

MINUTES

August 10, 2004

The Davidson County Board of Commissioners met at 7:00 P.M. on Tuesday, August 10, 2004, in the Commissioners' Meeting Room of the Governmental Center, 913 Greensboro Street, Lexington, North Carolina.

PRESENT

Commissioners: Chairman Fred C. Sink, Vice Chairman Sam Watford, Cindy Akins, Priscilla Hege, Billy Joe Kepley, Don Truell, Dr. Max Walser

County Manager Robert Hyatt, County Attorney/Clerk to the Board Robert Hedrick, Budget Director Zeb M. Hanner, Human Resources Director John Dean, Public Works Director Bill Clutter, Senior Services Director Kathryn Gentry, Planning and Zoning Watershed Coordinator Scott Leonard, Social Services Director Catherine Lambeth, Tax Administrator Joe Silver, Integrated Solid Waste Director Charlie Brushwood, Finance Director Jane Kiker, IT Director Joel Hartley, Sheriff Deputy Casey Tarleton, Lt. Eddie Curry, Roger White of Davidson County Community College

A. CALL TO ORDER AND WELCOME

Chairman Sink called the meeting to order and welcomed guests.

B. INVOCATION

Commissioner Don Truell

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

Chairman Fred Sink called on County Manager Robert Hyatt who recognized Social Services Director Catherine Lambeth and Tax Administrator Joe Silver for the *Ralph Ketner Award*, presented to government employees who "go above and beyond the call of duty." Mr. Hyatt noted that Ms. Lambeth and Mr. Silver worked together to provide tax collection in the Thomasville area utilizing Social Services employees for tax collection with materials and training provided by the Tax Department.

Chairman Sink then called on Senior Services Director Kathryn Gentry for recognition of Rev. Lamar Moore for his *Ernest B. Moser Senior Citizen of the Year Award*. Mrs. Gentry commented on the dedication Rev. Moore has shown to Senior Services since its creation in Davidson County and noted his

continued involvement in many areas of service to county seniors, including delivery with “meals on wheels.”

E. REGISTER FOR PUBLIC ADDRESS

Chairman Sink noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Commissioner Billy Joe Kepley and a second by Commissioner Cindy Akins the Board voted unanimously 7-0 to adopt the agenda with the following amendments:

Add – H.24. Zoning Amendment Application to Schedule for Public Hearing

H.25. Performance Guarantee for Carrington Place – PDH

Move - H.6. Resolution Confirming Davidson County’s Multi-jurisdiction Hazard Mitigation
Plan to H.10.a. under *Deliberation*

H.22. Zoning Map Amendment Request to H.10.b. under *Deliberation*

H.19. Request for Sewer Extension to H.10.c. under *Deliberation* (Exhibit 1)

G. PUBLIC ADDRESS

Wayne Simerson supported location of a Food Lion grocery store in Tyro and the rezoning requested in *H.10.b.Zoning Map Amendment Request* that would accommodate the store. He then presented a petition with 75 signatures.

George Sowers noted that he is *pro growth* and advocated a request for additional allocation for sewer to be sent to Winston-Salem/Forsyth Utilities.

Doug Glosson – expressed his support for a grocery store to be located in Tyro and the rezoning of the Mary Long property.

N.C. “Charles” Trollinger – stated his support for a grocery store and rezoning in Tyro.

Rob Neill, Food Lion representative – reviewed the changes to be made to accommodate the area with the locating of the Food Lion grocery store on the Mary Long property, including the addition of a left turn lane, maximum of three access points, and a 25 ft. landscape buffer on the north end of the property.

Barney Hill spoke in support of rezoning the Mary Long property. (Exhibit 2)

H. ITEMS FOR DECISION/INFORMATION

Consent

Commissioner Akins asked that *H.1. Minutes* and *H.2. Budget Amendments* be considered under *Deliberation*; the Board also placed *H.6. Resolution Confirming Davidson County's Multi-Jurisdictional Hazard Mitigation Plan* under *Deliberation as H.10.a.*

On a motion by Vice Chairman Watford and a second by Commissioner Truell the Board voted 6-1 to approve the consent agenda consisting of items H.3., 4., 5., 7., 8., 9., 10; Commissioner Kepley voted "No."

