The Board of County Commissioners met in a duly noticed regular meeting on February 12, 2015 at 5:30 PM, in the Commissioners’ Meeting Room, 301 W. Market St., Greensboro; North Carolina.

PRESENT: Chairman Hank Henning, presiding; Vice Chairman Jeff Phillips; Commissioners Carolyn Q. Coleman, Alan Branson, Ray Trapp, Justin Conrad, and Alan Perdue.

ABSENT: Commissioners Kay Cashion and J. Carlvena Foster.

ALSO PRESENT: Marty Lawing, County Manager; Mark Payne, County Attorney; Robin Keller, Clerk to the Board; Paul Lowe, Deputy Clerk to the Board; Michael Halford, Budget Director; Ben Chavis, Tax Director; Merle Green, Public Health Director; Robert McNiece, Facilities, Parks, and Property Management Director; Jeff Fowler, Security Director; Leslie Bell, Planning & Development Director; Reid Baker, Finance Director; Jeff Thigpen, Register of Deeds; Clarence Greer, Deputy County Manager; Joe Raymond, Health and Human Services Director; Heather Skeens, DSS Director; Myra Thompson, DSS Division Director; Thomas Marshburn, Parks Division Director; Scott Greene, Environmental Health Program Manager; Alexis Underwood, DSS Contracts Manager; Angie Henry, Chief Financial Officer-Guilford County Schools; Julius Monk, Executive Director of Facilities-Guilford County Schools; Donna Bell, Director of Facilities Planning-Guilford County Schools; and members of the media and community.

I. INVOCAATION

Board Chaplin Chavis provided the invocation.

II. PLEDGE OF ALLEGIANCE

Chairman Henning led those present in reciting the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER

Chairman Henning welcomed those present and called the meeting to order at 5:39 PM.
IV. SPEAKERS FROM THE FLOOR

Luther Falls, Jr., Greensboro, invited the Board to an upcoming small business conference.

Tawanda Johnson, Greensboro, raised concerns regarding her efforts to secure a road closure.

Andy Stevens, Greensboro, expressed alarm with the proposed sale of the County Prison Farm.

Jimmy Morgan, Colfax, commented on the impact that unfunded mandates have on local governments and questioned the proposed sale of the Prison Farm property.

George Hartzman, Greensboro, expressed disdain for State Sen. Trudy Wade’s redistricting bill.

Mark Gatehouse, Greensboro, spoke in support of bike and trail development in the County.

V. CONSENT AGENDA


A. BUDGET AMENDMENTS

Removed from Consent Agenda

1. Approve Schools Capital Project Ordinance revisions as follows:

- Roof Replacement/Repair (QSCB) $61,960
- Window/Door Replacement (QSCB) $22,476

The projects funded by Qualified School Construction Bonds (QSCB) at Allen Middle School are complete; the projects funded with QSCB dollars at Grimsley High School, Ragsdale High School and Allen Jay Middle School, A Preparatory Academy are scheduled to be complete, and closed out by February 28, 2015. The total estimated amount available following completion of these projects is $327,041.00, as follows:
- Allen Middle School $33,909.00
- Grimsley High School $20,737.00
- Ragsdale High School $23,246.00
- Allen Jay Middle School Rock Gym $249,149.00

Pending approval of the Guilford County Board of Education (BOE) at the January 13, 2015 BOE meeting, Guilford County Schools requests the Board of County Commissioners (BOCC) approve the transfer of QSCB funds from the Allen Middle School, Grimsley High School, Ragsdale High School and Allen Jay Middle School, A Preparatory Academy ordinances into the existing QSCB system-wide roof repair/replacement; the QSCB system-wide window/door replacement, and the QSCB safety-security/communication upgrade project ordinances as follows:
BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that for the following capital project for Roof Replacement /Repair – Qualified School Construction Bonds (QSCB) in Guilford County, North Carolina is adopted on May 19, 2011, amended June 19, 2014, and February 12, 2015 and is hereby amended in accordance with G.S. 159-13.2:

SECTION 1. The following planned expenditure and associated revenue are hereby authorized and appropriated in connection with this project:

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>EXPENDITURE</th>
<th>REVENUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>GC Board of Education School</td>
<td>Roof Replacement / Repair – $4,948,878</td>
<td>Capital – Related Debt QSCB - $3,101,335</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td></td>
<td>Bond Proceeds - $1,847,543</td>
</tr>
</tbody>
</table>

SECTION 2. This project ordinance authorizes all appropriations necessary for the completion of this project and it need not be readopted in any subsequent fiscal year. The budget officer shall include in subsequent budgets information and appropriations for this project during the budget year.

SECTION 3. This ordinance shall be duly entered in the minutes of the Guilford County Board of Commissioners. Within five days after adoption, a copy hereof shall be filed with the Finance Director, Budget Director, and Clerk.

SECTION 4. This ordinance may be amended in any manner so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

ADOPTED on first reading this February 12, 2015, in accordance with G.S. 159-17.

