

MINUTES

May 24, 2005

The Davidson County Board of Commissioners met at 7:00 P.M., on Tuesday, May 24, 2005, in the Commissioners' Meeting Room, Governmental Center, Lexington, for a public hearing and a regularly scheduled meeting.

PRESENT

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

County Manager Robert Hyatt, County Attorney/Clerk to the Board Robert Hedrick, Assistant County Manager Zeb M. Hanner, Finance Director Jane Kiker, Public Works and Services Director Bill Clutter, Tax Administrator Joe Silver, Emergency Services Director Doug Lowe, Senior Services Director Kathryn Pritchard, Health Director Layton Long, Purchasing Director Dwayne Childress, Chief Deputy Brian Grubb, Parks and Recreation Director Charles Parnell, Human Resources Director John Dean, Social Services Director Catherine Lambeth, Judy Hartman, Frankie Hedrick, Petra Leonard, Ron Kepley of Davidson County Schools, Dr. Fred Mock, Superintendent of Davidson County Schools, Dr. and Mrs. Antony Shoaf, Economic Development Director Steve Googe

A. CALL TO ORDER AND WELCOME

Chairman Truell called the meeting to order and welcomed guests.

B. INVOCATION

Commissioner Cindy Akins

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

Chairman Truell recognized Emma White, representing the Davidson County Council of Chambers, and Jeff Rollins, with a gift certificate, as he retires from the Davidson County Sheriff's Office with 30 years of service.

E. REGISTER FOR PUBLIC ADDRESS

Chairman Truell noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted unanimously 7-0 to adopt the agenda with the following additions:

I.21. Reschedule a Public Hearing for Zoning Amendment Applications

I.3.a. Additional Health Department Budget Amendments (Exhibit 1)

G. PUBLIC ADDRESS

H. PUBLIC HEARING – Intent to Sell Home Health Agency

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to open the public hearing to receive public comment on the Resolution of Intent to Sell the Home Health Agency.

Layton Long noted that this is the second of a series of public hearings required in the procedure.

Barney Hill spoke on the procedure required for the Sale of the Home Health Agency and noted that he was in favor of the Sale of the Home Health Agency.

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

On a motion by Vice Chairman Potts and a second by Commissioner Sink the Board reaffirmed approval of the Resolution of Intent to Sell the Home Health Agency.

(Exhibit 2)

I. ITEMS FOR DECISION/INFORMATION

Consent

On a motion by Commissioner Watford and a second by Commissioner Akins the Board voted unanimously 7-0 to approve the consent agenda with the removal of I.5. Re-appointments.

1. Minutes

The Board approved the minutes of May 5, 2005 and May 10, 2005.

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

The Board approved the tax report of refunds for April 2005. (Exhibit 3)

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

The Board approved budget amendments as follows:

- a) Appropriate \$500,000 from fund balance to General Fund for Medicaid.

- b) DSS – accept \$4,000 for Adult Day Care for NC Dept. of Health & Human Services.
- c) DSS – appropriate \$101,011 for county share of 5 positions.
- d) DSS – reduction of \$130,932 in State allocation for Day Care.
- e) Inspections – appropriate \$68,113 for Central Permitting Project and a line item transfer from Salaries to Contracted Services of \$6,887 for first installment of the project for a total of \$75,000.
- f) Senior Services – line item transfer to adjust budget to actual expenditures, increase departmental supplies \$15,000, and decrease part time salaries \$10,000 and capital outlay \$5,000.
- g) Appropriate Federal funds of \$150,000 for airport improvements.
- h) Health Department – appropriate \$450 from FY2004 for concrete work for the Health Department generator.
- i) Lexington City Schools – move \$35,000 from HVAC renovations to complete paving at Lexington Middle School.
- j) Day Reporting – appropriate \$4,600 received from Criminal Justice Program.
- k) Finance – appropriate \$4,000 for Departmental Supplies to purchase storage shelving.
- l) Sheriff – appropriate \$25,000 from drug seized monies to Vice-drug seized funds line item.
- m) Recreation – line item transfer from Contracted Services to Equipment for \$9,600 to purchase bleachers for some of the athletic fields.
- n) Health – line item transfer in Bioterrorism Budget for \$633, line item transfer in WIC Budget for \$16,997, line item transfer in Child Health Budget for \$25,363, and acceptance of \$1,291 from Division of Public Health for lab tests done in Prenatal Clinic.

(Exhibit 4)

4. Renewal of Workers Compensation Insurance with Zenith Insurance Company by Zeb

M. Hanner, Assistant County Manager

The Board approved the offer from Zenith Insurance Company at an estimated premium of \$694,524 for the County's workers' compensation program for the term beginning July 1, 2005.

