MINUTES OF BOARD OF COUNTY
COMMISSIONERS
OF GUILFORD COUNTY

Greensboro, North Carolina
October 4, 2012

The Board of County Commissioners met in a duly noticed regular meeting on October 4, 2012 at 5:30 p.m. in the Commissioners’ Meeting Room, 301 W. Market Street, Greensboro; North Carolina.

PRESENT: Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins; Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Kirk Perkins, Mike Winstead, Billy Yow.

ABSENT: None.

ALSO PRESENT: Brenda Fox, County Manager; Sharisse Fuller, Deputy County Manager/ Human Resources Director; Mark Payne, County Attorney; Effie Varitimidis, Clerk to Board; Crystal Maurer, Deputy Clerk to Board.

I. INVOCATION

Ben Chavis, Tax Director and Board Chaplain, provided an invocation.

II. PLEDGE OF ALLEGIANCE

The Board led everyone in the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER - Chairman Melvin "Skip" Alston

Chairman Alston welcomed those present and called the meeting to order.

IV. PRESENTED RESOLUTION TO BRADY FOR THEIR 50TH YEAR IN BUSINESS ANNIVERSARY

Commissioner Linda Shaw read the resolution to Brady HVAC for their 50th Year in Business Anniversary.

Mr. Brady along with his sons accepted the resolution and thanked the Board for their recognition.
V. HEARD PRESENTATION FROM REPUBLIC WASTE

Betty Garrett, Guilford County Planning and Development, recognized "Pete" (Lee Hill, Guilford County Environmental Investigator) as Mr. Recycle and explained High Point and Guilford County participate in the “Kids Cans and Cash Recycling Challenge” in elementary schools. Susan Heim, Environmental Services Coordinator, provided challenge information. Marc Bacon, President Republic Services, and staff were also acknowledged by County Manager Fox for sponsoring the challenge.

VI. ACKNOWLEDGED MILLIE LANGLEY, GUILFORD COUNTY SOIL AND WATER CONSERVATION DISTRICT, A DIVISION OF PLANNING & DEVELOPMENT AS NORTH CAROLINA'S OUTSTANDING CONSERVATION DISTRICT PROFESSIONAL OF THE YEAR

Betty Garrett, Guilford County Planning and Development, recognized Millie Langley, as North Carolina’s Outstanding Conservation District Professional of The Year. She said Ms. Langley is a dedicated Guilford County employee and commended her on her professional achievement.

ADDED TO THE AGENDA - PRESENTED PROCLAMATION FOR DOMESTIC VIOLENCE AWARENESS MONTH

Commissioner Kay Cashion presented the proclamation declaring October 2012 as Domestic Violence Awareness Month in Guilford County.

Steve Hess, Program Director of Family Service of the Piedmont, accepted the proclamation and thanked the Board on behalf of their clients.

VII. HEARD SPEAKERS FROM THE FLOOR

Leon Nutez, 214 Peach Orchard Drive, Greensboro, spoke on various topics such as trash, jail, prison farm and veterans.

Russ Stellfox President Purolator Filtration, 5813 Henson Farm Road, Greensboro, thanked the Board for the economic incentives they received and briefed everyone on the status of the investment. Commissioner Coleman thanked Mr. Stellfox. She indicated she would like to have a report on company gender and race and Mr. Stellfox responded with information as requested. Commissioner Davis also thanked Purolator Filtration for their work in the schools and pointed out that they are a good corporate citizen.

VIII. APPROVED CONSENT AGENDA

Chairman Alston asked if Commissioners would like to remove any items from the consent agenda for separate consideration.

Commissioner Coleman asked to remove Item VIII. C. 1.
Motion was made by Vice Chairman Perkins, and seconded by Commissioner Parks to approve the following consent agenda and the motion carried 10 to 1 on the following roll call vote:

VOTE:  Motion carried 10 – 1
AYES:  Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins; Commissioner Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Linda Shaw, Mike Winstead
NOES:  Commissioner Billy Yow
ABSENT:  None.

