measured as a radius around the beginning or the end; and



(b) For ponds, lakes, and reservoirs subject to this Rule, Zone 1 shall begin at the normal water level and extend landward to thirty feet, measured horizontally on a line perpendicular to the surface water.

(2) Zone 2 shall consist of a stable, vegetated area that is undisturbed except for uses provided for in Items (I) and (L) of this Rule. Grading and revegetating Zone 2 is allowed provided that the height of the vegetation in Zone 1 is not compromised. Zone 2 shall begin at the edge of Zone 1 and extend landward twenty feet as measured horizontally on a line perpendicular to the surface water. The combined width of Zone 1 and Zone 2 shall be fifty feet on all sides of the surface water.

I. STORMWATER RUNOFF THROUGH THE RIPARIAN BUFFER

Stormwater runoff into the riparian buffer shall meet dispersed flow as defined in 15A NCAC 02H .1002 except as otherwise described in this Item. Drainage conveyances include drainage ditches, roadside ditches, and stormwater conveyances. The following stormwater conveyances through the riparian buffer are either deemed allowable or allowable upon authorization, as defined in Sub-Item (J) (1) of this Rule, providing that they do not erode through the riparian buffer that is not listed below shall be allowable with exception as defined in Sub-Item (J) (5) of this Rule.

(1) The following are deemed allowable as defined in Sub-Item (J) (1) of this Rule:

(a) New drainage conveyances from a Primary SCM, as defined in 15A NCAC 02H .1002, when the Primary SCM is designed to treat the drainage area to the conveyance and that comply with a stormwater management plan reviewed and approved under a State stormwater program or a State-approved local government stormwater program; and

(b) New stormwater flow to existing drainage conveyances provided that the addition of new flow does not result in the need to alter the conveyance.

(2) The following are allowable upon authorization as defined in Sub-Item (J) (3) of this Rule:



- (a) New drainage conveyances from a Primary SCM, as defined in 15A NCAC 02H .1002 when the Primary SCM is provided to treat the drainage area to the conveyance but are not required to be approved under a State stormwater program or a State-approved local government program;
- (b) New drainage conveyances when the flow rate of the conveyance is less than 0.50 cubic feet per second during the peak flow from the 0.75 inches per hour storm;
- (c) New stormwater runoff that has been treated through a level spreader-filter strip that complies with 15A NCAC 02H .0159;
- (d) Realignment of existing roadside drainage conveyances applicable to publicly funded and maintained linear transportation facilities when retaining or improving and design dimensions provided that no additional travel lanes are added, and the minimum required roadway typical section is used based on traffic and safety considerations;
- (e) Realignment of existing drainage conveyances retaining or improving the design dimensions provided that the size of the drainage area and the percent built-upon area within the drainage area remain the same;
- (f) New or altered drainage conveyances applicable to publicly funded and maintained linear transportation facilities provided that SCMs, or BMPs from the NCDOT Stormwater Best Management Practices Toolbox, are employed;
- (g) New drainage conveyances applicable to publicly funded and maintained linear transportation facilities that do not provide a stormwater management facility due to topography constraints provided other measures and employed to protect downstream



water quality to the maximum extent practical; and;

- (h) New drainage conveyances where the drainage area to the conveyance has no new built-upon area as defined in 15A NCAC 02H .1002 and the conveyance is necessary for bypass or existing drainage only.

J. USES

Uses within the riparian buffer, or outside the riparian buffer with hydrological impacts on the authorization, allowable with mitigation upon authorization, or prohibited. Potential new uses shall have the following requirements:

(1) DEEMED ALLOWABLE

Uses designated or deemed allowable in Sub-Item (I) (1) and Item (K) of this rule may occur within the riparian buffer. Deemed allowable uses shall be designed, constructed, and maintained to minimize vegetation and soil disturbance and to provide the maximum water quality protection practicable, including construction, monitoring, and maintenance activities. Also, deemed allowable uses shall meet the requirements listed in Item (K) of this Rule for the specific use.

(2) ALLOWABLE UPON AUTHORIZATION

Uses designated as allowable upon authorization in Sub-Item (I) (2) and Item (K) of this Rule require a written Authorization Certificate from the Authority for impacts within the riparian buffer if there are no practical alternatives to the requested use according to Rule .0611 of this Subchapter.

(3) ALLOWABLE WITH MITIGATION UPON AUTHORIZATION

Uses designated as allowable with mitigation upon authorization in Item (K) of this Rule require a written Authorization Certificate from the Authority for impacts within the riparian buffer according to Rule .0611 of this Subchapter and an appropriate mitigation strategy has received written approval under Item (L) of this rule.

(4) PROHIBITED

Uses designated as prohibited in Item (K) of this Rule may not proceed within the riparian buffer unless a Variance is granted under Rule .0226 of this Subchapter. Mitigation may be required as a condition of a variance approval.

**(5) ALLOWABLE WITH EXCEPTION**

Uses not designated as deemed allowable, allowable under an authorization, allowable with mitigation under the authorization, or prohibited in Item (K) of this Rule require a written Authorization Certificate with Exception from the Authority for impacts within the riparian buffer according to Rule .0611 of this Subchapter and an appropriate mitigation strategy that has received written approval according to Item (L) of this Rule.

K. TABLE OF USES

The following table sets out potential new uses within the riparian buffer, or outside the riparian buffer with hydrological impacts on the riparian buffer, and designates them as deemed allowable, allowable upon authorization, allowable with mitigation upon authorization, or prohibited.

<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
<u>Airport facilities:</u>				
• <u>Airport facilities that impact equal to or less than one-third of an acre of riparian buffer.</u>		✓		
• <u>Airport facilities that impact greater than one-third of an acre of riparian buffer.</u>			✓	
• <u>Vegetation removal activities necessary to comply with FAA requirements (e.g., line of sight requirements) provided the disturbed areas are stabilized and revegetated.</u>	✓			
<u>Archaeological activities:</u>	✓			
<u>Bridges:</u>				
• <u>Impact equal to or less than one-tenth of an acre of riparian buffer.</u>	✓			
• <u>Impact greater than one-tenth of an acre of riparian buffer.</u>		✓		
<u>Dam maintenance activities:</u>				
• <u>Dam maintenance activities that do not cause additional riparian buffer disturbances beyond the footprint of the existing dam.</u>	✓			



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
Dam maintenance activities that do cause additional riparian buffer disturbances beyond the footprint of the existing dam.		✓		
<u>Drainage of a pond</u> subject to Item (D) of this Rule provided that a new riparian buffer is established by natural regeneration or planting within fifty feet of any stream which naturally forms or is constructed within the drained pond area. Drained ponds shall be allowed to naturalize for a minimum of six months from completion of the draining activity before a stream determination is conducted under Item (D) of this Rule.	✓			
<u>Fences:</u>				
Fencing livestock out of surface waters.	✓			
Installation does not result in the removal of trees from Zone 1.	✓			
Installation results in the removal of trees from Zone 1.		✓		
<u>Fertilizer application:</u>				
One-time fertilizer application at agronomic rates in the riparian buffer to establish replanted vegetation. No runoff from this one-time application in the riparian buffer is allowed in the surface water.	✓			
Ongoing fertilizer application.				✓
<u>Forest harvesting</u> (See Rule .0612 of this Subchapter)				
<u>Grading</u> in only Zone 2 provided that the health of existing vegetation in Zone 1 is not compromised, Item (I) of this Rule is complied with, and disturbed areas are stabilized and revegetated.	✓			
<u>Greenways,</u> trails, sidewalks, or linear pedestrian/bicycle transportation systems:				



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
In <i>Zone 2</i> provided that no built-upon area is added within the riparian buffer.	✓			
In <i>Zone 1</i> provided that no built-upon area is added within the riparian buffer and the installation does not result in the removal of tree(s).	✓			
When built upon area is added to the riparian buffer, equal to or less than ten feet wide with two-foot-wide shoulders. Shall be located outside <i>Zone 1</i> unless there is no practical alternative.		✓		
When built upon area is added to the riparian buffer, greater than ten feet wide with two-foot-wide shoulders. Shall be located outside <i>Zone 1</i> unless there is no practical alternative.			✓	
<u>Historic preservation:</u>	✓			
<u>New landfills</u> as defined in NCGS § 130A-290.				✓
<u>Maintenance access of modified natural streams;</u> a grassed travel way on one side of the waterbody when less impacting alternatives are not practical. The width and specifications of the travel way shall be only that needed for equipment access and operation. The travelway shall be located to maximize stream shading.		✓		
<u>Mining activities:</u>				
Mining activities that are covered by the Mining Act provided that new riparian buffers that meet the requirements of Items (H) and (I) of this Rule are established adjacent to any relocated channels.		✓		



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
Mining activities that are not covered by the Mining Act OR where new riparian buffers that meet the requirements of Items (H) and (I) of this Rule are not established.			✓	
Wastewater or mining dewatering wells with approved NPDES permit.	✓			
Pedestrian access trail and associated steps leading to surface water, dock, canoe or kayak access, fishing pier, boat ramp, or other water-dependent structure:				
Equal to or less than six feet wide that does not result in the removal of tree(s) within the riparian buffer and does not result in the addition of built-upon area to the riparian buffer.	✓			
Equal to or less than six feet wide that results in the removal of tree(s) or the addition built upon area to the riparian buffer.		✓		
Greater than six feet wide.			✓	
Playground equipment:				
Playground equipment on single-family lots if installation and use does not result in the removal of vegetation.	✓			
Playground equipment on single-family lots where installation or use results in the removal of vegetation.		✓		
Playground equipment installed on lands other than single-family lots.			✓	
Ponds created or modified by impounding streams subject to riparian buffers under Item (C) of this Rule and not used as stormwater control measures (SCMs):				



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
New ponds provided that a riparian buffer that meets the requirements of Items (H) and (I) of this Rule is established adjacent to the pond.		✓		
New ponds where a riparian buffer that meets the requirements of Items (H) and (I) of this Rule is NOT established adjacent to the pond.			✓	
<u>Protection of existing structures and facilities</u> when this requires additional disturbances of the riparian buffer.		✓		
<u>Public safety or publicly owned spaces</u> where it has been determined by the head of the local law enforcement agency with jurisdiction over that area that the buffers pose a risk to public safety. The head of the local law enforcement agency shall notify Randolph County with land use jurisdiction over the publicly owned space and the Division of Water Resources of any such determination in writing.	✓			
<u>Removal of previous fill or debris</u> if Item (I) of this Rule is complied with and any vegetation removed is restored.	✓			



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
<u>Residential properties:</u> Where the application of this Rule would preclude the construction of a single-family residence and necessary infrastructure, the single-family residence may encroach in the riparian buffer if all of the following conditions are met: (1) the residence is set back the maximum feasible distance from the top of the bank, rooted herbaceous vegetation, normal high-water level, or normal water level, whichever is applicable, on the existing lot; (2) the residence is designed to minimize encroachment into the riparian buffer; (3) the residence complies with Item (I) of this Rule; and (4) if the residence will be served by an on-site wastewater system, no part of the septic system or drain field may encroach into the riparian buffer.				
The residence or necessary infrastructure only impacts <u>Zone 2</u>.		✓		
The residence or necessary infrastructure impacts <u>Zone 1</u>.			✓	
Impacts other than the residence or necessary infrastructure.			✓	
<u>Restoration or enhancement</u> (wetland, stream) as defined in 33 CFR Part 332 available free of charge on the internet. ²				
Wetland or stream restoration is part of a compensatory mitigation bank, nutrient offset bank, or the In-Lieu Fee Program.	✓			
Wetland or stream restoration other than those listed above.		✓		
<u>Road, driveway, or railroad:</u> perpendicular crossings of streams and other surface waters subject to this Rule:				

² http://water.epa.gov/lawregs/guidance/wetlands/wetlandsmitigation_index.cfm



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
The impact is equal to less than one-tenth of an acre of riparian buffer.	✓			
Impact greater than one-tenth of an acre but equal to or less than one-third of an acre of riparian buffer.		✓		
Impact greater than one-third of an acre of riparian buffer.			✓	
Driveway crossings in a residential subdivision that cumulatively impact equal to or less than one-third of an acre of riparian buffer.		✓		
Driveway crossings in a residential subdivision that cumulatively impact greater than one-third of an acre of riparian buffer.			✓	
Farm roads and forest roads that are exempt from permitting from the US Army Corps of Engineers per Section 404 (f) of the Federal Clean Water Act.	✓			
<u>Road, driveway, or railroad:</u> impacts other than perpendicular crossings of streams and other surface water subject to this Rule.			✓	
<u>Road relocation</u> of existing private access roads associated with public road projects where necessary for public safety:				
Less than or equal to 2,500 square feet of riparian buffer impact.		✓		
Greater than 2,500 square feet of riparian buffer impact			✓	
<u>Scientific studies and stream gauging:</u>	✓			
<u>Slatted uncovered decks</u> , including steps and support posts, which are associated with a dwelling, if it meets the requirements of Items (H) and (I) of the Rule and:				
Installation does not result in the removal of vegetation in <u>Zone 1</u>		✓		



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
Installation results in the removal of vegetation in <u>Zone 1</u>.			✓	
<u>Stormwater Control Measure (SCM)</u> as defined in 15A NCAC 02H .1002:				
In <u>Zone 2</u> if Item (l) of this Rule is complied with		✓		
In <u>Zone 1</u>			✓	
<u>Streambank or shoreline stabilization:</u>		✓		
<u>Temporary roads</u> provided that the disturbed area is restored to pre-construction topographic and hydrologic conditions and replanted with comparable vegetation within two months of when construction is complete. Tree planting may occur during the dormant season. At the end of five years, any restored wooded riparian buffer shall comply with the restoration criteria in Rule .0295(i) of this Subchapter:				
Less than or equal to 2,500 square feet of riparian buffer disturbance.	✓			
Greater than 2,500 square feet of riparian buffer disturbance.		✓		
Associated with culvert installation or bridge construction or replacement.		✓		
<u>Temporary sediment and erosion control devices</u> provided that the disturbed area is restored to pre-construction topographic and hydrologic conditions and replanted with comparable vegetation within two months of when construction is complete. Tree planting may occur during the dormant season. At the end of five years, any restored wooded riparian buffer shall comply with the restorations criteria in Rule .0295 (i) of this Subchapter:				



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
In <i>Zone 2</i> only if the ground cover is established within the timeframes required by the Sedimentation and Erosion Control Act, the vegetation in <i>Zone 1</i> is not compromised and that discharge is under Item (I) of this rule.	✓			
In <i>Zone 1</i> and <i>Zone 2</i> to control impacts associated with uses identified in this Table or uses that have received an Authorization Certificate with Exception if sediment and erosion control for upland areas is addressed outside the riparian buffer.		✓		
In-stream temporary erosion and sediment control measures for work within a stream channel that is authorized under Sections 401 and 404 of the Federal Clean Water Act.	✓			
Utility Lines: Streambank stabilization for the protection of publicly owned utility lines (not including new line installation):				
Less than 150 feet of streambank disturbance.	✓			
Greater than 150 feet of streambank disturbance.		✓		
Utility Lines: Sanitary Sewer Overflows:				



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Emergency sanitary sewer overflow response activities provided that the disturbed area within the riparian buffer outside of the existing utility line maintenance corridor is the minimum necessary to respond to pre-construction topographic and hydrologic conditions, and is replanted with comparable vegetation (e.g., grass with grass, hardwoods with hardwoods) within two months of when the disturbance is complete.	✓			
Emergency sanitary sewer overflow response activities that do not meet the listing above. For any new proposed permanent impacts that are not a “Deemed Allowable Activity”, an application for an Authorization Certificate shall be submitted to the Authority no later than thirty calendar days of the conclusion of the emergency response activities.		✓		
Utility Lines: Utility, Sewer Lines: Vegetation maintenance activities that remove forest vegetation from existing sewer utility rights-of-way (not including new line installation) outside of the existing utility line maintenance corridor:				
Zone 2 impacts.	✓			
Zone 1 impacts: For lines that have not been maintained, the vegetation can be mowed, cut, or otherwise maintained without disturbance to the soil structure for a maintenance corridor that is equal to or less than thirty feet wide.	✓			
Zone 1 impacts other than those listed above.		✓		



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE</u>	<u>PROHIBITED</u>
		<u>WITH</u> <u>AUTHORIZATION</u>	<u>WITH</u> <u>MITIGATION</u> <u>UPON</u> <u>AUTHORIZATION</u>	
Utility, Sewer Lines: <u>Replacement/Rehabilitation of existing sewer lines within, or adjacent to, an existing right-of-way but outside of an existing utility line maintenance corridor provided that comparable vegetation (e.g., grass with grass, hardwoods with hardwoods) can regenerate in disturbed riparian buffers outside of the permanent maintenance corridor and riparian buffers outside of the permanent maintenance corridor are not maintained:</u>				
<u>Permanent maintenance corridor equal to or less than thirty feet wide provided there is no grading and/or grubbing within ten feet of the top of the bank when the sewer line is parallel to the stream.</u>	✓			
<u>Grading and/or grubbing within ten feet of the top of the bank, when the sewer line is parallel to the stream and permanent maintenance corridor equal to, is less than thirty feet wide.</u>		✓		
<u>A permanent maintenance corridor is greater than thirty feet wide. For impacts other than perpendicular crossings, mitigation is only required for Zone 1 impacts. For perpendicular crossings that disturb equal to or less than forty linear feet, no mitigation is required. For perpendicular crossings that disturb than forty linear feet, mitigation is only required for Zone 1 impacts.</u>			✓	



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
<u>Utility: Sewer Lines, New Line Construction/Installation</u> <u>Activities:</u> Perpendicular crossings of streams and other surface waters subject to this Rule or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to this Rule if vegetation can regenerate in disturbed areas outside of the permanent maintenance corridor:				
• Construction corridor of less than or equal to forty linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.	✓			
• Construction corridor of greater than forty linear feet wide and less than or equal to 150 linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.		✓		
• Construction corridor of greater than forty linear feet wide and less than or equal to 150 linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.			✓	
• Permanent maintenance corridor that is greater than thirty linear feet wide. For impacts other than perpendicular crossings, mitigation is only required for Zone 1 impacts. For perpendicular crossings, the disturbance is equal to or less than forty linear feet, no mitigation is required. For perpendicular crossings that disturb greater than forty linear feet, mitigation is only required for Zone 1 impacts.			✓	



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
<u>Utility: Sewer Lines, New Line Construction/Installation</u> <u>Activities:</u> Impacts other than perpendicular crossings if vegetation can regenerate in disturbed areas outside of the permanent maintenance corridor:				
• <u>Zone 2 impacts.</u>	<u>✓</u>			
• <u>Zone 1 impacts to less than 2,500 square feet when impacts are solely the result of tying into an existing utility line and when grubbing or grading within ten feet immediately adjacent to the surface water is avoided.</u>		<u>✓</u>		
• <u>Zone 1 impacts other than those listed above.</u>			<u>✓</u>	
<u>Utility: Non-sewer Underground Lines:</u> Vegetation maintenance activities that remove forest vegetation from existing utility rights-of-way (not including new line installation) outside of the existing utility line maintenance corridor:				
• <u>Zone 2 impacts.</u>	<u>✓</u>			
• <u>Zone 1 impacts: For lines that have not been maintained, the vegetation can be mowed, cut, or otherwise maintained without disturbance to the soil structure for a maintenance corridor that is equal to or less than thirty feet wide.</u>	<u>✓</u>			
• <u>Zone 1 impacts other than those listed above.</u>		<u>✓</u>		
<u>Utilities: Non-sewer Underground Lines:</u> Perpendicular crossings of streams and other surface water subject to this Rule or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to this Rule if vegetation can regenerate in disturbed areas outside of the permanent maintenance corridor:				



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
Construction corridor of less than or equal to fifty linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.	✓			
Construction corridor of greater than fifty linear feet wide and less than or equal to 150 linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.		✓		
Construction corridor of greater than 150 linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.			✓	
Permanent maintenance corridor that is greater than thirty linear feet wide. (Mitigation is required only for Zone 1 impacts.)			✓	
Utilities: Non-sewer Underground Lines: Impacts other than perpendicular crossings if vegetation can regenerate in disturbed areas outside of the permanent maintenance corridor:				
Zone 2 impacts.	✓			
Zone 1 impacts to less than 2,500 square feet when impacts are solely the results of tying into an existing utility line and when grubbing or grading within ten feet immediately adjacent to the surface water is avoided.		✓		
Zone 1 impacts other than those listed above.			✓	
Utilities: Non-sewer and Aerial Lines: Perpendicular crossings of streams and other surface waters subject to this Rule or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to this Rule:				



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
Disturb equal to or less than 150 linear feet wide of the riparian buffer provided that a minimum zone of ten feet wide immediately adjacent to the water body is managed such that only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line is removed, that no land grubbing or grading is conducted in <i>Zone 1</i>, and that poles or aerial infrastructure are not installed within ten feet of a water body.	✓			
Disturb greater than 150 linear feet wide of riparian buffer.		✓		
Utilities: Non-sewer Aerial Lines: Impacts other than perpendicular crossings of streams and other surface waters subject to this Rule or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to this Rule:				
Impacts in <i>Zone 2</i> only		✓		
Impacts in <i>Zone 1</i> provided that a minimum zone of ten feet wide immediately adjacent to the water body is managed such that only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line is removed, that no land grubbing or grading is conducted in <i>Zone 1</i>, and that poles or aerial infrastructure are not installed within ten feet of a water body.			✓	
Vegetation management:				
Emergency fire control measures if the topography is restored.	✓			



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
Periodic mowing and harvesting of plant products only in <i>Zone 2</i>.	✓			
Placement of mulch rings around restoration plantings for a period of five years from the date of planting.	✓			
Planting non-invasive vegetation to enhance the riparian buffer.	✓			
Pruning forest vegetation ensures that the health and function of the forest vegetation are not compromised.	✓			
Removal of individual trees, branches, or limbs that are in danger of causing damage to dwellings, existing utility lines, other structures, or human life, or are imminently endangering the stability of the streambank provided that the stumps are left or ground in place without causing an additional land disturbance.	✓			
Removal of individual trees that are dead, diseased, or damaged.	✓			
Removal of poison ivy, oak, or sumac. Removal can include the application of pesticides within the riparian buffer if the pesticides are certified by the EPA for use in or near aquatic sites and are applied following the manufacturer's instructions. If removal is significant, then the riparian buffer shall be replaced with non-invasive species.	✓			



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
Removal of understory nuisance vegetation as defined in Smith, Cherri L. 2008. <i>Invasive Plants for North Carolina</i>. NCDOT.³ Removal can include the application of pesticides within the riparian buffer if the pesticides are certified by the EPA for use in or near aquatic sites and are applied following the manufacturer's instructions. If removal is significant, then the riparian buffer shall be replanted with non-invasive species.	✓			
Removal of woody vegetation in <i>Zone 1</i> if Item (I) of this Rule is complied with.			✓	
Vehicle access roads and boat ramps (excluding parking areas) leading to surface water, docks, fishing piers, and other water-dependent activities:				
Singular vehicular access road and a boat ramp to the surface water but not crossing the surface water that is restricted to the minimum width practical not to exceed fifteen feet wide.		✓		
Vehicular access roads and boat ramps to the surface water but not crossing the surface water that is restricted to the minimum width practicable and exceeds fifteen feet wide.			✓	
Water-dependent structures (except for boat ramps) as defined in Rule .0202 of this Subchapter.		✓		
Water supply reservoirs:				
New reservoirs provided that a riparian buffer that meets the requirements of Items (H) and (I) of this Rule is established adjacent to the reservoir.		✓		

³https://www.ncforestservice.gov/forest_health/invasives.htm



<u>USE</u>	<u>ALLOWABLE</u>	<u>ALLOWABLE WITH AUTHORIZATION</u>	<u>ALLOWABLE WITH MITIGATION UPON AUTHORIZATION</u>	<u>PROHIBITED</u>
• <u>New reservoirs where a riparian buffer that meets the requirements of Items (H) and (I) of this Rule is not established adjacent to the reservoir.</u>			✓	
<u>Water wells</u>	✓			
<u>Wildlife passage structures</u>		✓		

Table 24: Randleman Lake Riparian Buffer Table of Uses

L. MITIGATION

Persons who wish to undertake uses designed as allowable upon authorization with mitigation as defined in Sub-Item (J) (3) of this Rule or allowable with exception as defined in Sub-Item (J) (5) of this Rule shall meet the following requirements to proceed with their proposed use.

1. Obtain an Authorization Certificate under Rule .0611 of this Subchapter; and
2. Obtain written approval for a migration proposal under Rule .0295 of this Subchapter.

M. RULE IMPLEMENTATION

This Rule shall be implemented as follows:

1. Local governments with land use authority within the Randleman Lake Watershed shall establish and maintain riparian buffer protection programs to meet or exceed the minimum requirements of this Rule and shall comply with all requirements outlined in NCGS § 143-214.23A.
 - (a) Randolph County shall adopt and enforce this Rule through local ordinances.
 - (b) Randolph County shall appoint a Riparian Buffer Protection Administrator(s) who shall coordinate the implementation and enforcement of the program. The Administrator(s) shall attend an initial training session by the Division and be certified to make on-site determinations according to NCGS § 143-214.25A. The Administrator(s) shall ensure that Randolph County staff working directly with the program receive training to understand, implement, and



enforce the program and are certified to make on-site determinations according to NCGS § 143-214.25A. At any time that Randolph County does not have a certified individual retained on staff to make on-site determinations according to NCGS § 143-214.25A, they shall immediately notify the Division and indicate a proposed schedule to secure a certified staff member. Randolph County shall coordinate with the Division to provide on-site determinations until a newly certified staff member is secured by Randolph County.

2. Randolph County shall apply the requirements of this Rule throughout their jurisdiction within the Randleman Lake Watershed except where the Division shall exercise jurisdiction. The Division shall have jurisdiction to the exclusion of Randolph County to administer the requirements of this Rule for the following types of activities:

- (a) Activities conducted under the authority of the State;
- (b) Activities conducted under the authority of the United States;
- (c) Activities conducted under the authority of multiple jurisdictions;
- (d) Activities conducted under the authority of local units of government;
- (e) Forest harvesting activities described in Rule .0612 of this Subchapter; and
- (f) Agricultural activities.

3. The Division shall regularly audit Randolph County to ensure that local programs are being implemented and enforced in keeping with the requirements of this Rule and Rule .0611 of this Subchapter. The audit shall consist of a review of all Randolph County activities concerning the implementation of this Rule and Rule .0611 of this Subchapter.

4. Randolph County shall maintain on-site records for a minimum of five years and shall furnish a copy of these



records to the Division within thirty calendar days of receipt of a written request for them. Randolph County's records shall include the following:

- (a) A copy of all Authorization Certificates with Exception requests;
 - (b) Findings on all Authorization Certificates with Exceptions requests;
 - (c) The results of all Authorization Certificates with Exception proceedings;
 - (d) A record of complaints and actions taken because of complaints;
 - (e) Records for on-site determinations as described in Item (D) of this Rule; and
 - (f) Copies of all requests for authorizations, records approving authorization, and Authorization Certificates.
5. If Randolph County fails to adopt or adequately implement its program as specified in this Rule, the Division may take appropriate enforcement action as authorized by statute and may choose to assume responsibility for implementing that program until it determines that Randolph County is prepared to comply with its responsibilities.
6. The Commission may delegate its duties and powers for granting and rescinding Randolph County delegation of the Randleman Lake Riparian Buffer protection requirements, in whole or in part, to the Director.

N. WATER SUPPLY REQUIREMENTS

The existing water supply requirement in Rule .0624 (12) of this Subchapter that stipulates a one-hundred-foot vegetated buffer, adjacent to perennial streams, for all new development activities, applies to the entire Randleman Lake Watershed. The first fifty feet of these riparian areas on either side of these waters shall also be protected under all the requirements of this Rule. Randolph County may choose to implement more stringent requirements, including requiring additional buffer width. The existing water supply requirement in Rule .0624 (12) of this Subchapter also stipulated a thirty-foot vegetated buffer, adjacent to perennial streams, for all new



development activities that utilize the low-density option also applies to the entire Randleman Lake Watershed.

O. OTHER LAWS, REGULATIONS AND PERMITS

In all cases, compliance with this Rule does not preclude the requirement to comply with all other federal, State, and local regulations and laws.

827: WS-I WATERSHED AREAS

The intent is to provide maximum protection for water supplies with the natural and undeveloped watershed in public ownership by allowing only low-intensity uses. No residential or non-residential uses are allowed except those listed below depending on County zoning regulations. Impacts from non-point source pollution shall be minimized.

A. ALLOWED USES:

1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conservation Commission.
2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.
3. Water withdrawal, treatment, and distribution facilities.
4. Restricted road access.
5. Power transmission lines.

B. DENSITY AND BUILT-UPON AREA LIMITS DO NOT APPLY.

828: WS-II WATERSHED AREAS – CRITICAL AREA (WS-II-CA)

To maintain a predominately undeveloped land-use intensity pattern, single-family residential uses shall be allowed at a maximum of one dwelling unit per two acres. All other residential and non-residential developments shall be allowed at a maximum of six percent built-upon area. New residual application sites and landfills are specifically prohibited.

A. ALLOWED USES:

1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade



Act of 1990 and all rules and regulations of the Soil and Water Conservation Commission.

2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.
3. Residential development.
4. Non-residential development, excluding (i) landfills and (ii) sites for land application of residuals or petroleum-contaminated soils.

B. DENSITY AND BUILT-UPON LIMITS:

1. Single Family Residential: Development shall not exceed one dwelling unit per two acres on a project-by-project basis. No residential lot shall be less than two acres (80,000 sq. ft. excluding roadway right-of-way), except within an approved cluster development.
2. All Other Residential and Non-Residential: Development shall not exceed six percent built-upon area on a project-by-project basis. To calculate the built-upon area, the total project area shall include the total acreage in the tract on which the project is to be developed.

829: WS-II WATERSHED AREAS – BALANCE WATERSHED (WS-II-BW)

To maintain predominantly undeveloped land-use intensity, single-family residential uses shall be allowed at a maximum of one dwell per acre. All other residential and nonresidential development shall be allowed a maximum of twelve percent built-upon area. Also, new development may occupy ten percent of the watershed area outside the critical area, with seventy percent built upon when authorized as a Special Intensity Allocation (SIA). The Watershed Administrator is authorized to approve SIAs consistent with the provisions of this Ordinance. The project must, to the maximum extent practicable, minimum built-upon surface area, direct stormwater away from surface waters, and incorporate Best Management Practices to minimize water quality impacts. Non-discharging landfills and residual application sites are allowed if allowed by County zoning regulations.

A. ALLOWED USES:

1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade



Act of 1990 and all rules and regulations of the Soil and Water Conversation Commission.

2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.
3. Residential development.
4. Non-residential development, excluding discharging landfills.

B. DENSITY AND BUILT-UPON LIMITS:

1. Single Family Residential: Development shall not exceed one dwelling unit per acre on a project-by-project basis. No residential lot shall be less than one acre (or 40,000 square feet excluding roadway right-of-way), except within an approved cluster development.
2. All Other Residential and Non-Residential: Development shall not exceed twelve percent built-upon area on a project-by-project basis except that up to ten percent of the balance of the watershed may be developed at up to seventy percent built-upon area on a project-by-project basis. To calculate the built-upon area, the total project area shall include the total acreage in the tract on which the project is to be developed.

830: WS-III WATERSHED AREAS – CRITICAL AREAS (WS-III-CA)

To maintain low to moderate land-use intensity, single-family residential uses are allowed at a maximum of one dwelling unit per two acres. All other residential and non-residential development shall be allowed at a maximum of twelve percent built-upon area. New residual application sites and landfills are specifically prohibited.

A. ALLOWED USES:

1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conversation Commission.
2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.
3. Residential development.



4. Non-residential development, excluding (i) landfills and (ii) sites for land application of residuals or petroleum-contaminated soils.

B. DENSITY AND BUILT-UPON LIMITS:

1. Single Family Residential: Development shall not exceed one dwelling unit per two acres on a project-by-project basis. No residential lot shall be less than two acres (80,000 square feet excluding roadway right-of-way), except within an approved cluster development.
2. All Other Residential and Non-Residential: Development shall not exceed twelve percent built-upon on a project-by-project basis. To calculate the built-upon area, the total project area shall include total acreage in the tract on which the project is to be developed.

