

## **MINUTES**

**March 23, 2010**

The Davidson County Board of Commissioners met on Tuesday, March 23, 2010, at 7:00 P.M., in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina.

### **PRESENT**

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

County Manager Robert Hyatt, County Attorney Chuck Frye, Assistant County Manager Zeb Hanner, Clerk to the Board Anne Burkhart, Finance Director Jane Kiker, Tax Assessor Joe Silver, Human Resources Director Jim Tysinger, Transportation Manager George Hodges, Economic Development Director Steve Googe, Senior Services Accounting Technician Doug Duffey, Health Director Layton Long, Risk Management Coordinator Jim Price, Davidson County School Superintendent Dr. Fred Mock, Davidson County School Attorney David Inabinett, Allen Thompson, Jay Temple, Social Services Director Keith Johnson, TRIP Director William Deal

### **A. CALL TO ORDER AND WELCOME**

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

### **B. INVOCATION**

Commissioner Fred McClure

### **C. PLEDGE OF ALLEGIANCE**

### **D. RECOGNITION**

Chairman Walser recognized Educator Ann Corn, Director of Boys and Girls Club Patrick Cortin, and Denton Mayor Scottie Morris.

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. (Exhibit 1)

G. PUBLIC ADDRESS

Rev. Lamar Moore spoke in support of the transportation services in Davidson County.

Ann Corn spoke in thanks for the transportation services in Davidson County.

Louise Pierce expressed her gratitude for transportation, as a past and current rider to the nutrition site and to medical appointments.

Cornelia Thomas addressed the Board in thanks for transportation services.

Marie Myers addressed the Board in support of the transportation services.

Linda Skeen, manager of the Denton nutrition site, expressed her gratitude for the transportation services to assist citizens in their efforts to get to the nutrition site.

Eva Sewell addressed the Board concerning the need for a sewer line from Hwy. 109 to Astor Drive, Denton, North Carolina, and expressed her support for submittal of a grant application.

Stella Smith addressed the Board concerning the need for sewer in Denton in the Hwy. 109 and Astor Drive area.

Shirley Bryant addressed the Board with concerns about the sewer problems on Astor Drive.

#### H. PUBLIC HEARING

##### 1. Economic Development Incentive to Project Combined

On a motion by Commissioner Potts and a second by Commissioner Kepley the Board voted unanimously 7-0 to open the public hearing to consider an economic development incentive grant to Project Combined.

Steve Gooze presented provided information and support for the request to the County for consideration of an appropriation of \$68,300 from the County's General Fund to purchase one-half interest in the property located at 3350 West Holly Grove Road, containing 17.36 acres, owned by Phyllis D. Swicegood and for the County to enter into a lease purchase agreement with Project Combined (the Company) for 12 years. He noted that the Company would be entitled to a grant each year for 12 years (not to exceed \$5,691.68) to be paid by Davidson County provided the Company meets the requirements of the contract as to investment, jobs, and wages. He further noted that the Company plans to invest a minimum of \$3,000,000 in new plant, machinery and equipment and provide 150 jobs in the first 36 months of operation.

Vice Chairman Watford read Barney Hill's comments, in Mr. Hill's absence.  
(see exhibit)

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

On a motion by Commissioner McClure and a second by Vice Chairman Watford the Board voted unanimously 7-0 to approve the request for the County appropriation of

\$68,300 from its General Fund to purchase one-half interest in the property located at 3350 West Holly Grove Road, containing 17.36 acres, owned by Phyllis D. Swicegood and enter into a lease purchase agreement with Project Combined (the Company) for 12 years which would entitle the Company to a grant each year for 12 years (not to exceed \$5,691.68) to be paid by Davidson County provided the Company meets the requirements of the contract as to investment (minimum of \$3,000,000) in new plant, machinery and equipment , jobs (150 in the first 36 months of operation), and wages. (Exhibit 2)

2. Community Transportation Grant Application

On a motion by Vice Chairman Watford and a second by Commissioner Truell the Board voted unanimously 7-0 to open the public hearing to received public comment on the consideration of submittal of a grant application for 2010-2011 for Community Transportation.

George Hodges provided information and support for the Community Transportation 2010-2011 Grant Application and noted the local match of 15%.

Commissioner Truell and Commissioner McClure commented on the efforts of the Transportation Department to continue to provide better and more services for those needing the assistance.

Commissioner Potts read Barney Hill's comments in opposition to the grant application. (see exhibit)

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 McClure the Board voted unanimously 7-0 to approve the submittal of the Community Transportation 2010-2011 grant application. (Exhibit 3)

I. ITEMS FOR DECISION/INFORMATION – *Consent*

On a motion by Vice Chairman Watford and a second by Commissioner Dunn the Board voted 6-1 to approve the Consent Agenda with the removal of I.2.f., as requested by Commissioner Potts; Commissioner Kepley voted “No.”

1. Minutes

The Board approved the Minutes of March 4, 2010 and March 9, 2010 Board of Commissioners’ meetings.

2. Budget Amendments by Zeb Hanner, Assistant County Manager

The Board approved budget amendments for Health, Human Resources, Planning Professional Services, Public Works and Services, and Sheriff’s Department.

