

MINUTES

September 8, 2009

The Davidson County Board of Commissioners met at 7:00 P.M., on Tuesday, September 08, 2009, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina for a regularly scheduled meeting..

PRESENT

Commissioners: Vice Chairman Sam Watford, Cathy Dunn, Billy Joe Kepley, Larry Potts, Don Truell.

County Manager Robert Hyatt, Assistant County Manager Zeb Hanner, County Attorney Chuck Frye, Deputy Clerk to the Board Debbie Harris, Planning and Zoning Director Guy Cornman, Human Resources Director Jim Tysinger, Fire Marshall Brad Needham, Fire Marshall Paul Jarrett, Finance Director Jane Kiker, Tax Administrator Joe Silver, Assistant Tax Administrator Diane Young, Transportation Supervisor George Hodges, Library Director Ruth Ann Copley, Integrated Solid Waste Director Charlie Brushwood, Major Brian Grubb, Risk Manager Jim Price, Emergency Services Director Doug Lowe, Public Works and Services Employee Randy Mitchell., Barney W. Hill, Thomasville Times reporter Carissa Minn, Lexington Dispatch reporter David Bodenheimer and members of several Davidson County volunteer fire departments.

ABSENT

Chairman Fred McClure was out of town due to a family emergency and Commissioner Max Walser was absent to travel to Washington, D.C. on behalf of the Board.

On a motion by Commissioner Larry Potts and a second by Commissioner Don Truell the Board voted 5-0 to excuse Chairman Fred McClure and Commissioner Max Walser from the meeting.

A. CALL TO ORDER AND WELCOME

Vice Chairman Sam Watford called the meeting to order and welcomed guests.

B. INVOCATION

The invocation was led by Commissioner Billy Joe Kepley.

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

There was no recognition at this meeting.

E. REGISTER FOR PUBLIC ADDRESS

Vice Chairman Sam Watford noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Commissioner Larry Potts and a second by Commissioner Cathy Dunn the Board voted unanimously 5-0 to adopt the agenda.

G. PUBLIC ADDRESS

Barney W. Hill spoke in opposition to item I.7. from the Agenda, Approval of Finance Department Proceeding with Issuance of Qualified School Construction Bonds.

H. PUBLIC HEARING

On a Motion by Commissioner Don Truell and a second by Commissioner Cathy Dunn the Board voted unanimously 5-0 to reconvene the public hearing regarding the proposed fire districts.

County Attorney Chuck Frye addressed the Board and updated them on the status of the Fire Service Districts. Fire Marshall Paul Jarrett relayed information that software issues before the last map printing had been resolved and the maps have been approved by the State Fire Marshall's Office. Mr. Jarrett further reported that after driving the maps out, one small area had been located that needed adjusting. Mr. Jarrett provided the Board with the history as to why fire service districts were warranted. Questions posed by the Commissioners were answered by Mr. Jarrett. Emergency Services Director Doug Lowe addressed the Board and provided additional information regarding the process, and reported that should the fire service districts be approved that they will continually be updated as changes are made to the locations of the fire stations. Mr. Lowe reported regarding the medical response side, that the EMS Office is willing to act as a liaison with the volunteer fire departments and citizens to establish the correct protocol to follow. Mr. Lowe thanked his staff and the Office of the State Fire Marshall for their assistance in this process.

During the public comments section of the hearing the following individuals were heard from:

Robert Beeson reported that he is from the Gumtree area and spoke regarding his concern that he can see the Gumtree Volunteer Fire Department from his home, but is served by the Midway Fire Department.

Aaron Noah spoke and reported that he is a Board Member of the Midway Fire Department. He acknowledged that the Gumtree Fire Station is close to the Midway Town limits and answered questions by the Board of Commissioners.

Donna Willard reported that she is a retired member of the Gumtree Volunteer Fire Department and lives in the Midway district. She reported on her concerns regarding response times of the first responders. Ms. Willard

reported it is her opinion that the major concern of her neighbors is response time in an emergency and not what taxes are assessed or paid to what fire district.

Frank Williams reported that he is on the Board of the Gumtree Volunteer Fire Department. He inquired into the possibility of the Board to request action by the General Assembly to make response time the forefront of this issue, not imaginary boundaries.

County Manager Robert Hyatt addressed the Board and reported that these concerns may be able to be addressed as the contracts with the volunteer fire departments are rewritten in the future and that response times through possible collaboration or service agreements between the fire departments could be mandated.

Michael Craft reported that he is the Chief of the Midway Volunteer Fire Department. He spoke regarding the history of the Midway VFD and the location of boundary lines. Mr. Craft also spoke regarding the Town of Midway's contracts with the Midway VFD and the Gumtree VFD.

Barney Hill addressed the Board and questioned whether the hearing should be about N.C.G.S. § 153A or N.C.G.S. § 69.

Tim Everhart of the South Lexington Volunteer Fire Department addressed the Board and inquired as to whether there were still "no mans lands" located in the County. Mr. Jarrett reported that there are still "no mans lands" located within the County and that until new roads were built or fire stations created that these areas will remain status quo. Ms. Everhart reported his concern regarding the coverage of Central Davidson High School and Central Davidson Middle School with the new fire service district lines. Mr. Jarrett reported that this area was one that OSFM had specifically asked to be corrected. Mr. Lowe reported that Davidson County Rescue is the first responder to this area.

On a motion by Commissioner Larry Potts and a second by Commissioner Cathy Dunn the Board voted unanimously 5-0 to close the public hearing.

