

MINUTES

December 13, 2011

The Davidson County Board of Commissioners met at 7:00 PM on Tuesday, December 13, 2011, in the Commissioners' Meeting Room in the Governmental Center at 913 Greensboro Street, Lexington, North Carolina for a regularly scheduled meeting and two public hearings.

PRESENT

Commissioners: Chairman Sam Watford, Vice Chairman Larry Potts, Cathy Dunn, Billy Joe Kepley, 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, Tax Administrator Joe Silver, Sheriff David Grice, Human Resources Director Jim Tysinger, Transportation Manager George Hodges, Planning Zoning Director Guy Comman, Economic Development Director Steve Googe, Emergency Services Director Jeff Smith, Fire Marshal Brad Needhan, Support Services Director Dwayne Childress, Public Services Director Rex Buck, Major Brian Grubb, Finance Director Jane Kiker, Davidson Works Director Cindy Livengood, Integrated Solid Waste Director Charlie Brushwood, CDBG Grant Administrator Skip Green

A. CALL TO ORDER AND WELCOME

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

B. INVOCATION

Commissioner Billy Joe Kepley

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

Chairman Watford recognized Sheriff David Grice.

Vice Chairman Potts recognized Erica Layne Spach and awarded her the Davidson County Teaching Scholarship.

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 Dunn the Board voted unanimously 7-0 to adopt the agenda with additions to J.1. requesting additional public hearings for grant applications and to I.2. for additional budget amendments for the Sheriff Department and Senior Services as I.2.a. (Exhibit 1)

G. PUBLIC ADDRESS

Becky Everhart presented the Board with her report about the Spay and Neuter Program in Davidson County. Mrs. Everhart spoke in opposition to the animal shelter gas chamber and in favor of lethal injection.

Tina York spoke in opposition to the gas chamber and in favor of lethal injection.

Barney Hill spoke in opposition to the reclassification in Senior Services, in opposition to the purchase of the Byerly Road Box Site property, and in opposition to the Sponsorship Policy.

H. PUBLIC HEARINGS

1. CDBG Close-Out for Morton Metal Craft

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

Robert Hyatt reviewed the details of the grant.

Barney Hill spoke in opposition to the CDBG grant.

Skip Green thanked the Board for their efforts and perseverance. .

On a motion by Commissioner Truell and a second by Commissioner Kepley the Board voted unanimously 7-0 to close the public hearing. (Exhibit 2)

2. Johnson Concrete

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

Steve Googe provided information on the project.

Chairman Watford declared the public hearing closed.

Barney Hill questioned the details of the incentive. He stated it was not fair to the company but he endorsed it reluctantly.

Kenneth Cupp spoke in opposition.

On a motion by Commissioner Truell and a second by Vice Chairman Potts the Board voted

unanimously 7-0 to approve the economic development incentive entitling Johnson Concrete to a grant, not to exceed \$3,240, each year for five years provided the Company meets the requirements of the Contract as to investment, jobs and wages with calculation based on .0027 x investment of \$1,200,000.00, retention of present workforce of 37 jobs while creating five additional jobs with an average hourly wage above that of the County average over the term of the contract with the grant beginning January 2014 and over the next four Januarys. (Exhibit 3)

I. ITEMS FOR DECISION/INFORMATION – CONSENT

On a motion by Commissioner McClure and a second by Commissioner Yates the Board voted 6-1 to approve the consent agenda with the removal of I.2.j. and I.8.; Commissioner Kepley voted “No.”

1. Minutes

The Board approved the Minutes of November 22, 2011, December 1, 2011 Board of Commissioners’ meetings and the November 7, 2011 Planning and Zoning Public Hearing.

Deliberation

I.2.j. On a motion by Vice Chairman Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to approve the I.2.j. budget amendment for Davidson Works.

