MINUTES OF BOARD OF COUNTY
COMMISSIONERS
OF GUILFORD COUNTY

Greensboro, North Carolina
October 17, 2013

The Board of County Commissioners met in a duly noticed regular meeting on October 17, 2013 at 5:30 PM in the Commissioners’ Meeting Room, 301 W. Market St., Greensboro; North Carolina.

I. INVOCATION

Ben Chavis, Board Chaplin, led the invocation.

II. PLEDGE OF ALLEGIANCE

Chairman Shaw led the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER

Chairman Shaw called the meeting to order. Shaw thanked Vice-Chairman Bencini for presiding in her absence at the October 3, 2013 Commissioners Meeting. Shaw also thanked everyone for their well wishes during her absence.

PRESENT: Chairman Linda O. Shaw, presiding; Vice Chairman Bill Bencini; Commissioners Jeff Phillips, Hank Henning, Ray Trapp, Bruce Davis, Alan Branson, and Kay Cashion.

ABSENT: Carolyn Q. Coleman.

ALSO PRESENT: Marty Lawing, County Manager, Mark Payne, County Attorney, Ben Chavis, Tax Director, Bonnie Stellfox, Purchasing Director, Michael Halford, Budget Director, Robin Keller, Clerk to the Board, and Paul Lowe, Deputy Clerk to the Board, and members of the media.

IV. PRESENTATIONS

A. Presentation from Republic Waste Industries regarding the Kids, Cash and Cans Program.

Mark Bacon with Republic Waste, General Manager of the Triad. Republic has been sponsoring the “Kids, Cash, and Cans” program for seven years. Bacon stated that the goal of the program was to encourage students to recycle and to develop green habits. Bacon stated that the program
helped to increase participation in area recycling programs. Mr. Bacon thanked Leslie Bell, Planning and Development Director, and his staff for their support.

B. Present Certificate of Achievement for Excellence in Financial Reporting For F/Y ending June 30, 2013, which has been awarded to Guilford County by the Government Finance Officers Association of the United States and Canada for its comprehensive annual financial report. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Lawing, County Manager, stated that the Guilford County Finance Department had received the Certificate of Achievement for Excellence in Financial Reporting award. Lawing recognized the efforts of Mr. N. Reid Baker, Finance Director, and his staff.

Mr. Reid Baker accepted the certificate of Achievement on behalf of the Finance Department. Guilford County has won the award for the past 32 years. The preparation of the CAFR could not have been accomplished without the efforts of the Finance Department staff, according to Baker. Mr. Baker thanked his staff and other County departments.

Chairman Shaw made an adjustment to the agenda. Correction: The CAFR award was given for work completed in the fiscal year ending June 30, 2012.

C. Present Distinguished Budget Award

Marty Lawing presented the Distinguished Budget Presentation Award to Budget Director Michael Halford.

Lawing stated that only sixteen counties in North Carolina have received the award.

Mr. Halford accepted the award on behalf of the Budget Department. Mr. Halford introduced one of his budget analysts, Randal Lyons. Halford shared that winning the award was a team effort. Halford thanked the Commissioners for their work and effort in helping to develop the County’s budget. Halford shared that both the CAFR and the Budget report information could be found on the County’s website.

Chairman Shaw shared that the County had a new news reporter Paul Johnson with the High Point News Enterprise.

V. SPEAKERS FROM THE FLOOR

David Miller – 552 Orchard Ridge Lane-Greensboro. Miller addressed the Board on behalf of the Phi Beta Sigma Fraternity Incorporated. The Fraternity will be in Greensboro on January 9-12, 2014 to celebrate the 100th founder’s day. The first chapter was founded in Greensboro at A&T University. The group will be holding their regional conference in Greensboro. Miller
asked the Board to help him in welcoming the event participants. Miller stated that the group will conduct service projects during the celebration and make financial contributions to charities in the County.

Miller asked the Board for a proclamation declaring January 9, 2014 Phi- Beta Sigma day. Miller also asked for a letter from the Board and the use of billboards, and banners to market the event. Miller asked the Board for their support.

Lynn Bandell, a County retiree - expressed concerns regarding the changes in the County’s health plan. Ms. Bandell expressed concerns with the Medicare Advantage plans. Bandell was concerned over medical access and the costs associated with service delivery. Bandell expressed concerns over a lack of choice between health plans.