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that for the following capital project for Windows / Door Replacement – Qualified School Construction Bonds (QSCB) in Guilford County, North Carolina is hereby adopted May 9, 2011 and amended February 12, 2015 and in accordance with G.S. 159-13.2:

SECTION 1. The following planned expenditure and associated revenue are hereby authorized and appropriated in connection with this project:
SECTION 2. This project ordinance authorizes all appropriations necessary for the completion of this project and it need not be readopted in any subsequent fiscal year. The budget officer shall include in subsequent budgets information and appropriations for this project during the budget year.

SECTION 3. This ordinance shall be duly entered in the minutes of the Guilford County Board of Commissioners. Within five days after adoption, a copy hereof shall be filed with the Finance Director, Budget Director, and Clerk.

SECTION 4. This ordinance may be amended in any manner so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

ADOPTED on first reading this February 12, 2015, in accordance with G.S. 159-17.
SECTION 3. This ordinance shall be duly entered in the minutes of the Guilford County Board of Commissioners. Within five days after adoption, a copy hereof shall be filed with the Finance Director, Budget Director, and Clerk.

SECTION 4. This ordinance may be amended in any manner so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

ADOPTED on first reading this February 12, 2015, in accordance with G.S. 159-17.

CAPITAL PROJECT ORDINANCE FOR GC BOARD OF EDUCATION GRIMSLEY HIGH SCHOOL

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that the following capital project for Grimsley High School is adopted on June 19, 2008 and amended on November 15, 2012, and amended February 12, 2015 is hereby amended in accordance with G.S. 159-13.2:

SECTION 1. The following planned expenditure and associated revenue are hereby authorized and appropriated in connection with this project:

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
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<th>REVENUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>GC Board of Education School Capital Outlay</td>
<td>Grimsley High School - $11,369,253</td>
<td>Bond Proceeds - $11,369,253 (May 2008)</td>
</tr>
</tbody>
</table>

SECTION 2. This project ordinance authorizes all appropriations necessary for the completion of this project and it need not be readopted in any subsequent fiscal year. The budget officer shall include in subsequent budgets information and appropriations for this project during the budget year.

SECTION 3. This ordinance shall be duly entered in the minutes of the Guilford County Board of Commissioners. Within five days after adoption, a copy hereof shall be filed with the Finance Director, Budget Director, and Clerk.

SECTION 4. This ordinance may be amended in any manner so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

ADOPTED on first reading this February 12, 2015 in accordance with G.S. 159-17.
CAPITAL PROJECT ORDINANCE FOR GC BOARD OF EDUCATION ALLEN MIDDLE SCHOOL

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that the following capital project for Allen Middle School is adopted on June 19, 2008 and amended on November 15, 2012, July 11, 2013, February 20, 2014, June 19, 2014, and February 12, 2015 is hereby amended in accordance with G.S. 159-13.2:

SECTION 1. The following planned expenditure and associated revenue are hereby authorized and appropriated in connection with this project:

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>EXPENDITURE</th>
<th>REVENUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>GC Board of Education School Capital Outlay</td>
<td>Allen Middle School - $6,165,416</td>
<td>Bond Proceeds - $6,163,416 (May 2008)</td>
</tr>
<tr>
<td>Bond Proceeds - $6,163,416 (May 2008)</td>
<td>COPs / LOBs Proceeds - $2,000</td>
<td></td>
</tr>
</tbody>
</table>

SECTION 2. This project ordinance authorizes all appropriations necessary for the completion of this project and it need not be readopted in any subsequent fiscal year. The budget officer shall include in subsequent budgets information and appropriations for this project during the budget year.

SECTION 3. This ordinance shall be duly entered in the minutes of the Guilford County Board of Commissioners. Within five days after adoption, a copy hereof shall be filed with the Finance Director, Budget Director, and Clerk.

SECTION 4. This ordinance may be amended in any manner so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

ADOPTED on first reading this February 12, 2015 in accordance with G.S. 159-17.

CAPITAL PROJECT ORDINANCE FOR GC BOARD OF EDUCATION – ALLEN JAY MIDDLE SCHOOL

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that the following capital project for Allen Jay Middle School is adopted on June 19, 2008, amended July 11, 2013, and amended February 12, 2015 and hereby amended in accordance with G.S. 159-13.2:

SECTION 1. The following planned expenditure and associated revenue are hereby authorized and appropriated in connection with this project:

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>EXPENDITURE</th>
<th>REVENUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>GC Board of Education School Capital Outlay</td>
<td>Allen Jay Middle School - $13,508,318</td>
<td>Bond Proceeds - $13,508,318 (May 2008)</td>
</tr>
</tbody>
</table>
SECTION 2. This project ordinance authorizes all appropriations necessary for the completion of this project and it need not be readopted in any subsequent fiscal year. The budget officer shall include in subsequent budgets information and appropriations for this project during the budget year.

