

## MINUTES

September 23, 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.

### PRESENT

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

Assistant County Manager Zeb M. Hanner, Deputy Clerk to the Board Debbie Harris, Purchasing Director Dwayne Childress, Finance Director Jane Kiker, Cathy Dunn, EMS Director Doug Lowe, Co-Operative Extension Service Director Robert Lopp, Public Works and Services Director Rex Buck, Director of Social Services Keith Johnson, Parks and Recreation Director Charles Parnell, Sheriff David Grice, Dr. Fred Mock, Attorney David Inabinet, Kenneth Meredith, Buddy Kiger, Barney Hill, Winston-Salem Journal Reporter 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 McClure.

### 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 Allen the Board voted unanimously 7-0 to adopt the agenda. (Exhibit 1)

### G. PUBLIC ADDRESS

There were two (2) individuals signed up to speak at Public Address.

Barney W. Hill addressed the Board with his views on the recent involvement of government in "price gouging" investigations and possible prosecution.

Punkin Stutts addressed the Board and made a request for consideration of connecting her restaurant located in Southmont to the sewer line in that area.

(Exhibit 2)

#### H. ITEMS FOR DECISION/INFORMATION

##### Consent

Item G.7 was pulled from the Consent Agenda by Commissioner McClure and Item G.2G was pulled from the Agenda by Commissioner Watford. On a motion by Commissioner Truell and a second by Commissioner McClure the Board voted 6-1 to approve the amended consent agenda. Vice Chairman Kepley voted "No."

##### 1. Minutes

The Board approved the Minutes of September 4, 2008 and September 9, 2008 Board of Commissioners meetings. (Exhibit 3)

##### 2. Budget Amendments

The Board approved budget amendments for the Transportation Department, Health Department, Department of Social Services, Sheriff's Department (as amended by pulling item G.2G from the Consent Agenda), Tax Department and Recreation Department. (Exhibit 4)

##### 3. BB&T Commercial Card Plan Agreements

The Board confirmed that Jane S. Kiker, Finance Director, has the authority to execute Commercial Credit Card Plan Agreements with BB&T Financial, FSB, on behalf of Davidson County, and further authorized Jane S. Kiker to execute such Agreements on behalf of Davidson County. (Exhibit 5)

##### 4. Tax Report of Refunds by Joe Silver, Tax Administrator

The Board approved the Tax Report of Refunds for August 2008. (Exhibit 6)

##### 5. Appointments to Juvenile Crime Prevention Council (JCPC)

The Board approved the proposed 2008-2009 Juvenile Crime Prevention Council (JCPC) Council Members. (Exhibit 7)

##### 6. Renewal of Memorandum of Agreement with North Carolina Office of Emergency Medical Services and Davidson County

The Board approved the renewal of the Memorandum of Agreement between the North Carolina Office of Emergency Medical Services and Davidson County for participation as a State Medical Assistance Team – Type III (SMAT III). (Exhibit 8)

7. Donation of Vehicle to the Town of Denton

A discussion was had regarding the need of the Town of Denton for this vehicle and the future implications and ramifications of making a donation of this vehicle to the Town. On a motion by Commissioner Truell and a second by Commissioner Watford, the Board voted 6-1 to donate a surplus 2003 Ford Crown Victoria to the Town of Denton. Commissioner McClure voted “No.” (Exhibit 9)

2G. Transfer of Drug Asset Forfeiture Funds

The Sheriff’s Department has made a request for the transfer of \$10,000.00 from drug asset forfeiture funds into their contracted services line item account to allow them to join a multi-jurisdictional aircraft program with Guilford, Alamance, Forsyth, Randolph and Rockingham Counties. The program and how the funds would be utilized was described by Sheriff Grice. A discussion ensued by the Board regarding this program. On a motion by Commissioner Watford and a second by Commissioner Truell, the Board voted unanimously 7-0 to approve the transfer of \$10,000.00 from the Sheriff’s drug asset forfeiture fund to the contracted services line item account to enable the Sheriff’s Department to participate in the multi-jurisdictional aircraft program for a period of one (1) year.

