

**MINUTES**

**December 14, 2010**

**7:00 PM**

The Davidson County Board of Commissioners met at 7:00 PM on Tuesday, December 14, 2010, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina for a regularly scheduled meeting and public hearing.

**PRESENT**

Commissioners: Chairman Sam Watford, Vice Chairman Larry Potts, Cathy Dunn, Billy Joe Kopley, Fred McClure, Don Truell, Todd Yates

County Manager Robert, County Attorney Chuck Frye, Assistant County Manager Zeb Hanner, Clerk to the Board Anne Burkhart, Senior Services Director Thessia Everhart-Roberts, Tax Administrator Joe Silver, IT Director Joel Hartley, Planning and Zoning Director Guy Cornman, Purchasing Director Dwayne Childress, Veterans' Director Boyd Morgan, Human Resources Director Jim Tysinger, Economic Development Director Steve Googe, Superintendent of Davidson County Schools Dr. Fred Mock, Finance Director Jane Kiker, Soil and Water Director Andy Miller, Public Works and Services Director Rex Buck

**A. CALL TO ORDER AND WELCOME**

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

**B. INVOCATION**

Commissioner Larry Potts

**C. PLEDGE OF ALLEGIANCE**

**D. RECOGNITION**

Vice Chairman Potts recognized Brandi Burns Craver and presented her with a \$5,000 Teaching Scholarship.

Human Resources Director Jim Tysinger recognized the 2010 United Way Campaign Committee for their leadership and Davidson County employees for their efforts and achievement. Susan Montgomery Craven, Jim Tysinger and Chairman Watford presented a check for \$84,500, the Davidson County total, to United Way Chairman, Frank Cagle. (Exhibit A)

**E. REGISTER FOR PUBLIC ADDRESS**

Chairman Watford noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to adopt the agenda with the addition of Economic Development to Closed Session.

(Exhibit 1)

G. PUBLIC ADDRESS

Mary Cridelbaugh addressed the Board with information on annexation and contacts at the State level.

Barney Hill addressed the language on the coversheet of the Farmland Protection Plan in the agenda packet.

H. PUBLIC HEARING – Davidson County Farmland Protection Plan

Chairman Watford declared the public hearing open.

Andy Miller, Soil and Water Director, and Carl McKnight introduced the plan on behalf of the Voluntary Agriculture District Board. Mr. McKnight emphasized that the plan is not a regulatory document nor a supplement to the existing Land Development Plan.

Andy Miller stated that the plan is intended to enhance and improve the County's opportunities for grant funding and for infrastructure for the facilities. Having a plan in place when submitting a grant application often gives the application higher priority and reduces local match requirements.

Jim Davis, Davis Farms (established 1915) owner, president of Davidson County Cattlemen's Association, read an approved resolution from the Davidson County Cattlemen's Association, in support of the Farmland Protection Plan.

George Smith, Davidson County Farm Bureau representative, spoke in support of the plan. He noted the many activities that the plan preserves.

David Smith, representing the Davidson County Soil and Water Conservation District, noted that the District Board has adopted a resolution in support of the plan and presented it to Chairman Watford.

Edgar Miller, TRIP Chairman, spoke in support of the plan. He noted the importance of developing a County level preservation plan and a farm friendly plan.

William Deal, representing TRIP, spoke in support of the plan and its importance to the agri-tourism market and farmlands to attract tourists.

Reid Smith, dairy-producer from Linwood area, addressed the Board and emphasized the importance of farmland to support agri-business.

Barney Hill spoke in opposition to the plan.

Steve Googe addressed the Board as a representative of Economic Development and as a farm representative. He advised that the Economic Development Commission had not been provided a copy of the proposed plan nor requested to participate in the planning process. He asked that the plan be tabled.

Chairman Watford declared the public hearing closed.

Commissioner McClure stated that a plan is needed but the proposed plan is not representative of Davidson County. He suggested tabling the plan. He suggested getting the stakeholders together to work on the plan.

Commissioner Yates asked how many acres of the 15,000 acres, that were lost out of the 196,000 acres, were forestlands. Andy Miller replied that all of the 15,000 acres were croplands.

Commissioner Truell asked if a farmer is allowed to sell his land if he wants to do so. Andy Miller replied that he can.

Commissioner Dunn stated that it needs to be a plan for Davidson County.

