

MINUTES

August 9, 2011

The Davidson County Board of Commissioners met on Tuesday, August 9, 2011, at 7:00 PM, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, NC, for a regularly scheduled meeting and three public hearings.

PRESENT

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

Others Present

County Manager Robert Hyatt, County Attorney Chuck Frye, Assistant County Manager Zeb Hanner, Clerk to the Board Anne Burkhart, Human Resources Director Jim Tysinger, Purchasing Director Dwayne Childress, Planning and Zoning Director Guy Cornman, Tax Administrator Joe Silver, Board of Elections Director Ruth Huneycutt, Major Brian Grubb, IT Director Joel Hartley, Health Director Layton Long, Planning and Zoning Director Guy Cornman, Finance Director Jane Kiker, Sheriff David Grice

A. CALL TO ORDER AND WELCOME

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

B. INVOCATION

Chairman Sam Watford

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

Chairman Watford recognized Edwina Hardy, representing Davidson County Council of Chambers.

The Chairman then gave special recognition to Finance Director Jane Kiker and the Finance Department for the Certificate of Achievement for Excellence in Financial Reporting. Jane Kiker noted that the award has been received every year for the past 24 years.

E. REGISTER FOR PUBLIC ADDRESS

Chairman Watford noted the register for public address.

F. ADOPTION OF THE 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 Attorney/Client in Closed Session.

(Exhibit 1)

G. PUBLIC ADDRESS

Barney Hill expressed his concerns with H.2. and J.1. noted his opposition to use of the gas chamber at the Animal Shelter.

Jaan ("Yon") Lorents spoke in opposition to gas chamber for euthanization of animals.

Steve Sink addressed the Board in opposition to the gas euthanization.

Ashley Snyder Miller addressed the Board in opposition to the gas chamber.

Shiloh Sink addressed the Board in opposition to the gas chamber.

Jennifer Blankenship spoke to Board with a report of facts supporting euthanization by injection rather than gas chamber.

Lynn Darnell addressed the Board with information on the costs of euthanization by gas versus injection.

Cindy Lord spoke to the Board with more information on euthanization and opposition to the gas chamber. She noted there is a source for destroying the gas chamber and selling it for scrap metal.

Karen Hooper spoke in support of lethal injection and a spay/neuter clinic.

Edna Chapman addressed the Board and informed the board that she is a rescuer of animals. She spoke in support making animal adoption and maintenance more affordable and stated her support of a more humane euthanization.

Bonnie Reid apprised the Board of the support given for the construction of the new Animal Shelter. She noted that there were no provisions made at that time for a gas chamber in the facility and that it has been added since construction.

Tina York spoke in opposition to the gas chamber and noted that two complaints have been filed with the State agency.

Becky Klass requested that Davidson County stop using the gas chamber and advocated a spay/neuter clinic.

Paul Carowin addressed the Board noting he had witnessed a raccoon, cat, and kitten being gassed together. He spoke in support of lethal injection and opposed the gas chamber.

H. PUBLIC HEARING

1. Budget Ordinance for Astran Drive CDBG Sewer Project

Chairman Watford declared the public hearing open to receive information and public comments.

County Manager Robert Hyatt recognized Ray Manieri, Grant Administrator for the Astran Drive CDBG project. Mr. Manieri explained the procedures required and noted that the total amount of the grant is \$259,740.

Barney Hill addressed the Board in opposition to the grant and noted the expenses he felt were unnecessarily incurred for the project.

Chairman Watford declared the public hearing closed.

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to approve the budget ordinance and necessary documents for the Astran Drive CDBG Sewer Project. (Exhibit 2)

2. Rezoning Requests

Chairman Watford declared the public hearing open to receive information and public comments.

The Planning and Zoning Department prepared the minutes of the Rezoning Requests under separate cover.

Chairman Watford declared the public hearing closed.

3. 2011 Justice Assistance Grant (JAG)

Chairman Watford declared the public hearing open to receive information and public comments.

Major Brian Grubb presented the details of the equipment to be purchased with the grant funding.

Barney Hill questioned some of the computation on the grant sales tax. He spoke in opposition to the grant application.

Chairman Watford declared the public hearing closed.

On a motion by Commissioner Truell and a second by Commissioner Dunn the Board voted 6-1 to approve the submittal of application for the JAG funding. Commissioner Yates voted “No.” (Exhibit 3)

I. ITEMS FOR DECISION/INFORMATION – CONSENT

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

1. Minutes

The Board approved minutes of the Planning and Zoning Public Hearing of June 6, 2011 and Board of Commissioners’ meetings of June 28, 2011 and July 7, 2011.

