

## MINUTES

### DAVIDSON COUNTY BOARD OF COMMISSIONERS

November 22, 2011

7:00 P.M.

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

#### PRESENT

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

#### Others Present

County Manager Robert Hyatt, Assistant County Manager Zeb Hanner, County Attorney Chuck Frye, Clerk to the Board Anne Burkhart, Support Services Director Dwayne Childress, Tax Administrator Joe Silver, Finance Director Jane Kiker, Planning and Zoning Director Guy Cornman, Construction Manager Rick Prevette, Public Works Director Rex Buck, Attorney Stephen Holton, Inspections Director Ron Triplette, Health Director Layton Long, Ben Palmer of Davis-Martin-Powell & Associates, Greg Stabler, Senior Services Director Thessia Everhart-Roberts, Major Brian Grubb, Zoning Officer John Mendenhall, Economic Development Director Steve Googe, Sheriff David Grice, Emergency Services Director Jeff Smith, Social Services Director Dale Moorefield, Integrated Solid Waste Director Charlie Brushwood

#### 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 Watford recognized Sheila Hill, representing Davidson County Council of Chambers, Sheriff David Grice, and Greg Stabler of Davidson Water.

E. REGISTER FOR PUBLIC ADDRESS

Chairman Watford noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Vice Chairman Larry Potts and a second by Commissioner Billy Joe Kepley the Board voted unanimously 7-0 to adopt the agenda with the addition of J.6. Update on Storm Damage by Jeff Smith, Director of Emergency Services, J.7. Renaming Business I-85 by Commissioner Billy Joe Kepley and Closed Session for Economic Development. (Exhibit 1)

G. PUBLIC ADDRESS

Leigh Gill spoke in opposition to relocating Hwy. 109 and offered to make a presentation at a future meeting.

Barney Hill spoke in favor of J.2. and against J.5. and Voter Identification.

Tina York expressed her criticism of the Davidson County Animal Shelter.

H. PUBLIC HEARING – Zoning Amendment Application – Lolly Wolly Doodle

Chairman Watford declared the public hearing open to receive public comment on the zoning amendment application from Cleo Everhart Graham, William Martin Graham, Calista Everhart Yarbrough and Madison Siminion Yarbrough in Lexington Township to change from HC and RA-3 to LI in order to accommodate Lolly Wolly Doodle to allow for light manufacturing and distribution of goods and to be more suitable to the needs of the company.

Guy Cornman presented the details of the request and noted that the Planning Board voted in favor of the request.

Attorney Stephen Holton addressed the Board and introduced property owners that were present and the owner of the business, Will Temple. Attorney Holton presented details of the area and the benefits of the business location.

Barney Hill spoke in favor of the rezoning for Lolly Wolly Doodle and in opposition to documents requiring permission for rezoning.

The Chairman declared the public hearing closed.

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously to approve the zoning amendment application to change from HC and RA-3 to LI. (Exhibit 2)

I. ITEMS FOR DECISION/INFORMATION - CONSENT

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

1. Minutes

The Board approved the Minutes of Davidson County Board of Commissioners’ meetings for November 3, 2011 and November 8, 2011 and the Planning and Zoning Public Hearing for October 3, 2011.

2. Budget Amendments by Zeb Hanner, Assistant County Manager

The Board approved budget amendments for Social Services, Health, Humane Society, Cooperative Extension, County Manager’s Office, and Public Works. (Exhibit 3)

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

The Board approved the Tax Report of Refunds for October 2011. (Exhibit 4)

4. Reappointment

The Board approved the reappointment of Vice Chairman Larry Potts to the Teachers’ Scholarship Fund Advisory Board. (Exhibit 5)

J. ITEMS FOR DECISION/INFORMATION – DELIBERATION

1. Davidson County School Administration Sewer Bid Award by Dwayne Childress, Purchasing Director and Ben Palmer, Davis-Martin-Powell, Inc.

On a motion by Vice Chairman Potts and a second by Commissioner Yates the Board voted unanimously -0 to allow the withdrawal of Triad Land Concepts due to an error made in the bid.

