

MINUTES

May 11, 2010

The Davidson County Board of Commissioners met at 7:00 PM on Tuesday, May 11, 2010, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, for a regular scheduled meeting and three public hearings.

PRESENT

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

County Manager Robert Hyatt, Assistant County Manager Zeb Hanner, County Attorney Chuck Frye, Clerk to the Board Anne Burkhart, Human Resources Director Jim Tysinger, Davidson Works Director Cindy Livengood, Emergency Services Director Doug Lowe, Sewer Technician Laura Vanhoy, Planning and Zoning Director Guy Cornman, Public Works and Services Director Rex Buck, Economic Development Director Steve Googe, Davidson County Schools Superintendent Dr. Fred Mock, Davidson County School Board Members Kenny Meredith, Jay Temple. Chairman Allen Thompson and Attorney David Inabinett, Senior Services Director Thessia Everhart-Roberts, Watershed Coordinator Scott Leonard

A. CALL TO ORDER AND WELCOME

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

B. INVOCATION

Commissioner Fred McClure gave the invocation and asked all to pray for the family of Keith Johnson, the County's recently deceased Social Services Director.

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

1. Proclamation Mill's Home and Baptist Children's Homes Day in Davidson County by Chairman Max Walser

Chairman Walser recognized the achievements and services provided to the community by Mill's Home and Baptist Children's Homes, and read a proclamation commemorating the milestone of 125 year anniversary for Baptist Children's Homes of North Carolina.

On a motion by Commissioner Truell and a second by Commissioner Potts the Board voted unanimously 7-0 to proclaim November 11, 2010 as Mill's Home and Baptist Children's Homes Day in Davidson County. (Exhibit A)

2. Older Americans Month in Davidson County by Commissioner Fred McClure

Commissioner Fred McClure noted the request to proclaim May as Older Americans Month in Davidson County.

On a motion by Commissioner McClure and a second by Commissioner Dunn the Board voted unanimously 7-0 to proclaim May 2010 as Older Americans Month in Davidson County. (Exhibit B)

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 Truell the Board voted unanimously 7-0 to adopt the agenda with the addition of I.6. Resolution in Support of Local Involvement in the Improvement Project. (Exhibit 1)

G. PUBLIC ADDRESS

Cathy Jordan expressed her concerns with the Zoning Ordinance and stated that she has evidence from US Agriculture Department documents that she has a Rural Resident's Farm and has a right to continue raising ferrets. She exhibited the documents noting that the fur-bearing animals are farm livestock.

Richard Jordan expressed his concerns with lack of results for help with housing and employment in the community.

Barney Hill addressed the Board with concerns about the proposed PTCOG Contract Work to Update the Zoning Ordinance.

H. PUBLIC HEARINGS

1. Economic Development Incentive Grant to Project Heel

Chairman Walser declared the public hearing open.

Steve Googe provided information on Project Heel and noted his support for the project.

Barney Hill spoke in support of the economic development incentive contract.

Chairman Walser declared the public hearing closed.

On a motion by Commissioner Potts and a second by Vice Chairman Watford the Board voted unanimously 7-0 to approve the Economic Development Incentive entitling Project Heel to a grant each year for five (5) years provided the company meets the requirements as to investment, jobs and wages beginning January of the first full year after the first full year of operation following the investment of \$1,000,000.00, with the calculation for payment (not exceeding \$3,000.00 per year) of the grant at .0027 times total investment in plant, machinery, and equipment, and with the company providing 30 jobs with an average hourly wage about the same as the County average.

2. Economic Development Incentive Grant to Project L

Chairman Walser declared the public hearing open.

Steve Googe provided information on Project L and noted his support for the project.

Barney Hill had previously stated his support.

Richard Jordan expressed concerns with monitoring wages.

Chairman Walser declared the public hearing closed.

On a motion by Vice Chairman Watford and a second by Commissioner McClure the Board voted unanimously 7-0 to approve the Economic Development Incentive entitling Project L to a grant each year for five (5) years provided the company meets the requirements as to investment, jobs and wages beginning January of the first full year after the first full year of operation following the investment of \$3,000,000.00, with the calculation for payment (not exceeding \$10,000.00 per year) of the grant at .00328 times total investment in plant, machinery, and equipment, and with the company providing 60 jobs with an average hourly wage about the same as the County average during the first three years of the project.

3. Economic Development Incentive Grant to Project SI (Summer Industries)

Chairman Walser declared the public hearing open.

Steve Googe provided information on Project SI and noted his support for the project and noted the company's plans to hire 20 employees immediately and hire above County average..

Barney Hill had stated his support earlier in the meeting.

Chairman Walser declared the public hearing closed.

Commissioner Potts made a motion to approve the Economic Development Incentive Contract; Commissioner Truell seconded, and the Board voted unanimously 7-0 to approve the Economic Development Incentive entitling Project SI to a grant each year for five (5) years provided the company meets the requirements as to investment, jobs and wages beginning January of the first full year after the first full year of operation following the issuing of the Certificate of Occupancy, with the calculation for payment (not exceeding \$3,400.00 per year) of the grant at .0027 times total investment of \$1,250,000.00 in plant, machinery, and equipment, and with the company retaining existing jobs with an average hourly wage about the same as the County average. (Exhibit 2)

I. ITEMS FOR DECISION/INFORMATION

Consent

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

1. Minutes

The Board approve the Minutes of April 27, 2010 Board of Commissioners' meeting and April 5, 2010 Planning and Zoning Public Hearing.