3. Additions to the NC Secondary Road System by Scott Leonard, Planning and Zoning

The Board approved the SR 2 Resolution supporting the addition of Carlile Drive in Linrich Hills Subdivision to be added to the NC Secondary Road System for maintenance. (Exhibit 3)

4. 2005 Holiday Schedule

The Board approved the holiday schedule for the calendar year 2005. (Exhibit 4)

5. Resolution Adoption 2005 Meeting Schedule

The Board adopted the Resolution Approving the Davidson County Board of Commissioners' 2005 Meeting Schedule. (Exhibit 5)

7. Easement for Water Pipeline Across Property Leased to Unilin to Davidson Water, Inc. by Robert Hedrick, County Attorney

The Board approved the Easement for the Water Pipeline Across Property Leased to Unilin to Davidson Water, Inc. with the following resolution:

RESOLVED, that Davidson County convey to Davidson Water, Inc., a right of way easement for water pipelines across the property of Davidson County referred to as the Unilin Property.

(Exhibit 6)

8. Annexation of Unilin Property with City of Thomasville by Robert Hedrick, County Attorney

The Board approved the Annexation of Unilin Property with the City of Thomasville with the following resolution:

RESOLVED, that Davidson County Petition the City of Thomasville, North Carolina, for annexation of the property of Davidson County referred to as the Unilin Property. (Exhibit 7)

9. Partial Closure of Phase I Landfill by Charlie Brushwood, Integrated Solid Waste

Management Director

The Board approved the partial closure of Phase I Landfill. (Exhibit 8)

10. Sewer Connection Policies by Robert Hyatt, County Manager

The Board approved sewer connection policies for the Davidson County/Winston-Salem Sewer Line and the Davidson County/City of Lexington Sewer Service Area. (Exhibit 9)

Deliberation

1. Minutes

On a motion by Commissioner Akins and a second by Commissioner Truell the Board voted unanimously 7-0 to approve the minutes of the June 22, 2004 Board of Commissioners' meeting and the minutes of Planning and Zoning public hearings of May 3, 2004 and June 7, 2004 with a correction for the minutes of May 3, 2004 to reflect the absence of Commissioner Akins. (Exhibit 10)

2. Budget Amendments by Zeb M. Hanner, Budget Director

Commissioner Akins requested details on budget amendments for Davidson County Schools.

Davidson County Schools Finance Director Ron Kepley provided additional information on the requested budget amendments by the Davidson County Board of Education noting the details for bus entrance to the new Ledford Middle School due to the widening of Hwy. NC109, replacement of entry doors at West Davidson High School, and installation of walls and three doors at South Davidson High School for security purposes.

On a motion by Commissioner Akins and a second by Commissioner Hege the Board voted unanimously 7-0 to approve budget amendments as follows:

Budget Amendments for 2003-2004 -

- Sheriff's Department received \$613.57 in medical co-payments and \$1,497 in commissary funds.
- Silver Valley Volunteer Fire Department requested overages on fire taxes collected.
- Library requested line item transfer of \$8,909 from the Library to Wings Program to cover actual salary expenses.

- Appropriate \$11,244 to pay Bob Segal invoice. Davidson County received \$25,197 for State Criminal Alien Assistance Program and \$12,409 for jail medical reimbursements.

Budget Amendments for 2004-2005 –

- Tax Department – appropriate \$8,802 in tax revenues to pay Evans and Associates for discovery. (Contingency fee charged to Contracted Services.)
- Social Services received \$8,056 in adoption incentive funds.
- JTEC – appropriate \$3,150 to Contracted Services and \$850 to Departmental Supplies.
- Davidson County Schools – allocate 2004-2005 approved capital funds to Ledford Senior High Roof Project and athletic facilities upgrades. The Davidson County Schools unappropriated fund balance to buy 6 mobile class rooms and to fix parking and entrance to Ledford Middle School.
- Davidson County Schools – reallocate \$72,241 excess funds left over from the Fair Grove Roof Project to other capital projects. (Exhibit 11)

10.a.(6.) Resolution Confirming Davidson County's Multi-jurisdictional Hazard Mitigation Plan by Scott Leonard, Planning and Zoning Watershed Coordinator

Scott Leonard introduced Paula Sloniger from the Piedmont Council of Governments. Ms. Sloniger noted that the Plan has been approved by the State and she summarized steps taken to formulate the Plan.

