

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

**January 27, 2025, 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 - COMMISSIONER ALLEN

APPROVAL OF THE AGENDA

Vice-Chair Carter, seconded by Commissioner Allen, moved to table Item 6a. Shooting Range Ordinance. That motion carried unanimously.

Chairman Paisley, seconded by Commissioner Allen, moved to add a closed session. That motion carried unanimously.

Moved by: Chairman Paisley

Seconded by: Commissioner Allen

APPROVED AS AMENDED

PUBLIC COMMENTS

Rudy Cartassi, Rad Range Owner, said that any government powerful enough to give people what they wanted was also powerful enough to take away whatever it wanted; whether it was gun rights, automobiles, planes, cars, or trains as examples. He continued that the Bruen Decision got rid of balance testing and that the government could not start infringing on the rights of citizens. Mr. Cartassi indicated that he looked forward to working with the county attorney.

Richard Clark talked about sound and his qualifications as a sound expert. Mr. Clark said there had been many complaints about gun noise. He explained that the "Pledge of Allegiance" was 90 dB. Mr. Clark mentioned he had visited two properties while a machine gun was shooting off and had measured 88 dB. According to Mr. Clark, that measure was almost as loud as the "Pledge of Allegiance." He noted that he had done sound systems for three US Presidents and had 30 US patents on audio devices.

Gerald Long, a Greensboro resident, spoke on behalf of the Central Carolina Gun Club as one of the trustees. He applauded the Board for their efforts and acknowledged this was a tough issue. He continued that his gun club had always emphasized safety and being conscious of their neighbors. Mr. Long surmised that the written ordinance would not accomplish their objective of making the residents living near the gun range safer. He suggested adults sit down and devise a solution to the problem.

Jim Young, President of the Durham Pistol and Rifle Club (DPRC), spoke that his club was one of the oldest in North Carolina. He said the club sat on 218 acres, with more than half of that as a buffer with 1,500 members. He said that anytime there was an ordinance that might affect DPRC membership, he had to come out and speak up for them. Mr. Young stated that the only reason he and the other ranges were there was one range. He said you could not punish them for what one place was doing.

David McFarling, Past President of the Durham Pistol and Rifle Club (DPRC), and member of the Central Carolina Gun Club (CCGC), spoke that he had a vested interest in the ordinance discussion. He said they would never contest anything dealing with firearm safety. He indicated that the DPRC and CCGC were the safest places to shoot. Mr. McFarling said that when he worked at DPRC they worked hard with the neighbors to address complaints. He said there were a couple of good pieces in the ordinance and stressed that they would like to be involved in any meetings.

Eric Hinshaw, owner and operator of an indoor gun range commented that they were all there because all gun ranges were being painted with the same brush. He said that he puts safety first at his gun range and safety was paramount with the community involved. Mr. Hinshaw said this would come down to adults sitting down and putting their neighbors first. He shared that he was spot-checked by OSHA, EPA, and ATF. He expressed that his main concern was his gun range and having to pay any registration fees.

Lee Hicks, Burlington resident, said he was representing his neighbors of the Deep Creek community, which was regularly affected by Rad Gun Range. He mentioned that their community was not anti-guns or against the Second Amendment. He said having facilities where individuals could responsibly hone their shooting skills was essential. Mr. Hicks mentioned that the proposed ordinance ensured that these facilities were operated and maintained with high safety standards. He felt the proposed ordinance did not threaten or infringe upon anyone's Second Amendment rights. Mr. Hicks continued that the proposed ordinance aligned with

previously mentioned measures and represented an effort by the Board to enhance safety, benefiting all residents of the county.

Mark Terry, a Burlington resident, thanked County Attorney Stevens for drafting the Shooting Range Ordinance. He shared that he was not anti-second amendment and supported the rights of small businesses. He mentioned that he was a member of a shooting range. As he was out walking with a Burlington Times-News reporter, he reported finding .223 bullets lodged backwards in a tree along with other trees shot through with entry and exit wounds. Mr. Terry mentioned another gun range had 218 acres while Rad Range sat on just over 23 acres, with a 500-yard range squeezed in on the edges.

Paige Sharp, a Burlington resident, spoke that she and her family owned guns and proudly supported the Second Amendment. She said her family had lived in that community long before Rad Range without any serious concerns until now. Ms. Sharp shared that during a week in December, they found a stray bullet in their driveway just 2 feet from their front door. She said finding that bullet so close to her home was another level of fear. She said that she respected gun ranges in communities, but safety had to be the top priority.