(Exhibit 5)

Deliberation

5. **Reappointments**

The Board tabled the reappointments of Michael Albert to the DCCC Board of Trustees and the reappointments of Prentice Weldon, Ruth Swicegood, and Mark Stevens to the Library Board of Trustees on a motion by Vice Chairman Potts and a second by Commissioner Akins by a vote of 7-0. (Exhibit 6)

Consent

6. **Approval of 2005-2006 Annual Plan and Membership List for Juvenile Crime Prevention Council by Frankie Hedrick, JCPC Chair**

The Board approved the 2005-2006 JCPC Plan and the JCPC Membership List. (Exhibit 7)

7. **2003-2004 Surplus HRSA EMS Grant by Doug Lowe, Emergency Services Director**

The Board approved the application and acceptance of the 2003-2004 Surplus HRSA EMS Grant that will be used to replace the current 12 Lead Heart Monitors carried on the EMS Medical Transport Units. (Exhibit 8)

8. **Proclamation – Older Americans Month by Kathryn Pritchard, Senior Services Director**

The Board approved the Proclamation designating May 2005 as Older Americans Month.

(Exhibit 9)

9. **Change Order #2 – Deduction for Tyro Sewer by Bill Clutter, Public Works and Services Director**

The Board approved Change Order # 2 for a deduction to the Tyro Sewer Project which yields a net change of \$1,339.63 to the contract price. (Exhibit 10)

Deliberation

10. **Agent to Assist Selling Home Health Agency by Layton Long, Health Director**

On a motion by Commissioner Watford and a second by Commissioner Sink the Board voted unanimously 7-0 to approve the engagement of the services of Larson Allen Consulting with Ron Clitherow to assist with the sale of the Davidson County Home Health Agency at a cost not to exceed \$25,000 without consultation. (Exhibit 11)

11. **Reduction in Force – Home Health Agency by Layton Long, Health Director**

On a motion by Commissioner Walser and a second by Commissioner Sink the Board voted unanimously 7-0 to approve the reduction in force designated as a lay-off unit for the Home Health Agency. (Exhibit 12)

12. Reappointment and Renewal of Contract for Chemical Planner "Antony R. Shoaf" by Doug Lowe, Emergency Services Director

Doug Lowe discussed the parameters of the chemical planner's responsibilities with the Board. Commissioner Sink asked Cliff Romains to address the Board concerning the mandates by the State. Mr. Romains noted the formation of the LEPC and the guidance received from Dr. Shoaf.

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted to approve the reappointment of Dr. Antony R. Shoaf of Shoaf Scientific Consultants, Inc. as Chemical Planner and renew the contract for \$34,778.22 for the budget year 2005-2006 to be paid in twelve monthly installments effective date beginning July 1, 2005 and ending June 30, 2006. (Exhibit 13)

13. Designation of the National Incident Management System for Davidson County by Doug Lowe, EMS Director

On a motion by Commissioner Sink and a second by Commissioner Akins the Board voted unanimously 7-0 to approve the acceptance of the National Incident Management System as the basis for all Incident Management in Davidson County to meet Federal and State mandates. (Exhibit 14)

14. GOV Deals by Robert Hyatt, County Manager

On a motion by Commissioner Walser and a second by Commissioner Watford the Board voted unanimously 7-0 to award a contract with *GovDeals.com* to sell property through an online auction format at a monthly charge for usage of 7.5% per transaction fee to be taken from proceeds of the sale.

(Exhibit 15)

15. Agreement with NCDOT for Highway 8/Southmont Property Right of Way Easement by Robert Hyatt, County Manager

On a motion by Vice Chairman Potts and a second by Commissioner Watford the Board voted unanimously 7-0 to approve the agreement with NCDOT for Highway 8/Southmont box site property easement for \$26,900. (Exhibit 16)

16. Requests for Sewer Allocation by Bill Clutter, Public Works and Services Director

- a. Hartman Industrial Park
- b. Meadow Lily Estates

Bill Clutter presented maps designating the area of requests for sewer allocation and noted that this requested allocation is specifically for the designated lots. He noted that the proposed extension runs northerly from the Fryes Creek Outfall and lies roughly along the western boundary of the Meadow Lily subdivision and into utility easements provided in the North Davidson Industrial Park. He further noted that the sewer is to be extended along the entire width of the property, and also westerly along the private drive of the industrial park to NC Hwy. 150, and then northerly across the full extent. Mr. Clutter stated that, additionally, there will be a short sewer extension across to the southern boundary of Meadow Lily to service lots 45, 46, 49.

Robert Hyatt noted County policy on allocation and noted the County's status on allocation with Winston-Salem Forsyth Utilities.