A.  BUDGET AMENDMENTS

1. Approved amendment in substantially the form as attached, in the amount of $3,525, for the purchase of hardware and associated Managed Services to allow for enhanced capabilities of mobile streaming, conducive to the use of iPads or other similar such mobile devices, to the existing Granicus contract; and Authorize staff to take any reasonable necessary steps to finalize and execute the agreement, including the transfer of funds from the capital outlay (Technology Funds) budget to the County Commissioners budget. The effective period of the agreement is automatically renewable for (3) additional (1) year periods, in accordance with the existing terms and conditions of the agreement. NO ADDITIONAL COUNTY FUNDS REQUIRED.

The Board approved the following Budget Ordinance Amendment:

General Fund:

Increase appropriation County Commissioners  $3,525
Decrease appropriation Capital Outlay (Technology Funds)  $3,525

B.  CONTRACTS

1. Approved Price Only Services Contract with the lowest responsive bidder, Champion Janitorial Services, 620 S. Elm Street, Suite 358, Greensboro, NC 27407 for Janitorial Services for four (4) Guilford County locations (Maple Street, High Point Health, Ag Center, Old County Courthouse) Contract amount not expected to exceed $143,250. The contract period will begin on October 1, 2012 and end on June 30, 2013, with the option to renew for two additional one-year periods. NO ADDITIONAL COUNTY FUNDS REQUIRED.

C.  MISCELLANEOUS

2. Approved and Authorized staff to take all reasonable and necessary steps to acquire approximately +/- 234 acres of undeveloped property, subject to negotiated sales conditions, to be used for open space purposes. Property connects Hagan Stone Park and Company Mill Road and is located just outside of the Pleasant Garden town limits. The total purchase price is estimated at $936,000, subject to survey, and includes all or part of
the following six tax parcels:

3. Approved and Authorized staff to take all reasonable and necessary steps to acquire Open Space Property which is approximately +/- 61 acres of undeveloped property in the High Point city limits to be used for open space purposes. The total purchase price is estimated at $464,500, subject to survey, and includes the following six tax parcels:

4. Adopted the stewardship plan for the open space preserve along Southside Boulevard in Greensboro recommended by the Open Space and Parks and Recreation Committees. The plan includes public input and features a tree planting plan to be implemented in November 2012 in partnership with Greensboro Beautiful Neighborhood program. This property was selected for the 2012 Neighborwoods program, administered by Greensboro Beautiful. Trees and other plant components will be paid for with open space bond funds and a UPS grant funneled through Greensboro Beautiful. NO ADDITIONAL COUNTY FUNDS REQUIRED.

5. Approved the following Enhanced Voluntary Agricultural District Program Application totaling 136.28 acres: Anne R. Hice/Kearns Family Limited Partnership - 6759 Kearney Road, Pleasant Garden, NC, 27313 - Tax Map Parcel #0218726 (115.8 acres); 475 Steeple Chase Road, Pleasant Garden, NC 27313 - Tax Map Parcel #0218725 (20.48 acres) for a total acreage of 136.28 acres.

6. Adopted Resolution appointing Michael Albert and Blair Chambers as review officers for maps and plats within Guilford County, pursuant to N.C. G.S. 47-30.2.

RESOLUTION APPOINTING REVIEW OFFICERS UNDER G.S. 47-30.2

BE IT RESOLVED BY THE GUILFORD COUNTY BOARD OF COMMISSIONERS Pursuant to G.S. 47-30.2, effective October 4, 2012, that the Guilford county Board of County Commissioners hereby amends its appointments, at the request of the Guilford County Planning Department, by adding the following Guilford County staff to the official list of review Officers for purposes set forth in G.S. 47-30.2 and other applicable law:

Michael Albert and Blair Chambers

Pursuant to said statute, this resolution shall be recorded by the Guilford County Registry and indexed on the grantor index in the name of the review Officer.

