

## MINUTES

February 24, 2004

The Davidson County Board of Commissioners met at 7:00 P.M. on Tuesday, February 24, 2004, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, for three scheduled public hearings and a regularly scheduled meeting.

### PRESENT

Commissioners: Chairman Fred Sink, Vice Chairman Sam Watford, Cindy Akins, Priscilla Hege, Billy Joe Kepley, Don Truell

County Manager Robert Hyatt, County Attorney/Clerk to the Board Robert Hedrick, Budget Officer Zeb M. Hanner, Tax Administrator Joe Silver, Planning and Zoning Director Guy Cornman, Purchasing Director Dwayne Childress, Finance Director Jane Kiker, Health Director Diane Crouse, Senior Services Director Kathryn Gentry and Donna Campbell, Sheriff Dallas Hedrick, Emergency Services Director Doug Lowe, Acting Human Resources Director Carol Black, Lexington City Manager John Gray, former county commissioners Tim Timberlake and Bett Hargrave

### ABSENT

Commissioner Max Walser was absent due to the loss of his father.

#### A. CALL TO ORDER AND WELCOME

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

#### B. INVOCATION

Chairman Sink requested a moment of silent meditation.

#### C. PLEDGE OF ALLEGIANCE

Boy Scout Troop 104 Representative led the Pledge of Allegiance.

#### D. RECOGNITION – Special Recognition of Retiree

Chairman Sink recognized Jay Belk, representative from the Davidson County Council of Chambers.

Chairman Sink then recognized Diane Crouse, Health Director, who is retiring with 32 years of service, and presented her with a gift certificate as a token of appreciation for her efforts and leadership for Davidson County. (Exhibit 2)

Chairman Sink recognized Thomasville Mayor Hubert Leonard and Lexington City Manager John Gray.

Later in the meeting Chairman Sink recognized former commissioners Tim Timberlake and Bett Hargrave.

E. REGISTER FOR PUBLIC ADDRESS

Chairman Sink noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Commissioner Akins and a second by Commissioner Truell the Board voted 6-0 to adopt the agenda with the Public Hearing for the Amendment to the Teachers' Scholarship Ordinance tabled to March 9, 2004, and a move of I.12. Davidson County Air Quality to be heard upon the arrival of several members of a committee concerned with the issue. (Exhibit 1)

G. PUBLIC ADDRESS (Exhibit 3)

H. PUBLIC HEARING

1. Amendment to the Teachers' Scholarship Ordinance - Tabled.
2. Lease to Family Dollar Stores

County Manager Robert Hyatt addressed the Board with the details of previous agreements and the currently proposed lease for three years at \$30,000 per year with an additional package of two-year options at \$33,000 per year to Family Dollar Stores for the property on South Main Street in Lexington, adjacent to the Davidson County Main Branch Library.

On a motion by Commissioner Hege and a second by Commissioner Kepley the Board voted 6-0 to open the public hearing.

**Jim Hudson, Chairman of the Library Board of Trustees**, spoke in opposition to the lease, noting the high percentage of library usage and the quality of the Lexington Main Branch Library.

**Ron Oakley, President of Friends of Lexington Library**, spoke in opposition to the lease and noted that the Lexington Main Branch Library, which was established in 1928, is the oldest in the South.

**Tim Timberlake, former Davidson County Commissioner**, spoke in opposition to the lease and noted that when the library property was purchased in 1982, the Family Dollar facility was under a lease, and plans were to purchase that building as soon as possible.

**Barney W. Hill** favored the lease. He stated that according to the February 20, 2004 publication of THE DISPATCH, Mrs. Nancy Bates had stated that two commissioners told her that “very few people use the libraries; libraries are for the elite; and libraries are becoming obsolete due to increased internet usage.” Mr. Hill further noted that in THE DISPATCH publication, Mrs. Bates had stated that one commissioner even told her “the County could do without libraries.”

**Beckey Griffith** spoke in opposition to the lease and emphasized the need of library facilities for students.

**Sally Shumaker** spoke in opposition to the lease and noted the need for space and parking for the library.

**Scott McKinney** spoke in opposition to the lease and compared the interests at hand for Davidson County citizens as opposed to the revenue from Family Dollar Stores.

On a motion by Vice Chairman Watford and a second by Commissioner Akins the Board voted 6-0 to close the public hearing.

Commissioner Akins noted the construction of new library facilities and expansions that have occurred and the support for funding requests from the Board.

Vice Chairman Watford noted the options on the lease and the expense that would exist if the County added the Family Dollar Stores building to its library facilities.

Chairman Sink noted the new facilities and expansions and their costs to the County.

