

**AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, JANUARY 9, 2014, 7:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Recognition of Det. James R. Briles, Jr. as the Asheboro Police Department's Officer of the Year for 2013.
4. Consent agenda:
 - (a) Approval of the minutes of the city council's regular meeting that was held on December 5, 2013.
 - (b) Approval of a resolution awarding a service side arm to a retiring Asheboro police officer.
 - (c) Approval of a resolution authorizing the sale of surplus city-owned personal property by electronic auction.
5. Zoning Case RZ-13-15: An application previously filed by H.R. Gallimore, acting as an agent for Nancy Jordan, to rezone property located east of Mountain Road, south of Springdale Lane, and west of Lincoln Avenue from CURA6 (Conditional Use High Density Residential) to RA6 (High Density Residential). **This case was continued from the council's meeting in December 2013, and the rezoning application has now been withdrawn by the applicant's agent. No further action is requested at this time.**
6. Public comment period.
7. Boards, Commissions, and Authority Appointments: (The City Manager will present these items.)
 - (a) Reappointment of Council Member Eddie Burks to a 2-year term from January 1, 2014, to January 1, 2016, on the Asheboro Board of the North Carolina Firefighters Relief Fund.
 - (b) Reappointment of Mr. James Lindsey to the Asheboro Planning Board for a 5-year term.

(c) Receipt of a report concerning applications submitted for a vacant seat on the Asheboro Planning Board.

(i) Review of applications.

(ii) Authorization to forward submitted applications to the Randolph County Board of Commissioners along with a recommendation for appointment to the Asheboro Planning Board as a representative from the city's extraterritorial planning jurisdiction.

8. Receive recommendation of Finance Director for the purchase of a new truck for the water plant. (Ms. Reaves will present this item.)
9. Discussion of economic development initiatives. (The City Manager will present this item.)
10. Notice of a special city council meeting that is to be held on Thursday, January 30, 2014, at 5:00PM, in the council chambers.
11. Upcoming events:
 - Chamber of Commerce Annual Meeting, Friday, January 17, 6:30 PM Pinewood Country Club.
12. Discussion of items not on the agenda.
13. Adjournment.

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, MUNICIPAL BUILDING
THURSDAY, DECEMBER 5, 2013
7:00 p.m.**

This being the time and place for a regular meeting of the Asheboro City Council, a meeting was held with the following officials and staff members present:

- David H. Smith) – Mayor Presiding
- Talmadge S. Baker)
- Clark R. Bell)
- Edward J. Burks)
- Linda H. Carter) – Council Members Present
- Michael W. Hunter)
- Walker B. Moffitt)
- Charles A. Swiers)

- John N. Ogburn, III, City Manager
- Michelle H. Dawes, Technical Services Manager
- Holly H. Doerr, CMC, NCCMC, City Clerk/Paralegal
- John L. Evans, Assistant Community Development Director
- Michael L. Leonard, P.E., City Engineer
- Ralph W. Norton, Chief of Police
- Trevor L. Nuttall, Community Development Director
- Deborah P. Reaves, Finance Director
- Michael D. Rhoney, Water Resources Director
- Christopher P. Schadt, Wastewater Treatment Plant Lead Operator
- John T. Stake, Assistant Wastewater Treatment Plant Manager
- Jeffrey C. Sugg, City Attorney
- Bernadine L. Wardlaw, Water Quality Manager
- Jody P. Williams, Assistant Chief of Police

1. Call to order.

A quorum thus being present, Mayor Smith called the meeting to order for the transaction of business, and business was transacted as follows.

2. Silent prayer and pledge of allegiance.

After a moment of silence was observed in order to allow for prayer or meditation, Mayor Smith asked everyone to stand and repeat the pledge of allegiance.

3. Presentation by W. Corey Basinger, Chairman of the North Carolina Water Pollution Control System Operators Certification Commission, of the 2013 Wilbur E. Long, Jr. Operator of the Year Award to Chris Schadt, Wastewater Treatment Plant Lead Operator.

Mr. W. Corey Basinger, Chairman of the North Carolina Water Pollution Control System Operators Certification Commission, presented the 2013 Wilbur E. Long, Jr. Operator of the Year Award to Mr. Chris Schadt, who is the City of Asheboro's Wastewater Treatment Plant Lead Operator. This award was presented to Mr. Schadt as the municipal operator of the year.

The purpose of the award is to recognize a properly certified Wastewater Treatment Plant Operator in North Carolina who has exhibited outstanding knowledge and innovation in the continuing operation of a wastewater treatment facility or who has contributed his time and efforts toward the training, education, and general upgrading of the Wastewater Treatment Plant Operator or who has devised, discovered or invented devices or techniques which enhance the science of plant operation.

Mayor Smith congratulated Mr. Schadt on his award and accomplishments.

4. Report from Tammy O'Kelley, Director, Heart of North Carolina Visitors Bureau on Asheboro tourism activities for calendar year 2013.

Ms. Tammy O'Kelley, Director of the Heart of North Carolina Visitors Bureau presented an overview of the tourism activities and the economic impact of those activities on Asheboro and Randolph County during the 2013 calendar year. Ms. Kelley emphasized the importance of the

partnership between the City of Asheboro and the Visitors Bureau in order to bring tourism and development to Asheboro and Randolph County. Some of the tourism activities included, but are not limited to, the 2013 American Legion Baseball Southeast Regional Tournament and Cycle NC (a bicycle tour from Spruce Pine, NC to Atlantic Beach, NC).

During her presentation, Ms. O'Kelley utilized a visual presentation depicting percentages of hotel demand during the weekends of said events. The demand for hotel rooms for these weekends was above the national average. The baseball tournament is scheduled to return for an additional year in 2014.

Additionally, Ms. O'Kelley presented a draft of a downtown walking map that was created in partnership with the city's Community Development Division and individuals on the Chamber of Commerce's Downtown Committee. This map will help citizens find places to eat, shop, bank, etc. in the downtown area. These maps will be printed and available to citizens at the welcome centers and various city facilities.

Ms. O'Kelley's presentation was informational in nature. No request for council action was made, and no action was taken. A copy of the visual presentation utilized by Ms. O'Kelley is on file in the City Clerk's office.

OLD BUSINESS:

5. Consent agenda:

Upon motion by Mr. Carter and seconded by Mr. Swiers, Council voted unanimously to approve the following consent agenda items.

- (a) The minutes of the City Council's regular meeting on November 7, 2013.**
- (b) Acknowledgement of the receipt of the minutes of the Asheboro ABC Board's meeting on October 7, 2013, including a copy of the required independent audit for the fiscal year ending June 30, 2013.**

Copies of the documents received from the Asheboro ABC Board are on file in the City Clerk's office.

- (c) Acknowledgement of the receipt of the Asheboro ABC Board's minutes of its meeting on November 4, 2013.**

Copies of the documents received from the Asheboro ABC Board are on file in the City Clerk's office.

- (d) Acknowledgement of the receipt from the Randolph County Board of Elections of a copy of the abstract of votes in the municipal general election held on November 5, 2013.**

A copy of the abstract of votes is on file in the City Clerk's office.

NEW BUSINESS:

With the conclusion of old business, Mayor Smith asked the Council Members to turn their attention to the City Council's organizational meeting.

