

## MINUTES

AUGUST 12, 2008

The Davidson County Board of Commissioners met on Tuesday, August 12, 2008, at 7:00 P.M., in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, for a regularly scheduled meeting and public hearing.

### PRESENT

Commissioners: Chairman Larry Potts, Vice Chairman Billy Joe Kepley, Larry Allen, Fred McClure, Don Truell, Dr. Max Walser, Sam Watford

County Manager Robert Hyatt, Assistant County Manager Zeb M. Hanner, County Attorney Robert Hedrick, Clerk to the Board Anne Burkhart, Transportation Director Zeb F. Hanner, Tax Administrator Joe Silver, IT Director Joel Hartley, Human Resources Director Jim Tysinger, Planning and Zoning Director Guy Comman, Emergency Services Director Doug Lowe, Purchasing Director Dwayne Childress, Landfill Director Charlie Brushwood, Public Works and Services Director Rex Buck, Economic Development Director Steve Googe, Health Director Layton Long, Finance Director Jane Kiker

### A. CALL TO ORDER AND WELCOME

Chairman Potts called the meeting to order and welcomed guests.

### B. INVOCATION

Commissioner Larry Allen

### C. PLEDGE OF ALLEGIANCE

### D. RECOGNITION

Chairman Potts noted that Brandi Lee Gallimore is the recipient of a \$5,000 Teaching Scholarship and presented the check to her husband. Brandi was unable to be present due to her work schedule.

### E. REGISTER FOR PUBLIC ADDRESS

Chairman Potts noted the register for public address.

### F. ADOPTION OF AGENDA

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted unanimously 7-0 to adopt the agenda. (Exhibit 1)

### G. PUBLIC ADDRESS

Barney W. Hill addressed the Board concerning the Rural Operating Assist Program.

Ronald Swicegood spoke in opposition to the new jail project at this time and requested that it be tabled for one year.

H. PUBLIC HEARING – Rural Operating Assist Program

On a motion by Commissioner Allen and a second by Commissioner McClure the Board voted unanimously 7-0 to open the public hearing.

Zeb F. Hanner presented the details of each part of the application for the 2009 Rural Operating Assistance Program, which totals \$322,985. Mr. Hanner projected 39,000 trips for the 2008-2009 fiscal year.

Barney Hill addressed the Board in opposition to the Rural Operating Program. He requested that his June 27, 2000 comments be exhibited from the Minutes of June 26, 2000.

Commissioner Walser addressed Mr. Hill's comments concerning the fire tax increase and stated his opposition.

Commissioner McClure spoke in favor of the Transportation programs and noted the ongoing need for the support.

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted unanimously 7-0 to close the public hearing.

On a motion by Commissioner Truell and a second by Commissioner Watford the Board voted unanimously to approve the submittal of application for the 2009 Rural Operating Assist Program.

(Exhibit 2)

I. ITEMS FOR DECISION/INFORMATION

Consent

On a motion by Commissioner Watford and a second by Commissioner McClure the Board voted 6-1 to approve the consent agenda; Commissioner Kepley voted "No."

1. Minutes

The Board approved the minutes of May 5, 2008 and June 2, 2008 Planning and Zoning Public Hearings and the June 24, 2008 Board of Commissioners' meeting.

2. Budget Amendments by Zeb M. Hanner, Assistant County Manager

The Board approved budget amendments for the new DA's office and Juvenile Services, Tax, Dues and Subscriptions, Sheriff, Library, Health, and Garage. (Exhibit 3)

3. 2009 Holiday Schedule

The Board approved the Holiday Schedule for 2009. (Exhibit 4)

4. 2009 Commissioners' Meeting Schedule

The Board approved the 2009 Davidson County Board of Commissioners' Meeting Schedule. (Exhibit 5)

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

The Board approved the Year End Disclosure Statement from the Tax Administrator. (Exhibit 6)

6. IP Phone Purchase by Joel Hartley, IT Director

The Board approved the IP phone purchases for the second year of the 3 year plan to replace the existing old digital phones. (Exhibit 7)

7. Reclassifications by Jim Tysinger, Human Resources Director

The Board approved the reclassifications for the Health Department, Human Resources, Tax Department, and the creation of a position in the Inspections Department. (Exhibit 8)

8. Additions to the NC Secondary Road System by Guy Comman, Planning and Zoning Director

The Board approved Mallard Landing Boulevard, Fryes Creek Lane, and Mabel Hartman Court in the Mallard Landing Subdivision for additions to the NC Secondary Roads System for maintenance and the adoption of the SR-2 forms for submittal to the District Engineer. (Exhibit 9)

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

The Board approved the Tax Report of Refunds for July 2008. (Exhibit 10)

10. Pyrotechnics Permit for Davidson County Agricultural Fair by Chris Kearns, Fire Marshal

The Board approved the Pyrotechnics Permit for the Davidson County Agricultural Fair event September 15-21, 2008. (Exhibit 11)

Deliberation

11. College Resource Officer Agreement by Robert Hedrick, County Attorney

On a motion by Commissioner McClure and a second by Vice Chairman Kepley the Board voted unanimously 7-0 to approve the College Resource Officer Agreement with Davidson County Community College. (Exhibit 12)