Sean Sarrantino, Vice-President of Operations for Grassroots NC, questioned why they had not heard about this ordinance. He felt that anytime changes were being made related to firearms, then firearms organizations should be contacted. He advised that their attorney pointed out that one of the most recent overrides in the General Assembly made it illegal to downgrade a property using zoning. He asked that the Board reach out and keep him informed of what they were doing when it came to firearms.

Joseph Shuford, Attorney at Fox Rothchild, mentioned that he was speaking on behalf of his clients, the Dunns. He thanked the Board for acting quickly to draft an ordinance in response to the safety concerns raised by the residents at the last meeting. Mr. Shuford continued that his clients were pro-guns and pro-safety and just wanted to be on their property without fear of being hit by a stray bullet. He outlined some of the safety measures of the ordinance. He noted that it was important to highlight that the ordinance did not apply to hunting, lawful defense or law enforcement training, nor did it legislate anything about the types of guns that can be shot at a shooting range. Mr. Shuford's last point expressed the dangers of how bullets from Rad Range were landing on his clients and neighboring properties without their permission.

Thomas Fargis, Pastor of Deep Creek Baptist Church, shared that since he last appeared at a meeting, he had received several harassing phone calls from Rad Range supporters. He commented that he practiced his Second Amendment rights and would stand up for his community. Mr. Fargis said they deserved to sit in their church and have service without hearing gunfire. He indicated that it was impossible to have Sunday night service because of all the gunfire noise. He mentioned that he was unable to go outside and enjoy himself. He stated that his church congregation had to be careful when they held activities outside.

Scott Ward, a former county employee, said he had served the Board for 20 years. He thanked the Board and previous Boards. He noted that it had been an absolute honor to have served the people of Alamance County.

Jason Rueben, indicated that he lived the closest to the gun range and that the noise was not that bad. He said the levels were low and had no interference with his cell phone or GPS. He said his dishes did not rattle off the wall. Mr. Rueben mentioned that his dog was bothered by a plane repeatedly flying around his house doing loops.

Robert Alvis, ABSS Association of Educators, thanked the Board for collaborating with the school system on school facilities. He mentioned the progress he had observed while teaching at Williams High School. He said there was still work to be done and he was encouraged by the progress. He asked the Board to prioritize the core education pillar in the strategic plan in the upcoming budget cycle.

Dewayne Allred, a Graham resident, said his aunt's property was behind the gun range and direct fire was coming over to her property. He displayed a round found on his aunt's property while showing the property to a Times-News reporter. He said that round could have hit him, his aunt, or his children. Mr. Allred said he was a Durham Pistol and Rifle Club member and was pro-gun and Second Amendment. He said Mr. Cartassi needed to build up his berms. He voiced the types of live rounds coming over from the gun range.

Steven Barker, a Pagetown Road resident, said he had a problem with a private property owner and it was not Rad Range. He continued that the owner has used the property solely as a gun range. Mr. Barker stated that the property owner invited nine individuals to shoot at his property, which was less than 1,000 feet away from his home. He said it was a huge safety issue and a noise disturbance. Mr. Barker provided an example of an incident that had occurred where over 1,000 rounds were shot. He mentioned they had used his property as a berm, damaging over three dozen trees. He pleaded for help from the county as it would be difficult to confront those individuals because of potential violence.

Moved by: Commissioner Thompson

Seconded by: Vice-Chair Carter

Extension of the Public Comment Period beyond the allotted 30 minutes to allow more speakers to comment.

APPROVED UNANIMOUS

CONSENT AGENDA

Commissioner Priola, seconded by Chairman Paisley, moved to remove Item 5e. Governor's Crime Commission Grant Application - Family Justice Center from the consent agenda to be discussed on the regular agenda. That motion carried without opposition.