831: WS-III WATERSHED AREAS – BALANCE WATERSHED (WS-III-BW)

To maintain a low to moderate land-use intensity, single-family detached uses shall develop at a maximum of one dwelling unit per acre. All other residential and non-residential development shall be allowed at a maximum of twenty-four percent built-upon area. Also, new development and expansions to existing development may occupy ten percent of the balance of the watershed area with up to seventy percent built-upon area when approved as a Special Intensity Allocation (SIA). The Watershed Administrator is authorized to approve SIAs consistent with the provisions of this Ordinance. Projects must, to the maximum extent practicable, minimize built-upon surface area, direct stormwater away from surface waters, and incorporate Best Management Practices to minimize water quality impacts. Non-discharging landfills and residual application sites are allowed if allowed by County zoning regulations.

A. ALLOWED USES:

1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conversation Commission.
2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.
3. Residential development.
4. Non-residential development excluding discharging landfills.



B. DENSITY AND BUILT-UPON LIMITS:

1. Single Family Residential: Development shall not exceed one dwelling unit per acre, as defined on a project-by-project basis. No residential lot shall be less than one acre (or 40,000 square feet excluding roadway right-of-way), except within an approved cluster development.
2. All Other Residential and Non-Residential: Development shall not exceed twenty-four percent built-upon area on a project-by-project basis except that up to ten percent of the balance of the watershed may be developed with new development and expansions to existing development up at to seventy percent built-upon area on a project-by-project basis. To calculate the built-upon area, the total project area shall include the total acreage in the tract on which the project is to be developed.

832: WS-IV WATERSHED AREAS – CRITICAL AREAS (WS-IV-CA)

Only new development activities that require an erosion/sedimentation control plan under State law or approved local program are required to meet the provisions of this Ordinance when located in a WS-IV watershed. To address a moderate to high land-use intensity pattern, single-family residential uses are allowed at a maximum of one dwelling unit per two acres. All other residential and non-residential development shall be allowed at a maximum of six percent built-upon area. New residual application sites and landfills are specifically prohibited.

A. ALLOWED USES:

1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conservation Commission.
2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.
3. Residential development.
4. Non-residential development excluding (i) landfills and (ii) sites for land application of residuals or petroleum-contaminated soils.

B. DENSITY AND BUILT-UPON LIMITS:

1. Single-Family Residential: Development shall not exceed one dwelling unit per two acres on a project-by-project basis. No



residential lot shall be less than two acres (80,000 square feet excluding road right-of-way), except with an approved cluster development.

2. All Other Residential and Non-Residential: Development shall not exceed six percent built-upon area on a project-by-project basis. To calculate the built-upon area, the total project area shall include the total acreage in the tract on which the parcel is to be developed.

833: WS-IV WATERSHED AREAS – PROTECTED AREA (WS-IV-PA)

Only new development activities that require an erosion/sedimentation control plan under State law or approved local government program are required to meet the provisions of this Ordinance when located in a WS-IV watershed. To accommodate moderate to high land-use intensity, single-family residential uses shall develop at a maximum of one dwelling unit per acre. All other residential and non-residential development shall be allowed at a maximum of twelve percent built-upon area. A maximum of one dwelling unit per acre or twelve percent built-upon area is allowed for projects without a curb and gutter street system.

A. ALLOWED USES:

1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conservation Commission.
2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.
3. Residential development.
4. Non-residential development.

B. DENSITY AND BUILT-UPON LIMITS:

1. Single-Family Residential: Development shall not exceed one dwelling per acre, as defined on a project-by-project basis. No residential lot shall be less than one acre (40,000 square feet excluding roadway right-of-way), except within an approved cluster development.
2. All Other Residential and Non-Residential: Development shall not exceed twelve percent built-upon area on a project-by-project basis. To calculate the built-upon area, the total project



area shall include acreage in the tract on which the project is to be developed.

3. In addition to the development allowed under items one and two above, new development and expansions to existing development may occupy up to ten percent of the projected area with up to seventy percent built-upon area on a project-by-project basis, when approved as a special intensity allocation (SIA). The Watershed Administrator is authorized to approve SIAs consistent with the provisions of this Ordinance. The project must, to the maximum extent practicable, minimize built-upon surface area, direct stormwater away from surface waters, and incorporate Best Management Practices to minimize water quality impacts. To calculate the built-upon area, the total project acre shall include the total acreage in the tract on which the project is to be developed.

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BUSH CREEK PEDESTRIAN BRIDGE

1/16/2025

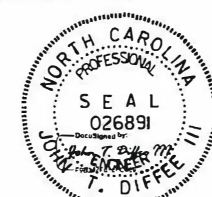
CONSTRUCTION BIDS

Item	Section	Description	Quantity	Unit	Engineers Estimate		Eastern Structures, LLC		Fred Smith Co.		Mastec Civil, LLC	
					Unit Price	Bid Amount	Unit Price	Bid Amount	Unit Price	Bid Amount	Unit Price	Bid Amount
1	01 71 13	Mobilization	1	LS	\$ 41,250.00	\$ 41,250.00	\$ 50,000.00	\$ 50,000.00	\$ 66,000.00	\$ 66,000.00	\$ 200,000.00	\$ 200,000.00
2	01 71 23.16	Construction Surveying	1	LS	\$ 7,200.00	\$ 7,200.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 75,000.00	\$ 75,000.00
3	01 14 13	Site Access / Haul Road Clearing	1	LS	\$ 10,500.00	\$ 10,500.00	\$ 80,000.00	\$ 80,000.00	\$ 96,000.00	\$ 96,000.00	\$ 625,000.00	\$ 625,000.00
4	31 11 00	Clearing and Grubbing	1	LS	\$ 4,600.00	\$ 4,600.00	\$ 5,000.00	\$ 5,000.00	\$ 16,000.00	\$ 16,000.00	\$ 39,500.00	\$ 39,500.00
5	31 22 00	Grading	1	LS	\$ 5,300.00	\$ 5,300.00	\$ 80,000.00	\$ 80,000.00	\$ 100,000.00	\$ 100,000.00	\$ 62,000.00	\$ 62,000.00
6	32 15 00	Granite Screenings	3,285	SF	\$ 8.50	\$ 27,922.50	\$ 2.00	\$ 6,570.00	\$ 5.10	\$ 16,753.50	\$ 10.00	\$ 32,850.00
7	32 15 00	Geotextile for Trail	390	SY	\$ 3.15	\$ 1,228.50	\$ 3.00	\$ 1,170.00	\$ 5.00	\$ 1,950.00	\$ 20.00	\$ 7,800.00
8	03 30 00	Concrete Washout	2	EA	\$ 1,700.00	\$ 3,400.00	\$ 750.00	\$ 1,500.00	\$ 800.00	\$ 1,600.00	\$ 1,900.00	\$ 3,800.00
9	01 57 13	Temporary Silt Fence	720	LF	\$ 5.00	\$ 3,600.00	\$ 3.50	\$ 2,520.00	\$ 4.50	\$ 3,240.00	\$ 4.50	\$ 3,240.00
10	01 57 13	1/4" Hardware Cloth	65	LF	\$ 8.25	\$ 536.25	\$ 10.00	\$ 650.00	\$ 25.00	\$ 1,625.00	\$ 25.00	\$ 1,625.00
11	01 57 13	Safety Fence	320	LF	\$ 3.50	\$ 1,120.00	\$ 4.00	\$ 1,280.00	\$ 3.00	\$ 960.00	\$ 3.00	\$ 960.00
12	01 57 13	Wattle	30	LF	\$ 14.30	\$ 429.00	\$ 17.00	\$ 510.00	\$ 38.00	\$ 1,140.00	\$ 25.00	\$ 750.00
13	31 25 14.23	Floating Turbidity Curtain	50	SY	\$ 39.25	\$ 1,962.50	\$ 75.00	\$ 3,750.00	\$ 34.50	\$ 1,725.00	\$ 80.00	\$ 4,000.00
14	01 57 13	Matting for Erosion Control	2800	SY	\$ 2.75	\$ 7,700.00	\$ 2.00	\$ 5,600.00	\$ 2.00	\$ 5,600.00	\$ 2.50	\$ 7,000.00
15	01 57 13	Coir Fiber Mat	100	SY	\$ 10.65	\$ 1,065.00	\$ 8.00	\$ 800.00	\$ 7.00	\$ 700.00	\$ 15.00	\$ 1,500.00
16	01 53 00	Construction, Maintenance and Removal of Temporary Access	1	LS	\$ 12,500.00	\$ 12,500.00	\$ 86,694.95	\$ 86,694.95	\$ 200,000.00	\$ 200,000.00	\$ 85,000.00	\$ 85,000.00
17	01 57 13	Sediment Control Stone	15	TONS	\$ 79.00	\$ 1,185.00	\$ 50.00	\$ 750.00	\$ 102.00	\$ 1,530.00	\$ 190.00	\$ 2,850.00
18	01 57 13	Erosion Control Stone, Class A	65	TONS	\$ 91.50	\$ 5,947.50	\$ 50.00	\$ 3,250.00	\$ 124.00	\$ 8,060.00	\$ 150.00	\$ 9,750.00
19	01 57 13	Erosion Control Stone, Class B	10	TONS	\$ 77.35	\$ 773.50	\$ 50.00	\$ 500.00	\$ 125.00	\$ 1,250.00	\$ 150.00	\$ 1,500.00
20	01 57 13	Erosion Control	1	LS	\$ 2,700.00	\$ 2,700.00	\$ 5,000.00	\$ 5,000.00	\$ 21,725.00	\$ 21,725.00	\$ 18,500.00	\$ 18,500.00
21	31 37 00	Class II Rip Rap (2'-0" Thick)	154	TONS	\$ 72.00	\$ 11,088.00	\$ 1.00	\$ 154.00	\$ 122.00	\$ 18,788.00	\$ 140.00	\$ 21,560.00
22	31 37 00	Geotextile for Drainage	361	SY	\$ 4.35	\$ 1,570.35	\$ 3.00	\$ 1,083.00	\$ 4.50	\$ 1,624.50	\$ 12.45	\$ 4,494.45
23	33 41 00	15" Drainage Pipe	18	LF	\$ 87.00	\$ 1,566.00	\$ 75.00	\$ 1,350.00	\$ 107.00	\$ 1,926.00	\$ 240.00	\$ 4,320.00
24	33 05 13	Grate Drop Inlet Box (NC DOT Std. 840.18 or 840.27)	1	EA	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	\$ 3,000.00	\$ 4,475.00	\$ 4,475.00	\$ 3,250.00	\$ 3,250.00
25	33 05 13	Grate Drop Inlet Frame and 2 Grates (NC DOT Std. 840.29)	1	EA	\$ 870.00	\$ 870.00	\$ 1,000.00	\$ 1,000.00	\$ 1,025.00	\$ 1,025.00	\$ 2,500.00	\$ 2,500.00
26	31 62 00	Pile Excavation in Soil	19.7	LF	\$ 130.00	\$ 2,561.00	\$ 1,100.00	\$ 21,670.00	\$ 481.00	\$ 9,475.70	\$ 942.00	\$ 18,557.40
27	31 62 00	Pile Excavation Not in Soil	63.1	LF	\$ 260.00	\$ 16,406.00	\$ 1,100.00	\$ 69,410.00	\$ 615.00	\$ 38,806.50	\$ 522.00	\$ 32,938.20
28	31 62 00	HP 12x53 Steel Piles	105	LF	\$ 87.50	\$ 9,187.50	\$ 60.00	\$ 6,300.00	\$ 42.00	\$ 4,410.00	\$ 114.00	\$ 11,970.00
29	31 62 00	HP 14x73 Galvanized Steel Piles	160	LF	\$ 95.00	\$ 15,200.00	\$ 10.00	\$ 1,600.00	\$ 77.00	\$ 12,320.00	\$ 148.00	\$ 23,680.00
30	31 62 00	Pile Driving Equipment Setup for HP12x53 Steel Piles	6	EA	\$ 2,150.00	\$ 12,900.00	\$ 10.00	\$ 60.00	\$ 1,475.00	\$ 8,850.00	\$ 2,500.00	\$ 15,000.00
31	31 62 00	Pile Driving Equipment Setup for HP14x73 Galvanized Steel Piles	4	EA	\$ 2,200.00	\$ 8,800.00	\$ 10.00	\$ 40.00	\$ 2,545.00	\$ 10,180.00	\$ 5,500.00	\$ 22,000.00
32	31 62 00	Steel Pile Points	7	EA	\$ 300.00	\$ 2,100.00	\$ 250.00	\$ 1,750.00	\$ 325.00	\$ 2,275.00	\$ 215.00	\$ 1,505.00
33	03 30 00	Class A Concrete	33	CY	\$ 1,270.00	\$ 41,910.00	\$ 1,500.00	\$ 49,500.00	\$ 1,960.00	\$ 64,680.00	\$ 3,250.00	\$ 107,250.00
34	03 30 00	Concrete Curb	300.29	LF	\$ 52.00	\$ 15,615.08	\$ 120.00	\$ 36,034.80	\$ 105.00	\$ 31,530.45	\$ 50.00	\$ 15,014.50
35	03 30 00	Concrete Wearing Surface	1,501	SF	\$ 24.40	\$ 36,624.40	\$ 22.00	\$ 33,022.00	\$ 54.00	\$ 81,054.00	\$ 30.00	\$ 45,030.00
36	03 20 00	Reinforcing Steel	4,411	LBS	\$ 1.70	\$ 7,498.70	\$ 2.75	\$ 12,130.25	\$ 2.00	\$ 8,822.00	\$ 3.00	\$ 13,233.00
37	03 41 33	Elastomeric Bearings	1	LS	\$ 3,450.00	\$ 3,450.00	\$ 4,000.00	\$ 4,000.00	\$ 2,260.00	\$ 2,260.00	\$ 9,000.00	\$ 9,000.00
38	03 41 33	3'x2' Prestressed Concrete Cored Slabs	600	LF	\$ 240.00	\$ 144,000.00	\$ 301.00	\$ 180,600.00	\$ 400.00	\$ 240,000.00	\$ 408.30	\$ 244,980.00
39	05 52 13	Pedestrian and Bike Railing	340	LF	\$ 117.00	\$ 39,780.00	\$ 325.00	\$ 110,500.00	\$ 360.00	\$ 122,400.00	\$ 356.00	\$ 121,040.00
40	03 30 00	Bridge Approach Slabs	1	LS	\$ 4,400.00	\$ 4,400.00	\$ 25,000.00	\$ 25,000.00	\$ 30,000.00	\$ 30,000.00	\$ 26,000.00	\$ 26,000.00
41	32 39 13	Bollard	2	EA	\$ 250.00	\$ 500.00	\$ 1,800.00	\$ 3,600.00	\$ 3,500.00	\$ 7,000.00	\$ 2,900.00	\$ 5,800.00
42	32 92 19	Temporary Seeding and Mulching	1.5	ACRE	\$ 2,700.00	\$ 4,050.00	\$ 1,800.00	\$ 2,700.00	\$ 2,800.00	\$ 4,200.00	\$ 3,800.00	\$ 5,700.00
43	32 92 19	Permanent Seeding and Mulching	3	ACRE	\$ 2,700.00	\$ 8,100.00	\$ 2,500.00	\$ 7,500.00	\$ 3,300.00	\$ 9,900.00	\$ 5,000.00	\$ 15,000.00
44	01 70 00	As-Built Plans	1	LS	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	\$ 3,000.00	\$ 1,639.15	\$ 1,639.15	\$ 2,200.00	\$ 2,200.00
45	32 32 15	Modular Gravity Retaining Wall	472.7	SF	\$ 47.50	\$ 22,453.25	\$ 130.00	\$ 61,451.00	\$ 116.00	\$ 54,833.20	\$ 235.00	\$ 111,084.50
TOTAL PEDESTRIAN BRIDGE CONSTRUCTION COST					\$	554,550.03	\$	987,000.00	\$	1,333,333.00	\$	2,065,732.05

ALL BIDS SUBMITTED FOR THE DESIGNATED PROJECT ARE REFLECTED ON THIS BID TAB SHEET. HOWEVER, THE LISTING OF A BID ON THIS SHEET SHOULD NOT BE CONSTRUED AS A COMMENT ON THE RESPONSIVENESS OF SUCH BID OR AS ANY INDICATION THAT THE COUNTY ACCEPTS SUCH BID AS RESPONSIVE.

THE COUNTY WILL MAKE A DETERMINATION AS TO THE RESPONSIVENESS OF BIDS SUBMITTED BASED UPON COMPLIANCE WITH ALL APPLICABLE LAWS, RANDOLPH COUNTY'S PURCHASING GUIDELINES, AND PROJECT DOCUMENTS, INCLUDING BUT NOT LIMITED TO THE PROJECT SPECIFICATIONS AND CONTRACT DOCUMENTS. THE COUNTY WILL NOTIFY THE SUCCESSFUL BIDDER UPON AWARD OF THE CONTRACT AND, ACCORDING TO LAW, ALL BIDS RECEIVED

THIS BID TAB CERTIFICATION WAS PREPARED
1/17/2025 BY:



Wetherill Engineering, Inc.
1223 Jones Franklin Rd.
Raleigh, NC 27606

License No. F-0377

BUSH CREEK PEDESTRIAN BRIDGE

1/16/2025

CONSTRUCTION BIDS

Item	Section	Description	Quantity	Unit	Lee Construction		Sanford Contractors		Smith-Rowe, LLC	
					Unit Price	Bid Amount	Unit Price	Bid Amount	Unit Price	Bid Amount
1	01 71 13	Mobilization	1	LS	\$ 75,000.00	\$ 75,000.00	\$ 73,977.50	\$ 73,977.50	\$ 50,000.00	\$ 50,000.00
2	01 71 23.16	Construction Surveying	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 38,000.00	\$ 38,000.00	\$ 15,000.00	\$ 15,000.00
3	01 14 13	Site Access / Haul Road Clearing	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 200,000.00	\$ 200,000.00	\$ 76,915.00	\$ 76,915.00
4	31 11 00	Clearing and Grubbing	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 38,000.00	\$ 38,000.00	\$ 32,806.00	\$ 32,806.00
5	31 22 00	Grading	1	LS	\$ 70,000.00	\$ 70,000.00	\$ 145,000.00	\$ 145,000.00	\$ 96,105.00	\$ 96,105.00
6	32 15 00	Granite Screenings	3,285	SF	\$ 15.00	\$ 49,275.00	\$ 1.74	\$ 5,715.90	\$ 3.50	\$ 11,497.50
7	32 15 00	Geotextile for Trail	390	SY	\$ 2.00	\$ 780.00	\$ 3.75	\$ 1,462.50	\$ 6.00	\$ 2,340.00
8	03 30 00	Concrete Washout	2	EA	\$ 1,500.00	\$ 3,000.00	\$ 428.00	\$ 856.00	\$ 615.00	\$ 1,230.00
9	01 57 13	Temporary Silt Fence	720	LF	\$ 5.00	\$ 3,600.00	\$ 5.00	\$ 3,600.00	\$ 3.00	\$ 2,160.00
10	01 57 13	1/4" Hardware Cloth	65	LF	\$ 4.00	\$ 260.00	\$ 10.00	\$ 650.00	\$ 7.00	\$ 455.00
11	01 57 13	Safety Fence	320	LF	\$ 3.00	\$ 960.00	\$ 5.00	\$ 1,600.00	\$ 3.00	\$ 960.00
12	01 57 13	Wattle	30	LF	\$ 8.00	\$ 240.00	\$ 15.00	\$ 450.00	\$ 14.00	\$ 420.00
13	31 25 14.23	Floating Turbidity Curtain	50	SY	\$ 30.00	\$ 1,500.00	\$ 12.84	\$ 642.00	\$ 65.00	\$ 3,250.00
14	01 57 13	Matting for Erosion Control	2800	SY	\$ 2.00	\$ 5,600.00	\$ 2.00	\$ 5,600.00	\$ 1.70	\$ 4,760.00
15	01 57 13	Coir Fiber Mat	100	SY	\$ 4.00	\$ 400.00	\$ 9.00	\$ 900.00	\$ 8.00	\$ 800.00
16	01 53 00	Construction, Maintenance and Removal of Temporary Access	1	LS	\$ 135,000.00	\$ 135,000.00	\$ 185,000.00	\$ 185,000.00	\$ 41,905.00	\$ 41,905.00
17	01 57 13	Sediment Control Stone	15	TONS	\$ 20.00	\$ 300.00	\$ 48.00	\$ 720.00	\$ 95.00	\$ 1,425.00
18	01 57 13	Erosion Control Stone, Class A	65	TONS	\$ 85.00	\$ 5,525.00	\$ 60.00	\$ 3,900.00	\$ 72.50	\$ 4,712.50
19	01 57 13	Erosion Control Stone, Class B	10	TONS	\$ 85.00	\$ 850.00	\$ 61.00	\$ 610.00	\$ 130.00	\$ 1,300.00
20	01 57 13	Erosion Control	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 7,702.00	\$ 7,702.00	\$ 7,500.00	\$ 7,500.00
21	31 37 00	Class II Rip Rap (2'-0" Thick)	154	TONS	\$ 100.00	\$ 15,400.00	\$ 68.00	\$ 10,472.00	\$ 1.00	\$ 154.00
22	31 37 00	Geotextile for Drainage	361	SY	\$ 3.00	\$ 1,083.00	\$ 3.75	\$ 1,353.75	\$ 4.52	\$ 1,631.72
23	33 41 00	15" Drainage Pipe	18	LF	\$ 80.00	\$ 1,440.00	\$ 35.67	\$ 642.06	\$ 115.00	\$ 2,070.00
24	33 05 13	Grate Drop Inlet Box (NCDOT Std. 840.18 or 840.27)	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 2,140.00	\$ 2,140.00	\$ 4,000.00	\$ 4,000.00
25	33 05 13	Grate Drop Inlet Frame and 2 Grates (NCDOT Std. 840.29)	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 749.00	\$ 749.00	\$ 1,150.00	\$ 1,150.00
26	31 62 00	Pile Excavation in Soil	19.7	LF	\$ 2,000.00	\$ 39,400.00	\$ 1,113.28	\$ 21,931.62	\$ 330.67	\$ 6,514.20
27	31 62 00	Pile Excavation Not in Soil	63.1	LF	\$ 2,000.00	\$ 126,200.00	\$ 1,089.51	\$ 68,748.08	\$ 583.72	\$ 36,832.73
28	31 62 00	HP 12x53 Steel Piles	105	LF	\$ 200.00	\$ 21,000.00	\$ 0.01	\$ 1.05	\$ 55.73	\$ 5,851.65
29	31 62 00	HP 14x73 Galvanized Steel Piles	160	LF	\$ 200.00	\$ 32,000.00	\$ 77.79	\$ 12,446.40	\$ 90.45	\$ 14,472.00
30	31 62 00	Pile Driving Equipment Setup for HP12x53 Steel Piles	6	EA	\$ 2,000.00	\$ 12,000.00	\$ 7,000.00	\$ 42,000.00	\$ 1.00	\$ 6.00
31	31 62 00	Pile Driving Equipment Setup for HP14x73 Galvanized Steel Piles	4	EA	\$ 2,000.00	\$ 8,000.00	\$ 5,000.00	\$ 20,000.00	\$ 1.00	\$ 4.00
32	31 62 00	Steel Pile Points	7	EA	\$ 300.00	\$ 2,100.00	\$ 203.30	\$ 1,423.10	\$ 235.00	\$ 1,645.00
33	03 30 00	Class A Concrete	33	CY	\$ 3,000.00	\$ 99,000.00	\$ 2,300.00	\$ 75,900.00	\$ 3,194.51	\$ 105,418.83
34	03 30 00	Concrete Curb	300.29	LF	\$ 80.00	\$ 24,023.20	\$ 110.00	\$ 33,031.90	\$ 76.42	\$ 22,948.16
35	03 30 00	Concrete Wearing Surface	1,501	SF	\$ 85.00	\$ 127,585.00	\$ 47.00	\$ 70,547.00	\$ 18.43	\$ 27,663.43
36	03 20 00	Reinforcing Steel	4,411	LBS	\$ 5.00	\$ 22,055.00	\$ 1.02	\$ 4,499.22	\$ 2.01	\$ 8,866.11
37	03 41 33	Elastomeric Bearings	1	LS	\$ 7,500.00	\$ 7,500.00	\$ 2,186.15	\$ 2,186.15	\$ 2,100.00	\$ 2,100.00
38	03 41 33	3'x2' Prestressed Concrete Cored Slabs	600	LF	\$ 500.00	\$ 300,000.00	\$ 235.00	\$ 141,000.00	\$ 292.76	\$ 175,656.00
39	05 52 13	Pedestrian and Bike Railing	340	LF	\$ 500.00	\$ 170,000.00	\$ 315.00	\$ 107,100.00	\$ 322.43	\$ 109,626.20
40	03 30 00	Bridge Approach Slabs	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 47,700.00	\$ 47,700.00	\$ 30,000.00	\$ 30,000.00
41	32 39 13	Bollard	2	EA	\$ 500.00	\$ 1,000.00	\$ 3,260.50	\$ 6,521.00	\$ 1,800.00	\$ 3,600.00
42	32 92 19	Temporary Seeding and Mulching	1.5	ACRE	\$ 5,000.00	\$ 7,500.00	\$ 1,000.00	\$ 1,500.00	\$ 2,200.00	\$ 3,300.00
43	32 92 19	Permanent Seeding and Mulching	3	ACRE	\$ 5,000.00	\$ 15,000.00	\$ 2,500.00	\$ 7,500.00	\$ 3,100.00	\$ 9,300.00
44	01 70 00	As-Built Plans	1	LS	\$ 7,500.00	\$ 7,500.00	\$ 3,002.00	\$ 3,002.00	\$ 2,500.00	\$ 2,500.00
45	32 32 15	Modular Gravity Retaining Wall	472.7	SF	\$ 200.00	\$ 94,540.00	\$ 175.10	\$ 82,769.77	\$ 147.07	\$ 69,519.99
TOTAL PEDESTRIAN BRIDGE CONSTRUCTION COST					\$	1,585,116.20	\$	1,479,550.00	\$	1,000,371.02

Bid Averages	
Unit Price	Bid Amount
\$ 85,829.58	\$ 85,829.58
\$ 28,000.00	\$ 28,000.00
\$ 183,819.17	\$ 183,819.17
\$ 26,051.00	\$ 26,051.00
\$ 92,184.17	\$ 92,184.17
\$ 6.22	\$ 20,443.65
\$ 6.63	\$ 2,583.75
\$ 998.83	\$ 1,997.67
\$ 4.25	\$ 3,060.00
\$ 13.50	\$ 877.50
\$ 3.50	\$ 1,120.00
\$ 19.50	\$ 585.00
\$ 49.56	\$ 2,477.83
\$ 2.03	\$ 5,693.33
\$ 8.50	\$ 850.00
\$ 122,266.66	\$ 122,266.66
\$ 84.17	\$ 1,262.50
\$ 90.25	\$ 5,866.25
\$ 100.17	\$ 1,001.67
\$ 11,737.83	\$ 11,737.83
\$ 72.00	\$ 11,088.00
\$ 5.20	\$ 1,878.40
\$ 108.78	\$ 1,958.01
\$ 3,227.50	\$ 3,227.50
\$ 1,237.33	\$ 1,237.33
\$ 994.49	\$ 19,591.49
\$ 985.04	\$ 62,155.92
\$ 78.62	\$ 8,255.45
\$ 100.54	\$ 16,086.40
\$ 2,164.33	\$ 12,986.00
\$ 2,509.33	\$ 10,037.33
\$ 254.72	\$ 1,783.02
\$ 2,534.09	\$ 83,624.81
\$ 90.24	\$ 27,097.17
\$ 42.74	\$ 64,150.24
\$ 2.63	\$ 11,600.93
\$ 4,507.69	\$ 4,507.69
\$ 356.18	\$ 213,706.00
\$ 363.07	\$ 123,444.37
\$ 30,616.67	\$ 30,616.67
\$ 2,293.42	\$ 4,586.83
\$ 2,766.67	\$ 4,150.00
\$ 3,566.67	\$ 10,700.00
\$ 3,306.86	\$ 3,306.86
\$ 167.20	\$ 79,033.08
\$	1,408,517.04

February 13, 2025
Special Joint Meeting with the Asheboro City School Board of Education

The Randolph County Board of Commissioners met in a special joint session with the Asheboro City Schools Board of Education in the Professional Development Center, 1221 S. Park St., Asheboro High School campus, Asheboro. Chairman Darrell Frye, Vice-Chairman Kenny Kidd, Commissioners David Allen, Hope Haywood, and Lester Rivenbark were present. Also present were County Manager Zeb Holden, Assistant County Manager/Finance Officer Will Massie, County Attorney Ben Morgan, Associate County Attorney Aimee Scotton, Paralegal Lauren Hughes, and Clerk to the Board Dana Crisco. Members of the Asheboro City Schools Board of Education present were Superintendent Dr. Aaron Woody, Board Chairman Baxter Hammer, Vice-Chairman Ryan Patton, Hilda DeCortez, Phillip Cheek, Linda Cranford, Gidget Kidd, Beth Knott, Hailey Lee, Michael Smith, Adam Hurley, and Melissa Calloway. School officials present were Finance Officer Sandra Spivey Ayers, Director of Facilities and Maintenance Jody Cox, and Clerk to the Board Angel Etheridge.

At 6:05 p.m., Chairman Frye called the meeting to order for the County. Chairman Frye thanked the School Board for their partnership. Dr. Aaron Woody welcomed the Commissioners and thanked the Boards for their partnership and dedication. He is very proud of the work that Asheboro City Schools continue to do.

Members of Bobbitt Construction gave a presentation to show the renovations planned for South Asheboro Middle School. There was a Groundbreaking Ceremony prior to the meeting to kick off the project.

Dr. Woody provided a Power Point presentation and thanked the Board of Commissioners for their support of the schools' requests. He said the budget request for FY 2025-26 will be a 7% increase over last years' \$7,342,158 adding \$515,000 to Current Expense. Continuation costs last year were \$320,000 and they are asking for a 1% increase to keep competitive salaries. Capital Outlay Appropriations were \$1,082,175 last year. They are asking for an additional \$100,000 to continue the 10-year Facilities Plan. He reminded the Boards that they were awarded \$29.7 million in grant funds to renovate South Asheboro Middle School and the Commissioners agreed to provide a 15% match to that.

Dr. Woody shared some future concerns as well. The local supplement increase is important to allow Asheboro City Schools to recruit and retain staff members in a very competitive market. Maintaining current levels of technology and curriculum and planning for device and server refreshes over the next 2-3 years also creates the need for additional money in the local supplement. The replacement of Lee J. Stone Stadium seating at a projected cost of \$3.5 to \$5 million is needed in addition to the 10-year capital improvement plan funding each year. A housing development approved by the City of Asheboro which is adjacent to the Teachey Elementary School campus will create additional capacity needs.

Adjournment

At 7:02 p.m., on motion of Haywood, seconded by Allen, the Board voted 5-0 to adjourn.

Darrell Frye, Chairman

Kenny Kidd

David Allen

Hope Haywood

Lester Rivenbark

Dana Crisco, Clerk to the Board

Randolph County Administration



Memo

To: Randolph County Board of Commissioners

From: Will Massie, Assistant County Manager / Finance Officer

Date: 2/10/2025

Re: Consideration of 2025 Audit Contract

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. In 2024, we completed a three-year contract commitment with Cherry Bekaert. With the current reluctance by most CPA firms to commit to governmental audit services, we recommend continuing with Cherry Bekaert.

Their proposed base audit fee for the County's 2025 fiscal year is \$111,500 which includes compliance testing for seven major federal and state programs. There is another \$6,100 contract for the audit of the Tourism Development Authority. These are a 6% increase. To meet requirements for a federal and state Single Audit, there are contingent fees if they must audit two more major programs (\$6,000 each for nine instead of seven programs).

We request the Board of Commissioners authorize the Chairman to sign the contract with Cherry Bekaert LLP for the financial audit of the fiscal year ended June 30, 2025, at a maximum of \$123,500 for the County and \$6,100 for the TDA.

The of and	Governing Board Board of County Commissioners
	Primary Government Unit Randolph County, North Carolina
	Discretely Presented Component Unit (DPCU) (if applicable)

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name Cherry Bekaert LLP
	Auditor Address 3800 Glenwood Avenue, Suite 200, Raleigh, NC 27612

Hereinafter referred to as Auditor

for	Fiscal Year Ending 6/30/2025	Date Audit Will Be Submitted to LGC 12/31/2025

Must be within six months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.

2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. If the Governmental Unit expended \$100,000 or more in combined Federal and State financial assistance during the reporting period, the Auditor shall perform the audit in accordance with *Government Auditing Standards* (GAGAS). The Governmental Unit is subject to federal single audit requirements in accordance with Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards*, Subpart F (*Uniform Guidance*) and the State Single Audit Implementation Act. Currently the threshold is \$750,000 for a federal single audit and \$500,000 for a State Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501) the Auditor and Governmental Unit(s) should discuss, in advance of the execution of this contract, the responsibility for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512) to ensure proper submission.