Adopted this 4th day of October, 2012.

7. Approved purchase and installation of signage for the following buildings previously named by the Board of County Commissioners: Existing capital project funds will be used for the following:

1) John W. Langford Building, 325 E. Russell Avenue, High Point in the amount of $1,825
2) Dr. Ross & Morrow Health Center, 1100 E. Wendover Avenue, Greensboro in the amount of $2,600
3) Dr. Marcus L. Aderholdt, Jr. Building, 501 E. Green Drive, High Point in the amount of $5,821.61

Facilities maintenance funds for the respective buildings will be used for the following:
4) Dr. Otis Tillman, Sr. building, 211 S. Centennial Street, High Point in the amount of $5,045
5) Wallace C. “Wally” Harrelson Building, 5209 W. Wendover Avenue, High Point in the amount of $2,510

NO ADDITIONAL COUNTY FUNDS REQUIRED.

8. Approved Minutes of the following County Commissioners Meetings:
   08/09/12 - Work Session
   08/23/12 - Regular Meeting
   08/23/12 - Closed Session
   08/30/12 - Building Naming Committee

ITEM VIII. C. 1 REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION

1. Approved the revised FY 13 JCPC County Funding Plan to reflect the most recent budget revisions approved by the Guilford JCPC, which includes the following program funding changes:
   a.) Distribute the $15,917 unallocated JCPC balance as follows: $14,015 to One Step Further – Teen Court Program and $1,902 to Youth Focus – Counseling Program.
   b.) Revise the Youth Focus JCPC budget to transfer $25,000 from the Family Preservation Program and $35,000 from the Structured Day Program to move a total of $60,000 in JCPC funds into the Act Together Crisis Care Program.
   c.) Increase the Act Together Crisis Care Program budget by an additional $70,000 in county funds (As approved by the Board of Commissioners on August 23, 2012).

   NO ADDITIONAL COUNTY FUNDS REQUIRED.

Motion was made by Commissioner Coleman, and seconded by Commissioner Davis to approve Item VIII. C. 1

Commissioner Coleman questioned funding for the structured day program. She also asked if Youth Focus was continuing to seek additional funding.

County Manager Fox said the structured day program will continue and responded that JCPC dollars are not county dollars. She said the contract is in process and they are requesting to redistribute funds in order to keep the program operating. She added that the action is for unallocated JCPC dollars.

Commissioner Gibson asked if the City of Greensboro appropriated dollars for the program.

County Attorney Payne further explained the sequence of events regarding the request.
Commissioner Perkins pointed out that the amount requested at this time is part of the total from the original request.

Commissioner Cashion indicated JCPC has an allocation committee and that the agenda request is not for new money.

Following discussion, the Board voted on the motion made by Commissioner Coleman and seconded by Commissioner Davis to approve Item VIII. C. 1 and it carried 10 to 1 on the following roll call vote:

VOTE:       Motion carried 10 - 1
AYES:       Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins;
           Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Linda Shaw, Mike Winstead.
NOES:       Commissioner Billy Yow.
ABSENT:     None.

Following the vote, Commissioner Coleman asked for further clarity on the agenda item and urged staff to further research their funding sources and requests.

IX.    UNFINISHED BUSINESS

A.  Approved Merger Agreement in substantial form, as attached, with Sandhills Center MHDDSAS for the commencement of the management and oversight of mental health, developmental disabilities, and substance abuse services in Guilford County and inclusion of Guilford County in the Sandhills catchment area to be effective January 1, 2013, in order to satisfy the requirements of the legislation entitled "An Act to Establish Requirements for the Department of Health and Human Services and Local Management Entities with Respect to Statewide Expansion of the 1915 (b) (c) Medicaid Waiver," S.L. 2011-264; and authorize staff to take any reasonable steps necessary to execute the agreement.

County Attorney Payne advised that the document before the Board reflects the agreements and discussions from prior meetings and that this request is for the approval of the actual document.