VI. CONSENT AGENDA

A. BUDGET AMENDMENTS

1) Increase the Public Health Budget by $5,000 to reflect grant funds received from Dr. Ann Wolfe to support the Centering Pregnancy Initiative, an effort to provide prenatal care to more pregnant women earlier in their pregnancies with the purpose of attaining improved birth outcomes. Funds will be for advertising, educational and training opportunities. The Wolfe mini grant is awarded through the North Carolina Public Health Association. The funds will be used for staff training NO ADDITIONAL COUNTY FUNDS REQUIRED.

The following Budget Ordinance Amendment was adopted:

<table>
<thead>
<tr>
<th>BUDGET ORDINANCE AMENDMENT</th>
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<tbody>
<tr>
<td>General Fund</td>
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<tr>
<td>Decrease Appropriation</td>
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<tr>
<td>Public Health</td>
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<tr>
<td>Decrease Federal / State Revenue</td>
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<tr>
<td>Increase Other Revenue</td>
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</tbody>
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2) Increase the Animal Services budget by $1,189 to reflect the appropriation of Fund Balance for the Spay/Neuter program. These funds were received last fiscal year from the state to reimburse the United Animal Coalition for spay/neuter services and reverted to the county's fund balance at the end of the year. These are funds that must pass through a local government to local agencies that provide spay/neuter services. NO ADDITIONAL COUNTY FUNDS REQUIRED.
The following Budget Ordinance Amendment was adopted:

**BUDGET ORDNANCE AMENDMENT**

**General Fund**

**Decrease Appropriation**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Animal Services (Animal Shelter)</td>
<td>$1,189</td>
</tr>
<tr>
<td>Decrease Federal / State Revenue</td>
<td>$1,189</td>
</tr>
<tr>
<td>Increase Other Revenue</td>
<td>$1,189</td>
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**B. CONTRACTS**

1) i) Approve a Sole Source exception for the purchase of a Cellebrite UFED System device for Law Enforcement, in the amount of $5,500 from sole source vendor Cellebrite USA, Inc. 266 Harristown Road, Suite 105, Glen Rock, NJ 07452. The Cellebrite UFED System device is a small hand held instrument that extracts digital data from mobile devices which can be used in our narcotic investigations. The unaudited balance of the Department of Justice Federal Forfeiture Fund before this purchase is $703,640. NO ADDITIONAL COUNTY FUNDS REQUIRED; and ii) Increase the Law Enforcement budget in the amount of $5,500 to reflect the appropriation of fund balance (Department of Justice Federal Forfeiture Funds) for the purpose of purchasing a Cellebrite Universal Forensic Extraction Device (UFED) System Device from Cellebrite USA, Inc. 266 Harristown Road, Suite 105, Glen Rock, NJ 07452.

**C. MISCELLANEOUS**

1) Approve a new license for Global Sanitation, LLC to operate as a collector of solid waste in Guilford County from this date through the end of the current licensing period on December 31, 2017. If approved, Global Sanitation, LLC would receive License No. 7 for the period. Licenses are issued by Guilford County under the conditions and restrictions set forth in the license application, North Carolina General Statutes and Guilford County Ordinances and Health Regulations.

2) Approve the Tax Department's Beverage License and Collection Reports for the month of September 2013.

3) Review and approve the Rebate and Release reports for the month of September 2013.

4) Designate the Emergency Management Division Director (Donald Campbell) as the Primary Applicant's Agent and Designate Emergency Management Coordinator (Zachary Smith) as the Secondary Applicant's Agent with the Federal Emergency Management Agency (FEMA), in accordance with North Carolina Emergency Management requirements.
5) Approve the following County Commissioners Meeting Minutes: (Robin Keller)
05/16/13 Regular Meeting 06/06/13 Regular Meeting 07/11/13 Regular Committee
Meeting 08/15/13 Closed Session 09/19/13 Work Session 09/19/13 Regular Meeting
09/23/13 Work Session 09/25/13 Animal Advisory Committee

Motion was made by Vice Chairman Bill Bencini, and seconded by Commissioner Ray Trapp to
approve the Consent Agenda.

VOTE: Motion carried 8 - 0
AYES: Commissioners J. Phillips, H. Henning, R. Trapp, L. Shaw, B. Davis, B.
Bencini, A. Branson, K. Cashion.
NOES: None.
ABSENT: Commissioner C. Coleman.

