

**MINUTES OF THE REGULAR MEETING OF THE ALAMANCE COUNTY BOARD
OF COMMISSIONERS FOR ALAMANCE COUNTY**

**December 16, 2024, 6:30 PM
Commissioners' Meeting Room
124 West Elm Street
Graham, NC 27253**

Board Members Present: Chairman John Paisley Jr
Vice-Chair Steve Carter
Commissioner Pamela Thompson
Commissioner Ed Priola
Commissioner Kelly Allen

CALL TO ORDER - CHAIRMAN PAISLEY

INVOCATION AND PLEDGE OF ALLEGIANCE - CHAIRMAN PAISLEY

APPROVAL OF THE AGENDA

County Manager York asked the Board to move item 5.b.1 Budget Amendment 6 from the consent agenda to be discussed later in the meeting. That item was now item 7.g under Presentations/Other Business.

Moved by: Chairman Paisley

Seconded by: Commissioner Allen

APPROVED AS AMENDED

PUBLIC COMMENTS

Samantha Powell, a Burlington resident, spoke that she lived .2 miles from Rad Range, which bordered her grandparent's property. She continued that since moving back to the property, she has experienced fear and frustration due to the gunfire from Rad Range. Ms. Powell shared a story about an evening when her family enjoyed their fire pit outside. She described hearing rapid automatic gunfire; a ricochet whizzed past her and her family. Ms. Powell mentioned that this was not an isolated incident. She sometimes had to look her children in the eye and tell them that riding their bikes was unsafe. Ms. Powell commented that she and surrounding families

should not have to live in fear; worrying about bullets ricocheting into their yards. She said she had sent the Board a video of that incident.

Paul Capps, a Burlington resident who had lived in that community for over 37 years, reminded the Board that he had spoken over a year ago about Rad Range at a meeting. He shared that he had asked the Board for help with the violations at Rad Range. He said that Rad Range did not regard personal property, safety, or the community's health. Mr. Capps indicated that projectiles were still leaving the range. He mentioned that his community did not feel safe being outside while the gun range was open. He stated that a housing development with 24 houses a mile away was in the direct firing range. He shared a photo of where a 50-caliber bullet went into a neighbor's bedroom. Mr. Capps asked the Board to take action by suspending shooting at the gun range until a certified expert could verify and assure his community they were safe in their backyards.

Don Foster, a 34-year resident, spoke that he wanted his neighbor's issues with Rad Range resolved. He said the danger of the wild bullets was frightening. He said it sounded like a war zone with the firing of assault weapons. Mr. Foster shared that his son had found a bullet in his brick patio. He said it was scary, given the possibility a stray bullet that missed all of the trees could harm one of his grandchildren. Mr. Foster asked the Board what they would do, if they lived in that community and had to put up with that every day.

Butch McKenzie, a Burlington resident, shared handouts with the Board. He noted that one of the pictures was the same 50-caliber bullet that had entered his neighbor's house. He said the Sheriff's Office made a report and had the bullet in their possession. Mr. McKenzie continued that there was a hole in his neighbor's outbuilding, but they could not find that bullet. He said that he had a picture of a group of men in the front yard aiming their guns towards the Allison's home. Mr. McKenzie communicated the neighbors had posted "No Trespassing" signs in a neighbor's yard to keep the Rad Range people off the property. According to Mr. McKenzie, Rad Range had removed all of those signs. Mr. McKenzie advised that statutes said removing those signs was illegal. He urged the Board to do something to solve this problem before someone is killed.

Donna Vanhook, a Burlington resident, gave an update on the old Western Electric Plant. She mentioned that she was a Restoration Advisory Board (RAB) member, and they were asking for public involvement and wanted to make the public aware of what was happening there. Ms. Vanhook said more information could be found on the City of Burlington's website.

Dwayne Allred, a Graham resident, has an aunt who owned property directly behind Rad Range. He shared that he had hunted that property for over 20 years. He continued that the gun range was extremely dangerous to the neighborhood. Mr. Allred said hunting was a tradition he wanted to teach his children. Mr. Allred said he had called the Sheriff's Office in March 2023. While walking the property, he, a friend, and the responding deputy hit the ground because rounds and

projectiles were coming over. He voiced that higher berms and better safety were needed at the gun range.