SECTION 3. This ordinance shall be duly entered in the minutes of the Guilford County Board of Commissioners. Within five days after adoption, a copy hereof shall be filed with the Finance Director, Budget Director, and Clerk.

SECTION 4. This ordinance may be amended in any manner so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

ADOPTED on first reading this February 12, 2015, in accordance with G.S. 159-17.

CAPITAL PROJECT ORDINANCE FOR GC BOARD OF EDUCATION RAGSDALE HIGH SCHOOL

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that for the following capital project for Ragsdale High School adopted on December 4, 2003 and amended August 18, 2005, November 17, 2005, October 18, 2007, June 19, 2008, June 16, 2011 November 15, 2012, February 20, 2014 and February 12, 2015 in Guilford County, North Carolina is hereby amended in accordance with G.S. 159-13.2:

SECTION 1. The following planned expenditure and associated revenue are hereby authorized and appropriated in connection with this project:

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>EXPENDITURE</th>
<th>REVENUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>GC Board of Education School</td>
<td>Ragsdale High - $52,047,100</td>
<td>Bond Proceeds - $48,047,100</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td></td>
<td>Insurance Proceeds - $4,000,000</td>
</tr>
</tbody>
</table>

SECTION 2. This project ordinance authorizes all appropriations necessary for the completion of this project and it need not be readopted in any subsequent fiscal year. The budget officer shall include in subsequent budgets information and appropriations for this project during the budget year.

SECTION 3. This ordinance shall be duly entered in the minutes of the Guilford County Board of Commissioners. Within five days after adoption, a copy hereof shall be filed with the Finance Director, Budget Director, and Clerk.

SECTION 4. This ordinance may be amended in any manner so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

ADOPTED on first reading this February 12, 2015 in accordance with G.S. 159-17.
2. Approve Revised Funding Plan and Budget Increase in the amount of $26,376 to reflect additional Home & Community Care Block Grant funding allocated for FY 2015. The funding will be allocated to following Departments: Social Services by: $20,310, Public Health by: $3,428, and Transportation by: $2,638.

The following Budget Ordinance Amendment was adopted:

**BUDGET ORDINANCE AMENDMENT**

<table>
<thead>
<tr>
<th>General Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase Appropriation to Social Services by $20,310</td>
</tr>
<tr>
<td>Increase Appropriation to Public Health by $3,428</td>
</tr>
<tr>
<td>Increase Appropriation to Transportation by $2,638</td>
</tr>
<tr>
<td>Increase Federal &amp; State Revenues by $26,376</td>
</tr>
</tbody>
</table>

*Removed from Consent Agenda*

3. Approve an overall decrease to the FY 2015 Health and Human Services Department (Public Health Division) by ($67,824) as detailed below:

**Adult Services: Net $10,000**

a.) Approve a $10,000 increase in Federal Revenue (contract with NC A & T State University). North Carolina Agriculture and Technical University desires to engage the Guilford County Department of Health and Human Services, Public Health Division in a collaborative effort with their BE SAFE program. (Be A Substance Abuse AIDS Free Environment) to reach young adults 18 to 24 years of age for sexual health education, sexually transmitted infection (STI) screening, STI treatments and linkage to care for young adults infected with HIV disease. Public Health will use these funds for radio spots to advertise awareness of community fixed site testing hours; staff overtime and community events.

**Family/Children Services: Net ($77,824)**

b.) Approve a $5,000 increase in Other Revenue (Delta Dental Foundation 2014 Brighter Futures Grant) to reflect funds received to provide much needed dental care for school-aged children referred by the School Health Nurse, who have no private dental insurance, do not qualify for Medicaid or Health Choice, and whose families cannot pay. Dental treatment for these children will be provided by Public Health Dental Clinics in High Point and Greensboro. There will be a maximum of $200 for each eligible child; estimating around 25 children will receive services.

c.) Approve a $1,653 increase in State Revenue (Women’s and Children Health) to align Maternal Health Program to the level of funding received.

d.) Approve a $6,869 increase in State Revenue (Women’s and Children Health) for Pregnancy Care Management Program. The Health Department shall provide pregnancy care management services to a total of 100 (increased by 18) uninsured pregnant and postpartum women who are ineligible for Medicaid, do not have Medicaid Presumptive Eligibility coverage or no other coverage for pregnancy care management services. Women served will be clients of the Local Health Department. The additional funds will be used for staff time.
e.) Approve a ($6,702) decrease in State Revenue (Women’s and Children Health) for Family Planning program. This decrease is due to an overall reduction in the Maternal and Child Health Block Grant of approximately 4%. Operational expenses will be used to offset this decrease.

f.) Approve an $823 increase in State Revenue to align funds received from NC Partnership for Children (Smart Start) funding for Child Care Nursing and Newborn Home Visit programs.

g.) Approve a ($85,467) decrease in User Charges to reflect non-renewal of contract with Guilford Child Development for Pregnancy Care Management with Nurse Family Partnership program for case management services.