Effective for audits of fiscal years beginning on or after June 30, 2023, the LGC will allow auditors to consider whether a unit qualifies as a State low-risk auditee. Please refer to "Discussion of Single Audits in North Carolina" on the LGC's website for more information.

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Auditing Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within six months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

For GAAS or *Government Auditing Standards* audits, if an auditor issues an AU-C §260 report, commonly referred to as "Governance Letter," LGC staff does not require the report to be submitted unless the auditor cites significant findings or issues from the audit, as defined in AU-C §260.12 - .14. This would include issues such as difficulties encountered during the audit, significant or unusual transactions, uncorrected misstatements, matters that are difficult or contentious reviewed with those charged with governance, and other significant matters. If matters identified during the audit were required to be reported as described in AU-C §260.12-.14 and were communicated in a method other than an AU-C §260 letter, the written documentation must be submitted.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is also required for the Alternative Compliance Examination Engagement for auditing the Coronavirus State and Local Fiscal Recovery Funds expenditures as allowed by US Treasury. Approval is not required on audit contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. This also includes any progress billings [G.S. 159-34 and 115C-447]. All invoices for audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.
10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).
11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.
12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.
13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements and/or the compliance section, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and *Government Auditing Standards, 2018 Revision* (as applicable). Preparing financial statements in their entirety shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:

- a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
- b) the status of the prior year audit findings;
- c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
- d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.

29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit>

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Government Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: ☐ Auditor ☒ Governmental Unit ☐ Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name:

Title and Unit / Company:

Email Address:

William Massie

Assistant County Manager/Finance

william.massie@randolphcountync.gov

OR Not Applicable ☒ (Identification of SKE Individual on the LGC-205 Contract is not applicable for GAAS-only audits or audits with FYEs prior to June 30, 2020.)

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. The audit fee information included in the table below for both the Primary Government Fees and the DPCU Fees (if applicable) should be reported as a specific dollar amount of audit fees for the year under this contract. If any language other than an amount is included here, the contract will be returned to the audit form for correction.

4. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

Primary Government Unit	Randolph County, North Carolina
Audit Fee (financial and compliance if applicable)	\$ 111,500
Fee per Major Program (if not included above)	\$ 6,000 (per program if greater than seven (7) major programs)
Additional Fees Not Included Above (if applicable):	
Financial Statement Preparation (incl. notes and RSI)	\$
All Other Non-Attest Services	\$
TOTAL AMOUNT NOT TO EXCEED	\$ 123500

Discretely Presented Component Unit	
Audit Fee (financial and compliance if applicable)	\$
Fee per Major Program (if not included above)	\$
Additional Fees Not Included Above (if applicable):	
Financial Statement Preparation (incl. notes and RSI)	\$
All Other Non-Attest Services	\$
TOTAL AMOUNT NOT TO EXCEED	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm* Cherry Bekaert LLP	
Authorized Firm Representative (typed or printed)* Scott Anderson	Signature* 
Date* 02/17/2025	Email Address* SANDERSON@CBH.COM

GOVERNMENTAL UNIT

Governmental Unit* Randolph County, North Carolina	
Date Governing Board Approved Audit Contract* (Enter date in box to right)	
Mayor/Chairperson (typed or printed)* Darrell L. Frye	Signature*
Date	Email Address* Darrell.Frye@RandolphCountyNC.gov

Chair of Audit Committee (typed or printed, or "NA") Jarvis Woodburn, Treasurer	Signature
Date	Email Address JWOODBURN@WINDSTREAM.NET

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Sum Obligated by This Transaction:	\$ 123500
Primary Governmental Unit Finance Officer* (typed or printed) William Massie	Signature*
Date of Pre-Audit Certificate*	Email Address* william.massie@randolphcountync.gov

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU*	
Date DPCU Governing Board Approved Audit Contract* (Enter date in box to right)	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Sum Obligated by this Transaction:	\$
DPCU Finance Officer (typed or printed)*	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all
 required signatures prior to submission.

The	Governing Board
of	Board of Directors
	Primary Government Unit
	Randolph County Tourism Development Authority
and	Discretely Presented Component Unit (DPCU) (if applicable)

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name
	Cherry Bekaert LLP
	Auditor Address
	3800 Glenwood Avenue, Suite 200, Raleigh, NC 27612

Hereinafter referred to as Auditor

for	Fiscal Year Ending	Date Audit Will Be Submitted to LGC
	6/30/2025	12/31/2025

Must be within six months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.

2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. If the Governmental Unit expended \$100,000 or more in combined Federal and State financial assistance during the reporting period, the Auditor shall perform the audit in accordance with *Government Auditing Standards* (GAGAS). The Governmental Unit is subject to federal single audit requirements in accordance with Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards*, Subpart F (*Uniform Guidance*) and the State Single Audit Implementation Act. Currently the threshold is \$750,000 for a federal single audit and \$500,000 for a State Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501) the Auditor and Governmental Unit(s) should discuss, in advance of the execution of this contract, the responsibility for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512) to ensure proper submission.

Effective for audits of fiscal years beginning on or after June 30, 2023, the LGC will allow auditors to consider whether a unit qualifies as a State low-risk auditee. Please refer to "Discussion of Single Audits in North Carolina" on the LGC's website for more information.

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Auditing Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within six months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

For GAAS or *Government Auditing Standards* audits, if an auditor issues an AU-C §260 report, commonly referred to as "Governance Letter," LGC staff does not require the report to be submitted unless the auditor cites significant findings or issues from the audit, as defined in AU-C §260.12 - .14. This would include issues such as difficulties encountered during the audit, significant or unusual transactions, uncorrected misstatements, matters that are difficult or contentious reviewed with those charged with governance, and other significant matters. If matters identified during the audit were required to be reported as described in AU-C §260.12-.14 and were communicated in a method other than an AU-C §260 letter, the written documentation must be submitted.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is also required for the Alternative Compliance Examination Engagement for auditing the Coronavirus State and Local Fiscal Recovery Funds expenditures as allowed by US Treasury. Approval is not required on audit contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. This also includes any progress billings [G.S. 159-34 and 115C-447]. All invoices for audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.
10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).
11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.
12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.
13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements and/or the compliance section, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and *Government Auditing Standards, 2018 Revision* (as applicable). Preparing financial statements in their entirety shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:

- a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
- b) the status of the prior year audit findings;
- c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
- d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.

29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit>

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Government Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: ☐ Auditor ☒ Governmental Unit ☐ Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name:

Title and Unit / Company:

Email Address:

William Massie

Assistant County Manager/Finance

william.massie@randolphcountync.gov

OR Not Applicable ☒ (Identification of SKE Individual on the LGC-205 Contract is not applicable for GAAS-only audits or audits with FYEs prior to June 30, 2020.)

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. The audit fee information included in the table below for both the Primary Government Fees and the DPCU Fees (if applicable) should be reported as a specific dollar amount of audit fees for the year under this contract. If any language other than an amount is included here, the contract will be returned to the audit form for correction.

4. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

Primary Government Unit	Randolph County Tourism Development Authority
Audit Fee (financial and compliance if applicable)	\$ 6,100
Fee per Major Program (if not included above)	\$ 6,000 (per program, if applicable)
Additional Fees Not Included Above (if applicable):	
Financial Statement Preparation (incl. notes and RSI)	\$
All Other Non-Attest Services	\$
TOTAL AMOUNT NOT TO EXCEED	\$ 6100

Discretely Presented Component Unit	
Audit Fee (financial and compliance if applicable)	\$
Fee per Major Program (if not included above)	\$
Additional Fees Not Included Above (if applicable):	
Financial Statement Preparation (incl. notes and RSI)	\$
All Other Non-Attest Services	\$
TOTAL AMOUNT NOT TO EXCEED	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm* Cherry Bekaert LLP	
Authorized Firm Representative (typed or printed)* Scott Anderson	Signature* 
Date* 02/17/2025	Email Address* SANDERSON@CBH.COM

GOVERNMENTAL UNIT

Governmental Unit* Randolph County Tourism Development Authority	
Date Governing Board Approved Audit Contract* (Enter date in box to right)	
Mayor/Chairperson (typed or printed)* David Caughron, Chairman	Signature*
Date	Email Address* dcaughron@hospiceofthepiedmont.org

Chair of Audit Committee (typed or printed, or "NA") Jarvis Woodburn, Treasurer	Signature
Date	Email Address JWOODBURN@WINDSTREAM.NET

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Sum Obligated by This Transaction:	\$ 6100
Primary Governmental Unit Finance Officer* (typed or printed) William Massie	Signature*
Date of Pre-Audit Certificate*	Email Address* william.massie@randolphcountync.gov

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU*	
Date DPCU Governing Board Approved Audit Contract* (Enter date in box to right)	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Sum Obligated by this Transaction:	\$
DPCU Finance Officer (typed or printed)*	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all
 required signatures prior to submission.



Randolph County

Office of the County Manager
725 McDowell Road
Asheboro, North Carolina 27205
www.randolphcountync.gov

March 10, 2025

Re: Addressing Policy

To: Board of Commissioners

From: Zeb Holden, County Manager

In recent years, staff have been working with our municipal partners to adopt a uniform process for establishing and amending property addresses throughout Randolph County. Each of the municipal boards are anticipated to adopt a Resolution to approve the resulting addressing agreement, which specifically gives addressing authority to Randolph County. As of this time, the following elected boards have already approved a Resolution supporting this policy; Archdale, Franklinville, Liberty, Ramseur, Randleman, Seagrove, Staley, and Trinity.

Please adopt this Resolution to jointly approve Randolph County's addressing policy.



RANDOLPH COUNTY

BOARD OF COMMISSIONERS

Randolph County Office Building 725 McDowell Road
Asheboro, North Carolina 27205 Telephone 336-318-6301

Darrell Frye, Chairman
Kenny Kidd, Vice-Chairman
David Allen
Hope Haywood
Lester Rivenbark

Zeb Holden, County Manager
Ben Morgan, County Attorney
Dana Crisco, Clerk to the Board

RESOLUTION

RESOLUTION TO APPROVE AN INTERLOCAL STREET ADDRESSING AGREEMENT WITH THE MUNICIPALITIES HEREIN

WHEREAS, Section 160A-174 of the North Carolina General Statutes authorizes the "Municipality" to regulate acts, omissions, or conditions detrimental to the health safety, and welfare of its citizens; and

WHEREAS, Section 160A-296 specifically provides that, except to the extent authority and control over certain streets and bridges is vested in the Board of Transportation, the "Municipality" has general authority and control over all public streets, sidewalks, alleys, bridges, and other ways of public passage within its corporate limits; and

WHEREAS, Section 153A-239.1 of the North Carolina General Statutes authorizes Randolph County (the "County") to "name or rename any road within the County and not within a City ("Municipality"), and may pursuant to a procedure established by ordinance assign or reassign street numbers for use on such a road;" and

WHEREAS, Section 638 of the *Randolph County Unified Development Ordinance* regulates street naming and addressing; and

WHEREAS, with regard to planning and development regulations, Section 160D-202(f) of the North Carolina General Statutes provides that the "County may, on request of the Board of the "Municipality", exercise any or all . . ." of the powers to regulate planning and development within the "Municipality"s extraterritorial planning jurisdiction; and

WHEREAS, Section 160A-461 of the North Carolina General Statutes authorizes units of local government to enter into agreements with each other in order to execute any undertaking; and

WHEREAS, an agreement concerning the shared responsibilities of the "Municipality" and the "County" for street addressing (the "Agreement") is attached to this Resolution as EXHIBIT 1 and is hereby incorporated into this instrument by reference as if copied fully herein; and

WHEREAS, the Boards of the City of Archdale, Town of Franklinville, Town of Liberty, Town of Ramseur, City of Randleman, Town of Seagrove, Town of Staley, and the City of Trinity, (“Municipalities”), in order to lessen the chance of inaccurate information delaying the response time for first responders, that (1) a request has been made to the Randolph County Board of Commissioners for the “County” to exercise its street addressing authority within the “Municipalities” extraterritorial planning jurisdiction, and (2) approval is granted for the “Municipalities” to enter into the “Agreement” attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners (“Board”) to exercise the street naming and addressing authority found in Section 638 of the *Randolph County Unified Development Ordinance* within the entirety of the extraterritorial planning jurisdiction of the “Municipalities”; and

BE IT FURTHER RESOLVED by the “Board” that the request stated in the immediately preceding paragraph is limited in scope and shall be strictly construed as pertaining only to Section 638 of the *Randolph County Unified Development Ordinance* and only within the “Municipalities” extraterritorial planning jurisdiction, not within the corporate limits of the “Municipalities” or any other territorial jurisdiction of the “Municipalities”; and

BE IT FURTHER RESOLVED by the “Municipalities” that the “Agreement” attached to this Resolution as EXHIBIT 1 hereby authorizes Randolph County to execute the “Agreement”; and

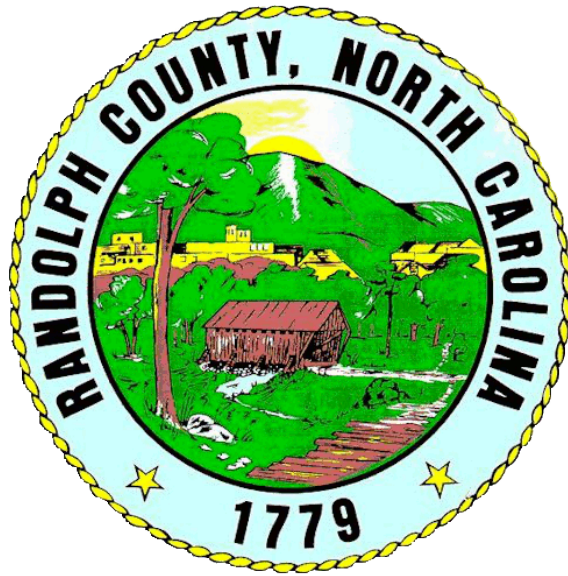
BE IT FURTHER RESOLVED by the “Board” that this approval is a continuing approval that shall not lapse unless and until another Resolution providing otherwise is adopted by the Boards of the “Municipalities” and implemented by the “Board” in accordance with the applicable state law(s).

Adopted this 10th day of March 2025.

Darrell Frye, Chairman

ATTEST:

Dana Crisco, Clerk to the Board



Addressing Guide for Randolph County, North Carolina

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INTRODUCTION

This *Addressing Guide for Randolph County, North Carolina* is intended to provide a reference to the standards and procedures used to assign or change addresses within Randolph County's addressing jurisdiction. This guide, while specifically designed for use by the Public Safety community, can also be helpful to County departments along with the citizens of the County and the municipalities along with elected leaders. The guide is intended to be brief overview of the procedures and does not contain the regulations found in the *Randolph County Unified Development Ordinance*. The information contained in this document is drawn from numerous departments within Randolph County Government as well as external organizations such as telecommunication providers and the State of North Carolina.

An address should uniquely identify a place in the context of a geographic reference. In a broad sense, a location could be anywhere within the State of North Carolina, but more precisely, in Randolph County that is located in the State of North Carolina. An address can expand on a general location by specifically identifying a place along a roadway that determines access. Greater refinement is found by naming roadways and then logically ordering and consistently numbering individual structures, places or things as the roadway is traversed. In some cases, it may be necessary to further divide individual structures by applying individual unit numbers. This guide develops a standard for all addresses that consists of a number part, and a street name.

Additionally, an address may include a directional indicator, a street type, or a unit designation but the address is based on ***how the structure is accessed*** and not on frontage.

One measurement of how well emergency services are provided is the ease of finding a location, whether it is a place or a structure. The ultimate goal of addressing is to establish and maintain an inventory of unique addresses. Addresses are needed for any location where emergency services may need to be dispatched. Additionally, wireless communications require the establishment of more and better addresses because location becomes problematic when the signaling device is mobile.

ADDRESSING GRID

To facilitate a continued uniformity in the Randolph County Addressing System, the following GIS computer-generated grid system shall be used:

A paralleled grid system shall be used to assign starting numbers on both public and private roads. Base lines selected for the paralleled grids are US Hwy 220 Business from north to south and that portion of Randleman Rd to Guilford County and US Highway 64 from east to west. Each addressing base line shall pass through Randolph County from boundary to boundary.

The computer-generated grid system shall be used in such manner and grid as to generate addressable numbers for each 20 ft. per road frontage.

Figure 1 is a graphic showing the axes that is used to address structures in Randolph County.

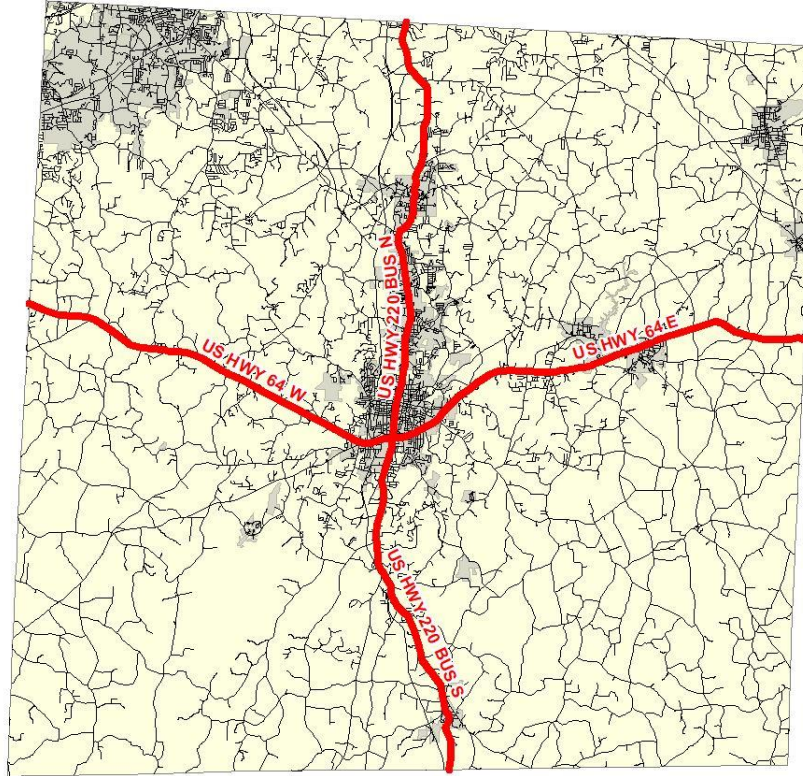


Figure 1: Randolph County Addressing Axes

In addition to the Addressing Axes shown in Figure 1, Randolph County also has a grid that helps with assigning the address ranges on a road. Establishing the correct address range on a road is a crucial first step in assigning address because if the road range is wrong, the associated addresses will be wrong. Figure 2 below, shows the addressing range grid for Randolph County.

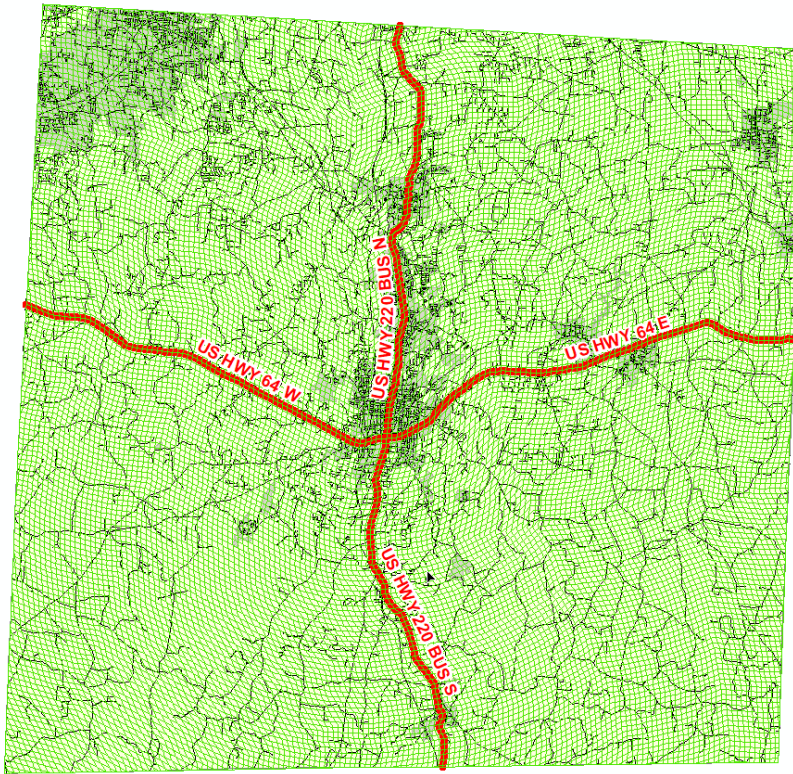


Figure 2: Addressing Axes with Addressing Grids

While the addressing grid does look a little confusing at this scale, it *does* serve a purpose. It provides the possible ranges for the road but to understand this, the user needs to be at a better scale as shown in Figure 3 below.

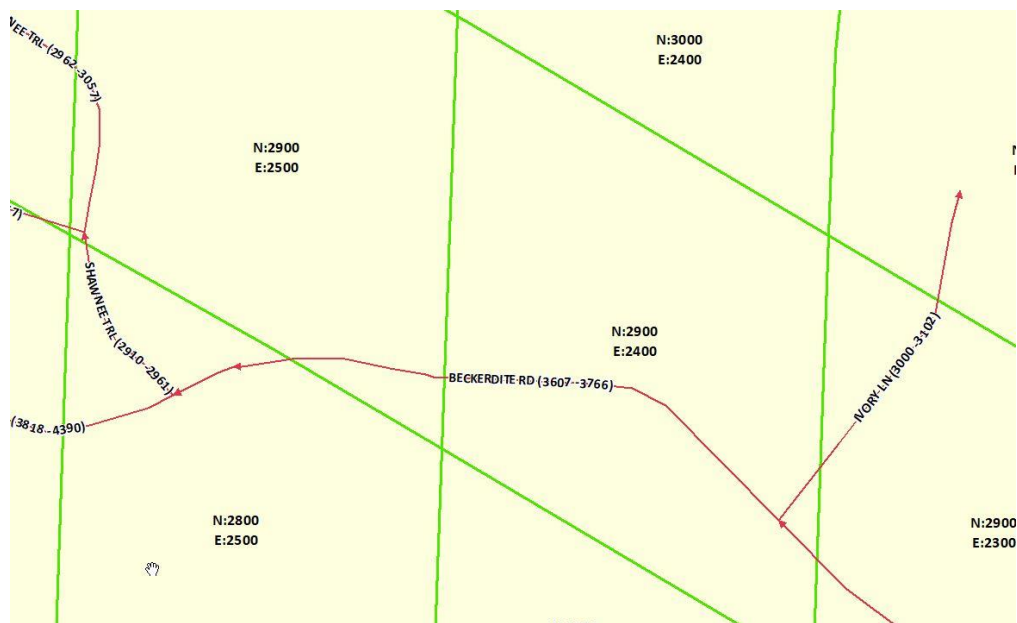


Figure 3: Address Range Grid

For the explanation of Figure 3, the reader will assume that a developer has an approved subdivision and a new road will be off Beckerdite Rd between Ivory Ln and Shawnee Trl. Look at the text beside of Shawnee Trl and the user should see **N:2900** and **E:2500**. This gives the person entering the new road the information needed to establish the road range. For this example, the developer is putting in a road that ends in a cul-de-sac and the road will run north to south. Another thing to notice are the arrows along the roads. Those arrows indicate the direction that the road is *flowing*. The *flow* of the road helps the user determine the way the addressing numbers increase along a road. For example, if the arrow points to the left the addressing numbers get higher going from right to left and it reverses if the arrow points to the right. If the arrow points up, the addressing numbers increase going north along the road and it reverses if the arrow points to the south.

For the new road off Beckerdite Rd mentioned in the paragraph above, the user can tell that the address numbers will be in the 2900 range since the information in Figure 3 above shows the north addresses as being in the 2900 range. If the road started north, then a road to the west was added, the road running to the north would stay in the 2900 range but the road going to the west would be in the 2500 range.

These ranges are calculated based on the grid in Figure 2 and the axes that are shown in Figure 1. As the roads move away from the axes, the addressing ranges will increase in Randolph County's addressing jurisdiction. A majority of the time, assigning ranges to new roads is easy but troubles quickly arise when only portion of plats are recorded for large developments and the County staff has no conceptual plan to review prior to adding the new roads. ***It is critically important that the County staff get a copy of the approved preliminary plans to allow for proper planning of roads and addressing ranges. Failure of a municipality to submit this necessary information could result in changes of address as further phases of the development are constructed.***

TERMS AND DEFINITIONS

Access: The way a structure gets access to a State road or a private road or drive.

Accessory Building: A detached subordinate building, the use of which is incidental to that of a principal building on the same lot. An accessory building *cannot* be used for residential or commercial purposes.

Address: A unique identification of a location that may consist of a number, road name, unit number if any, and ZIP Code.

Address Assignment: Issuance of an address by either the Randolph County Planning and Zoning Department or the municipality. All address assignments shall be in writing and contain the information as required based upon the definition of an *address*.

Address Change: The process by which addresses are changed to reflect new or updated roads or information.

Address Number Sequence: The sequential numerical order in which address numbers shall be assigned. For example, on the right side of a road proper sequence would be 100, 102, 104, 106, etc., as traveling along the road. Improper sequence would be 100, 104, 106, 102, etc., along the road.

Parcel: A piece of land that is intended to be sold as one unit of land.

Parcel Identification Number: At number that is constructed from the North Carolina State Plane Coordinate System of the visual center of a parcel of land to identify it and its location in the Randolph County Tax Mapping system.

Plat: A map or plan of a parcel of land that is to be or has been subdivided.

Principal Building: The main building or structure on a single lot where the principal use of the property is conducted.

Private Drive: A travel way not dedicated or offered for dedication as a public street providing access to 3 or more principal buildings. A private drive is not part of the State maintenance system and is designed for use and naming for public safety only.

Private Road: A vehicular right-of-way indicated on an approved survey plat and recorded in the Office of the Register of Deeds intended to serve residential subdivision of lots or tracts and not offered for dedication as a public road.

Private Street: An undedicated private right-of-way which affords access to abutting properties and requires a subdivision streets disclosure statement in accordance with NCGS § 136-102.6. Emergency and other public services may not be provided over such private streets, and they shall be privately maintained.

Retired Streets: Street names that are unavailable for use because they have been previously used. To avoid confusion, the policy is to not assign a new address that was previously used at another location.

Road Name: The approved and adopted name of any road or street.

Site Plan: A scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings or structures on the lot. The site plan may include site-specific details such as building areas, building heights and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads and stormwater control facilities that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review.

Structure Number: The address number assigned to a structure on a parcel of land.

ADDRESSING

General Considerations for Addressing

1. At the minimum, all addresses will require a structure.
2. Address numbers shall ascend away from the base lines as shown in Figure 1.
3. Only whole numbers can be assigned and the numbers must be greater than 0 and less than or equal to 999999.
4. Additional information or designations such as *A*, *B*, $1/4$ or $1/2$ are not valid parts of an address number for Randolph County assigned addresses. The municipalities can still use these designations but such use is highly discouraged.
5. Odd numbers are generally assigned to those structures that are on the left side of roads and even numbers are assigned to the right side of the roads.
6. Address number sequence is maintained from side to side and values increase as a function of distance from the origin. Errors in sequence are inconsistent with the current addressing standards and should be changed as they are encountered.
7. Numbers assigned to structures shall coincide with existing ranges that are associated with the named road or easement. For example, the address of 105 Mitchell St would not fit in the section of Mitchell St that contains the 2000-2999 address range. Additionally, cases where the range of addresses are incompatible from side to side (100's on the left side and 300's on the right) are inconsistent with the current addressing standards and should be changed as encountered.
8. Duplication of numbers along any road or easement is not allowed.
9. Duplication of road names anywhere in the County is not allowed.
10. It is recommended to verify addresses located near the County line.
11. Address points are located each 10 ft. along a road and it equates to 20 ft. on each side of the road. For example, a 1,000 ft. road contains 100 addresses—50 numbers being available for each side of the road.
12. Prior to the approval of the preliminary plat for a subdivision in the land-use development regulation of Randolph County, the developer shall submit a list of the proposed roads names for the subdivision for a check by the County to ensure there are not duplicate names.
13. After the approval of the preliminary plat for a subdivision in the land-use development regulation of Randolph County, the developer shall finalize the

proposed roads names for the subdivision and the County shall reserve the road names after payment of fees for the road signs.

14. Prior to the approval of a final plat for a subdivision in a municipality, the municipality shall check the proposed road name with Randolph County Planning and Zoning to ensure the availability of the road name. If requested, the road names will be reserved.
15. After the approval of a final plat for subdivision in a municipality, the municipality or the developer shall submit a copy of the approved plat to Randolph County Planning and Zoning for the proper placement of proposed roads and ranges into the E-9-1-1 system. If the final approved plat is only for a portion of a subdivision, a conceptual plan for the entire project shall be submitted. If requested, the road names for the entire project will be reserved.
16. Any road names that may be considered as a duplication of an existing road name shall be approved by the Randolph County Emergency Services Director.
17. Unless otherwise stated in the adopted *Addressing Agreement* between Randolph County and the municipality, the County shall assign addresses in all areas outside of the municipal limits.

Structure Numbers

At the minimum, all addresses require an address number as well as a street name. Structure numbers are assigned to a building according to its access from a particular named road or easement. Where multiple access points exist, the assigned number will be from the street range tied to the closest named road. However, it may not be practical to assign numbers based on the closest named roadway in cases where emergency vehicle access could be limited and, thus, creates a negative impact on response time. Such examples would be numbering off an alley or numbering off a property where access is obstructed.

Building Numbers

The preferred method for addressing multiple structures is to assign unique individual addresses to each structure. When insufficient numbers exist or other reasons prohibit it, it may be necessary to assign unique individual building numbers to each structure maintaining one unique street address. Generally, the buildings are numbered sequentially as they are encountered, not necessarily beginning with building number. The starting point should be the structure closest to the access point that defines the address. It may be prudent to skip some numbers or leave space for new structures that do not exist so that there will be a number available for potential future development. If the access is unnamed, then the buildings are to be numbered in the order in which they are encountered.

Multi-Unit Numbers

If a multi-unit structure possesses a single entry point, then one number is assigned to the building and a unit number is assigned to each unit.

Directionals

Directional indicators within the County's addressing jurisdiction shall only be used as a suffix to a named road or easement and may only be abbreviated as *N*, *S*, *E*, or *W* and such directional shall be based upon the grid shown in Figure 1. For example, US Hwy 220 Bus N.

Street Names

1. A street name must be between 2 and 18 characters, which is made up of letters and spaces.
2. Road names, as approved by Randolph County and recorded on a plat, will not be changed unless there are public safety issues that require a change or a petition is received as outlined in the *Randolph County Unified Development Ordinance* unless the road is within the addressing jurisdiction of a municipality.
3. A street may be named for a person only if that person has been deceased for twenty (20) years and the person was culturally, historically, or socially relevant to the geographic area. Names recognizable worldly, nationally, or throughout the state of North Carolina may be acceptable if all other criteria can be met.
4. A street shall not intersect itself.
5. A road or access easement that meets the definitions of a *Private Drive* or *Private Road*, as defined in these guidelines, can be named following the provisions of these guidelines and the *Randolph County Unified Development Ordinance*.
6. A road or easement should not terminate in a corner nor should a named road or access another easement.
7. The proposed road name shall not be duplicated or be phonetically similar to any existing street name irrespective of the prefix or suffix.
8. The word *AND* is prohibited from use in order to avoid confusion.
9. No symbols can be included in a name (e.g., #, &, hyphen, decimals, periods, apostrophes, etc.)
10. Numbers shall not be used as part of a street name.
11. Any proposed road names considered discriminatory, exclusionary, confusing, obscene in nature or deemed inappropriate shall be prohibited.
12. The use of complicated words or unconventional spellings are prohibited.

13. The prefix *US HWY* shall be used for all Federal numbered routes or roads excluding those roads on the Interstate system.
14. The prefix *I* shall be used for a Federal numbered routes or roads on the Interstate system.

Street Suffixes

A road name shall contain a suffix abbreviated as found in the United States Postal Service Postal Addressing Standards Appendix C at https://pe.usps.com/text/pub28/28apc_002.htm.