Bert Davis, Chairman Guilford Center Board, thanked everyone for their hard work on the agreement and provided everyone with an employment update.

Commissioner Coleman questioned the employment of current employees with Guilford County and the Sandhills.

Ms. Fuller, Guilford County Assistant Manager and Human Resources Director, said she has been working with the current Guilford Center Director to follow guidelines for employees that have been affected by a reduction in force (RIF).
Commissioners Gibson, Parks, Cashion, Davis and Perkins thanked everyone for working together on the agreement.

Following discussion, motion was made by Commissioner Paul Gibson, and seconded by Commissioner Kay Cashion to approve in substantial form, as attached, with Sandhills Center MHDDSAS for the commencement of the management and oversight of mental health, developmental disabilities, and substance abuse services in Guilford County and inclusion of Guilford County in the Sandhills catchment area to be effective January 1, 2013, in order to satisfy the requirements of the legislation entitled "An Act to Establish Requirements for the Department of Health and Human Services and Local Management Entities with Respect to Statewide Expansion of the 1915 (b) (c) Medicaid Waiver," S.L. 2011-264; and authorized staff to take any reasonable steps necessary to execute the agreement.

The motion made by Commissioner Gibson and seconded by Commissioner Cashion carried on the following roll call vote:

VOTE: Motion carried 11 - 0
AYES: Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins; Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Linda Shaw, Mike Winstead, Billy Yow
NOES: None

Vice Chairman Perkins recognized citizens attending the meeting from the Southeast Community Association.

Commissioner Cashion also recognized two participates from the Guilford County Citizens Academy present.

X. NEW BUSINESS

A. Heard Presentation from Piedmont Triad Regional Council Area Agency on Aging & Recognized October as Residents Rights Month

Marty McFarling, Chairman Guilford County Commission on Aging, thanked volunteers that participated on several committees concerning the aging population of individuals 60 and over.

Bob Cleveland, Aging Program Planner with the Piedmont Triad Regional Council Area Agency on Aging, made a presentation on the aging and disabled population in Guilford County and their caregivers. He gave a snapshot of the population landscape now and in the next twenty years. He said an aging survey is being provided to citizens for their input and will be available throughout various locations in the county on the Piedmont Triad Regional Council and Guilford County website. He also recognized October as Residents Rights Month.

B. Approved city's request for 2,000 square feet of residual right-of-way (market value of $44,000). With the closing of the street the square footage increased from 12,740 square feet to 16,732 square feet and the market value increased from $280,000 to $368,000. The conveyance of the requested 20' feet will decrease the
square footage by 2,000 square feet to 14,742 square feet and decrease the market value of $44,000 to $324,000. The value of this 20' strip could be beneficial to the future potential development of this property.

Sandy Woodard explained the city’s request that the county convey to them 20 feet of the 30 foot residual right-of-way previously conveyed to the county by way of the closing of that portion of Battleground Avenue abutting the county-owned property located at 506 Battleground Avenue.

Motion was made by Commissioner Winstead and seconded by Commissioner Parks to approve the city's request for 2,000 square feet of residual right-of-way (market value of $44,000). With the closing of the street the square footage increased from 12,740 square feet to 16,732 square feet and the market value increased from $280,000 to $368,000. The conveyance of the requested 20' feet will decrease the square footage by 2,000 square feet to 14,742 square feet and decrease the market value of $44,000 to $324,000. The value of this 20' strip could be beneficial to the future potential development of this property.

VOTE: Motion carried 10 - 0
AYES: Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins; Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Linda Shaw, Mike Winstead, Billy Yow
NOES: None
ABSENT: Vice Chairman Kirk Perkins

NEW BUSINESS FROM COUNTY COMMISSIONERS

Motion was made by Commissioner Yow, and seconded by Commissioner Winstead to withdraw the rezoning request of the Guilford County Prison Farm and move forward with a study if the Board has an interest in developing the property.

