

MINUTES

June 23, 2009

The Davidson County Board of Commissioners met at 7:00 pm on Tuesday, June 23, 2009, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina for a regularly scheduled meeting and two public hearings.

PRESENT

Commissioners: Chairman Fred McClure, Vice Chairman Sam Watford, Cathy Dunn, Billy Joe Kopley, 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, Finance Director Jane Kiker, Tax Administrator Joe Silver, Human Resources Director Jim Tysinger, Health Director Layton Long, TRIP Director William Deal, IT Director Joel Hartley, Senior Services Accounting Tech Doug Duffey, Transportation Director George Hodges, Major Brian Grubb, Social Services Director Keith Johnson, Public Works and Services Director Rex buck

A. CALL TO ORDER AND WELCOME

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

B. INVOCATION

Chairman Fred McClure

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

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 Dunn the Board voted unanimously 7-0 to adopt the agenda with the following additions and amendments:

- **Add** - Approval of Agreement between the State of North Carolina Department of Environment and Natural Resources and Davidson County for Providing a County Forester - I.13.

- **Add** - Schedule a Public Hearing for 2009 Community Development Block Grant (CDBG) Small Business Entrepreneurial Assistance Grant Application for July 14, 2009 for Handy Sanitary District - I.14.
- **Add** - Closed Session for personnel and Attorney/Client
- **Amend** - I.2.(G) Budget Amendments – Approve and Accept Additional CMAQ Grant
- **Amend** - I.5. Reclassifications – Delete Reclassification for Integrated Solid Waste
- **Amend** - I.12. Acceptance and Approval of Grant Agreements with NCDOT for CMAQ Funds and Authorization for Chairman to Sign Documents

(Exhibit 1)

G. PUBLIC ADDRESS

H. PUBLIC HEARING

1. Edward Byrne Memorial Justice Assistance Grant (JAG) Funds

On a motion by Commissioner Truell and a second by Commissioner Dunn the Board voted unanimously 7-0 to open the public hearing to receive public comment on the submittal of an application from the Davidson County's Sheriff's Office for additional Edward Byrne Memorial Justice Assistance Grant (JAG) funds in the amount of \$25,450 to be used to purchase law enforcement equipment, supplies, and training equipment.

Barney Hill spoke in opposition to the grant.

Major Brian Grubb provided details of the plans for purchases with the grant funds.

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

On a motion by Commissioner Truell and a second by Commissioner Potts the Board voted unanimously 7-0 to approve the grant application for submission. (Exhibit 2)

2. Lease to Family Dollar Stores of North Carolina

On a motion by Commissioner Truell and a second by Commissioner Kepley the Board voted unanimously 7-0 to open the public hearing to received public comment on the proposed lease to Family Dollar Stores of North Carolina, Inc. for the Davidson County property on South State Street at the intersection of West 7th Avenue and adjacent to the Davidson County Main Branch Library.

County Manager Robert Hyatt presented details of the lease.

Barney Hill spoke in favor of the renewal of the lease to Family Dollar Stores, Inc.

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

On a motion by Commissioner Potts and a second by Commissioner Duan the Board voted unanimously 7-0 to approve the Lease to Family Dollar Stores of North Carolina, Inc. for the Davidson County property on South State Street at the intersection of West 7th Avenue and adjacent to the Davidson County Main Branch Library. (Exhibit 3)

I. ITEMS FOR DECISION/INFORMATION

Consent

On a motion by Vice Chairman Watford and a second by Commissioner Kepley the Board voted 6-1 to approve the consent agenda with the removal of I.2 for discussion; Commissioner Kepley voted "No."

1. Minutes

The board approved the minutes of June 4, 2009 and June 9, 2009.

Deliberation

2. Budget Amendments by Zeb Hanner, Assistant County Manager

On a motion by Commissioner Truell and a second by Commissioner Walser the Board voted Unanimously 7-0 to approve budget amendments for Purchasing, Health, Social Services, Senior Services, Assistant County Manager (Navaline Accounting), Wallburg Fire Department, and CMAQ grant funds and additional CMAQ grant funds (I.2.G., which was pending the approval of the grant agreements in I.12.).

