

## MINUTES

February 22, 2011

The Davidson County Board of Commissioners met on Tuesday, February 22, 2011, at 7:00 PM, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, for a regularly scheduled meeting and public hearing.

### PRESENT

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

County Manager Robert Hyatt, Assistant County Manager Zeb Hanner, County Attorney Chuck Frye, Clerk to the Board Anne Burkhart, Finance Director Jane Kiker, Planning and Zoning Director Guy Cornman, Purchasing Director Dwayne Childress, Health Director Layton Long, IT Director Joel Hartley, Soil and Water Director Andy Miller, Parks and Recreation Director Charles Parnell, Human Resources Director Jim Tysinger, Economic Development Director Steve Googe, Inspections Director Ron Triplette, Assistant Inspections Director John Latham, Public Works and Services HVAC Technician Randy Mitchell, Public Works and Services Director Rex Buck, Recycling Coordinator Steve Swaim, Health Department Nursing Supervisor Kim Frank, TRIP Director William Deal, Cooperative Extension Agent Carl McKnight, Integrated Solid Waste Management Director Charlie Brushwood, Emergency Services Director Jeff Smith, Construction Coordinator Rick Prevette, Cooperative Extension Services Director Troy Scoggins

### ABSENT

Commissioner Cathy Dunn

#### A. CALL TO ORDER AND WELCOME

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

#### B. INVOCATION

Vice Chairman Larry Potts

#### C. PLEDGE OF ALLEGIANCE

#### D. RECOGNITION

Chairman Sam Watford, Commissioner Don Truell, and Health Director Layton Long recognized Kim Frank on her retirement from the Health Department with 33 years of service and presented her with a gift certificate. Mr. Long noted that Kim Frank has been the backbone of the clinical health nursing section of the Health Department.

Ms. Frank expressed her appreciation of the leadership in the County and being able to work in Davidson County, her home county.

Chairman Watford also recognized Stephen Grimes, representing Davidson County Council of Chambers.

Excused Absence

On a motion by Vice Chairman Potts and a second by Commissioner Truell the Board voted 6-0 to excuse Commissioner Dunn.

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 Truell the Board voted 6-0 to adopt the agenda with additions as follows:

Budget by Vice Chairman Larry Potts

Resolution Opposing Governor's Budget Cuts (Exhibit 1)

Move: Audit Contract from Consent to Deliberation.

G. PUBLIC ADDRESS

Brad Leonard, a local Contractor, expressed concerns with the Inspections Department staff and building inspection codes.

Geneva Hayes spoke in opposition to the economic development incentive to Project T, noting that there are not enough jobs accompanying the incentive projects for Davidson County citizens.

Barney Hill expressed opposition to the grants for the Recreation Trail and the Adopt-a-Trail.

Leon Reeves II, a local Auditor, expressed concerns with the selection of an auditing firm from outside of Davidson County. He noted he would like the opportunity to do business with the County.

Steve Shell, a local Bail Bondsman, spoke on the placement of public address on the agenda. He recommended two public addresses with one at the beginning of the agenda and one at the end to allow comments on agenda items after the agenda items have been presented to the Board and discussed. He further noted the need for funding to help all citizens.

Vice Chairman Potts explained how the incentives work, noting that nothing is given until we get results.

H. PUBLIC HEARING – Economic Development Incentive to Project T

Chairman Watford declared the public hearing open.

Steve Googe spoke in favor of the economic development incentive to Project T, noting the 60 jobs to be gained, an \$800,000.00 investment, and the incentive of .0027 times the investment.

Barney Hill spoke in support of the economic development incentive.

Chairman Watford declared the public hearing closed.

On a motion by Commissioner Truell and a second by Vice Chairman Potts the Board voted 6-0 to approve the economic development incentive grant package to Project T, which would entitle the company to a grant each year for 5 years to be paid by the County, provided the Company meets the requirements of the Contract as to investment, job, and wages, with the grant beginning January of the first full year after the first full year of operation following the investment, the calculation for payment of the grant at .0027 times the total investment each year for 5 years, the total grant not exceeding \$2,160.00 per year for the term of the Contract, and the Company investing at least \$800,000.00 in plant, machinery and equipment, and providing 60 jobs over the duration of the Contract. (Exhibit 2)

I. ITEMS FOR DECISION/INFORMATION – Consent

On a motion by Commissioner McClure and a second by Commissioner Yates the Board voted 5-1 to approve the Consent Agenda with the exception of I4. and I9.; Commissioner Kepley voted “No.”

