

MINUTES

May 25, 2010

The Davidson County Board of Commissioners met at 7:00 P.M., on Tuesday, May 25, 2010, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, for a regularly scheduled meeting and two public hearings.

PRESENT

Commissioners: 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, Tax Administrator Joe Silver, Fire Marshal Brad Needham, Human Resources Director Jim Tysinger, Purchasing Director Dwayne Childress, Emergency Services Director Doug Lowe, Public Works and Services Director Rex Buck, Superintendent of Davidson County Schools Dr. Fred Mock, Veterans Director Boyd Morgan, Register of Deeds Davidson Rickard, Planning and Zoning Director Guy Cornman, NCDOT Division 9 Director Pat Ivey, former Commissioners Larry Allen and Sim DeLapp, Integrated Solid Waste Management Director Charlie Brushwood, Interim Social Services Director Dale Moorefield, TRIP Director William Deal, Cooperative Extension Director Troy Coggins, Economic Development Director Steve Googe, Finance Director Jane Kiker, Clerk to the Board Anne Burkhart

Absent

Commissioner McClure offered a motion to excuse Chairman Max Walser for another commitment; Commissioner Potts seconded the motion. Upon a vote the motion carried 6-0.

A. CALL TO ORDER AND WELCOME

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

B. INVOCATION

Commissioner Larry Potts

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

Commissioner Larry Potts presented Teaching Scholarship Awards to Traci Nichole Condrey, Kortnie Elizabeth Curry, Haley Nicole Grimsley, Gabriel Adam Scott, Chelsea Marie Shore, Caroline Elizabeth Stalvey, Laura Noel Baum Vazquez, and Phillip Aaron Yarbrough. County Attorney Chuck Frye, accompanied by Vice Chairman Sam Watford and Commissioner Potts, presented a Teaching Scholarship to Kristen Leigh Johnson, daughter of the recently deceased Social Services Director Keith Johnson. (Exhibit A)

Zachary Michael Hege received honorable mention by the Board for his achievement of Eagle Scout. (Exhibit A)

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted 6-0 to proclaim May 2010 as Motorcycle Month in Davidson County. (Exhibit A)

On a motion by Commissioner McClure and a second by Commissioner Dunn the Board voted 6-0 to proclaim June 5, 2010 as Davidson County Soccer Day. (Exhibit A)

On a motion by Commissioner Truell and a second by Commissioner McClure the Board voted 6-0 to adopt a Resolution Recognizing Groups Who Assisted During the Tornado Event. See (Exhibit A)

E. REGISTER FOR PUBLIC ADDRESS

Vice Chairman Watford 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 6-0 to adopt the agenda with the addition of Closed Session for Economic Development and Personnel and the addition of a Resolution Supporting NC Mobility Fund. (Exhibit 1)

G. PUBLIC ADDRESS

Barney Hill noted his opposition to I.2.f. (\$1,000 flagpole) and J.3. (Eminent Domain Authority). He then made comments on the information contained in the budget message.

H. PUBLIC HEARINGS

1. EMS Franchise Agreement with Davidson County Rescue Squad

On a motion by Commissioner Kepley and a second by Commissioner Dunn, the Board voted 6-0 to open the public hearing to receive information and public input on the EMS Franchise Agreement.

Doug Lowe presented the details of the agreement with Davidson County Rescue Squad.

Deputy Chief Larry Morgan of Davidson County Rescue Squad spoke in support of the agreement.

Barney Hill spoke in favor of the franchise agreement.

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted 6-0 to close the public hearing.

On a motion by Commissioner Truell and a second by Commissioner Potts the Board voted 6-0 to approve the EMS Franchise Agreement with Davidson County Rescue Squad for the provision of convalescent services at the basic life support level for non-critical patients. (Exhibit 2)

2. Davidson County Proposed 2010-2011 Budget

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted 6-0 to open the public hearing to receive public input on the proposed budget for Davidson County for the fiscal year 2010-2011.

Zeb Hanner noted cuts to the budget in equipment and a staff position.

Robin Leek, 6th grade teacher at Thomasville City Schools, requested increases in school funding.

Kevin Lee, teacher in Thomasville City Schools, requested support in school funding.

Barney Hill provided his comments on balancing the budget. He spoke in opposition to performance-based-budgeting.

Keith Bost requested limitation to PTCOG ventures.

On a motion by Commissioner Potts and a second by Commissioner Kepley the Board voted 6-0 to close the public hearing. (Exhibit 3)

I. ITEMS FOR DECISION/INFORMATION – *Consent*

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted 5-1 to adopt the consent agenda; Commissioner Kepley voted “No.”

1. Minutes

The Board approved the Minutes of May 6, and May 11, 2010 Board of Commissioners’ meetings.