VII. NEW BUSINESS

A. Approve the transfer of $35,000 in park bond proceeds from the Trail Development
capital project ordinance to the Hagan-Stone Park capital project ordinance in order to
upgrade two roads at Hagan-Stone park from tar and gravel to asphalt. NO
ADDITIONAL COUNTY DOLLARS ARE REQUIRED

Thomas Marshburn, Parks Supervisor, reviewed the original renovation plans for the Hagan-
Stone Park.

Mr. Lawing recommended the staffs proposal.

Vice Chairman Bencini asked if the funds were re-routed as requested if any other park projects
would be hindered due to a lack of funding.

Mr. Marshburn shared that the funds would come from surplus 2004 trail bond funds and that the
change would not affect any other projects.

Commissioner Phillips asked for the trail bond balance.

Mr. Lawing stated that the fund totaled $2.8 million, with $575,000 appropriated for trail
development.

Commissioner Phillips asked if trail development funds had been designated for any specific
capital project.

Mr. Halford stated that funds had not been appropriated yet. Halford stated that specific projects
would have to be included in a trail master plan, which is currently being developed.
Commissioner Phillips expressed concerns over spending at Hagan-Stone Park. Phillips stated that the County had already allotted over $691,000 to the Park in August. Phillips also expressed concerns regarding cost overruns relating to the project.

Marshburn stated that the original assessment of Park infrastructure was inaccurate. According to Mashburn, the size of the existing road sub-surfaces was insufficient, leading to cost overruns. Stone according to Mashburn was the largest cost involved with the project.

Commissioner Branson stated that the conditions of the roads found at the Park are in poor shape. Branson stated that there is a handicap accessible playground at the Park. Branson commented that the County took control of the Park from the City of Greensboro. Branson commented that the Park is in a state of disrepair.

Commissioner Cashion asked if transferring the needed funds would impact any other ongoing project.

Marshburn stated that the transfer would not hinder any other ongoing park project.

Vice Chairman Bencini asked about the misunderstanding regarding the sub-services found at the Park.

Commissioner Branson stated that past park maintenance had been lacking. Branson commented that it would be difficult to determine who would be at fault for the misunderstanding.

Motion was made by Commissioner Jeff Phillips, and seconded by Commissioner Kay Cashion to approve the transfer of $35,000 in park bond proceeds from the Trail Development capital project to complete renovations at Hagan-Stone Park.

VOTE: Motion carried 8 - 0
NOES: None.
ABSENT: Commissioner C. Coleman.

Chairman Shaw recognized problems with the sound equipment found in the Commissioners Chambers and asked Board members to be thoughtful when they spoke into their microphones.

B. i.) Approve a Price Only Contract with the lowest responsive bidder, Tax Management Associates, Inc., 2225 Coronation Blvd, Charlotte, NC, for business personal property tax auditing services for the Guilford County Tax Department. The fee amount is $695 per audit, with an estimated 150 audits or a contract amount not to exceed $104,250. The contract period will begin on October 18, 2013 and end on October 17, 2014 with the option to renew for two additional one-year periods; and ii.) Increase the Tax Department and Property Tax revenue budgets by $104,250 to provide for contract payments for services through June 30, 2014. Future recommended budgets presented to the Board for approval will include funding for other fiscal years.
Vice Chairman Bencini asked for the methodology of the discovery process to be explained. Vice Chairman Bencini urged site visitations to be implemented to determine the value of business and personal property.

Mr. Chavis, Tax Director, shared that the project in question is separate and apart from what is included in the contract proposed. Mr. Chavis reviewed the process used in previous years. Chavis acknowledged that if the County would undertake a similar project moving forward they would utilize a software system to manage that project.

Mr. Chavis shared that there is a clause in the contract to oversee the auditing process. Chavis also stated that he has the discretion to handle issues and complaints. Chavis urged taxpayers that might experience concerns with the audit service provider to reach out to his office. Chavis stated that as the Tax Director for the County, he wanted to ensure that everyone was treated fairly.

Vice Chairman Bencini shared that his concern related to the discovery process rather than auditing in general.

Commissioner Phillips shared that he had participated in the tax committee meeting, as a guest. Phillips stated that he wanted to be a part of the Tax Committee. Phillips commented that the discussion regarding the proposed auditing agreement should have been presented in a Board work session. Phillips asked for the status of the audit program to be explained.

Mr. Chavis shared that recent legislation made contingency fee auditing unlawful after June 30, 2013. Chavis stated that no audits have been completed since the new law had come into effect on July 1, 2013. Chavis commented that this change had effectively left the County with no active auditing program. Chavis shared that historically the audit process had not been budgeted for.