1. Minutes

The Board approved the Minutes of February 8, 2011.

2. Budget Amendments by Zeb Hamner, Assistant County Manager

The Board approved budget amendments for Health, Social Services, Sheriff, and Emergency Medical Services. (Exhibit 3)

3. Additions to the North Carolina Secondary Road System by Guy Cornman, Planning and Zoning Director

The Board approved the additions of Brick Landing Court, Lanie Creek Drive, Carley Lane, Drake Lane, Old Cypress Drive, Hartman Branch Lane, Coldsprings Court, Grove Park Lane, Burkeview Court, Willow Ridge Lane, and Barons Road North to the North Carolina Secondary Road System for maintenance and adopted the SR2 Resolution. (Exhibit 4)

Deliberation

4. FY2011 Audit Contract by Jane Kiker, Finance Director

On a motion by Commissioner Yates and a second by Vice Chairman Potts the Board voted 6-0 to accept the audit contract with Martin Starnes & Associates, CPAs, PA for one year and to bid it out the following year. (Exhibit 5)

Consent

5. Surplus Property Items by Dwayne Childress, Purchasing Director

The Board approved the request for declaration of various miscellaneous items as surplus.  
(See Exhibit 6)

6. Surplus – Sale of Trailer to Town of Denton by Dwayne Childress, Purchasing Director

The Board approved the declaration of one white 14-foot enclosed trailer and the sale of the trailer to the Town of Denton for \$1.00. (Exhibit 7)

7. Canine Surplus/Retirement by Dwayne Childress, Purchasing Director

The Board approved the retirement, declaration of surplus, and sale of canine “Xena” to her handler, Jerry Soles, for \$1.00. (Exhibit 8)

8. Appointments to Planning Board and Board of Health

The Board approved the reappointments of John Hedgecock and David Craver to the Planning Board and the reappointment of Corey Buggs to the Board of Health. (Exhibit 9)

Deliberation

9. Proposed Public Address Rules and Procedures for the Davidson County Board of Commissioners by Chuck Frye, County Attorney

On a motion by Commissioner Kepley and a second by Vice Chairman Potts the Board voted 6-0 to make changes to allow the Chairman to extend the Public Address period when needed and remove the wording "strictly adhered to" and then to adopt the Revised Public Address Rules and Procedures.

(Exhibit 10)

Consent

10. Request to Amend Bylaws of Davidson County Economic Development Commission by Chuck Frye, County Attorney

The Board adopted a Resolution to Amend the Bylaws of the Davidson County Economic Development Commission to change the number of its members from 11 to 12 in order to create a board seat for the Town of Wallburg. (Exhibit 11)

11. Memorandum of Understanding with Town of Denton by Chuck Frye, County Attorney

The Board approved the Memorandum of Understanding with the Town of Denton for support services from the Davidson County Information Technology Department. (Exhibit 12)

J. ITEMS FOR DECISION/INFORMATION – Deliberation

1. Day Reporting Grant Application by Zeb Hanner, Assistant County Manager

On a motion by Commissioner Trueell and a second by Commissioner McClure the Board voted 4-2 to approve the submittal of a grant application for funding for participation in the State-County Criminal Justice Partnership Act, which funds our Day Reporting program in the amount of \$129,690.00, which requires no local match; Commissioner Yates and Vice Chairman Potts voted "No." (Exhibit 13)

2. Recreational Trails Program – Grant Application by Charles Parnell, Parks and Recreation Director

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted 5-1 to approve the submittal of a grant application for \$25,152.72 to be used for a project entitled Boone's Cave Park Boardwalk; Commissioner Yates voted "No." (Exhibit 14)

3. Bid Award of Ball Field Lighting by Dwayne Childress, Purchasing Director

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

5-1 to approve the bid award to S&S Electrical for ball field lighting at fields #one and #two at the Optimist Park in Thomasville at \$115,740; Commissioner Yates voted "No." (Exhibit 15)