The following Budget Ordinance Amendment was adopted:

**BUDGET ORDINANCE AMENDMENT**

<table>
<thead>
<tr>
<th>General Fund</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Decrease Appropriation to Public Health by</td>
<td>($67,824)</td>
</tr>
<tr>
<td>Increase Other Revenue by</td>
<td>$5,000</td>
</tr>
<tr>
<td>Increase Federal/ State Funds by</td>
<td>$12,643</td>
</tr>
<tr>
<td>Decrease User Charges by</td>
<td>($85,467)</td>
</tr>
</tbody>
</table>

B. CONTRACTS

*Removed from Consent Agenda*

1. Approve (revenue) Memorandum of Agreement, in substantial form, with Casey Family Programs by and through the Health and Human Services Department (Social Services Division). Memorandum of Agreement amount of $120,000. The memorandum of agreement period will begin on January 1, 2015 and end on January 1, 2016.

C. MISCELLANEOUS

1. Approve VAD Application #2015-01, being 32.75 acres and comprised of three Tax Parcels (#0168824 @ 30.75 acres, #0168825 @ 1.0 acres, and #0168835 @ 1.0 acres), all owned by Donald Edward Atkins and Gerald W. Atkins of Colfax, NC.


3. Accept and approve the Tax Department’s Beverage License and Tax Collection Reports for the month ending January 31, 2015.

*Removed from Consent Agenda*

4. Adopt resolution ordering the advertisement of the delinquent 2014 tax liens on Real Property. Be it resolved: 1) That the list of delinquent 2014 taxes that are liens on real property be filed with the minutes of the meeting. 2) That the Tax Director, in accordance with N.C.G.S. 105-369, is authorized and directed to proceed with the advertisement of tax liens on real property for which 2014 taxes have not been paid.

5. Approve the following sets of County Commissioner's Meeting Minutes: 01/09/2015 - Work Session 01/15/2015 - Regular Meeting
Motion was made by Commissioner Carolyn Q. Coleman, and seconded by Commissioner Alan Branson to approve the consent agenda.

VOTE:    Motion carried 7 – 0.
NOES:    None.
ABSENT:  Commissioners K. Cashion, C. Foster.

ITEMS REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION

A.1. Approve Schools Capital Project Ordinance revisions as follows:

- Roof Replacement/Repair (QSCB) $61,960
- Window/Door Replacement (QSCB) $22,476

The projects funded by Qualified School Construction Bonds (QSCB) at Allen Middle School are complete; the projects funded with QSCB dollars at Grimsley High School, Ragsdale High School and Allen Jay Middle School, A Preparatory Academy are scheduled to be complete, and closed out by February 28, 2015. The total estimated amount available following completion of these projects is $327,041.00, as follows:

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- Grimsley High School $20,737.00
- Ragsdale High School $23,246.00
- Allen Jay Middle School Rock Gym $249,149.00

Pending approval of the Guilford County Board of Education (BOE) at the January 13, 2015 BOE meeting, Guilford County Schools requests the Board of County Commissioners (BOCC) approve the transfer of QSCB funds from the Allen Middle School, Grimsley High School, Ragsdale High School and Allen Jay Middle School, A Preparatory Academy ordinances into the existing QSCB system-wide roof repair/replacement; the QSCB system-wide window/door replacement, and the QSCB safety-security/communication upgrade project ordinances.

Commissioner Perdue questioned whether the proposed safety improvements would enhance first responders’ radio communications within school facilities.

Julius Monk, Executive Director of Facilities- Guilford County Schools, replied that the repairs would address phone and fire alarm systems in local school facilities.

Motion was made by Commissioner Alan Perdue, and seconded by Commissioner Ray Trapp to approve the various capital project ordinances to fund school improvements.

VOTE:    Motion carried 7 – 0.
NOES:    None.
ABSENT:  Commissioners K. Cashion, C. Foster.
A.3. Approve an overall decrease to the FY 2015 Health and Human Services Department (Public Health Division) by ($67,824).

Commissioner Coleman questioned the request and commented that she wanted to ensure that the quality of local services provided to clients was not being diminished.

Merle Green, Public Health Director, reported that no services were being cut, and explained that the proposal constituted a simple accounting adjustment.

Motion was made by Commissioner Carolyn Q. Coleman, and seconded by Commissioner Justin Conrad to approve a ($85,467) decrease in User Charges to reflect non-renewal of contract with Guilford Child Development for Pregnancy Care Management with Nurse Family Partnership program for case management services- which was associated with an overall decrease to the FY 2015 Health and Human Services Department (Public Health Division)’s budget by ($67,824).

VOTE: Motion carried 7 – 0.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.

B.1. Approve (revenue) Memorandum of Agreement, in substantial form, with Casey Family Programs by and through the Health and Human Services Department (Social Services Division). Memorandum of Agreement amount of $120,000. The memorandum of agreement period will begin on January 1, 2015 and end on January 1, 2016.

Vice Chairman Phillips questioned the request and the outcomes that the program has been able to achieve. Phillips asked staff to provide additional information to the Board regarding the item.