Consent

2. Budget Amendments by Zeb Hanner, Assistant County Manager

The Board approved budget amendments for Senior Services, Sheriff’s Department, Social Services, Garage, Humane Society, Transportation, Davidson County Schools, Davidson Works, EMS, Fire Marshal, and Sanitation. (Exhibit 4)

3. Addition to the NC Secondary Road System by Guy Cornman, Planning and Zoning

Director

The Board approved the addition of R.L. Norris Road Extension to the NC Secondary Road System and adopted the SR 2 Resolution. (Exhibit 5)

4. Juvenile Crime Prevention Council (JCPC) FY2011-2012 Revised Funding Plan

The Board approved the Revised Funding Plan for FY2011-2012 for the Juvenile Crime Prevention Council. (Exhibit 6)

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

The Board approved the Tax Report of Refunds for November 2011. (Exhibit 7)

6. Reclassification for Senior Services by Jim Tysinger, Human Resources Director

The Board approved the reclassification of the Senior Center Coordinator position (hourly, grade 64) in Lexington to Senior Center Manager (exempt, grade 65). (Exhibit 8)

7. Evans Box Site Lease by Chuck Frye, County Attorney

The Board approved the proposed lease for the Evans Box Site property for an additional ten years. (Exhibit 9)

Deliberation

8. Resolution to Continue Designation of Business Interstate 85 by Chuck Frye, County Attorney

Commissioner Kepley offered details about the reasons for the activity. Guy Cornman stated that there has been some confusion with Business I-85 and the newer I-85.

On a motion by Commissioner Kepley and a second by Commissioner McClure the Board voted unanimously 7-0 to adopt the Resolution. (Exhibit 10)

Consent

9. Renewal of Option to Purchase Real Property for Historic Preservation by Robert Hyatt

The Board approved the renewal of the Option to Purchase Real Property for Historic Preservation for one year, which is an option between Davidson County and The Historic Preservation Foundation of North Carolina, Inc. for marketing the sale of the Old Post Office with a change of reduction in purchase price from \$500,000 to \$300,000. (Exhibit 11)

10. Easement and Right-of-Way to Energy United for Sheriff's Department Firing Range by Chuck Frye, County Attorney, and Sheriff David Grice

The Board approved the execution of the Easement and Right-of-Way from Energy United for the Sheriff's Office firing range. (Exhibit 12)

J. ITEMS FOR DECISION/INFORMATION – DELIBERATION

1. Schedule Public Hearing for Community Transportation Plan by George Hodges, Transportation Manager

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted unanimously 7-0 to schedule a public hearing for 7:00 PM, Tuesday, January 10, 2012, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina to receive information and public comment on the Community Transportation 5311 Grant, Grant 5310, Grant 5316, and the 5317 Targeted Transit Assistance Program (TTAP) Grant applications. (Exhibit 13)

2. Proposed Sponsorship Policy by Chuck Frye, County Attorney and Guy Cornman, Planning and Zoning Director

Chuck Frye, County Attorney, reported on the changes and concerns made to a prior proposal to arrive at the present draft policy.

Vice Chairman Potts noted his opposition to the criteria on page 4 of the policy.

Commissioner Truell noted that sponsorships on the buses would help to raise money for the Transportation Program. He spoke in support of the policy.

Commissioner McClure stated that the policy will set some guidelines.

Commissioner Kepley questioned the length of sponsorship advertisements.

George Hodges supplied information about the life of the buses and the term of the sponsorship advertisements.

On a motion by Commissioner Truell and a second by Commissioner McClure the Board voted 5-2 to approve the proposed Sponsorship Policy; Commissioner Yates and Vice Chairman Potts voted "No." (Exhibit 14)

3. Schedule a Date for Commissioners' Retreat by Robert Hyatt, County Manager

On a motion by Vice Chairman Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to schedule the retreat for Thursday, February 9, 2012.

4. Purchase of Property by Chuck Frye, County Attorney and Sheriff David Grice

Sheriff Grice presented information on the proposed purchase of land for the Sheriff's Department, which is now in five different buildings.

On a motion by Vice Chairman Potts and a second by Commissioner Dunn the Board voted

6-1 to approve and execute the Resolution and documents to complete the transaction for the purchase of a tract of land known as Lank's of Lexington on New Highway 64 East, using drug-seized money and forfeiture funds for the purchase; Commissioner Kepley voted "No."

On a motion by Commissioner McClure and a second by Commissioner Yates the Board voted unanimously 7-0 to approve the budget amendment for the purchase. (Exhibit 15)

K. CLOSED SESSION – Real Property

On a motion by Commissioner Truell and a second by Commissioner Yates the Board voted unanimously 7-0 to go into Closed Session for Real Property.

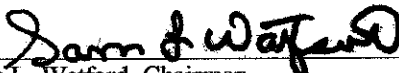
RETURN TO OPEN SESSION

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


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

L. ADJOURNMENT

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



Sam L. Watford, Chairman
Davidson County Board of Commissioners



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