

MINUTES

December 8, 2009

The Davidson County Board of Commissioners met at 7:00 P.M., Tuesday, December 8, 2009, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, for a regularly scheduled meeting and four (4) public hearings.

PRESENT

Commissioners: Chairman Max Walser, Vice Chairman Sam Watford, Cathy Dunn, Billy Joe Kempley, Fred McClure, Larry Potts, Don Truell

County Manager Robert Hyatt, County Attorney Chuck Frye, Assistant County Manager Zeb Hanner, Purchasing Director Dwayne Childress, Finance Director Jane Kiker, EMS Director Doug Lowe, Economic Development Director Steve Googe, Library Director Ruth Ann Copley, Health Director Layton Long, IT Director Joel Hartley, Human Resources Director Jim Tysinger, Davidson County Schools Superintendent Dr. Fred Mock and Jay Temple

A. CALL TO ORDER AND WELCOME

Chairman Max Walser called the meeting to order and welcomed guests.

B. INVOCATION

Commissioner Don Truell

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

Chairman Walser recognized Kathie Johnson, President of Thomasville Medical Center, representing Davidson County Council of Chambers.

Chairman Walser invited Vice Chairman Sam Watford and EMS Director Doug Lowe to make presentations and recognize Donald "Reid" Deal for 32 years of service and Flynt E. Hill for 30 years of service to Emergency Services.

E. REGISTER FOR PUBLIC ADDRESS

Chairman Walser noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to adopt the agenda with the additions as follows:

I.4.a. Report of Settlement for Entry into the Minutes

I.8. GIS Proposal by Joel Hartley and Linda Hairston-Erwin.

Closed Session for Attorney/Client and Personnel

(Exhibit 1)

G. PUBLIC ADDRESS

H. PUBLIC HEARINGS

1. Johnson Concrete Incentive Contract

On a motion by Commissioner Potts and a second by Commissioner Kopley the Board voted unanimously 7-0 to open the public hearing to receive public comment on the consideration of entering into an economic development incentive grant contract with Johnson Concrete.

Steve Googe presented details and requirements of the grant contract.

Barney Hill addressed the Board and spoke in support of the proposed incentive contracts and the proposed modifications to the existing contracts.

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to close the public hearing.

On a motion by Vice Chairman Watford and a second by Commissioner Truell the Board voted unanimously 7-0 to approve the contract, which will entitle Johnson Concrete to a grant each year for two (2) years, with calculation for payment to be .0054 times the Company's investment in plant, machinery and equipment each year for two years and will not exceed \$9,500 per year, provided the Company meets the requirements of the contract, which includes the provision that the Company maintain a minimum of 17 jobs for a five (5) year period following the entry of the contract. (Exhibit 2)

2. Sowers and Company Veneers Incentive Grant Contract

On a motion by Commissioner Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to open the public hearing to receive public comment on the consideration of entering into an economic development incentive grant contract with Sowers and Company Veneers.

Steve Googe provided details of the proposed incentive grant contract.

Barney Hill and noted that he was in support of the proposed incentive contract.

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted unanimously 7-0 to close the public hearing.

On a motion by Commissioner Potts and a second by Commissioner Dunn the Board voted unanimously 7-0 to approve the contract , which will entitle the Company to a grant each year for five (5) years, and calculation for payment to be .0027 times the Company's investment in plant for five (5) years (not to exceed \$810.00 per year) and .0054 times the Company's investment in the machinery and equipment (not to exceed \$1,620.00) for the one year period , provided the Company meets the requirements of the contract as to additional investment (\$300,000)and additional jobs (10 within first 3 years of contract), which includes the provision that the Company maintain a minimum of 17 jobs for a five (5) year period following the entry of the contract. (Exhibit 2)

3. Diamond Back Incentive Grant Contract

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted unanimously 7-0 to open the public hearing to receive public comment on the consideration of entering into an economic development incentive grant contract with Diamond Back .

Steve Googe apprised the Board of the details of the grant and its requirements.

Barney Hill ad noted that he was in support of the proposed incentive contract.

On a motion by Commissioner Potts and a second by Commissioner Dunn the Board voted unanimously 7-0 to close the public hearing.

On a motion by Commissioner McClure and a second by Commissioner Dunn the Board voted unanimously 7-0 to approve the contract , which will entitle Diamond Back to a grant each year for five (5) years, with calculation for payment to be .0027 times the Company's investment in plant for five (5) years (not to exceed \$1,350.00 per year) and .0054 times the Company's investment in the machinery and equipment (not to exceed \$2,700.00) for the one year period , provided the Company meets the requirements of the contract as to additional investment (\$500,000)and additional jobs (10 within first 3 years of contract), which includes the provision that the Company maintain a minimum of 30 jobs within the first three (3) years of the contract and the maintenance of these positions for the remainder of the contract period. (Exhibit 2)

4. Modifications to Current Incentive Grant Contracts with Unilin, Arneg, and Imaflex

On a motion by Commissioner Kepley and a second by Commissioner McClure the Board voted unanimously 7-0 to open the public hearing to receive public comment on the consideration of modifications to current economic development incentive grant contracts with Unilin, Arneg, and Imaflex.

Steve Googe reviewed the provisions of the incentive grant contracts .

Barney Hill noted that he is in support of the proposed modifications to the existing contracts.

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted unanimously 7-0 to close the public hearing.

Vice Chairman Watford commented that he felt it is a good effort in these economic times.