6. Organizational meeting:

- (a) Administer Oath of Office for the Mayor and City Council Members.**

City Clerk Holly H. Doerr administered the oath of office to Mayor David H. Smith and Council Members Clark R. Bell, Linda H. Carter, Michael W. Hunter, and Walker B. Moffitt as follows:

OATH OF MAYOR

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH

CITY OF ASHEBORO

I, David H. Smith, do solemnly swear (~~or affirm~~) that I will support, defend, and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge and perform the duties of my office as Mayor of the City of Asheboro, on which I am about to enter, according to my best skill and ability; so help me, God.

/s/David H. Smith
David H. Smith

Sworn to and subscribed before me this 5th day of December, 2013.

/s/Holly H. Doerr
Holly H. Doerr
City Clerk

OATH OF COUNCIL MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Clark R. Bell, do solemnly swear (~~or affirm~~) that I will support, defend, and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge and perform the duties of my office as Council Member for the City of Asheboro, on which I am about to enter, according to my best skill and ability; so help me, God.

/s/Clark R. Bell
Clark R. Bell

Sworn to and subscribed before me this 5th day of December, 2013.

/s/Holly H. Doerr
Holly H. Doerr
City Clerk

OATH OF COUNCIL MEMBER

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH
CITY OF ASHEBORO

I, Linda H. Carter, do solemnly swear (~~or affirm~~) that I will support, defend, and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge and perform the duties of my office as Council Member for the City of Asheboro, on which I am about to enter, according to my best skill and ability; so help me, God.

/s/Linda H. Carter
Linda H. Carter

Sworn to and subscribed before me this 5th day of December, 2013.

/s/Holly H. Doerr
Holly H. Doerr
City Clerk

1. **Committee appointments: [Agenda Item 6(b)]**

(i) **Appointments by Mayor**

Mayor Smith presented a proposed list of committee appointments for the City Council.

(ii) **Council adoption of list of appointments**

Upon motion by Mr. Burks and seconded Mr. Bell, Council voted unanimously to adopt the following resolution by reference.

52 RES 12-13

A RESOLUTION STATING THE CONCURRENCE OF THE ASHEBORO CITY COUNCIL WITH THE COMMITTEE APPOINTMENTS MADE BY MAYOR DAVID H. SMITH

WHEREAS, the Code of Asheboro (hereinafter referred to as the "Code") authorizes the Mayor to appoint Council members to the various committees listed in Section 31.02 of the Code as well as to other committees established by and organized in accordance with Resolutions adopted by the Council independent of the committee framework established in the Code; and

WHEREAS, the appointment of individuals to these Council committees is to take place during the organizational meeting that follows the municipal general election; and

WHEREAS, Section 31.02 of the Code provides that the above-referenced committee appointments are subject to the approval of the Council; and

WHEREAS, during the organizational meeting held on December 5, 2013, Mayor David H. Smith, consistent with the Code, made the following committee appointments:

Finance and Public Safety Committee

1. Mayor, Chair (Designated as Chair by the Code)
2. Clark Bell
3. Linda Carter
4. Charles Swiers

Public Works Committee

1. Mayor Pro Tempore, Chair (Designated as Chair by the Code)
2. Edward Burks
3. Michael Hunter
4. Walker Moffitt

Personnel Evaluation Committee

1. Mayor, Chair (Designated as Chair by the Code)
2. Mayor Pro Tempore
3. Linda Carter

Tourism and Marketing Committee

1. Mayor, Chair (Designated as Chair by the Code)
2. Edward Burks
3. Walker Moffitt

Identity Theft Prevention Program Committee

1. Mayor, Chair (Designated as Chair by the Code)
2. Linda Carter
3. Michael Hunter; and

WHEREAS, the members of the City Council concur with these appointments;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina that, without exception, the committee appointments specified in the preceding recitals are hereby approved.

This Resolution was adopted in open session during a regular meeting of the Asheboro City Council that was held on the 5th day of December, 2013.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

2. Election of Mayor Pro Tempore [Agenda Item 6(c)]

Mr. Moffitt nominated Talmadge S. Baker for re-election as Mayor Pro Tempore, and Mr. Bell seconded this nomination. Mayor Smith asked if there was agreement to elect Mr. Baker as Mayor Pro Tempore by acclamation, and Mr. Moffitt and Mr. Bell agreed to so move and second. This motion to close nominations and elect Talmadge S. Baker as Mayor Pro Tempore by acclamation was approved unanimously by the City Council.

3. Consent agenda: [Agenda Item 7]

Upon motion by Mr. Baker and seconded by Burks, Council voted unanimously to approve the following consent agenda items.

- (a) **An ordinance setting the Asheboro City Council's schedule for regular meetings during the 2014 calendar year.**

34 ORD 12-13

AN ORDINANCE SETTING THE DATES OF THE REGULAR MEETINGS OF THE ASHEBORO CITY COUNCIL DURING THE 2014 CALENDAR YEAR

WHEREAS, Section 31.04(A) of the Code of Asheboro provides that the "City Council shall hold a regular meeting on Thursday after the first Monday of each month;" and

WHEREAS, the Thursday after the first Monday in September 2014 is September the 4th, which falls within the same week as the Labor Day holiday on September 1, 2014; and

WHEREAS, in an effort to avoid reasonably foreseeable scheduling conflicts, the members of the Asheboro City Council have agreed to reschedule the Council's regular meeting in September 2014;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. The regular meeting of the Asheboro City Council in September 2014 shall be held in the Council Chamber of the Asheboro Municipal Building, with a beginning time of 7:00 p.m., on the 11th day of September, 2014.

Section 2. For purposes of clarity, the schedule for regular meetings of the Asheboro City Council during the 2014 calendar year is as follows:

<u>Month</u>	<u>Meeting Date</u>
January	9 th
February	6 th
March	6 th
April	10 th
May	8 th
June	5 th
July	10 th
August	7 th
September	11 th
October	9 th
November	6 th
December	4 th

Section 3. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed to the extent that such ordinances conflict with the intent of the Asheboro City Council to hold its regular meetings in accordance with the schedule found in Section 2 of this Ordinance. With the exception of rescheduling the Asheboro City Council's regular meeting in September 2014, the provisions of Section 31.04 of the Code of Asheboro remain in full force and effect.

Section 4. This Ordinance shall become effective upon adoption and shall sunset on December 31, 2014.

This ordinance was adopted in open session during a regular meeting of the Asheboro City Council that was held on the 5th day of December, 2013.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

- (b) **An ordinance establishing “No Parking Any Time” on the south side of Cooper Street from the intersection of Cooper Street and Lee Street to approximately 165 feet east of said intersection. [The following request for a “No Parking” sign was placed on the agenda at the request of a Lee Street resident, Orene M. Akers.]**

35 ORD 12-13

AN ORDINANCE PROHIBITING PARKING ON A SECTION OF COOPER STREET

WHEREAS, Section 160A-301(a) of the North Carolina General Statutes provides that the “city may by ordinance regulate, restrict, and prohibit the parking of vehicles on the public streets, alleys, and bridges within the city;” and

WHEREAS, Section 71.01(A)(1) of the Code of Asheboro provides as follows:

Pursuant to instructions given to him by the City Council from time to time and entered in the council minute book, the City Manager shall [c]ause all streets and parts of streets where parking shall be prohibited at all times to be posted accordingly, or cause the curbs thereof to be painted yellow. He shall then notify the City Clerk, who shall enter the description of such streets or parts of streets in Schedule 1 of § 72.02; and

WHEREAS, Cooper Street is located within the corporate limits of the City of Asheboro; and

WHEREAS, an issue has been raised by a resident on Cooper Street as to the appropriateness of allowing the parking of vehicles on the south side of Cooper Street in the vicinity of the intersection of Cooper Street and Lee Street (this area is located in close proximity to the resident’s driveway); and

WHEREAS, the City of Asheboro Engineering Department has reviewed the citizen’s request for the designation of a new “No Parking” zone, and this request has been found to be compatible with sound practices for managing on-street parking on a public street such as Cooper Street; and

WHEREAS, the Asheboro City Council has concluded that the citizen’s request for a “No Parking” zone on Cooper Street should be approved;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro as follows:

Section 1. On-street parking is hereby prohibited at all times on the south side of Cooper Street from the intersection of Cooper Street and Lee Street to a point on Cooper Street that is located approximately one hundred sixty-five feet (165’) east from the centerline of Lee Street.