Vice Chairman Potts stated that he would support a plan but not this plan.

Commissioner Truell spoke in support of the plan 100%.

Commissioner Kepley spoke in support of the plan.

Chairman Watford spoke in support of the plan.

Commissioner Kepley made a motion to approve the plan. Commissioner Truell seconded the motion. Upon a vote 3 in favor of approving the plan and 4 voting "No," the motion to approve failed.

Commissioner McClure made a motion to table taking action on the plan for 90 days and requested that the stakeholders work on the plan. Vice Chairman Potts seconded the motion. Upon a vote, the motion carried 4-3 with Commissioner McClure, Chairman Watford, Vice Chairman Potts, Commissioner Yates voting in favor of the motion and Commissioner Kepley, Commissioner Truell, and Commissioner Dunn voting "No." (Exhibit 2)

I. ITEMS FOR DECISION/INFORMATION – *Consent*

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

1. Minutes

The Board approved the Minutes of November 23, 2010.

2. Budget Amendments by Zeb Hanner, Assistant County Manager

The Board approved budget amendments for the Sheriff’s Department, Senior Services, Human Resources, and Purchasing. (Exhibit 3)

3. Reappointments

The Board approved the reappointments of Gloria Smith, Dr. Tony Peele, Lynn Taylor, Leona Sink, Ethan Woodward to the Teaching Scholarship Fund Committee. (Exhibit 4)

4. Pilot Community Sewer Project Final Adjusting Change Order

The Board rescinded the Final Adjusting Change Order for the Pilot Community Sewer Project, approved November 23, 2010, and approved the Revised Final Adjusting Change Order for the Pilot Community Sewer Project.

(Exhibit 5)

5. PTCOG Service Providers Aging-Based Services Contracts

The Board approved the PTCOG Service Providers Aging-Based Services Contracts which is the acceptance of funds and provision of services to the aging for Health Promotion and Disease Prevention (Senior Games), Evidence Based Programs (Fit & Strong, Living Healthy and Matter of Balance) and Senior Center for general purpose. (Exhibit 6)

6. Tax Report of Refunds by Joe Silver, Tax Administrator

The Board approved the Tax Report of Refunds for November 2010. (Exhibit 7)

7. Reclassification

The Board approved the reclassification of an Office Support IV, grade 59 to Administrative Secretary II, grade 59 in the Health Department. (Exhibit 8)

8. Resolution - Removal of County Records for Preservation and Copying

The Board approved the Resolution for Removal of County Records for Preservation and

Copying. (Exhibit 9)

J. ITEMS FOR DECISION/INFORMATION – *Deliberation*

1. Request from Davidson County Veteran's Council

Woody Bowman, Chairman of Davidson County Veterans' Council addressed the Board with the request to start an honor guard to provide military rights for any veteran in the County, if requested, and to also use the County Seal on the cover and on the coat sleeves. He noted that all patches will be accounted for and none given out as momentos.

On a motion by Commissioner Truell and a second by Vice Chairman Potts, the Board voted unanimously 7-0 to approve the request to use the county seal on patches for an Honor Guard for Davidson County. (Exhibit 10)

2. Update from Davidson County Board of Education Regarding Ledford/Northern Area Middle School Project

The Board received an update on the new Ledford/Northern Area Middle School Project.

Commissioner Yates asked if the \$700,000, if not used, will be given back to the County.

Dr. Mock replied it has not been discussed with the school board and stated he could not respond with an answer.

Chairman Watford noted that it is usually determined when the project is completed.

Commissioner Yates expressed concerns with selling of the bonds.

Zeb Hanner reported that a couple of weeks ago similar bonds for another jurisdiction sold at .45%.

On a motion by Commissioner Truell and a second by Commissioner Dunn the Board voted unanimously 7-0 to appropriate \$21,500,000 for the school project. (Exhibit 11)

3. Presentation of Davidson County Audit for Fiscal Year Ending June 30, 2010

The Board received the Davidson County Comprehensive Annual Financial Report for the fiscal year ended June 30, 2010 from J.P. Jones of Martin Starnes and Associates. (Exhibit 12)

4. Time Warner Cable Right of Entry Agreement by Joel Hartley, IT Director

Joel Hartley, Director of IT, presented the agreement for Time Warner Cable's right-of-way entry at 913 Greensboro Street.

