

MINUTES

March 9, 2004

The Davidson County Board of Commissioners met on Tuesday, March 9, 2004, in the Commissioners' Meeting Room, Governmental Center, Lexington, North Carolina, for a regularly scheduled meeting.

PRESENT

Commissioners: Chairman Fred Sink, Vice Chairman Sam Watford, Cindy Akins, Priscilla Hege Billy Joe Kepley, Don Truell, and Dr. Max Walser

County Manager Robert Hyatt, County Attorney/Clerk to the Board Robert Hedrick, Budget Officer Zeb M. Hanner, Finance Director Jane Kiker, Planning and Zoning Director Guy Comman, Public Works Director Bill Clutter, Transportation Director Zeb F. Hanner, Davidson County Tourism Development Coordinator Jo Ellen Edwards

A. CALL TO ORDER AND WELCOME

Chairman Sink 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 Sink noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Commissioner Walser and a second by Vice Chairman Watford the Board voted unanimously 7-0 to adopt the agenda with the addition of Closed Session for Personnel, Real Estate, and Attorney/Client. (Exhibit 1)

G. PUBLIC ADDRESS

Barney Hill noted he had received mention in the local newspaper, THE DISPATCH, and attributed credit for that to the Board of Commissioners.

H. PUBLIC HEARING - Amendment to the Teaching Scholarship Ordinance

Commissioner Hege recognized Wayne Swicegood, Chairman of the Teaching Scholarship Fund Advisory Committee and Committee Member Leona Sink.

Wayne Swicegood presented information on a proposed change to the Teaching Scholarship Ordinance and Requirements that would allow persons living in Davidson County to have graduated from a school outside the County to be eligible for the scholarship.

On a motion by Commissioner Hege and a second by Commissioner Truell the Board voted unanimously 7-0 to open the public hearing.

Wayne Swicegood spoke in favor of the amendment to the ordinance.

Barney Hill spoke against the scholarship program and requested that the amendment be rejected. Mr. Hill questioned the absence of the *ten-year residency requirement* in the ordinance and requested that his comments of January 6, 2,000 be included in the exhibit.

On a motion by Vice Chairman Watford and a second by Commissioner Truell the Board voted unanimously 7-0 to close the public hearing.

On a motion by Vice Chairman Watford and a second by Commissioner Hege the Board voted unanimously 7-0 to approve amendments to delete the requirement that an applicant must be a graduate of a public school in Davidson County or a private school or home school located in Davidson County and to provide that an applicant must be a resident of and be domiciled in Davidson County for at least ten years next preceding the time the scholarship is awarded. (Exhibit 2)

I. ITEMS FOR DECISION/INFORMATION

Consent

On a motion by Commissioner Truell and a second by Commissioner Walser, the Board voted 6-1 to approve the consent agenda; Commissioner Akins voted “No.”

1. Minutes

The Board approved the minutes of February 24, 2004 Board of Commissioners’ Meeting and November 10, 2003 Planning and Zoning Public Hearing.

2. Budget Amendments

The Board approved the following budget amendments:

- *Emergency Communications* - \$3,000 for Departmental Supplies (department savings from Performance Management Project).
- *Social Services* – line item transfer of \$100,000 from Salaries to Contracted Services for imaging done by outside source.
- *Social Services* - appropriate \$10,000 to Departmental Supplies, \$25,880 to Regular Salaries, \$1,980 to FICA, \$1,666 to Retirement and \$2,033 to Group Insurance (department savings from Performance Management Project). (Exhibit 3)

3. Request for Space/Get REAL

The Board approved the request for Get REAL for use of space in the Mental Health building in Lexington. (Exhibit 4)

4. Resolution of Support for the Master Plan for Tourism/Recreation

The Board approved the Resolution of Support for the Master Plan for Tourism/Recreation. (Exhibit 5)

4.a. Potential Members for the Technical Advisory Committee (TAC) and the Citizen Advisory Committee (CAC) for Master Recreation and Tourism Development Plan Process

The Board approved the list of potential members for TAC and CAC as recommended by the Steering Committee. (Exhibit 6)

Deliberation

5. Proclamation-Employ the Older Worker Week by Sue Robbins, Experience Works

On a motion by Commissioner Hege and a second by Commissioner Akins the Board voted unanimously 7-0 to proclaim March 8, 2004 – March 12, 2004 as Employ the Older Worker Week. (Exhibit 7)

6. Schedule Public Hearing for the Rural Operators Assist Program (ROAP) by Zeb F. Hanner, Transportation Director

On a motion by Commissioner Hege and a second by Vice Chairman Watford the Board voted unanimously 7-0 to schedule a public hearing for March 23, 2004, 7:00 P.M., in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, to receive information and public comments on the proposed ROAP grant application. (Exhibit 8)

7. Resolution Authorizing the Negotiation of an Installment Purchase Contract by Jane Kiker, Finance Director

On a motion by Vice Chairman Watford and a second by Commissioner Truell the Board voted unanimously 7-0 to approve the resolution authorizing the negotiation of an installment purchase contract of up to \$19,000,000 for financing of the Brier Creek Elementary School, Ledford Elementary School, Highway 109 Sewer Project, Reeds/Pilot Sewer Project, West Davidson Sewer Project, and the airport hangar at the Davidson County Airport and to direct publication of a notice for a public hearing for March 23, 2004, 7:00 P.M., concerning that contract. (Exhibit 9)

J. CLOSED SESSION – Economic Development-Sewer and Personnel

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

Return to Open Session

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

County Attorney/Clerk to the Board Robert Hedrick reported discussion of Real Estate, Attorney/Client and Personnel with no action taken. Attorney Hedrick recommended that the Board take action to retain an attorney, as discussed in Closed Session, to address the designation of the County's air quality status.

Attorney Retained

On a motion by Commissioner Kepley and a second by Commissioner Walser the Board voted unanimously 7-0 to retain Attorney Alan H. McConnell of Kilpatrick Stockton, LLP of Raleigh, North Carolina to provide legal services to contest the decision of DENR that Davidson County does not comply with acceptable air attainment. (Exhibit 10)

K. ADJOURNMENT

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

Fred C. Sink, Chairman
Davidson County Board of Commissioners

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