Commissioner Phillips clarified that the company used in the past received 30% of all revenues discovered during the audit process. However, due to recent legislative changes the expenditure would need to be budgeted for. Phillips asked Halford if he felt comfortable amending the budget for the contract amount and estimating anticipated revenue projections.

Halford stated that he did feel comfortable amending the budget to account for both revenues and expenses associated with the proposed auditing service agreement.

Commissioner Phillips discussed the proposed auditing program. Phillips expressed concern that the percentage of the businesses to be audited was very small.

Chavis thought that completing the number of audits outlined in the service agreement, 150, was feasible. Chavis stated that the number of audits completed each year could be altered to accommodate Board sentiment in the future, as the proposed contract had a two year extension clause.
Commissioner Cashion referenced the proposed contract. Cashion asked how work relating to the audit program would be completed between the end of fiscal year 2014, June 30, 2014, and the deadline for the proposed contract, Oct 17, 2014.

Mark Payne, County Attorney, stated that the proposed contract’s term of one year was typical. Payne commented that he believed the firm had a goal to complete the audits by the end of June 2014. Payne stated that the contract did provide the Board with flexibility as it could be amended or terminated.

Commissioner Cashion asked how the contract would be paid for. Mr. Halford stated that anticipated property tax revenues would pay for the program during the current fiscal year.

Commissioner Davis shared that he sits on the Tax Committee. Davis stated the contract proposed to complete 150 audits. Davis asked how Guilford County compared to counties of similar population.

Chavis stated that Mecklenburg County used the same auditing firm and conducted 2000 audits per year.

Commissioner Davis asked what would be the return on investment of the auditing program.

Chavis stated the County is working with a new format and wanted to start off conservatively. Chavis commented that he anticipated at least covering the County’s expenditures.

Commissioner Davis commented on the conservative approach and stated that the program could be altered or expanded at a later date. Davis commented that the auditing program should at least recover enough funds to meet the expenses associated with the program.

Chairman Shaw thanked Vice Chairman Bencini and his committee on its work.

Commissioner Trapp expressed concerns regarding the fee for service formula.

Vice Chairman Bencini shared that he agrees that the system is not perfect, but commented that it was an improvement over the former auditing process. Bencini stated that moving conservatively with the auditing program was a good approach to determine if the new system would be beneficial for the County.

Commissioner Henning urged companies to communicate with the Board and County staff if they experience problems with the new system.

Commissioner Phillips asked Chavis to provide Board members with an update in six months on how the auditing program is progressing. Phillips asked if there was an escape clause included in the proposed contract.

Bonnie Stellfox, Purchasing Director, reported that there was a 30 day termination clause included in the contract if the Board was unhappy with the work of the contractor.
Commissioner Davis spoke to Commissioner Trapp’s concerns. Davis questioned the appeals process.

Chavis explained the appeals process.

Commissioner Davis commented that the auditing program is a work in process. Davis also stated that the County should address the appeals process.

Motion was made by Vice Chairman Bill Bencini, and seconded by Commissioner Hank Henning to approve B. i.) Approve a Price Only Contract with the lowest responsive bidder, Tax Management Associates, Inc., 2225 Coronation Blvd, Charlotte, NC, for business personal property tax auditing services for the Guilford County Tax Department. The fee amount is $695 per audit, with an estimated 150 audits or a contract amount not to exceed $104,250.

VOTE: Motion carried 8 - 0
NOES: None.
ABSENT: Commissioner C. Coleman.

C. Receive Quarterly Financial Report

Mr. Halford shared a budget report with the Board. The report reviewed the last fiscal year 2012-2013. Halford stated that the Budget Department planed to provide financial reports quarterly to Board members going forward.

Mr. Halford reviewed the report and the revenue and expenditure categories and how the County performed during the last fiscal year.

Mr. Halford stated that the information would be posted on the County's Website and accessible to the public.

Commissioner Davis questioned the intergovernmental revenues line item. Davis asked what happens to the funds that are drawn down from the Federal Government or the State.

Halford explained that typically the funds are used to reimburse the County for expenditures.

County Attorney Payne out 6:52 PM.

County Attorney Payne back 6:54 PM.

Chairman Shaw out at 6:55PM.

Chairman Shaw back at 6:57PM.
Halford stated he would follow up with the Director of Social Services to address Commissioner Davis’s concerns, regarding funding relating to subsidized daycare programs.