Rudy Cartassi, owner of Rad Range, stated that the "No Trespassing" signs were not taken down. He provided pictures and said the signs were still there, overgrown with woods and bushes. He continued that the 50-caliber gun could not have done what was alleged, because it had been sold in October 2023, and the ballistics did not match. Mr. Cartassi acknowledged a 50-caliber at his range in December 2023, and those rounds never left. He said the report did not match the dates and that bullets did not travel back in time. He indicated that his gun range cameras were on the range, and they would know if a 50-caliber had been fired from the range. Mr. Cartassi said that gun could not have fired a round into the Allison's home.

Steven Barker, who lived on Pagetown Rd, said he has had issues with gunfire but not with Rad Range. He continued that the gunfire was coming from an adjoining property to his home. He commented that he could not understand why the authorities could not help him. Mr. Allred described that strangers were coming onto the neighboring property and shooting onto his property. Mr. Barker spoke that there were no berms and that 34 of his trees had been hit. He mentioned that he was an NRA member, but what was transpiring was ridiculous. He expressed concern for his safety and property. He questioned why there were no laws or zoning to protect him and that other counties had ordinances preventing people from shooting near homes and property.

Joseph Shuford, an attorney with Fox Rothschild, said he was speaking on behalf of clients Howard and Patricia Dunn, who owned adjacent property to Rad Range. He stated that since Rad Range opened in 2021, bullets have been fired onto the Dunn's property and damaged their trees. He said the real concern was safety. Mr. Shuford indicated the Dunn's could not fully use their property because of the fear of being shot. He continued that bullets off that range are not directed and could go anywhere. He said it only took one bullet to hit a person. Mr. Shuford mentioned the previous speakers who had shared their concerns for the safety of their family and community. He said this issue would be more significant for the county as the surrounding area became more populated with single-family homes.

Mark Terry, a Facette Lane property owner, said he could not touch these first-hand accounts of living around the gun range. He shared that he was a gun club member at another location with a shooting range encompassing square miles, not 23.5 acres. He said his gun club had ample space and was designed by professionals. Mr. Terry noted that law enforcement trained at that facility. He encouraged the Board to ride down Faucette Lane and see the 500-yard range with targets on top of the berms. He said he had observed what happened at the Dunn's property over the last year. He invited the Board to his property on a Saturday or Sunday to see what was happening.

CONSENT AGENDA

Moved by: Vice-Chair Carter
Seconded by: Commissioner Allen

APPROVED UNANIMOUS

APPROVAL OF MINUTES

Closed Session Minutes of October 7, 2024

Closed Session Minutes of October 25, 2024

Closed Session Minutes of November 18, 2024

APPOINTMENTS/ REAPPOINTMENTS

Alamance County Senior Services Committee – Gwendolyn Jeffries

Historic Properties Commission – Gale Pettiford, John Greeson, Emily White, and Brian Ward.

Juvenile Crime Prevention Council (JCPC) – Brad Hall

Tourism Development Authority -TDA Katie Geoffrion

TAX REFUNDS

Tax Refunds, Releases, and Extensions Nov 2024

PUBLIC HEARING

Public Hearing: U.D.O. Amendment - Matthew Hoagland, Planning Director

Matthew Hoagland, Planning Director, presented an amendment to the Unified Development Ordinance (UDO). The amendment would add an optional certificate to be placed on subdivision plats, indicating that Environmental Health staff had not evaluated the proposed lot(s) for installing new septic systems.

The current process essentially requires the Health Department to evaluate proposed subdivision lots before final approval. However, by making that evaluation optional, the amendment before would actually bring the county processes more in line with state law. That provision of state law was found in N.C.G.S. 160D-803(b), which reads in part:

“...A subdivision regulation shall provide that the following agencies be given an opportunity to make recommendations concerning an individual subdivision plat before the plat is approved:

(1) ...

(2) The county health director or local public utility, as appropriate, as to proposed water or sewerage systems.

(3) ...