Address Posting Standards

1. No building shall be erected on a new lot created after adoption of this amendment that does not have access, directly or by easement, to a road whether publicly or privately maintained.
2. Numerals indicating the address number of a single-family dwelling shall be at least 4 inches in height, of a contrasting color to the structure and shall be posted to be legible from the street.
3. Numerals for multiple dwelling units and nonresidential buildings shall be at least 6 inches in height, of a contrasting color to the structure and shall be posted to be legible from the street.
4. Addresses will be established as whole numbers and will not have fractions or decimals of a number.
5. The letters *I* and *O* shall not be used in street addresses because of the close appearance to the numbers *1* and *0*.
6. Only digits shall be used in the number as opposed to script (e.g., *125* instead of *One Hundred Twenty-five*.)
7. All buildings shall clearly display a road address number. The owner and occupant of each building is required to clearly display an address number on each building so that the location can be identified easily from the road.
8. The official address number must be displayed on the front of a building or at the entrance to a building that is clearly visible from the street during both day and night.
9. If the building is 75 ft. or more from a public street on which it fronts or the lot on which the building is located is landscaped such that numbers cannot be seen from the street, the assigned number shall also be posted at the end of the driveway or easement nearest the road which provides access to the building.

10. Immediately following the issuance of a building permit, the assigned address shall be posted on the property in a manner that is visible from the street. The final Certificate of Compliance shall not be issued until the assigned number is posted according to the regulations in this Section.
11. Following the posting of the assigned address, the owner or occupant shall maintain such house or building number at all times in compliance with this Section. Address numbers shall not be obstructed from view by shrubs or vegetation as viewed from the street.

General Considerations for Units

1. All unit designations must be numbers and no more than five characters may be used for any unit designation. No unit designation will contain partial numbers, letters, or punctuation.
2. Unit numbers will be assigned to residential, commercial, and agricultural structures when unique entities within them must be identified. It is not necessary to assign additional unit numbers to those entities that are already contained within an existing, identified unit. For example, retail centers may be identified by a unique street address or as part of a strip mall and often contain multiple tenants. Typically these entities are all accessed from a single point, which is the major point of egress for the center. Additionally, these entities typically are not self-contained. Finally, these entities generally all operate at the same time over the course of a day.
3. Unit numbers will serve as apartment, suite, trailer, building or barn numbers.
4. Units are to be assigned to all potential spaces even in cases where a single tenant will occupy multiple spaces, although it is understood that only one unit number will be utilized per tenant.
5. Unit designations assigned to spaces with external access are required to be posted as *Suite ###* (e.g., Suite 150).
6. Unit designations assigned within a building do not require the posting of *Suite* preceding the unit number.
7. Unit designations assigned to residential structures, such as building numbers, are to be posted as *Building #* (e.g., Building 5).

Method for Assigning Units Numbers

1. Unit numbers are assigned in ascending order from left to right and from front to back when looking at the front of the structure or main access point to the structure. Typically, unit numbers at the low and high end of the range are not used in order to reserve numbers for expansion and the inevitable need to assign new units

within the appropriate range.

2. Unit numbers from 1 to 99 are reserved for spaces below grade and are intended to convey that these units would be found in a basement or at least a lower level than at grade. As discussed above, numbers from 1 to 99 may also indicate unique buildings.
3. Unit numbers from 100 to 199 are reserved for spaces at grade and are intended to convey that these units would be found on the first floor of a structure.
4. Unit numbers from 200 to 299 are reserved for spaces above grade and are intended to convey that these units would be found on the second floor of a structure. Similarly, unit numbers from 300 to 399 are reserved for third floor units, and so on.
5. Unit numbers between 1 and 99 may also be used to assign as building numbers. The building number will serve as the unit number, even if multiple entities within the building do not exist. Building numbers should be assigned when multiple buildings exist on one or more parcels of land and unique addresses cannot be assigned to each building.

Sample Addresses

For the 911 System to function properly, the different components of an address need to be recorded correctly. In emergencies, a caller may be confused or the caller may not know the address of their location. The originating phone number will determine where the call is routed and provide an address to the call taker. In order to respond to the service request, the address must have the appropriate combination of number, direction, street name, type, and unit as depicted below.

Number	Directional	Street Name	Street Type	Unit Number
125		Mitchell	St	
402		Mitchell	St	102
520	E	Main	St	

Table 1: Sample Address Table

The information in Table 1 above is **not** how the data actually appears in GIS. Table 2 below is a screenshot of a portion of the data in GIS.

Table						
Structures						
	OBJECTID *	STRDR_ID *	NUM	ROAD_NAME	PO.CODE	EXP_IND
	80	P165	8483	BENNETT RD	BENNETT,27208	
	81	D165	8483	BENNETT RD	BENNETT,27208	
	82	P167	8861	BENNETT RD	BENNETT,27208	
	260	D167	8861	BENNETT RD	BENNETT,27208	
	83	P169	8865	BENNETT RD	BENNETT,27208	
	261	D169	8865	BENNETT RD	BENNETT,27208	
	86	P173	8909	BENNETT RD	BENNETT,27208	
	87	D173	8909	BENNETT RD	BENNETT,27208	
	88	P175	8953	BENNETT RD	BENNETT,27208	
	89	D175	8953	BENNETT RD	BENNETT,27208	
	736	P177	7636	SIDE CHURCH RD	SEAGROVE,27341	
	737	D177	7636	SIDE CHURCH RD	SEAGROVE,27341	
	738	P179	7635	SIDE CHURCH RD	SEAGROVE,27341	

Table 2: Sample of actual GIS Addressing data

ADDRESSING ADMINISTRATION

Per the *Randolph County Unified Development Ordinance* adopted by the Randolph County Board of Commissioners, the Randolph County Planning Director is the Addressing Administrator for Randolph County. A staff member of the Randolph County Planning and Zoning Department shall be appointed as the Addressing Coordinator. The Addressing Coordinator, along with guidance and assistance from the County's Information Technology and Emergency Services Department, shall ensure the timely, accurate assignment of addresses.

The Addressing Coordinator shall maintain good working relationships with all municipalities to ensure the accuracy of information within municipal limits. The municipalities that assign addresses within their jurisdiction shall provide the Addressing Coordinator with any new addressees or changes as soon the change occurs. The municipalities shall also respond to any inquiries from the Addressing Coordinator as soon as possible.

The Addressing Coordinator shall also maintain good working relationships within the various levels of the United States Postal Service to ensure that the postal service is always up-to-date with the most recent addressing information. The United States Postal Service is also used as a resource in case there are questions regarding addresses that are used for mail delivery.

The Addressing Coordinator shall provide at least a monthly update to the United States Postal Service, utility providers, and various State and County departments a list of all addresses assigned or edited during the proceeding calendar month. If an address is changed due to errors or public safety concerns, a notice of address change shall be sent to the property owner, United States Postal Service and other State and County agencies that rely upon correct addressing information as soon as the issue has been resolved.

Once notified by the Addressing Coordinator, those receiving the correction notification shall be responsible for updating records in their computer systems.

Since the software that is used to assign addresses on the County level changes occasionally as software updates are released, the actual directions on assigning addresses along with the various codes that are used is not included in this *Addressing Guide for Randolph County*. This information is contained in other documents that are updated on an as need basis.

ENFORCEMENT

It shall be the duty of each jurisdiction to provide for the enforcement of the addressing standards and addresses assigned as required for the public safety, health and welfare as allowed by various General Statutes and ordinances adopted by the Governing Boards.



RESOLUTION

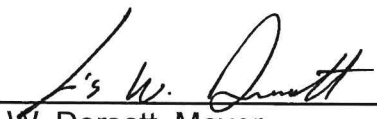
REMOVING REVIEW OFFICERS PURSUANT TO NORTH CAROLINA GENERAL STATUTE 47-30.2

BE IT RESOLVED, by the Archdale City Council, pursuant to North Carolina General Statute 47-30.2, effective January 28, 2025, that the City of Archdale removes the following persons from the official list of Review Officers of Randolph County for purposes set forth in North Carolina General Statute 47-30.2 and other applicable law, and amends the Review Officer listings as follows:

NOW, THEREFORE, IT IS ORDERED BY THE CITY COUNCIL OF THE CITY OF ARCHDALE, NORTH CAROLINA, to remove M. Zeb Holden and Duncan Walser as Review Officers for maps and plats within the corporate limits of the City of Archdale, NC.

Adopted this 28th day of January 2025.

ATTEST:



Lewis W. Dorsett, Mayor



Susan T. Swaim
City Clerk

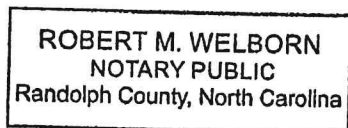


NORTH CAROLINA

RANDOLPH COUNTY

I, Robert M. Welborn, a Notary Public of the County of Randolph, State of North Carolina, do hereby certify that SUSAN T. SWAIM personally came before me this day and acknowledged that she is City Clerk for the City of Archdale, a municipality and that by authority duly given and as the act of the City, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by herself as its City Clerk.

WITNESS my hand and notarial seal this 28th day of January, 2025.



Robert M. Welborn N.P.
Robert m. Welborn
Typed/Printed Name of Notary Public

My Commission Expires: 10/26/2026.



RANDOLPH COUNTY

BOARD OF COMMISSIONERS

Randolph County Office Building 725 McDowell Road
Asheboro, North Carolina 27205 Telephone 336-318-6301

Darrell Frye, Chairman
Kenny Kidd, Vice-Chairman
David Allen
Hope Haywood
Lester Rivenbark

Zeb Holden, County Manager
Ben Morgan, County Attorney
Dana Crisco, Clerk to the Board

RESOLUTION

REMOVING REVIEW OFFICERS FOR PLAT REVIEW

(CITY OF ARCHDALE)

WHEREAS, the NCGS § 47-30.2 requires the Board of County Commissioners in each county, by resolution, to appoint persons to serve as Plat Review Officers to review each plat before it is presented to the Register of Deeds for recording; and

WHEREAS, from time to time, the County or municipalities may replace persons designated to perform all responsibilities as required for Plat Review Officers.

NOW, THEREFORE, BE IT RESOLVED, effective March 10, 2025, that the M. Zeb Holden and Duncan Walser be removed as designated Plat Review Officers for the City of Archdale; and

BE IT FURTHER RESOLVED, that a copy of this resolution removing the Plat Review Officers for Randolph County be recorded in the Randolph County Register of Deeds Office.

This the 10th day of March 2025.

Darrell Frye, Chairman
Randolph County Board of Commissioners



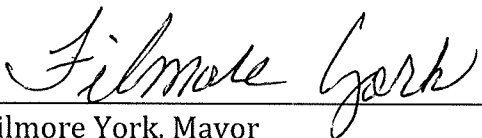
RESOLUTION REQUESTING THE APPOINTMENT
OF A REVIEW OFFICER

WHEREAS, G.S. 47-30.2 requires the Board of County Commissioners in each County, by resolution, to appoint Review Officers responsible for reviewing each plat before it is recorded and certifying that it meets the statutory requirements for recording; and

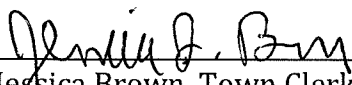
WHEREAS, it is the desire of the Liberty Town Council to ensure an expeditious review of all maps and plats as required by G.S. 47-30.2 before they are presented to the Register of Deeds for recording; and

NOW, THEREFORE, BE IT RESOLVED, that the Liberty Town Council hereby requests the appointment of the Town of Liberty Assistant Town Manager Janie Konyek as a Review Officer authorized to perform all duties as required of such officers as outlined by the appropriate North Carolina General Statutes.

This resolution was duly adopted by the Liberty Town Council in open session during a regular meeting held on the 27th day of January, 2025.



Filmore York, Mayor
Town of Liberty, North Carolina



Jessica Brown, Town Clerk
Town of Liberty, North Carolina



RANDOLPH COUNTY

BOARD OF COMMISSIONERS

Randolph County Office Building 725 McDowell Road
Asheboro, North Carolina 27205 Telephone 336-318-6301

Darrell Frye, Chairman
Kenny Kidd, Vice-Chairman
David Allen
Hope Haywood
Lester Rivenbark

Zeb Holden, County Manager
Ben Morgan, County Attorney
Dana Crisco, Clerk to the Board

RESOLUTION

ADDING REVIEW OFFICERS FOR PLAT REVIEW (TOWN OF LIBERTY)

WHEREAS, the NCGS § 47-30.2 requires the Board of County Commissioners in each county, by resolution, to appoint persons to serve as Plat Review Officers to review each plat before it is presented to the Register of Deeds for recording; and

WHEREAS, from time to time, the County or municipalities may add persons designated to perform all responsibilities as required for Plat Review Officers.

NOW, THEREFORE, BE IT RESOLVED, effective March 10, 2025, that Liberty Town Manager Janie Konyek be added as designated Plat Review Officers for the Town of Liberty; and

BE IT FURTHER RESOLVED, that a copy of this resolution adding the Plat Review Officers in Randolph County be recorded in the Randolph County Register of Deeds Office.

This the 10th day of March 2025.

Darrell Frye, Chairman
Randolph County Board of Commissioners

Randolph County

Clerk to the Board of Commissioners
725 McDowell Road
Asheboro, North Carolina 27205
www.randolphcountync.gov

Date: March 10, 2025

To: Board of Commissioners

From: Dana Crisco, Clerk to the Board

Re: Board of Commissioners Rules of Procedure

In reviewing the Rules of Procedure document, I became aware of some administrative updates that should be done to keep this document up to date. The following document shows the changes to consider to update this document.

Please consider adopting the new document and repealing the old document.

**RULES OF
PROCEDURE FOR
THE
RANDOLPH COUNTY BOARD OF COMMISSIONERS**

Rule 1. Applicability of Rules (pursuant to NCGS 153A-41)

- A. These rules apply to all meetings of the Randolph County Board of Commissioners at which the Board is empowered to exercise any of the executive, administrative or legislative powers conferred on it by law.
- B. These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of these rules or an amendment thereof shall require an affirmative vote equal to a quorum.

Rule 2. Open Meetings

- A. The public policy of North Carolina and of Randolph County is that the hearings, deliberations, and actions of this Board and its committees be conducted openly, and any person may attend.
- B. An official meeting of the Board is defined as any gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of Board members for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting public business within the jurisdiction, real or apparent, of the Board.

Rule 3. Closed Sessions

- A. Notwithstanding the provisions of Rule 2, the Board may hold a closed session and exclude the public, but only for those purposes set out in North Carolina General Statute 143-318.11(a), as follows:
 - 1. To prevent the disclosure of information that is privileged or confidential pursuant to the law of this state or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes. NCGS 143-318.11(a)(1)
 - 2. To consult with the County Attorney or another attorney employed or retained by the County in order to preserve the attorney-client privilege. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. NCGS 143-318.11(a)(3)
 - 3. To discuss matters relating to the location or expansion of industries or other businesses in the county. NCGS 143-318.11(a)(4)

4. To establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the Commissioners in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. NCGS 143-318.1 l(a)(S)(i)
 5. To establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the Commissioners in negotiating the amount of compensation and other material terms of an employment contract or proposed employment contract. NCGS 143- 318.11(a)(S)(ii)
 6. To consider the initial employment or appointment of an individual to any office or position, other than a vacancy in the Board of County Commissioners or any other public body, and to consider the qualifications, competence, performance, character, and fitness of any public officer or employee. NCGS 143-318.1 l(a)(6)
 7. To hear or investigate a charge, complaint or grievance by or against an individual public officer or employee. Final action regarding such complaint, charge, or grievance shall be taken in open session. NCGS 143-318.11(a)(6)
 8. To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct. NCGS 143-318.11(a)(7)
 9. To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity. NCGS 143-318.1 l(a)(9)
- B. The Board may go into closed session only upon motion made and adopted at an open meeting. This motion must cite one or more of the permissible purposes listed in Rule 3.A. In addition, a motion to go into closed session pursuant to Rule 3.A.1. must state the name or citation of the law that renders the information to be discussed privileged or confidential, and a motion to go into closed session pursuant to Rule 3.A.2. must identify the parties in each existing lawsuit, if any, concerning which the board expects to receive advice during the closed session.
- C. Unless the motion provides otherwise, the County Manager, County Attorney, Staff Attorney, Clerk to the Board, and any necessary staff or agents may attend the closed session. No other person shall attend the closed session unless specifically invited by majority vote of the Board.
- D. In the absence of the Clerk, the Board shall designate a secretary to record a general account of the session, any action taken, and who was present. The minutes shall also reflect that the person who took the minutes acted as secretary and shall sign the minutes of the closed session as "acting secretary."

- E. The Board shall conclude a closed session and return to open session when the presiding officer declares the closed session to be ended.

Rule 4. Regular Meetings (Time and Place)

- A. The Board of County Commissioners shall adopt its regular meeting schedule for the upcoming calendar year at its preceding ~~November~~ October regular meeting. Regular meetings shall be held in the 1909 Historic Courthouse Meeting Room, 145 Worth St., Asheboro, NC, and shall begin at 6:00 p.m. ~~, with Zoning public hearings, having been duly noticed, beginning at 7 p.m.~~
- B. The Board may change the place or time of a particular regular meeting or of all regular meetings within a specified period by resolution adopted, posted, and noticed at least seven days before the change takes effect. Such resolution shall be filed with the Clerk to the Board and posted at or near the regular meeting place, official County bulletin board, and copies shall be sent to all persons who have, in writing, requested notice of special meetings of the Board.

Rule 5. Special, Emergency, and Informal Meetings

- A. The Chair or a majority of Board members may at any time call a *special meeting* of the Board by signing a notice stating the time and place of the meeting and the subjects to be considered. At least forty-eight hours before the meeting, the notice shall be posted on the principal bulletin board of the County and delivered to all Board members. ~~or left at the usual dwelling place of each member. In addition, the notice shall be mailed or delivered to individual persons and news organizations who have filed a written request for notice with the Clerk to the Board. Requests for notice by individuals are subject to a \$10 non-refundable annual fee; requests by news organizations are not subject to any fee.~~ posted on the County website. Only items of business specified in the notice may be transacted at a special meeting called in this manner, unless all members are present or those not present have signed waivers.
- B. A *special meeting* may also be scheduled by vote of the Board in open session during another duly called meeting. The motion calling for the special meeting shall specify its time, place, and purpose. At least forty-eight hours before the meeting, the notice shall be posted on the principal bulletin board of the County and delivered to all Board members not present at the meeting at which the special meeting was called. Only items of business specified in the motion calling for the special meeting may be transacted at a special meeting called in this manner unless all members are present and the Board determines in good faith at the meeting that it is essential to discuss or act on the additional item immediately.
- C. The Chair or a majority of Board members may at any time call an *emergency meeting* of the Board by signing a written notice stating the time and place of the meeting and the subjects to be considered. Written or oral notice of the meeting shall be given to each Board member and to each news organization that has filed a written emergency meeting notice request with the Clerk to the Board, and whose request includes that organization's telephone number. Only business connected with the emergency may be considered at an emergency meeting.

- D. The Board may schedule *work sessions, committee meetings, or other informal meetings* of the Board or of a majority of its members at such times and concerning such subjects as may be established by the Board. Work sessions and other informal official meetings not held regularly are subject to the same notice requirements as special Board meetings.

Rule 6. Organizational Meetings

- A. On the date of the regular meeting in December, the newly elected members shall take and subscribe the oath of office as the first order of new business. As the second order of new business, the Board shall elect a chairman and vice-chairman. The swearing-in and election may be preceded by the completion of pending items of unfinished business by the incumbent board.
- B. The outgoing chairman shall preside over the meeting until a new chairman is elected. If the outgoing chairman is not present, the County Manager or Clerk to the Board shall preside until a new chairman is elected.

Rule 7. Location of Meetings

- A. Regular meetings shall be held within the boundaries of Randolph County.
- B. A joint meeting with the governing board of any other political subdivision of this or any other state may be held within the boundaries of either subdivision as may be specified in the call of the meeting. At any such joint meeting, this Board reserves the right to vote separately on all matters coming before the joint meeting.
- C. A special meeting called during a session of the General Assembly for considering and acting on an order or resolution requesting members of the General Assembly representing all or any portion of Randolph County to support or oppose any bill pending in the General Assembly or proposed for introduction therein may be held in Raleigh or other such place as stated in the call of the meeting.
- D. A meeting may be held within or outside the boundaries of Randolph County in connection with a retreat, forum, or similar gathering solely for the purpose of providing members of the Board with general information relating to the performance of their public duties.
- E. A meeting may be held within or outside the boundaries of Randolph County while in attendance at a convention, association meeting, or similar gathering solely to discuss or deliberate the Board's position concerning convention resolutions, elections of association officers, and similar issues that are not legally binding upon the Board or its constituents.

Rule 8. Agenda

- A. The Clerk to the Board shall prepare the agenda for each meeting. ~~A request to have an item of business placed on the agenda for a regular meeting must be received at least 4 working days before the meeting.~~ Any Board member may, by a timely request, have an item placed on the agenda.

- B. The agenda packet shall include as much supporting documentation and background information as is available and feasible to reproduce, including any proposed ordinances, resolutions, policies, etc., or any proposed amendments thereof. A copy of the agenda packet shall be delivered to each Board member at least 2 working days before the meeting. Documents in the agenda packet, if not previously available for public inspection, shall become so when packets have been ~~delivered to~~ received by each Board member. ~~or left at his usual dwelling.~~
- C. The Board may, by general consent, add items to or remove items from the proposed agenda.
- D. Routine agenda items may be designated under a section of the agenda called "consent agenda" and will be approved in one motion without discussion. Upon request by any one Board member, any item listed under the consent agenda shall be removed from the consent agenda and considered separately.
- E. Items shall be placed on the agenda according to the order of business. Without objection, the Chairman may call items in any order most convenient for the dispatch of business.

Rule 9. Presiding Officer

- A. The Chairman shall preside at all Board meetings if he is present. If the Chairman is absent, the Vice-Chairman shall preside. If both the Chairman and the Vice-Chairman are absent, another member designated by vote of the present Board members shall preside.
- B. The presiding officer shall have the following powers:
 - 1. To rule on points of parliamentary procedure, including the right to rule out of order any motion offered for patently obstructive or dilatory purposes;
 - 2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
 - 3. To call a brief recess at any time;
 - 4. To adjourn in an emergency.
- C. A decision by the presiding officer under any of the first three powers listed above may be appealed to the Board upon motion of any member. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

Rule 10. Action by the Board

- A. The Board shall proceed by motion. Any member, including the Chairman, may make a motion. If two or more Commissioners speak at the same time to make a motion (or second), the Chairman shall determine, for purposes of recording action for the minutes, which name the Clerk shall use.

- B. A motion shall require a second in order to be considered by the Board.
- C. A substantive motion is out of order while another substantive motion is pending.
- D. A motion shall be adopted by a majority of the votes cast, a quorum being present, unless otherwise required by the laws of North Carolina. A majority is more than half. A quorum is a majority of the actual membership of the Board, including any vacant seats (NCGS 153A-43). A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.
- E. The Chairman or the Clerk shall state the motion and then open the floor to debate. The Chairman shall preside over the debate according to the following general principles:
 - 1. The maker of the motion is entitled to speak first;
 - 2. A member who has not spoken on the issue shall be recognized before someone who has already spoken;
 - 3. To the extent possible, the debate shall alternate between proponents and opponents of the measure.
- F. To the extent permitted by law, the Board may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.
- G. In addition to substantive proposals, only the following procedural motions, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted. In order of priority (if applicable), the procedural motions are
 - 1. To appeal a procedural ruling of the presiding officer. (See Rule 9.C.)
 - 2. To adjourn. The motion may be made only at the conclusion of action on a pending matter; it may not interrupt deliberation of a pending matter.
 - 3. To take a brief recess.
 - 4. To call to follow the agenda. The motion must be made at the first reasonable opportunity or it is waived.
 - 5. To suspend the rules. The motion requires a vote equal to a majority of the entire membership of the Board.
 - 6. To divide a complex motion and consider it by paragraph. This motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

7. To defer consideration. The Board may defer a substantive motion for later consideration at an unspecified time. A substantive motion that has been deferred expires 100 days thereafter unless a motion to revive consideration is adopted.
 8. Motion for the previous question. This motion is not in order until there have been at least 15 minutes of debate and every member has had an opportunity to speak once.
 9. To postpone to a certain time or day.
 10. To refer a motion to a committee. The Board may vote to refer a substantive motion to a committee for its study and recommendations. Sixty days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire Board, whether or not the committee has reported the matter to the Board.
 11. To amend.
 - a. An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend.
 - b. A motion may be amended, and that amendment may be amended, but no further amendments may be made until the last-offered amendment is disposed of by a vote.
 - c. Any amendment to a proposed policy, ordinance, resolution, etc. that is lengthy or complex shall be reduced to writing before the vote on the amendment.
 12. To revive consideration. This motion is in order at any time within 100 days of a vote deferring consideration.
 13. To reconsider. The Board may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority, except in the case of a tie; in that case the "nos" prevail) and only at the meeting during which the original vote was taken, including any continuation of that meeting through recess to a time and place certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting. (If a member wishes to reverse an action taken at a previous meeting, he generally may make a new motion having the opposite effect of the prior action.)
- H. A motion may be withdrawn by the introducer at any time before it is amended or before the Chairman puts the motion to a vote, whichever occurs first.

- I. Every member must vote unless excused by the remaining members of the Board. A member who wishes to be excused from voting shall so inform the Chairman, who shall take a vote of the remaining members. No member shall be excused from voting except in cases involving conflicts of interest, as defined by the Board or by law, or the member's official conduct, as defined by the Board. In all other cases, a failure to vote by a member who is physically present in the meeting, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote.

Rule 11. Public Hearings

- A. At the time appointed for the hearing, the presiding officer shall call the hearing to order and then preside over it.
- B. Anyone wishing to speak during a public hearing must first provide his name and address to the Clerk.
- C. When the allotted time expires, or earlier, if no one wishes to speak who has not done so, the presiding officer shall declare the hearing ended.
- D. The board may continue a public hearing without further advertisement. If a public hearing is set for a given date and a quorum of the board is not then present, the board shall continue the hearing without further advertisement until its next regular meeting, pursuant to NCGS 153A-52.

Rule 12. Public Comment Period

The board of commissioners shall provide a public comment period at its regular business meeting ~~on the first Monday of the each~~ month. On August 1, 2005, the Randolph County Board of Commissioners adopted the following rules of procedure for public comment periods:

The public comment period will be limited to 15 minutes at the beginning of the meeting; if more time is required, it will be at the discretion of the Board.' Each speaker must give his/her name, both orally and in writing, before speaking. _Speakers will be limited to three minutes. 'Comments are to be directed to the Board as a whole and not to one individual commissioner. Response, discussion or action concerning issues raised during the public input session will be at the discretion of the Board. Speakers will be courteous in their language and presentation. Speakers should not discuss matters which concern the candidacy of any person seeking public office or matters in current or anticipated litigation.

Rule 13. Minutes

- A. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the Board, the entire Board shall be polled by name on any vote.
- B. Minutes and general accounts of closed sessions shall be considered sealed

automatically. Closed session records shall be unsealed by Board action if and when the closed session's purpose would no longer be frustrated by making these records public.

These Rules of Procedure shall become effective March 10, 2025. The previous Board of Commissioners Rules of Procedure last amended on November 7, 2011 are hereby repealed and replaced with this document.

Upon motion of , seconded by , the foregoing Board of Commissioners Rules of Procedure were passed by the following vote:

Ayes: Nays: Abstentions:

I, Dana Crisco, Clerk of the Board of the Randolph County Board of Commissioners, do hereby certify that the foregoing ordinance was duly adopted by the governing body of Randolph County at a regular meeting thereof, a quorum being present.

This the 10th day of March 2025.

Clerk



Memo

To: TDA Board of Directors
From: Will Massie, Finance Officer
CC: Amber M. Skeen, Clerk to the Board
Date: 01/15/2025
Re: FY 2024-25 – Budget Amendment #2025-06

This Budget Amendment requests \$15,000 from the Fund Balance for Operating Costs.

This increase in the operating budget would allow the TDA to purchase new firmware for the TDA office in Asheboro and the Visitor Centers in Seagrove.

Please approve Budget Amendment #2025-06 for Fiscal Year 2024-25 to record the additional operating expenses in the current budget year.

2024-2025 Budget Ordinance Amendment #2025-06

Revenue	Increase	Decrease
Appropriated Fund Balance	\$15,000	
Expenditures	Increase	Decrease
Operating Costs	\$15,000	

Randolph County Public Health

ASHEBORO, NORTH CAROLINA 27205-7368

Ira McDowell Governmental Center

2222-B South Fayetteville Street



Telephone (336) 318-6200

Fax (336) 318-6234

Memo – Budget Amendment

To: Randolph County Board of Commissioners

From: Tara Aker, Health Director

Date: 2/12/2025

Re: Budget Amendment – Public Health

Randolph County Public Health has been awarded \$12,280.00 to support core infrastructure improvements that include, but are not limited to workforce, foundational capabilities, and data infrastructure in an effort to modernize and strengthen public health departments to better serve their communities.

Please make the following budget amendment to the General Fund:

2024-25 Budget Ordinance

General Fund

Budget amendment # _____

Revenues	Increase	Decrease
Restricted Intergovernmental	\$12,280	
Appropriations	Increase	Decrease
Public Health	\$12,280	

Randolph County Administration



Memo

To: Randolph County Board of Commissioners

From: Will Massie, Assistant County Manager / Finance Officer

Date: 2/14/2025

Re: Budget Amendment – Agricultural Center Capital Project

Randolph County has previously established a capital project for construction of the Farm, Food and Family Education Center. As we progress with the project, certain items budgeted in technology are assets to be capitalized. An adjustment will move the funding to furniture and equipment.

Please approve the following budget amendment to the Agricultural Center Capital Project:

Agricultural Center Capital Project

Amendment #16

Revenues	Increase	Decrease
Appropriations	Increase	Decrease
Furniture and equipment	\$228,000	
Technology		\$228,000

Memo

To: Randolph County Board of Commissioners

From: Will Massie, Assistant County Manager / Finance Officer

Date: 2/12/2025

Re: Asheboro City Schools Capital Project – Project Amendment #19

In 2021, the County established a capital project to account for the Asheboro High School (AHS) renovation project. We have now received the last sales tax refund for the high school project. This is the final project amendment, which will close out the Asheboro high School project.

Please make the following budget amendments to the Asheboro City Schools (AHS) Capital Project Ordinance and the Capital Reserve to reflect the closeout of the fund:

Asheboro City Schools Capital Project Ordinance

Amendment #19

Revenues	Increase	Decrease
Sales tax refunds	\$25,192	
Appropriations	Increase	Decrease
Transfer to Capital Reserve	\$25,192	

Capital Reserve Ordinance

Amendment #10

Revenues	Increase	Decrease
Transfer from Asheboro City Schools Capital Project	\$25,192	
Appropriations	Increase	Decrease
Transfer to General Fund	\$25,192	

Randolph County Soil & Water Conservation District

2222 A South Fayetteville Street ♦ Asheboro, North Carolina 27205
Phone: (336) 318-6490 ♦ Fax: (336) 636-7691

Memo

To: Randolph County Board of Commissioners
From: Jessica Davis, Environmental Educator & Support Coordinator Randolph Soil and Water Conservation District
Date: 2/21/2025
Re: Budget Amendment – StRAP Grant Project Fund

The Randolph County Soil and Water Office continues to administer the Streamflow Rehabilitation Assistance Program (StRAP). This program continues to allocate funds for projects that protect and restore the integrity of drainage infrastructure to reduce flooding across the state's waterways. The Board of County Commissioners has established a grant project ordinance to account for this rehabilitation.

Additional funding has been allocated to grantees that have completed work from the initial funding allocation. Randolph Soil and Water was able to successfully administer the initial allocation of funds, \$500,000, at Caraway Creek to remove debris from 17,400 linear feet of stream. Additional funding awarded totals \$75,000 to continue with projects in the county.

Please a) accept the additional funding, b) authorize the Asst. County Manager/Finance Officer to sign the grant document, and c) make the following budget amendment to the StRAP Grant Project Ordinance:

StRAP Grant Project Ordinance

Project amendment #2

Revenues	Increase	Decrease
StRAP Grant	\$75,000	
Expenditures	Increase	Decrease
Streamflow Rehabilitation	\$75,000	

Yours for Life

Memo

To: Randolph County Board of Commissioners

From: Will Massie, Assistant County Manager / Finance Officer

Date: 3/4/2025

Re: Transfer from Historic Courthouse Capital Project to Northgate Capital Project

The County has completed the renovation of the Historic Courthouse, and has residual funds available in the capital project. We recommend transferring some of these funds to further renovate the Northgate Commons Center. This will include network fiber to improve the connection to the County facilities in that area. It will also allow us to study the relocation of the E911 backup center to Northgate.

