

MINUTES

September 13, 2005

The Davidson County Board of Commissioners met at 7:00 P.M. on Tuesday, September 13, 2005, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, for 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, Assistant County Manager Zeb M. Hanner, County Attorney Robert Hedrick, Clerk to the Board Anne Burkhart, Finance Director Jane Kiker, Human Resources Director John Dean, Public Works and Services Director Bill Clutter, Fire Marshal Perry Tyler, Cooperative Extension Director Robert Lopp, Sheriff David Grice, Steve Googe

A. CALL TO ORDER AND WELCOME

Chairman Don Truell called the meeting to order and welcomed guests.

B. INVOCATION

Commissioner Max Walser

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

Chairman Truell recognized Walt Rouse, representing Davidson County Council of Chambers.

E. REGISTER FOR PUBLIC ADDRESS

Chairman Truell noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Commissioner Akins and a second by Commissioner Watford the Board voted unanimously 7-0 to adopt the agenda with additions: H.8.Public Works and Services Budget Amendment, H.9. Tyro Grocery Store/Food Lion, and Economic Development in Closed Session (Exhibit 1)

G. PUBLIC ADDRESS

Barney W. Hill spoke in opposition to House Bill 1023 (lottery bill).

Mary Cridelbaugh spoke on behalf of the FRIENDS OF RICH FORK CREEK and noted an upcoming public hearing on the proposed High Point Special Order by Consent scheduled for October 13, 2005.

Manly Byerly addressed the Board concerning his offer to donate 6 acres of property to the County on the back side of Northside Drive.

H. ITEMS FOR DECISION/INFORMATION

Consent

On a motion by Commissioner Sink and a second by Commissioner Akins the Board voted unanimously 7-0 to approve the consent agenda.

1. Minutes

The Board approved the Minutes of August 23, 2005 and September 1, 2005 Board of Commissioners' meetings and April 4, 2005 Planning and Zoning Public Hearing.

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

The Board approved the following budget amendments for 2005-2006:

Davidson County Schools – line item transfer of \$195,655 in Capital Projects (Ledford Middle School Projects, tap on to Reeds sewer project, roof repair at South Davidson).

Sheriff – carry forward \$7,500 insurance proceeds (death of canine) to canine program.

Sheriff – appropriate drug seized funds for court room security (\$45,000 for video arraignment Equipment and \$27,000 for metal detectors).

Sheriff – appropriate \$60,000 drug seized funds for 3 replacement vehicles and \$5,000 for vice surveillance equipment. (Exhibit 2)

3. Addition of Part-time Temporary Position in Senior Services by John Dean, Human Resources Director

The Board approved the addition of an Office Assistant II, Grade 54, part-time temporary position in Senior Services. (Exhibit 3)

4. Designating the Governmental Center as a Smoke-Free Facility by Robert Hyatt, County Manager

The Board approved the designation of the Governmental Center as a Smoke-Free Facility with the creation of a "designated smoking area" outside the building on the loading ramp with a canopy added for employees who smoke. (Exhibit 4)

5. Cooperative Extension Annual Leave Bonus Days by John Dean, Human Resources Director

The Board approved the County's contribution of approximately 20.5 hours of annual leave (\$1,705) to each of eight employees in Cooperative Extension Department. (Exhibit 5)

Deliberation

6. Authorization for Grant Application by Perry Tyler, Fire Marshal

On a motion by Commissioner Sink and a second by Commissioner Akins the Board voted unanimously 7-0 to approve the submittal of an application and acceptance of funds from the Department of Homeland Security Firefighters/Fire Prevention & Safety Grant for the Fire Marshal's Office.

(Exhibit 6)

7. Appointments

On a motion Vice Chairman Potts and a second by Commissioner Walser the Board voted unanimously 7-0 to reappoint Dwight L. Hedrick, Jr., Joe Bennett, Michael Albert, Hubert M. Leonard, and Walter Hoffman to the Industrial Facilities and Pollution Control Financing Authority for a term of 6 years.

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to appoint Ed Jordan and Robin Team to the Industrial Facilities and Pollution Control Financing Authority for a term of 6 years. (Exhibit 7)

8. Public Works and Services Budget Amendment

On a motion by Vice Chairman Potts and a second by Commissioner Akins the Board voted unanimously 7-0 to approve the line item transfer of \$7,500 from Salaries to Other Improvements to provide for the creation of an additional office. (Exhibit 8)

9. Tyro Grocery Store/Food Lion by Commissioner Sam Watford

Commissioner Watford noted the interest that has been expressed to him in locating a grocery store in Tyro. Discussion followed.

The Board acknowledged the effort to locate a grocery store in Tyro.

I. RECESS DAVIDSON COUNTY BOARD OF COMMISSIONERS AND CONVENE REEDS
COMMUNITY COUNTY 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 Community County Sewer District Board.

Reeds Sewer – Revision to Change Order #4 by Bill Clutter, Public Works and Services Director

Bill Clutter clarified the revised Change Order #4, noting that it is the final adjusting change order to set final cost and complete the project at \$881,239.36 (a reduction from original contract price of \$862,130.52).

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to approve the revised Change Order #4 (\$84,044.70 deduction- H&C Utilities and Pease Associates), bringing the contract price to \$881,239.36. (Exhibit 9)

J. ADJOURN REEDS COMMUNITY COUNTY SEWER DISTRICT BOARD/RECONVENE
DAVIDSON COUNTY BOARD OF COMMISSIONERS

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

K. CLOSED SESSION – Attorney/Client

On a motion by Commissioner Watford and a second by Commissioner Sink the Board voted unanimously 7-0 to go into Closed Session for matters of Attorney/Client and Economic Development.

RETURN TO OPEN SESSION

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

County Attorney Robert Hedrick reported discussion of Attorney/Client and Economic Development matters with no action taken.

AMENDMENT TO AGENDA

On a motion by Vice Chairman Potts and a second by Commissioner Watford the Board voted unanimously 7-0 to amend the agenda for two additional items that are time-sensitive and require action.

Economic Development

Economic Development Director Steve Googe delivered a request for a public hearing to receive public comment on an economic development incentive grant to a domestic manufacturer that would invest \$6,000,000 in property and equipment and provide 200 jobs at the beginning of operation and may escalate to 300 jobs in the community in the future.

On a motion by Commissioner Walser and a second by Vice Chairman Potts, the Board voted unanimously 7-0 to schedule a public hearing for an economic development incentive grant (equal to .004212 times the company investment of \$6,000,000.00 each year not to exceed \$25,272.00 per year for a total of ten years) to a domestic manufacturer for September 27, 2005, 7:00 P.M. in the Commissioners' Meeting Room, Governmental Center, Lexington.

Attorney/Client

Commissioner Watford moved that the following resolution be adopted:

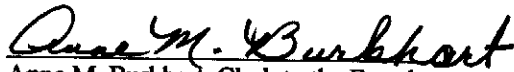
RESOLVED THAT all claims by *Corr Services, Inc., doing business as Corrvantis*, against Davidson County, and all claims of Davidson County against *Corr Services, Inc., be settled by a payment of \$351,000.00 by Davidson County to Corr Services, Inc., doing business as Corrvantis.*

RESOLVED FURTHER THAT the Chairman and Clerk to the Board be and are hereby authorized to sign the Settlement Agreement and Mutual Release and all other papers required to close the pending case in Court regarding the claims. (SEE SETTLEMENT IN EXHIBIT 10)

Commissioner Walser seconded the motion. Upon a vote the motion carried unanimously 7-0.

L. ADJOURNMENT

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


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


Don W. Truell, Chairman
Davidson County Board of Commissioners