2. Budget Amendments by Zeb Hanner, Assistant County Manager

The Board approved budget amendments for Health, Social Services, Human Resources, A-RC-II Volunteer Fire and Rescue, N. Lexington Triangle Volunteer Fire Department, EMS, County Manager's Office, State funds to Humane Society, Sheriff, and Day Reporting. (Exhibit 3)

3. Reclassifications by Jim Tysinger, Human Resources Director

The Board approved the request to reclassify an Office Support IV part-time, grade 59 to a Computing Support Tech III part-time, grade 66, and the request to reclassify the Computer Systems Administrator I from grade 67 to grade 68 and the Computing Support III from grade 67 to grade 66.

(Exhibit 4)

4. North Carolina Local Workforce Development Area American Recovery and Reinvestment Act Plan Program Year 2010 Update by Cindy Livengood, Davidson Works Director

The Board approved the PY10 ARRA Plan Update and required signature for submission to the State. (Exhibit 5)

Deliberation

1. Schedule Public Hearing for Application for Franchise of Ambulance Operations by Doug Lowe, Emergency Services Director

On a motion by Commissioner McClure and a second by Commissioner Dunn the Board voted unanimously 7-0 to schedule a public hearing for May 25, 2010, 7:00 PM, Commissioners' Meeting Room, Governmental Center, Lexington, North Carolina, to receive public comment and input on the Application for Franchise of Granting Ambulance Service for Convalescent Services after 5 PM week days and 24 hr. on weekends to Davidson County Rescue Squad.

2. Southmont Area Elementary Sewer Project Final Adjusting Change Order by Laura Vanhoy

On a motion by Commissioner McClure and a second by Vice Chairman Watford the Board voted unanimously 7-0 to approve the change orders 1-3 for the close out of Southmont Area Elementary Sewer Project which constitutes a reduction to contract sum of \$951.00 and a net decrease to Landform Constructions' contract of \$40,110.32 and a new contract sum with change orders of \$1,178,548.68.

(See Exhibit 6)

3. PTCOG Contract for Work to Update Zoning Ordinance by Guy Cornman, Planning and Zoning Director, Watershed Coordinator Scott Leonard and Planning Officer Hannah Cockburn of PTCOG

Guy Cornman presented information on the need for updating the Zoning Ordinance.

Commissioner Potts questioned the lack of information and noted more use of County staff could be used.

Hannah Cockburn answered questions from the Board and noted the plan to bring the County into the 21st century and better define priorities.

Commissioner McClure requested more defined costs. Discussion followed.

Commissioner McClure made a motion to continue to May 25, 2010 agenda; Commissioner Potts seconded. Upon a vote 3 to 4, the motion failed; Commissioners Truell, Kepley, Walsler, and Watford voted "No."

On a motion by Commissioner Potts and a second by Commissioner McClure, the Board vote 2-5 to set a limit to \$25,000. Upon a vote the motion failed; Commissioners Truell, Kepley, Walser, Watford, and Dunn Voted "No."

On a motion by Commissioner Truell and a second by Watford the Board voted 4 to 3 to approve the Contract with PTCOG for Work to Update the Zoning Ordinance, not to exceed \$40,000, and authorize the County Manager to sign the contract; Commissioners Potts, McClure, and Dunn voted "No."

(Exhibit 7)

4. Purchase of Real Property for Sewer Pump Station by Chuck Frye, County Attorney

On a motion by Commissioner Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to adopt the Resolution for Purchase of Real Property for a Sewer Pump Station associated with the construction of the sewer line for the Extended Day School. (Exhibit 8)

5. Presentation of Proposed 2010-2011 Fiscal Year Budget by Robert Hyatt, County Manager

County Manager Robert Hyatt presented the Proposed 2010-2011 Fiscal Year Budget Message and requested a public hearing for May 25, 2010, 7:00 PM, Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, NC.

Chairman Walser asked for carbon credits comparison.

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to schedule a public hearing for May 25, 2010, 7:00 PM, Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina. (See Exhibit 9)

6. Resolution in Support of Local Involvement in I-85 Improvement Project

On a motion by Commissioner Truell and a second by Commissioner Dunn the Board voted unanimously 7-0 adopt the Resolution in Support of Local Involvement in I-85 Improvement Project.

(Exhibit 10)

K. CLOSED SESSION

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to go into Closed Session for Real Estate and Discussion of Proposed Employment Contract NCGS 143-318.11(a)(5).

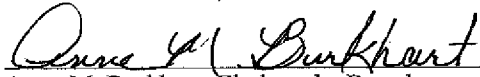
RETURN TO OPEN SESSION


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

County Attorney reported discussion of real estate and a proposed employment contract and no action taken.

L. ADJOURNMENT

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


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


W. Max Walser, Chairman
Davidson County Board of Commissioners