(Exhibit 4)

3. Reclassifications/Addition/Transfer by Jim Tysinger, Human Resources Director

The Board approved the reclassification of an Office Support IV, grade 59, to Interim Work Unit Supervisor, grade 61, temporary 6-8 weeks, and the addition of a Community Health Assistant, grade 55, \$20,565.07 to \$30,847.06 in the health Department. The Board also approved the reclassification and transfer of a full-time position from Transportation to Garage (Fleet Maintenance Clerk, grade 55, \$20,565.07 to \$30,847.06 in the Public Works and Services Department. The Board approved the addition of a Grounds Maintenance Coordinator (full-time), grade 60, \$26,356.48 to

\$39,534.72, and a Grounds Keeper (part-time with no benefits), grade 52, \$17,728.40 to \$26,592.60 in the Parks and Recreation Department. (Exhibit 5)

4. CJPP Grant Application and Board Appointment by Angela Scott

The Board approved the submittal of the Criminal Justice Partnership Program grant application for 2010 and the appointment of Penny Powers to the CJPP Advisory Board. (Exhibit 6)

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

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

6. Amendment to Personnel Resolution by Jim Tysinger, Human Resources Director

The Board approved the Amendment to the Personnel Resolution, *Law Enforcement Officers Separation Allowance, Article IX, Section 6*, to incorporate the revised North Carolina General Statute §143-16642 which now states “a local government employer may employ retired officers in a public safety position in a capacity not requiring participation in the Local Governmental Employers Retirement System, and doing so shall not cause payment to cease to those officers under the provisions of this section,” which would allow the Sheriff’s Office to have the ability to consider retired officers for appropriate part-time positions which occasionally become vacant. (Exhibit 8)

J. ITEMS FOR DECISION/INFORMATION – *Deliberation*

1.2.f. Budget Amendment - Sewer Maintenance and Repair

Zeb Hanner provided details and clarification for the line item transfer from Contingency to Sewer Maintenance and Repair for \$14,257.

On a motion by Commissioner Potts and a second by Commissioner Dunn the Board voted unanimously 7-0 to approve the line item transfer of \$14,257 from Contingency to Sewer Maintenance and Repair with a request that Mr. Hanner return at the next regular meeting with another budget amendment to replace the funds in Contingency.

1. Proclamation – Boys & Girls Club Week by Chairman Max Walser

On a motion by Commissioner Truell and a second by Commissioner Dunn the Board voted unanimously 7-0 to proclaim March 21-27, 2010, as Boys & Girls Club Week in Davidson County.

Patrick Cortin expressed his appreciation for the proclamation and introduced several of the children served by this program and asked that they address the Board with their comments about the program.

Hunter told the Board that he liked the devotions that are held at the club and said that there are a lot of fun activities that are a part of the club.

Makala commented that she liked the devotions, the educational activities, field trips, and said that she always had a good time

Sheniya spoke about drug education, field trips and the good times.

(Exhibit 9)

2. Acceptance of Request to Acquire Property for Midway School by County Attorney Chuck Frye and Dr. Fred Mock

On a motion by Commissioner Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to schedule a public hearing for April 13, 2010, 7:00 P.M., in the Commissioners' Meeting Room, Governmental Center, Lexington, North

Carolina to receive public comments regarding the request for the County to acquire property located on Midway School Road, containing approximately 133.1 acres from Mike and Patricia Long pursuant to the terms of the proposed Agreement for Purchase and Sale of Real Estate; and, pursuant to NC General Statute §153A-158.

(Exhibit 10)

3. Lexington City Schools Qualified School Construction Bond Project by Chairman Max Walser

Chairman Walser apprised the Board of the decision of the Lexington City Schools Board of Education to use bond funds to build additional classrooms at Southwest and Lexington Middle School. The Board acknowledged favorably, moving forward with the project.

4. Set Date for Joint Elected Officials' Dinner by Robert Hyatt, County Manager

The Board agreed to host the Joint Elected Officials' Dinner at Yarborough's Restaurant on Thursday, April 22, 2010, at 6:30 PM.

5. Request from Handy Sanitary District to Apply for Community Development Block Grant (CDBG) by Robert Hyatt, County Manager

Tim Loflin, Chairman of the Handy Sanitary District, addressed the Board concerning efforts for getting the Clean Water Project funding. He noted the sewage problems existing on Astor Drive with septic failures in 13 out of 14 residences there.

Discussion followed.

On a motion by Commissioner McClure and a second by Commissioner Dunn the Board voted unanimously 7-0 to schedule a public hearing for the request from Handy



Sanitary District to apply for the CDBG funding for April 13, 2010, 7:00 PM,  
Governmental Center, 913 Greensboro Street, Lexington, North Carolina. (Exhibit 11)

K. CLOSED SESSION – Attorney/Client, Economic Development, and Real Estate

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

RETURN TO OPEN SESSION

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

On a motion by Vice Chairman Watford and a second by Commissioner McClure  
the Board voted unanimously 7-0 to amend the agenda for a Real Estate matter in Closed  
Session.

County Attorney Chuck Frye reported discussion of Attorney/Client, Economic  
Development and Real Estate matters with direction for negotiation and no action taken.

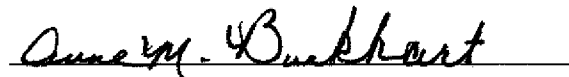
L. ADJOURNMENT

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

  
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W. Max Walser, Chairman

Davidson County Board of Commissioners

  
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Anne M. Burkhart, Clerk to the Board

Davidson County Board of Commissioners