

MINUTES

October 14, 2003

The Davidson County Board of Commissioners met on Tuesday, October 14, 2003, 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 Fred C. Sink, Vice Chair Priscilla H. Hege, Cindy P. Akins, Billy Joe Kepley, Don W. Truell, Dr. Max Walser, Samuel L. Watford

County Manager Robert C. Hyatt, County Attorney/Clerk to the Board Robert C. Hedrick, Budget Officer Zeb M. Hanner, Purchasing Director Dwayne Childress, Director of Libraries Nancy Bates, Emergency Services Director Doug Lowe, Finance Director Jane Kiker, Transportation Representative George Hodges, Sheriff Dallas Hedrick, Public Works Director Bill Clutter, JTEC Director Pat Everhart, MIS Director Joel Hartley

A. CALL TO ORDER AND WELCOME

Chairman Fred C. Sink called the meeting to order and welcomed guests.

B. INVOCATION

Commissioner Don Truell

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

E. REGISTER FOR PUBLIC ADDRESS

Chairman noted the register for public address.

F. ADOPTION OF THE 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:

Add – under H.14. Mental Health Local Management Entity (LME) Attendance by Commissioner Representative

H.16. Update on Economic Development Summit

(Exhibit 1)

G. PUBLIC ADDRESS

Dr. Dan Miller addressed the Board requesting the extended retirement for 7 employees after lay-off from the Mental Health Department.

Bill Herr, Director of Substance Abuse - addressed the Board requesting extended retirement and noted the amount of time employed, vacation, sick leave, overtime, and the amount of funding secured with grants he has written.

E. ITEMS FOR DECISION/INFORMATION

Consent

On a motion by Commissioner Truell and a second by Commissioner Walser the Board voted 6-1 to approve the consent agenda; Commissioner Kepley voted "No."

1. Minutes

The Board approved the minutes of Davidson County Board of Commissioners' meetings for September 23, 2003 and October 2, 2003, and the minutes of June 2, 2003 and August 4, 2003 Planning and Zoning Public Hearings.

2. Addition to NC Secondary Road System by Guy L. Cornman, III, Planning and Zoning

Director

The Board approved the additions of 1,000 feet of Panther Lane in Cedar Hills Subdivision in the Thomasville Township and Creekwood Court in Creekwood in Silver Hill Township to the to the NC Secondary Road System and adopted the SR 2 forms to be forwarded to the District Engineer. (Exhibit 2)

3. Abandonment of Road by Guy L. Cornman, III, Planning and Zoning Director

The Board approved the abandonment of a portion of SR 3125 Cox Road from the North Carolina Secondary Road System. (Exhibit 3)

4. Budget Amendments by Zeb M. Hanner, Budget Officer

The Board approved the following budget amendments:

- *Register of Deeds* – Appropriate \$42,307 State Mandated Preservation/Technology Funds.
- *JTEC* – Adjust budget to actual allotments of funds approved in current year.
- *Public Works* – Line item transfer \$2,500 from departmental supplies to capital outlay for laptop computer for Public Works Director.

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- *MIS* – Transfer \$15,250 from contracted services equipment to capital equipment for Tape Backup System.
- *Jail* – Appropriate \$5,370 jail meal savings to purchase two washing machines; transfer from special projects.
- *EMS* – Appropriate \$122,485 for Homeland Security Grant with \$45,800 for departmental supplies and \$76,785 for capital equipment. (Exhibit 4)

5. Silver Valley Fire Department Lease Purchase Contract by Jane Kiker, Finance Director

The Board approved the Silver Valley Fire Department Lease Purchase Contract to finance a new fire truck and refinance their existing construction loan in the amount of \$1,801,463.40 with 40 payments of \$75,374.07 at an interest rate of 5.29%. (Exhibit 5)

Deliberation

6. General Assembly Visit, October 18, 2003 by Brenda Durham, Executive Director of Lexington Chamber of Commerce and Ellen Welborn, Chairman of Governmental Affairs

On a motion by Commissioner Walser and a second by Commissioner Watford the Board voted 6-1 to approve \$2,500 for the mini-festival to be held October 18, 2003 to welcome and acquaint the General Assembly members with Davidson County and Lexington; Commissioner Akins voted “No.” (Exhibit 6)

7. Proclamation Celebrating Davidson County Public Libraries’ 75 Years of Service by Nancy Bates, Director of Libraries

On a motion by Vice Chair Hege and a second by Commissioner Akins the Board voted unanimously 7-0 to proclaim October 19-25, 2003 as the 75th Anniversary of the Davidson County Public Library. (Exhibit 7)

