

## MINUTES

October 14, 2008

The Davidson County Board of Commissioners met at 7:00 P.M., on Tuesday, October 14, 2008, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, 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 Walsler, Sam Watford

County Manager Robert Hyatt, Assistant County Manager Zeb M. Hanner, County Attorney Robert Hedrick, Human Resources Director Jim Tysinger, Cooperative Extension Director Robert Lopp, Emergency Services Director Doug Lowe, Tax Administrator Joe Silver, Finance Director Jane Kiker, Social Services Attorney Chuck Frye, Davidson County Schools Superintendent Dr. Fred Mock, Clerk to the Board Anne Burkhart

### A. CALL TO ORDER AND WELCOME

Chairman Larry Potts called the meeting to order and welcomed guests.

### B. INVOCATION

Commissioner Don Truell

### C. PLEDGE OF ALLEGIANCE

### D. RECOGNITION

### E. REGISTER FOR PUBLIC ADDRESS

Chairman Potts noted the register for public address.

### F. ADOPTION OF AGENDA

On a motion by Commissioner Watford and a second by Commissioner Truell the Board voted unanimously 7-0 to adopt the agenda with the addition of I.10. County Finances and the deletion of Airport Authority Appointments under I.9. (Exhibit 1)

### G. PUBLIC ADDRESS

Barney Hill addressed the Board concerning conditional zoning and opposed the Resolution Imposing a Gross Receipts Tax on Heavy Equipment in Lieu of Property Tax.

H. PUBLIC HEARING – Taking of Foxes by Trapping

The Board previously scheduled and advertised a public hearing to receive public comment on the consideration of local legislation to permit the taking of foxes by trapping and the addition of an amendment to the North Carolina Administrative Code 15A NCAC 10B.0212 to add the use of steel-jaw or foot-hold traps with a season from November 1 until the end of February of each year in Davidson County.

On a motion by Commissioner McClure and a second by Vice Chairman Billy Joe Kepley the Board voted unanimously 7-0 to open the public hearing.

Greg Waite spoke in favor of the Taking of Foxes by Trapping.

Darren Huffman spoke in favor of the Taking of Foxes by Trapping and presented information to the Board relating to the procedures to be taken.

NC Wildlife Representative David Sawyer answered questions from the Board and noted that trapping of foxes is occurring in 36 counties. He further stated that he did not see a negative side to the trapping season.

Jimmy Pierce, President of the North Carolina State Trappers' Association and a retired Captain of the Raleigh Police Department, spoke in favor of the Trapping of Foxes and demonstrated the trap to be used. Mr. Pierce answered questions concerning the trap and its impact on the animal from the Board.

Barney Hill spoke in favor of the Trapping of Foxes.

Vann Carlton spoke with concerns of rabies growth in Davidson County and recommended consultation with the Health Department to check on the rabies epidemic in Davidson County and Rowan County.

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

On a motion by Commissioner McClure and a second by Commissioner Allen the Board voted unanimously 7-0 to approve a resolution of request to Davidson County's Representatives to the General Assembly for a Bill to be entitled AN ACT TO ESTABLISH A SEASON FOR TAKING FOXES WITH WEAPONS AND BY TRAPPING IN DAVIDSON COUNTY. The Board stated the intention of the resolution is so that the General Assembly of North Carolina enacts local legislation providing:

“Notwithstanding any other provision of law, there is an open season pursuant to the trapping season set by

the NC Wildlife Commission of each year for taking foxes with weapons and by trapping, with no tagging requirements prior to or after sale; no bag limit applies to foxes taken under this act; this act applies only to Davidson County; this act becomes effective October 1, 2009.”

Vice Chairman Kepley commented on the threat of coyotes in the area and spoke in favor of the Trapping of Foxes. (Exhibit 2)

## I. ITEMS FOR DECISION/INFORMATION

### Consent

The Board removed I.6.1. (EMS furniture) from the consent agenda.

On a motion by Commissioner Watford and a second by Commissioner Walser the Board voted 6-1 to approve the remaining consent agenda; Vice Chairman Kepley voted “No.”

#### 1. Minutes

The Board approved the Minutes of September 23, 2008 and October 2, 2008 Davidson County Board of Commissioners’ meetings.