Myra Thompson, DSS Division Director, replied that staff receives quarterly reports from the Casey Foundation, and stated that she could share the information with the Board in the future.

Commissioner Trapp asked regarding transportation services which support the County’s visitation center, which is operated by DSS.

Alexis Underwood, DSS Contracts Manager, opined that the Center’s supervisor has not reported any problems or complaints regarding the transportation service which supports the Center.

Motion was made by Vice Chairman Jeff Phillips, and seconded by Commissioner Ray Trapp to approved a Memorandum of Agreement, in substantial form, with Casey Family Programs by and through the Health and Human Services Department (Social Services Division). Memorandum of Agreement amount of $120,000. The memorandum of agreement period will begin on January 1, 2015 and end on January 1, 2016.
C.4. Adopt resolution ordering the advertisement of the delinquent 2014 tax liens on Real Property.

Commissioner Conrad asked if the County was planning to pursue the same process that was implemented last year to advertise the tax liens.

Ben Chavis, Tax Director, replied that staff had planned to advertise the tax liens with the Jamestown News, which ran the listing last year.

Commissioner Coleman questioned if the County would go out to bid for the service.

Chavis clarified that the County was not required to bid out the service agreement. Chavis explained that based on the Board’s vote last year, staff secured a single vendor to advertise the tax liens. Chavis commented that the Jamestown News was the lowest bidder and whose services were secured through a purchase order due to the publication’s cost effective pricing.

Commissioner Coleman expressed concerns with the proposal and stated that she felt that the County should work to expand the list of vendors that ran the tax liens in an effort to support a greater number of newspapers in the County while being more inclusive. Coleman also added that the County could do more to patronize the services of minority owned businesses, and urged the Board to consider placing the tax advertising agreement out to bid.

Chavis responded that it was the discretion of the Board, if they chose to pursue a different strategy for advertising the tax liens.

Vice Chairman Philips asked how much it cost the County to advertise the tax liens last year.

Chavis reported that last year the County spent approximately $4,000-5,000 advertising the tax liens, and noted that if the Board maintained the same process for this year that the costs associated with the service would be quite similar.

Commissioner Branson noted that even though the Greensboro News and Record did not successfully secure the bid last year, the publication still posted the notices on their website.

Motion was made by Commissioner Justin Conrad, and seconded by Commissioner Alan Perdue to approve and adopt the resolution ordering the advertisement of the delinquent 2014 tax liens on Real Property.

A Substitute Motion was made by Commissioner Carolyn Q. Coleman, and seconded by Commissioner Ray Trapp to place the tax lien advertising agreement out to bid.
VOTE: Motion failed 3 – 4.
ABSENT: Commissioners K. Cashion, C. Foster.

Motion was made by Commissioner Justin Conrad, and seconded by Commissioner Alan Perdue to approve and adopt the resolution ordering the advertisement of the delinquent 2014 tax liens on Real Property.

VOTE: Motion carried 6 – 1.
NOES: Commissioner R. Trapp.
ABSENT: Commissioners K. Cashion, C. Foster.

VI. NEW BUSINESS

A. Consider Property Acquisition under NC General Statutes &sect; 160A, 115C-518, and 115C-426, whereby the Board of Education is offering the Board of County Commissioners the first opportunity to obtain property located at 9112 West Market Street, Greensboro, should the Commissioners choose to exercise of its right of first refusal; and either DECLINE Acquisition OR APPROVE Acquisition, at Fair Market Value, of the property located at 9112 West Market Street. If the Board of County Commissioners does not choose to obtain this property, the Board of Education intends to sell this property and requests that the clear proceeds from such sale be made available to the BOE in accordance with the RESOLUTION REGARDING THE USE OF PROCEEDS FROM THE SALE OF SURPLUS GUILFORD COUNTY SCHOOLS PROPERTY adopted by the Guilford County Board of County Commissioners (BOCC) on June 3, 2010.

Angie Henry, CFO-Guilford County Schools, explained that after securing Board approval the School Board wanted to surplus and sale a piece property located at 9112 W. Market Street.

Commissioner Branson questioned the location of the property.

Donna Bell, Director of Facilities Planning- Guilford County Schools, provided insights and commented that the property is a remnant parcel due to the construction of Market Street.

Bell explained that the School Board was seeking a surplus declaration due to an individual’s interest in the property. Bell added that the party intended to develop the site and that an application for rezoning had been submitted and was scheduled to be reviewed in March. Bell commented that the School Board is legally obligated to offer the County the first right of refusal before selling a property. Bell reported that if the County was uninterested in acquiring the parcel the School Board would enter into negotiations with the developer and pursue the upset bid process.
Commissioner Branson questioned as to why the School Board was including the right of way and a part of Market Street in the property’s overall acreage.

Mark Payne, County Attorney, responded that many properties do, in fact, go to the road center; and added that it appears that the property owner only acquired a right of way and not the full parcel. Payne then clarified that a vote to decline the parcel would allow the School Board the opportunity to enter into negotiations with the developer as they work to sell the property.

