

## MINUTES

October 23, 2007

The Davidson County Board of Commissioners met on Tuesday, October 23, 2007, 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 McClure, Vice Chairman Don Truell, Larry Allen, Billy Joe Kopley, Larry Potts, 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, Tax Administrator Joe Silver, Planning and Zoning Director Guy Cornman, Public Works and Services Director Rex Buck, Senior Services Director Catherine Lambeth

### A. CALL TO ORDER AND WELCOME

Chairman McClure called the meeting to order and welcomed guests.

### B. INVOCATION

Commissioner Larry Allen

### C. PLEDGE OF ALLEGIANCE

### D. RECOGNITION

### E. REGISTER FOR PUBLIC ADDRESS

Chairman McClure noted the Register for Public Address.

### F. ADOPTION OF AGENDA

On a motion by Commissioner Larry Potts and a second by Vice Chairman Don Truell the Board voted unanimously 7-0 to adopt the agenda with additions:

H.7. Request for Acceptance of Performance Guarantee for Friedburg

Village

H.8. Resolution Opposing Current State Laws Allowing Forced Annexation

CLOSED SESSION - Attorney Client

(Exhibit 1)

### G. PUBLIC ADDRESS

Billy Joe Kepley reported that Gene Beck had telephoned and sends his regards.

Dale Griggs addressed the Board concerning the Midway School Sewer Easement. He expressed concerns with the condemnation of his property. He stated that it is farmland and is of much value to him and his family.

Keith Bost spoke in support of the Resolution Opposing Current State Laws Allowing Forced Annexation

#### H. ITEMS FOR DECISION/INFORMATION

##### Consent

Commissioner Potts requested the removal of H.3. Budget Amendments.

On a motion by Vice Chairman Truell and a second by Commissioner Sam Watford the Board voted 6-1 to approve the consent agenda H.1.2.4; Commissioner Kepley voted “No.”

##### 1. Minutes

The Board approved the minutes for October 4, 2007 and October 9, 2007 Davidson County Board of Commissioners’ Meetings and the September 10, 2007 Planning and Zoning Public Hearing.

##### 2. Tax Report of Refunds by Joe Silver, Tax Administrator

The Board approved the Tax Report of Refunds for September 2007. (Exhibit 2)

##### 4. Additions to the NC Secondary Road System by Guy Cornman, Planning and Zoning

##### Director

The Board adopted an SR2 Resolution supporting the addition of Meadowlands Drive to the NC Secondary Road System for maintenance. (Exhibit 3)

##### Deliberation

##### 3. Budget Amendments by Zeb M. Hanner, Assistant County Manager

The Board inquired and discussed the Performance Based Budgeting Savings proposed for bonuses. Discussion followed.

On a motion by Commissioner Potts and a second by Vice Chairman Truell the Board voted unanimously 7-0 to approve budget amendments for Sheriff, Day Reporting, 911, Tax, Cooperative Extension, EMS, Fire Marshal, Landfill, JTEC, Senior Services, Social Services, and Child Support.

(Exhibit 4)

5. Reappointments

On a motion by Vice Chairman Truell and a second by Commissioner Watford the Board voted unanimously 7-0 to reappoint Evelyn Kepley and Mary Michael to the HCCBG Planning Committee.

(Exhibit 5)

6. Resolution Supporting Piedmont Behavioral Healthcare Maintaining Status as a Substantially Equivalent Personnel System by Chairman Fred McClure

On a motion by Commissioner Watford and a second by Vice Chairman Truell the Board voted unanimously 7-0 to adopt the Resolution Supporting Piedmont Behavioral Healthcare Maintaining Status as a Substantially Equivalent Personnel System. (Exhibit 6)

7. Request for Acceptance of Performance Guarantee for Friedburg Village by Guy Cornman, Planning and Zoning Director

Guy Cornman presented the request and introduced Scott Wallace of Keystone with a request. For the County to accept the performance Guarantee for Friedburg Village.

On a motion by Commissioner Potts and a second by Commissioner Watford the Board voted unanimously 7-0 to approve the request and accept the Performance Guarantee for Friedburg Village in the amount of \$5,200.00. (Exhibit 7)

8. Resolution Opposing Current State Laws Allowing Forced Annexation by Chairman Fred McClure

After discussion Commissioner Allen made a motion with a second by Commissioner Potts to adopt the Resolution.

Commissioner Allen amended his motion to include the naming of the corresponding statute.

On a motion by Commissioner Allen and a second by Commissioner Potts the Board voted unanimously 7-0 to adopt the Resolution Opposing Current State Laws Allowing Forced Annexation with reference to “Article 4A of Chapter 160A of the North Carolina General Statutes.” (Exhibit 8)

I. CLOSED SESSION

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

RETURN TO OPEN SESSION

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

County Manager Robert Hyatt reported discussion of Economic Development, Personnel, Real Estate, and Attorney/Client matters with no action taken.

Indemnification Agreement with City of Lexington


On a motion by Commissioner Watford and a second by Commissioner Allen the Board voted 6-1 to enter into an Indemnification Agreement with the City of Lexington for Davidson County Transportation to provide shuttle service across the railroad with the accommodation of a shelter on the City of Lexington Fire Department property during the bridge replacement on East Center Street.

J. ADJOURNMENT

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



Fred D. McClure, Chairman  
Davidson County Board of Commissioners



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