#### 2. Amendment to Personnel Resolution by Jim Tysinger, Human Resources Director

The Board approved the Amendment to the Personnel Resolution Employee Status Definitions and Assignments. (Exhibit 3)

#### 3. Request for Revision of Memorandum of Understanding (MOU) Cooperative Extension

by Jim Tysinger, Human Resources Director

The Board approved the request for the Addendum to the Memorandum of Understanding for Cooperative Extension pertaining to the roles, responsibilities, and position funding. (Exhibit 4)

#### 4. School Resource Officer Agreement by Robert Hedrick, County Attorney

The Board approved the School Resource Officer Agreement with Davidson County Board of Education, Davidson County Sheriff’s Office, and Davidson County Board of Commissioners. (Exhibit 5)

#### 5. Additions to the NC Secondary Road System

The Board approved the additions of Carrie’s Cove Lane, Sassafras Lane, Carriage Cove Lane, and Peppermill Drive to the NC Secondary Road System for maintenance and the adoption of an SR2 Resolution supporting this addition. (Exhibit 6)

#### 6. Budget Amendments by Zeb M. Hanner, Assistant County Manager

The Board approved budget amendments for Cooperative Extension, Recreation, Social Services, Tax Inspections, Library, Risk Management, 911, Senior Services, County Manager's Office, Purchasing, Contingency to Lake Thom-A-Lex. (Exhibit 7)

7. Memorandum of Agreement between the State of North Carolina, Department of Crime Control and Public Safety Division of Emergency Management and the County of Davidson, North Carolina by Doug Lowe, Emergency Services Director

The Board approved the Memorandum of Agreement between the State of North Carolina, Department of Crime Control and Public Safety Division of Emergency Management and the County of Davidson, North Carolina. (Exhibit 8)

Deliberation

6.1. EMS Budget Amendment

Assistant County Manager Zeb M. Hamner and Emergency Services Director Doug Lowe presented the details of the budget amendment to the Board.

On a motion by Vice Chairman Kepley and a second by Commissioner Truell the Board voted unanimously to approve the I.6.1. EMS Furniture budget amendment.

8. Resolution Imposing a Gross Receipts Tax on Heavy Equipment in Lieu of Property Tax by Joe Silver, Tax Administrator

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted unanimously 7-0 to adopt a Resolution Imposing a Gross Receipts Tax on Heavy Equipment in Lieu of Property Tax and authorized Joe Silver to collect this tax through the Tax Department rather than the Finance Department. (Exhibit 9)

9. Appointments

On a motion by Commissioner Truell and a second by Vice Chairman Kepley the Board voted unanimously 7-0 to reappoint John Fowler and Linda Hunt to the Senior Services Advisory Board.

On a motion by Commissioner Walser and a second by Commissioner Truell the Board voted unanimously 7-0 to reappoint Dr. Florita Mangundayao, Adelaide Talbert, Ann Corn, Caroline Tysinger, Gladys Arnett, Ida Evans, Jannette Deang, and Rev. Lamar Moore to the Planning Committee for Services to the Elderly.

On a motion by Commissioner Truell and a second by Commissioner Allen the Board voted unanimously 7-0 to appoint Boyd Morgan, Keith Johnson, James R. Wikle, and Genevieve Ireland to the Planning Committee for Services to the Elderly.

On a motion by Commissioner Walser and a second by Commissioner Truell the Board voted unanimously 7-0 to table appointments to the Airport Authority. (Exhibit 10)

10. County Finances by Zeb M. Hanner, Assistant County Manager

Mr. Hanner reported the current status of departments' finances. He noted that he has inquired to the departments as to state cuts that may be impacting the budget and services. He further noted a meeting has been scheduled with the department heads concerning planning for budget and noted that a report will be coming back to the Board.

J. CLOSED SESSION – Real Estate

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

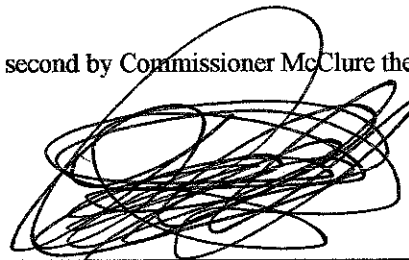
RETURN TO OPEN SESSION

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

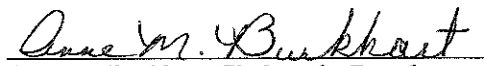
County Attorney Robert Hedrick reported discussion of Real Estate in Closed Session with no action taken.

K. ADJOURNMENT

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



Larry W. Potts, Chairman  
Davidson County Board of Commissioners

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