Commissioner Yow pointed out the Board would move forward with a 90 day plan to develop the land if a company came forward with an offer to create at least 400 jobs and add to the tax base. He said the Board should move forward with a study and have a plan. He said the Board does not know infrastructure costs, what company is actually coming or what type of zoning is required. He said a great deal of discussion has centered on a pending company. He questioned why the Board should rezone the land with no company and no plan.

Commissioner Winstead agreed with Commissioner Yow that this is contingent on a business locating on the Prison Farm site. He questioned what would happen if the business does not locate on the site. He stated it is better for Guilford County to first have a plan and then move forward with rezoning.

Commissioner Gibson also agreed with Commissioner Yow. He said he is in favor of developing the prison farm but said the Board should not move forward quickly. He said careful consideration should be given to all aspects of the property. He said the land belongs to the citizens of Guilford County and it should be developed for the best and highest use.
He pointed out that Dan Lynch, President Greensboro Economic Development, requested a master plan and we should have a master plan but said the Board should have had a work session on this to do it properly. He emphasized the county should move as fast as possible but look at all aspects first.

Vice Chairman Perkins agreed with Commissioner Yow in that it appears the Board is moving ahead too fast regarding rezoning the property. He questioned whether Guilford County should help put together an industrial park that will compete with existing industrial parks.

Chairman Alston said this request is allowing Guilford County to be proactive instead of reactive. He said Mr. Lynch has been before the board many times but we did not have land ready for development. He said allowing this rezoning will allow the land to be set up for a company that might express interest. He indicated that Mr. Lynch is asking the Board to help them in the process of having property available for a business park. He emphasized that this is about being proactive with a 90 day plan and ultimately bringing jobs to the county.

Commissioner Shaw urged the Board to move forward with this request. She said she was disappointed that we lost an opportunity for 600 new jobs and thinks this rezoning request should move forward. She said the land needs to be ready for the next company desiring to come to Guilford County.

Commissioner Coleman concurred with Commissioner Shaw.

Commissioner Cashion said Guilford County needs a comprehensive plan and rezoning this property is the first step. She said this is an opportunity to say we are positive about developing the property.

Commissioner Parks indicated that it is important to have the property ready for economic development.

Commissioner Davis said he agrees with Commissioners Shaw, Parks, Cashion, Coleman Cashion and Alston. He said Guilford County must be progressive and not afford to lose opportunities with the next major company for this property. He added that the Board can help create an environment to generate jobs. He said the Board should be visionaries and move forward.

Commissioner Yow emphatically stated Guilford County should have a plan first. He said this land belongs to the citizens of Guilford County not the Board of Commissioners. He said nothing has been said to convince him of the urgency to rezone the prison farms property at this time.

Chairman Alston said Commissioner Yow was misleading the public. He said the matter before the Board is to rezone the property. He said the Board is not approving a development. He said a development requires a plan. He said a rezoning case is requests a rezoning and is not required to have a plan. He said it is a two step process.

Commissioner Gibson said it is clear that the Board should move as soon as possible to develop the property but believes there should be a vision. For clarification purposes he asked the County
Attorney who is asking for the rezoning. The County Attorney responded that the Board of Commissioners is. Commissioner Gibson also questioned the rezoning discussion prior to this meeting.

County Attorney Payne explained his direction from the Board to proceed to take appropriate steps necessary toward the development of a corporate park. He said the directive is to move forward in the 90 days but after the 90 days the Board will need to provide staff more direction.

Commissioner Coleman clarified that the Board is voting to rezone the land. She said it does not cost to rezone the property and by voting for the rezoning it starts the process.

Commissioner Davis said the economic developers need our assistance to attract a large investor and urged the Board to move forward with the rezoning request.

Vice Chairman Perkins said the citizens should have been allowed a public hearing to express their concerns.

Commissioner Winstead said he thinks this is a backwards way of moving forward. He said it is silly to ask for a rezoning without a plan.

