

MINUTES

March 9, 2010

The Davidson County Board of Commissioners met at 7:00 P.M., on March 9, 2010, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, for a regularly scheduled meeting.

PRESENT

Commissioners: Chairman Max Walser, Vice Chairman Sam Watford, Cathy Dunn, Billy Joe Kepley, Fred McClure, Larry Potts, Don Truell

County Manager Robert Hyatt, Assistant County Manager Zeb Hanner, County Attorney Chuck Frye, Clerk to the Board Anne Burkhart, Planning and Zoning Director Guy Cornman, Purchasing Director Dwayne Childress, Tax Administrator Joe Silver, Transportation Manager George Hodges, Economic Development Director Steve Googe, Library Director Ruth Ann Copley, Finance Director Jane Kiker, Senior Services Director Thessia Everhart-Roberts, IT Director Joel Hartley, DCF Consulting Engineer David Fischetti, NCDOT Engineer Pat Ivey, TRIP Director William Deal, 911 Communications Director Terry Bailey, Human Resources Director Jim Tysinger

A. CALL TO ORDER AND WELCOME

Chairman Walser called the meeting to order and welcomed guests.

B. INVOCATION

Vice Chairman Sam Watford

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

E.. REGISTER FOR PUBLIC ADDRESS

Chairman Walser noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Commissioner Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to adopt the agenda. (Exhibit 1)

G. PUBLIC ADDRESS

Barney Hill expressed concerns with the engineering report on the Wil-Cox Bridge and concerns with consideration of ownership of the bridge.

Bill Clutter, former Davidson County Public Works and Services Director, addressed the Board on the consideration of the Wil-Cox Bridge ownership and expressed concerns for costs of maintenance and liability.

H. ITEMS FOR DECISION/INFORMATION - *Consent*

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

1. Minutes

The Board approved the minutes of the Planning and Zoning Public Hearing for February 9, 2010 and the Commissioners’ meeting for February 23, 2010.

2. Budget Amendments by Zeb Hanner, Assistant County Manager

The Board approved budget amendments for Social Services, Sheriff, Humane Society, and Cooperative Extension. (Exhibit 2)

3. Appointments/Reappointments

The Board appointed Nellie Tesh and Layton Long to the Planning Committee for Services to the Elderly and Barbara Everhart to the Board of Equalization and Review.

(Exhibit 3)

4. Rezoning Application by Guy Cornman, Planning and Zoning Director

The Board accepted an application from Coy G. Berrier to rezone property in Jackson Hill Township from RA-2, Rural Agricultural District to CU-RC, Conditional Use-Rural Commercial District, referred it to the Planning Board and scheduled the public hearing for April 5, 2010, at 7:00 PM, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, NC. (Exhibit 4)

5. Street Additions by Guy Cornman, Planning and Zoning Director

The Board approved Ironwood Drive, N. Honey Locust Drive, Mahogany Drive, and Mimosa Drive in the Ledford South Subdivision in Thomasville Township, and that of Berkley Drive and Kittery Court in Berkley Hall Subdivision in Arcadia Township to be added to the State Secondary Road System for maintenance. (Exhibit 5)

6. Denton Library Building Change Order #2 by Dwayne Childress, Purchasing Director

The Board accepted the change order and certificate of completion and agreed to finish the project with a decrease in cost of \$20,740.50 and a new contract total of \$1,011,759.50 for the Denton Library Project. (Exhibit 6)

7. Schedule Public Hearing for Community Transportation Grant by George Hodges, Transportation Manager

The Board scheduled a public hearing for March 23, 2010, 7:00 P.M., in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, NC to receive public input on the Community Transportation Program Grant application for the 2010-2011 year. (Exhibit 7)

8. Order to Advertise Tax Liens by Joe Silver, Tax Administrator

In accordance with NCGS 105-369(a), the Board voted to order the Tax Administrator (Tax Collector for Davidson County) to advertise the tax liens on Real Property. (Exhibit 8)

I. ITEMS FOR DECISION/INFORMATION – *Deliberation*

1. Wil-Cox Bridge Agreement

County Manager Robert Hyatt provided information noting that there would be no draw down from the \$2.5 million for maintenance or repairs unless requested by the County.

County Attorney Chuck Frye noted changes made in the proposed agreement.