Section 2. The City Manager is hereby authorized and directed to cause the “No Parking” zone described in Section 1 of this Ordinance to be marked or posted in accordance with Section 71.01(A)(1) of the Code of Asheboro.

Section 3. The City Clerk shall enter a description of the “No Parking” zone established by this Ordinance on Cooper Street in Schedule 1 of Section 72.02 of the Code of Asheboro.

Section 4. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. This Ordinance shall take effect and be in force from and after the date of its adoption.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 5th day of December, 2013.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

- (c) **A resolution authorizing the City Manager to enter into a Utility Agreement between the City of Asheboro and the N.C. Department of Transportation to replace water and sewer lines along Draper Street at the Penwood Branch crossing for the proposed NCDOT Bridge Replacement Project, wherein the estimated cost to the City is \$130,184.00, to be paid within sixty (60) days of receipt of invoice.**

53 RES 12-13

**RESOLUTION APPROVING AN AGREEMENT WITH THE NORTH
CAROLINA DEPARTMENT OF TRANSPORTATION**

WHEREAS, the North Carolina Department of Transportation (hereinafter referred to as the "NCDOT") has prepared and adopted plans to make certain street and highway improvements under Project 17BP.8.R.19; and

WHEREAS, the adopted plans pertain to Bridge No. 419 over Penwood Branch on North Carolina Secondary Road 2159 (Draper Street); and

WHEREAS, city staff members have concluded that it would be advisable for the city to enter into an agreement with the NCDOT for certain utility work to be performed by the NCDOT's construction contractor with full reimbursement by the city for the cost of such work; and

WHEREAS, the proposed utility work would consist of the adjustment and relocation of municipally owned water and sewer lines impacted by Project No. 17BP.8.R.19; and

WHEREAS, the attached UTILITY AGREEMENT (hereinafter referred to as the "Agreement"), which is attached hereto as ATTACHMENT A and is hereby incorporated into this Resolution by reference as if copied fully herein, has been presented to the city as the legal instrument that must be used in order to procure the proposed utility work under the above-described terms and conditions; and

WHEREAS, city staff members have uniformly recommended approval of the said Agreement, and the City Council concurs with this recommendation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that the Agreement attached hereto as ATTACHMENT A is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor, City Clerk, and all other necessary city officials are authorized to execute duplicate originals of the attached Agreement.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 5th day of December, 2013.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

[A copy of the ATTACHMENT A referenced in the preceding Resolution is on file in the City Clerk's office.]

4. Community Development Division Items: [Agenda Item 8]

- (a) **Consideration of a request to adopt the Asheboro Comprehensive Transportation Plan prepared in conjunction with the North Carolina Department of Transportation:**

(i) **Public hearing:**

Mayor Smith opened the public hearing on the request to adopt the Asheboro Comprehensive Transportation Plan prepared in conjunction with the North Carolina Department of Transportation.

Ms. Hemal Shah of the North Carolina Department of Transportation utilized a visual presentation in order to highlight draft Comprehensive Transportation Plan recommendations that included improvements to various highways, including but not limited to, I-74/74 U.S. 220 Bypass, U.S. 220 Business, U.S. 64, and U.S. 64-Asheboro Southern Bypass (New Location).

Two public workshops were held on November 1, 2012 and October 29, 2013. Draft Comprehensive Transportation Plans were presented to the Planning Board on December 2, 2013. The Piedmont Triad Rural Planning Organization is scheduled to endorse the Comprehensive Transportation Plans on December 18, 2013. Randolph County is scheduled to adopt the Comprehensive Transportation Plans on January 6, 2014.

A copy of the visual presentation, including maps, utilized by Ms. Shah is on file in the City Clerk's office.

(ii) Action by the City Council on the request for adoption of the Asheboro Comprehensive Transportation Plan:

Upon motion by Mr. Bell and seconded by Mr. Moffitt, Council voted unanimously to adopt the Asheboro Comprehensive Transportation Plan as presented.

(b) Zoning Case RZ-13-15: A legislative zoning hearing on the application filed by H.R. Gallimore (Agent for Nancy Jordan) to rezone property located east of Mountain Road, south of Springdale Lane, and west of Lincoln Avenue from CURA6 (Conditional Use High Density Residential) to RA6 (High Density Residential).

Mayor Smith opened the public hearing on the following request.

Before any presentation was made by Community Development Director Nuttall, Mr. H.R. Gallimore, Agent for Nancy Jordan, informed the Mayor and Council that the applicant would like to have more time to evaluate the concerns and issues raised by property owners and residents in the vicinity of the parcel of land (Randolph County Parcel Identification Number 7751362459) for which the rezoning has been requested. Consequently, Mr. Gallimore specifically requested a continuance of this public hearing and the Council's consideration of the rezoning application to the Council's regular meeting in January 2014.

Prior to the Council taking any action on this request, Council Member Bell disclosed that he is a member of the church that owns land across the street from the property for which this rezoning has been requested. However, Mr. Bell has no financial interest that is impacted by this request, and he, after consulting with the City Attorney, has concluded that no conflict of interest exists that would prevent him from considering and ultimately taking action as a Council Member on this rezoning application. No concerns or contrary opinions were expressed by any other parties after his disclosure was made.

Upon motion by Mr. Swiers and seconded by Mr. Burks, Council voted unanimously to continue the above-referenced request to its regular January meeting.

(c) Zoning Case RZ-13-16: A legislative hearing on the application filed by the City of Asheboro to amend Article 900 of the Asheboro Zoning Ordinance concerning the Board of Adjustment.

Mayor Smith opened the public hearing on the following request.

Mr. Nuttall presented an overview of the Community Development Division staff's proposed amendments to Article 900 of the Asheboro Zoning Ordinance that reflect (a) the reduction in the territory and population included within the City's extraterritorial planning jurisdiction and the (b) recent statutory amendments pertaining to Boards of Adjustment that were enacted by the North Carolina General Assembly.

