

## MINUTES

May 27, 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 Walsler, Sam Watford

County Manager Robert Hyatt Assistant County Manager Zeb M. Hanner, County Attorney Robert Hedrick, Deputy Clerk to the Board Debbie Harris, Purchasing Director Dwayne Childress, Finance Director Jane Kiker, Tax Administrator Joe Silver, DSS Staff Attorney Charles E. Frye III, Cooperative Extension Director Robert Lopp, Department of Social Services Director Keith Johnson, Health Department Director Layton Long, Public Works Director Rex Buck, Library Director Ruth Ann Copley, Soil and Water Director Andy Miller, Human Resources Director Jim Tysinger, EMS Director Doug Lowe, Transportation Director Zeb Hanner, Davidson County Schools Superintendent Fred Mock, Jo Ellen Edwards, Willie Edwards, Ronald Swicegood, H.L. "Doc" Hill, Jennifer Miller, Jim Scott, Jack Swicegood, Reid Deal, Phillip Newsome, Larry Harvey, Aaron Shaw, Barney Hill 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 Kepley.

### C. PLEDGE OF ALLEGIANCE

### D. RECOGNITION

The recognition item was pulled from the Agenda to be set at a later date.

### E. REGISTER FOR PUBLIC ADDRESS

Chairman Potts noted the register for public address.

### F. ADOPTION OF THE AGENDA

Chairman Potts requested that an update on the I-85 Yadkin River Bridge be added to the Agenda as Item I-12, and County Manager Robert Hyatt requested that an update on the Midway Sewer Issue be added as Item I-13.

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

G. PUBLIC ADDRESS

There were three (3) individuals signed up to speak at Public Address.

Ronald Swicegood addressed the Board regarding the status of an audio/video feed for the Board of Commissioner meetings. He requested that the Board reconsider adding this issue and consider making the meetings available to the public via an audio/video feed.

Barney Hill addressed the Board and gave an overview of his proposed amendments to the proposed 2008-2009 budget for the County.

H.L. "Doc" Hill addressed the Board regarding his opposition to the proposed increase in the Welcome Volunteer Fire Department budget. He reported that he felt that the Board of Directors of the Welcome Fire Department needed to be made up more by the public, and not VFD members serving their own interest, so there would be more public consensus in decision making.

H. PUBLIC HEARING

1. Recommended 2008-2009 Davidson County Budget

On a Motion by Commissioner Watford and a second by Commissioner McClure the Board voted unanimously 7-0 to open the public hearing regarding the Recommended 2008-2009 Davidson County Budget.

Jennifer Miller addressed the Board regarding the Denton Skateboard Park Project. She provided the Board with estimates of their fundraising and pledge efforts thus far; the proposed grant they will be receiving from the Tony Hawk Foundation; and requested that the Board consider appropriating \$25,000.00 for each of the next two years to aid in the funding/building of the Skateboard Park. Ms. Miller reported that the Town of Denton has agreed to provide the venue to register the skateboarders and to provide additional police protection for the park.

Jim Scott addressed the Board regarding his opposition to the proposed fire tax increase for the Welcome Volunteer Fire Department. He reported that according to his calculations the VFD will be

getting an increase of close to \$40,000.00 in their budget if left at the current level, and feels that the additional funds requested are unnecessary; he lives in an elderly community where many are on fixed incomes and the tax increase would result in an undue burden on those residents.

Jack Swicegood addressed the Board regarding his opposition to the proposed fire tax increase for the Welcome Volunteer Fire Department. He acknowledged that there are good people on the VFD, but that they do not need to have the best of everything; he feels that they can find a way to do it cheaper.

Reid Deal, President of the Board of Directors of the Welcome Volunteer Fire Department, addressed the Board in support of the fire tax increase in Welcome and stated that the increase was due to three factors: (1) personnel pay, (2) fuel and vehicle repairs, and (3) building maintenance. He noted that volunteers were not necessarily volunteers any more, and due to employment locations many VFD's have only 1 or 2 individuals who may be available to respond to a fire call at any given time and as a result, most VFD's have resorted to hiring part-time or full-time personnel to man the fire stations. The Welcome VFD made an inquiry of other local VFD's to ascertain an average pay scale. They feel that retention of staff for adequate response is of the utmost importance. Mr. Deal stated that there would be serious ramifications should the tax increase not be approved in that the ISO insurance rating of the fire district may change which could lead to an insurance increases for the tax payers of the community.

Barney Hill presented the Board with a handout of his proposed changes to the proposed 2008-2009 Davidson County Budget and spoke in opposition of the proposed 2008-2009 Davidson County Budget. He further stated that he feels that the fire tax in every district should be closely scrutinized. (Exhibit 2)

H.L. "Doc" Hill addressed the Board to commend and congratulate it for holding the Davidson County tax rate at its current value of \$0.54. He stated that he can see many services from his tax dollar contributions.