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted unanimously 7-0 to approve the request for sewer allocation of 7,200 gpd and permission to proceed with the proposed main extensions for the Hartman Industrial Park for 5 lots and the 9 non-perkable lots in the Meadow Lily Estates Subdivision which includes lots 5, 7, 8, 9, 45, 46, 49, 52, & 53, with the understanding that the design must meet the approval of County Staff and that service to any additional parcels will require further approval by the County. (Exhibit 17)

- c. Union Grove Baptist Church Sewer Line Extension and Capacity Allocation

On a motion by Commissioner Walser and a second by Vice Chairman Potts, the Board voted unanimously 7-0 to approve the request for sewer allocation of 3,600 gpd and sewer line extension (approximately 2,800 ft. of line) that will supply services to the site of the future Union Grove Baptist Church, and Winston-Salem/Forsyth Utilities has agreed to accept the sewage. (Exhibit 18)

- 17. Food Lion Sewer Easements by Bill Clutter, Public Works and Services Director

On a motion by Vice Chairman Potts and a second by Commissioner Watford the Board voted unanimously 7-0 to approve the agreement with Jimmy Peele for securing the required easements necessary to proceed along SR 150 from Stamey's Barbecue to Food Lion's proposed site for liability of no more

than \$5,250.00, and noting that Food Lion has supplied the County Manager with written assurances to underwrite the expenses estimated to be \$5,250.00. (Exhibit 19)

Recess Davidson County Board of Commissioners and Convene Pilot Sanitary Community County Sewer Board

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted unanimously 7-0 to recess the Davidson County Board of Commissioners and convene the Pilot Sanitary Community County Sewer Board.

18. **Pilot Sewer Project Substantial Completion of Lines 8 and 35 by Bill Clutter, Public Works and Services Director**

On a motion by Commissioner Watford and a second by Vice Chairman Potts the Board voted unanimously 7-0 to approve the Certificate of Substantial Completion of Lines 8 and 35 to accommodate DOT bridge replacement in the Pilot Community Sanitary Sewer District. (Exhibit 20)

Recess Pilot Sanitary Community County Sewer Board and Reconvene Davidson County Board of Commissioners

19. **BellSouth Easement for Services to New Friendship-Ledford School by Robert C. Hedrick, County Attorney**

On a motion by Commissioner Sink and a second by Commissioner Watford the Board voted unanimously 7-0 to approve a request by The Wessex Company for an easement agreement for BellSouth for the new Friendship-Ledford School property for \$3,000.00, which has already been approved by the Davidson County Board of Education and deposited in the General Fund of Davidson County. (Exhibit 21)

20. **Budget Message for Davidson County FY2005-2006 by Robert Hyatt, County Manager**

County Manager Robert Hyatt presented the budget message and requested a public hearing for early June 2005. He noted the driving force of rising Medicaid costs and school construction and recommended a \$.02 tax increase, bringing the tax rate to \$.55 per \$100 property valuation. He further recommended a 3% cost of living salary increase for county employees. Mr. Hyatt then noted total expenditures at \$106,480,406.

On a motion by Vice Chairman Potts and a second by Commissioner Watford the Board voted unanimously 7-0 to set a workshop for 6:00 P.M. and public hearing for June 6, 2005 at 7:00 P.M. in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington. (Exhibit 22)

21. Reschedule a Public Hearing for Zoning Amendment Applications by Guy Cornman, Planning and Zoning Director

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted unanimously 7-0 to reschedule a public hearing for Monday, June 20, 2005 beginning at 7:00 P.M. for zoning amendment applications from Edward Joseph Bailey, David and Darlynn Guest, Buie and Kates Enterprises, Berkley Group, Buel and Vickie Barker. (Exhibit 23)

J. CLOSED SESSION – Real Estate, Attorney/Client, Economic Development

On a motion by Commissioner Akins and a second by Vice Chairman Potts the Board voted 7-0 to go into Closed Session for matters of real estate, attorney/client, and economic development.

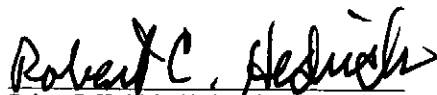
RETURN TO OPEN SESSION

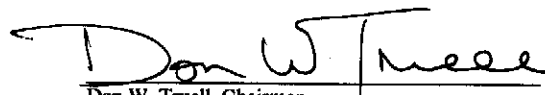
On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted 7-0 to return to Open Session.

County Attorney/Clerk to the Board Robert Hedrick reported discussion of real estate, attorney/client, and economic development and noted the settlement of a workers' compensation matter subject to approval by the North Carolina Industrial Commission.

K. ADJOURNMENT

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to adjourn.


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


Don W. Truell, Chairman
Davidson County Board of Commissioners