On a motion by Commissioner Yates and a second by Commissioner Truell the Board voted unanimously 7-0 to approve the bid award for the Davidson County School Administration Sewer Project and Stoner-Thomas to Charlotte GATC, LLC, the low bidder at \$151,903.12.

(Exhibit 6)

2. Gas Rebate Program for Davidson County Airport by Zeb Hanner, Assistant County Manager

On a motion by Commissioner Truell and a second by Commissioner Yates the Board voted unanimously 7-0 to approve the Memorandum of Understanding between City of Lexington and Davidson

County for the gas rebate program the Davidson County Airport, and the guidelines for the program.

(Exhibit 7)

3. Schedule a Close-out Public Hearing for CDBG Project by Robert Hyatt, County Manager

On a motion by Commissioner Truell and a second by Commissioner Yates the Board voted unanimously 7-0 to schedule the Close-out Public Hearing for Morton Metalcraft for the construction of sewer to allow the company to expand its production and increase its workforce for December 13, 2011,

7:00 P.M. (Exhibit 8)

4. Welcome Fire Department by Zeb Hanner, Assistant County Manager and Greg Stabler of Welcome Fire Department and Davidson Water

Commissioner Kepley requested exemption from discussion and voting.

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

On a motion by Commissioner Yates and a second by Commissioner Truell the Board voted 6-0 to approve the financing of a new fire truck (\$400,000 maximum) and refinancing of the existing building housing the Department activities (\$722,000 maximum) with tax exempt financing on both items for Welcome Fire Department. (Exhibit 9)

5. Purchase Contract for Windstream Property by Chuck Frye, County Attorney

On a motion by Vice Chairman Potts and a second by Commissioner Truell the Board voted 7-0 to approve the Purchase Contract for the Winstream property and authorized the execution of the Resolution and documents to complete the transaction. (Exhibit 10)

6. Update on Storm Damage for Jeff Smith, Emergency Services Director

Jeff Smith presented the details of the tornado in Davidson County on November 16, 2011. He noted that the recovery efforts in the County are strong. The Board commended Mr. Smith for his diligence and his hard work. Inspections Director Ron Triplette reported that at least eight of the homes that were destroyed were old and were not covered by insurance. Discussion followed concerning disposition of debris.

7. Renaming Business I-85 by Commissioner Billy Joe Kepley, MPO Representative

Commissioner Keypley reported the RPO meeting activities concerning renaming Business I-85. He emphasized the benefits for Lexington, Thomasville and High Point to keep the name as it does connect with I-85 and bring tourism and connection to the three cities. Commissioner McClure indicated his support for keeping the name of Business I-85. Vice Chairman Potts noted his support for the request by Commissioner Keypley for a resolution in opposition to renaming Business I-85 and to have it prepared for the next regular meeting.

K. Convene – Pilot Sanitary Community County Sewer Board by Chuck Frye, County Attorney

Chairman Watford recessed the Davidson County Board of Commissioners meeting and convened the Pilot Sanitary Community County Sewer Board.

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted unanimously 7-0 to declare the lot in the Pilot Sanitary Sewer Community as surplus and to sell for the negotiated price of \$2,000. (Exhibit 11)

Chairman Watford recessed the Pilot Sanitary Community County Sewer Board and convened the Davidson County Board of Commissioners.

L. CLOSED SESSION – Real Property and Economic Development

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

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 and Economic Development with no action taken in Closed Session and noted that it would be in order to amend the agenda for an Economic Development matter.

On a motion by Vice chairman Potts and a second by Commissioner Truell, the Board voted unanimously 7-0 to amend the agenda for an Economic Development matter.


Steve Gooze reported that he has been working with Johnson Concrete on an incentive for their request to expand and invest \$38,000. He noted that the incentive would be calculated at .0027 times the

investment and the Company has stated they will add 5 employees to the 38 now employed. Mr. Googe requested that a public hearing be set for December 13, 2011, 7:00 PM.

On a motion by Commissioner Yates and a second by Vice Chairman Potts the Board voted unanimously 7-0 to set a public hearing for December 13, 2011 at 7:00 PM in the Commissioners' Meeting, Governmental Center, 913 Greensboro Street, Lexington, North Carolina.

M. ADJOURNMENT

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

  
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Sam L. Watford, Chairman  
Davidson County Board of Commissioners

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