Please approve the following budget amendments for both Capital Project Funds:

Historic Courthouse Capital Project Fund

Project amendment #7

Revenues	Increase	Decrease
Sales tax reimbursement	\$22,000	
Appropriations	Increase	Decrease
Construction		\$178,000
Transfer to Northgate Capital Project	\$200,000	

Northgate Capital Project Ordinance

Amendment #13

Revenues	Increase	Decrease
Transfer from Historic CH Project	\$200,000	
Appropriations	Increase	Decrease
Professional services	\$40,000	
Technology	\$160,000	

Randolph County Administration



Memo

To: Randolph County Board of Commissioners

From: Will Massie, Assistant County Manager / Finance Officer

Date: 2/28/2025

Re: Adjustment of Strategic Planning Program grants

Over the past several years, the Randolph County Board of Commissioners have supported quite a few community projects that relate to our 2016 Strategic Plan. As these projects concluded, there are some residual dollars that can be redirected to future projects, if so desired.

		<u>Authorized</u>	<u>Spent</u>	<u>Residual</u>
<u>Projects with residual funding</u>				
Community Connectivity Plan		\$ 50,000	\$ 4,309	\$ 45,691
Town of Liberty - Outdoor Depot		\$ 99,000	\$ 4,500	\$ 94,500
Partnership for Children - Library Navigators	FY22-23	\$ 250,000	\$ 209,473	\$ 40,527
Soil & Water District Mobile Classroom		\$ 40,000	\$ 17,662	\$ 22,338
Library Navigators	FY23-24	\$ 162,473	\$ 158,523	\$ 3,950
Invictus Project - Sheriff		<u>\$ 244,942</u>	<u>\$ -</u>	<u>\$ 244,942</u>
		\$ 846,415	\$ 394,467	\$ 451,948

Please adjust the above authorized grants to the amounts actually spent, as recommended.



RANDOLPH COUNTY SHERIFF'S OFFICE

SHERIFF GREGORY J. SEABOLT

727 McDowell Road
Asheboro, North Carolina 27205
Phone: 336.318.6699 Fax: 336.318.6618

To: Board of County Commissioners

From: Sheriff Greg Seabolt

Date: March 10, 2025

RE: Approval Request – Upfitting Costs for Ford Pursuits

The Randolph County Sheriff's Office is requesting approval for the upfitting costs associated with eight Ford Pursuit vehicles.

Please find the cost breakdown below:

- **Items with State Contract Pricing:** \$78,700.90
- **Other Items:** \$16,342.32
- **Freight (State Contract Pricing Items):** \$4,140.27
- **Freight (Other Items):** \$859.73
- **Tax:** \$7,003.03
- **Total:** \$107,046.25

This funding is in the Sheriff's Office Budget. In accordance with the Randolph County Purchasing Policy, which stipulates that purchases exceeding \$90,000 require approval from the Board of Commissioners, we kindly seek your authorization to proceed with this procurement.

DANA SAFETY SUPPLY, INC
4809 KOGER BLVD
GREENSBORO, NC 27407

Sales Quote

Telephone: 800-847-8762

Sales Quote No.	567127-A
Customer No.	RANCO

Bill To
RANDOLPH COUNTY SHERIFF'S DEPARTMENT ACCOUNTS PAYABLE 727 MCDOWELL ROAD ASHEBORO, NC 27205

Ship To
RANDOLPH COUNTY SHERIFF'S DEPARTMENT 727 MCDOWELL ROAD ATT: LT GREGG DEATON ASHEBORO, NC 27203 United States

Contact: ACCOUNTS PAYABLE
Telephone: 318-6679

E-mail: John.Deaton@randolphcountync.gov

Contact: LT GREGG DEATON
Telephone: 336-318-6687

E-mail: John.Deaton@randolphcountync.gov

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method	
02/25/25	UPS GROUND FREIGHT		PPAY & ADD TO INVOICE	8 FORD PIUS	NET30	
Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
8	8	N	INFO 2025 FORD PIU PATROL Warehouse: GBKO 2025 FORD PIUS 2 WITHOUT PRISONER TRANSPORT SYSTEMS 2 WITH DUAL PRISONER TRANSPORT SYSTEMS 4 WITH SINGLE CELL TRANSPORT SYSTEMS		0.0000	0.00
8	8	Y	MISC SOI PT#ENFWB01GKK nFORCE FRONT INT LB R/B/W Warehouse: GBKO Ford Explorer/PI Utility (2025) Split Front (DRV) T18 T18 T18 T18 T18 T18 (PAS) RBW RBW RBW RBW RBW RBW Accessories: PNFLBSPLT1 DSC w/ LIN Breakout Box (Included) QUOTE NUMBER QSF056277 NC STATE CONTRACT 680D		771.0700	6,168.56

Print Date	02/26/25
Print Time	08:37:23 AM
Page No.	1

Printed By: Dempsey Owens

Continued on Next Page

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Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
48	48	Y	EMPS2001P-8 SOI, MPWR FASCIA, 4", STM, BLK HSG, RED/BLU/WHT Warehouse: GBKO 4" mpower Fascia with Stud Mount, 18 LED 9-32 Volt SAE with 1.5' Pigtail Black Housing with Clear Lens: RED/BLU/WHT 2 MOUNTED ON THE CENTER TOP BAR OF PUSH BUMPER 2 MOUNTED ON THE SIDES OF THE PUSH BUMPER 2 MOUNTED ON THE PIT BARS NEAR THE FRONT FENDERS		115.6400	5,550.72
16	16	Y	NC STATE CONTRACT 680D ESLRL61158 SOI, SL RUNNING, 61", 5MOD, R/B/W, 3CLR/TRIO Warehouse: GBKO SL Running Light, 61" - 5 Module, Tricolor Red/Blue/White NEW BLUEPRINT SL RUNNING LIGHT		279.1900	4,467.04
16	16	Y	NC STATE CONTRACT 680D PSLVBK01 SOI MOUNT KIT FOR SL LIGHTS 2020+ PIU Warehouse: GBKO Mounting Kit for SL Running Light includes: Bracket & Hardware Kit, Ford PIU 2020-2025 NC STATE CONTRACT 680D		23.5400	376.64

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Print Time	08:37:23 AM
Page No.	2

Printed By: Dempsey Owens

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Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
64	64	Y	EMPS1000Y-8 SOI, MPWR FASCIA, 3", QM, BLK HSG, RED/BLU/WHT Warehouse: GBKO 3" mpower Fascia with Quick Mount 12 LED 9-32 Volt SAE with 1.5' Pigtail Black Housing with Clear Lens RED/BLU/WHT 6 MOUNTED ON THE TAHOE D-PILLAR MOUNTS 2 MOUNTED BESIDE THE REAR LICENSE PLATE		103.2500	6,608.00
8	8	Y	NC STATE CONTRACT 680D PMP1BK004 SOI D-PILLARD WEDGE KIT FOR 2020 PIU, 6-PIECE Warehouse: GBKO D-Pillar Wedge Kit (six wedges) for Ford PIU 2020-2025, compatible with 3" mpower® quick mount fascia lights		50.8000	406.40
16	16	Y	NC STATE CONTRACT 680D ENFDGS4BRW SOI DUAL NFORCE DECK/GRILL 18 LED LT B/R/W Warehouse: GBKO nFORCE® Dual Deck/Grille Mount Light, SAE Class 1, 10-16v, Black Housing, 18 LED, Tricolor - Blue/Red/White 2 MOUNTED ON THE REAR SIDE CARGO WINDOW NC STATE CONTRACT 680D		244.9100	3,918.56

Print Date	02/26/25
Print Time	08:37:23 AM
Page No.	3

Printed By: Dempsey Owens

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Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
16	16	Y	FEN-Q-2222 FENIEX QUAD CANNON HIDEAWAY Warehouse: GBKO FENIEX QUAD CANNON		60.7500	972.00
8	8	Y	NC STATE CONTRACT 680D EWL9111SL SOI GOLIGHT SL DRIVER'S SIDE W/ DASH CONTROL Warehouse: GBKO VEHICLE -2025 FORD PIU Golight® SL Remote Control Spotlight, Driver Side, Dash Control included		677.3200	5,418.56
8	8	Y	NC STATE CONTRACT 680D PWLHN004 SOI GOLIGHT SL HARNESS DASH CONTROL TO BLUEPRINT Warehouse: GBKO Golight® SL Dash Control Harness, use with bluePRINT® 500 Series Siren		8.6700	69.36
8	8	Y	NC STATE CONTRACT 680D PWLBN001 SOI GOLIGHT SL BRACKET LH PIU Warehouse: GBKO Golight® SL Bracket, Driver Side Mount on Ford PI Utility NC STATE CONTRACT 680D		54.1000	432.80

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DANA SAFETY SUPPLY, INC
4809 KOGER BLVD
GREENSBORO, NC 27407

Sales Quote

Telephone: 800-847-8762

Sales Quote No.	567127-A
Customer No.	RANCO

Bill To
RANDOLPH COUNTY SHERIFF'S DEPARTMENT ACCOUNTS PAYABLE 727 MCDOWELL ROAD ASHEBORO, NC 27205

Ship To
RANDOLPH COUNTY SHERIFF'S DEPARTMENT 727 MCDOWELL ROAD ATT: LT GREGG DEATON ASHEBORO, NC 27203 United States

Contact: ACCOUNTS PAYABLE
Telephone: 318-6679

E-mail: John.Deaton@randolphcountync.gov

Contact: LT GREGG DEATON
Telephone: 336-318-6687

E-mail: John.Deaton@randolphcountync.gov

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method	
02/25/25	UPS GROUND FREIGHT		PPAY & ADD TO INVOICE	8 FORD PIUS	NET30	
Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
8	8	Y	ENGSA5200RSP SOI, 500 SERIES PUSHBTN 200W CNTRL, +VOICE PLBK Warehouse: GBKO bluePRINT® 500 Series Remote Control System with Button Control, 10-16v - 200 watt dual-tone		798.7400	6,389.92
16	16	Y	NC STATE CONTRACT 680D ETSS100J SOI 100J SERIES COMPOSITE SPEAKER Warehouse: GBKO 100J series composite speaker w/ universal bail brkt-100 watt		165.6100	2,649.76
8	8	Y	NC STATE CONTRACT 680D ETSSVBK01 SOI 2020 FORD PIUT SPEAKER BUMPER MNT BRACKET Warehouse: GBKO 100N/100J/100U Series Speaker Bracket (no drill) for Ford PI Utility 2020 - 2025. The vehicle can hold up to two kits (sold individually), Bumper Mount Center NC STATE CONTRACT 680D		26.8500	214.80

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Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
8	8	Y	ETSSLFVBK09 SOI 20-25 PIU AFTRSHK BKT DRIVER SIDE Warehouse: GBKO Aftershock Speaker Bracket (no drill) for Ford Utility 2020 - 2025, Frame Mount Driver Side		26.8500	214.80
8	8	Y	NC STATE CONTRACT 680D ETSKLF101 SOI LOW FREQUENCY AFTERSHOCK SIREN W/1 SPEAKERS Warehouse: GBKO LF Aftershock Siren System, includes: 100 Watt Speaker, 200 Watt Amplifier and Universal Bracket		414.6500	3,317.20
8	8	Y	NC STATE CONTRACT 680D ENGLMK013 SOI BP LINK KIT, SUPER DUTY, '24 F150, '25 PIU Warehouse: GBKO bluePRINT Link® Micro Kit, includes Module and Vehicle Harness for Ford Super Duty F-250-F-550, 2023-2024, Ford F-150, 2024 and Ford Police Interceptor Utility (PIU) 2025 NC STATE CONTRACT 680D		309.7500	2,478.00

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02/25/25	UPS GROUND FREIGHT		PPAY & ADD TO INVOICE	8 FORD PIUS	NET30	
Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
16	16	Y	ENGND04102 SOI 10 OUTPUT REMOTE NODE W/ MAGNETIC I.D. Warehouse: GBKO bluePRINT® Remote Node with Magnetic ID		158.1800	2,530.88
16	16	Y	NC STATE CONTRACT 680D ENGHNK06 SOI 10FT REMOTE NODE HARNESS Warehouse: GBKO 10 ft Harness Kit for Remote Node		77.6400	1,242.24
8	8	Y	NC STATE CONTRACT 680D 36-2125 WESTIN PUSH BUMPER ELITE, 20-25 FORD PIU Warehouse: GBKO WESTIN PUSH BUMPER ELITE NC STATE CONTRACT 680D		289.4100	2,315.28

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4809 KOGER BLVD
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E-mail: John.Deaton@randolphcountync.gov

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method	
02/25/25	UPS GROUND FREIGHT		PPAY & ADD TO INVOICE	8 FORD PIUS	NET30	
Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
8	8	Y	36-2125PB WESTIN PIT BAR ELITE, 20-25 FORD PIU Warehouse: GBKO WESTIN PIT BAR ELITE		263.8000	2,110.40
8	8	Y	NC STATE CONTRACT 680D 36-2125W WESTIN 2020 FORD PI UTILITY UPPER WINGS Warehouse: GBKO WESTIN WING WRAPS ELITE		182.1200	1,456.96
8	8	Y	NC STATE CONTRACT 680D 36-2125WC WESTIN WIRE COVER - PART Warehouse: GBKO WESTIN ELITE UPRIGHT WIRE COVER NC STATE CONTRACT 680D		33.6400	269.12

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Telephone: 800-847-8762

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Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
8	8	Y	36-6005SMP2 Westin '20+ PIU Light Mask, 2 MPOWER HD Warehouse: GBKO WESTIN 2 LIGHT CHANNEL ELITE mPOWER LIGHT HEADS		33.6400	269.12
8	8	Y	NC STATE CONTRACT 680D 7170-0734-01 GJ, CONSOLE PKG, 2020-24 PIU, RMK TAB, 18" Warehouse: GBKO 2020+ Ford Police Interceptor® Utility Low-Profile Console Box with Cup Holder and Rear Armrest Kit FACEPLATES 1 7160-0322 MOTOROLA APX 4500 1 20033 SOUND FF 500 CONSOLE MOUNTED AND WHATEVER OTHER FILLER PLATES NECESSARY TO COMPLETE THE INSTALL. ***** *****		506.0900	4,048.72
8	8	Y	7160-0220 GJ MONGOOSE 9 LOCKING SLIDE ARM W/TILT SWIVEL Warehouse: GBKO MONGOOSE® – 9" LOCKING SLIDE ARM: VESA 75MM & GAMBER-JOHNSON HOLE PATTERN NC STATE CONTRACT 680D		247.6500	1,981.20

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4809 KOGER BLVD
GREENSBORO, NC 27407

Sales Quote

Telephone: 800-847-8762

Sales Quote No.	567127-A
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02/25/25	UPS GROUND FREIGHT		PPAY & ADD TO INVOICE	8 FORD PIUS	NET30
Entered By		Salesperson		Ordered By	Resale Number
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON	
Order Quantity	Approve Quantity	Tax	Item Number / Description	Unit Price	Extended Price
8	8	Y	7160-0250 GJ NOTEPAD V UNIVERSAL COMPUTER CRADLE Warehouse: GBKO NOTEPAD V UNIVERSAL COMPUTER CRADLE	289.6800	2,317.44
8	8	Y	NC STATE CONTRACT 680D MISC MMRUGGED PT#MNT-PRN-UR-HAB-PI-20 Warehouse: GBKO MM RUGGED MOBILE TECHNOLOGY MNT-PRN-UR-HAB-PI-20 -Ford PIU & Ford PIS (2020-2025) + (\$175.00) Ford PIU (2020-2025) (+ \$175.00) MNT-PRN-UR-AP-PJ - Brother Pocketjet 7 or 8 UltraRugged® Printer Headrest Mount MNT-PRN-UR-AP-PJ ATTACHMENT BAR: MNT-PRN-UR-HAB-PI-20 -Ford PIU & Ford PIS (2020-2025) USB Cable: CBL-PRN-USBC-10FT-90A - 10 FT USB-C Male 90 degree Angle to USB-A Male Cable. (For Pocketjet 8 Series printers) POWER CABLES: LB3692-003 - Ruggedjet Car Adapter - Hard Wired 14' LOCATED AT WEBSITE https://www.mruggedmobile.com/brother-pocketjet-ultrarugged-printer-headrest-mount.aspx	750.0000	6,000.00

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DANA SAFETY SUPPLY, INC
4809 KOGER BLVD
GREENSBORO, NC 27407

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Telephone: 800-847-8762

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E-mail: John.Deaton@randolphcountync.gov

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method	
02/25/25	UPS GROUND FREIGHT		PPAY & ADD TO INVOICE	8 FORD PIUS	NET30	
Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
8	8	Y	MISC MMRUGGED PT# CBL-PRN-USBC-10FT-90A 10FT USB Warehouse: GBKO USB Cable: CBL-PRN-USBC-10FT-90A - 10 FT USB-C Male 90 degree Angle to USB-A Male Cable. (For Pocketjet 8 Series printers) PRICED WITH MOUNT		0.0000	0.00
8	8	Y	LB3692-003 BROTHER POWER CORD Warehouse: GBKO		35.0000	280.00
8	8	Y	BROTHERS POWER CABLE PJ822 BRO POCKET JET 8 (THERMAL PRINTER W/ USB Warehouse: GBKO		315.0000	2,520.00
8	8	Y	BROTHERS PRINTER MMSU-1 MAGNETIC MIC SINGLE UNIT CONVERSION KIT Warehouse: GBKO MAGNETIC MIKE		42.0000	336.00

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DANA SAFETY SUPPLY, INC
4809 KOGER BLVD
GREENSBORO, NC 27407

Sales Quote

Telephone: 800-847-8762

Sales Quote No.	567127-A
Customer No.	RANCO

Bill To
RANDOLPH COUNTY SHERIFF'S DEPARTMENT ACCOUNTS PAYABLE 727 MCDOWELL ROAD ASHEBORO, NC 27205

Ship To
RANDOLPH COUNTY SHERIFF'S DEPARTMENT 727 MCDOWELL ROAD ATT: LT GREGG DEATON ASHEBORO, NC 27203 United States

Contact: ACCOUNTS PAYABLE
Telephone: 318-6679

E-mail: John.Deaton@randolphcountync.gov

Contact: LT GREGG DEATON
Telephone: 336-318-6687

E-mail: John.Deaton@randolphcountync.gov

Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method	
02/25/25	UPS GROUND FREIGHT		PPAY & ADD TO INVOICE	8 FORD PIUS	NET30	
Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
8	8	Y	CG-X HAV, CHARGE GARD, UNIVERSAL, CONTROL MODULE Warehouse: GBKO HAVIS ChargeGuard-Select		59.7100	477.68
8	8	Y	NC STATE CONTRACT 680D TSH-RCS-003 ROK CUSTOM ANTENNA KIT Warehouse: GBKO CUSTOM CONFIGURATION FOR RANDOLPH COUNTY SHERIFF'S OFFICE QUOTE ##EST8114		394.7000	3,157.60
4	4	Y	35-210085 WESTIN DEFENDER MODULAR SINGLE CELL, 20-24 PIU Warehouse: GBKO WESTIN DEFENDER MODULAR SINGLE CELL NC STATE CONTRACT 680D		625.3800	2,501.52

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02/25/25	UPS GROUND FREIGHT		PPAY & ADD TO INVOICE	8 FORD PIUS	NET30	
Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
2	2	Y	35-10085 WESTIN DEFENDER MODULAR FRNT PARTITION, 2020+ PIU Warehouse: GBKO WESTIN Defender Modular Frnt Partition Complete		723.5200	1,447.04
6	6	Y	NC STATE CONTRACT 680D 35-220452 WESTIN Ford Utility 2020-21 Defender Poly Rear Partiti Warehouse: GBKO WESTIN DEFENDER POLY REAR PARTITION		497.0500	2,982.30
6	6	Y	NC STATE CONTRACT 680D 35-16045 WESTIN DEFENDER WINDOW GUARDS Warehouse: GBKO WESTIN DEFENDER SIDE WINDOW GUARDS NC STATE CONTRACT 680D		123.8800	743.28

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Entered By		Salesperson		Ordered By	Resale Number	
Dempsey Owens		Dempsey Owens - Greensboro		LT GREG DEATON		
Order Quantity	Approve Quantity	Tax	Item Number / Description		Unit Price	Extended Price
6	6	Y	35-14045 WESTIN DEFENDER PRISONER SEAT Warehouse: GBKO WESTIN DEFENDER PRISONER SEAT		716.2300	4,297.38
6	6	Y	NC STATE CONTRACT 680D 800-0100 WESTIN EQUIPMENT INSTALL CASE, BLACK, 2019-24 FORD PIU Warehouse: GBKO WESTIN EQUIPMENT INSTALL CASE		318.1500	1,908.90
6	6	Y	NC STATE CONTRACT 680D DPCP47UINT20 PG REAR DOOR HANDLE COVER PLATE Warehouse: GBKO PRO GARD Black ABS, Door Panel Cover Plates (set) NC STATE CONTRACT 680D		32.8400	197.04

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 727 MCDOWELL ROAD
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Quote Date	Ship Via		F.O.B.	Customer PO Number	Payment Method		
02/25/25	UPS GROUND FREIGHT		PPAY & ADD TO INVOICE	8 FORD PIUS	NET30		
Entered By			Salesperson	Ordered By	Resale Number		
Dempsey Owens			Dempsey Owens - Greensboro	LT GREG DEATON			
Order Quantity	Approve Quantity	Tax	Item Number / Description			Unit Price	Extended Price
			Approved By: _____ ☐ Approve All Items & Quantities Quote Good for 30 Days				

Print Date	02/26/25
Print Time	08:37:23 AM
Page No.	1

Printed By: Dempsey Owens

Subtotal	95,043.22
Freight	5,000.00
7.000 % Sales Tax	7,003.03
Order Total	107,046.25



RANDOLPH COUNTY

PLANNING AND ZONING

204 E Academy Street, Asheboro NC 27203 (336) 318-6555

TO: Randolph County Board of Commissioners

DATE: March 10, 2025

SUBJECT: Appointment to Randolph County Planning Board

There is currently an open position available as an alternate member on the Planning Board. Steven Maness of Seagrove, NC., has submitted an application for this position. Mr. Maness has a background in farming and a passion for proper land preservation. He will provide an important perspective to the Board.

Randolph County Juvenile Crime Prevention Council

MEMORANDUM

TO: Board of Commissioners
FROM: Wendy Kennon, Lead Public Health Educator II
DATE: February 24, 2025
RE: JCPC Request for Appointment of new member

The following individual is recommended to serve as a Juvenile Crime Prevention Council member.

- **Valery Dambreville** has agreed to serve a two-year term as a replacement appointee for one of the *County Commissioner Appointee* positions.

Valery Dambreville
6012 New Hope Church Road
Asheboro, NC 27205
407-342-4371
vdambreville@yahoo.com

The JCPC is requesting that this item be included on the consent agenda for the Randolph County Board of Commissioners at their regular meeting scheduled for March 10, 2025.

Thank you!

Randolph County Juvenile Crime Prevention Council

MEMORANDUM

TO: Board of Commissioners
FROM: Wendy Kennon, Lead Public Health Educator II
DATE: February 12, 2025
RE: JCPC Request for Appointment of a member

The following individual is recommended to serve as a Juvenile Crime Prevention Council member.

- **Jeremiah Batchelor** has agreed to serve a two-year term as a replacement appointee for the *Sheriff or designee* position.

Jeremiah Batchelor, Captain
RC Sheriff's Office
727 McDowell Road, Asheboro, NC 27205
336-318-6568
Jeremiah.batchelor@randolphcountync.gov

The JCPC is requesting that this item be included on the consent agenda for the Randolph County Board of Commissioners at their regular meeting scheduled for March 3, 2025.

Thank you!

Randolph County Public Health

ASHEBORO, NORTH CAROLINA 27205-7368

Ira McDowell Governmental Center

2222-B South Fayetteville Street



Telephone (336) 318-6200

Fax (336) 318-6234

MEMORANDUM

To: Randolph County Commissioners

From: Tara Aker, Public Health Director

Re: Appoint Bradley Cooper to the Child Fatality Prevention Team

Date: February 21, 2025

Please appoint Major Bradley Cooper of Randolph County Emergency Services to the Randolph County Child Fatality Prevention Team. Major Cooper will be able to provide a critical perspective when reviewing cases where children have died.

Thank you.

Randolph County Public Health

ASHEBORO, NORTH CAROLINA 27205-7368

Ira McDowell Governmental Center

2222-B South Fayetteville Street



Telephone (336) 318-6200

Fax (336) 318-6234

MEMORANDUM

To: Randolph County Commissioners

From: Tara Aker, Public Health Director

Re: Appoint Jacob Kennedy to the Child Fatality Prevention Team

Date: February 20, 2025

Please appoint Lieutenant Jacob Kennedy of the Asheboro Police Department to the Randolph County Child Fatality Prevention Team. Lieutenant Kennedy will be able to provide a critical perspective when reviewing cases where children have died.

Thank you.



Randolph County

Administration
725 McDowell Road
Asheboro, North Carolina 27205
www.randolphcountync.gov

MEMORANDUM

To: Randolph County Commissioners

From: William Johnson, Assistant County Manager

Date: March 10, 2025

Subject: Watershed Ordinance Update

Randolph County Planning and Zoning consistently seeks ways to enhance the lives of citizens and improve the services it provides Randolph County.

The Randolph County *Watershed Protection Ordinance* is a tool that allows staff to provide the public with a framework to successfully utilize property within the designated watershed while simultaneously protecting water quality and the environment.

The proposed changes in Randolph County's *Watershed Protection Ordinance* allow for a slight increase in the amount of impervious surface allowed in watershed areas to more closely match the State Model Watershed Ordinance. This update also adds clarity to the Ordinance, removes duplicate information, and addresses changes at the state level.

After holding the Public Hearing on this item, please consider adopting the Randolph County *Watershed Protection Ordinance* as presented effective March 10, 2025.

I would like to thank the Board of Commissioners for considering this request and your continuous work to improve the lives of Randolph County Citizens.



ARTICLE 800: WATERSHED PROTECTION ORDINANCE

801: WATERSHED PROTECTION ORDINANCE

A. AUTHORITY AND ENACTMENT

The North Carolina General Assembly has, in Chapter 153A, Article 6, Section 121, General Ordinance Making Power; and in Chapter 143, Article 21, Water and Air Resources, authorized Randolph County to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. In addition, NCGS § 160D-926 specifically authorized Randolph County to enact and enforce water supply watershed management regulations. The Randolph County Board of Commissioners does hereby ordain and enact into law the following articles as the *Randolph County Watershed Protection Ordinance*.

B. JURISDICTION

The provisions of this *Randolph County Watershed Protection Ordinance* shall apply within the areas designated as a Water Supply Watershed by the North Carolina Environmental Management Commission and shall be defined and established on a water supply watershed protection map of Randolph County, North Carolina, which is adopted simultaneously herewith. These provisions shall be applied throughout Randolph County except in areas subject to the municipal planning and development regulation jurisdiction. The watershed map and all explanatory matter contained thereon accompany and are hereby made part of this *Randolph County Watershed Protection Ordinance*. This Ordinance shall be permanently kept on file in the office of the Clerk to the Randolph County Board of Commissioners.

C. EXCEPTIONS TO APPLICABILITY

Nothing contained herein shall repeal, modify, or amend any Federal or State law or regulation, or any ordinance or regulation pertaining thereto except any ordinance which these regulations specifically replace; nor shall any provision of this Ordinance amend, modify, or restrict any provisions of the Code of Ordinances of Randolph County; however, the adoption of this Ordinance shall and does amend all ordinances, resolutions, and regulations in effect in Randolph County at the time of the adoption of this Ordinance that may be construed to impair or reduce the effectiveness of this Ordinance or to conflict with any of its provisions.

It is not intended that these regulations interfere with any easement, covenants, or other agreements between parties. However, if the provisions of these regulations impose greater restrictions or higher standards for the use of a building or land, then the provisions of these regulations shall



control.

Existing development, as defined in this Ordinance, is not subject to the requirements of this Ordinance.

Expansions to existing development must meet the requirements of this Ordinance, except expansions to single-family residential development unless the expansion is a part of the common plan of development. In an expansion, the built-upon area of the existing development is not required to be included in the density calculations. Where there is a net increase of built-upon area, only the area of net increase is subject to this Ordinance. Where existing development is being replaced with a new built-upon area, and there is a net increase of built-upon area, only areas of the net increase shall be subject to this Ordinance.

If a nonconforming lot of record is not contiguous to any other lot owned by the same party, then that lot of record shall not be subject to the development restrictions of this Ordinance if it is developed for single-family residential purposes. Randolph County requires the combination of contiguous nonconforming lots of records owned by the same party to establish a lot or lots that meet requirements in Section 802 of this Ordinance.

Any lot or parcel created as part of a family subdivision after the effective date of these rules shall be exempt from these rules if it is developed for one single-family detached residence and if it is exempt from local subdivision regulation.

Any lot or parcel created as part of any other type of subdivision, that is exempt from the *Randolph County Subdivision Ordinance* shall be subject to the land use requirements (including impervious surface requirements) of these rules, except that such a lot or parcel must meet the minimum buffer requirements to the maximum extent practicable.

An applicant may exceed the density limits in Article 803 if all of the following circumstances apply:

- (1) The property was developed before the effective date of the *Randolph County Watershed Protection Ordinance*;
- (2) The property has not been combined with additional lots after January 1, 2021;
- (3) The property has not been a participant in a density averaging transaction under NCGS § 143-214.5(d2);



- (4) The current use of the property is nonresidential;
- (5) In the sole discretion, and at the voluntary election, of the property owner, the stormwater from all of the existing and new built-upon area of the property is treated under all applicable Randolph County, State, and Federal laws and regulations; and
- (6) The remaining vegetated buffer on the property is preserved per the requirements of this Ordinance.

D. REPEAL OF EXISTING WATERSHED ORDINANCE

This Ordinance in part carries forward by re-enactment, some of the *Randolph County Watershed Protection Ordinance* adopted by the Randolph County Board of Commissioners on October 7, 1997, and as amended, and it is not the intention to repeal but rather to re-enact and continue in force such existing provisions so that all rights and liabilities that have accrued thereunder are preserved and may be enforced. All provisions of the *Randolph County Watershed Ordinance* which are not re-enacted herein are hereby repealed. All suits at law or in equity and/or all prosecutions resulting from the violation of any ordinance provisions heretofore in effect, which are now pending in any court of this state or of the United States, shall not be abated or abandoned by reason because of the adoption of this Ordinance, but shall be prosecuted to their finality the same as if this Ordinance had not been adopted; and all violations of the existing *Randolph County Watershed Protection Ordinance*, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this Ordinance shall be so construed as to abandon, abate or dismiss any litigation or prosecution now pending and/or which may heretofore have been instituted or prosecuted.

E. CRIMINAL PENALTIES¹

Any person violating any provisions of this Ordinance shall be guilty of a violation of this Ordinance and be subject to Article 400, Section 405. The maximum fine for each offense shall not exceed \$500.00. Each day that the violation continues shall constitute a separate offense.

F. REMEDIES

If any subdivision, development, and/or land use is found to violate this Ordinance, the Randolph County Board of Commissioners may, in addition to all other remedies available either in law or in equity, institute a civil penalty of \$500.00, action or proceedings to restrain, correct, or abate the violation; to prevent the occupancy of the building, structure, or land; or to prevent any illegal act, conduct, business, or use in or about the premises.

¹ Water quality rules are found in NCGS 143 so it is possible that additional criminal penalties may apply.



Also, the North Carolina Environmental Management Commission may assess civil penalties under NCGS 143-215.6(a). Each day that the violation continues shall constitute a separate offense.

If the Watershed Administrator finds that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation, and ordering the action necessary to correct it. He shall order the discontinuance of the illegal use of land, buildings, or structures; removal of illegal buildings or structures, or additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions. If a ruling of the Watershed Administrator is questioned, the aggrieved party or parties may appeal such ruling to the Watershed Review Board.

G. **SEVERABILITY**

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, the declaration shall not affect the validity of this Ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

H. **EFFECTIVE DATE**

This Ordinance shall take effect and be in force on the date of adoption of the *Randolph County Unified Development Ordinance*, ~~February 3,~~ 2025.

802. SUBDIVISION REGULATIONS

A. **GENERAL PROVISIONS**

No subdivision plat of land within the Water Supply Watershed shall be filed or recorded by the Randolph County Register of Deeds until it has been approved with the provisions of this Article. Likewise, the Randolph County Clerk of Superior Court shall not order or direct the recording of a plat if the recording of such plat would conflict with this Article.

The approval of a plat does not constitute or affect the acceptance by Randolph County or the public of the dedication of any street or other ground, easement, right-of-way, public utility line, or other public facility shown on the plat and shall not be construed to do so.