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

APPROVED AS AMENDED

Village of Alamance Review Officer Resolution

Reimbursement Resolution-CAD Software

2025 GCC Application VAWA Law Enforcement

Approval of State and Local Cybersecurity Grant Program Application (SLCGP) - IT Dept

America 250 Grant Application – Historic Elon Ballpark Community

APPROVAL OF MINUTES

Regular Minutes of October 7, 2024

Regular Minutes of October 21, 2024

Regular Minutes of November 4, 2024

APPOINTMENTS/ REAPPOINTMENTS

Alamance Community College Board of Trustees - Tammy Karnes

Alamance County Senior Services Committee – Nancy “Foxie” Harper

Burlington-Alamance Airport Authority – HB McMillan, Jr

Domestic Violence Fatality Review Team – Allison Young & Jennifer Brownell

Elon Planning Board/Board of Adjustment – M. Rachel Dimont

Historic Properties Commission – Rodney Cheek

BUDGET AMENDMENTS

Budget Amendment 7

TAX REFUNDS

Tax Refunds, Releases, and Extensions Jan 2025

PRESENTATIONS/OTHER BUSINESS

Shooting Range Ordinance - County Attorney Stevens

Removed from the agenda

Governors Crime Commission Grant Application - Family Justice Center

Commissioner Thompson said she would recuse herself from voting on this item since she sat on the Governor's Crime Commission (GCC). Commissioner Priola said he had just finished training for new Commissioners at the UNC School of Government. He said they were told that they had an obligation to vote. He said a member could not recuse themselves unless that individual had a direct financial benefit. Commissioner Priola said he just wanted to clarify that and not to object.

Chairman Paisley asked Commissioner Thompson whether she received pay for serving on that commission. Commissioner Thompson said she did not, but the former interim attorney had advised her not to take part in a vote regarding that commission.

County Attorney Stevens advised it was a Board decision since the Governor's Crime Commission(GCC) was not a non-profit.

Chairman Paisley mentioned that the Board's Rules of Procedure indicated that a non-vote without recusal of the Board is counted as a "yes" vote. County Attorney Stevens confirmed as much.

Commissioner Thompson, seconded by Commissioner Priola, moved to recuse herself from voting on this item since she sat on the Governor's Crime Commission. That motion carried 3-1, with Vice-Chair Carter, Commissioners Allen, and Priola voting in favor. Chairmain Paisley opposed the motion.

Skye Sullivan, Executive Director of the Family Justice Center (FJC), presented a grant application for funding from the Governor's Crime Commission for the Victims of Crime Act (VOCA).

Commissioner Priola had several questions about the grant application. He said he was concerned about discriminatory language that indicated the grant's focus was to serve other than the white population, which he said was controversial and sounded like conditional racism. Ms. Sullivan explained that a section of the grant required the county to identify the target population who would be served with the grant funding. She said that after pulling statistics from the Department of Justice, the NC Coalition Against Domestic Violence, and the Census Bureau, what was in quotation was pulled directly from the Census Bureau. Commissioner Priola had questions about the term "Latin X." He questioned one of the essential partners, Centro La Comunidad's affiliation with the Raleigh Catholic Church Charities Network. He said they were part of the Catholic Charities Network in San Antonio that was flying illegal aliens around the country with FEMA dollars.

Ms. Sullivan said she had no intimate knowledge about the affiliation between those two organizations. She mentioned they were partners who would not receive grant funding and made referrals for victims, specifically VAWA Visas. She explained that VAWA Visas were visas for victims of interpersonal violence and human trafficking mainly. Victims of domestic violence,

sexual assault, elder abuse or child abuse could apply, if they were married to a US citizen or permanent resident.

Vice-Chair Carter said Commissioner Priola did a thorough job going through the application. He was curious about some of the answers being cut off on the application.

Chairman Paisley asked Ms. Sullivan if the grant required a 25% match of \$173,566. Ms. Sullivan answered that particular grant did not require a match.

Ms. Sullivan spoke that the Family Justice Center tries to bring in those types of grant funding to diversify where their funding comes from to meet the growing needs. She said that FJC had always received funding from the GCC since as far back as 2009 or 2012. She said the entire state was receiving less than \$16 million in VOCA funding, whereas, in 2018, the state had received \$103 million resulting in a decline of available grant funding with their categories going from 10 to 2 this year.

Moved by: Commissioner Priola

Commissioner Priola moved to reject the grant application. That motion failed due to lack of a second. No further action was taken.

FAILED

Planning Board Member Appointment - Matthew Hoagland, Planning Director

Matthew Hoagland, Planning Director, presented six applications for consideration to fill one vacancy on the Planning Board. Applications were received from the following individuals: Natalie Thacker, Jeffrey Stevens, Brandon Martin, Anthony Pierce, John "Mac" Jordan, Jr., and Max Morgan.