Commissioner Henning inquired regarding the budgeting process utilized when working with Federal and State grant programs. Henning also asked for the reimbursement processes to be explained.

Halford shared the budgeting process utilized by the Budget Department when working with Federal and State programming.

**D. New Business from County Commissioners**

The Board set a work session for Thursday, October 24, 2013 at 10:00 AM. The Board will discuss the following items: boards and commissions and employee’s group health insurance.

Chairman Shaw also reminded Board members regarding the work session scheduled for Monday, November 4, 2013 at 10:00 AM.

**VIII. COMMENTS FROM COUNTY COMMISSIONERS**

Commissioner Trapp recognized the Department of Social Services and their staff on the success of their fall festival.

Commissioner Branson shared that he was glad to see the Federal government reopened. Branson encouraged citizens to turnout for the upcoming elections.

Commissioner Henning congratulated the Budget and Finance Departments for their work.

Commissioner Cashion commented on the citizen's academy. Cashion stated that in a recent meeting of the academy participants discussed zoning, parks and recreation, and economic development. Cashion stated that she felt that the County needed to hire a public information officer. Cashion shared academy participants’ opinions and observations.

Cashion stated she attended the State Local Government Retirement Board of Trustees meeting in Raleigh. Cashion commented that the County’s contribution level required by the State might decrease slightly during the current fiscal year.

Chairman Shaw shared that Board members had discussed including the issue of economic development incentives on an upcoming work session. Shaw asked Board members when they would like to review the issue. Shaw asked the Board for suggestions.

Vice Chairman Bencini recommended adding the economic development incentive review to the agenda of the Board’s annual retreat in January 2014. Board members were supportive of the proposal.

Vice Chairman Bencini welcomed Chairman Shaw back. Bencini commented on the impacts of the Federal government furlough. Bencini welcomed all of the visitors who were planning to
attend the High Point Furniture Market which opens this weekend. Bencini reported that the Market provides close to five million dollars to the local economy.

Commissioner Davis expressed concerns regarding digital TV access, especially in High Point. Davis was concerned that citizens were unable to view the public access channel. Davis shared that David Nivens had been a valuable resource to the Commissioners and the residents of High Point. Davis thanked Nivens for doing an outstanding job. Davis wanted to ensure that High Point would be represented with newspaper coverage. Davis acknowledged that the United Spring Council had recently held their annual retreat in Greensboro with over 4,000 Masons attending.

Commissioner Phillips reminded Board members that October is Breast Cancer awareness month. Phillips asked those present to remember those who were struggling with the disease. Phillips commented on the upcoming fundraiser for the Women's Resources Center- the Men Can Cook event which will be held on Saturday, October 19, 2013.

Chairman Shaw stated that she attended the Honda Aircraft Ribbon cutting for their Customer Service Center. Shaw thanked HondaJet and encouraged their continued growth and success.

IX. COMMENTS FROM COUNTY MANAGER

A. Receive Manager's Monthly Report

B. Receive Budget Amendment report processed under the authority granted to the County Manager in the FY 2012-2013 Budget Ordinance. This year-end budget amendment adjusts the budget to reflect expected an actual expense for the 2012-13 fiscal year. There was no change to the overall county budget as a result of this change.

Lawing reviewed the property located at 506 Battleground Avenue in downtown Greensboro. Lawing stated that the property was for sale. Lawing commented that the County had received a bid and an upset bid for the property. Lawing explained the process regarding the upset bid process.

Lawing reviewed the recent Federal shutdown. Lawing stated that fortunately Congress had taken action last night to address the issue temporarily. The action taken by Congress included a commitment for an annualized funding, which means that the County would be reimbursed for any funding that it had spent to replace Federal funding during the shutdown.
Motion was made by Vice Chairman Bill Bencini, and seconded by Commissioner Bruce Davis to enter into closed session at 7:28 PM.

**VOTE:** Motion carried 8 – 0
**NOES:** None.
**ABSENT:** Commissioner C. Coleman.

Meeting went into Recess at 7:28 PM

Meeting Reconvened at 8:03 PM

X. **SPEAKERS FROM THE FLOOR**

No one signed up to address the Board.

XI. **ADJOURN**

Motion was made by Vice Chairman Bill Bencini, and seconded by Commissioner Jeff Phillips to adjourn the meeting.

**VOTE:** Motion carried 8-0
**NOES:** None.
**ABSENT:** Commissioner C. Coleman.

Chairman

Deputy Clerk to the Board