12. Bid Award – Trashmaster TC550 Compactor by Dwayne Childress, Purchasing Director

On a motion by Commissioner Watford and a second by Commissioner Allen the Board voted unanimously 7-0 to approve the following:

- a. the transfer of \$7,953.00 from a concrete line item for the new landfill
- b. \$10,000 from a stone line item for the new landfill
- c. the bid award and purchase from Road Machinery for a Trashmaster TC550 Landfill compactor at a cost of \$677,486.00
- d. the sell for surplus of the old compactor either on GovDeals or at a guaranteed trade-in price of \$65,261.00 from Road Machinery. (Exhibit 13)

13. Appointments

On a motion by Commissioner Truell and a second by Commissioner McClure the Board voted unanimously 7-0 to appoint Diane White to the Adult Care Home Community Advisory Committee.

On a motion by Commissioner Walser and a second by Vice Chairman Kepley the Board voted unanimously 7-0 to reappoint Keith Albert, Pat Hillard, Sandy Motley, Ben Ross, Dr. Mary Rittling, Barry Sink, and appoint Carlos Flores, Steve Hoffman, Gene Klump, Doris Smith, and Jane Wilder to the Workforce Development Board and to reappoint Scott Bannister, Frankie Hedrick, and Linda Leonard to the Youth Council. (Exhibit 14)

14. Resolution – I-85 Yadkin River Bridge by Commissioner Max Walser

On a motion by Commissioner McClure and a second Commissioner Watford the Board voted unanimously 7-0 to adopt the Resolution In Opposition of the I-85 Yadkin River Bridge Replacement Being Undertaken as a Toll Project and In support of a Statewide Transportation Bond Package and in Support of Removal of Interstate Highways from NCDOT Equity Funding Formula and In Support of Federal Funding of the I-85 Yadkin River Bridge Replacement with a change to reflect NCGA on the

second page in the first paragraph and a copy to be sent to all municipalities along the area.

(Exhibit 15)

15. Change Order -- South Central Sewer Project by Rex Buck, Public Works and Services

Director

On a motion by Commissioner Watford and a second by Commissioner McClure the Board voted unanimously 7-0 to approve the proposal from Key Constructors contingent upon the contractor's mark-up being offset by quantities not installed. (Exhibit 16)

16. Consideration of Amendments to Fire Department Contracts

Robert Hedrick presented the item and provided details.

Vice Chairman Kepley spoke in favor of an A-133 grant application.

On a motion by Commissioner Truell and a second by Commissioner Allen the Board voted unanimously 7-0 to include guidelines for fire departments' requirements prior to approval of the proposed budget each year. (Exhibit 17)

17. Adjustments to Sewer Fees by Rex Buck, Public Works and Services Director

On a motion by Commissioner Watford and a second by Commissioner Walser the Board voted unanimously 7-0 to approve the selected changes to sewer service billing and rates which would amend Section 83 and Section 88 to include a standard monthly base charge of \$14.20 for the first 2,000 gallons of wastewater per customer per month, increase volume charge for discharges over 2,000 gallons to \$6.81 per 100 cubic feet and initiate billing at the earlier of water meter installation or sewer service connection.

(Exhibit 18)

18. Recommendation from Jail Steering Committee for Award of Planning and Site Selection

Phases by Dwayne Childress, Purchasing Director

On a motion by Commissioner McClure and a second by Commissioner Allen the Board voted unanimously 7-0 to award the Planning and Site Selection Phases of Jail Construction to Ware Bonsall, contingent on the final approval of the County Manager, and appoint Commissioner Watford to replace Commissioner Allen, at Commissioner Allen's request as a departing commissioner, to serve on the Jail Steering Committee. (Exhibit 19)

19. Schedule Public Hearings for Economic Development Incentives by Steve Googe.

Economic Development Director

On a motion by Commissioner Truell and a second by Commissioner Watford the Board voted unanimously to schedule a public hearing for 7:00 P.M. on September 9, 2008, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, to provide information and receive public comment on the following economic development incentives:

- a. to R2 for five years of .0027 times the total investment of \$5,000,000 in plant, machinery and equipment not to exceed \$16,000 per year, and wages above county average,
- b. to Piedmont Candy Company, Inc. over five years of .0027 times the total investment of \$3,500,000 in new plant, machinery, and equipment not to exceed \$9,450 per year,
- c. to Vitacost.com.Inc. over five years of .0027 times the total investment of \$5,700,000 in the new plant, new machinery and new equipment not to exceed \$15,500 per year.

I. CLOSED SESSION – Real Estate

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

RETURN TO OPEN SESSION

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

County Attorney Robert Hedrick reported discussion of Real Estate in Closed Session with no action taken.

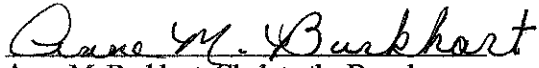
ADJOURNMENT

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

A large, dense, and somewhat illegible handwritten signature in black ink, appearing to be "Larry W. Holt".

---

Larry W. Holt, Chairman  
Davidson County Board of Commissioners

A handwritten signature in black ink that reads "Anne M. Burkhart".

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