Dr. Fred Mock, Davidson County Schools Superintendent, addressed the Board and joined Mr. Hill in commending the Board for stretching resources in a time that they should be stretched. Dr. Mock reported that the current fuel prices and state mandated personnel increases in pay will take all of the additional funds offered by the County in the upcoming year's proposed budget and will leave no room for expenditures in technology. He acknowledged the County's commitment to building and/or renovating school buildings, and cited local booster's organizations and school PTO organizations for their assistance

at the schools. Dr. Mock reported that Davidson County Schools have had 369 students drop out of school this school year, and he feels the schools need to be able to combat this trend and make the students want to stay in school. He feels that this can be accomplished by increasing technology in the schools. Dr. Mock requested additional consideration by the Board for funds and acknowledged that they will need to look at alternatives for funding. Commissioner Walser inquired of Dr. Mock if the Davidson County Schools were still growing on a yearly basis, to which Dr. Mock replied in the affirmative. Commissioner Walser inquired into the Schools receiving funds from the State in the form of Capital Outlay funds. Dr. Mock answered that the Schools do not receive Capital Outlay funds. Dr. Mock reminded the Board that fuel prices had increased \$1.00 per gallon since the budget entered in July 2007.

Jim Scott addressed the Board for a second time and inquired into what type of fiscal responsibility the individual VFD's have to account for the funds received and distributed, or whether the money was given and not accounted for.

Phillip Newsome addressed the Board in support of the increased fire tax in Welcome and reported that he wanted to touch on the items that Mr. Deal was unable, due to time constraints, to finish. He reported that patchwork repairs on equipment reduce the dependability of the VFD's resources in emergency situations. Also, increased fuel prices are having a large impact on the funds of the Department. Mr. Newsome reported that the Welcome Volunteer Fire Department has been in place for over 30 years with no major maintenance being made to the structure. He noted that there were some structural issues that need to be addressed in the building and as a steward of the public it would not be fiscally responsible to assume a loan for these repairs due to the unnecessary funds that would be expended in interest payments. Mr. Newsome reported that there are only three VFD members on their Board of 9. He stated that he himself is a taxpaying citizen and that this was one tax of which it can be said stays in their community. Mr. Newsome asked that out of three VFD's that were requesting increases, why was the Welcome VFD being singled out for scrutinization.

Vice Chairman Kepley reported that he wrote the letter to the news media and used the Welcome VFD as an example because they had requested the largest increase in funding. He further reported that he wanted citizens to be aware that an increase had been requested and did not find out about the increases when they got their tax bills, with increased fire taxes included on them. He wanted the public to have a forum to express their opinions regarding the proposed increases.

Larry Harvey addressed the Board and wanted to make sure that they were taking into account the losses in revenue that the County will be facing due to forced annexations while calculating the budget.

Aaron Shaw addressed the Board in support of the increase in the fire tax for the Welcome VFD. He reported that he is junior firefighter with the Welcome VFD and plans to be a firefighter the remainder of his life. He noted that the Welcome VFD building is in need of repair as well as some of their equipment. Mr. Shaw reported that there are volunteers leaving to go to other stations due to differentials in pay, which leaves the VFD with less manpower to fight fires. He suggested that if the problems are not fixed now, it will lead to greater issues in the future.

Chairman Potts asked the Board for questions and/or comments regarding the proposed 2008-2009 Davidson County Budget.

Vice Chairman Kepley asked if there would be a workshop at the June 5, 2008, Informational Meeting of the Board. County Manager Robert Hyatt replied that this was entirely up to the Board, but that he assumed that they planned to put this item on the Informational Meeting Agenda. Chairman Potts stated that he knows the budget is up to the Board, but he does not feel that he has enough information to make an informed decision regarding the proposed increases in the VFD budgets. Commissioner McClure reported that most of the calls he had received regarding the VFD budgets requested that there be public comment periods before the taxes were approved, and he suggested that a possible solution was for the individual VFD's to hold public hearings prior to submitting their budgets to the County. County Attorney Robert Hedrick reported that he does not think that you can require private boards to hold public hearings, but that it may be possible if the Board makes it part of the approval process. Commissioner Allen reported that he echoes Chairman Potts sentiments in not feeling that he has enough information to make an informed decision in this matter. He stated that he was at the Welcome VFD for a fundraiser in recent weeks and was taken on a tour of the facility; that it was a fine facility, and that without being able to see more numbers it was hard to determine if the increase was excessive. Commissioner Walser reported that he values our rural fire departments and admitted that, from time to time, there has not been oversight by the Board of Commissioners on the budget proposals of the VFDs. He stated that he felt that public perception is not always what it needs to be regarding the VFDs and that we all need to do a better job in educating the public on what is needed. Commissioner Walser further stated that he felt that public hearings would be a good way to accomplish this. Also, that the fact that some fire districts have a four cent tax and some

districts have an eleven cent tax does elude him, but that taxes have reached a point where there is a need to ask questions. Commissioner Walser's final statement was that we need to let the public have a better idea of what is going on regarding this issue.