The Planning Board reviewed and approved this amendment unanimously during their November meeting. In approving the recommended change, the Planning Board adopted the following consistency statement in accordance with N.C.G.S. 160D-604(d):

“We find that this amendment is consistent with the Alamance County’s Land Development Plan Purpose Statement which is to: *“Establish policies, strategy options, and tools to encourage thoughtful growth and development while protecting agricultural heritage and rural character, supporting a diverse economy and reinforcing the County as the preferred place to live, work and play.”*

Mr. Hoagland told the Board that the notice for the public hearing had run twice in the Alamance News in accordance with state law. (Dec. 5th and 12th).

The board opened the public hearing. The following speaker was heard from the floor:

Henry Vines, a member of the Planning Board, said he wanted to reiterate what Mr. Hoagland had said. He said that was something that needed to be clarified. He advised that the Planning Board was working on many things that were not addressed over the past years, and they are working to rectify those issues. Mr. Vines recommended the Board approve the UDO amendment.

No other speakers were heard from the floor. Vice-Chair Carter, seconded by Commissioner Priola, moved to close the public hearing.

Moved by: Chairman Paisley

Seconded by: Vice-Chair Carter

Approval of the amendment to Article 8 of the Alamance County Unified Development Ordinance (UDO) which added an optional certificate to be placed on subdivision plats indicating that Environmental Health staff had not evaluated the proposed lot(s) for install new septic systems.

APPROVED UNANIMOUS

PRESENTATIONS/OTHER BUSINESS

Planning Board Appointments - Matthew Hoagland, Planning Director

Matthew Hoagland, Planning Director, provided the names of the nine applicants who had submitted applications for the county's Planning Board membership. Applications were received from the following individuals: Ernest Bare, Stephen Dodson, Anthony Pierce, Henry Chandler, Richard "Tom" King, Natalie Thacker, Jeffrey Stephens, Brandon Martin, and Andrea Webber. The Planning Board had recommended the appointments of Ernest Bare, Stephen Dodson,

Anthony Pierce, Henry Chandler, and Richard "Tom" King. Mr. Hoagland noted that Article 2 of the UDO required no more than two Planning Board members representing any single township.

Moved by: Chairman Paisley

Seconded by: Vice-Chair Carter

Appointment of Ernest Bare, Stephen Dodson, Henry Chandler, Richard "Tom" King, and Andrea Webber to the Planning Board.

APPROVED UNANIMOUS

Annual Audit Presentation - Elsa Swenson, Martin Starnes & Associates

Elsa Swenson, Martin Starnes & Associates, present 2024 audit highlights. Ms. Swenson informed the Board that the county had received an unmodified opinion. She said this was a clean audit. She credited Susan Evans, the finance department, Candice Gobble, and the DSS staff for their hard work. Ms. Swenson explained that a requirement under government auditing standards was that a local government have a competent finance officer with the skills, knowledge, and experience to oversee the audit. She said Susan Evans was that person.

Ms. Swenson reported that the annual general fund revenues totaled \$209.3 million, an increase of 3%. The expenditures in the general fund totaled \$206.5 million, an increase of about 5%. The total fund balance for the general fund was \$96.9 million, an increase of about \$5.5 million. The available fund balance was \$ 80.7 million, an increase of about \$4.8 million. The available fund balance as a percentage of expenditures for the general fund was 39.1%. The unassigned fund balance was just over \$41 million. The unassigned fund balance as a percentage of the general fund expenditures was 19.87%.

Ms. Swenson identified the top 3 revenues for the general fund as property taxes (53%), local option sales tax (21%), restricted intergovernmental revenues (11%), and other revenues (15%).

Ms. Swenson said the property tax revenues were \$110.9 million, an increase of 5%. She explained that the local option sales taxes were \$44.9 million, a decrease of about 3%. Restricted intergovernmental revenues remained comparable at \$23 million, a decrease of about 14%. She credited that 14% decrease to FEMA reductions in reimbursements in the current year and reductions in various ARPA revenues. She mentioned that the top 3 expenditures for the general fund were public safety (26%), education (28%), human services (19%), and other expenses (27%).

Ms. Swenson said human services expenditures were \$38.7 million, an increase of about 7% mainly due to salary increases. Public safety expenditures were at \$54.2 million, which increased by about 8% primarily due to salary increases.