Commissioner Bencini said the zoning must match the use of the property and agreed with Commissioner Winstead.

Commissioner Shaw pointed out that Gibsonville has been included in discussions.

Chairman Alston explained that a yes vote will stop the rezoning. The Board voted on the motion made by Commissioner Yow and seconded by Commissioner Winstead to withdraw the rezoning request of the Guilford County Prison Farm and move forward with a study if the Board has an interest in developing the property. It failed on the following roll call vote.

VOTE: Motion failed 5 – 6
AYES: Vice Chairman Kirk Perkins; Commissioners Bill Bencini, Paul Gibson, Mike Winstead, Billy Yow
NOES: Chairman Melvin “Skip” Alston; Commissioners Kay Cashion, Carolyn Coleman, Bruce Davis, John Parks, Linda Shaw

XI. COMMENTS FROM COUNTY COMMISSIONERS

MADE APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Commissioner Shaw read the recommendations for appointments and reappointments to various Boards and Commissions. She also announced volunteers are needed to serve as alternates on the Guilford County Board of Adjustment.

HIGH POINT CONVENTION AND VISITORS BUREAU
Appoint Claire Horney (term expiring 9/30/14)
CLIMAX FIRE DEPARTMENT
Appoint Lydane “Buddy” Reddick (term expiring 4/30/13)
Appoint Douglas B. Curtis (term expiring 4/30/13)

ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE
Appoint Cynthia Johnson (term expiring 10/31/13)

Motion was made by Commissioner Shaw and seconded by Commissioner Davis to approve the appointments and reappointments as recommended. The motion carried 11 to 0 on the following roll call vote:

VOTE: Motion carried 11 - 0
AYES: Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins;
Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Linda Shaw, Mike Winstead, Billy Yow
NOES: None

XI. COMMENTS FROM COUNTY COMMISSIONERS

Commission Coleman asked when a presentation to the Board would be made from the Volunteer Fire Departments study committee.

Vice Chairman Perkins said the County Attorney was working on the fire department contracts and they will be coming to the Board of Commissioners for approval in the future.

VOLUNTEER FIRE DEPARTMENT REPORT/SET WORK SESSION FOR NOVEMBER 1st at 4:00 P.M.

Following discussion, Vice Chairman Perkins said he will have a fire committee report back to the Board in 30 days. The Board agreed by unanimously to set a work session on Nov. 1st at 4:00 p.m. to hear the report from the fire districts. There was no opposition.

XIV. HELD CLOSED SESSION TO DISCUSS PROPERTY ACQUISITION PURSUANT TO N.C.G.S. 143-138.11 (4)

Commissioner Shaw made a motion to go into Closed Session to discuss property acquisition pursuant to N.C.G.S. 143-138.11 (4) and it was seconded by Commissioner Winstead. The Board agreed unanimously.

The Board entered Closed Session at 7:45 p.m. The Board reconvened at 8:15 p.m. The Chairman Alston reminded the Board to review information provided by the consultant on the County Manager’s Search.

XII. COMMENTS FROM COUNTY MANAGER
There were no comments from the County Manager.

COUNTY MANAGER FILES REPORT OF OUT OF STATE TRAVEL AND
CONTRACTS FOR THE MONTH OF SEPTEMBER 2012

County Manager Fox filed her report of out of state travel and contracts approved by her for the month of September 2012. (See copy in file with these minutes.)

XIII. SPEAKERS FROM THE FLOOR

Richard Beard, 2908 Roundhill Road, Greensboro, Managers and Developers of Rock Creek Center, gave an update on the Rock Creek Center. He said Rock Creek Center is an asset to Guilford County. He said he would like to create a public private partnership in the future for existing and future sites.

XV. ADJOURNED

Commissioner Yow made a motion to adjourn at 8:20 p.m. and it was seconded by Commissioner Parks. The motion carried by unanimous consent.

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Chairman

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Clerk