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

It was a unanimous consensus to place a Budget Workshop on the June 5, 2008, Informational Meeting of the Board of Commissioners. (Exhibit 2)

I. ITEMS FOR DECISION/INFORMATION

Consent

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

1. Minutes

The Board approved the Minutes of the May 13, 2008 Board of Commissioners meeting. (Exhibit 3)

2. Budget Amendments

The Board approved budget amendments for the Board of Elections, Health Department, Central Fire Department, Gumtree Fire Department, Department of Social Services, Public Works, and TRIP. (Exhibit 4)

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

The Board approved the Tax Report of Refunds for April 2008. (Exhibit 5)

4. Declare Surplus Property

The Board approved declaring County property attached to this Exhibit as surplus property and authorized donating the item to the Denton Police Department. (Exhibit 6)

5. Declare Surplus Property

The Board approved declaring County property attached to this exhibit as surplus property and authorized the sale of this property in a traditional auction which is to occur on June 7, 2008. (Exhibit 7)

6. Declare Surplus Property

The Board approved declaring County property attached to this exhibit as surplus property and authorized the sale of this property on GovDeals. (Exhibit 8)

7. Declare Surplus Property

The Board approved declaring County property attached to this exhibit as surplus property and authorized the sale of this property on AssetAuction.com. (Exhibit 9)

8. Animal Control Services for Town of Denton

The Board approved the proposed Contract to provide continued animal control services to the Town of Denton. (Exhibit 10)

9. Rich Fork Creek Watershed Study

The Board approved sending a form letter to all property owners in Davidson County regarding the Rich Fork Creek Watershed Study, and further approved the wording of the proposed letter. (Exhibit 11)

Deliberation

10. PART Update

Brent McKinney addressed the Board and provided an update on the Piedmont Authority on Regional Transportation. He provided an update on the services for Lexington and Thomasville as well as plans for new locations for Park and Ride lots in the County. Mr. McKinney reported that buses have been ordered for the routes and that service in Davidson County should begin as early as June 30, 2008. There will be two corridors traveled, one on U.S. Route 52 from Lexington to the Winston-Salem area and one on Business Interstate 85 from Lexington, through Thomasville, to the Greensboro area during peak travel times of the day. There will also be a bus that will continue to make trips during non-peak hours. He acknowledged that fuel costs are very expensive and it is the effort of PART to ease the pain and make travel for citizens more affordable.

Commissioner Allen inquired into services in the south end of the County, toward Denton. Mr. McKinney reported that there are no plans to offer services in the south end of the County at this time, that it is the philosophy of PART to serve as a collection point to get people to their destinations and those citizens from the south end of the County would need to travel from a Park and Ride lot. Commissioner Truell inquired into as to whether the public had been notified of the services which would be offered. Mr. McKinney reported there is a good idea of the number of individuals who work in the Winston-Salem area that are from Davidson County and that meetings were being held at Baptist Hospital and Forsyth Hospital

to inform the employees of the services offered by PART. Commissioner Kepley noted that this service was not only valuable and affordable to hospital employees, but to those individuals involved in outpatient treatment at the facilities. Further, that PART was going to be offering affordable transportation to all citizens of the County.

Mr. McKinney reported that he is told over and over, across the region, how much the services of PART are appreciated.

11. Repair to Finch Building at DCCC

Assistant County Manager Zeb Hanner addressed the Board and provided information regarding the repairs needed to the Finch Building on the campus of Davidson County Community College. He stated that Rusty Hunt, Larry Hamilton and Beth Parrott from the College were in attendance at the meeting for questions. Mr. Hanner reported that Dr. Rittling had asked a group to come to DCCC to observe the structural problems at the Finch Building on campus. Chairman Potts and Vice Chairman Kepley both acknowledged that there was a great need that these repairs be made. Commissioner Walser inquired of Mr. Hunt as to what the College has in its Fund Balance and what Capital Outlay monies they had access to. Mr. Hunt responded that the College has approximately three to four months of operating expenses in the Fund Balance and that they do not have access to Capital Outlay funds, with the exception of new construction projects. Commissioner Watford discussed with Mr. Hunt the repairs necessary to the structure and then asked why it was felt that this item needed to be placed on this Agenda. Mr. Hunt reported that the Community College would like to be able to make the repairs during the summer hiatus while the students were not on campus. Mr. Hanner reported that he felt the repairs needed to be addressed separately instead of budgeting the funds to avoid the expectation that the monies would be in the budget after this fiscal year. Mr. Hanner noted that it has been requested that the project be funded in the current 2007-2008 budget by surplus collections of prior years' taxes. On a motion by Commissioner McClure and a second by Commissioner Allen the Board voted unanimously 7-0 to authorize the project and that it be funded by surplus collection of prior years' taxes. (Exhibit 12)