A discussion by the Board of Commissioners ensued regarding this issue. Commissioner Kepley voiced that he felt that the district lines needed to be looked at. Commissioner Cathy Dunn applauded all of those who have worked so hard trying to establish the districts and stated that she hoped that after tonight's meeting that the issue of response time would be addressed. Commissioner Don Truell acknowledged that the establishment of the fire service districts was just the first step in this process and that many steps would follow. Commissioner Larry Potts reported that the establishments of the new fire service districts would not fix all of the existing problems and that issues would be worked on as the process progressed.

On a motion by Commissioner Larry Potts and a second by Commissioner Don Truell the Board voted 4-1 to approve the revised fire district maps for six (6) miles and that each rural fire district be amended as provided in the North Carolina General Statutes ensuring that every property within the revised fire districts pay the applicable tax. Commissioner Billy Joe Kepley voted "No." (Exhibit 1)

I. ITEMS FOR INFORMATION/DECISION

Consent

Commissioner Billy Joe Kepley requested that Item I.7 be pulled from Consent Agenda for further discussion. After a brief discussion regarding I.7 and on a motion by Commissioner Don Truell and a second by Commissioner Larry Potts the Board voted 4-1 to adopt the consent agenda; Commissioner Billy Joe Kepley voted "No."

1. Minutes

The Board approved the Minutes of August 6, 2009 and August 25, 2009. (Exhibit 2)

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

The Board approved budget amendments for Human Resources, Library, Transportation, Sheriff's Department, Department of Social Services, EMS, Cooperative Extension, Finance, Thomasville City Schools, and Fair Grove Fire Department. (Exhibit 3)

3. Worker's Compensation Risk Management Report by Jim Price, Risk Manager

Risk Manager Jim Price has presented a report regarding the savings which have been realized in the current structure of the County's Worker's Compensation pool. (Exhibit 4)

4. Pyrotechnics Permit for Barbecue Festival by Brad Needham, Fire Marshall

The Board approved the issuance of a pyrotechnics permit to Hale Artificer, Inc., for a fireworks display at the Barbecue Festival. (Exhibit 5)

5. Additions to the NC Secondary Road System by Guy Cornman, Planning and Zoning Director

The District Engineer has determined that Christine Lane in Kennedy Farms Subdivision is eligible for addition to the NC Secondary Road System for Maintenance. It is recommended that the Board of Commissioners adopt an SR 2 Resolution supporting this addition. (Exhibit 6)

6. Reclassifications by Jim Tysinger, Human Resources Director

The need for an Assistant Director in Integrated Solid Waste has been recognized and a reclassification from Integrated Solid Waste Marketing/Recycling Coordinator to Integrated Solid Waste Assistant Director has been requested, with an increase in pay from the current pay grade of 60 to pay grade 70. (Exhibit 7)

7. Approval of Finance Department Proceeding with Issuance of Qualified School Construction Bonds

The Board of Commissioners has been informed that zero or low interest bond availability has been allocated to our local education association for the 2009 Qualified School Construction Bonds Program (QSCB) as part of the American Recovery Reinvestment Act of 2009. QSCB's are for the specific use of construction (both new and additions), rehabilitation or repair of a public school or for land acquisition in conjunction with such. The Finance Department is requesting approval to proceed with the issuance of these QSCB's on behalf of Davidson County. (Exhibit 8)

Deliberation

8. Purchase of Property in Southmont by Chuck Frye, County Attorney

County Attorney Chuck Frye addressed the Board of Commissioners regarding the property which has been made available to the County adjoining the Solid Waste Disposal Site in Southmont. It is the opinion of those involved that the purchase of this tract of land would greatly facilitate both the operation of the Solid Waste Disposal Site in Southmont and the traffic flow if this tract was combined with the existing site owned by the County. The Morris tract has been offered to the County for the negotiated price of \$10,000.00.

On a motion by Commissioner Larry Potts and a second by Commissioner Don Truell the Board voted unanimously 5-0 to authorize the execution of an Offer to Purchase and Contract for the property of Scott S. Morris and Andy N. Morris for the amount of \$10,000.00; the payment of such necessary additional closing costs in a sum not to exceed \$500.00; and the subsequent completion of the transaction pursuant to the terms and conditions of the negotiated Offer to Purchase and Contract. (Exhibit 9)

9. Appointments

The Welcome Fire Department Relief Fund Committee has reported that they have lost Rueben A. Essick, one of its members, in 2009 due to death. Mr. Essick was a member appointed by the Board of Commissioners. The Relief Fund Committee is recommending that Kelli G. Tesh be appointed to replace Mr. Essick on the Welcome Fire Department Relief Fund.

On a motion by Commissioner Don Truell and a second by Commissioner Larry Potts the Board voted unanimously 5-0 to appoint Kelli G. Tesh as a member of the Welcome Fire Department Relief Fund Committee.
(Exhibit 10)

J. CLOSED SESSION

County Attorney Chuck Frye reported that a closed session was needed by the Board of Commissioners to discuss the purchase of a tract of land referred to as the Comer property to be utilized as a pump station for the Extended Day sewer project.

On a motion by Commissioner Don Truell and a second by Commissioner Larry Potts the Board voted unanimously 5-0 to go into Closed Session for matters of Real Estate and Attorney/Client.

RETURN TO OPEN SESSION

On a motion by Commissioner Don Truell and a second by Commissioner Billy Joe Kepley the Board voted unanimously 5-0 to return to open session.

County Attorney Chuck Frye reported discussion of matters regarding real estate and attorney/client with no action taken.

K. ADJOURNMENT

On a motion by Commissioner Don Truell and a second by Commissioner Larry Potts the Board voted unanimously 5-0 to adjourn.



Sam Watford, Vice Chairman
Davidson County Board of Commissioners



Debbie Harris, Deputy Clerk to the Board
Davidson County Board of Commissioners