

MINUTES

April 25, 2006

The Davidson County Board of Commissioners met on Tuesday, April 25, 2006, at 7:00 P.M., in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, for a scheduled public hearing and a regularly scheduled meeting.

PRESENT

Commissioners: Chairman Fred McClure, Assistant Chairman Larry Potts, Cindy Akins, Fred Sink, Don Truell, Dr. Max Walser, Sam Watford

County Attorney Robert Hedrick, Assistant County Manager Zeb M. Hanner, Clerk to the Board Anne Burkhart, Transportation Director Zeb F. Hanner, Purchasing Director Dwayne Childress, Public Works and Services Director Bill Clutter, Davidson County Schools Superintendent Dr. Fred Mock, Tourism Recreation Investment Partnership Executive Director JoEllen Edwards, Economic Development Director Steve Googe, Integrated Solid Waste Management Director Charlie Brushwood, Jim Everhart, William Deal, Lexington City Manager John Gray

A. CALL TO ORDER AND WELCOME

Chairman McClure called the meeting to order and welcomed guests.

B. INVOCATION

Commissioners Cindy Akins

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

Chairman McClure recognized Misti Boles-Whitman, representing the Davidson County Council of Chambers.

E. REGISTER FOR PUBLIC ADDRESS

Chairman McClure noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Vice Chairman Potts and a second by Commissioner Walser the Board voted unanimously 7-0 to adopt the agenda with an addition of *Day Reporting Grant* on the consent agenda.

(Exhibit 1)

G. PUBLIC ADDRESS

Gene Beck addressed the Board concerning the Resolution Supporting Traditional Marriage and the change in name of Talbert Blvd. to Martin Luther King Blvd.

Barney Hill addressed the Board concerning the economic Development incentive grant.

H. PUBLIC HEARING – Economic Development Incentive Grant to Orrell’s Foods, Inc.

On a motion by Commissioner Truell and a second by Commissioner Walser the Board voted unanimously 7-0 to open the public hearing to receive public comments on the appropriation and expenditure of Davidson County funds for a grant to Orrell’s Food Service, Inc.

Steve Gooze explained the details of the grant.

Barney Hill spoke in favor of the economic development incentive grant.

Steve Gooze spoke in favor of the economic development incentive grant to Orrell’s Food Service.

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

Kenny Lamb of Orrell’s Food Service thanked the Board for the consideration of the economic development incentive.

On a motion by Vice Chairman Potts and a second by Commissioner Sink the Board voted unanimously 7-0 to approve the economic development incentive grant to Orrell’s Food Service calculated at .0027 times the additional investment in the facility of \$3,000,000 for five years, not to exceed \$8,100 per year with the addition of at least ten jobs and the Company expected to retain the current 90 jobs.

(Exhibit 2)

I. ITEMS FOR DECISION/INFORMATION

Consent

On a motion by Commissioner Watford and a second by Vice Chairman Potts the Board voted unanimously 7-0 to approve the consent agenda.

1. Minutes

The Board approved the minutes of April 6, 2006 and April 11, 2006 Commissioners’ meetings and March 6, 2006 Planning and Zoning Public Hearing.

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

The Board approved the Tax Report of Refunds for March 2006. (Exhibit 3)

3. Budget Amendments by Zeb M. Hanner, Assistant County Manager

The Board approved budget amendments for the Library, Social Services, and Sheriff's Department. (Exhibit 4)

Day Reporting Grant by Zeb M. Hanner, Assistant County Manager

The Board approved application for the Criminal Justice Partnership Program (CJPP) Grant for Continuation of Implementation Funding for the Day Reporting Center. (Exhibit 4a)

Deliberation

4. 2005 Photo Contest Winners by JoEllen Edwards, Tourism Recreation Investment Partnership Director

The Board acknowledged the winners of the 2005 "Capture the Spirit of Davidson County" photo contest:

Davidson County Historical Museum Heritage Award – Nia Mendenhall "A Barbed Wire View"

Thomasville Furniture Attraction Award – Savannah Kepley for "Duck Watching at the Park"

Denton Farm Park Event Award – Debbie Moon for "Odell & Clipper"

DC Solid Waste Management Department Award for Best Land, Water or Sky Photo – Phil Kennedy for "Fall Pastels"

Arts United for Davidson County Young Photographer Award – Brittany Henderson for "Waterbreak"

The Dispatch Front Page Award – Phil Kennedy for "Pack House: From a Simpler Time" (Exhibit 5)

5. Proclamation – Mental Health Month in Davidson County

On a motion by Commissioner Akins and a second by Commissioner Walser the Board voted unanimously 7-0 to proclaim May 2006 as Mental Health Month in Davidson County. (Exhibit 6)

6. Proclamation – Motorcycle Safety Awareness Month May 2006 by Jim Everhart

On a motion by Commissioner Akins and a second by Vice Chairman Potts the Board voted unanimously 7-0 to proclaim May 2006 as Motorcycle Safety Awareness Month in Davidson County.

