

## MINUTES

May 12, 2009

The Davidson County Board of Commissioners met on Tuesday, May 12, 2009, in the Commissioners' Meeting Room, Governmental Center 913 Greensboro Street, Lexington, North Carolina for a regularly scheduled meeting.

### PRESENT

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

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, Human Resources Director Tim Tysinger, Senior Services Director Thessia Everhart-Roberts, Soil and Water Director Andy Miller, Sheriff David Grice, Major Brian Grubb, Watershed Coordinator Scott Leonard

### A. CALL TO ORDER AND WELCOME

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

### B. INVOCATION

Vice Chairman Watford

### C. PLEDGE OF ALLEGIANCE

Boy Scouts Thom Hyatt, Will Swicegood, and Lee Payne

### D. RECOGNITION

Chairman McClure recognized Edwina Hardee, 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 Commissioner Potts and a second by Commissioner Kepley the Board voted unanimously 7-0 to adopt the agenda with the removal of Personnel from Closed Session. (Exhibit 1)

### G. PUBLIC ADDRESS

Samuel H. Penn, Sr. presented a Resolution and expressed concerns about the stimulus fund. He requested that stimulus funds be spent locally rather than being used in other countries to boost their economy.

H. ITEMS FOR DECISION/INFORMATION

Consent

Commissioner Potts requested that H.4. be removed from the Consent Agenda.

On a motion by Vice Chairman Watford 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 April 28, 2009 Board of Commissioners' meeting.

2. Budget Amendments by Zeb Hanner, Assistant County Manager

The Board approved budget amendments for Wallburg Fire Department, Senior Services, Emergency Medical Services, Social Services Cooperative Extension, Davidson County Schools, Lexington City Schools, and Public Works. (Exhibit 2)

3. Additions to the NC Secondary Roads System by Guy Cornman, Planning and Zoning

Director

The Board approved the additions of Heatherwood Drive, Turtle Bay Court, Southern Woods Drive, Panther Creek Court, Red Hawk Lane, Norwood Hills Drive, Kiawah Island Drive, Cypress Point Court, Inverness Drive, and Kapalua Court in Meadowlands Subdivision and Wedgewood Drive in Wedgewood Subdivision for additions to the NC Secondary Road System for maintenance and adopted a resolution supporting the additions. (Exhibit 3)

Deliberation

4. Jail Committee Recommendation Selecting Former Duracell Property as Preferred Site by Dwayne Childress, Purchasing Director

Commissioner Kepley expressed concerns for possible liability due to the recommended jail site being located next door to a contaminated area that was previously occupied by Duracell. Vice Chairman Watford noted that it is several thousand feet away and has been cleaned up. Discussion followed.

Commissioner Kepley expressed his opposition to the recommended site and noted the existence also of an

old landfill near the area. He noted the advantages of the Courthouse site. Discussion followed with comments from the Commissioners.

On a motion by Commissioner Truell and a second by Commissioner Walser the Board voted 5 to 2 to pursue the recommended site and to have an environmental study of the site; Commissioners Kepley and Dunn voted "No." (Exhibit 4)

Consent

5. Reclassifications by Jim Tysinger, Human Resources Director

The Board approved the request to reclassify all five Income Maintenance Caseworker I's, grade 60 to Income Maintenance Caseworker II's, grade 62, to be effective July 1, 2009 with the 2009-2010 budget. (Exhibit 5)

5.a. Health Insurance Benefit for Retirees by Jim Tysinger, Human Resources Director

The Board approved the recommendation for ending the benefit for health insurance to retirees beginning with anyone hired after July 1, 2009. (Exhibit 6)

Deliberation

6. Appointments

On a motion by Commissioner Potts and a second by Commissioner Kepley the Board voted unanimously 7-0 to appoint Shirley Jones-Byrd as Senior Representative to the Planning Committee for Services to the Elderly for a term of two years and to reappoint John Hedgecock and Mike Hege and appoint Jerry H. Hilton to the Voluntary Agricultural District Board for terms of three years (July 1, 2009 through June 30, 2012). (Exhibit 7)

7. Voluntary Agricultural District Annual Report by Andy Miller, Soil and Water Director

The Board accepted the Voluntary Agricultural District Annual Report as presented by Andy Miller. Mr. Miller gave the details of the plans for the agricultural community and noted that it promotes the economic welfare of the community. (Exhibit 8)

8. Requested Change to I-85 Memorandum of Agreement by Guy Corman, Planning and Zoning Director

On a motion by Commissioner Potts and a second by Commissioner Dunn the Board voted unanimously 7-0 to approve the requested technical change to Article 9 of the recently approved I-85 Memorandum of Agreement. (Exhibit 9)

9. Land Development Plan by Guy Cornman, Planning and Zoning Director

Guy Cornman presented the plan and answered questions from the Board. Discussion followed. The Board asked that revisions be made in wording in several instances, which are the removal of the third bullet on #2 Page 62 and on page 63 #1 bullet, change wording from *provide to seek* in the plan.

On a motion by Commissioner Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to set a public hearing to receive public comment and input on the Land Development Plan for July 14, 2009, 7:00 PM. (Exhibit 10)

10. Davidson County 2009-2010 Budget Message by Robert Hyatt, County Manager

County Manager Robert Hyatt delivered the Davidson County 2009-2010 Budget Message and highlighted several items. In doing so, he noted that the current tax rate of \$.54 per \$100 valuation for real property tax is proposed to remain the same. He further noted there would be no general salary increases. After the presentation of the budget message, Mr. Hyatt offered to set up dates for work sessions. There was no interest from the Board to schedule a work session .

On a motion by Commissioner Potts and a second by Commissioner Dunn the Board voted unanimously 7-0 to schedule a public hearing on the Davidson County 2009-2010 Budget for May 26, 2009, 7:00 PM to receive public comments and information. (Exhibit 11)

I. CLOSED SESSION -- Real Estate

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

County Attorney Frye noted that the old Ames site on Hwy.64, currently owned by Tower Investments, L.L.C., is being considered for a potential jail site.

RETURN TO OPEN SESSION

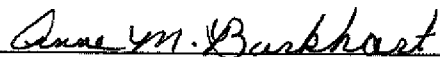
On a motion by Commissioner Walser and a second by Vice Chairman Watford the Board voted unanimously to return to Open Session.

County Attorney Chuck Frye reported that there was direction for consideration of negotiation of property given to the County Manager.

J. ADJOURNMENT

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

  
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Fred D. McClure, Chairman  
Davidson County Board of Commissioners

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