Deliberation

8. Proclamation – October 2008 as Barbeque Festival Month

The Proclamation of October 2008 as Barbeque Festival Month was read by Chairman Potts. Stephanie Saintsing addressed the Board and expressed many thanks to the County not only for providing transportation, security and the use of the parking lot at the Governmental Center for the Barbeque Festival, but for their continued support of the Festival. On a motion by Commissioner Kepley and a second by Commissioner Truell the Board voted unanimously 7-0 to proclaim the month of October, 2008, as Barbeque Festival Month in Davidson County. (Exhibit 10)

9. Change Order – Morton Metalcraft Sewer Project

Laura VanHoy of the Public Works and Services Department explained the necessity of the Change Order in the Morton Metalcraft Sewer Project. The Board considered this presentation and discussed the necessity of the Change Order. On a motion by Commissioner Watford and a second by

Commissioner Allen the Board voted unanimously 7-0 to approve the Change Order for the Morton Metalcraft Sewer Project and authorized that this Project proceed. (Exhibit 11)

10. Consideration of Bid Award for Southmont Elementary School Project

Purchasing Director Dwayne Childress introduced Ben Palmer of Davis-Martin-Powell and Associates who provided information regarding the bidding process for the Southmont Elementary School Sewer Project and reported that Davis-Martin-Powell & Associates has recommended that Spencer, Inc., d/b/a Landform Construction, be awarded this project with a bid of \$1,218,659.00. On a motion by Commissioner McClure and a second by Commissioner Walser the Board voted unanimously 7-0 to award the bid for the Southmont Elementary School Project to Spencer Inc., d/b/a Landform Construction, in the amount of \$1,218,659.00. (Exhibit 12)

11. Request for Investigation

Chairman Potts discussed his thoughts on a need to join Attorney General Roy Cooper in his investigation regarding possible overcharging by gas stations in Davidson County during in the aftermath of Hurricane Ike. He informed the remainder of the Board that our District Attorney would be prosecuting these crimes on the local level and proposed that Davidson County send a letter to Mr. Cooper asking to join in the investigation of the Attorney General's Office and request that those who have operated unlawfully are held accountable. It was acknowledged that there have been several thousands of complaints lodged by citizens that have taken it upon themselves to report in on this issue. On a motion by Commissioner Allen and a second by Commissioner Walser the Board voted 6-1 to authorize that a letter be sent to Attorney General Roy Cooper on behalf of the Davidson County Board of Commissioners requesting that the Board be allowed to join in his Office's investigation of the overpricing of gasoline in Davidson County. Commissioner McClure voted "No." (Exhibit 13)

12. Submittal of Grant Application for Proposed Denton Skate Park

Recreation Director Charles Parnell addressed the Board and provided information regarding the submission of a Grant Application for the proposed Denton Skate Park. Discussion ensued regarding this matter by the Board. On a motion by Commissioner McClure and a second by Commissioner Allen the Board voted unanimously 7-0 to not submit the Grant Application for the Proposed Denton Skate Park. (Exhibit 14)

I. CLOSED SESSION- Real Estate and Personnel

On a motion by Commissioner McClure and a second by Commissioner Truell the Board voted unanimously 7-0 to go into Closed Session for issues of real estate and personnel.

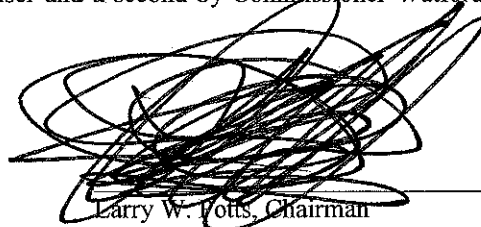
RETURN TO OPEN SESSION

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

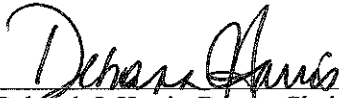
Assistant County Manager Zeb M. Hanner reported discussion of matters regarding real estate and personnel with no action taken.

J. ADJOURNMENT

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



Larry W. Fouts, Chairman  
Davidson County Board of Commissioners



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