(Exhibit 7)

7. Proclamation – National County Government Week

On a motion by Commissioner Truell and a second by Commissioner Akins the Board voted unanimously 7-0 to proclaim April 23-29, 2006 as National County Government Week in Davidson County. (Exhibit 8)

8. Resolution In Support of Extending Amtrak Passenger Rail Service to the Citizens of Davidson County by William Deal

On a motion by Commissioner Sink and a second by Commissioner Truell the Board voted unanimously 7-0 to adopt the Resolution In Support of Extending Amtrak Passenger Rail Service to the Citizens of Davidson County. (Exhibit 9)

9.a. Construction Procedure for Davidson County Community College by Robert Hedrick, County Attorney

On a motion by Vice Chairman Potts and a second by Commissioner Walser the Board voted unanimously 7-0 to amend (1.b.) to have two representatives instead of five on the Construction Committee for Davidson County Community College.

On a motion by Commissioner Watford and a second by Commissioner Akins the Board voted unanimously 7-0 to add (1.e.) for representation by Public Works and Services to the Construction Committee.

On a motion by Vice Chairman Potts and a second by Commissioner Watford the Board voted unanimously 7-0 to approve the Agreement for Construction Procedure for Davidson County Community College. (Exhibit 10)

9.b. Architectural Agreement for Hasty School Renovations by Dr. Fred Mock

On a motion by Commissioner Truell and a second by Commissioner Akins the Board voted unanimously 7-0 to approve the Architectural Agreement for Hasty School Renovations at \$180,000.

(Exhibit 11)

10. Schedule Public Hearing for 2006-2007 Rural Operating Assistance Program

On a motion by Commissioner Akins and a second by Commissioner Truell the Board voted

unanimously 7-0 to schedule a public hearing for May 9, 2006 at 7:00 P.M. in the Commissioners' Meeting Room of the Governmental Center to receive public comments on the Rural Operating Assistance Program Application. (Exhibit 12)

11. Easement Agent Midway Sewer Project by Dwayne Childress, Purchasing Director and Bill Clutter, Director of Public Works and Services

On a motion by Vice Chairman Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to approve the proposal for service as Easement Agent for the Midway School Sewer from Wright & Associates estimated at \$46,765 (outside number). (Exhibit 13)

12. Declaration of Surplus Property/Schedule Public Auction by Dwayne Childress, Purchasing Director

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted 6-1 to declare surplus property, schedule a public auction for May 20, 2006, grant authority to Dwayne Childress to add or remove items to the list as needed, cover advertising and moving expense, and place items on the internet for sale prior to the auction; Commissioner Watford voted "No." (Exhibit 14)

13. Change Order #1 for Partial Closure of the Landfill by Charlie Brushwood, Integrated Solid Waste Management Director, and Dwayne Childress, Purchasing Director

On a motion by Commissioner Watford and a second by Vice Chairman Potts the Board unanimously 7-0 to approve the change order #1 at a cost of \$26,126.10 for partial closure of the landfill. (Exhibit 15)

14. Sewer Reimbursement Policy by Bill Clutter, Public Works and Services

Bill Clutter explained the need for changes to Article III of the Sewer Reimbursement Policy. He further explained the reimbursements that were already in the policy, those addressed in the proposed policy and noted that in Article III, Section 35, (b)(5.) needs the word *annually* added. Mr. Clutter acknowledged the Board's request for a change in Section 38, to substitute the term *owner/operator* for *municipality*.

On a motion by Vice Chairman Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to place the Sewer Reimbursement Policy and an update on the Pilot Sewer Project on the May 4, 2006 agenda. (Exhibit 16)

15. Appointments

On a motion by Commissioner Walser and a second by Vice Chairman Potts the Board voted unanimously 7-0 to appoint David Mickey to the Integrated Solid Waste Management Advisory Board.
(Exhibit 17)

16. Update on Medicaid Relief Proposal by Zeb M. Hanner, Assistant County Manager

The Board received an update on the Medicaid Relief Proposal. (See Exhibit 18)

J. CLOSED SESSION – Attorney/Client

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted unanimously 7-0 to go into Closed Session for an Attorney/Client matter.


RETURN TO OPEN SESSION


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

County Attorney Robert Hedrick reported discussion of an Attorney/Client matter in Closed Session with no action taken.

K. ADJOURNMENT

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


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


Fred D. McClure, Chairman
Davidson County Board of Commissioners