All subdivisions shall conform to the mapping requirements contained in NCGS 47-30.



All subdivisions of land within the jurisdiction of Randolph County after the effective date of this Ordinance shall require a plat to be prepared, approved, and recorded under this Ordinance.

B. SUBDIVISION APPLICATION AND REVIEW PROCEDURES

All proposed subdivisions shall be reviewed before recording with the Randolph County Register of Deeds by submitting a vicinity map to the Watershed Administrator to determine whether the property is located within the designated Water Supply Watershed. Subdivisions that are not within the designated watershed area shall not be subject to the provisions of this Ordinance and may be recorded provided the Watershed Administrator initials the vicinity map. Subdivisions within a WS-IV watershed are subject to the provisions of this Ordinance only when an erosion and sedimentation plan is required under the provisions of State law or an approved local program unless another stormwater program applies. Subdivisions within the designated watershed area shall comply with the provisions of this Ordinance and all other state and local requirements that may apply.

Subdivision applications shall be filed with the Watershed Administrator. The application shall include a completed application form, two copies of the plat, a description of the proposed method of providing stormwater drainage, and supporting documentation deemed necessary by the Watershed Administrator or the Watershed Review Board.

The Watershed Administrator shall review the completed application and shall either approve, approve conditionally, or disapprove each application. The Watershed Administrator shall take final action within forty-five days of submission of the application. The Watershed Administrator or the Board may provide public agencies an opportunity to review and make recommendations. However, the failure of the agencies to submit their comments and recommendations shall not delay action within the prescribed time limit. Said public agencies may include, but are not limited to, the following:

- (1) The NCDOT district highway engineer concerning proposed streets and highways;
- (2) The director of Randolph County Public Health concerning the proposed private water system or sewer systems normally approved by Randolph County Public Health;
- (3) The state Division of Water Resources concerning proposed sewer systems normally approved by the Division;
- (4) The State Division of Energy, Mineral and Land Resources



concerning engineered stormwater controls or stormwater management in general;

- (5) Randolph County for subdivisions located in the Extraterritorial Jurisdiction of a municipality;
- (6) Local government entities responsible for proposed sewer and/or water systems; or
- (7) Any other agency or official designated by the Watershed Administrator or Watershed Review Board.

If the Watershed Administrator approves the application, such approval shall be indicated on both copies of the plat by the following certificate and signed by the Watershed Administrator:

Certificate of Approval for Recording

I certify that the plat shown herein complies with the *Randolph County Watershed Protection Ordinance* and is approved by the Randolph County Watershed Review Board for recording in the Randolph County Register of Deeds Office.

Date

Watershed Administrator

NOTE: This property is located within a Public Water Supply Watershed. Development restrictions may apply.

If the Watershed Administrator disapproves or approves conditionally the application, the reasons for such action shall be stated in writing for the applicant ~~and may be entered in the minutes~~. The subdivider may make changes and submit a revised plan which shall constitute a separate request for review.

As a condition for approval, all subdivision plats shall comply with the requirements for recording with the Randolph County Register of Deeds.

The plat shall be recorded within thirty days of approval. The Subdivider shall provide the Watershed Administrator with evidence the plat has been recorded with the Randolph County Register of Deeds within five working days of recordation.

C. SUBDIVISION STANDARDS AND REQUIRED IMPROVEMENTS

All lots shall provide adequate building space with the development standards contained in Article 803. Lots that are smaller than the minimum



required for residential lots may be developed using built-upon area criteria under Article 803.

To calculate the built-upon area, the total project area shall include the total acreage in the tract on which the project is to be developed.

~~The application shall be accompanied by a description of the proposed method of providing stormwater drainage. The subdivider shall provide a drainage system that diverts stormwater runoff away from surface waters, incorporates Stormwater Control Measures to minimize water quality impacts, and meets any local requirements.~~

The application shall, where required, be accompanied by the Sedimentation and Erosion Control Plan approved by the North Carolina Division of Land Quality administering a Sedimentation and Erosion Control Ordinance approved by the North Carolina Division of Energy, Mineral and Land Resources.

Roads constructed in critical areas and watershed vegetated conveyance areas. Where possible, roads should be located outside of critical areas and watershed vegetated conveyance areas. Roads constructed within these areas shall be designed and constructed to minimize their impact on water quality.

D. CONSTRUCTION PROCEDURES

No construction or installation of improvements shall commence in a proposed subdivision until a subdivision plat has been approved.

No building or other permits shall be issued for the erection of a structure on any lot not on record at the time of adoption of this Ordinance until all requirements of this Ordinance have been met. The subdivider, before commencing any work within the subdivision, shall plan with the Watershed Administrator to provide for adequate inspection.

E. PENALTIES FOR TRANSFERRING LOTS IN UNAPPROVED SUBDIVISIONS

Any person who, being the owner or agent of the owner of any land located within the jurisdiction of Randolph County, thereafter subdivides his land in violation of this Ordinance or transfers or sells land by reference to, the exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under this Ordinance and recorded in the Randolph County Register of Deeds, shall be guilty of violation of this Ordinance and be subject to Article 400, Section 405. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. Randolph County may bring an action for an injunction of any illegal subdivision, transfer, conveyance, or sale of land,



and the court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with this Ordinance.

F. STORM WATER DRAINAGE FACILITIES

The application shall be accompanied by a description of the proposed method of providing stormwater drainage. The subdivider shall provide a drainage system that diverts stormwater runoff away from surface waters, incorporate Storm Water Control Measures to minimize water quality impacts, and meet Randolph County requirements.

803: ESTABLISHMENT OF WATERSHED AREAS

The purpose of this Article is to list and describe the watershed areas herein adopted.

For purposes of this Ordinance, Randolph County is hereby divided into the following areas as appropriate.

Watershed Classification	Watershed Type
WS-I	Watershed One
WS-II-CA	Watershed Two Critical Area
WS-II-BW	Watershed Two Watershed Area
WS-III-CA	Watershed Three Critical Area
WS-III-BW	Watershed Three Watershed Area
WS-IV-CA	Watershed Four Critical Area
WS-IV-PA	Watershed Four Protected Area
WS-V	Watershed Five

Table 23: Watershed Area Table

For this Ordinance, the following watershed falls into the appropriate classification ~~and allows the stated percent of impervious surface.~~



CLASSIFICATION	WATERSHED	PERCENT OF IMPERVIOUS SURFACE (LOW DENSITY)
WS-I	n/a	n/a
WS-II-CA	Back Creek UT to Cedar Fork Creek	Six percent
WS-II-BW	Back Creek UT to Cedar Fork Creek Uwharrie River (Lake Reese)	Twelve percent
WS-III-CA	Uwharrie River (Lake Reese) Polecat Creek Sandy Creek	Twelve percent
WS-III-BW	Bear Creek (CPF) Lake Reese Polecat Creek Rocky River Sandy Creek	Twenty-four percent
WS-IV-CA	Deep River (Randleman Lake)	Six percent
WS-IV-PA	Badin Lake Big Alamance Lake Deep River (Randleman Lake)	Twelve percent
WS-V	n/a	n/a

Table 24: Randolph County Watershed Classifications

804: WATERSHED AREAS ALLOWED AND NON-ALLOWED USES

The following table lists various allowed and non-allowed uses in the watershed areas of Randolph County. Note that if a use is listed as allowed does not mean that the *Randolph County Zoning Ordinance* will allow the use without required public hearings. A checkmark indicates that the use is allowed and if the use is blank, the use is not allowed.

ACTIVITY/USE	WS-I	WS-II A	WS-II BW	WS-III CA	WS-III BW	WS-IV CA	WS-IV PA	WS-V
Agriculture ¹	✓	✓	✓	✓	✓	✓	✓	✓
Animal Operations ²	✓	✓	✓	✓	✓	✓	✓	✓
Groundwater remediation project discharges ³	✓	✓	✓	✓	✓	✓	✓	✓
Industrial waste								✓ ⁴
New industrial connections and expansions to existing municipal discharge with pretreatment program pursuant to 15A NCA 02H .0904						✓	✓	✓
New landfills			✓		✓		✓	✓



ACTIVITY/USE	WS-I	WS-II A	WS-II BW	WS-III CA	WS-III BW	WS-IV CA	WS-IV PA	WS-V
New NPDES Individual Permit domestic treated wastewater discharge					✓	✓	✓	✓
New NPDES Individual Permit industrial treated wastewater discharge						✓	✓	✓
New permitted petroleum-contaminated soil sites			✓		✓		✓	✓
New permitted residual land application			✓		✓		✓	✓
Nonpoint Source Pollution ⁵	✓	✓	✓	✓	✓	✓	✓	✓
Non-process industrial waste			✓	✓	✓	✓	✓	✓
Non-residential Development ^{6, 7}		✓	✓	✓	✓	✓	✓	✓
NPDES General or Individual Stormwater discharges	✓ ⁸	✓	✓	✓	✓	✓	✓	✓
NPDES General Permit Wastewater discharges pursuant to 15A NCAC 02H .0127	✓ ⁸	✓	✓	✓	✓	✓	✓	✓
NPDES Individual Permit trout farm discharges	✓ ⁸	✓	✓	✓	✓	✓	✓	✓
Other wastes								✓ ⁴
Residential Development ⁵		✓	✓	✓	✓	✓	✓	✓
Sewage								✓ ⁴
Silviculture ⁹	✓	✓	✓	✓	✓	✓	✓	✓

Table 25: Allowed and Non-Allowed Uses

Notes to Allowed and Non-Allowed Uses

¹In WS-I watershed and Critical Areas of WS-II, WS-III, and WS-IV watersheds, agricultural activities conducted after January 1, 1993, shall maintain a minimum 10-foot vegetated setback or equivalent control as determined by SWCC along all perennial waters indicated on more recent versions of USGS 1:24,000 (7.5 minute) topographic maps or as determined by Randolph County studies.

²Deemed permitted, as defined in 15A NCAC 02T .0103 and permitted under 15A NCAC 2H .0217.

³Where no other practical alternative exists.

⁴Not allowed if activity(ies) has/hurt human health.

⁵NPS pollution shall not have an adverse impact, as defined in 15A NCAC 02H .1002, and use as a water supply or any other designated use.

⁶See density requirements in 15A NCAC 02B .0624.

⁷See different allowed and not allowed in this table.

⁸Permitted pursuant to 15A NCAC 02B .0104.



⁹Subject to Forest Practice Guidelines Related to Water Quality (02 NCAC 60C .0100 to .0209) effective April 1, 2018.

805: WATERSHED AREAS: DENSITY AND BUILT-UPON LIMITS

A. PROJECT DENSITY

The following maximum allowable project densities and minimum lot sizes shall apply to a project according to the classification of the water supply watershed where it is located, its relative location in the watershed, its project density, and the type of development:

DENSITY AND BUILT-UPON LIMITS				
Water Supply Classification	Location in the Watershed	Maximum Allowable Project Density or Minimum Lot Size		
		Low-Density Development		High-Density Development
		<u>Single-family detached residential</u>	<u>Non-residential and all other residential</u>	<u>All types</u>
WS-I	Not Applicable: Watershed shall remain underdeveloped except for the following uses when they cannot be avoided: power transmission lines, restricted access roads, and structures associated with water withdrawal, treatment, and distribution of the WS-1 Water. Built-upon area shall be designed and located to minimize stormwater runoff impact on receiving waters.			
WS-II	Critical Area	One dwelling unit per 80,000 sq. ft.	Six percent	Six <u>to twenty-four</u> percent
	Balance of Watershed	One dwelling unit per 40,000 sq. ft.	Twelve percent	Twelve <u>to thirty</u> percent
WS-III	Critical Area	One dwelling unit per 80,000 sq. ft.	Twelve percent	Twelve <u>to thirty</u> percent
	Balance of Watershed	One dwelling unit per 40,000 sq. ft.	Twenty-four percent	Twenty-four <u>to fifty</u> percent
WS-IV	Critical Area	One dwelling unit per 40,000 sq. ft.	Twelve <u>Twenty-four</u> percent	Twenty-four <u>to fifty</u> percent
	Protected Area	One dwelling unit per 80,000 sq. ft.	<u>Six percent</u> <u>Twenty-four percent or thirty-six percent</u> <u>without curb and gutter street system</u>	Six <u>Twenty-four to seventy</u> percent



DENSITY AND BUILT-UPON LIMITS	
WS-V	Not Applicable

Table 26: Density and Built-Upon Limits

806: CALCULATION OF PROJECT DENSITY

The following requirements shall apply to the calculation of project density.

1. Project density shall be calculated as the total built-upon area divided by the total project area.
2. A project with existing development, as that term is defined in the Ordinance, may use the calculation method in Sub-item (1) of this item or may calculate project density as the difference of total built-upon area minus existing built-upon area divided by the difference of total project area minus existing built-upon area.
3. Expansions to existing development shall be subject to 15A NCAC 02B .0624 except as excluded in 15A NCAC 02B .0622 (1) (d).
4. Where there is a net increase of built-upon area, only the area of the net increase shall be subject to density and built-upon area limits 15A NCAC 02B .0624.
5. Where existing development is being replaced with a new built-upon area, and there is a net increase of built-upon area, only the area of the net increase shall be subject to density and built-upon area limits 15A NCAC 02B .0624.
6. The total project area shall exclude the following:
 - a. Areas below the normal high-water line (NHWL); and
 - b. Areas defined as *coastal wetlands* according to 15A NCAC 07H .0205, herein incorporated by reference, including subsequent amendments and editions, and available at no cost at <http://reports.oah.state.nc.us/ncac/>, as measured landward from the NWHL.
7. Projects under a common plan of development shall be considered as a single project for purposes of density calculation except that on a case-by-case basis, Randolph County may allow projects to be considered to have both high and low-density areas based on one or more of the following criteria:
 - a. Natural drainage area boundaries;



- b. Variations in land use throughout the project; or
- c. Construction phasing.

LOW-DENSITY PROJECTS:

In addition to complying with the project density requirements of this Ordinance, low-density projects shall comply with the following:

1. Stormwater runoff from the project shall be released to vegetative areas as dispersed flow or transported by vegetated conveyances to the maximum extent practicable. In determining whether these criteria have been met, Randolph County shall consider site-specific factors such as topography and site layout as well as protection of water quality. Vegetated conveyances shall be maintained in perpetuity to ensure that they function as designed. Vegetated conveyances that meet the following criteria shall be deemed to satisfy the requirements of this sub-item:
 - a. Side slopes shall be no steeper than 3:1 (horizontal to vertical) unless it is demonstrated to Randolph County that the soils and vegetation will remain stable in perpetuity based on engineering calculations and on-site soil investigation; and
 - b. The conveyance shall be designed so that it does not erode during the peak flow from the ten-year storm event as demonstrated by engineering calculations.
2. In place of vegetated conveyances, low-density projects shall have the option to use curbs and gutters with outlets to convey stormwater to grassed swales or vegetated areas. Requirements for these curb outlet systems shall be as follows:
 - a. The curb outlets shall be located such that the swale of a vegetated area can carry the peak flow from the ten-year storm at a non-erosive velocity;
 - b. The longitudinal slope of the swale or vegetated area shall not exceed five percent except where not practical due to physical constraints. In these cases, devices to slow the rate of runoff and encourage infiltration to reduce pollutant delivery shall be provided;
 - c. The swale's cross-section shall be trapezoidal with a minimum bottom width of two feet;



- d. The side slopes of the swale or vegetated area shall be no steeper than 3:1 (horizontal to vertical);
- e. The minimum length of the swale or vegetated area shall be one hundred feet; and
- f. Low-density projects may use treatment swales designed under 15A NCAC 02H .1016 instead of the requirements specified in sub-items (a) through (e) above.

HIGH-DENSITY PROJECTS:
Reserved

OPTIONS FOR IMPLEMENTING PROJECT DENSITY:

Randolph County has the following options in place of or in addition to the requirements of the above sections as appropriate.

- 1. Randolph County ~~may only~~ allows ~~only~~ low-density development in the water supply watershed areas under this Ordinance.
- 2. Randolph County may regulate low-density single-family detached residential development using the minimum lot size requirements, dwelling unit per acre requirements, built-upon area percentages, or some combinations of these.
- 3. Outside of WS-I watersheds and the critical areas of WS-II, WS-III, and WS-IV watersheds, Randolph County may regulate new development under the *10/70 Option* under the following requirements:
 - a. A maximum of ten percent of the land area of a water supply watershed outside of the critical area and within Randolph County's planning jurisdiction may be developed with new development projects and expansions of an existing development of up to seventy percent built-upon area.
 - b. In the water supply watershed classified on or before August 3, 1992, the beginning amount of acreage available under this option shall be based on Randolph County's jurisdiction as delineated on July 1, 1993. In water supply watersheds classified after August 3, 1992, the beginning amount of acreage available under this option shall be based on Randolph County's jurisdiction as delineated on the date the water supply watershed classification became effective. The average within the critical area shall not be counted under the *10/70 Option* acreage;



- c. Projects that are covered under the *10/70 Option* shall comply with the low-density requirements outlined in the Low-Density Project above;
 - d. The maximum built-upon area allowed on any given new development project shall be seventy percent;
 - e. Randolph County having jurisdiction within a designated water supply watershed may transfer, in whole or in part, its right to the *10/70* land area to another local government within the same water supply watershed upon submittal of a joint resolution and approval by the Environmental Management Commission; and
 - f. When the water supply watershed is composed of public lands, such as National Forest land, Randolph County may count the public land acreage within the watershed outside of the critical area in calculating the acreage allowed under this provision.
- 4. New development shall meet the development requirements on a project-by-project basis except Randolph County may submit ordinances that use density or built-upon area criteria averaged throughout Randolph County's watershed jurisdiction instead of on a project-by-project basis within the watershed. Before approval of the ordinance, Randolph County shall demonstrate to the Environmental Management Commission that the provisions as averaged meet or exceed the statewide minimum requirements and that a mechanism exists to ensure the planned distribution of development potential throughout Randolph County's jurisdiction within the watershed.
- 5. Randolph County may administer oversight of future development activities in single-family detached residential developments that exceed the applicable low-density requirements by tracking dwelling units rather than percentage built-upon area, as long as the SCM is sized to capture and treat runoff from (i) all pervious and built-upon surfaces shown on the development plan and (ii) any off-site drainage from pervious and built-upon surfaces, and when an additional safety factor of fifteen percent of the built-upon area of the project site is figured in.

807: DENSITY AVERAGING

An applicant may average development density on up to two noncontiguous properties for purposes of achieving compliance with the water supply watershed development standards if all the following circumstances exist:



1. The properties are within the same water supply watershed. If one of the properties is in the critical area of the watershed, the critical area property shall not be developed beyond the applicable density requirements for its classification.
2. Overall project density meets applicable density or stormwater control requirements under 15A NCAC 2N .0200.
3. Vegetated setbacks on both properties meet the minimum statewide water supply watershed protection requirements.
4. Built-upon areas are designed and located to minimize stormwater runoff impact on the receiving waters, minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.
5. Areas of concentrated density development are in upland areas and, to the maximum extent practicable, away from surface waters and drainage ways.
6. The property or portions of the properties that are not being developed will remain in a vegetated or natural state and will be managed by a homeowners' association as a common area, conveyed to Randolph County as a park or greenway, or placed under a permanent conservation or farmland preservation easement unless it can be demonstrated that Randolph County can ensure long-term compliance through deed restrictions and an electronic permitting mechanism. A metes and bounds description of the area to remain vegetated and limits on use shall be recorded on the subdivision plat, in homeowners' covenants, and on the individual deed and shall be irrevocable.
7. Development permitted under density averaging and meeting applicable low-density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.
8. A Special Use Permit or other such permit or certificate shall be obtained from the Randolph County Watershed Review Board or the Randolph County Zoning Board of Adjustment to ensure that both properties considered together meet the standards of this Ordinance and that potential owners have a record of how the watershed regulations were applied to the properties.

808: CLUSTER DEVELOPMENT

Cluster development is allowed in all Watershed Areas, except WS-I, under the following conditions:



1. Minimum lot sizes do not apply to single-family cluster development projects; however, the total number of lots shall not exceed the number of lots allowed for single-family detached developments as outlined in Section 805. The density or built-upon area for the project shall not exceed that allowed for the critical area or protected area, whichever applies.
2. All built-upon areas shall be designed and located to minimize stormwater runoff impact on the receiving waters and minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.
3. Areas of concentrated density development shall be located in upland areas and as far as practicable from surface waters and drainage ways.
4. The remainder of the tract shall remain in a vegetated or natural state. The title to the open space area shall be conveyed to an incorporated homeowner's association for management; or a conservation organization for preservation in a permanent easement.
5. Cluster developments that meet the applicable low-density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.

809: VEGETATED SETBACKS REQUIRED

A minimum one-hundred-foot vegetative buffer (fifty feet on each side of perennial water) is required for all new development activities along all perennial waters indicated on the most recent versions of the USGS 1:24,000 (7.5 minute) scale topographic maps or as determined by Randolph County studies. Desirable artificial streambank or shoreline stabilization is permitted.

Where USGS topographic maps do not distinguish between perennial and intermittent streams, an on-site stream determination may be performed by an individual qualified to perform such stream determinations.

No new development is allowed in the buffer except for water-dependent structures, other structures such as flag poles, signs, and security lights which result in only diminutive increases in impervious areas, and public projects such as road crossings and greenways where no practical alternative exists. These activities should minimize built-upon surface area, direct runoff away from the surface waters, and maximize the utilization of stormwater Best Management Practices. Any such development must obtain a Special Use Permit from the Randolph County Watershed Review Board.



810: APPLICATION OF REGULATIONS

No building or land shall hereafter be used, and no development shall take place except in conformity with the regulations herein specified for the watershed area in which it is located.

No area required for complying with the provisions of this Ordinance shall be included in the area required for another building.

Every residential building hereafter erected, moved, or structurally altered shall be located on a lot that conforms to the regulations herein specified, except as permitted in Section 809.

If a use or class of use is not specifically indicated as being allowed in a watershed area, such use or class of use is prohibited.

811: RULES GOVERNING THE INTERPRETATION OF WATERSHED AREA BOUNDARIES

Where uncertainty exists as to the boundary of the watershed areas, as shown on the *Watershed Protection Map of Randolph County, North Carolina*, the following rules shall apply.

- A. Where boundaries are indicated as approximately following either a street, alley, railroad, or highway lines or centerlines thereof, such lines shall be construed to be said boundaries.
- B. Where area boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries. However, a surveyed plat prepared by a registered land surveyor may be submitted to Randolph County as evidence that one or more properties along these boundaries do not lie within the watershed area.
- C. Where the watershed area boundaries lie at a scaled distance more than twenty-five feet from any parallel lot line, the location of the watershed area boundaries shall be determined by use of the scale appearing on the watershed map. Any ambiguities should be resolved in favor of locating the built-upon surface area in the least environmentally sensitive area of the project.
- D. Where the watershed area boundaries lie at a scaled distance of twenty-five feet or less from any parallel lot line, the location of the watershed area boundaries shall be construed to be the lot line.



- E. Where another uncertainty exists, the Watershed Administrator shall interpret the watershed map as to the location of such boundaries. This decision may be appealed to the Watershed Review Board.

812: EXISTING DEVELOPMENT

Existing development as defined in this Ordinance, may be continued, and maintained subject to the provisions provided herein. Expansions to structures classified as existing development must meet the requirements of this Ordinance, however, the built-upon area of the existing development is not required to be included in the built-upon area calculations. Please see Section 806, Calculation of Project Density. This section deals with all existing development as defined in the North Carolina Environmental Management Commission rules. All existing development, whether or not it meets the statewide minimum standards, is exempt from the provisions of this Ordinance.

A. USES OF LAND

This category consists of uses existing at the time of adoption of this Ordinance where such use of the land would not be permitted if it were a new development. Such uses may be continued except as follows.

- (1) Such use of land has been changed only to an allowed use.
- (2) Such use of land shall be changed only to an allowed use, it shall not thereafter revert to any prohibited use.
- (3) When such use ceases for at least one year, it shall not be re-established.

B. RECONSTRUCTION OF BUILDINGS OR BUILT-UPON AREAS

Any existing building or built-upon area not in conformance with the restrictions of this Ordinance that has been damaged or removed may be repaired and/or reconstructed, except that there are no restrictions on single-family residential development, provided:

- (1) Repair or reconstruction is initiated within twelve months and completed within two years of such damage.
- (2) The total amount of space devoted to the built-upon area may not be increased unless stormwater control that equals or exceeds the previous development is provided.

813: WATERSHED PROTECTION PERMIT



Except for a single-family residential development, no building on a built-upon area shall be erected, moved, enlarged, or structurally altered, nor shall any building permit be issued nor shall any change in the use of any building or land be made until a Watershed Protection Permit has been issued by the Watershed Administrator. No Watershed Protection Permit shall be issued except in conformity with the provisions of this Ordinance.

Watershed Protection Permit applications shall be filed with the Watershed Administrator. The application shall include a completed application form and supporting documentation deemed necessary by the Watershed Administrator.

Before issuance of a Watershed Protection Permit, the Watershed Administrator may consult with qualified personnel for assistance to determine if the application meets the requirements of this Ordinance.

A Watershed Protection Permit shall expire if a Building Permit or Watershed Occupancy Permit for such use is not obtained by the application within twelve months from the date of issuance.

814: BUILDING PERMIT REQUIRED

No permit required under the North Carolina State Building Code shall be issued for any activity for which a Watershed Protection Permit is required until that permit has been issued.

815: WATERSHED PROTECTION OCCUPANCY PERMIT

The Watershed Administrator shall issue a Watershed Protection Occupancy Permit certifying that all requirements of this Ordinance have been met before the occupancy or use of a building hereafter erected, altered, or moved and/or before the change of use of any building or land.

A Watershed Protection Occupancy Permit, either for the whole or part of a building, shall be applied for coincident with the application for a Watershed Protection Permit and shall be issued or denied within ten business days after the erection or structural alterations of the building. The applicant should notify the Watershed Administrator and request the issued Watershed Occupancy Permit when the building is complete.

When only a change in the use of land or existing building occurs, the Watershed Administrator shall issue a Watershed Protection Occupancy Permit certifying that all requirements of this Ordinance have been met coincident with the Watershed Protection Permit.



If the Watershed Protection Occupancy Permit is denied, the Watershed Administrator shall notify the applicant in writing stating the reasons for the denial.

No building or structure that has been erected, moved, or structurally altered may be occupied until the Watershed Administrator has approved and issued a Watershed Protection Occupancy Permit.

816: PUBLIC HEALTH, IN GENERAL

No activity, situation, structure, or land use shall be allowed within the watershed that poses a threat to water quality and public health, safety, and welfare.

817: ABATEMENT

The Watershed Administrator shall monitor land use activities within the watershed areas to identify situations that may pose a threat to water quality.

The Watershed Administrator shall report all findings to the Watershed Review Board. The Watershed Administrator may consult with any public agency or official and request recommendations. The Watershed Administrator may also coordinate with local inspection departments since Randolph County can abate most threatening nuisances.

Where the Watershed Review Board finds a threat to water quality and the public health, safety, and welfare, the Board shall institute any appropriate action or proceeding to restrain, correct, or abate the condition and/or violation.

818: WATERSHED ADMINISTRATOR AND DUTIES

The Randolph County Planning Director is hereby appointed the Watershed Administrator, who shall be duly sworn in. It shall be the duty of the Watershed Administrator to administer and enforce the provisions of this Ordinance as follows.

- A. The Watershed Administrator shall issue Watershed Protection Permits and Watershed Protection Occupancy Permits as prescribed herein. A record of all permits shall be kept on file and shall be available for public inspection during regular office hours of the Administrator.
- B. The Watershed Administrator shall serve as Clerk to the Watershed Review Board.
- C. The Watershed Administrator is granted the authority to administer and enforce the provisions of this Ordinance, exercising in the fulfillment of his responsibility the full police power of Randolph County. The Watershed



Administrator, or his duly authorized representative, may enter any building, structure, or premises, as provided by law, to perform any duty imposed upon him by the Ordinance.

- D. The Watershed Administrator shall keep records of all amendments to the local Water Supply Watershed Protection Ordinance and shall provide copies of all amendments upon adoption to the Stormwater Branch of the Division of Energy, Mineral, and Land Resources.
- E. The Watershed Administrator shall keep records of the jurisdiction's use of the provision that a maximum of ten percent of the non-critical area of WS-II, WS-III watersheds, and WS-IV watersheds may be developed with new development at a maximum of seventy percent built-upon surface areas. Records for each watershed shall include the total acres of non-critical watershed area, total acres eligible to be developed under this option, total acres approved for this development option, and individual records for each project with the following information: location, number of developed acres, type of land use, and stormwater management plan if applicable.
- F. The Watershed Administrator shall keep a record of variances to the local Water Supply Watershed Protection Ordinance.
- G. The Watershed Administrator is responsible for ensuring the Stormwater Control Measures are inspected at least once a year and shall keep a record of SCM inspections.

819: APPEAL FOR THE WATERSHED ADMINISTRATOR

Any order, requirement, decision, or determination made by the Watershed Administrator may be appealed to and decided by the Watershed Review Board.

An appeal from a decision of the Watershed Administrator must be submitted to the Watershed Review Board within thirty days from the date of the order, interpretation, decision, or determination is made. All appeals must be made in writing stating the reason for the appeal. Following submission of an appeal, the Watershed Administrator shall transmit to the Board all papers constituting the record upon which the action appealed was taken.

An appeal stays all proceedings in furtherance of the action appealed unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal has been filed with him, that by reasons of facts stated in the certificate of approval for recording, a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on the application of notice of the officer from whom the appeal is taken and upon due cause shown.



All appeals of the Watershed Administrator decisions shall follow the procedures of administrative appeals in NCGS § 160D-405.

820: CHANGES AND AMENDMENTS TO THE WATERSHED PROTECTION ORDINANCE

The Randolph County Board of Commissioners may, on its own motion or on a petition, after public notice and hearing, amend, supplement, change, or modify the watershed regulations and restrictions as described herein.

No action shall be taken until the proposal has been submitted to the Watershed Review Board for review and recommendations. If no recommendation has been received from the Watershed Review Board within forty-five days after submission of the proposal to the Chairman of the Watershed Review Board, the Randolph County Board of Commissioners may proceed as though a favorable report has been received.

Under no circumstances shall the Randolph County Board of Commissioners adopt such amendments, supplements, or changes that would cause this Ordinance to violate the watershed protection rules as adopted by the North Carolina Environmental Management Commission. All amendments must be filed with the North Carolina Division of Energy, Mineral, and Land Resources.

821: PUBLIC NOTICE AND HEARING REQUIRED

Before adopting or amending this Ordinance, the Randolph County Board of Commissioners shall hold a public hearing on the proposed changes. A notice of the public hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published for the first time not less than ten nor more than twenty-five days before the date for the hearing.

822: ESTABLISHMENT OF WATERSHED REVIEW BOARD

The Randolph County Zoning Board of Adjustment is hereby appointed as the Watershed Review Board. The members of the Watershed Review Board shall be appointed as outlined in Article 300 of the *Randolph County Unified Development Ordinance*.



823: RULES OF CONDUCT FOR MEMBERS

Members of the Watershed Review Board may be removed by the Randolph County Board of Commissioners for cause, including violation of the rules stated below.

- A. Faithful attendance at meetings of the Watershed Review Board and conscientious performance of the duties required by members of the Watershed Review Board shall be considered a prerequisite to continuing membership on the Watershed Review Board.
- B2. No Watershed Review Board members shall take part in the hearing, consideration, or determination of any case in which he is personally or financially interested. A Watershed Review Board member shall have a “financial interest” in a case when a decision in the case will (i) cause him or his spouse to experience a direct financial benefit or loss, or (ii) will cause a business in which he or his spouse owns a ten percent or greater interest, or is involved in a decision-making role, to experience a direct financial benefit or loss. A Watershed Review Board member shall have a *personal interest* in a case when it involves a member of his immediate family (ex. parent, spouse, or child.) The intent is to prohibit members of the Watershed Review Board from acting in situations where they have a conflict of interest like the prohibition in NCGS § 14-234 (c) (1). Please also see NCGS § 160D-109 for standards for conflicts of interest for Randolph County development decisions.
- C. No Watershed Review Board member shall discuss the substance of any appeal or other quasi-judicial case with any parties thereto before the public hearing on that case; provided, however, that members may receive and/or seek information about the case from the Watershed Administrator or any other member of the Watershed Review Board, or its secretary before the hearing.
- D. Members of the Watershed Review Board shall not express individual opinions on the proper judgment of any case before its determination on that case, and shall not form a fixed opinion on the case before the hearing on that case.
- E. Members of the Watershed Review Board shall give notice to the Chairman at least forty-eight hours before the meeting of any potential conflict of interest in which he has a particular case before the Watershed Review Board.
- F. No Watershed Review Board member shall vote on any matter that decides an application or appeal unless he has attended the public meeting or watched a recording of the meeting on that application or appeal.



