

MINUTES

June 10, 2008

The Davidson County Board of Commissioners met at 7:00 P.M. in the Commissioners' Meeting Room, Governmental Center, 913 North Greensboro Street, Lexington, North Carolina for a regularly scheduled meeting and a 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, Deputy Clerk to the Board Debbie Harris, Finance Director Jane Kiker, Health Director Layton Long, DSS Staff Attorney Charles E. Frye III, Tax Administrator Joe Silver, Cooperative Extension Director Robert Lopp, Soil and Water Director Andy Miller, Public Works and Services Director Rex Buck, EMS Director Doug Lowe, Human Resources Director Jim Tysinger, Senior Services Director Thessia Everhart-Roberts, Purchasing Director Dwayne Childress, Kathy Dunn, Buddy Kiger, Dr. Becky Bloxam, Jo Ellen Edwards, Willie Edwards, Ben Ross, Barney Hill, Winston-Salem Journal Reported Michael Hewlett and Dispatch Reporter Seth Stratton.

A. CALL TO ORDER AND WELCOME

Chairman Potts called the meeting to order and welcomed guests.

B. INVOCATION

The invocation was led by Commissioner Allen.

C. PLEDGE OF ALLEGIANCE

D. REGISTER FOR PUBLIC ADDRESS

Chairman Potts noted the register for public address.

E. ADOPTION OF THE AGENDA

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

F. PUBLIC ADDRESS

There were five (5) individuals signed up to speak at Public Address.

Eugene Queen addressed the Board and spoke in support of the volunteer fire departments (VFDs) and any requested tax increases to fund their budgets.

Ronald Swicegood had signed up to speak at the public address; however, he withdrew from speaking.

Jim Scott addressed the Board in opposition to any proposed tax increases and questioned whether Davidson County needed 26 individual volunteer fire departments.

Alvin Everhart addressed the Board in regard to loud cars, trucks and music coming out of the Finch Park area. He enlisted aid in addressing this issue.

Barney Hill addressed the Board in opposition to the spending of County funds to video tape the Board of Commissioners meetings.

G. PUBLIC HEARING – Sewer Project Financing

On a Motion by Commissioner Allen and a second by Commissioner McClure the Board voted unanimously 7-0 to open the public hearing regarding Sewer Project Financing.

Finance Director Jane Kiker addressed the Board and informed them that this Public Hearing is to address the financing for the sewer projects for the Midway, South Central, Silver Valley and Northwest School Projects.

Barney Hill spoke at the hearing and spoke in opposition to borrowing money for the sewer projects.

County Manager Robert Hyatt spoke briefly regarding the history of these sewer projects being undertaken in the first place; in that there is a State Mandate to bring the Davidson County Schools that were having sewer issues and not in compliance back into compliance with the State.

Dr. Fred Mock, Superintendent of the Davidson County Schools, spoke and thanked the Board of Commissioners for their assistance in dealing with the Department of Environment and Natural Resources (DENR) and the rules associated with the County Schools being out of compliance regarding their septic systems. He reported that the Schools have received fines as recently as a few weeks ago regarding these issues and that they were able to have the fines held in abeyance due to the work currently being done on these projects to bring the schools into compliance. Dr. Mock reported that the old Davis Townsend School and Churchland Elementary are the only two schools that are currently out of compliance, with

sewer projects not having been implemented at those schools at this time. He also reported that the new Davis Townsend School is in compliance even though it does not have sewer service.

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

1. Approval of Installment Financing Contract for Sewer Project Financing

There was a brief discussion by the Board regarding the Installment Financing Contract. On a motion by Commissioner Watford and a second by Commissioner Truell the Board voted unanimously 7-0 to approve the Installment Financing Contract for Sewer Project Financing of the Midway, South Central, Silver Valley and Northwest School Sewer projects with BB&T for the rate of 4.29%. (Exhibit 2)

H. ITEMS FOR DECISION/INFORMATION

Consent

Commissioner Watford requested that the Financing for the Silver Valley Fire Department item be removed from the Consent Agenda. On a motion by Commissioner McClure and a second by Commissioner Watford the Board voted 6-1 to approve the amended consent agenda. Commissioner Kepley voted "No."