The proposed amendments to the zoning ordinance are as follows:

*****Beginning of Text for Proposed Zoning Ordinance Amendment*****

ARTICLE 900

**BOARD OF ADJUSTMENT &
WATERSHED REVIEW BOARD**

901: Establishment of Board of Adjustment & Watershed Review Board

901.1: The Asheboro Planning Board shall serve as the Board of Adjustment and/or the Watershed Review Board for this Ordinance. ~~There shall be two alternate members of the Board of Adjustment. The members appointed as alternate members shall be the most recent appointees to the Planning Board who are not city residents and reside beyond the boundary line for the city's extraterritorial planning jurisdiction as shown on the map entitled "City of Asheboro 2012 Revised Extra-Territorial Planning Jurisdiction Area" that is recorded in Plat Book 135, Pages 28-34, Randolph County Registry (Amended 4-4-2013).~~

~~The alternate members of the Board of Adjustment shall be called upon to attend only those meetings and hearings at which one or more members are absent or unable to participate in the hearing of a case because of financial or other interest.~~

901.2: ~~Members of the Planning Board, when acting as the Board of Adjustment and/or Watershed Review Board, shall serve without compensation, but may be reimbursed for direct expenses incurred in connection with the discharge of their duties. Reserved for future amendments.~~

901.3: Members length of term and filling of vacancies shall be as provided for in the Asheboro City Code for members of the Asheboro Planning Board.

901A. Powers of the Watershed Review Board

The powers and duties of the Watershed Review Board are established in Article 300B, Section 325B of the Asheboro Zoning Ordinance.

902: Powers of Board of Adjustment

The Board of Adjustment shall have the following powers:

902.1: Hear and decide appeals from and review any order, requirement, decision, or determination made by the Zoning Administrator or his authorized designee.

902.2: Hear and grant a properly filed request for a variance from the terms of this ordinance where ~~practical difficulties or~~ unnecessary hardships would result from carrying out the strict letter of this ordinance and where the requested variance serves to observe the spirit of the ordinance, secure public safety and welfare, and do substantial justice. (02/01) Nothing in this Section shall be construed to authorize the Board of Adjustment to permit a use in a district where that use is neither a permitted use nor a permissible Special Use.

902.3: Pass upon, decide or determine such other matters as may be required by this Ordinance.

902.4: To make interpretations of the meaning and intent of this Ordinance in accord with Section 906.

903: Board of Adjustment Administration.

903.1: The Board shall adopt rules of procedures and regulations for the conduct of its affairs.

903.2: All meetings of the Board shall be open to the public.

903.3: The Board shall keep a record of its meetings, including the vote of each member on every question, a complete summary of the evidence submitted to it, documents submitted to it and all official actions.

903.4: The Board shall give notice of matters coming before it by causing a public notice to be placed in a newspaper of general circulation in the City of Asheboro. The notice shall appear once a week for two consecutive weeks, the first insertion to be not less than 15 days prior to the meeting date. Notice also shall be given in accordance with N.C.G.S. 160A-388(a2).

903.5: The person acting as Chairman of the Board or the clerk to the Board is authorized to administer oaths to any witnesses in any matter coming before the Board.

903.6: Applications for variances, requests for interpretations and appeals for review of decisions of the Zoning Administrator, or his authorized designee, shall be filed with the Zoning Administrator, or his authorized designee, as agent for the Board, on forms prescribed by the Zoning Administrator at least 30 days prior to the Board of Adjustment meeting at which the request will be considered. A fully dimensional plat of the property with sufficient information to illustrate the necessity for the variance shall be submitted along with the application. Appeals of decisions of administrative officials charged with enforcement of the Zoning Ordinance shall be filed with the City Clerk no more than 30 days after written or constructive notice of the decision being appealed.

903.7: It shall be the responsibility of the Zoning Administrator, or his authorized designee to notify by certified mail the applicant or appellant of the disposition which the Board made of the matter.

903.8: It shall be the responsibility of the Zoning Administrator, or his authorized designee to issue permits in accord with the Board's action on an appeal or application, if a permit is authorized by the Board action.

903.9: The Zoning Administrator, or his authorized designee shall see to the faithful execution of all portions of the Board's actions, including the enforcement of all conditions which may have been attached to the granting of a variance or approval of a Special Use.

904: Quorum and Vote Required

Regular members, on receiving notice of a special meeting which they cannot attend or upon learning that they will be unable to participate in a meeting, shall promptly give notice to the secretary of the Board that they are unable to attend or to participate. On receiving such notice, the secretary, shall, by the most expeditious means, notify an alternate member to attend. At any meeting which they are called upon to attend, alternate members shall have the same powers and duties as regular members.

Except at the election of officers, at no time shall more than 8 members participate officially in any meeting or hearing.

904.1: A quorum of the Board, necessary to conduct any other business of the Board, shall consist of six members, a majority of the Board membership. For purposes of this Article, vacant positions on the Board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the Board for calculation of the requisite majority.

904.2: The concurring vote of seven members four-fifths of the Board present for the hearing shall be necessary to grant a variance, in order:

(1) to reverse any order, requirement, decision or determination of the Zoning Administrator, or his authorized designee;

(2) to decide in favor of the applicant any matter upon which it is required to pass by this Ordinance;

(3) to approve any application for a variance.

904.3: The concurring vote of a majority of the Board shall be necessary to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari.

904.4 A simple majority vote of the quorum shall be necessary to conduct any other business of the Board.

905: Application of the Variance Power

A variance may be allowed by the Board of Adjustment only in cases involving practical difficulties or unnecessary hardships when substantial evidence in the official record of the application supports all the following findings:

When unnecessary hardships would result from carrying out the strict letter of the zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

905.1: That the alleged hardships or practical difficulties are unique and singular as regards the property of the person requesting the variance and are not those suffered in common with other property similarly located;

Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

905.2: ~~That the alleged hardships and practical difficulties, which will result from failure to grant the variance, extend to the inability to use the land in question for any use in conformity with the provision of this Ordinance and include substantially more than mere inconvenience and inability to attain a higher financial return.~~

The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

905.3: ~~That the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.~~

The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

905.4: ~~That the variance is in harmony with and serves the general intent and purpose of this Ordinance and the adopted Land Development Plan.~~

The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

905.5: ~~That allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by this Ordinance and the individual hardships that will be suffered by a failure of the Board to grant a variance.~~

All of these findings of fact shall be made in the indicated order by the Board of Adjustment, which is not empowered to grant a variance without an affirmative finding of fact on all five four categories above. Each finding of fact shall be supported by substantial evidence in the record of proceedings before the Board.

The Board may impose reasonable appropriate conditions upon the granting of any variance ~~to insure that the public health, safety, and general welfare shall be protected and substantial justice done~~ provided that the conditions are reasonably related to the variance. Violation of such conditions shall be a violation of this Ordinance.

906: Application of Interpretation Power.

An appeal from an order, requirement, decision or determination of the Zoning Administrator, or his authorized designee shall be decided by the Board, based upon its findings of fact and to achieve the intent of the Ordinance. In exercising this power, the Board shall act in a prudent manner so that the purposes of the Ordinance shall be served. The effect of the decision shall not be to vary the terms of the Ordinance nor add to the list of permitted or permissible uses in the districts.

907: Appeal Stays Further Proceedings.

An appeal to the Board of Adjustment from a decision or determination of the Zoning Administrator, or his authorized designee stays all proceedings in furtherance of the decision or determination appealed from, except as provided in Section 908.

908: Exceptions to Stay of Action.

An appeal to the Board of Adjustment of a determination or decision of the Zoning Administrator or his authorized designee, shall not stay further proceedings in furtherance of the decision or determination appealed from, if the Zoning Administrator, or his authorized designee certifies to the Board after notice of appeal has been filed either:

908.1: That a stay would cause imminent peril to life and/or property.