824: POWERS AND DUTIES OF THE WATERSHED REVIEW BOARD

A. ADMINISTRATIVE REVIEW

The Watershed Review Board shall hear and decide appeals from any decision or determination made by the Watershed Administrator in the enforcement of this Ordinance.

B. VARIANCES

The Watershed Review Board shall have the power to authorize, in specific cases, minor variances from the terms of this Ordinance, and may review major variance requests and make recommendations to the North Carolina Environmental Management Commission regarding the same. In addition, Randolph County shall notify and allow a reasonable comment period for all other local governments having jurisdiction in the designated watershed where the variance is being considered.

- (1) Application for a variance shall be made on the proper form obtainable from the Watershed Administrator and shall include the following information:
 - (a) A site plan is drawn to a scale of at least one inch to forty feet, indicating the property lines of the parcel upon which the use is proposed; any existing or proposed structures; parking areas and other built-upon areas; and surface water drainage. The site plan shall be neatly drawn and indicate the north point, name and address of the person who prepared the plan, date of the original drawing, and an accurate record of any later revisions.
 - (b) A complete and detailed description of the proposed variance, together with any other pertinent information that the applicant feels would be helpful to the Watershed Review Board in considering the application.
 - (c) Evidence or proposed witness testimony that tends to support a finding that each of the factors listed in subsection three below are met.
- (2) The Watershed Administrator shall notify in writing each local government having jurisdiction in the watershed and the entity using the water supply for consumption. Such notice shall include a description of the variance being requested. Local



governments receiving notice of the variance request may submit comments to the Watershed Administrator before a decision by the Watershed Review Board. Such comments shall become a part of the record of proceedings of the Watershed Review Board.

- (3) Before the Watershed Review Board may grant a variance, it shall make the following three findings, which shall be recorded on the permanent records of the case, and shall include the factual reasons on which they are based:
- (a) There are practical difficulties or unnecessary hardships in the ways of carrying out the strict letter of the Ordinance. To determine that there are practical difficulties or unnecessary hardships, the Board must find the five following conditions exist:
 - (i) If he complies with the provisions of the Ordinance, the applicant can secure no reasonable return from, nor make reasonable use of, his property. Merely providing that the variance would permit a greater profit to be made from the property **will not** be considered adequate to justify the Board in granting a variance. Moreover, the Board shall consider whether the variance is the minimum possible deviation from the terms of the Ordinance that will make possible the reasonable use of his property.
 - (ii) The hardship results from the application of the Ordinance to the property rather than from other factors such as deed restrictions or other hardships.
 - (iii) The hardship is due to the physical nature of the applicant's property, such as its size, shape, or topography, which is different from that of neighboring property.



- (iv) The hardship is not the result of the actions of an applicant who knowingly or unknowingly violated the Ordinance, or who purchases the property after the effective date of the Ordinance, and then comes to the Board for relief.
 - (v) The hardship is peculiar to the applicant's property, rather than the result of widespread conditions. If other properties are equally subject to the hardship created by the restriction, then granting a variance would be a special privilege denied to others and would not promote equal justice.
- (b) The variance is in harmony with the general purpose and intent of the Ordinance and preserves its spirit.
- (c) In the granting of the variance, public safety and welfare have been assured and substantial justice has been done. The Board shall not grant a variance if it finds that doing so would in any respect impair the public health, safety, or general welfare.
- (4) In granting the variance, the Board may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use that relate to the purpose and standards of this Ordinance. If a variance for the construction, alteration, or use of the property is granted, such construction, alteration, or use shall be per the approved site plan.
- (5) The Watershed Review Board shall refuse to hear an appeal or an application for a variance previously denied if it finds that there have been no substantial changes in conditions or circumstances bearing on the appeal or application.
- (6) A variance issued under this section shall be considered a Watershed Protection Permit and shall expire if a building permit or Watershed Occupancy Permit for such use is not



obtained by the applicant within six months from the date of the decision.

- (7) If the application calls for the granting of a major variance, and if the Watershed Review Board decides in favor of granting the variance, the Watershed Review Board shall prepare a preliminary record of the hearing with all deliberate speed. The preliminary record of the hearing shall include:
- (a) The variance application;
 - (b) The hearing notices;
 - (c) The evidence presented;
 - (d) Motions, offers of proof, objections to evidence, and rulings on them;
 - (e) Proposed findings and exceptions;
 - (f) The proposed decision, including all conditions proposed to be added to the permit.

The preliminary record shall be sent to the Environmental Management Commission for its review.

C. SUBDIVISION APPROVAL

See Article 800, Section 802.

D. PUBLIC HEALTH

See Article 800, Sections 816 and 817.

E. APPROVAL OF ALL DEVELOPMENT GREATER THAN THE LOW-DENSITY OPTION.

825: APPEALS FROM THE WATERSHED REVIEW BOARD

Appeals from the Watershed Review Board must be filed with the Superior Court within thirty days from the date of the decision. The decision by the Superior Court will be in the manner of certiorari.

826: RANDLEMAN LAKE WATERSHED RIPARIAN BUFFERS

Under 15A NCAC 02B .0724 (the Rule), the protection of the pollutant removal and other water quality services provided by riparian buffers throughout the watershed is an



important element of the overall Randleman Lake water supply pollutant strategy. The following is the management strategy for maintaining and protecting riparian areas in the Randleman Lake Watershed.

A. PURPOSE

The purposes of this rule shall be for local governments listed in the Rule, and in certain cases stated in this Rule the Division, to maintain and protect existing riparian buffers throughout the Randleman Lake Watershed as generally described in this Rule, to maintain their nutrient removal and stream protection functions. Additionally, this Rule will help protect the water supply uses of Randleman Lake and designated water supplies throughout the Randleman Lake Watershed. Terms used in this Rule shall be defined in Rule .0610 of 15A NCAC 02B.

B. APPLICABILITY

This Rule shall apply to landowners and other persons including Randolph County, State, and federal entities conducting activities within the riparian buffers as described in Item (C) of this Rule in the Randleman Lake Watershed.

C. BUFFERS PROTECTED

The following minimum criteria shall be used for identifying regulated riparian buffers:

- (1) Surface water shall be subject to this Rule if the feature is approximately shown on any of the following references, or if there is other site-specific evidence that indicates to the Authority the presence of waters not shown on any of these references:
 - (a) The United States Geological Survey's National Map, available online at <https://www.usgs.gov/core-science-systems/national-geospatial-program/national-map>;
 - (b) The most recent version of the published manuscript of the soil survey map that shows stream layers prepared by the Natural Resource Conservation Service of the United States Department of Agriculture; or
 - (c) Other maps approved by the North Carolina Environmental Management Commission as more accurate than those identified in Sub-item (C) (1) (a) and (C) (1) (b) of the Rule. Other



maps shall use a hydrography dataset developed using hydrography specifications and standard metadata approved by the Geographic Information Coordinating Council (GICC) and maintained on a GICC list of the best available hydrography. Edits, deletions, and additions to the hydrography dataset shall follow GICC-approved standards and specifications, per stewardship governance. Other maps shall have their hydrography dataset and procedures for edits, deletions, and additions reviewed and approved by the GICC. Other maps shall be submitted to the Division for review and recommendation to the North Carolina Environmental Management Commission. Before recommendation to the North Carolina Environmental Management Commission, the Division shall issue a thirty-day public notice through the Division's mailing list under 15A NCAC 02H .0503. Division staff shall present recommendations including comments received during the public notice period to the North Carolina Environmental Management Commission for a final decision. Maps approved under this sub-item shall not apply to projects that are existing and ongoing within the meaning of this Rule as set out in Item (F) of this Rule;

- (2) This Rule shall apply to activities conducted within fifty-foot-wide riparian buffers directly adjacent to surface waters in the Randleman Lake Watershed (e.g., intermittent, and perennial streams, lakes, reservoirs, and ponds) excluding wetlands;
- (3) Wetlands adjacent to surface waters or within fifty feet of surface waters shall be considered as part of the riparian buffer but are regulated under 15A NCAC 02H .0506;
- (4) Stormwater runoff from activities conducted outside the riparian buffer shall comply with Item (I) of this Rule;
- (5) Riparian buffers protected by this Rule shall be measured under Item (H) of this Rule;
- (6) A riparian buffer may be exempt from this Rule as described in Items (E), (F), and (G) of this Rule; and



- (7) No new clearing, grading, or development shall take place, nor shall any new building permits be issued in violation of this Rule.

D. ON-SITE DETERMINATION

When a landowner or other affected part believes that the maps listed in Sub-Item (C) (1) of this Rule have inaccurately depicted surface waters or the specific origination point of a stream, or the specific origination point of the stream is in question or unclear, he or she shall request the Authority to make an on-site determination. On-site determinations shall be made by Authority staff that is certified under NCGS 143-214.25A. Registered Foresters under Chapter 98B of the General Statutes who are employees of the North Carolina Forest Service of the Department of Agriculture and Consumer Services can make on-site determinations for forest harvesting operations and practices. Randolph County may accept the results of an on-site determination made by other parties who have completed the Division's Surface Water Identification Training Certification course, its successor, or other equivalent training curriculum approved by the Division. On-site determinations shall expire five years from the date of the determination. Any disputes over on-site determinations shall be referred to the Director in writing within sixty calendar days of written notification from the Authority. The Director's determination is subject to review as provided in NCGS 150B Articles 3 and 4.

E. EXEMPTION BASED ON ON-SITE DETERMINATION

Surface waters that appear on the maps listed in Sub-Item (C) (1) of this Rule shall not be subject to this Rule if an on-site determination shows that they fall into one of the following categories:

- (1) Ditches and manmade conveyances including manmade stormwater conveyances, other than modified natural streams unless the ditch or manmade conveyance delivers untreated stormwater runoff from an adjacent source directly to an intermittent or perennial stream;
- (2) The absence on the ground of a corresponding perennial waterbody, intermittent water body, lake, reservoir, or pond;
- (3) Ephemeral streams; and
- (4) Manmade ponds and lakes that are not fed by an intermittent or perennial stream or do not have a direct discharge point to an intermittent or perennial stream.

F. EXEMPTION WHEN EXISTING USES ARE PRESENT AND ONGOING

This Rule shall not apply to portions of the riparian buffer where its use is existing and is ongoing.



- (1) The use shall be considered existing and ongoing if:
- (a) It was present within the riparian buffer as of the effective date of the local ordinance or ordinances enforcing this Rule and has continued to exist since that time. For activities listed in Sub-Item (L) (2) of this Rule, the use shall be considered existing and ongoing if it was present within the riparian buffer as of April 1, 1999, and has continued to exist since that time;
 - (b) It was a deemed allowable activity as listed in Item (K) of this Rule; or
 - (c) It was conducted and maintained according to an Authorization Certificate or Variance issued by the Authority; or
 - (d) The project or proposed development is determined by the Authority to meet at least one of the following criteria:
 - (i) The project requires a 401 Certification/404 Permit, and these were issued before the effective date of the local ordinance or ordinances enforcing this Rule, or for activities listed in Sub-Item (L) (2) of this Rule, before April 1, 1991, and are still valid; or
 - (ii) Projects that require a State permit, such as landfills, NPDES wastewater discharges, land application of residuals, and road construction activities, and have begun construction or are under contract to begin construction, and have received all required State permits and certifications before the effective date of the local ordinance or ordinances implementing this Rule, or for activities listed in Sub-Item (L) (2)



- of this Rule, before April 1, 1999;
or
- (iii) Projects that are being reviewed through the Clean Water Act Section 404/National Environmental Policy Act Merge 01 Process (published by the US Army Corps of Engineers and Federal Highway Administration, 2003) or its immediate successor and that have reached an agreement with the Department on avoidance and minimization before April 1, 1999; or
 - (iv) Projects that are not required to be reviewed by the Clean Water Act Section 404/National Environmental Policy Act Merge 01 Process (published by the US Army Corps of Engineers and Federal Highway Administration, 2003) or its immediate successor if a Finding of No Significant Impact has been issued for the project and the project has the written approval of the Division before April 1, 1999.
- (2) Existing and ongoing uses shall include, but not be limited to, agriculture, buildings, industrial facilities, commercial areas, transportation facilities, maintained lawns (e.g., can be mowed without a chainsaw or bush-hog), existing utility line maintenance corridors, and on-site sanitary sewage systems, any of which involve either specific, periodic management of vegetation or displacement of vegetation by structures or regular activity.
- (3) Only the portion of the riparian buffer that contains the footprint of the *existing* and ongoing use is exempt from this Rule.
- (4) Change of ownership through purchase or inheritance is not a change of use.



- (5) Activities necessary to maintain existing and ongoing uses are allowed provided that the site remains similarly vegetated, no built-upon area is added within the riparian buffer where it did not previously exist before the effective date of the local ordinance or ordinances enforcing this Rule, or for activities listed in Sub-Item (L) (2) before April 1, 1999, and the site complies with Item (I) of this Rule.
- (6) This Rule shall apply at the time an existing and ongoing use is changed to another use. Change of use shall involve the initiation of any activity not defined as existing and ongoing in Sub-Items (F) (5) of this Rule.

G. EXEMPTION FOR PONDS CONSTRUCTED AND USED FOR AGRICULTURAL PURPOSES

This Rule shall not apply to a freshwater pond if all the following conditions are met:

- (1) The property on which the pond is located is used for agriculture as that term is defined in NCGS § 160-581.1;
- (2) Except for this Rule, the use of the property complies with all other water quality and water quantity statutes and rules applicable to the property before April 1, 1999; and
- (3) The pond is not a component of an animal waste management system as defined in NCGS § 143-215.10B (3).

H. ZONES OF THE RIPARIAN BUFFER

The protected riparian buffer shall have two zones as follows:

- (1) *Zone 1* shall consist of a vegetated area that is undisturbed except for uses provided for in Items (I) and (L) of this Rule. The location of *Zone 1* shall be as follows:
 - (a) For intermittent and perennial streams, *Zone 1* shall begin at the most landward limit of the top of the bank or the rooted herbaceous vegetation and extend landward a distance of thirty feet on all sides of the stream. Where an intermittent or perennial stream begins or ends, including when it goes underground, enters, or exits a culvert, or enters or exits a wetland, the required distance shall be measured as a radius around the beginning or the end; and



- (b) For ponds, lakes, and reservoirs subject to this Rule, *Zone 1* shall begin at the normal water level and extend landward to thirty feet, measured horizontally on a line perpendicular to the surface water.
- (2) *Zone 2* shall consist of a stable, vegetated area that is undisturbed except for uses provided for in Items (I) and (L) of this Rule. Grading and revegetating *Zone 2* is allowed provided that the height of the vegetation in *Zone 1* is not compromised. *Zone 2* shall begin at the edge of *Zone 1* and extend landward twenty feet as measured horizontally on a line perpendicular to the surface water. The combined width of *Zone 1* and *Zone 2* shall be fifty feet on all sides of the surface water.

I. STORMWATER RUNOFF THROUGH THE RIPARIAN BUFFER

Stormwater runoff into the riparian buffer shall meet dispersed flow as defined in 15A NCAC 02H .1002 except as otherwise described in this Item. Drainage conveyances include drainage ditches, roadside ditches, and stormwater conveyances. The following stormwater conveyances through the riparian buffer are either deemed allowable or allowable upon authorization, as defined in Sub-Item (J) (1) of this Rule, providing that they do not erode through the riparian buffer that is not listed below shall be allowable with exception as defined in Sub-Item (J) (5) of this Rule.

- (1) The following are deemed allowable as defined in Sub-Item (J) (1) of this Rule:
 - (a) New drainage conveyances from a Primary SCM, as defined in 15A NCAC 02H .1002, when the Primary SCM is designed to treat the drainage area to the conveyance and that comply with a stormwater management plan reviewed and approved under a State stormwater program or a State-approved local government stormwater program; and
 - (b) New stormwater flow to existing drainage conveyances provided that the addition of new flow does not result in the need to alter the conveyance.
- (2) The following are allowable upon authorization as defined in Sub-Item (J) (3) of this Rule:



- (a) New drainage conveyances from a Primary SCM, as defined in 15A NCAC 02H .1002 when the Primary SCM is provided to treat the drainage area to the conveyance but are not required to be approved under a State stormwater program or a State-approved local government program;
- (b) New drainage conveyances when the flow rate of the conveyance is less than 0.50 cubic feet per second during the peak flow from the 0.75 inches per hour storm;
- (c) New stormwater runoff that has been treated through a level spreader-filter strip that complies with 15A NCAC 02H .0159;
- (d) Realignment of existing roadside drainage conveyances applicable to publicly funded and maintained linear transportation facilities when retaining or improving and design dimensions provided that no additional travel lanes are added, and the minimum required roadway typical section is used based on traffic and safety considerations;
- (e) Realignment of existing drainage conveyances retaining or improving the design dimensions provided that the size of the drainage area and the percent built-upon area within the drainage area remain the same;
- (f) New or altered drainage conveyances applicable to publicly funded and maintained linear transportation facilities provided that SCMs, or BMPs from the NCDOT Stormwater Best Management Practices Toolbox, are employed;
- (g) New drainage conveyances applicable to publicly funded and maintained linear transportation facilities that do not provide a stormwater management facility due to topography constraints provided other measures and employed to protect downstream



water quality to the maximum extent practical;
and;

- (h) New drainage conveyances where the drainage area to the conveyance has no new built-upon area as defined in 15A NCAC 02H .1002 and the conveyance is necessary for bypass or existing drainage only.

J. USES

Uses within the riparian buffer, or outside the riparian buffer with hydrological impacts on the authorization, allowable with mitigation upon authorization, or prohibited. Potential new uses shall have the following requirements:

(1) DEEMED ALLOWABLE

Uses designated or deemed allowable in Sub-Item (I) (1) and Item (K) of this rule may occur within the riparian buffer. Deemed allowable uses shall be designed, constructed, and maintained to minimize vegetation and soil disturbance and to provide the maximum water quality protection practicable, including construction, monitoring, and maintenance activities. Also, deemed allowable uses shall meet the requirements listed in Item (K) of this Rule for the specific use.

(2) ALLOWABLE UPON AUTHORIZATION

Uses designated as allowable upon authorization in Sub-Item (I) (2) and Item (K) of this Rule require a written Authorization Certificate from the Authority for impacts within the riparian buffer if there are no practical alternatives to the requested use according to Rule .0611 of this Subchapter.

(3) ALLOWABLE WITH MITIGATION UPON AUTHORIZATION

Uses designated as allowable with mitigation upon authorization in Item (K) of this Rule require a written Authorization Certificate from the Authority for impacts within the riparian buffer according to Rule .0611 of this Subchapter and an appropriate mitigation strategy has received written approval under Item (L) of this rule.

(4) PROHIBITED

Uses designated as prohibited in Item (K) of this Rule may not proceed within the riparian buffer unless a Variance is granted under Rule .0226 of this Subchapter. Mitigation may be required as a condition of a variance approval.

**(5) ALLOWABLE WITH EXCEPTION**

Uses not designated as deemed allowable, allowable under an authorization, allowable with mitigation under the authorization, or prohibited in Item (K) of this Rule require a written Authorization Certificate with Exception from the Authority for impacts within the riparian buffer according to Rule .0611 of this Subchapter and an appropriate mitigation strategy that has received written approval according to Item (L) of this Rule.

K. TABLE OF USES

The following table sets out potential new uses within the riparian buffer, or outside the riparian buffer with hydrological impacts on the riparian buffer, and designates them as deemed allowable, allowable upon authorization, allowable with mitigation upon authorization, or prohibited.

USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Airport facilities:				
Airport facilities that impact equal to or less than one-third of an acre of riparian buffer.		✓		
Airport facilities that impact greater than one-third of an acre of riparian buffer.			✓	
Vegetation removal activities necessary to comply with FAA requirements (e.g., line of sight requirements) provided the disturbed areas are stabilized and revegetated.	✓			
Archaeological activities:	✓			
Bridges:				
Impact equal to or less than one-tenth of an acre of riparian buffer.	✓			
Impact greater than one-tenth of an acre of riparian buffer.		✓		
Dam maintenance activities:				
Dam maintenance activities that do not cause additional riparian buffer disturbances beyond the footprint of the existing dam.	✓			



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Dam maintenance activities that do cause additional riparian buffer disturbances beyond the footprint of the existing dam.		✓		
Drainage of a pond subject to Item (D) of this Rule provided that a new riparian buffer is established by natural regeneration or planting, within fifty feet of any stream which naturally forms or is constructed within the drained pond area. Drained ponds shall be allowed to naturalize for a minimum of six months from completion of the draining activity before a stream determination is conducted under Item (D) of this Rule.	✓			
Fences:				
Fencing livestock out of surface waters.	✓			
Installation does not result in the removal of trees from <i>Zone 1</i>.	✓			
Installation results in the removal of trees from <i>Zone 1</i>.		✓		
Fertilizer application:				
One-time fertilizer application at agronomic rates in the riparian buffer to establish replanted vegetation. No runoff from this one-time application in the riparian buffer is allowed in the surface water.	✓			
Ongoing fertilizer application.				✓
Forest harvesting (See Rule .0612 of this Subchapter)				
Grading in only <i>Zone 2</i> provided that the health of existing vegetation in <i>Zone 1</i> is not compromised, Item (I) of this Rule is complied with, and disturbed areas are stabilized and revegetated.	✓			
Greenways , trails, sidewalks, or linear pedestrian/bicycle transportation systems:				



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
In <i>Zone 2</i> provided that no built-upon area is added within the riparian buffer.	✓			
In <i>Zone 1</i> provided that no built-upon area is added within the riparian buffer and the installation does not result in the removal of tree(s).	✓			
When built upon area is added to the riparian buffer, equal to or less than ten feet wide with two-foot-wide shoulders. Shall be located outside <i>Zone 1</i> unless there is no practical alternative.		✓		
When built upon area is added to the riparian buffer, greater than ten feet wide with two-foot-wide shoulders. Shall be located outside <i>Zone 1</i> unless there is no practical alternative.			✓	
Historic preservation:	✓			
New landfills as defined in NCGS § 130A-290.				✓
Maintenance access of modified natural streams; a grassed travel way on one side of the waterbody when less impacting alternatives are not practical. The width and specifications of the travel way shall be only that needed for equipment access and operation. The travel way shall be located to maximize stream shading.		✓		
Mining activities:				
Mining activities that are covered by the Mining Act provided that new riparian buffers that meet the requirements of Items (H) and (I) of this Rule are established adjacent to any relocated channels.		✓		



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Mining activities that are not covered by the Mining Act OR where new riparian buffers that meet the requirements of Items (H) and (I) of this Rule are not established.			✓	
Wastewater or mining dewatering wells with approved NPDES permit.	✓			
Pedestrian access trail and associated steps leading to surface water, dock, canoe or kayak access, fishing pier, boat ramp, or other water-dependent structure:				
Equal to or less than six feet wide that does not result in the removal of tree(s) within the riparian buffer and does not result in the addition of built-upon area to the riparian buffer.	✓			
Equal to or less than six feet wide that results in the removal of tree(s) or the addition built upon area to the riparian buffer.		✓		
Greater than six feet wide.			✓	
Playground equipment:				
Playground equipment on single-family lots if installation and use does not result in the removal of vegetation.	✓			
Playground equipment on single-family lots where installation or use results in the removal of vegetation.		✓		
Playground equipment installed on lands other than single-family lots.			✓	
Ponds created or modified by impounding streams subject to riparian buffers under Item (C) of this Rule and not used as stormwater control measures (SCMs):				



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
New ponds provided that a riparian buffer that meets the requirements of Items (H) and (I) of this Rule is established adjacent to the pond.		✓		
New ponds where a riparian buffer that meets the requirements of Items (H) and (I) of this Rule is NOT established adjacent to the pond.			✓	
Protection of existing structures and facilities when this requires additional disturbances of the riparian buffer.		✓		
Public safety or publicly owned spaces where it has been determined by the head of the local law enforcement agency with jurisdiction over that area that the buffers pose a risk to public safety. The head of the local law enforcement agency shall notify Randolph County with land use jurisdiction over the publicly owned space and the Division of Water Resources of any such determination in writing.	✓			
Removal of previous fill or debris if Item (I) of this Rule is complied with and any vegetation removed is restored.	✓			



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Residential properties: Where the application of this Rule would preclude the construction of a single-family residence and necessary infrastructure, the single-family residence may encroach in the riparian buffer if all of the following conditions are met: (1) the residence is set back the maximum feasible distance from the top of the bank, rooted herbaceous vegetation, normal high-water level, or normal water level, whichever is applicable, on the existing lot; (2) the residence is designed to minimize encroachment into the riparian buffer; (3) the residence complies with Item (I) of this Rule; and (4) if the residence will be served by an on-site wastewater system, no part of the septic system or drain field may encroach into the riparian buffer.				
The residence or necessary infrastructure only impacts <i>Zone 2</i>.		✓		
The residence or necessary infrastructure impacts <i>Zone 1</i>.			✓	
Impacts other than the residence or necessary infrastructure.			✓	
Restoration or enhancement (wetland, stream) as defined in 33 CFR Part 332 available free of charge on the internet. ²				
Wetland or stream restoration is part of a compensatory mitigation bank, nutrient offset bank, or the In-Lieu Fee Program.	✓			
Wetland or stream restoration other than those listed above.		✓		
Road, driveway, or railroad: perpendicular crossings of streams and other surface waters subject to this Rule:				

² http://water.epa.gov/lawregs/guidance/wetlands/wetlandsmitigation_index.cfm



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
The impact is equal to less than one-tenth of an acre of riparian buffer.	✓			
Impact greater than one-tenth of an acre but equal to or less than one-third of an acre of riparian buffer.		✓		
Impact greater than one-third of an acre of riparian buffer.			✓	
Driveway crossings in a residential subdivision that cumulatively impact equal to or less than one-third of an acre of riparian buffer.		✓		
Driveway crossings in a residential subdivision that cumulatively impact greater than one-third of an acre of riparian buffer.			✓	
Farm roads and forest roads that are exempt from permitting from the US Army Corps of Engineers per Section 404 (f) of the Federal Clean Water Act.	✓			
Road, driveway, or railroad: impacts other than perpendicular crossings of streams and other surface water subject to this Rule.			✓	
Road relocation of existing private access roads associated with public road projects where necessary for public safety:				
Less than or equal to 2,500 square feet of riparian buffer impact.		✓		
Greater than 2,500 square feet of riparian buffer impact			✓	
Scientific studies and stream gauging:	✓			
Slatted uncovered decks , including steps and support posts, which are associated with a dwelling, if it meets the requirements of Items (H) and (I) of the Rule and:				
Installation does not result in the removal of vegetation in <i>Zone 1</i>		✓		



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Installation results in the removal of vegetation in <i>Zone 1</i>.			✓	
Stormwater Control Measure (SCM) as defined in 15A NCAC 02H .1002:				
In <i>Zone 2</i> if Item (I) of this Rule is complied with		✓		
In <i>Zone 1</i>			✓	
Streambank or shoreline stabilization:		✓		
Temporary roads provided that the disturbed area is restored to pre-construction topographic and hydrologic conditions and replanted with comparable vegetation within two months of when construction is complete. Tree planting may occur during the dormant season. At the end of five years, any restored wooded riparian buffer shall comply with the restoration criteria in Rule .0295(i) of this Subchapter:				
Less than or equal to 2,500 square feet of riparian buffer disturbance.	✓			
Greater than 2,500 square feet of riparian buffer disturbance.		✓		
Associated with culvert installation or bridge construction or replacement.		✓		
Temporary sediment and erosion control devices provided that the disturbed area is restored to pre-construction topographic and hydrologic conditions and replanted with comparable vegetation within two months of when construction is complete. Tree planting may occur during the dormant season. At the end of five years, any restored wooded riparian buffer shall comply with the restorations criteria in Rule .0295 (i) of this Subchapter:				



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
In <i>Zone 2</i> only if the ground cover is established within the timeframes required by the Sedimentation and Erosion Control Act, the vegetation in <i>Zone 1</i> is not compromised and that discharge is under Item (I) of this rule.	✓			
In <i>Zone 1</i> and <i>Zone 2</i> to control impacts associated with uses identified in this Table or uses that have received an Authorization Certificate with Exception if sediment and erosion control for upland areas is addressed outside the riparian buffer.		✓		
In-stream temporary erosion and sediment control measures for work within a stream channel that is authorized under Sections 401 and 404 of the Federal Clean Water Act.	✓			
Utility Lines: Streambank stabilization for the protection of publicly owned utility lines (not including new line installation):				
Less than 150 feet of streambank disturbance.	✓			
Greater than 150 feet of streambank disturbance.		✓		
Utility Lines: Sanitary Sewer Overflows:				



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Emergency sanitary sewer overflow response activities provided that the disturbed area within the riparian buffer outside of the existing utility line maintenance corridor is the minimum necessary to respond to pre-construction topographic and hydrologic conditions, and is replanted with comparable vegetation (e.g., grass with grass, hardwoods with hardwoods) within two months of when the disturbance is complete.	✓			
Emergency sanitary sewer overflow response activities that do not meet the listing above. For any new proposed permanent impacts that are not a "Deemed Allowable Activity", an application for an Authorization Certificate shall be submitted to the Authority no later than thirty calendar days of the conclusion of the emergency response activities.		✓		
Utility lines: Utility, Sewer Lines: Vegetation maintenance activities that remove forest vegetation from existing sewer utility rights-of-way (not including new line installation) outside of the existing utility line maintenance corridor:				
Zone 2 impacts.	✓			
Zone 1 impacts: For lines that have not been maintained, the vegetation can be mowed, cut, or otherwise maintained without disturbance to the soil structure for a maintenance corridor that is equal to or less than thirty feet wide.	✓			
Zone 1 impacts other than those listed above.		✓		



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Utility, Sewer Lines: Replacement/Rehabilitation of existing sewer lines within, or adjacent to, an existing right-of-way but outside of an existing utility line maintenance corridor provided that comparable vegetation (e.g., grass with grass, hardwoods with hardwoods) can regenerate in disturbed riparian buffers outside of the permanent maintenance corridor and riparian buffers outside of the permanent maintenance corridor are not maintained:				
Permanent maintenance corridor equal to or less than thirty feet wide provided there is no grading and/or grubbing within ten feet of the top of the bank when the sewer line is parallel to the stream.	✓			
Grading and/or grubbing within ten feet of the top of the bank, when the sewer line is parallel to the stream and permanent maintenance corridor equal to, is less than thirty feet wide.		✓		
A permanent maintenance corridor is greater than thirty feet wide. For impacts other than perpendicular crossings, mitigation is only required for <i>Zone 1</i> impacts. For perpendicular crossings that disturb equal to or less than forty linear feet, no mitigation is required. For perpendicular crossings that disturb than forty linear feet, mitigation is only required for <i>Zone 1</i> impacts.			✓	



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Utility: Sewer Lines, New Line Construction/Installation Activities: Perpendicular crossings of streams and other surface waters subject to this Rule or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to this Rule if vegetation can regenerate in disturbed areas outside of the permanent maintenance corridor:				
Construction corridor of less than or equal to forty linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.	✓			
Construction corridor of greater than forty linear feet wide and less than or equal to 150 linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.		✓		
Construction corridor of greater than forty linear feet wide and less than or equal to 150 linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.			✓	
Permanent maintenance corridor that is greater than thirty linear feet wide. For impacts other than perpendicular crossings, mitigation is only required for Zone 1 impacts. For perpendicular crossings, the disturbance is equal to or less than forty linear feet, no mitigation is required. For perpendicular crossings that disturb greater than forty linear feet, mitigation is only required for Zone 1 impacts.			✓	



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Utility: Sewer Lines, New Line Construction/Installation Activities: Impacts other than perpendicular crossings if vegetation can regenerate in disturbed areas outside of the permanent maintenance corridor:				
Zone 2 impacts.	✓			
Zone 1 impacts to less than 2,500 square feet when impacts are solely the result of tying into an existing utility line and when grubbing or grading within ten feet immediately adjacent to the surface water is avoided.		✓		
Zone 1 impacts other than those listed above.			✓	
Utility: Non-sewer Underground Lines: Vegetation maintenance activities that remove forest vegetation from existing utility rights-of-way (not including new line installation) outside of the existing utility line maintenance corridor:				
Zone 2 impacts.	✓			
Zone 1 impacts: For lines that have not been maintained, the vegetation can be mowed, cut, or otherwise maintained without disturbance to the soil structure for a maintenance corridor that is equal to or less than thirty feet wide.	✓			
Zone 1 impacts other than those listed above.		✓		
Utilities: Non-sewer Underground Lines: Perpendicular crossings of streams and other surface water subject to this Rule or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to this Rule if vegetation can regenerate in disturbed areas outside of the permanent maintenance corridor:				