Ms. Swenson noted that the landfill fund's operating income was \$3.6 million. She shared that the landfill had an investment in capital assets of \$14.8 million and an unrestricted net position of \$28 million. She said the quick ratio for the landfill fund was 39.8, and the Local Government Commission (LGC) would only be concerned if it was less than one.

Ms. Swenson discussed performance indicators for that year. She said the audit was submitted timely. She mentioned some current-year findings on the segregation of duties over procurement cards. Ms. Swenson explained that a response letter signed by the Board, county manager, and finance officer must be sent to the LGC within 60 days of today's presentation. She noted six compliance findings. She explained one of the compliance findings was related to Medicaid, where the applicant had the incorrect income and household composition. Another finding was associated with a low-income energy assistance application missing the client's signature. She continued that the SNAP program had three cases of missing the form and one incorrect overpayment. Foster care and adoption had nine cases missing form 5268. She mentioned mileage was reimbursed at the wrong rate on four samples tested.

Ms. Evans advised the Board that the response letter to the LGC was included in the agenda packet and a corrective plan was now in place.

Alamance-Burlington School System Approval of Lease-Purchase Contract - Dennis Frye, ABSS Executive Director of Technology

Dennis Frye, Executive Director of Technology for ABSS, discussed that the County Commissioners pre-approved the technology department for the 2024-25 fiscal year to purchase maintenance and replace student laptops. He asked the Board to approve a resolution to commit funding to multiple years of a lease-purchase agreement for the laptops. Mr. Frye reported that the contract with HP Financial would replace 6,000 student laptops at the end of life. He continued that the commitment would allocate \$328,999 annually for five years for a total commitment of \$1,664,995. He noted that the Board of Education had approved both the contract agreement and the expenditure of funds pending County Commissioner approval by the resolution.

Commissioner Thompson asked if this was leasing only. Mr. Frye responded that it was a lease to own, and the school system would own the equipment at the end of the five years.

Commissioner Priola asked if there was a contractual agreement to reimburse the school for a lost computer. Mr. Frye explained that parents must sign a personal memorandum of understanding (MOU) acknowledging awareness of the policies and procedures.

County Attorney Stevens added that this had come before the Board because by approving the resolution, the Board would be binding itself to fund this lease on an annual basis for the next five years.

Commissioner Priola asked whether the Board wanted to get locked into a long-term cycle when technology will likely improve and prices decrease. Mr. Frye answered that compared to neighboring school systems and other districts, ABSS currently had one of the lowest prices per device per student machine.

Moved by: Commissioner Thompson

Seconded by: Vice-Chair Carter

Approval of a resolution approving the lease-purchase equipment for Alamance-Burlington School System.

APPROVED UNANIMOUS

CRA Associates, Inc. Professional Design Services Contract - Brian Baker, Assistant County Manager

Brian Baker, Assistant County Manager, asked the Board to approve a contract with CRA Architects for the design work on the courthouse expansion project. He mentioned that CRA Architects will assist the county with bidding out the construction portion of the contract once the design work is completed. Mr. Baker acknowledged that this was a large contract at \$3.1 million because it was a large project.

Moved by: Vice-Chair Carter

Seconded by: Commissioner Priola

Approval of a contract with CRA Architects for the design work on the courthouse expansion project. This motion carried 4-1 with Chairman Paisley, Vice-Chair Carter, Commissioners Allen and Priola voting in favor. Commissioner Thompson opposed the motion.

APPROVED

Resolution Adopting the 2025 Regular Meeting Schedule - County Manager York

County Manager York presented a resolution adopting the 2025 regular meeting schedule in compliance with NC General Statutes. She noted that only one meeting was scheduled for January and July.

Moved by: Vice-Chair Carter

Seconded by: Commissioner Allen

Approval of the resolution adopting the 2025 regular meetings schedule.

APPROVED UNANIMOUS

FY2025-2026 Budget Calendar Adoption - County Manager York

County Manager York presented the fiscal year 2025-2026 budget calendar for adoption. County York mentioned the proposed Board Retreat on Monday, February 17, 2025. She noted on the calendar they were requesting the submission of both ABSS and ACC's budget drafts by March 31st. She emphasized that the statutory deadline for ABSS was May 15th, as listed on the calendar. County Manager York indicated that she would present the manager's recommended budget at the second meeting in May. She mentioned that budget work sessions had been temporarily scheduled on the budget calendar and a proposed budget adoption date of June 16, 2025.