Motion was made by Commissioner Alan Branson, and seconded by Commissioner Justin Conrad to deny acquiring property held by the schools under NC General Statutes § 160A, 115C-518, and 115C-426, whereby the Board of Education is offering the Board of County Commissioners the first opportunity to obtain property located at 9112 West Market Street, Greensboro, should the Commissioners choose to exercise its right of first refusal; and either DECLINE Acquisition OR APPROVE Acquisition, at Fair Market Value, of the property located at 9112 West Market Street. If the Board of County Commissioners does not choose to obtain this property, the Board of Education intends to sell this property and requests that the clear proceeds from such sale be made available to the BOE in accordance with the RESOLUTION REGARDING THE USE OF PROCEEDS FROM THE SALE OF SURPLUS GUILFORD COUNTY SCHOOLS PROPERTY adopted by the Guilford County Board of County Commissioners (BOCC) on June 3, 2010.

VOTE: Motion carried 7 – 0.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.

B. Increase the FY 14-15 Public Health budget (Department of Health and Human Services) by $47,333 and add three (3) new Environmental Health Specialist positions for the Water Quality Unit in the soil/site evaluation program, wastewater system inspection program and well installation program. The estimated total cost for the positions from March to June 2015 is $71,000. Additional revenues of $47,333 will be generated to help fund these positions with the remaining $23,667 being covered from lapsed salary savings already in the Public Health budget. ADDITIONAL COUNTY FUNDS REQUESTED. North Carolina law mandates that "State Authorized" Environmental Health (EH) Specialists evaluate and permit wastewater sites and inspect water systems. Over past several years staff has been downsized (lost 5.75 positions) with the downturn in the economy. Land developers and home builders are seeing an increase in sales and need wastewater permits as quickly as possible. Water Quality Unit is also mandated to inspect all pumped wastewater systems and alternate wastewater systems, depending on the type of wastewater system. Inspections can range from one (1) to five (5) years in frequency. Under current staffing levels, we are severely behind in conducting these mandated inspections. Currently there are no vacant positions in Environmental Health Division that can be re-classed to meet these needs. Without these new positions, an even larger backlog in services can occur. The goal is a two week turnaround in service, currently there is a four week turnaround. These positions will improve efficiency for permit issuance and other requested Water
Quality services. Approximately 2,000 of the 5,000 State mandated wastewater systems are not being inspected. ($150/inspection) resulting in lost revenues of $300,000.

Scott Greene, Environmental Health Program Manager, stated that the proposal before the Board for three additional employees was recently approved by the HHSC Advisory Committee. Greene reviewed the inspection requirements that are mandated under State statutes and reported that his Section is receiving an increase in inspection requests- which current staff is unable to process. Greene opined that requests for soil evaluation reviews have increased by approximately 118% over the last two years. Greene provided an example of the backlog noting that his Section’s goal is to complete inspections within two weeks, but due to a lack of staffing environmental reviews are being completed in four weeks.

Commissioner Trapp reported that the Health and Human Services Advisory Committee had voted to approve the request, and noted that if the County aimed to be business friendly it would work to maintain the appropriate level of staff to support the development needs of the County.

Greene opined that one of the three positions would be totally supported by fees collected by inspectors- while the two other positions would be partially funded by program revenues.

Commissioner Trapp noted that the three positions would be funded 48% by program revenues.

Commissioner Perdue asked if the inspections staff was completely functional.

Greene commented that his Section was operating with 14.25 full-time positions, and added that two staff members were still undergoing training for needed certifications. Greene noted that staff without the proper credentials are required to complete between nine months to a year of training. Greene stated that the additional personnel would help him address the backlog of inspection cases.

Commissioner Conrad made a motion to authorize the hiring of two of the three requested positions with the required training-so that they could start working immediately to help address the backlog. Conrad added that he wanted to see the impact that the two new employees would have before allowing the Department to hire a third.

Commissioner Branson asked what happened to the Section’s former employees.

Greene explained that many were impacted by the 2008 recession, some chose to retiree, while others transferred to other County departments- due to a reduction in the need for inspections.

Commissioner Branson commented that he supported the hiring of credentialed inspectors to help meet the demands of the County’s business community.

Commissioner Coleman inquired what educational requirements the inspectors needed.
Greene replied that his Section was looking to hire inspectors that were licensed, held a bachelor’s degree with at least thirty credit hours of science, and had attained the certified Environmental Health Specialist designation.

Commissioner Coleman asked if the inspectors would be paid an entry level salary.

Vice Chairman Phillips urged staff to hire experienced inspectors that could immediately help to address the backlog and requested that Greene provide the Board with an update on the situation and his efforts to fill the new positions within sixty days.

Greene responded that the salary for the new positions was set to attract qualified professionals, and added that he would work to ensure that staff with the required certifications were hired.