908.2: That the situation appealed from is transitory in nature and, therefore, an appeal would seriously interfere with enforcement of this Ordinance.

908.3: In each instance, the Zoning Administrator, or his authorized designee, shall place in the certificate facts to support the conclusion.

909: Appeals of Board of Adjustment Actions.

Every quasi-judicial decision of the Board shall be subject to review at the instance of any aggrieved party by the Superior Court by proceedings in the nature of certioraris. The appeal to Superior Court must be filed within 30 days of the filing by the Secretary of the Board of the decision in the office of the Zoning Administrator or the delivery by the Zoning Administrator, or his authorized designee, of the notice required in 903.7, whichever is later the timeframe prescribed in N.C.G.S. 160A-388.

910: Re-hearings

The Board shall refuse to hear an appeal or application previously denied, if it finds there have been no substantial changes in conditions or circumstances bearing on the appeal or application.

911: Coordination with Flood Damage Prevention Ordinance

When the Board of Adjustment is requested to consider and decide upon any issue within their power which falls within an area of a Flood Damage Prevention Zone, the foregoing regulations and those regulations in Article 700 Flood Damage Prevention Ordinance, Section 704, shall apply except in the case where Article 700 requirements conflict with the requirements of this section. In such situation, Article 700 requirements shall govern.

*******End of Text for Proposed Zoning Ordinance Amendment*******

The Planning Board concurred with the following Community Development Division staff's analysis:

"The amendments are advisable due to changes in both local and state policy related to the Board of Adjustment. As stated by the Land Development Plan and Zoning Ordinance Section 1011.2(4), ordinance provisions need to be kept current to reflect changing conditions and legislation in order to promote the public health, safety, and general welfare."

Upon motion by Mr. Bell and seconded by Mr. Baker, Council accepted the recommendations of the Planning Board and the Community Development Division staff and unanimously approved, without modification, the proposed text amendments to the Asheboro Zoning Ordinance along with adopting, as its own, the following consistency statement:

"Considering the above factors, Council believes that the text amendments are reasonable and in the public interest."

(d) Receipt of a report concerning the applications submitted for a vacant seat on the Asheboro Planning Board.

Mr. Nuttall reported to the Council that the City Clerk had received only one (1) application for the vacant seat (extraterritorial planning jurisdiction representative) on the Asheboro Planning Board and asked the Council for authorization to advertise the vacancy for an additional thirty (30) days and to report back to the Council during its regular meeting in January 2014.

Upon motion by Ms. Carter and seconded by Mr. Burks, Council voted unanimously to direct city staff to advertise the vacancy for the Asheboro Planning Board for an additional thirty (30) days.

5. Public comment period. [Agenda Item 9]

Mayor Smith opened the floor for comments from the public.

There being no comments from the public, Mayor Smith closed the public comment period.

- **Asheboro Fire Department Christmas Party at Station #1 from 6:00 p.m. until 9:00 p.m. on December 19, 2013.**
- **Asheboro Police Department Christmas Party at Public Works Conference Room from 11:30 a.m. until 1:30 p.m. on December 20, 2013.**

There being no further business, the meeting was adjourned at 8:00 p.m.

Holly H. Doerr, CMC, NCCMC, City Clerk

David H. Smith, Mayor

**RESOLUTION AWARDING A SERVICE SIDE ARM TO A RETIRING OFFICER
OF THE ASHEBORO POLICE DEPARTMENT**

WHEREAS, effective March 1, 2014, Master Police Sergeant Franklin Dale VonCannon will begin his retirement from employment with the Asheboro Police Department after rendering honorable and invaluable service to the City of Asheboro and its citizens since the date of his initial employment with the Asheboro Police Department on June 12, 1985; and

WHEREAS, pursuant to and in accordance with Section 20-187.2 of the North Carolina General Statutes, the Asheboro City Council wishes to recognize and honor Sergeant VonCannon for his exemplary service to the city by awarding to him, at a minimal monetary cost, the service side arm issued to him at the time of his retirement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro that, effective March 1, 2014, in consideration of the combination of Sergeant VonCannon's dedicated service to the City of Asheboro and the payment to the City of Asheboro of one dollar (\$1.00), Franklin Dale VonCannon is to be awarded, upon a determination by the Chief of Police that Mr. VonCannon is not ineligible to own, possess, or receive a firearm under the provisions of federal or North Carolina law, ownership of his city-issued service side arm (a Glock 23 Generation 4 with serial no. SFS921 and three magazines).

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting that was held on the 9th day of January, 2014.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

ASHEBORO CITY COUNCIL RESOLUTION

Resolution Authorizing an Electronic Auction of Personal Property

WHEREAS, Section 160A-270(c) of the North Carolina General Statutes authorizes the City Council of the City of Asheboro to “conduct auctions of real or personal property electronically by authorizing the establishment of an electronic auction procedure or by authorizing the use of existing private or public electronic auction services;” and

WHEREAS, GovDeals, Inc. is an online auction service provider that has extensive experience with the disposal of surplus government property; and

WHEREAS, pursuant to Asheboro City Council Resolution No. 54 RES 12-13, the city manager has executed an Online Auction Memo of Understanding with GovDeals, Inc., and the City of Asheboro is now a client of this online auction site; and

WHEREAS, the city manager, in consultation with the city’s various division/department heads, has identified various items of city-owned personal property that are no longer needed by the city and are eligible for disposal by means of an electronic auction; and

WHEREAS, the above-referenced items of personal property that have been identified as ready for disposal as surplus property are listed within the attached EXHIBIT 1 that is hereby incorporated into this Resolution by reference as if copied fully herein; and

WHEREAS, the City Council concurs with the city staff’s recommendation to dispose of the personal property listed in EXHIBIT 1 by means of the online auction service provided by GovDeals, Inc.;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro as follows:

Section 1. The items of city-owned personal property listed in EXHIBIT 1 are no longer needed by the City of Asheboro and are hereby declared to be surplus property (these items of surplus personal property shall be hereinafter collectively referred to as the “Surplus Property”); and

Section 2. The city manager or his designee is hereby authorized to sell the Surplus Property by means of an electronic auction conducted through the online auction services of GovDeals, Inc.; and

Section 3. The electronic address for the website where (a) information about the Surplus Property can be found, (b) the terms and conditions of sale can be reviewed, and (c) bids can be posted is www.govdeals.com; and

Section 4. As part of the online auction services utilized by the city, GovDeals, Inc. will collect, on behalf of the city, the proceeds from the auction in accordance with the terms and

conditions stated in the Online Auction Memo of Understanding entered by and between the City of Asheboro and GovDeals, Inc.; and

Section 5. The electronic auction shall begin at 8:00 AM Eastern Standard Time on Thursday, February 13, 2014, and the auction shall end no sooner than 3:00 PM Eastern Standard Time on Friday, February 28, 2014; and

Section 6. The terms of sale shall be the “Online Sales – Terms and Conditions” approved as part of the Online Auction Memo of Understanding between the City of Asheboro and GovDeals, Inc.; and

Section 7. The said terms of sale specifically provide, by way of illustration and not limitation, that all assets are offered for sale “AS IS, WHERE IS,” successful bidders will receive a Buyer’s Certificate by email from GovDeals, Inc., payment in full is due not later than five (5) business days from the time and date of issuance of the Buyer’s Certificate, purchases will be released upon receipt of payment as specified in the terms of the sale, and all assets must be removed from city property within ten (10) business days from the time and date of the issuance of the Buyer’s Certificate; and

Section 8. The entirety of the terms and conditions of the online auction to be conducted pursuant to this Resolution are attached hereto as EXHIBIT 2 (these terms of sale were previously identified in City of Asheboro Resolution Number 54 RES 12-13 as “EXHIBIT C – Online Auction Memo of Understanding) and are hereby incorporated into this instrument by reference as if copied fully herein; and

Section 9. The city clerk shall cause the publication, at least once and not less than ten (10) days before the date of the auction, a copy of this Resolution or a notice summarizing the contents of this Resolution.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 9th day of January, 2014.