Moved by: Vice-Chair Carter

Seconded by: Commissioner Allen

Adoption of the fiscal year 2025-2026 budget calendar.

APPROVED UNANIMOUS

Budget Amendment 6

Rebecca Crawford, Budget and Management Services Director, presented budget amendment 6. She explained that the original budget amendment in the packet had three items: the health department adding \$2,380 from the NC Department of Health and Human Services; an award of \$25,000 to emergency management from the Duke Energy Foundation; and an additional \$6.1 million to central communications from the NC Department of Information Technology.

She stated that the item added tonight was based off some information that had changed on Friday. She noted one last revision to the ARPA fund. Ms. Crawford reminded the Board that all ARPA funds must be obligated by December 31, 2024. She continued that \$544,000 was designated towards bi-directional amplifiers as part of the mobile radio project. She advised that the project quote was unavailable in time, so the county would have to return \$544,000 to the Treasury Department if they moved forward. Ms. Crawford suggested devoting \$504,000 of the \$544,000 to technology infrastructure enhancements. She said the county had already made those purchases from the general fund. Ms. Crawford indicated these purchases were eligible under ARPA guidelines and would include the purchase of Microsoft 365 for all county employees. She highlighted that the county had replaced many outdated operating systems and worked with an IT consultant to develop an information technology strategic plan.

Moved by: Chairman Paisley

Seconded by: Vice-Chair Carter

APPROVED UNANIMOUS

COUNTY ATTORNEY'S REPORT

County Attorney Stevens reminded the Board that last April staff had proposed an ordinance to alleviate or help deal with some of the issues that residents had brought up during the public comment period. He said he was happy to present that ordinance again with any revisions the Board might add at the January meeting.

COUNTY MANAGER'S REPORT

County Manager York advised the Board that the first quarter financial statements were included in the agenda packet. She highlighted that the tax collection rate was 76.61% as of December 10th compared to 76.31% the previous December. She bragged about the tax employees for having a slightly higher tax collection rate. County Manager York said the higher tax collection rate translated to about \$6.9 million higher from year to year in tax revenues.

FY 2025 1st Quarter Financial Report

COMMISSIONERS' COMMENTS

Commissioner Thompson expressed her concerns about the county not providing the Sheriff's Office with body cameras. She said she had spoken with numerous police chiefs with body cameras, but the Sheriff's Office was one of the few agencies that did not have them. Commissioner Thompson indicated that she had spoken with Travelers Insurance and they advised her that it favored the county to have that kind of accountability. She mentioned contacting Senator Galey's office about a stop light at Southeast High School due to numerous wrecks. She indicated the stop light had made a difference, but there were still some head-on collisions when students left the parking lot.

Commissioner Allen spoke that she had heard at a meeting that Sheriff Johnson was looking into grants to help offset the cost of those cameras. She said the Sheriff's Office was good at obtaining grants.

Commissioner Priola commented that he looked forward to County Attorney Steven's presentation on the ordinance at the next meeting. He said it was prudent to understand what was being done in other counties, and stated this was a serious subject.

Vice-Chair Carter mentioned the old Western Electric Plant clean-up was ongoing and appreciated getting updates on the progress.

Chairman Paisley said he supported the body cameras; however, they were in the Sheriff's budget last year and had asked that they be replaced with other priorities. He continued that in addition to the cost of the cameras, the footage would be subpoenaed, so storage and additional personnel would be needed to preserve the information and receive those subpoenas.

Chairman Paisley mentioned that the Commissioner Committee Assignments had been assigned for 2025.

ADJOURNMENT

Vice-Chair Carter, seconded by Commissioner Allen, moved to adjourn the meeting. The motion carried.

There being no further business to be brought before the Board, the meeting adjourned at 8:39 P.M.

John Paisley, Jr., Chairman

Alamance County Board of Commissioners

Tory M. Frink, Clerk to the Board