Commissioner Hege spoke on the value of the existing Family Dollar Stores business for the area.

Commissioner Truell noted that the lease will not shut down the library. He asked Mr. Jim Hudson about the plans for programs in the building if the lease is not renewed.

Jim Hudson replied that it would be used for GED classes, children’s programs, and storage.

Commissioner Truell noted that there are 46 parking spaces with 12 more to be added.

On a motion by Vice Chairman Watford and a second by Commissioner Truell, the Board voted 6-0 to approve the Lease to Family Dollar Stores. (See Exhibit 4)

3. Lease to State & Local Employees Credit Union

County Manager Robert Hyatt addressed the Board with information on the lease to the State Employees' Credit Union for property on the Governmental Center/Human Resources campus at 913-915 Greensboro Street in Lexington to accommodate an ATM (Cash Points) machine.

On a motion by Commissioner Akins and a second by Commissioner Hege the Board voted 6-0 to open the public hearing.

**Barney W. Hill** spoke in favor of the lease for the ATM machine noting that employees would not have to leave the Governmental Center/Human Resources site for transactions.

On a motion by Commissioner Akins and a second by Commissioner Hege the Board voted 6-0 to close the public hearing.

On a motion by Commissioner Akins and a second by Commissioner Truell the Board voted 6-0 to approve the lease to the State Employees' Credit Union. (See Exhibit 5)

I. ITEMS FOR DECISION/INFORMATION

**Consent Agenda**

On a motion by Commissioner Hege and a second by Vice Chairman Watford the Board voted 5-1 to approve the consent agenda; Commissioner Kepley voted "No."

1. Minutes

The Board approved the minutes of February 5, 2004 and February 10, 2004.

2. Tax Report of Refunds by Joe Silver, Tax Administrator

The Board approved the Tax Report of Refunds for January 2004. (Exhibit 6)

3. Budget Amendments by Zeb M. Hanner, Budget Officer

The Board approved the following budget amendments:

*Emergency Communications* – appropriate \$3,000 to Departmental Supplies (Performance Management).

*Landfill* – appropriate \$97,141 FEMA funds received for storm debris removal and line item transfer from Capital Equipment to Utilities for \$6,000 for higher utility costs.

*MIS* – line item transfer from Departmental Supplies to Capital for \$2,678 to purchase new lap top computer.

*Health Department* – received decrease of \$3,691 from NC Partnership for Children (Smart Start) for FY 2003-2004 and accept \$14,638 from Dept. of Environment and Natural Resources in additional Food and Lodging Funds to be used for purchase of new computers, digital cameras, Spectra Physics Laser and shelf units.

*Senior Services* – line item transfer for \$6,000 to adjust budget to actual expenditures.

*Social Services* – line item transfer to cover overages in some accounts.

*Finance Department* – appropriate \$2,700 to Bonus/Longevity, \$206 to FICA, and \$171 to Retirement (Performance Management). (Exhibit 7)

4. Additions to the North Carolina Secondary Road System by Guy Cornman, Planning and Zoning Director

The Board approved the addition of Abbots Grove Court in Abbots Creek Township to the NC Secondary Road System for maintenance. (Exhibit 8)

**Deliberation**

5. Reappointment of the Board of Equalization and Review by Joe Silver, Tax Administrator

Tax Administrator Joe Silver apprised the Board that Brenda Gibbons, Chairman of the Board of Equalization and Review, has advised him that she would like to be reappointed if it would please the Board. Mr. Silver expressed his favor of her decision and recommended the reappointments of Brenda Gibbons, Edwin Perryman, Timothy Loflin, Danny Anderson, and Blair Crouse.

On a motion by Commissioner Kepley and a second by Commissioner Akins the Board voted 6-0 to reappoint Brenda Gibbons, Edwin Perryman, Timothy Loflin, Danny Anderson, and Blair Crouse to the Board of Equalization and Review for a term of two years. (Exhibit 9)

12. Davidson County Air Quality by Commissioner Billy Joe Kepley

Commissioner Kepley addressed the Board concerning the status of air quality in Davidson County with regards to air pollution and noted that he has solicited help and formed a committee of several people who have the knowledge and expertise to guide and assist with the problem. Commissioner Kepley

apprised the Board of the questionable location of monitoring device under the water tower in the South Main Street area, which is also beside the railroad track, near Smokey Joe's Barbecue, and susceptible to drafts that bring pollutants to the monitor that are not prevalent throughout the County. He noted that placement of the monitor does not render an accurate reading for Davidson County. He further noted that as a result of this monitor reading, EPA regulations will tie-up funds for highways and discourage industry from locating and expanding in Davidson County.