12. Update on I-85 Bridge Project

Chairman Potts provided an update of a trip to Washington D.C. from Monday, May 19<sup>th</sup> of himself, Commissioner Walser, County Manager Robert Hyatt and Economic Development Commission Director Steve Googe, to meet with our delegates. He stated that our efforts are being sabotaged by

NCDOT in that they do not want \$80 million partial funding for the project; they want the entire \$400 million or nothing. Commissioner Walser reported that he had a face to face meeting with Senator Dole and Representatives Hayes, Watt and Etheridge regarding this matter on Tuesday, as well as two meetings with Senator Coble. Senator Dole reported that she has introduced a \$50 billion infrastructure bill that would provide a great deal of money to Davidson County if passed. He also reported that NCDOT does not want the partial funds because once the funds are received the bridge project must be placed on priority. Commissioner Walser stated that the last word was that it is felt that we can get the monies but it will take time to accomplish this task, and then NCDOT must cooperate.

Vice Chairman Kepley reported that he attended an MPO Meeting in High Point and it does not appear that the bridge will surface out of this process.

Commissioner Walser reported that it is the feeling among congressmen and senators that the central portion of the state suffers in the road/bridge repair formula compared to the eastern and western portions of the state and that we would be able to get a better deal if we were able to figure out how to fix the formula being used to allocate funds and set projects.

County Manager Robert Hyatt reported that a representative of the Turnpike Authority is scheduled to be here at the June 5, 2008, Informational Meeting to discuss the bridge issue.

13. Midway Sewer Project

County Manager Robert Hyatt reported that the Town of Midway has expressed interest in getting sewer service extended to their area and hopes that there is the opportunity to extend the sewer line to Midway, to meet the Town's needs. An internal ad-hoc committee met last week with the Town to discuss the possibility of getting sewer extended to their area. The Town of Midway has prepared a letter with a formal request for services, which has been presented to the Board. Mr. Hyatt reported that Town officials have a meeting scheduled next week in Raleigh to discuss grant funds with the Rural Center, but want to know the consensus of the Board before they attend this meeting.

Mayor George Byrum addressed the Board and thanked them for their consideration of this issue. He reported that he feels that it is in the best interest of the economic development of the County, as well as the Town of Midway, to enter into this project. He reported that they have been in contact with Forsyth County as well, but that it would be their first choice to tap into the sewer line Davidson County has constructed for the school. Mayor Bynum stated that the Town of Midway would build the sewer line and

then turn it over to Davidson County; that Davidson County would then maintain the line, collect the usage fees and collect the tap fees. Commissioner Watford asked Mayor Bynum what his goal was to establish at this meeting. County Manager Robert Hyatt stated that he feels that what needs to be accomplished this evening is to ascertain if the Board would be in agreement with this proposal by the Town of Midway in that they would like to attend their meeting at the Rural Center with some level of confidence that Davidson County agrees with the proposal, in principle. Mayor Bynum concurred with this statement. Commissioner Truell inquired into whether Davidson County would take care of billing for services if the project was completed. Mr. Hyatt reported that there would be no difference in this line extension versus the other sewer projects of Davidson County, but that in this instance, the Town of Midway would be taking care of getting it built. This actual project would not be formalized until a later point in time.

Chairman Potts reported that it was the unanimous consensus of the Board to authorize Midway to use Davidson County as a reference at the Rural Center. (Exhibit 13)

J. 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 issue of real estate.

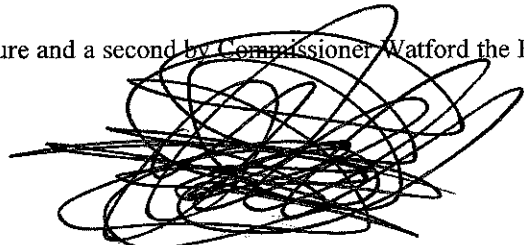
RETURN TO OPEN SESSION

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

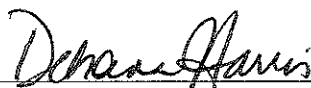
County Attorney Robert Hedrick reported discussion of two real estate matters with no action taken.

K. ADJOURNMENT

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



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Larry W. Potts, Chairman  
Davidson County Board of Commissioners



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