8. Schedule Public Hearing for Grant Application by George Hodges, Transportation

On a motion by Commissioner Kepley and a second by Vice Chair Hege the Board voted unanimously to schedule a public hearing for October 28, 2003 at 7:00 P.M., Commissioners’ Meeting Room, Governmental Center, Lexington, to receive information and public comment on the grant application for Community Transportation Service. (Exhibit 8)

9. Lease of Ambulance Units by Dwayne Childress, Purchasing Director

On a motion by Commissioner Truell and a second by Vice Chair Hege the Board voted

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unanimously 7-0 to approve the lease of two ambulance units for a term of three years at a cost of \$170,500 (\$85,250 each) through a cooperative purchasing agreement with the Florida Sheriff's Association from Wheeled Coach. (Exhibit 9)

10. Wastewater Collection and Treatment Services Agreement between the City of Lexington and Davidson County by Robert C. Hyatt, County Manager

On a motion by Commissioner Watford and a second by Commissioner Truell the Board voted unanimously 7-0 to approve the Wastewater Collection and Treatment Services Agreement between the City of Lexington and Davidson County. (Exhibit 10)

11. Phase II Storm Water Regulation Compliance by Robert C. Hyatt, County Manager

On a motion by Vice Chair Hege and a second by Commissioner Watford the Board voted unanimously 7-0 to approve the joint venture with the City of Lexington for Agreement with HDR Engineering for development of a Storm Water Program not to exceed \$26,600 and the appropriation of \$7,600 from contingency to help cover the County's portion of the project cost to undertake the study.

(Exhibit 11)

12. Schedule Public Hearing for Zoning Amendment Applications by Guy Cornman, Planning and Zoning Director

On a motion by Commissioner Truell and a second by Commissioner Walser the Board voted unanimously 7-0 to accept zoning amendment applications from Sherman P. and Joyce K. Lohr of Cotton Grove Township, Joseph E. and Angela D. Cox of Conrad Hill Township, and Larry Harvey of Lexington Township, refer them to Planning Board for recommendations and schedule a public hearing for Monday, November 10, 2003, at 7:00 P.M. (Exhibit 12)

13. Internet Tax Non-Discrimination Act by Robert C. Hyatt, County Manager

On a motion by Commissioner Watford and a second by Commissioner Truell the Board voted unanimously 7-0 to approve a letter to be sent to Davidson County's congressional representation expressing the Board's concerns with S. 150, the "Internet Tax Non-Discrimination Act" and its effect on the County's ability to collect franchise fees (one-half million dollars per year for the County).

(Exhibit 13)

14. Appointments

The Board agreed by consensus to table reappointments to the *Airport Authority* to allow the County Manager and staff to study eligibility and consult with the members recommended for reappointment concerning their willingness to serve.

The Board agreed by consensus to table appointments to the *Nursing Home Advisory Committee* in order to receive recommendations from the Nursing Home Advisory Committee. Chairman Sink then recognized Don Heermans, Regional Long-Term Ombudsman and the Nursing Home Advisory Committee members.

On a motion by Commissioner Akins and a second by Vice Chair Hege the Board voted unanimously to appoint Commissioner Watford and Commissioner Walser to the sub-committee of *Davidson County Economic Development*, formed to work on the development of a Davidson County 1,000-acre Industrial Park.

Vice Chair Hege apprised the Board that the *Mental Health Local Management Entity (LME)* meets on the second Tuesday night of the month and asked for the Board's direction for her attendance since that is also a meeting night for the commissioners. Discussion followed.

The Board agreed by consensus to wait until the LME Board has heard a request to move the meeting night to another Tuesday. (Exhibit 14)

15. Discontinued Service Retirement Allowance for Mental Health by Keli Greer, Human Resources Director

A motion was made by Commissioner Watford, seconded by Commissioner Akins, and adopted by the affirmative vote of 6 Commissioners to deny the request for A Discontinued Service Retirement Allowance for seven qualified employees at a cost of \$405,856.74. Vice Chair Hege voted against the motion. (Exhibit 15)

16. Update on Upcoming Economic Development Summit by Commissioner Max Walser

Commissioner Walser apprised the Board of the distribution of invitations and responses to the summit. He also noted the goal of the summit efforts to get concrete suggestions and direction for economic development in the County.

I. CLOSED SESSION

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

unanimously 7-0 to go into Closed Session for matters of personnel.

RETURN TO OPEN SESSION

On a motion by Vice Chair Hege and a second by Commissioner Watford the Board voted unanimously 7-0 to return to open session.

County Attorney/Clerk to the Board Robert C. Hedrick reported discussion of personnel in Closed Session with no action taken.

J. ADJOURNMENT

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

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

Fred C. Sink, Chairman
Davidson County Board of Commissioners