

MINUTES

August 9, 2005

The Davidson County Board of Commissioners met on Tuesday, August 9, 2005, at 7:00 P.M., in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina for a regularly scheduled meeting.

PRESENT

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

County Manager Robert Hyatt, County Attorney Robert Hedrick, Assistant County Manager Zeb M. Hanner, Tax Administrator Joe Silver, Planning and Zoning Guy Cornman, Finance Director Jane Kiker, Public Works and Services Director Bill Chutter, Clerk to the Board Anne Burkhart, Purchasing Director Dwayne Childress, Tax Administrator Joe Silver, Economic Development Director Steve Googe, Emergency Services Director Doug Lowe, Finance Director Jane Kiker, Health Director Layton Long, Davidson Visions Director Ben Ross

A. CALL TO ORDER AND WELCOME

Chairman Truell called the meeting to order and welcomed guests.

B. INVOCATION

Vice Chairman Larry Potts

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

E. REGISTER FOR PUBLIC ADDRESS

Chairman Truell noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Commissioner Watford and a second by Commissioner Sink the Board voted unanimously 7-0 to adopt the agenda with the additions of Administrative Procedure and Economic Development to Closed Session and Evans Box Site and Recreation/Tourism Application for Grant.

(Exhibit 1)

G. PUBLIC ADDRESS

Judith Cox – addressed the Board to propose an amendment to the Animal Control Ordinance advocating more officers and a leash law. She presented a written proposal to the County Attorney for the Board to review.

Eugene Queen – addressed the Board on his view of adultery and presented 2 resolutions that he had written and requested the Board's review and consideration.

Mr. and Mrs. Wayne Peninger – addressed the Board concerning naming of their driveway as Peninger Drive.

Betty Almond – addressed the Board concerning the closure of the Evans Road Box Site and requested the re-opening of the site.

Todd Sechrist – addressed the Board concerning the closure of the Evans Road Box Site and requested the Board to reconsider.

Barney Hill – addressed the Board concerning the Resolution Requesting North Carolina General Assembly to Limit Exercise of Public Domain to Public Purposes, Interlocal Agreement-Colonial Drive as Historic District, NACO Prescription Drug Discount Card Program, display of historical document in government facilities.

Louise Jones – addressed the Board in favor of re-opening the Evans Box Site.

H. ITEMS FOR DECISION/INFORMATION

Consent

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

1. Minutes

The Board approved the Minutes of June 6, 2005 and June 28, 2005 Board of Commissioners' meetings and February 7, 2005 Planning and Zoning Public Hearing.

2. Tax Report of Refunds for June 2005 by Joe Silver, Tax Administrator

The Board approved the Tax Report of Refunds for June 2005. (Exhibit 2)

3. Annual Tax Settlement Statement by Joe Silver, Tax Administrator

The Board approved the Annual Tax Settlement Statement for the Fiscal Year 2004-2005.

(Exhibit 3)

4. 2006 Meeting Schedule

The Board approved the Davidson County Board of Commissioners' Meeting Schedule for the Calendar Year 2006. (Exhibit 4)

5. 2006 Holiday Schedule

The Board approved the Davidson County 2006 Holiday Schedule. (Exhibit 5)

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

(2004-2005)

Escrow – Appropriate \$26,510 interest used for Debt Service.

911 – Appropriate \$59,783 Performance Savings to 911 building expansion capital project fund.

(2005-2006)

Sheriff – Carry forward insurance proceeds \$7,300 to Vice Narcotics Equipment.

Health – Transfer to create separate budget for Environmental Health.

Health – Transfer \$3,400 in WIC from Salaries to Medical Supplies.

Social Services – Reduce Children's Trust Fund by \$16,880.

EMS – Appropriate 2004 Homeland Security Grant Funds of \$292,554 (\$33,945 for Departmental Supplies and \$258,609 for Capital Outlay)

Sheriff – Appropriate \$2,136 in commissary revenue received to Jail Capital outlay.

Finance – Appropriate \$394,148 grant funds for JCPC programs.

Davidson County Schools – Allocate 2005-2006 category I funding to capital projects.

Davidson County Schools – Carry forward funds to on-going projects and allocate funds from completed projects to other projects.

Sheriff – Appropriate \$785,000 in drug seized funds for various items (see exhibit) and matching funds for a grant applied for to get some new MTD's.

Social Services - \$68 line item adjustment for carry over funds to actual.

JTEC – Accept \$46,861 to support Incumbent Workers contracts with A.M.Haire and DISA.

JTEC – Accept extension on 2003 10% set aside funding of \$50,000.

EMS – Appropriate \$41,219 in insurance proceeds received.

Recreation – Carry forward unused funds of \$55,000 from 2004-2005 (5-Year Capital Plan and Tourism Master Plan recommendations for renovation at Optimist Park).

Museum – Carry forward \$5,000 in funds (unused for cupola project in 2004-2005).