David H. Smith, Mayor

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk

EXHIBIT 1

SURPLUS PROPERTY – FEBRUARY 2014 ELECTRONIC AUCTION

1. 1977 Kaiser Two-and-a-Half Ton Surplus Military Truck (VIN 052519439)
2. 1979 John Deere 310-A Backhoe (Serial No. 336792T)
3. 1984 Chevrolet M1008 Pickup (VIN 1GCGD34J9EF304746)
4. 1985 Chevrolet Blazer K-5 (VIN 1G8ED18J5FF132202)
5. 18' Roughneck Boat (Model No. RNH1960) with a 35 HP Mercury Motor (Motor Serial No. 6626716)
6. 1986 Chevrolet 30K 2500 Pickup (VIN 1GCHD34J7HF321294)
7. 1988 MEP-002A Diesel Generator (5-KW 60 HZ) (Serial Number RZ60600)
8. 1989 Chevrolet Crew Cab Pickup (VIN 2GCFK29K1K1162005)
9. 1992 GMC Safari XT Van (VIN 1GKDM19Z6NB45360)
10. 1995 Jeep Laredo (VIN 1J4GZ58S6SC518469)
11. 1999 Ford Crown Victoria (VIN 2FAFP71W9XX163734)
12. 1999 Homemade Trailer (VIN NCX01039266) with a 400-Gallon Water Tank from a Surplus Military Water Buffalo (NSN # 2510-01-0915167-SN# 9129)
13. 2001 Ford Crown Victoria (VIN 2FAFP71W81X137455)
14. 2001 Ford Crown Victoria (VIN 2FAFP71W91X137447)
15. 2001 Ford Crown Victoria (VIN 2FAFP71W61X137454)
16. 2001 Ford Crown Victoria (VIN 2FAFP71W01X137448)
17. 192001 Ford Crown Victoria (VIN 2FAFP71W21X137452)
18. 2001 Dodge Dakota Truck (VIN 1B7GL22X61S308078)
19. 2006 Ford Crown Victoria (VIN 2FAHP71W16X157787)
20. 2007 Ford Crown Victoria (VIN 2FAHP71W77X130661)
21. 15-Person Capacity Inflatable Lifeboat (Mark 5 Mod II) (NSN # 1940-00-204-389)
22. Quantity of Two Office Desks
23. Metrotech Model 220 Transistorized Metal Locator (Serial No. 32712)
24. Metrotech Model 220 Transistorized Metal Locator (Serial No. 38930)
25. Metrotech Model 220 Transistorized Metal Locator (Serial No. 38934)
26. Metrotech Model 220 Transistorized Metal Locator (Serial No. 32728)
27. Model BS62Y Wacker Packer (Serial No. 714002142)
28. Model BS62Y Wacker Packer (Serial No. 654502646)
29. Model BS62Y Wacker Packer (Serial No. 654501716)
30. Model BS60Y Wacker Packer (Serial No. 677911242)
31. RST Technical Services Model 31-1000 Auger Snake (Serial No. N1B-10149, R3A-10252)
32. RST Technical Services Model 10-1220 Phillips Magnavox Pipeline Video Monitor (Serial No. S5A10008, P7A10022)
33. Redmax Weedeater (GZ30N) (Serial No. G7.30N1 4100/418)
34. Desk Chair
35. Desk Phone (Serial No. 202263-MDE-21S)
36. Hewlett Packard Model 4050N Laser Jet Printer (Serial No. USBCO87327)
37. Hewlett Packard Model CP1215 Color Laser Jet (Serial No. CNAC85W05S)
38. IBM PC Network Translator Unit Model 5178 (Serial No. AN064K5178)
39. IBM Typewriter (Serial No. 14300000299691)

40. Dell PC and Monitor Model E198FPf, DCSM (Serial No. 7M3VJ91, DP/N OG422H)
41. Dell PC and Monitor Model E198FPf, DCSM (Serial No. CN-OG422H-72872)
42. Dell Monitor E198FPf, DCSM (Serial No. CN-G422H-72872)
43. Dell PC Monitor E198FPf (Serial No. CN-OCNO78-72872-85K-2V72)
44. Dell PC Monitor E178FPb (Serial No. CN-ORY974-74261-7BF-6NG2)
45. Dell PC Monitor (Serial No. CN-OCN078-72872-85B-0J8L)
46. Dell PC Tower Optiplex GX270 DHM (Serial No. 190R 751)
47. Dell PC Tower DCSM (Serial No. 95WJBB1)
48. Dell PC Tower Optiplex GX240 DHM (Serial No. 5286S21)
49. Dell PC Tower Optiplex GX240 DCSM (Serial No. BRG9Z91)
50. Dell PC Tower Precision 330 WCP (Serial No. GNZ0T01)
51. Dell Latitude Lap Top C840 PP01X (Serial No. P/N 3J578 A01)
52. Dell Latitude Lap Top C840 PPX (Serial No. P/N 72MUF A01)
53. Minolta Floor Model Copier CS PRO Model EP 2030 (S/N 31729418, 6GDN0C1)
54. Office Cubical Panels (One 4' X 6'8" Panel; Two 3' X 6'8" Panels; and One 2'6" X 6'8" Panel)

EXHIBIT 2

City of Asheboro

Asheboro, North Carolina

Online Sales - Terms and Conditions

All bidders and other participants of this service agree they have read and fully understand these terms and agree to be bound thereby.

Guaranty Waiver. All assets are offered for sale “AS IS, WHERE IS.” City of Asheboro (**Seller**) makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential.

Description Warranty. **Seller** warrants to the Buyer the property offered for sale will conform to its description. Any claim for misdescription must be made prior to removal of the property. If **Seller** confirms the property does not conform to the description, **Seller** will keep the property and refund any money paid. The liability of the **Seller** shall not exceed the actual purchase price of the property. Please note upon removal of the property, **all sales are final.**

Personal and property risk. Persons attending during exhibition, sale or removal of goods assume all risks of damage of or loss to person and property and specifically release the seller and **GovDeals** from liability therefore.

Inspection. Most assets offered for sale are used and may contain defects not immediately detectable. Bidders may inspect the property prior to bidding. Bidders must adhere to the inspection dates and times indicated in the asset description. See special instructions on each asset page for inspection details.

Consideration of Bid. **Seller** reserves the right to reject any and all bids and to withdraw from sale any of the assets listed.

Buyer's Certificate. Successful bidders will receive a Buyer's Certificate by email from **GovDeals**.

Buyers Premium. If a **Buyers Premium** is shown on the auction page bidder box, then that amount (expressed as a percentage of the final selling price) will be added to the final selling price of all items in addition to any taxes imposed.