2. Budget Amendments by Zeb Hanner, Assistant County Manager

The Board approved budget amendments for Davidson County Schools, Cooperative Extension, Recreation, EMS, Public Works, Fairgrove Fire Department, Gumtree Fire Department, Social Services, Sheriff’s Department, Library, and Finance. (Exhibit 4)

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

The Board approved the Tax Report of Refunds for June and July 2011. (Exhibit 5)

4. Year End Disclosure Statement by Joe Silver, Tax Administrator

The Board approved the Year End Disclosure Statement July 1, 2010 through June 30, 2011.
(Exhibit 6)

5. Declaration of Surplus Property by Dwayne Childress, Purchasing Director

The Board approved the listed surplus property, granted the authority to sell, and granted authority to accept the winning bid as sale price. (Exhibit 7)

6. JCPC Appointments and Reappointments

The Board approved Angie Banther, Scott Bannister, Cathy Dunn, Mary Covington, Layton Long, Christina Howell, Tammy Curry and Jeff Insley for reappointment; Matthew Ray Allen, Spencer Arrowood, and Andrea Walker for appointment, and Charlesanna Hanner and Lashay Avery to fill unexpired terms on the Juvenile Crime Prevention Council. (Exhibit 8)

7. Adult Care Home Community Advisory Committee

The Board approved the appointment of Debbie Todd to the Adult Care Home Community Advisory Committee. (Exhibit 9)

8. Inspection Progression Plan Revision by Jim Tysinger, Human Resources Director

The Board approved the revisions to the Inspection Progression Plan. (Exhibit 10)

9. Request for Authorization to Condemn Property to Acquire Rights of Way Easements for

Sewer Projects

The Board adopted the Resolution requesting authorization to initiate necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire rights of way easements for sewer service projects for easements pursuant to G.S. § 14-234(b)(2). (Exhibit 11)

10. Relocation of Board of Elections

The Board approved the relocation of the Board of Elections to the building formerly known as the Don Mays building and the budget amendment to fund the improvements. (Exhibit 12)

J. ITEMS FOR DECISION/INFORMATION – DELIBERATION

1. Discussion of Animal Euthanization by Commissioner Cathy Dunn

Commissioner Dunn spoke in favor of ceasing use of the gas chamber. She quoted Sheriff PT Barnes, noting that he felt the gassing of the animals was inhumane. She presented the figures on euthanization from all around the State.

Cathy Dunn made a motion to stop using the gas chamber. The motion died for lack of a second.

Sheriff Grice presented facts about euthanization of animals at the Davidson County Animal Shelter. Sheriff Grice noted that the gas chamber is necessary to euthanize feral animals, rabid animals, and in special instances very large animals. He stated that the lethal injection is used whenever possible and can be used more in the future. He further stated that he would investigate the complaints concerning the handling of some of the euthanization methods involving decisions by his deputies.

Vice Chairman Potts noted he would honor the Sheriff's requests in whatever method he chooses for euthanasia.

Commissioner McClure expressed his views on euthanasia. He noted that he has studied and researched euthanasia methods. He stated that he went to the Animal Shelter and witnessed euthanasia by gas and by lethal injection. He noted that only 17 states have eliminated the gas chamber for euthanization.

Commissioner Yates spoke in support of a spay/neuter clinic.

Commissioner McClure made a motion that the Sheriff be encouraged to use whatever means he needs for euthanization, with the use of lethal injection more frequently and the implementation of better record keeping. Commissioner Truell seconded the motion and it carried 7-0. (Exhibit 13)

RECESS

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

RECONVENED

The meeting was reconvened by the Chairman

2. Piedmont Triad Rural Planning Organization Memorandum of Understanding Update by Guy Cornman, Planning and Zoning Director and Jesse Day, PTRPO

Guy Cornman noted the presentation of documents for the merger and name change of the entity.

Jesse Day noted that the population increase has caused the cost to increase. (Exhibit 14)

On a motion by Vice Chairman Potts and a second by Commissioner Yates the Board voted unanimously 7-0 to approve the PTRPO MOU. (Exhibit 14)

3. Firing Range Bid Award by Dwayne Childress, Purchasing Director and Pieter Scheer, Richardson Smith Gardner and Associates

Pieter Scheer, Principal, Project Manager from Richardson Smith Gardner and Associates, was introduced by Dwayne Childress and assisted in providing information. Mr. Shier went over the details of the bid for the Sheriff's Firing Range.

On a motion by Commissioner Truell and a second by Commissioner Kepley the Board voted unanimously to approve and accept the bid from Pedulla Excavating and Paving, Inc. at \$601,484.00 for the construction for the firing range for the Sheriff's Department. (Exhibit 14)

4. Welcome VIPER Tower by Terry Bailey, 911 Communication Director

On a motion by Commissioner McClure and a second by Vice Chairman Potts the Board voted unanimously 7-0 to approve the FY 2007 PSIC Conditional Grant Award, the FY 2007 PSIC Retention Authorization Letter, and the FY 2007 PSIC Memorandum of Understanding/Agreement. (Exhibit 15)

K. CLOSED SESSION – Real Property/Attorney/Client


On a motion by Commissioner McClure and a second by Commissioner Kepley the Board voted unanimously 7-0 to go into Closed Session for Real Property and Attorney/Client.


RETURN TO OPEN SESSION

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

L. ADJOURNMENT

On a motion by Commissioner Kepley and a second by Vice Chairman Potts the Board voted unanimously to adjourn.


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


Sam L. Watford, Chairman
Davidson County Board of Commissioners