On a motion by Vice Chairman Watford and a second by Commissioner Truell the Board voted unanimously 7-0 to approve the modifications to the current incentive grant contracts with Unilin, Arneg, and Imaflex to waiver the job and wage requirements currently contained within said Contracts so long as unemployment within Davidson County remains in the double digits. (Exhibit 2)

I. ITEMS FOR DECISION/CONSENT

Consent

Commissioner Potts requested removal of I.3. for details and clarifications.

On a motion by Commissioner Truell and a second by Vice Chairman Watford the Board voted 6-1 to approve the consent agenda with the exception of I.3. Reclassifications; Commissioner Kepley voted "No."

1. Minutes

The Board approved the Minutes of November 24, 2009 Board of Commissioners' meeting.

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

The Board approved budget amendments for Risk Management, Public Works and Services, Library, Contingency and the Airport fund. (Exhibit 3)

Consent

4.a. Report of Settlement for Entry into Minutes

The Board received a report of the Severance Agreement and Release of Claims between

Davidson County and Sherry G. Grainger for entry into the Minutes pursuant to North Carolina General Statutes § 143-318.11(a)(3). (Exhibit 4)

Deliberation

3. Reclassifications by Jim Tysinger, Human Resources Director

Human Resources Director Jim Tysinger and Health Director Layton Long provided information as requested by Commissioner Potts.

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to approve the reclassification of two (2) Nutritionist II positions from part-time to full-time with no change in hourly-rate or grade in the Health Department. (Exhibit 5)

4. Probation/Parole Lease with Dr. Kwan by Dwayne Childress, Purchasing Director

On a motion by Commissioner Potts and a second by Commissioner Dunn the Board voted unanimously 7-0 to approve the lease with Dr. Kwan for Probation/Parole, contingent upon the satisfaction of the County Manager. (Exhibit 6)

Deliberation

5. Audit Report Presentation by Jane Kiker, Finance Director

J.P. Jones of Martin Starnes & Associates presented highlights of the audit report.

The Board acknowledged, favorably, the Comprehensive Annual Financial Report for the year ended June 30, 2009, as presented on behalf of Martin Starnes & Associates. (Exhibit 7)

6. Qualified School Construction Bonds (QSCB) Resolution by Jane Kiker, Finance Director

On a motion by Commissioner Truell and a second by Commissioner Kepley the Board voted unanimously 7-0 to adopt the resolution providing final approval of terms and documents for the (QSCB) financing with BB&T with an annual interest rate of 2.11% with a term not to extend beyond December 31, 2024. (Exhibit 8)

7. Appointments

On a motion by Commissioner Truell and a second by Commissioner Potts the Board voted unanimously 7-0 to appoint Beth Silver to the Nursing Home Advisory Committee.

On a motion by Commissioner Potts and a second by Commissioner Truell the Board voted

unanimously 7-0 to appoint Bob Butts to the Teaching Scholarship Committee. (Exhibit 9)

8. G.I.S. Proposal by Zeb Hanner, Assistant County Manager

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to approve the request to make application for \$20,000 in grant funds for the NC OneMap Framework Ortho Imagery Collection 2009/2010 assistance program.

(Exhibit 10)

J. CLOSED SESSION – Economic Development, Personnel and Attorney Client

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

RETURN TO OPEN SESSION

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

County Attorney Chuck Frye reported discussion of Economic Development, Attorney/Client, and Personnel in Closed Session with no action taken.

Amendment to Agenda

On a motion by Commissioner Potts and a second by Commissioner Kepley the Board voted unanimously 7-0 to amend the agenda to receive information from Economic Development Director Steve Googe and schedule public hearings.

Mr. Googe provided information on Project G, a \$2 million investment, 12 jobs, and incentive of .0027x investment for five (5) years, and requested a public hearing for January 12, 2010, Commissioners' Meeting Room, Governmental Center, 7:00 P.M.

Mr. Googe then apprised the Board of Project Combined, a \$2 million investment, 125-150 jobs, cost of the land, and requested a public hearing for January 12, 2010, Commissioners' Meeting Room, Governmental Center, 7:00 P.M.

The Board accepted information on Project V, a \$12 million investment over six (6) years, 300 jobs, with a proposed incentive of .0027 x the investment for seven (7) years, and a request for a public

hearing to be scheduled for January 5, 2010, Room 116, Mendenhall Building, Davidson County Community College, 11:00 AM.

Finally, the Board accepted information from Mr. Googe on Project Linx , an \$18-20 million investment, wages of \$14-15 per hour, 42 jobs, a 12-year lease agreement in the Lexington Business Center, and a request for scheduling a public hearing for January 5, 2010, 11 AM, Rm 116, Mendenhall Building, Davidson County Community College.

On a motion by Commissioner Potts and a second by Commissioner McClure, the Board voted unanimously 7-0 to schedule public hearings for Project G and Project Combined for 7PM, January 12, 2010, Commissioners' Meeting Room, Governmental Center and public hearings for Project V and Project Linx for 11AM, January 5, 2010, Room 116, Mendenhall Building, Davidson County Community College.

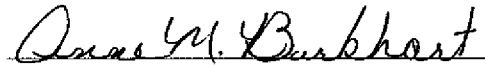
K. ADJOURNMENT

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



Dr. Max Walser, Chairman

Davidson County Board of Commissioners



Anne M. Burkhart, Clerk to the Board

Davidson County Board of Commissioners