4. Bid Award of Front-end Loader Truck by Dwayne Childress, Purchasing Director

On a motion by Commissioner Truell and a second by Commissioner McClure the Board voted 5-1 to approve the acceptance of the bid from Piedmont Peterbilt, Inc. at \$198,172.00 for the Front-end Loader Truck for the Recycling Center; Commissioner Yates voted "No." (Exhibit 16)

5. Adopt-A-Trail Grant Application by Guy Cornman, Planning and Zoning Director

On a motion by Commissioner Kepley and a second by Chairman Watford the Board voted 3-3 on the submittal of a grant application for \$5,000, through the State's Adopt-a-Trail program, to be used towards the purchase of signage and benches to be placed along the Abbotts Creek Greenway Pilot Project; Commissioners Kepley, Watford, and McClure voted "Yes," and Commissioners Truell, Potts, and Yates voted "No." The motion failed. (Exhibit 17)

6. Update on County-Owned Post Office Building

Vice Chairman Potts presented information on the structural condition of the post office building. Discussion followed. The Board agreed that the County should have its own contracted structural engineer look into the structural problems to determine the status of repairs needed.

7. Davidson County Farmland Protection Plan by Andy Miller, Soil and Water Director

Andy Miller presented the revised Davidson County Farmland Protection Plan and reported that the plan has been reviewed at the State level.

On a motion by Commissioner Yates and a second by Commissioner Truell the Board voted 6-0 to adopt the plan. (Exhibit 18)

8. Budget by Vice Chairman Potts

Vice Chairman Potts recommended the return of \$1,000,000 to the general fund from cut-backs or performance-based budgeting funds. Commissioner McClure suggested, instead, a workshop to determine where to cut programs.

On a motion by Vice Chairman Potts and a second by Commissioner Yates the Board voted 2-4 to take funds from performance-based budgeting and revert to the general fund. The motion failed;

Commissioners Kepley, Truell, Watford, and McClure voted "No." Commissioners Potts and Yates voted "Yes."

9. Resolution Opposing Governor's Budget Cuts by Commissioner Kepley

Commissioner Kepley presented a Resolution Opposing Governor's Budget Cuts Reducing Hours of Operation at State Parks and Visitor Centers. Discussion followed.

Commissioner Kepley made a motion to adopt the Resolution. The motion died for lack of a second. (Exhibit 19)

K. CLOSED SESSION – Economic Development and Attorney/Client

On a motion by Vice Chairman Potts and a second by Commissioner Yates, the Board voted 6-0 to go into Closed Session for matters of Economic Development and Attorney/Client.

RETURN TO OPEN SESSION

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

County Attorney Chuck Frye reported discussion of Economic Development and Attorney/Client matters with no action taken in Closed Session. Mr. Frye noted, however, that the Board had given direction and authority for negotiation in the matters discussed. He further stated that it would be in order for the agenda to be amended for the scheduling of two public hearings.

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted 6-0 to amend the agenda to allow the scheduling of two public hearings for Economic Development incentives.

Steve Googe addressed the Board with a request for a public hearing to be scheduled on March 22, 2011 to receive public comment on an economic development incentive for Project L Eleven. Mr. Googe stated that the incentive would be .0027 times the investment in plant, machinery, and equipment over a five year period with 25 jobs and the wage at or above the County average. He further stated that Project L Eleven plans to invest \$1.8 million.

On a motion by Commissioner McClure and a second by Commissioner Yates the Board voted


6-0 to schedule a public hearing for March 22, 2011, 7:00 PM, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, to receive information and public comment on the proposed economic development incentive to Project L Eleven.

Steve Gooze addressed the Board with a request for a public hearing to be scheduled on March 22, 2011, to receive public comment on a proposed economic development incentive to Project LW. Mr. Gooze stated that the incentive would be .0027 times the investment of \$800,000 over a five year period, not to exceed \$2,160 per year.

On a motion by Vice Chairman Potts and a second by Commissioner Truell the Board voted 6-0 to schedule a public hearing for March 22, 2011, 7:00 PM, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina to received public comment and information on a proposed economic development incentive to Project LW.

L. ADJOURNMENT

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

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

  
Sam L. Watford, Chairman  
Davidson County Board of Commissioners