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Construction corridor of less than or equal to fifty linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.	✓			
Construction corridor of greater than fifty linear feet wide and less than or equal to 150 linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.		✓		
Construction corridor of greater than 150 linear feet wide and a permanent maintenance corridor that is equal to or less than thirty feet wide.			✓	
Permanent maintenance corridor that is greater than thirty linear feet wide. (Mitigation is required only for Zone 1 impacts.)			✓	
Utilities: Non-sewer Underground Lines: Impacts other than perpendicular crossings if vegetation can regenerate in disturbed areas outside of the permanent maintenance corridor:				
Zone 2 impacts.	✓			
Zone 1 impacts to less than 2,500 square feet when impacts are solely the results of tying into an existing utility line and when grubbing or grading within ten feet immediately adjacent to the surface water is avoided.		✓		
Zone 1 impacts other than those listed above.			✓	
Utilities: Non-sewer and Aerial Lines: Perpendicular crossings of streams and other surface waters subject to this Rule or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to this Rule:				



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Disturb equal to or less than 150 linear feet wide of the riparian buffer provided that a minimum zone of ten feet wide immediately adjacent to the water body is managed such that only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line is removed, that no land grubbing or grading is conducted in <i>Zone 1</i>, and that poles or aerial infrastructure are not installed within ten feet of a water body.	✓			
Disturb greater than 150 linear feet wide of riparian buffer.		✓		
Utilities: Non-sewer Aerial Lines: Impacts other than perpendicular crossings of streams and other surface waters subject to this Rule or perpendicular entry into the riparian buffer that does not cross a stream or other surface water subject to this Rule:				
Impacts in <i>Zone 2</i> only		✓		
Impacts in <i>Zone 1</i> provided that a minimum zone of ten feet wide immediately adjacent to the water body is managed such that only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line is removed, that no land grubbing or grading is conducted in <i>Zone 1</i>, and that poles or aerial infrastructure are not installed within ten feet of a water body.			✓	
Vegetation management:				
Emergency fire control measures if the topography is restored.	✓			



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Periodic mowing and harvesting of plant products only in <i>Zone 2</i>.	✓			
Placement of mulch rings around restoration plantings for a period of five years from the date of planting.	✓			
Planting non-invasive vegetation to enhance the riparian buffer.	✓			
Pruning forest vegetation ensures that the health and function of the forest vegetation are not compromised.	✓			
Removal of individual trees, branches, or limbs that are in danger of causing damage to dwellings, existing utility lines, other structures, or human life, or are imminently endangering the stability of the streambank provided that the stumps are left or ground in place without causing an additional land disturbance.	✓			
Removal of individual trees that are dead, diseased, or damaged.	✓			
Removal of poison ivy, oak, or sumac. Removal can include the application of pesticides within the riparian buffer if the pesticides are certified by the EPA for use in or near aquatic sites and are applied following the manufacturer's instructions. If removal is significant, then the riparian buffer shall be replaced with non-invasive species.	✓			



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
Removal of understory nuisance vegetation as defined in Smith, Cherri L. 2008. <i>Invasive Plants for North Carolina</i>. NCDOT.³ Removal can include the application of pesticides within the riparian buffer if the pesticides are certified by the EPA for use in or near aquatic sites and are applied following the manufacturer's instructions. If removal is significant, then the riparian buffer shall be replanted with non-invasive species.	✓			
Removal of woody vegetation in <i>Zone 1</i> if Item (I) of this Rule is complied with.			✓	
Vehicle access roads and boat ramps (excluding parking areas) leading to surface water, docks, fishing piers, and other water-dependent activities:				
Singular vehicular access road and a boat ramp to the surface water but not crossing the surface water that is restricted to the minimum width practical not to exceed fifteen feet wide.		✓		
Vehicular access roads and boat ramps to the surface water but not crossing the surface water that is restricted to the minimum width practicable and exceeds fifteen feet wide.			✓	
Water-dependent structures (except for boat ramps) as defined in Rule .0202 of this Subchapter.		✓		
Water supply reservoirs:				
New reservoirs provided that a riparian buffer that meets the requirements of Items (H) and (I) of this Rule is established adjacent to the reservoir.		✓		

³https://www.ncforestservice.gov/forest_health/invasives.htm



USE	ALLOWABLE	ALLOWABLE WITH AUTHORIZATION	ALLOWABLE WITH MITIGATION UPON AUTHORIZATION	PROHIBITED
New reservoirs where a riparian buffer that meets the requirements of Items (H) and (I) of this Rule is not established adjacent to the reservoir.			✓	
Water wells	✓			
Wildlife passage structures		✓		

Table 27: Randleman Lake Riparian Buffer Table of Uses

L. **MITIGATION**

Persons who wish to undertake uses designed as allowable upon authorization with mitigation as defined in Sub-Item (J) (3) of this Rule or allowable with exception as defined in Sub-Item (J) (5) of this Rule shall meet the following requirements to proceed with their proposed use.

1. Obtain an Authorization Certificate under Rule .0611 of this Subchapter; and
2. Obtain written approval for a migration proposal under Rule .0295 of this Subchapter.

M. **RULE IMPLEMENTATION**

This Rule shall be implemented as follows:

1. Local governments with land use authority within the Randleman Lake Watershed shall establish and maintain riparian buffer protection programs to meet or exceed the minimum requirements of this Rule and shall comply with all requirements outlined in NCGS § 143-214.23A.
 - (a) Randolph County shall adopt and enforce this Rule through local ordinances.
 - (b) Randolph County shall appoint a Riparian Buffer Protection Administrator(s) who shall coordinate the implementation and enforcement of the program. The Administrator(s) shall attend an initial training session by the Division and be certified to make on-site determinations according to NCGS § 143-214.25A. The Administrator(s) shall ensure that Randolph County staff working directly with the program receive training to understand, implement, and



enforce the program and are certified to make on-site determinations according to NCGS § 143-214.25A. At any time that Randolph County does not have a certified individual retained on staff to make on-site determinations according to NCGS § 143-214.25A, they shall immediately notify the Division and indicate a proposed schedule to secure a certified staff member. Randolph County shall coordinate with the Division to provide on-site determinations until a newly certified staff member is secured by Randolph County.

2. Randolph County shall apply the requirements of this Rule throughout their jurisdiction within the Randleman Lake Watershed except where the Division shall exercise jurisdiction. The Division shall have jurisdiction to the exclusion of Randolph County to administer the requirements of this Rule for the following types of activities:
 - (a) Activities conducted under the authority of the State;
 - (b) Activities conducted under the authority of the United States;
 - (c) Activities conducted under the authority of multiple jurisdictions;
 - (d) Activities conducted under the authority of local units of government;
 - (e) Forest harvesting activities described in Rule .0612 of this Subchapter; and
 - (f) Agricultural activities.
3. The Division shall regularly audit Randolph County to ensure that local programs are being implemented and enforced in keeping with the requirements of this Rule and Rule .0611 of this Subchapter. The audit shall consist of a review of all Randolph County activities concerning the implementation of this Rule and Rule .0611 of this Subchapter.
4. Randolph County shall maintain on-site records for a minimum of five years and shall furnish a copy of these



records to the Division within thirty calendar days of receipt of a written request for them. Randolph County's records shall include the following:

- (a) A copy of all Authorization Certificates with Exception requests;
 - (b) Findings on all Authorization Certificates with Exceptions requests;
 - (c) The results of all Authorization Certificates with Exception proceedings;
 - (d) A record of complaints and actions taken because of complaints;
 - (e) Records for on-site determinations as described in Item (D) of this Rule; and
 - (f) Copies of all requests for authorizations, records approving authorization, and Authorization Certificates.
5. If Randolph County fails to adopt or adequately implement its program as specified in this Rule, the Division may take appropriate enforcement action as authorized by statute and may choose to assume responsibility for implementing that program until it determines that Randolph County is prepared to comply with its responsibilities.
6. The Commission may delegate its duties and powers for granting and rescinding Randolph County delegation of the Randleman Lake Riparian Buffer protection requirements, in whole or in part, to the Director.

N. WATER SUPPLY REQUIREMENTS

The existing water supply requirement in Rule .0624 (12) of this Subchapter that stipulates a one-hundred-foot vegetated buffer, adjacent to perennial streams, for all new development activities, applies to the entire Randleman Lake Watershed. The first fifty feet of these riparian areas on either side of these waters shall also be protected under all the requirements of this Rule. Randolph County may choose to implement more stringent requirements, including requiring additional buffer width. The existing water supply requirement in Rule .0624 (12) of this Subchapter also stipulated a thirty-foot vegetated buffer, adjacent to perennial streams, for all new



development activities that utilize the low-density option also applies to the entire Randleman Lake Watershed.

O. OTHER LAWS, REGULATIONS, AND PERMITS

In all cases, compliance with this Rule does not preclude the requirement to comply with all other federal, State, and local regulations and laws.

~~827: WS-I WATERSHED AREAS~~

~~The intent is to provide maximum protection for water supplies with the natural and undeveloped watershed in public ownership by allowing only low-intensity uses. No residential or non-residential uses are allowed except those listed below depending on County zoning regulations. Impacts from non-point source pollution shall be minimized.~~

A. ALLOWED USES:

- ~~1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conversation Commission.~~
- ~~2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.~~
- ~~3. Water withdrawal, treatment, and distribution facilities.~~
- ~~4. Restricted road access.~~
- ~~5. Power transmission lines.~~

B. DENSITY AND BUILT-UPON AREA LIMITS DO NOT APPLY.

~~828: WS-II WATERSHED AREAS – CRITICAL AREA (WS-II-CA)~~

~~To maintain a predominately undeveloped land-use intensity pattern, single-family residential uses shall be allowed at a maximum of one dwelling unit per two acres. All other residential and non-residential developments shall be allowed at a maximum of six percent built-upon area. New residual application sites and landfills are specifically prohibited.~~

A. ALLOWED USES:



- ~~1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conversation Commission.~~
- ~~2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.~~
- ~~3. Residential development.~~
- ~~4. Non-residential development, excluding (i) landfills and (ii) sites for land application of residuals or petroleum-contaminated soils.~~

B. DENSITY AND BUILT-UPON LIMITS:

- ~~1. Single Family Residential: Development shall not exceed one dwelling unit per two acres on a project by project basis. No residential lot shall be less than two acres (80,000 sq. ft. excluding roadway right-of-way), except within an approved cluster development.~~
- ~~2. All Other Residential and Non-Residential: Development shall not exceed six percent built-upon area on a project by project basis. To calculate the built-upon area, the total project area shall include the total acreage in the tract on which the project is to be developed.~~

~~829: WS-II WATERSHED AREAS—BALANCE WATERSHED (WS-II-BW)~~

~~To maintain predominantly undeveloped land-use intensity, single-family residential uses shall be allowed at a maximum of one dwell per acre. All other residential and nonresidential development shall be allowed a maximum of twelve percent built-upon area. Also, new development may occupy ten percent of the watershed area outside the critical area, with seventy percent built-upon when authorized as a Special Intensity Allocation (SIA). The Watershed Administrator is authorized to approve SIAs consistent with the provisions of this Ordinance. The project must, to the maximum extent practicable, minimum built-upon surface area, direct stormwater away from surface waters, and incorporate Best Management Practices to minimize water quality impacts. Non-discharging landfills and residual application sites are allowed if allowed by County zoning regulations.~~

A. ALLOWED USES:



- ~~1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conversation Commission.~~
- ~~2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.~~
- ~~3. Residential development.~~
- ~~4. Non-residential development, excluding discharging landfills.~~

~~B. DENSITY AND BUILT-UPON LIMITS:~~

- ~~1. Single Family Residential: Development shall not exceed one dwelling unit per acre on a project-by-project basis. No residential lot shall be less than one acre (or 40,000 square feet excluding roadway right-of-way), except within an approved cluster development.~~
- ~~2. All Other Residential and Non-Residential: Development shall not exceed twelve percent built-upon area on a project-by-project basis except that up to ten percent of the balance of the watershed may be developed at up to seventy percent built-upon area on a project-by-project basis. To calculate the built-upon area, the total project area shall include the total acreage in the tract on which the project is to be developed.~~

~~830: WS-III WATERSHED AREAS – CRITICAL AREAS (WS-III-CA)~~

~~To maintain low to moderate land-use intensity, single-family residential uses are allowed at a maximum of one dwelling unit per two acres. All other residential and non-residential development shall be allowed at a maximum of twelve percent built-upon area. New residual application sites and landfills are specifically prohibited.~~

~~A. ALLOWED USES:~~

- ~~1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conversation Commission.~~
- ~~2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.~~
- ~~3. Residential development.~~



4. ~~Non-residential development, excluding (i) landfills and (ii) sites for land application of residuals or petroleum-contaminated soils.~~

B. ~~DENSITY AND BUILT-UPON LIMITS:~~

1. ~~Single Family Residential: Development shall not exceed one dwelling unit per two acres on a project-by-project basis. No residential lot shall be less than two acres (80,000 square feet excluding roadway right-of-way), except within an approved cluster development.~~
2. ~~All Other Residential and Non-Residential: Development shall not exceed twelve percent built-upon on a project-by-project basis. To calculate the built-upon area, the total project area shall include total acreage in the tract on which the project is to be developed.~~

~~831: WS-III WATERSHED AREAS – BALANCE WATERSHED (WS-III-BW)~~

~~To maintain a low to moderate land-use intensity, single family detached uses shall develop at a maximum of one dwelling unit per acre. All other residential and non-residential development shall be allowed at a maximum of twenty four percent built-upon area. Also, new development and expansions to existing development may occupy ten percent of the balance of the watershed area with up to seventy percent built-upon area when approved as a Special Intensity Allocation (SIA). The Watershed Administrator is authorized to approve SIAs consistent with the provisions of this Ordinance. Projects must, to the maximum extent practicable, minimize built-upon surface area, direct stormwater away from surface waters, and incorporate Best Management Practices to minimize water quality impacts. Non-discharging landfills and residual application sites are allowed if allowed by County zoning regulations.~~

A. ~~ALLOWED USES:~~

1. ~~Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conversation Commission.~~
2. ~~Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.~~
3. ~~Residential development.~~
4. ~~Non-residential development excluding discharging landfills.~~

**B. DENSITY AND BUILT-UPON LIMITS:**

1. ~~Single Family Residential: Development shall not exceed one dwelling unit per acre, as defined on a project by project basis. No residential lot shall be less than one acre (or 40,000 square feet excluding roadway right-of-way), except within an approved cluster development.~~
2. ~~All Other Residential and Non-Residential: Development shall not exceed twenty-four percent built-upon area on a project by project basis except that up to ten percent of the balance of the watershed may be developed with new development and expansions to existing development up at to seventy percent built-upon area on a project by project basis. To calculate the built-upon area, the total project area shall include the total acreage in the tract on which the project is to be developed.~~

832: WS-IV WATERSHED AREAS – CRITICAL AREAS (WS-IV-CA)

~~Only new development activities that require an erosion/sedimentation control plan under State law or approved local program are required to meet the provisions of this Ordinance when located in a WS-IV watershed. To address a moderate to high land-use intensity pattern, single-family residential uses are allowed at a maximum of one dwelling unit per two acres. All other residential and non-residential development shall be allowed at a maximum of six percent built-upon area. New residual application sites and landfills are specifically prohibited.~~

A. ALLOWED USES:

1. ~~Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conservation Commission.~~
2. ~~Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.~~
3. ~~Residential development.~~
4. ~~Non-residential development excluding (i) landfills and (ii) sites for land application of residuals or petroleum-contaminated soils.~~

B. DENSITY AND BUILT-UPON LIMITS:

1. ~~Single Family Residential: Development shall not exceed one dwelling unit per two acres on a project by project basis. No~~



~~residential lot shall be less than two acres (80,000 square feet excluding road right-of-way), except with an approved cluster development.~~

- ~~2. All Other Residential and Non-Residential: Development shall not exceed six percent built-upon area on a project-by-project basis. To calculate the built-upon area, the total project area shall include the total acreage in the tract on which the parcel is to be developed.~~

~~833: WS-IV WATERSHED AREAS – PROTECTED AREA (WS-IV-PA)~~

~~Only new development activities that require an erosion/sedimentation control plan under State law or approved local government program are required to meet the provisions of this Ordinance when located in a WS-IV watershed. To accommodate moderate to high land-use intensity, single-family residential uses shall develop at a maximum of one dwelling unit per acre. All other residential and non-residential development shall be allowed at a maximum of twelve percent built-upon area. A maximum of one dwelling unit per acre or twelve percent built-upon area is allowed for projects without a curb and gutter street system.~~

A. ALLOWED USES:

- ~~1. Agricultural subject to the provisions of the Food Security Acts of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990 and all rules and regulations of the Soil and Water Conversation Commission.~~
- ~~2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality, 15 NCAC 11.6101-.0209.~~
- ~~3. Residential development.~~
- ~~4. Non-residential development.~~

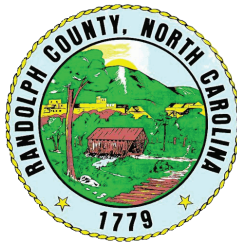
B. DENSITY AND BUILT-UPON LIMITS:

- ~~1. Single Family Residential: Development shall not exceed one dwelling per acre, as defined on a project-by-project basis. No residential lot shall be less than one acre (40,000 square feet excluding roadway right-of-way), except within an approved cluster development.~~
- ~~2. All Other Residential and Non-Residential: Development shall not exceed twelve percent built-upon area on a project-by-project basis. To calculate the built-upon area, the total project~~



~~area shall include acreage in the tract on which the project is to be developed.~~

- ~~3. In addition to the development allowed under items one and two above, new development and expansions to existing development may occupy up to ten percent of the projected area with up to seventy percent built-upon area on a project-by-project basis, when approved as a special intensity allocation (SIA). The Watershed Administrator is authorized to approve SIAs consistent with the provisions of this Ordinance. The project must, to the maximum extent practicable, minimize built-upon surface area, direct stormwater away from surface waters, and incorporate Best Management Practices to minimize water quality impacts. To calculate the built-upon area, the total project acre shall include the total acreage in the tract on which the project is to be developed.~~



MOTION TO APPROVE AMENDMENTS TO RANDOLPH COUNTY UNIFIED DEVELOPMENT ORDINANCE

NORTH CAROLINA

**RANDOLPH COUNTY
BOARD OF COMMISSIONERS**

“Pursuant to Article 400, Section 408 (C) of the *Randolph County Unified Development Ordinance*, I make the motion to **APPROVE** to amend the *Randolph County Unified Development Ordinance*, to include all required legislative updates along with updates to the *Randolph County Watershed Protection Ordinance* and the *Randolph County Flood Damage Prevention Ordinance* as recommended by the Randolph County Planning Board, that is included in the Board of Commissioners agenda, submitted during the *Randolph County Unified Development Ordinance* amendment presentation, and based upon the ***Determination of Consistency and Findings of Reasonableness and Public Interest*** statement that is included in the Board of Commissioners agenda, submitted during the amendment presentation and as may be amended, incorporated into the motion, to be included in the minutes, and that the request is also consistent with the *Randolph County Growth Management Plan*.”

If making a second to the motion, please change to say, “I second the motion . . .” and continue reading the rest of the motion.



**COUNTY OF RANDOLPH
CONSISTENCY DETERMINATION AND
FINDING OF REASONABLENESS AND PUBLIC INTEREST**

**IN THE MATTER OF THE AMENDMENTS TO THE
RANDOLPH COUNTY UNIFIED DEVELOPMENT ORDINANCE**

NORTH CAROLINA

**RANDOLPH COUNTY
BOARD OF COMMISSIONERS**

According to North Carolina General Statutes § 160D and the *Randolph County Unified Development Ordinance*, the Randolph County Board of Commissioners finds that the proposed amendments to the *Randolph County Unified Development Ordinance* as described in the materials submitted in the agenda packet are consistent with the *Randolph County Unified Development Ordinance* and the *Randolph County Growth Management Plan* and are reasonable and in the public interest for the following reasons:

1. Determination of Consistency with the *Growth Management Plan*.

A. Consistency with *Growth Management Plan Map*

The *Randolph County Growth Management Plan* seeks to address the planning in the County. Applicable General Statutes require the County to have a comprehensive land-use plan to administer zoning in the County's jurisdiction. Additional applicable State laws require that from time to time the County to amend the *Randolph County Unified Development Ordinance* to stay compliant with changes in the General Statutes.

B. Consistency with Growth Policies in the *Growth Management Plan*

A Resolution Adopting the Randolph County Growth Management Plan, Item Number Three: "Ensure the opportunities to achieve the highest and best uses of their land that are consistent with Growth Management Policies in order to protect the economic viability of the County's citizens and tax base."

Consistency Analysis: Allowing owners to achieve the highest and best uses of their land are consistent with the *Growth Management Plan*, and these amendments would also provide for the retention of open space and farming areas.

Executive Summary: "The foundation of Randolph County's updated Growth Management Plan is to recognize that sustainable economic growth, environmental protection, and rural quality of life can be pursued together as

mutually support growth management and public policy goals. One does not necessarily exclude the other.

Consistency Analysis: Maintaining the statutory compliance in the *Randolph County Unified Development Ordinance* is an additional resource the County has “. . . to recognize that sustainable economic growth, environmental protection, and rural quality of life . . .” and can make Randolph County a more desired location for families and industries.

2. Statement of Reasonableness and Public Interest

Reasonableness and Public Interest Analysis:

The policies listed above illustrate how this request is consistent with the Ordinance, the Plan, and applicable General Statutes. The proposed amendments will limit the amount and type of development in the County while reducing the impact on adjoining parcels and existing open space and farmlands. The proposed amendments could also increase the tax base and increase economic activity within the County.

Adopted on March 10, 2025.

Darrell Frye, Chair
Randolph County Board of Commissioners

ATTEST

Dana Crisco, Clerk to the Board



RANDOLPH COUNTY

BOARD OF COMMISSIONERS

Randolph County Office Building 725 McDowell Road
Asheboro, North Carolina 27205 Telephone 336-318-6301

Darrell Frye, Chairman
Kenny Kidd, Vice-Chairman
David Allen
Hope Haywood
Lester Rivenbark

Zeb Holden, County Manager
Ben Morgan, County Attorney
Dana Crisco, Clerk to the Board

Ordinance Amending the *Randolph County Unified Development Ordinance*

WHEREAS, the North Carolina General Assembly and the *Randolph County Unified Development Ordinance* allow for the amendments of zoning regulations as necessary to achieve the goals of adequate light and air; preventing the overcrowding of land, avoiding undue concentration of population; lessening congestion in the streets, securing safety from fire, panic, and dangers; facilitating the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and to promote the health and well-being of the community; and

WHEREAS, the Randolph County Planning Board has held a public meeting on the proposed changes authorized by this Ordinance and recommends to the Randolph County Board of Commissioners that these amendments be adopted.

BE IT ORDAINED that the Randolph County Board of Commissioners concludes that the proposed amendments to the *Randolph County Unified Development Ordinance*, as included in the agenda packets, are reasonable and in the public interest as shown on the *Consistency Determination and Finding of Reasonableness and Public Interest*, also included in the agenda packet. Additionally, the proposed amendments support the policies and goals in the *Randolph County Growth Management Plan*; and

BE IT FURTHER ORDAINED that the proposed amendments to the *Randolph County Watershed Ordinance* contained within the *Randolph County Unified Development Ordinance*, as included in the agenda packet, are as strict or more strict than the *State Model Watershed Ordinance*.

THEREFORE, BE IT ORDAINED that the Randolph County Board of Commissioners does hereby adopt by this Ordinance the proposed amendments as recommended by the Randolph County Planning Board, as included in the agenda packet, and as may be amended, and shall take effect and have full power on March 10, 2025.

Adopted this 10th day of March 2025.

Darrell Frye, Chairman
Randolph County Board of Commissioners

ATTEST:

Dana Crisco, Clerk
Randolph County Board of Commissioners



Randolph County

Office of the County Manager
725 McDowell Road
Asheboro, North Carolina 27205
www.randolphcountync.gov

March 10, 2025

RE: Atrium Health Contract Update

Board of County Commissioners:

The Employee Wellness Clinic is proving to be a great success. The clinic is seeing higher than expected utilization, and staff are reporting high levels of satisfaction. This rate of use was not expected so quickly, which brings the need for additional staff hours and an update to the County's contract with Atrium Health. One of the many reasons for the additional use of the clinic is that all staff are performing their annual biometric screenings at the clinic, which reduces the County's Health Plan costs. Staff are requesting an annual contract increase from \$409,629 to \$617,022. This increase requires no additional funding due to realized savings in the Employee Health Plan and can be absorbed in the current budget. The contract increase will cover the following:

- Addition of 1 part-time staff (*Advanced Practice Professional*) and 1 full-time staff (*Certified Medical Assistant*) to accommodate additional employee utilization needs
- 5% annual inflation increase

As Board Action, please approve the updated contract with Atrium Health and authorize the County Manager to execute the contract.

Sam Varner, NBC-HWC
Wellness Administrator
Randolph County Government

	Agency	Amount Requested	Project Summary	Past SPF Award Y/N	Goal(s)
A.	City of Asheboro	\$ 500,000.00	Construction of restaurant/beer garden and batting cages at McCrary Park ballfield.	Y (McCrary Ballpark and Zoo City Sportsplex)	Attract tourists to restaurant/beer garden and improve batting cages at the McCrary Park ballfield.
B.	City of Randleman	\$ 100,000.00	Commerce Square park renovations.	N	Improve and beautify park space to allow for greater food truck participation.
C.	Emergency Services	\$ 244,307.00	Vehicle and medical equipment for Community Paramedic lead position and partial funding for lead position salary.	N	Launch a pilot Community Paramedicine program.
D.	Friends of Patterson College	\$ 7,200.00	Preservation project to improve materials display cases at the museum.	Y (Mannequins and other museum materials for display)	Protect and preserve historic materials.
E.	Keaton's Place	\$ 95,855.10	Therapy services for men in sober living home.	Y (Vehicles for in-patient treatment trips)	Provide therapy services to men residing at Keaton's Next Step sober living residence.
F.	Lydia's Place	\$ 23,988.00	Renovation of sanctuary space for emergency shelter space for winter months.	Y (Women's shelter improvements)	Provide emergency shelter to unsheltered individuals overnight during colder months.
G.	OE Enterprises	\$ 18,650.00	Garden improvement project and electrical work for kitchen installation.	Y (Kitchen project)	Renovation of on-site garden to teach healthy food preparation to employees with disabilities.
H.	Our Daily Bread	\$ 25,000.00	Food, supplies, and soup kitchen building maintenance.	Y (Food and garden materials)	Material support for ongoing soup kitchen services.
I.	Randolph County Family Crisis Center	\$ 55,000.00	Pilot program for a Program Coordinator (MPH) to oversee and coordinate three FCC programs.	Y	Improve coordination of services, data collection, and reporting for all three FCC programs (Advocacy Centers, DV Shelter, and Child Advocacy Center)
J.	Randolph County Trails	\$ 150,000.00	Construction of .35 mile section of Franklinville to Sapona trail.	Y	Complete Franklin to Sapona trail with .35 mile section to the Bush Creek Pedestrian Bridge.
K.	Randolph Partnership for Children	\$ 50,387.00	Design and implementation of early childhood education training program.	Y	Provide Randolph S.T.A.R.T. program with waived costs for 8 participants to become pre-qualified to serve local childcare centers.
L.	RhinoLeap	\$ 20,000.00	Production of <i>Much Ado About Nothing</i> and two high school theater residencies.	Y (Local productions and high school residencies)	Produce Shakespeare's <i>Much Ado about Nothing</i> provide two high school theater residencies.
M.	Shelter of Hope	\$ 34,600.00	Security monitoring equipment and facility improvements.	Y (Rent and utilities)	Improve resident safety, ADA accessibility, and sleeping area for residents.
N.	Sleep in Heavenly Peace	\$ 30,000.00	Materials for volunteer-built beds for children without beds.	N	Improve quality of sleep for needy children in Randolph County without their own bed.
O.	Town of Seagrove	\$ 250,000.00	Phase II Renovations of Lucks Cannery Halls A and B.	Y (Sidewalk Project)	Attract tourists and residents to the historic Lucks Cannery site as an economic development project.
P.	Victory Junction	\$ 67,500.00	Roof replacements for three camper cabins and the Travel Center.	Y (HVAC improvements, vehicle wraps, and marketing services)	Remove and replace end-of-life roofs for three camper cabins and the Travel Center (materials provided at no cost).

Total Funds Requested \$ 1,672,487.10
Recommended Available Funds \$ 1,118,339.00

Memo

To: Randolph County Commissioners

From: Aimee Scotton

Date: March 10, 2025

Re: Results of Auction Sale and Request to Accept High Bid

Last month, I appeared before you to request that you authorize the county to hold an auction sale of a property that the county acquired in a tax foreclosure in accordance with North Carolina General Statutes §153A-176 and §160A-270. You adopted a resolution authorizing the property to be sold by an action to be held at 10:00 a.m. on Monday, February 17, 2025.

The auction was held as planned. There was one bidder, Byron Tompkins, who submitted a bid of \$750. Mr. Tompkins provided the required 5% deposit. I am presenting \$750 as the high bid. If you wish to proceed with the sale of the property to Mr. Tompkins for \$750, please adopt the attached resolution. If not, I will contact Mr. Tompkins and return his bid deposit.



RANDOLPH COUNTY

BOARD OF COMMISSIONERS

Randolph County Office Building 725 McDowell Road
Asheboro, North Carolina 27205 Telephone 336-318-6301

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Lester Rivenbark

Zeb Holden, County Manager
Ben Morgan, County Attorney
Dana Crisco, Clerk to the Board

RESOLUTION ACCEPTING HIGH BID FOR PROPERTY

WHEREAS, Randolph County conducted an auction sale of the parcel described in Attachment A at 10:00 a.m. on February 17, 2025; and

WHEREAS, the auction sale resulted in a high bid of \$750.00 submitted by Byron Tompkins;

THEREFORE, THE BOARD OF COMMISSIONERS OF RANDOLPH COUNTY RESOLVES THAT:

The high bid of \$750.00 submitted by Byron Tompkins is accepted for the parcel described in Attachment A, and the appropriate County officials shall execute the documents necessary to transfer title to the property.

This the 10th day of March, 2025.

ATTEST:

Darrell L. Frye, Chairman
Randolph County Board of Commissioners

Dana Crisco, Clerk
Randolph County Board of Commissioners

ATTACHMENT A

Parcel Available for Public Auction

That parcel identified by Parcel Identification Number 7707-94-7418 acquired by the County by deed recorded in Deed Book 2802, Page 2067 of the Randolph County Registry and more particularly described as follows:

All of lots 318, 319, 320 and 321 of Gray Oaks Development, as per plat and survey thereof on file in Plat Book 11 at Page 78, Randolph County Registry.

Also known as 0 Link Court Trinity, NC 37370.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

SAVE AND EXCEPT ANY AND ALL CONVEYANCES OF RECORD.



Randolph County

Administration
725 McDowell Road
Asheboro, North Carolina 27205
www.randolphcountync.gov

MEMORANDUM

To: Randolph County Commissioners

From: William Johnson, Assistant County Manager

Date: February 28, 2025

Subject: I-74 and New Hope Church Road, Pump Station, Force Main and Sewer Improvements

On June 6, 2023, Randolph County entered an economic incentives agreement with Randolph Land Development, L.L.C. to develop land at the intersection of I-74 and New Hope Church Road. In the Agreement Randolph County agreed to contribute \$300,000.00 to offset the developer's costs.

To make this site viable, installation of a sanitary sewer pump station with Standby Generator, approximately 5700 LF of 6" SDR 21 Force Main and 1648 LF of 8" PVC gravity sewer line must be constructed.

On February 27, 2025, a second bid opening was held for this project. Terry's Plumbing & Utilities, Inc. was the low bidder at a construction cost of \$1,987,448.00. A second bid was received from SKC Inc. at a construction cost of \$2,658,268.00.

As Board Action, a) please approve the construction contract with Terry's Plumbing & Utilities, Inc. contingent upon receiving \$1,687,448.00 from the site developer and b) approve the associated project amendment, and c) authorize the County Manager to sign the contract.

Seagrove-Ulah WWTP Capital Project Ordinance

Amendment # 9

Revenues	Increase	Decrease
Contribution from Developer	\$1,187,448	
Appropriations	Increase	Decrease
Construction	\$1,187,448	