Marty Lawing, County Manager, advised the Board that under the modified motion that the amount of the budget amendment would change to $31,500.

Payne clarified that the motion on the table would require the positions to be filled with qualified applicants.

Commissioner Trapp expressed concern that the Board heavily scrutinized Human Services positions and budget amendments, but did not seem to offer the same level of consideration to requests made by the Sheriff’s Department.

Commissioner Coleman inquired how long the Section had experienced the backlog.

Greene replied that the backlog began in October as more building permits have been sought by developers in the County.

Commissioner Coleman questioned if the Section could utilize retiree callbacks in the interim until the permanent positions could be filled.

Greene shared that he had been in contact with a number of retirees- none of which had expressed interest in returning to work for the County.

Commissioner Conrad thanked Greene for his service to the County and for helping to rectify the backlog of inspection cases.

Vice Chairman Phillips asked in the event that Greene was unable to locate certified inspectors, how would the Board choose to proceed.

Commissioner Conrad stated that the certification requirement should be made a condition of employment for the successful applicant.

Vice Chairman Phillips offered a friendly amendment that the Board be made aware if the positions haven’t been filled within sixty days. Conrad was agreeable to the amendment.
Motion was made by Commissioner Justin Conrad, and seconded by Commissioner Alan Branson to approve an increase in the FY 14-15 Public Health budget (Department of Health and Human Services) by $31,500 and add two (2) new Environmental Health Specialist positions for the Water Quality Unit in the soil/site evaluation program, wastewater system inspection program and well installation program. The estimated total cost for the positions from March to June 2015 is $47,333. Additional revenues of $31,500 will be generated to help fund these positions with the remaining $15,833 being covered from lapsed salary savings already in the Public Health budget. ADDITIONAL COUNTY FUNDS REQUESTED.

VOTE: Motion carried 7 – 0.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.

C. Approve modification as to how dental fees are established. Currently customary fees are established using the Dental Customized Fee Analyzer as a guide. Fees are set at the published 75th percentile. Proposing that customary fees be set using the Medicaid reimbursement rate plus 90%. If there is not a Medicaid rate, the 75th percentile of the Dental Customized Fee Analyzer will be used. Discounted fees will be set to equal the Medicaid reimbursement rate. This method ensures that maximum reimbursement is achieved. A comparison of the existing and proposed customary fees is provided, as an attachment, in the agenda packet.

Cindy Toler, Public Health Program Manager, shared that the County operated two dental clinics and stated that staff was seeking approval to set County fees at Medicaid reimbursement rates.

Commissioner Trapp questioned the request and asked if the proposal would require clients to pay more for services provided by the dental clinics.

Toler replied that clients would pay no more than the established rate developed by Medicaid.

Motion was made by Commissioner Ray Trapp, and seconded by Vice Chairman Jeff Phillips to approve the modification as to how dental fees are established. Currently customary fees are established using the Dental Customized Fee Analyzer as a guide. Fees are set at the published 75th percentile. Proposing that customary fees be set using the Medicaid reimbursement rate plus 90%. If there is not a Medicaid rate, the 75th percentile of the Dental Customized Fee Analyzer will be used. Discounted fees will be set to equal the Medicaid reimbursement rate. This method ensures that maximum reimbursement is achieved. A comparison of the existing and proposed customary fees is provided, as an attachment, in the agenda packet.

VOTE: Motion carried 7 – 0.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.
D. Approve/Adopt the Transportation and Mobility Services Title VI Plan in accordance with The North Carolina Department of Transportation requirements.

Myra Thompson, DSS Division Director, reviewed the agenda item and explained the regulatory requirements placed on the County to adopt the Title VI Plan.

Motion was made by Commissioner Carolyn Q. Coleman, and seconded by Commissioner Ray Trapp to approve/adopt the Transportation and Mobility Services Title VI Plan in accordance the North Carolina Department of Transportation requirements.

VOTE: Motion carried 7 – 0.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.

E. Review and Amend the Guilford County Parks 2015-2025 Countywide Master Plan incorporating additions associated with and provided by the City of Greensboro parks. NO ADDITIONAL COUNTY FUNDS

Thomas Marshburn, Parks Division Director, commented that the PARTF grant program’s rating system had recently changed requiring municipal master plans to be included in countywide master plans. Marshburn added that localities that have their proposals included into plans adopted by counties receive additional points and as a result produce more competitive projects.

Commissioner Branson asked for additional clarification regarding the proposal.

Marshburn explained that by having their plans adopted by the County, local municipalities would have a better opportunity to have projects funded by State grant programs.

Commissioner Branson shared his support for the item, in order to make the County more competitive in securing grant funding. Branson spoke to similar needs found in the County’s Fire Service, and urged staff to be vigilant in working to secure grant awards. Branson then commented on the value of parks and raised concerns regarding the recent vote to shutter farming operations at the Prison Farm property.

Commissioner Coleman asked for clarification—as the Board had already adopted a Parks master plan.