Payment. Payment in full is due not later than **5 business days** from the time and date of the Buyers Certificate. Payment must be made electronically through the **GovDeals** Website. Acceptable forms of payment are:

- PayPal
- Wire Transfer
- Visa
- MasterCard
- American Express
- Discover

PayPal and Credit Card purchases are limited to below \$5,000.00. If the winning bid plus applicable taxes, if any indicated, and the buyer's premium, equals more than \$4,999.99, PayPal and Credit Cards may not be used. If Wire Transfer is chosen, a Wire Transfer Transaction Summary page will provide payment and account information. The Wire Transfer must be completed within 5 days.

Removal. All assets must be removed within **ten (10) business days** from the time and date of issuance of the Buyer's Certificate. Purchases will be released only upon receipt of payment as specified. Successful bidders are responsible for loading and removal of any and all property awarded to them from the place where the property is located as indicated on the website and in the Buyer's Certificate. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will **Seller** assume responsibility for packing, loading or shipping. See instructions on each asset page for removal details. A daily storage fee of \$10.00 may be charged for any item not removed within the ten (10) business days allowed and stated on the Buyer's Certificate.

Vehicle Titles. **Seller** will issue a title or certificate upon receipt of payment. Titles may be subject to restrictions as indicated in the asset description on the website.

Default. Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all assets within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, **Seller** may exercise such rights and may pursue such remedies as are provided by law. **Seller** reserves the right to reclaim and resell all items not removed by the specified removal date.

Acceptance of Terms and Conditions. By submitting a bid, the bidder agrees they have read, fully understand and accept these Terms and Conditions, and agree to pay for and remove the property, by the dates and times specified. These Terms and Conditions are displayed at the top of each page of each asset listed on GovDeals. Special Instructions appearing on the asset page will override certain sections of the terms and conditions.

State/Local Sales and/or Use Tax. Buyers may be subject to payment of State and/or local sales and/or use tax. Buyers are responsible for contacting seller or the appropriate tax office, completing any forms and paying any taxes that may be imposed.

Sales to Employees. Employees of the **Seller** may NOT bid on the property listed for auction.



INTEREST FORM FOR SERVICE ON BOARDS AND COMMISSIONS

Name Thomas D. Rush

Address 436 Woodlawn St., Asheboro, NC 27203

Phone (336) 460-9489 E-mail trush72@triad.rr.com

You must be at least 18 years of age to serve on a board, commission or authority. Do you meet this requirement? [X] Yes [] No

Do you live within the City Limits of the City of Asheboro? [] Yes [X] No

Do you live within the City of Asheboro's Extraterritorial Planning Jurisdiction? [X] Yes [] No

Indicate board/commission/authority on which you would be interested in serving (check all that apply) (For information on these groups, visit the City's Web site at www.asheboronc.gov.)

- Checkboxes for Airport Authority, Redevelopment Commission, Asheboro ABC Board, Retiree Attraction Committee, Community Appearance Commission, Sports Policy Review Committee, Planning Board/Board of Adjustment, and Other.

Are you interested in serving in any other community volunteer activities? [] Yes [X] No

If yes, please indicate what types of opportunities you would be interested in or what special skills you may be able to offer:

Blank lines for providing details on volunteer activities.

Why do you wish to serve the City in this capacity? To represent my community as well as other areas of the city

Has a formal adjudication or determination of professional misconduct or criminal conduct ever been entered against you in any jurisdiction?

[] Yes [X] No If yes, explain complete disposition.

Blank lines for explaining complete disposition if applicable.

Is there any possible conflict of interest or other matter that would prevent you from fairly and impartially discharging your duties as an appointee to a Board/Commission?

Yes No If yes, explain _____

NOTE: This information along with other material may be used by the City Council in making appointments to Boards / Commissions and in the event you are appointed, it may be used as a basis for a news release to identify you to the community. Information collected on this form is subject to inspection and copying by third parties as a matter of public record.

Thomas D. Rush
Signature

1-6-14
Date

Please submit completed form and current resume to City Clerk Holly Doerr at 146 North Church Street. Your application will be kept on file until there is a vacancy or opportunity to serve. At that time, you will be contacted to determine if you are still interested in the opening.



Application for Randolph County Boards/Commissions

If you reside in Randolph County and are willing to volunteer your time and knowledge to your community and wish to serve on a board or commission, please complete and submit this form.

Name: Thomas D. Rush

Address: 436 Woodlawn St, Asheboro, NC 27203

Telephone: (M) ⁽³³⁶⁾ 460-9489 (H) _____ (W) _____ (please * preferred #)

E-mail: trush72triad.rr.com

Place of Employment/Address: Healthy Manng
312-D Sunset Ave. Asheboro, NC 27203
Marshalls
E. Dixie Drive, Asheboro, NC 27203

Have you ever served on a Randolph County volunteer board before? Yes No If yes, what Board?

How long have you been a resident of Randolph County? For about 33 of my 51 years

If you live within an incorporated city in Randolph County, please note: _____

Please list any professional associations with which you may be affiliated: I am a licensed real estate broker.

Is there a particular board or commission on which you wish to serve? Planning Board

Depending on particular board, the frequency of meetings and the meeting times vary. Do you have any limitations for attending meetings? No

Why do you wish to be a member of a Committee, Commission or Board? To represent my community as well as other areas of the city

I certify the answers I have made to each and all the foregoing questions are true to the best of my knowledge and belief:

1-6-14
Date

Thomas D. Rush
Signature of Applicant

Do you object to the County Manager's Office obtaining your criminal background history? Yes No

RETURN TO: Randolph County Manager's Office; 725 McDowell Rd.; Asheboro, NC 27205

Please note all application materials submitted will become public record once submitted and may be disclosed under the NC Public Records Law.

THOMAS DOUGLAS RUSH

436 Woodlawn St.
Asheboro, NC 27203

(336) 460-9489
trush7@triad.rr.com

EDUCATION AND TRAINING

- **North Carolina Central School of Law**, Durham, NC. (1997 & 1998)
Completed Classes: Property, Contracts, Legal Research, Real Estate Finance, Criminal Procedure, Civil Procedure & Torts. Completed 2 years of the Night Program.
- **J.Y. Monk Real Estate School**, Greensboro, NC. **Licensed Real Estate Broker** (2000)
Eight Hours of annual continuing education, totaling 94 hours over the last 13 years. Classes have addressed such issues as: Property Management, Seller & Buyer Agency, Inspections, Real Estate Finance and Real Estate Contracts.
- **Haverford College**, Haverford, Pennsylvania. (1988)
B.A. in History, with concentration in African-American Studies.