NCDOT Engineer noted the land to be deeded to the County 45' x 80' (3,400 sq. ft.). He noted the right-of-way that has to be kept by NCDOT. He noted a question of right-of-way being recorded where the bridge is situated.

Guy Cornman addressed the Board concerning areas (15.69 acre tract deeded to NCDOT) around the bridge and access to the river.

Vice Chairman Watford questioned the required inspections. Mr. Ivey replied that NCDOT would have to do inspections as required. He noted that if the County does not take the bridge, the bridge would be demolished.

Commissioner Kopley presented questions on the actual ownership and right-of-way.

County Attorney Chuck Frye explained the difference between ownership easements and right-of-way.

Commissioner Potts noted that Davidson County authority would end half way across the bridge.

Pat Ivey noted that the ends of the bridge are on NCDOT property but the area in the middle is of concern. If Davidson County accepts ownership, both ends of the bridge will be Davidson County property and accessible to Davidson County. One quarter of an acre is what Davidson County would own.

Commissioner Kepley noted the surrounding attractions.

Commissioner Truell expressed concerns that Rowan County would benefit more than Davidson County and he noted that you really can't see the bridge if you are riding through Davidson County or Rowan County. He noted his opposition to accepting ownership.

Vice Chairman Watford noted that he supports accepting ownership.

Commissioner Dunn expressed her support for ownership of the bridge.

Commissioner Potts noted repairs that would have to be made under water. He noted you can't see the bridge structure and there's not a lot of land to work with at either end of the bridge. He noted his opposition.

Commissioner McClure expressed his support for ownership of the bridge.

Chairman Walser noted his support for Davidson County ownership of the bridge and noted that Pat Ivey had answered his questions and quieted his concerns.

On a motion by Commissioner Potts and a second by Commissioner Truell, the Board voted 2-5 to reject the agreement for ownership of the Wil-Cox Bridge.

On a motion by Commissioner Dunn and a second by Commissioner McClure the Board voted 5-2 to accept the agreement from NCDOT for ownership of the Wil-Cox Bridge; Commissioner Potts and Commissioner Truell voted "No." (Exhibit 9)

J. CLOSED SESSION – Economic Development

On a motion by Commissioner Kepley and a second by Commissioner Dunn the Board voted unanimously 7-0 to go into Closed Session for Economic Development

RETURN TO OPEN SESSION

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to return to Open Session.

County Attorney Chuck Frye reported discussion of Economic Development with no action taken.

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to amend the agenda to schedule a public hearing for an Economic Development project.

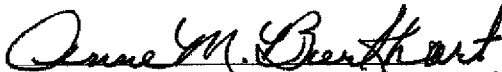
Steve Googe apprised the Board that Project Combined (company) plans to invest a minimum of \$3,000,000 in new plant, machinery and equipment and provide 150 jobs in the first 26 months of operation. Mr. Googe delivered a request for an appropriation from Davidson County of sixty-eight thousand three hundred dollars (\$68,300.00) to purchase one-half interest in the property located at 1350 West Holly Grove Road, identified by Davidson County Tax Department as Parcel Number 1133900000001, containing 17.36 acres, owned by Phyllis D. Swicegood, and to enter into a lease purchase agreement with Project Combined for twelve years. Mr. Googe then requested a public hearing for March 23, 2010 for Project Combined to amend the offer of a grant made January 10, 2010.


On a motion by Commissioner Potts and a second by Vice Chairman Watford, the Board voted unanimously 7-0 to schedule a public hearing for 7PM, March 23, 2010, in the Commissioners' Meeting Room, 913 Greensboro Street, Lexington, North Carolina to

receive public input on the proposed amendment to the offer of a grant made January 10, 2010 by offering a grant each year for twelve (12) years to be paid by Davidson County provided the company meets the requirements of the contract as to investment, jobs and wages each year for up to twelve (12) years with the payment of the grant not to exceed five thousand six hundred ninety-one dollars and sixty-eight cents (\$5,691.68) each year for up to twelve (12) years.

K. ADJOURNMENT

On a motion by Commissioner McClure and a second by Commissioner Truell, the Board voted unanimously 7-0 to adjourn.


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


W. Max Walser, Chairman
Davidson County Board of Commissioners