2. Budget Amendments by Zeb Hanner, Assistant County Manager

The Board approved budget amendments for Social Services, Boone's Cave Master Plan and Blue Way Master Plan, Lake Thom-A-Lex, Sheriff's Department, Human Resources, Library, Central Volunteer Fire Department, Davidson County Schools, Purchasing, Landfill, (Exhibit 4)

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

The Board approved the Tax Report of Returns for April 2010. (Exhibit 5)

4. Pyrotechnics Permits by Brad Needham, Fire Marshal

The Board approved the Pyrotechnics Permit for Davidson County Fairgrounds. (Exhibit 6)

5. Social Services Positions by Jim Tysinger, Human Resources Director

The Board approved the hiring of two additional Income Maintenance Caseworker II's, grade 62, (Temporary and Full-Time) in Social Services for the Food and Nutrition Services program due to the impending increase in caseloads brought about by the expanded eligibility in food and nutrition services. (Exhibit 7)

J. ITEMS FOR DECISION/INFORMATION – *Deliberation*

1. Update from DOT on Bridge No. 46, Wilcox Bridge by Pat Ivey, Division 9 Engineer, NCDOT

Mr. Pat Ivey, accompanied by Dan Holderman, presented an update on the status of the Bridge #46, Wil-Cox Bridge, and noted that NCDOT intends to spend approximately \$1.5 million to repair the bridge in order to reopen it to highway traffic. Mr. Ivey noted that NCDOT has no plans to use any of the \$2.5 million promised to the County in its agreement with the County. Mr. Ivey noted that the contractor will need to have use of the bridge for vehicular transportation during construction. He emphasized that NCDOT will bring the bridge back up to vehicular structure at no cost to the County. He noted that he can pursue an estimate from Flat Iron Construction for work that the County may decide to have done.

On a motion by Commissioner McClure and a second by Commissioner Dunn voted 4-2 to acquire estimates; Commissioners Potts and Truell voted "No."

Commissioner Truell made a motion to reject the agreement for acceptance of the bridge. Commissioner Potts seconded the motion. Upon a vote of 2-4, the motion failed. (Exhibit 8)

2. Schedule Public Hearing for 2010 Justice Assistance Grant (JAG) Application

On a motion by Commissioner Truell and a second by Commissioner Potts the Board voted 6-0 to schedule a public hearing for June 8, 2010, 7:00 PM in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, to provide information and receive comments from the public on the submission of application for the Justice Assistance Grant. (Exhibit 9)

3. Resolution to Request Authorization to Condemn Property to Acquire Rights-of-Way Easements for Sewer Projects by County Attorney Chuck Frye

On a motion by Commissioner McClure and a second by Commissioner Dunn the Board voted 6-0 to adopt a Resolution to Request authorization to Condemn Property to Acquire Rights-of-Way Easements for Sewer Projects. (Exhibit 10)

4. Bid Award for EECEBG HVAC Replacement under ARRA Grant by Purchasing Director Dwayne Childress Public Works and Services Director Rex Buck , and Facilities Manager Tim Phelps

Commissioner Potts made a motion to table award of the bid in order to allow time to acquire answers on the warranty of the equipment; the motion died for lack of a second.

On a motion by Commissioner McClure and a second by Commissioner Kepley the Board voted 5-1 to approve the bid award for HVAC Equipment at the Courthouse and Governmental Center to Central Carolina Air Conditioning Company at a cost of \$580,600; Commissioner Potts voted "No."

(Exhibit 11)

5. Bid Award for EMS Unit by Purchasing Director Dwayne Childress and Emergency Services Director Doug Lowe

On a motion by Commissioner Truell and a second by Commissioner Dunn the Board voted 6-0 to approve the bid award for one EMS unit to Select Custom Apparatus, Inc. at a price of \$124,714.

(Exhibit 12)

6. Appointments

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted 6-0 to appoint Vice Chairman Sam Watford as voting delegate to the NACo Conference.

On a motion by Commissioner McClure and a second by Commissioner Kepley the Board voted 6-0 to appoint Rick Phillips to the Davidson County Airport Authority. (Exhibit 13)

7. Right-of-Way-Agreements with Duke Energy Carolinas LLC by County Attorney Chuck Frye

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted 6-0 to approve right-of-way easements across the landfill property. (Exhibit 14)

8. Resolution Supporting NC Mobility Fund by Commissioner Billy Joe Kepley

Guy Corman noted that Phase II of the I-85 Hwy. Project would benefit the most from the NC Mobility Fund. Discussion followed.

Commissioner Kepley made a motion to adopt the Resolution Supporting NC Mobility Fund; the motion died for lack of a second. (Exhibit 15)

K. CLOSED SESSION – Real Estate, Economic Development, Personnel

On a motion by Commissioner Truell and a second by Commissioner Potts the Board voted 6-0 to go into Closed Session for Real Estate, Economic Development, and Personnel.

RETURN TO OPEN SESSION

On a motion by Commissioner Kepley and a second by Commissioner Dunn the Board voted 6-0 to return to Open Session.

County Attorney Chuck Frye reported discussion of Economic Development, Real Estate, and Personnel with no action taken. He stated that it would be in order for the Board to amend the agenda to allow the scheduling of a public hearing for Economic Development.

On a motion by Commissioner Potts second Commissioner McClure the Board voted 6-0 to amend agenda for the scheduling of a public hearing.

County Attorney noted a public hearing has been requested for McIntyre Metals for June 22, 2010, at 7:00 PM, for the waiver of job requirements in the Economic Development Incentive Contract.

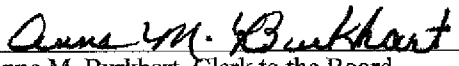
On a motion by McClure and a second by Commissioner Potts, the Board voted 6-0 to schedule a public hearing for McIntyre Metals on June 22, 2010, at 7:00 PM, Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, for the waiver of job requirements in the Economic Development Incentive Contract.

The Board acknowledged that there will be a Budget Workshop at June 3, 2010 meeting.

L. ADJOURNMENT

On a motion by Commissioner Potts and a second by Commissioner McClure the Board voted 6-0
to adjourn.


Samuel L. Watford, Vice Chairman
Davidson County Board of Commissioners


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