Commissioner Thompson moved to appoint Anthony Pierce. That motion died due to lack of a second.

Moved by: Chairman Paisley

Seconded by: Commissioner Allen

Appointment of John "Mac" Jordan, Jr to the Planning Board.

APPROVED UNANIMOUS

Resolution Regarding Tax Delinquency - County Attorney Stevens

County Attorney Stevens presented a resolution he had prepared that obligated appointed board members to remain current on their local property taxes.

Moved by: Vice-Chair Carter

Seconded by: Chairman Paisley

Approval of a resolution requiring appointed advisory board and committee members to be current on their local government property taxes.

APPROVED UNANIMOUS

Approval of Design-Build Contract for Elderly Services Building Renovation - Brian Baker, Assistant County Manager

Brian Baker, Assistant County Manager, presented a contract for approval of the design-build process of the old Elderly Services Building Renovation, which will become the Developmental Services Center. He reviewed that a "request for qualifications" (RFQ) for services was sent out as funding was approved last year. Mr. Baker announced that county staff received and carefully reviewed seven bids. He said staff had recommended Bobbitt Construction. According to Mr. Baker, County Attorney Stevens had negotiated the contract. Representatives from Bobbitt Construction were in attendance to answer any questions.

Commissioner Thompson explained to Mr. Baker that her decision not to support this contract had nothing to do with him; she just did not support the debt of the new courthouse addition.

Moved by: Chairman Paisley

Seconded by: Vice-Chair Carter

Approval of the design-build contract with Bobbitt Construction for the renovation of the former Elderly Services Building on 1946 Martin Street, Burlington, NC. The motion carried 4-1 with Chairman Paisley, Vice-Chair Carter, and Commissioners Allen and Priola voting in favor. Commissioner Thompson opposed the motion.

APPROVED

COUNTY MANAGER'S REPORT

No report given.

COMMISSIONERS' COMMENTS

Commissioner Thompson shared her appreciation for the residents who showed up that night, because they had a voice. She wanted the county to research the unpreparedness of California not having what it needed and the strain on the firefighters. Commissioner Thompson said she greatly supported law enforcement, rural fire departments and EMS. She hoped the county would never be short on EMS, firefighters, and law enforcement. Commissioner Thompson added that she had the opportunity to observe Judge Craig Turner in his courtroom.

Commissioner Allen said the schools and law enforcement were close to her heart and volunteer work at Haw River Elementary School. She said she was a supporter of fire departments and EMS. She emphasized the importance of having firefighters who were also trained EMS responders. Commissioner Allen mentioned that she supported the Second Amendment, but they needed to prioritize the safety of the residents.

Commissioner Priola agreed with Commissioner Allen's comments on the Second Amendment and balancing safety. He suggested having all parties sit down together for a round table discussion to reach some type of agreement.

Vice-Chair Carter mentioned the presence of representatives from three of the four gun clubs at the meeting. He said Sheriff Johnson had not received any complaints about any of the other gun ranges. Vice-Chair Carter added that the two sides could get together and find a solution.

Chairman Paisley said there was pending litigation involving Rad Range. He suggested waiting on the outcome of that case before they try to resolve all of the issues. He mentioned the 1.5-acre property where projectiles were going over to the adjoining property highlighting another issue. Chairman Paisley commented about issues with projectiles leaving properties. Still, he did not want to make it so restrictive that those members of gun clubs were prevented from improving their shooting skills.

COUNTY ATTORNEY'S REPORT

County Attorney Stevens commented that he had collected a lot of contact information from local gun owners and gun clubs. He wanted to put together a gun cabinet, where he could receive feedback on current proposals and future proposals related to the ordinance.

8:25 P.M. County Attorney Stevens asked the Board to move into closed session pursuant to North Carolina General Statute 143-318.11(a)(3), to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body. The attorney will advise the Board on ongoing legal matters, including the *Beers et al. v. Johnson* (N.C. Middle District 23CV367) matter.

Chairman Paisley, seconded by Vice-Chair Carter, moved to go into closed session. The motion carried without opposition.

9:20 P.M. The Board reconvened in open session.

ADJOURNMENT

Vice-Chair Carter, seconded 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 9:24 PM.

John Paisley, Jr., Chairman

Alamance County Board of Commissioners

Tory M. Frink, Clerk to the Board