On a motion by Commissioner Hege and a second by Commissioner Akins the Board voted unanimously 7-0 to adopt the Resolution Confirming Davidson County's Multijurisdictional Hazard Mitigation Plan. (Exhibit 12)

10.b.(22.) Zoning Map Amendment Request by Scott Leonard, Planning and Zoning Watershed Coordinator

This item was tabled from the August 2, 2004 Planning and Zoning Public Hearing.

Commissioner Truell restated his motion to approve the zoning map amendment request for the Mary Long property; Commissioner Hege seconded the motion.

Commissioner Akins stated that she was in favor of the rezoning and advocated a request to NCDOT to lower the elevation on the knoll on Swicegood Road in the area to be rezoned for safety reasons.

Commissioner Hege noted her support of the rezoning also.

Commissioner Kepley advocated a middle turning lane and curb and gutter throughout the business area in Tyro. He recommended a letter be sent to NCDOT to this effect.

Chairman Sink stated he would make a note of the recommendation for a letter to NCDOT.

Commissioner Truell stated his support of the rezoning.

Vice Chairman Watford stated that he was in favor of the rezoning but he did not feel it was the best place for a grocery store.

Commissioner Walser noted the courtesy used by the citizens who called regarding the rezoning.

Chairman Sink stated that he was in favor of the rezoning after hearing the volume of support from the area.

Upon a vote, Commissioner Truell's motion to approve the Zoning Map Amendment Request, seconded by Commissioner Hege, carried unanimously 7-0. (Exhibit 13)

10.c.(19.) Request for Sewer Extension by Robert Hyatt, County Manager

The Board received information from Toni Michael, the developer of Gateway Realty, noting no costs to the County for the infrastructure. The Board discussed the 8,000 gallons per day allocation.

Commissioner Kepley advocated weekly coordination meetings of all involved in the development and construction.

On a motion by Commissioner Akins and a second by Commissioner Hege the Board voted unanimously 7-0 to approve the extension of sewer in Tyro to the Mary P. Long property. (Exhibit 14)

11. Creation of Badin Lake Fire District by Zeb M. Hanner, Budget Director

On a motion by Commissioner Hege and a second by Commissioner Akins the Board voted unanimously 7-0 to approve the budget amendment for a tax rate of six cents which will generate approximately \$23,000 per year in revenue for the Badin Lake Fire District. (Exhibit 15)

12. Tax Disclosure Statement for Fiscal year 2003-2004 by Joe Silver, Tax Administrator

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

unanimously 7-0 to approve the Annual Settlement Statement from the Tax Administrator for the 2003-2004 fiscal year. (Exhibit 16)

13. Tax Administrator's Tax Order of Collection by Joe Silver, Tax Administrator

On a motion by Commissioner Truell and a second by Commissioner Akins the Board voted unanimously 7-0 to adopt the Order of Collection Directing the Tax Collector to Collect Taxes.

(Exhibit 17)

14. College Resource Officer's Contract by Deputy Casey Tarleton, Lt. Eddie Curry, and County Attorney Robert C. Hedrick

On a motion by Commissioner Akins and a second by Commissioner Hege the Board voted unanimously 7-0 to approve the College Resource Officer's (CRO) Contract for an officer at Davidson County Community College. (Exhibit 18)

15. Addition of College Resource Officer/Addition to Vehicle Fleet by John Dean Human Resources Director

On a motion by Commissioner Akins and a second by Commissioner Walser the Board voted unanimously 7-0 to approve the addition of a College Resource Officer at Salary Grade 64 to the Pay and Classification Plan and an addition to the vehicle fleet to come from vehicles being replaced in the Sheriff's Department. (Exhibit 19)

16. Reclassification of Sheriff Detention Nurse-Temporary to Full-time by John Dean, Human Resources Director

On a motion by Commissioner Hege and a second by Commissioner Akins the Board voted unanimously 7-0 to reclassify the Sheriff Detention Center Nurse – Temporary to a Sheriff Detention Nurse Full-time and approve the uniform allowance added to the position (\$239.98 per year for each position).