Public Works & Services – Reclass \$8,000 of approved capital to purchase used excavator for Public Buildings. (Exhibit 6)

7. Reappointments – Child Fatality Prevention/Protection Team

The Board reappointed Dr. Don Patterson, Mitch Culbertson, Dr. Ed Timberlake, Kim Frank, and Doug Lowe to the Child Fatality Prevention/Protection Team. (Exhibit 7)

8. Authorization of Signatures for Ploi and Company Project Agreement by Robert Hedrick, County Attorney

The Board authorized the signing by the Chairman of the Board and the Clerk to the Board on behalf of the Board on the One North Carolina Fund Grant Agreement and Performance Agreement.

(Exhibit 8)

9. Abandonment from the NC Secondary Road System by Guy Corman, Planning and Zoning Director

The Board approved the abandonment of a portion (260 feet) of SR#2411, Dogwood Road, Emmons Township. (Exhibit 9)

10. Planning and Zoning Fee Schedule by Zeb M. Hanner, Assistant County Manager

The Board approved the Planning and Zoning Fee Schedule. (Exhibit 10)

11. Declaration of Surplus Property/Authorization to Sell/Authorization for Acceptance of Winning Bid as Sale Price by Dwayne Childress, Purchasing Director

The Board approved the declaration of surplus property, authorized the selling of the surplus property, and authorized acceptance of the winning bid as the sale price for surplus property. (Exhibit 11)

12. Resolution Requesting North Carolina General Assembly to Limit Exercise of Public Domain to Public Purposes by Vice Chairman Larry W. Potts

The Board adopted the RESOLUTION REQUESTING NORTH CAROLINA GENERAL ASSEMBLY TO LIMIT EXERCISE OF PUBLIC DOMAIN TO PUBLIC PURPOSES. (Exhibit 12)

13. Interlocal Agreement – Colonial Drive School Property as Historic District by Robert Hyatt, County Manager

The Board approved the Interlocal Agreement for the Colonial Drive School Property as a part of the historic district. (Exhibit 13)

14. Lexington Park and Ride Memorandum of Agreement by Guy Cornman, Planning and Zoning Director

The Board approved the Memorandum of Agreement between Lexington, Davidson County, and NCDOT for the Lexington Park and Ride with a 10% local match shared with the City of Lexington. (Exhibit 14)

15. Availability of NACO Prescription Drug Discount Card Program by Commissioner Fred McClure

The Board approved making the NACO Prescription Drug Discount Card available in Davidson County. (Exhibit 15)

16. Meth-Amphetamine Lab Prevention Task Force by Commissioner Fred McClure

The Board approved the creation of the Meth-Amphetamine Lab Prevention Task Force.

(Exhibit 16)

Deliberation

17. Schedule Public Hearing for NC Secondary Roads Program by Guy Cornman, Planning and Zoning Director

On a motion by Commissioner Sink and a second by Vice Chairman Potts the Board voted unanimously 7-0 to schedule a public hearing for the NC Secondary Roads Program for September 12, 2005, 6:00 P.M., Commissioners Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina. (Exhibit 17)

18. Schedule Public Hearing for Proposals on Sale of Home Health by Robert Hedrick, County Attorney

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted unanimously 7-0 to schedule a public hearing for August 23, 2005, at 7:00 P.M. to receive public comment and information on the proposals for purchase of the Home Health Agency. (Exhibit 18)

19. Introduction of Bond Order and Adoption of Resolution Setting a Public Hearing by Jane Kiker, Finance Director

The Bond Order was introduced to the Board of Commissioners by Jane Kiker, Finance Director.

On a motion by Commissioner Walser and a second by Commissioner Watford the Board voted unanimously 7-0 to adopt the general obligation bond order totaling \$71.6 million for school construction and a resolution setting a special bond referendum to the Board of Elections and set a public hearing on the Bond Order for August 23, 2005. (Exhibit 19)

20. Ambulance Leases by Dwayne Childress, Purchasing Director

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted unanimously to approve the lease of two EMS Ambulance units at \$89,947.00 each or \$179,894.00 extended with funding to come from capital outlay. (Exhibit 20)

21. Change Order – Tyro Sewer by Bill Clutter, Public Works and Services Director

On a motion by Commissioner Sink and a second by Vice Chairman Potts the Board voted unanimously 7-0 to approve the final adjusting Change Order #3 for an increase in contract price in the amount of \$19,543.69 for the Tyro Sewer Project. (Exhibit 21)

RECESS Davidson County Board of Commissioners and Convene Reeds Sanitary Sewer District 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 Reeds Sanitary Sewer District Board.

22. Change Order – Reeds Sewer by Bill Clutter, Public Works and Services Director

On a motion by Commissioner Watford and a second by Commissioner Akins the Board voted unanimously 7-0 to approve Change Order #3 for an increase of \$1,777.54 to the Reeds Sewer Project contract.

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to approve Change Order #4 for a deduction of \$112,688.61 on the contract for the Reeds Sewer Project. (Exhibit 22)

ADJOURN RECONVENE

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted unanimously 7-0 to adjourn the Reeds Sanitary Sewer District Board and reconvene the Davidson County Board of Commissioners.