(Exhibit 4)

Consent

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

The Board approved the Tax Report of Refunds for May 2009. (Exhibit 5)

4. Juvenile Crime Prevention Council (JCPC) by Eric Torrence, JCPC Chairman

The Board approved the JCPC 2009-2010 membership list. (Exhibit 6)

5. Reclassifications by Jim Tysinger, Human Resources Director

The Board approved the reclassification of a Sheriff Lieutenant position to a Deputy III position, and salary increases for two Sheriff Captains. (Exhibit 7)

Deliberation

6. Newbridge Bank Presentation by Gene Klump

Gene Klump, Marketing Executor for Newbridge Bank, presented \$1,000 to Jim Kelly, with \$2,000 to be contributed at a future date for the Denton Library Project.

7. Aerial Orthophotography Project by Joel Hartley, IT Director

IT Director Joel Hartley presented a Power Point to exhibit the new Aerial Orthophotography Project in process. Mr. Hartley noted the contrast to the photography from past years and the improvement and clarity of the new product. (Exhibit 8)

8. Environmental Health Department Fees by Zeb Hanner, Assistant County Manager and Layton Long, Health Director

Health Director Layton Long presented information on the new fees that have been added.

On a motion by Commissioner Truell and a second by Vice Chairman Watford the Board voted 4-3 to adopt the Revised Environmental Health Fee Policy: Commissioners Potts, Kepley, and Dunn voted "No." (Exhibit 9)

9. Passenger Rail Committee by William Deal, TRIP Director

William Deal presented details of the activities and pursuit of passenger rail service efforts.

The Board acknowledged the re-titling of the Lexington Passenger Rail Advisory Committee (14 members currently) to Davidson County Passenger Rail Advisory Committee, the move of the Committee under the auspices of the Tourism-Recreation Investment Partnership for Davidson County (TRIP) as a TRIP standing committee, and the need to expand the membership (6-8 members) of the Committee to include members representing citizens of Davidson County. (Exhibit 10)

10. Voting Delegate to NACo Conference in July

On a motion by Commissioner Potts and a second by Commissioner Walser the Board voted unanimously 7-0 to designate Chairman McClure as voting delegate to the NACo Conference in July 2009.

11. Appointment – Jury Commission

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

unanimously 7-0 to reappoint Charles Stout to the Jury Commission for another 2 year term.

(Exhibit 11)

12. Acceptance of Grant Agreements with NCDOT for CMAQ Funds by Robert Hyatt,
County Manager

On a motion by Commissioner Truell and a second by Commissioner Walser, the Board voted unanimously 7-0 to accept and approve the Grant Agreements with NCDOT for CMAQ funds, the budget amendment and authorization for the Chairman to sign the necessary documents. (Exhibit 12)

13. Schedule Public Hearing for 2009 Community Development Block Grant (CDBG) –
Small Business Entrepreneurial Assistance Grant Application

On a motion by vice Chairman Watford and a second by Commissioner Dunn the Board voted unanimously 7-0 to schedule a public hearing for July 14, 2009 to receive public comment on Handy Sanitary District's request for the grant application process for possible CDBG funds to assist with the extension of sewer service to Loflin Fabrications. (Exhibit 13)

14. Agreement between the State of North Carolina Department of Environment and Natural
Resources and Davidson County for Providing a County Forester

On a motion by Commissioner Truell and a second by Commissioner Walser the Board voted unanimously 7-0 to approve the Agreement between the State of North Carolina Department of Environment and Natural Resources and Davidson County for Providing a County Forester.

J. CLOSED SESSION – Personnel and Attorney/Client

On a motion by Commissioner Walser and a second by Commissioner Dunn the Board voted unanimously 7-0 to go into Closed Session for Personnel and Attorney/Client.

RETURN TO OPEN SESSION

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

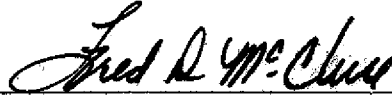
County Attorney Chuck Frye reported discussion of Personnel and Attorney/Client matters in Closed Session with no action taken.

On a motion by Commissioner Potts and a second by Commissioner Dunn the Board voted unanimously to amend the agenda for a motion on a personnel matter.

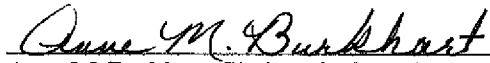
On a motion by Commissioner Truell and a second by Commissioner Walser the Board voted unanimously 7-0 to approve a vacation accrual rate of six to nine years service for the Health Director in recognition of his years of service.

K. ADJOURNMENT

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



Fred D. McClure, Chairman
Davidson County Board of Commissioners



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