1. Minutes

The Board approved the Minutes of the May 27, 2008 Board of Commissioners meeting.

2. Budget Amendments

The Board approved budget amendments for the Purchasing Department and the Sheriff's Department. (Exhibit 3)

4. Juvenile Crime Prevention Council (JCPC)

The Board approved the 2008-2009 Annual Plan for the Juvenile Crime Prevention Council (JCPC). (Exhibit 5)

5. Reclassifications

The Board approved the request of Jim Tysinger, Human Resources Director, for reclassification of one Accounting Tech II, position, Grade 63, to an Accounting Tech III position, Grade 65. (Exhibit 6)

3. Financing Contract for Silver Valley Fire Department

The Board had a brief discussion regarding the reason for this refinancing. On a motion by Commissioner Watford and a second by Commissioner Truell the Board voted 7-0 to approve the Silver Valley Fire Department refinancing their fire station and purchasing a truck. The Financing Agreement is for \$2,076,007.72 for 20 years at an interest rate of 5.58%. The Board in this motion also approved Finance Director Jane Kiker issuing confirmation that the Silver Valley Fire Department is a qualified Volunteer Fire Department and is assigned to protect a specific area within the County. (Exhibit 4)

Deliberation

6. Resolution in Support of Expansion of Incident Management Assistance Patrol (IMAP) Program to Davidson County

Mark Crook with the North Carolina Department of Transportation (NCDOT) addressed the Board and requested that they enter a resolution supporting IMAP's expansion to Davidson County. A discussion ensued regarding the services offered by IMAP and its benefits to the highway travelers on Interstate 85. Mr. Crook reported that once initiated, the Program will assist motorists from 6:00 a.m. until 9:00 p.m. five days per week. He further informed the Board that this Program results in no fees being charged to the citizens utilizing the services, it is wholly funded by NCDOT.

On a motion by Commissioner McClure and a second by Commissioner Allen the Board voted unanimously 7-0 to adopt a resolution requesting and recommending that the NCDOT expand the IMAP Program through Davidson County on Interstate 85. (Exhibit 6A)

7. Request for Award of Bid for South Davidson High School Addition Project

County Manager Robert Hyatt addressed the Board and presented the bid information for the South Davidson High School Addition Project and recommended that the Project be awarded to Brooks General Contractors in the amount of \$2,904,769.00. There was a discussion regarding the bids in this Project being above the original estimate of 1.9 to 2 million dollars, and the expense of this Project taking funds away from the North Davidson School Project. Commissioner Watford interjected that he felt that this was a good bid process, that there were close bids and good contractors included in the process.

On a motion by Commissioner Allen and a second by Commissioner Watford the Board voted unanimously 7-0 to award the bid for the South Davidson High School Addition Project to Brooks General Contractors in the amount of \$2,904,769.00. (Exhibit 7)

8. Update on Denton Library Fundraising Efforts

Jones Loflin of the Denton Library Fundraising team addressed the Board and provided an update of fundraising efforts to date. He reported the actual hard dollar amount that had been raised, as well as monies that have been pledged to be donated in the future. He acknowledged that the group had incurred difficulties in fundraising and that they were not where they wanted to be; however, he still felt that the original amount to raise of \$600,000.00 was still an attainable amount with the right kind of leadership and support. County Manager Robert Hyatt commented that the architectural firm had completed its design and that he was hoping that the fundraising and design pieces would come together at the same time; however, this was not the case. He further stated that there were two avenues open to take at this time: (1) the specifications are complete and could sit on a shelf until the fundraising efforts are complete and the project was ready to begin, or (2) put the project out to bid so the total cost can be determined. Mr. Hyatt reported that we are in a favorable bidding climate at this time and this fact may reduce the cost of the project. After some discussion regarding this subject and a report from Library Director Ruth Ann Copley that there were items that could be removed or possibly be completed in-house which could reduce the total projected cost for the project, it was agreed that the group would come back at a Board of Commissioners Meeting in August with an update of a new projected cost for the Project before any decision is made regarding how to proceed. (Exhibit 8)