23. Update on Tyro, Reeds, and Pilot Sewer Projects by Bill Clutter, Public Works and Services Director

Mr. Clutter presented an update on the sewer projects in Tyro, Reeds, and Pilot and noted that the Rural Center has conducted an inspection of all three sites in preparation of close-out.

Tyro - Mr. Clutter informed the board that Food Lion officials have temporarily stopped proceeding on the new Food Lion site in the Tyro area. He noted that the Tyro Sewer system is expected to be on-line in about two weeks or less.

Reeds - He noted that discussion is ongoing with the Davidson County Schools concerning the fee for City of Lexington. He further noted that it will take 15 to 30 days to complete the system.

Pilot - Mr. Clutter noted that door hangers were distributed to all properties to be served to provide information to them on the status of the project. He stated that the contractor is on site to begin finishing the project, and a start-up date of August 15 has been established with Thomasville.

Mr. Clutter then noted the procedures to follow with assignment of systems to the cities by August 23rd. (Exhibit 23)

24. Easement for Sewer Lines to City of Trinity on Unilin Property by Robert Hedrick, County Attorney

On a motion by Commissioner Watford and a second by Vice Chairman Potts the Board voted unanimously 7-0 to approve an easement for sewer lines over an area of 910 square feet on Unilin property for the City of Trinity to attach to a sewer line. (Exhibit 24)

25. Request to Division of Water Quality to Hold Public Meeting Regarding Notification of Intent to Issue a Consent Order by Commissioner Max Walser

Gilbert Buck addressed the Board concerning the unsanitary conditions in the Rich Fork Creek area, noting the unpleasant odor, wastewater spills and overflows from the outfall lines. He requested the Davidson County Board of Commissioners to support the request and also notify the City of High Point concerning the conditions. He also requested that the sprawl be stopped. Discussion followed.

On a motion by Commissioner Walser and a second by Commissioner Akins the Board voted unanimously 7-0 to grant permission for the request to the Division of Water Quality to Hold a Public Meeting Regarding Notification of Intent to Issue a Consent Order, with the letter of request to be written by the County Manager. (Exhibit 25)

26. Schedule Public Hearing on Seeking Funds from NC Dept. of Commerce's Small Cities Community Development Block Grant Program by Robert Hyatt, County Manager

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to schedule a public hearing for August 23, 2005, 7:00 P.M. in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, to receive public comment on the seeking of funds from NC Department of Commerce's Small Cities Community Development Block Grant Program.

27. Evans Road Box Site by Commissioner Fred Sink

Commissioner Sink spoke to the issue of the closure of the Evans Box Site and noted the consideration that was given to the box sites at the time of the budget work sessions.

On a motion by Commissioner Sink and a second by Commissioner Akins the motion carried unanimously 7-0 for the Evans Box Site to be reopened for 2 days a week.

28. Tourism Partnership by Zeb M. Hanner, Assistant County Manager

On a motion by Vice Chairman Potts and a second by Commissioner Watford the Board voted unanimously 7-0 to authorize the application for a grant to update the website for Tourism Partnership.

I. CLOSED SESSION – Attorney/Client, Real Estate, Economic Development, Administrative Procedure

On a motion by Vice Chairman Potts and a second by Chairman Fred Sink the Board voted unanimously 7-0 to go into Closed Session for matters of Attorney/Client, Real Estate, Economic Development, and Administrative Procedure.

RETURN TO OPEN SESSION

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

County Attorney Robert Hedrick reported discussion of Attorney/Client, Real Estate, Economic Development, and Administrative Procedure matters with no action taken in Closed Session.

Amendment to the Agenda

On a motion by Commissioner Akins and a second by Vice Chairman Potts the Board voted unanimously 7-0 to amend the agenda to schedule public hearings.

Dantherm Filtration

On a motion by Commissioner Watford and a second by Commissioner Sink the Board voted unanimously 7-0 to schedule a public hearing for August 23, 2005, 7:00 P.M., Commissioners' Meeting Room, Governmental Center, Lexington, to receive public comment on an incentive grant to be calculated at .0027 times an investment of \$3,000,000 for five years, not to exceed \$8,100 per year (1/2 taxes), to Dantherm Filtration, a metal fabricator in the air handling business, with construction of 45,000 square feet and the creation of 30 jobs.

Stridemark

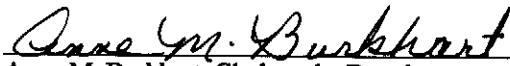
On a motion by Commissioner Walser and a second by Commissioner Akins the Board voted unanimously 7-0 to schedule a public hearing for August 23, 2005, 7:00 P.M., Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, to receive public comment on an incentive grant to be calculated at .0027 times an investment of \$2,000,000 for five years, not to exceed \$5,400 per year (1/2 taxes) to Stridemark, an automotive supplier, with opportunity for 200 jobs.

J. ADJOURNMENT

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



Don Truell, Chairman
Davidson County Board of Commissioners



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