

MINUTES

January 4, 2007

The Davidson County Board of Commissioners met at 8:00 A.M., on Thursday, January 4, 2007, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, for an informational meeting.

PRESENT

Commissioners: Chairman Fred McClure, Vice Chairman Don Truell, Larry Allen, Billy Joe Kepley, Larry Potts, Dr. Max Walser, Sam Watford

County Manager Robert Hyatt, Assistant County Manager Zeb M. Hanner, Human Resources Director Jim Tysinger, Clerk to the Board Anne Burkhart, Health Director Layton Long, Planning and Zoning Director Guy Cornman, Finance Director Jane Kiker, Artie Burkhart of Friends in Need

A. CALL TO ORDER AND WELCOME

Chairman Fred McClure called the meeting to order and welcomed guests.

B. INVOCATION

Commissioner Max Walser

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

E. REGISTER FOR PUBLIC ADDRESS

Chairman Fred McClure noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Commissioner Potts and a second by Commissioner Allen the Board voted unanimously 7-0 to adopt the agenda with the addition of Public Defender's Office – Resolution by Commissioner Larry Potts, Relicensing for ALCOA by FERC by Commissioner Max Walser, and Closed Session for Personnel (Exhibit 1)

G. PUBLIC ADDRESS

H. ITEMS FOR INFORMATION/DECISION

- I. Animal Ordinance by Layton Long, Health Director

Layton Long noted revisions to the Animal Ordinance addressing neutering and spaying requirements, violations, and permit fees and noted the similarity to the ordinance in Buncombe County. He noted that the revisions are directed at dogs and cats.

Commissioner Kopley addressed the property limitations for dogs and cats and requested definition and flexibility for alarm dogs and the exemption of farm/working dogs, unless they are a nuisance or less than well-behaved. He then reported the growing problem of coyotes in the area.

Commissioner Allen noted the need for exclusive language concerning farm animals.

Chairman McClure questioned the definition of a sentry dog.

Commissioner Potts made a motion to schedule a public hearing for January 23, 2007 to receive public comment on the spay/neuter section of the ordinance.

Discussion followed concerning conflicts with the scheduled date.

Commissioner Potts amended his motion and received a second by Vice Chairman Watford to schedule a public hearing for February 13, 2007 at 7:00 P.M. on the spay/neuter section of the ordinance as presented at this meeting. Upon a vote the Board approved the public hearing as scheduled by a vote of 4 to 3; Commissioner Kopley, Vice Chairman Truell, and Commissioner Walser voted "No." (Exhibit 2)

2. Proposal to Provide Jail Medical Services by Zeb M. Hanner, Assistant County Manager

Zeb M. Hanner discussed the proposal from Southern Health Partners for outsourcing the jail medical portion of the Detention Center. He noted the details of the program and emphasized the benefits, comparing the provisions of the services with the current means of providing medical services to the jail. Mr. Hanner also reviewed the costs and the work history of the company. He stated that Southern Health Partners carries the medical liability insurance.

On a motion by Commissioner Potts and a second by Commissioner Allen the board voted unanimously 7-0 to place the item on the January 9, 2007 consent agenda. (Exhibit 3)

3. Legislative Liaison to the NCACC

On a motion by Vice Chairman Truell and a second by Commissioner Potts the Board voted unanimously 7-0 that Sam Watford will serve as legislative liaison to the NCACC. (Exhibit 4)

4. Voting Delegate for NCACC Legislative Goals Conference

On a motion by Vice Chairman Truell and a second by Commissioner Potts the Board

voted unanimously 7-0 for Commissioner Sam Watford to serve as voting delegate for the NCACC Legislative Goals Conference. (Exhibit 5)

5. Davidson County Code of Ethics by Robert Hyatt, County Manager

The County Manager reviewed the Davidson County Code of Ethics and the process for its development and requested input from the Board.

On a motion by Vice Chairman Truell and a second by Commissioner Kopley the Board voted unanimously to place the Code of Ethics on the January 9th consent agenda. (Exhibit 6)

6. Public Defender's Office – Resolution by Commissioner Larry W. Potts

Commissioner Potts noted the possible upcoming mandate for a Public Defender's Office and cost that will be incurred. He noted that he does not oppose the office but the cost to the County. He stated the need to contact legislators by resolution to express the Board's opposition to having the office if the funds from the State do not accompany the mandate. He further stated the office space requested is 3,000 square feet and along with providing space would possibly come maintenance, furniture, heat and air conditioning, supplies, salaries, and benefits.

County Manager Hyatt noted that the County does not have space at this time and if mandated it would involve renting a facility. He further noted that renting in the needed close proximity to the Courthouse would be very expensive. He stated that the letter received referenced that having the Public Defender's Office would be cost-effective to the State. Mr. Hyatt noted the cost would be shifted to the County and further stated that other counties that have public defenders' offices at this time are paying for it.

Commissioner Potts noted that if the State is not going to fund a Public Defender's Office, Davidson County does not want it.

On a motion by Commissioner Potts and a second by Commissioner Watford the Board voted unanimously 7-0 to have a resolution drafted and presented at the January 9, 2007 meeting for adoption, opposing funding by Davidson County for the Public Defender's Office, if it should be mandated and assigned to Davidson County..

7. Relicensing for ALCOA by FERC by Commissioner Walser

Commissioner Walser noted the meeting on January 23, 2007 for the Relicensing of ALCOA by

FERC and need for Board representation.

I. CLOSED SESSION – Real Estate

On a motion by Commissioner Watford and a second by Commissioner Kepley the Board voted unanimously 7-0 to go into Closed Session for matters of real estate.

RETURN TO OPEN SESSION

On a motion by Vice Chairman Truell and a second by Commissioner Walser the Board voted unanimously 7-0 to return to Open Session.

County Attorney Hedrick reported discussion of Real Estate and Personnel with no action taken.

J. ADJOURNMENT

On a motion by Commissioner Potts and a second by Commissioner Allen the Board voted unanimously 7-0 to adjourn.



Fred D. McClure, Chairman
Davidson County Board of Commissioners



Anne M. Burkhart, Clerk to the Board
Davidson County Board of Commissioners