Commissioner Hege noted that 25 trains pass by the monitor daily and have to go up a hill and are traveling at full speed.

Thomasville Mayor Hubert Leonard offered his support for efforts to prove the monitor reading inaccurate and unacceptable for rendering non-attainment status for Davidson County.

Dr. Antony Shoaf commented that the monitor is misplaced and has caused a problem that is crucial to Davidson County. He recommended reviewing all data used by the state in their methods used for air sample and further recommended testing the air in other places and comparing results with data compiled with the present monitor.

Attorney Alan McConnell made suggestions for steps to be taken to appeal the non-attainment status, noting petition, and formal protest. He noted that the location should be compared to siting criteria, and stated that the County should generate its own data, hire its own scientist to do monitoring and get an independent air quality engineer to make tests.

David Weber, PPG's Environmental Engineer, noted his interest and availability and support from his company.

Guy Cornman, Planning Director, stated that the State is in the process of locating two new monitors and have noted that they are aware that the present one may be inaccurate.

Chairman Sink requested that County Attorney Robert Hedrick confer with Commissioner Kepley and his committee.

6. Thomasville City Schools Middle School Expansion by Dr. Dan Cockman  
Superintendent of Thomasville City Schools

Dr. Cockman presented a proposal for the Thomasville Middle School expansion, noting a total project cost of \$3.5 million and projected that the school would grow by 600 students in the next seven years.

Chairman Sink assured Dr. Cockman that the proposed expansion would be discussed at the retreat. (Exhibit 10)

7. Davidson County Education Foundation by Gina Jacobs

Gina Jacobs addressed the Board with an overview of the foundation's programs and introduction to the May 1, 2004 athletic event, "Tour of Schools," that includes a bike ride, a walk, and a run event. Ms. Jacobs noted that the foundation is non-profit and has been in existence for 12 years.

(Exhibit 11)

8. Lease of (1) EMS Ambulance Unit by Dwayne Childress, Purchasing Director

On a motion by Commissioner Truell and a second by Commissioner Hege the Board voted 6-0 to waive the formal bidding procedures under NCGS 143-129(e)(3), accept the offer from Wheeled Coach of North Carolina for \$87,638, and approve the lease of (1) EMS Ambulance Unit. (Exhibit 12)

9. Appointment of Veterinarian to Board of Health

On a motion by Commissioner Truell and a second by Commissioner Hege the Board voted 6-0 to reappoint Dr. George Chambless to serve another three years on the Board of Health. (Exhibit 13)

10. Bid Award for New Ledford Elementary School

On a motion by Commissioner Akins and a second by Commissioner Hege the Board voted 6-0 to award the bid for construction of the new Ledford Elementary School to R.K. Stewart for \$8,587,000 single prime and inclusive of alternates of \$130,000 for classrooms and \$8,000 for the cafeteria, noting that the total budget for the school is \$10,474,514. (Exhibit 14)

11. Schedule Retreat by Robert C. Hyatt

The Board agreed to schedule a retreat for budget planning for FY2004-2005 for Thursday, April 1, 2004.

J. CLOSED SESSION – Attorney/Client-Claim, Real Estate, Personnel

On a motion by Commission Hege and a second by Commissioner Truell the Board voted unanimously 7-0 to go into Closed Session for matters of Attorney/Client-Claim, Real Estate, and Personnel.

RETURN TO OPEN SESSION

On a motion by Vice Chairman Watford and a second by Commissioner Truell the Board voted 6-0 to return to Open Session.

County Attorney/Clerk to the Board Robert Hedrick reported discussion of Attorney/Client concerning a claim, Real Estate, and Personnel with no action taken in Closed Session.

On a motion by Commissioner Hege and a second by Commissioner Kepley the Board voted 5-1 to settle with Randy Deal and pay the \$350.00 claim for damages to the trailer seized by the Sheriff's Department; Commissioner Akins voted "No."

On a motion by Vice Chairman Watford and a second by Commissioner Hege the Board voted 6-0 to enter into a two-year lease (2004 and 2005) for the Evans property box site at \$1,980 per year.

On a motion by Commissioner Kepley and a second by Commissioner Akins the Board voted 6-0 to authorize the Chairman to sign-off on the construction easement for DOT to build a bridge at the Landfill (Rich Fork Creek) over Old Highway 29-70.

K. ADJOURNMENT

On a motion by Commissioner Hege and a second by Commissioner Truell the Board voted unanimously 6-0 to adjourn.

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Fred C. Sink, Chairman  
Davidson County Board of Commissioners

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Robert C. Hedrick, Clerk to the Board  
Davidson County Board of Commissioners