On a motion by Commissioner Truell and a second by Commissioner Dunn the Board voted unanimously 7-0 to approve the Time Warner Cable Right of Way Entry Agreement for 913 Greensboro Street. (Exhibit 13)

5. Lease of Three EMS Units by Dwayne Childress, Purchasing Director

On a motion by Commissioner McClure and a second by Commissioner Yates the Board voted unanimously 7-0 to approve the lease of three EMS Ambulance units at a total cost of \$374,142.00 (\$124,714.00 each). (Exhibit 14)

6. Re-conveyance of Property by Chuck Frye, County Attorney

On a motion by vice Chairman Potts and a second by McClure the Board voted unanimously 7-0 to adopt a resolution for the re-conveyance of property to APGI. (Exhibit 15)

7. Amend 2011 Meeting Schedule by Guy Cornman, Planning and Zoning Director

On a motion by Commissioner McClure and a second by Vice Chairman Potts the Board voted unanimously 7-0 to amend the 2011 meeting schedule by canceling the January 3, 2011 Planning and Zoning Public Hearing.

On a motion by Commissioner McClure and a second by Vice Chairman Potts the Board voted unanimously 7-0 to meet with the Planning Board on the February 7th at 5:30PM with an amendment to the meeting schedule. (Exhibit 16)

8. Voting Delegate to NCACC Legislative Goals Conference

On a motion by Vice Chairman Potts and a second by Commissioner Dunn the Board voted unanimously 7-0 to designate Commissioner McClure as voting delegate to the NCACC Legislative Goals Conference. (Exhibit 17)

8. Representation on Board and Commissions

On a motion by Vice Chairman Potts and a second by Commissioner McClure, the Board voted unanimously 7-0 to table designating representation on boards and commissions to January 6, 2010.

At present, the boards and commissions are represented as follows:

Piedmont Triad Council of Governments	Don Truell
Piedmont Behavioral Healthcare (Mental Health)	Fred McClure
Fire Commission – PTEMS	Cathy Dunn

Social Services	Sam Watford/Larry Potts
Health Board	Don Truell
Yadkin Pee Dee River Basin Committee	Fred McClure
Davidson Works	Billy Joe Kepley
Parks and Recreation	Sam Watford
Transportation Advisory Committee NCDOT	Billy Joe Kepley
Senior Services	Fred McClure
Piedmont Triad Partnership	
Day Reporting	Cathy Dunn
Criminal Justice Juvenile Program	Cathy Dunn
Schools	Potts, Truell,
Economic Development	
Smart Start	Cathy Dunn
Advisory Council on Aging	Don Truell
Piedmont Triad Medical Advisory Board	Larry Potts
RTAC	Billy Joe Kepley
Boone's Cave Park Committee	Potts, Kepley
Lake Thom-A-Lex	Sam Watford
Reservoir Committee	Billy Joe Kepley
Scholarship Committee	Larry Potts
Transportation Steering Committee	Billy Joe Kepley
Tourism Partnership	
P.A.R.T.	Don Truell
MPO & RPO Alternate	Fred McClure
Winston-Salem MPO	Billy Joe Kepley
Transportation Committee	Don Truell

K. CLOSED SESSION – Real Property and Economic Development

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to go into Closed Session for Real Property and Economic Development.

RETURN TO OPEN SESSION

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

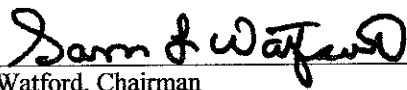
County Attorney Chuck Frye reported discussion of Real Property and Economic Development in Closed Session with no action taken.

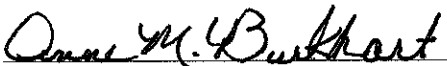
On a motion by Vice Chairman Potts and a second by Commissioner McClure, the Board voted unanimously 7-0 to amend the agenda to add resolution.

On a motion by Vice Chairman Potts and a second by Commissioner Dunn the Board voted unanimously 7-0 to adopt a Resolution Requesting North Carolina Department of Transportation Funding of Industrial Access Road to Serve United Furniture Plant Site from West Holly Grove Road State Road 2203. (Exhibit 18)

L. ADJOURNMENT

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

  
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Sam Watford, Chairman  
Davidson County Board of Commissioners

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