(Exhibit 20)

17. Department Name Changes by John Dean, Human Resources Director

On a motion by Commissioner Truell and a second by Vice Chairman Watford the Board voted unanimously 7-0 to approve the department name change from Personnel to Human Resources.

On a motion by Commissioner Hege and a second by Commissioner Walser the Board voted unanimously 7-0 to approve the department name change for MIS (Management Information Services) to IT (Information Technology).

On a motion by Vice Chairman Watford and a second by Commissioner Walser the Board voted unanimously 7-0 to approve the department name change for Public Buildings to Public Works and Services. (Exhibit 21)

18. Grant Award for Lake Thom-A-Lex by Robert Hyatt, County Manager

On a motion by Vice Chairman Watford and a second by Commissioner Walser the Board voted unanimously 7-0 to approve and accept the grant of \$209,307 for the Lake Thom-A-Lex Project.

(Exhibit 22)

20. Professional Contract for Engineering Services for Tyro Sewer Project by Bill Clutter, Public Works and Services Director

The Board received a Contract for Engineering Services for the Tyro Sewer Project and an Outline of the Services in Proposed Contract with Wright & Associates for the Tyro Project from Bill Clutter, Public Works and Services Director.

Discussion followed concerning the cost for the contract and the period of time covered by the cost.

Commissioner Kepley, again, emphasized the need for weekly coordination meetings of all involved in the project.

On a motion by Vice Chairman Watford and a second by Commissioner Truell the Board voted unanimously 7-0 to approve the Professional Contract for Engineering Services between Davidson County and Recil Wright & Associates, Inc. for Sewer System to Serve Tyro Area. (Exhibit 23)

21. Street Name Change Request by Scott Leonard, Planning and Zoning Watershed Coordinator

Commissioner Hege made a motion to approve the name change of Gleenwood Drive to Star Drive; Commissioner Kepley seconded the motion.

Discussion followed concerning administrative procedure and cause for public hearing.

Commissioner Hege withdrew her motion.

On a motion by Commissioner Hege and a second by Commissioner Akins the Board voted unanimously 7-0 to set a public hearing on the matter for September 13, 2004, 7:00 P.M., Commissioners' Meeting Room, Governmental Center, Lexington. (Exhibit 24)

23. Appointments

On a motion by Commissioner Akins and a second by Commissioner Walser the Board voted unanimously 7-0 to appoint Gladys McIntyre and Beatrice Pierce to the Nursing Home Advisory Committee. (Exhibit 25)

24. Zoning Amendment Application to be Scheduled for Public Hearing by Scott Leonard, Planning and Zoning Watershed Coordinator

On a motion by Commissioner Akins and a second by Commissioner Hege the Board voted unanimously 7-0 to accept a zoning amendment application from Sowers Land Development, LLC-Arcadia Township to change RA-3 to O/I, refer it the Planning and Zoning Board for its review and recommendation and set a public hearing for October 4, 2004, 7:00 P.M., Commissioners' Meeting Room, Governmental Center, Lexington. (Exhibit 26)

25. Performance Guarantee for Carrington Place, PDH by Robert Hyatt, County Manager

On a motion by Commissioner Walser and a second by Commissioner Akins the Board voted unanimously 7-0 to approve and accept a certified check drawn in favor of Davidson County in the amount of \$14,000 as a guarantee which allows the responsible subdivider to record the plat and sell lots and also allows the sale of building permits with reimbursement to come from the County to the responsible subdivider once staff is satisfied all improvements have been properly installed. (Exhibit 27)

I. ADJOURNMENT

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

Fred C. Sink, Chairman
Davidson County Board of Commissioners

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