EXPERIENCE

- **Marshall's Department Store**, Asheboro, NC. (Sep. 2013—Present)
 - Processing clothing to make it available for store presentation and availability.
 - Position works as a character-builder through work ethic, patience and meditation.
- **Health Coach, Healthy Manna** (Herbalife Nutritional Club), Asheboro, NC. (Feb. 2013—Present)
 - Co-owner of the Club, with my sister Mary Rush.
 - Consult with clients to discuss potential benefits of Herbalife Products.
 - Market more than 50 Herbalife Products to customers.
 - Share story of my own physical transformation through Herbalife.
 - Handle in-store orders for products, to include making health shakes and herbal teas.
 - Handled these top 3 chores from Nov. 2012 thru Feb. 2013 as an Independent Distributor of Herbalife. Implemented the Herbalife Meal Replacement Plan combined with exercising by walking 3 miles a day, 3 to 4 days a week, resulting in a weight loss of 60 lbs. since October, 2012.
- **Free-lance, Independent, Professionally Published Author** (Dec. 2009-Oct. 2012)
 - Wrote, compiled and professionally published my book **Reality's Pen: Reflections On Family, History & Culture**. The book is available on amazon.com. Strongly encourage visiting the website, looking up the book and reading both the available content and the reviews.
- **Social Worker/Child Protective Services' Investigator**. Asheboro, NC. (Jan. 1995 – Dec. 2009)
Randolph County Department of Social Services.
 - Conducted investigations and assessments beginning with astute identification of the job-related issues of concern.
 - Established positive interactive rapport with strangers in short order to facilitate dialogue and exchange of information.
 - Customer service to children and families where child abuse, neglect and/or dependency had occurred.
 - Counseling and preventive services.
 - Protective services for children alleged to be abused or neglected by their parents/caretakers.
 - Coordinated out of home placements.

- Worked flexible schedules.

MILITARY EXPERIENCE

- U.S. Army, Ft. Bragg, NC. (Honorable Discharge) (Aug. 1980--Jul. 1984)

ADDITIONAL EXPERIENCE

- **New Concept Development Center**, Chicago, Illinois. (Aug. 1989 – Aug. 1993)
Second grade teacher at a private elementary school.
- **South Suburban Action Conference**, Hazel Crest, Illinois (Jan. 1989—Aug. 1989)
Worked as a community organizer around the issue of abandoned homes. Met and held two one-on-one, private conversations with, and attended a training led by a person now known as President Barack Obama as part of this experience. (Hint—The story *You Never Know Who God Wants You To Meet* from my book, ***Reality's Pen*** takes you inside the meetings with our President.)
- **Westside Preparatory School**, Chicago, Illinois. (Sep. 1988—Dec. 1988)
Fifth grade teacher at a private elementary school run by nationally recognized educator, Marva Collins, who was featured on the TV news program *60 Minutes* in the late 1970's for her success in educating children from low-income, inner-city neighborhoods.

Received Nov. 19, 2013, (TD)

CITY OF ASHEBORO NORTH CAROLINA

INTEREST FORM FOR SERVICE ON BOARDS AND COMMISSIONS

Name MRS. JOANNE HAMILTON

Address 107 OAK LANE, RANDLEMAN, NC, 27317

Phone 336-498-6033 E-mail andjoe@northstate.net

You must be at least 18 years of age to serve on a board, commission or authority. Do you meet this requirement? [X] Yes [] No

Do you live within the City Limits of the City of Asheboro? [] Yes [X] No

Do you live within the City of Asheboro's Extraterritorial Planning Jurisdiction? [X] Yes [] No

Indicate board/commission/authority on which you would be interested in serving (check all that apply) (For information on these groups, visit the City's Web site at www.asheboronc.gov.)

- Checkboxes for Airport Authority, Asheville ABC Board, Community Appearance Commission, Planning Board/Board of Adjustment, Redevelopment Commission, Retiree Attraction Committee, Sports Policy Review Committee, and Other.

Are you interested in serving in any other community volunteer activities? [] Yes [] No PERHAPS
If yes, please indicate what types of opportunities you would be interested in or what special skills you may be able to offer:

I WRITE A COLUMN IN THE COURIER-TRIBUNE. I'M A PUBLISHED AUTHOR. SECRETARY OF ST. PAUL'S MUSEUM. KNIT SWEATERS FOR WORD VISION. MODERATOR OF THE PRESBYTERIAN WOMEN OF FIRST PRESBYTERIAN CHURCH. VOLUNTEER AT "OUR DAILY BREAD". GUARDIAN AD LITEM - RANDOLPH COURT. Why do you wish to serve the City in this capacity? I HAVE EXPERIENCE IN THIS FIELD. AS AN ALDERMAN, ELSEWHERE, I SERVED AS CHAIRMAN OF PLANNING.

Has a formal adjudication or determination of professional misconduct or criminal conduct ever been entered against you in any jurisdiction?

[] Yes [X] No If yes, explain complete disposition.

Form Continues on Back

Is there any possible conflict of interest or other matter that would prevent you from fairly and impartially discharging your duties as an appointee to a Board/Commission?

Yes No If yes, explain _____

NOTE: This information along with other material may be used by the City Council in making appointments to Boards / Commissions and in the event you are appointed, it may be used as a basis for a news release to identify you to the community. Information collected on this form is subject to inspection and copying by third parties as a matter of public record.

Joanne Hamilton
Signature

November 15th, 2013.
Date

Please submit completed form and current resume to City Clerk Holly Doerr at 146 North Church Street. Your application will be kept on file until there is a vacancy or opportunity to serve. At that time, you will be contacted to determine if you are still interested in the opening.

Dear Sir or Madam:

November 15th, 2013.

I am applying for the Planning Board as a extraterritorial member. This is my resume:

Mrs. Joanne Hamilton,
107 Oak Lane,
Randleman, NC, 27317.
Phone: 336-498-6033.
E-Mail: andjoe@northstate.net.

I have lived in Randleman since April 1st, 2007. Before that I lived in Canada all my life. My husband and I proudly got our American Citizenship on January 17th, 2013.

My whole life was spent in the Transportation Industry. When I retired, I ran for Alderman in our Township (same as County) and was successful. I had three terms or nine years, then I retired permanently when my husband retired.

As Alderman, I served six years as the Chairman of Public Works and three years as the Chairman of Planning. Our town, Smithville, Ontario, was being surrounded by subdivisions and our quiet little village was being transformed in a “bedroom community” for the nearby cities of Hamilton and Toronto. A stressful time for Planning.

I am currently a Guardian ad Litem for the Court of Randolph County.

I'm the Secretary of the North Randolph Historical Society operating from St. Paul's Museum in Randleman.

I'm the Moderator of the Women's Division at First Presbyterian Church in Asheboro. I also belong to a group from the church that knit over 100 sweaters a year for World Vision.

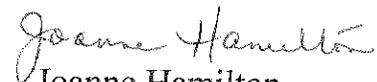
I've just become a board member of the Prison Mission Board.

I volunteer and donate to "Our Daily Bread".

I am a published author and my book "Merryfields" is in the Asheboro and Randleman libraries. I am a columnist, starting when I was in high school and continuing until I moved here. I have been a Guest Columnist for the Courier-Tribune for four years. I have finished two more books for which I am trying to find a publisher.

I am a "people person" but I'm also very intuitive, as my experiences in Court have shown.

I'm interested in this position because I believe it behooves planning boards to be watchful for ulterior motives and to watch for the money trail. Small towns and cities can be swallowed up or forced to decisions not of their own making if the volunteers and the employees are not watchful.


Joanne Hamilton.

City of Asheboro
Finance Office

To: John N. Ogburn, III, City Manager
From: Debbie Reaves, Finance Director
Date: December 30, 2014
Re: Vehicle Purchase 2013-2014

The fiscal year budget for 2013-2014 included an appropriation for the purchase of a new truck for the water plant.

Requests for bids were sent to all the local dealers on Wednesday December 4, 2013.

Bids were due back to the City of Asheboro by Friday December 27, 2013 at 12:00 noon.

Three bids were received. However, the bids did not meet specifications as required in the bid packet.

I am now requesting authorization to purchase the truck off State Contract for a price of \$27,200.

Thank you