Appointments

After a brief discussion regarding the appointments a vote was taken. On a motion by Commissioner McClure and a second by Vice Chairman Kepley the Board voted unanimously 7-0 to reappoint Jerry Dockham to the Davidson County Community College Board of Trustees. (Exhibit 9)

10. Adoption of the Davidson County 2008-2009 Fiscal Year Budget

County Manager Robert Hyatt addressed the Board and inquired into requested changes to the proposed 2008-2009 Davidson County Fiscal Year Budget.

The Board discussed the continued funding for Davidson Vision. On a motion by Commissioner Watford and a second by Commissioner McClure the Board voted unanimously 7-0 to approve continued funding of Davidson Vision for the 2008-2009 Fiscal Year Budget, at the entire amount of \$100,000.00.

The Board was provided information that the Lexington City Council had requested that we pull the item regarding the Supplemental School Tax from consideration. On a motion by Commissioner

McClure and a second by Commissioner Allen the Board voted unanimously 7-0 to keep the Supplemental School Tax at its current rate of 12 cents.

After a discussion regarding funding increases in the volunteer fire department budgets, it was determined that no changes would be made in the process of awarding requested increases during this year's Budget Process. It was noted that each VFD had complied with the standard practice in recommending what their budgets should be for the upcoming fiscal year. It was the consensus of the Board that measures needed to be put into place before the next Budget Process to allow greater oversight by the Board of Commissioners in spending and funds requested by the VFDs, which would enable the Board to be more informed in the decision making process. It was suggested that, as required by many VFDs in the State, an audit be completed and provided to the Board prior to the Budget Process. The possibility of the individual VFDs conducting public hearings regarding their proposed budgets to enable the individuals in their communities to have greater input into the issue was also suggested. It was noted that these issues could be addressed in the VFDs contractual agreements with the County. On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted 6-1 to pass the proposed tax rates of each fire district as recommended, Vice Chairman Kepley voted "No."

The Board discussed the issue of the Denton Skatepark and potential funding should the fundraising efforts be completed by the advocacy group involved. It was reported that there are contingency funds available to be used on any project deemed appropriate by the Board.

The Board discussed the proposed Sewer Rate Adjustment which would include a base fee and a new rate schedule. On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted unanimously to approve the implementation of the Sewer Rate Adjustment.

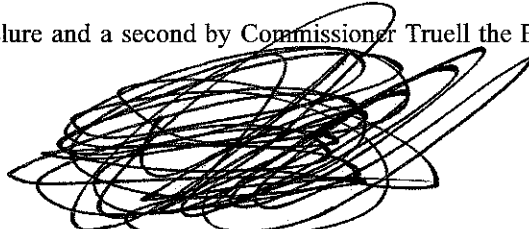
The Board discussed the proposed Landfill Tax, and the fact that it is a State mandated tax that must be levied. County Manager Robert Hyatt and Assistant County Manager Zeb Hanner reported that it was their proposal that although the tax would be approved, that it not be exacted on the citizens until such time as the State of North Carolina deemed the tax would be effective. Mr. Hyatt noted that at this time there is discussion in the Legislature that the effective date of the tax would be changed from July 1, 2008, to January 1, 2009. On a motion by Commissioner McClure and a second by Commissioner Watford the Board voted unanimously 7-0 to approve the Landfill Tax, with an inception date to the citizens as deemed effective by the State of North Carolina.

There were no other items brought up for discussion regarding the proposed Davidson County 2008-2009 Fiscal Year Budget.

On a motion by Commissioner Truell and a second by Commissioner McClure the Board voted 6-1 to approve the Davidson County 2008-2009 Fiscal Year Budget, with the amendments included as made by the Board. Vice Chairman Kepley voted "No." (Exhibit 10)

I. ADJOURNMENT

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



Larry W. Potts, Chairman
Davidson County Board of Commissioners



Deborah J. Harris, Deputy Clerk
Davidson County Board of Commissioners