Marshburn replied that due to changes in the way that the State scores grant applications, localities are now required to have their park planning documents adopted by the County to make them more competitive for limited grant funding. Marshburn added that when the master plan was originally adopted not all municipalities had submitted their information, necessitating another review and approval by the Board.

Commissioner Branson considering the issue of parks in the County commented that it was important to retain representation from local municipalities on the Parks and Recreation
Commission. Branson opined that these individuals work to prepare local master plans and offer a tremendous amount of expertise which serves to benefit the County. Branson then encouraged staff to consider addressing the topic of grant programs at a future work session.

Motion was made by Vice Chairman Jeff Phillips, and seconded by Commissioner Ray Trapp to approve the amended Guilford County Parks 2015-2025 Countywide Master Plan incorporating additions associated with and provided by the City of Greensboro parks. NO ADDITIONAL COUNTY FUNDS.

**VOTE:** Motion carried 7 – 0.


**NOES:** None.

**ABSENT:** Commissioners K. Cashion, C. Foster.

F. Review and adopt the Bur-Mil Master Plan. NO ADDITIONAL COUNTY FUNDS.

Marshburn reviewed the proposed Bur-Mil Park master plan. Marshburn explained that Parks staff held two input sessions in July in August, and had received feedback regarding suggested improvements at the site. Marshburn reviewed the proposed improvements, and commented that approval of the completed master plan would assist the County in securing grants to help offset the costs associated with implementing improvements.

Commissioner Branson questioned the timeliness of past grant applications.

Marshburn stated that additional County revenues would have been needed to pursue a previous PARTF grant. Marshburn opined that as the funds were not budgeted within his Section, staff did not apply for the grant. Marshburn added that additional CIP dollars would be needed to ensure that the County had the required matching funds to support a PARTF project.

Commissioner Branson thanked Marshburn for his work to improve park facilities and recognized volunteers that help to maintain programming offered by the County.

Motion was made by Commissioner Alan Branson, and seconded by Vice Chairman Jeff Phillips to adopt the Bur-Mil Park Master Plan. NO ADDITIONAL COUNTY FUNDS.

**VOTE:** Motion carried 7 – 0.


**NOES:** None.

**ABSENT:** Commissioners K. Cashion, C. Foster.
G. New Business from County Commissioners

Discussion Regarding the Guilford County Parks and Recreation Board

Commissioner Branson moved that the Board approve altering the composition of the Parks and Recreation Commission to eighteen, providing each Commissioner with an appointment to the Board (nine total appointments), while retaining the four municipal appointments, and encouraging incorporating four positions for former open space and trail sub-committee members or individuals with knowledge or an interest in open space or trails development, with one Commissioner liaison.

Chairman Henning questioned the utility of the municipal appointments.

Vice Chairman Phillips asked concerning the usefulness of including municipal representation on the Parks Board.

Commissioner Branson shared that the municipal appointees bring a wealth of experience in parks and recreation operations that is very valuable to the Board as a whole.

Commissioner Perdue expressed his desire to develop a clear process which would govern how the Board approached appointments, with an emphasis on attracting expertise to board vacancies.

Commissioner Trapp suggested that the Board postpone consideration of the matter to a future work session to allow members the opportunity to fully consider the available alternatives.

Commissioner Conrad expressed concerns with appointees’ attendance records and commented that the Board should not postpone deliberation of the issue.

Chairman Henning also raised concerns regarding the attendance of appointees, and noted that if the Board provided positions for open space and trails enthusiasts on the Parks and Recreation Commission- that staff would need to develop specific qualifications that the Board could utilize to competently review and recommend potential applicants. Henning then thanked the Parks staff for their efforts and hard work.

Commissioner Conrad opined that there is an established precedent in the County mandating that some board positions meet certain skill-set and expertise requirements.

Commissioner Coleman encouraged the Board to work to improve the diversity of County sponsored commissions and advisory boards and introduced a substitute motion.

Commissioner Perdue stated that he would like to consider the existing pool of candidates on the current Parks and Recreation Board as Commissioners look to make their appointments to the expanded Board. Perdue then offered a friendly amendment to set quorum for the Board at 50% plus one, of the members in attendance, which was accepted by Commissioner Coleman.
Motion was made by Commissioner Alan Branson, and seconded by Commissioner Justin Conrad to approve altering the composition of the Parks and Recreation Board eighteen, providing each Commissioner with an appointment to the Board (nine total appointments), while retaining the four municipal appointments, and encouraging incorporating four positions for former open space and trail sub-committee members or individuals with a knowledge regarding or an interest in open space or trails development, with one Commissioner liaison.

A substitute motion was made by Commissioner Carolyn Q. Coleman, and seconded by Commissioner Ray Trapp to approve modifying the Parks and Recreation Board to eighteen members, with each Commissioner appointing two members to the Board.

VOTE: Motion carried 5 – 2.
NOES: Commissioners A. Branson, J. Conrad.
ABSENT: Commissioners K. Cashion, C. Foster.

G. New Business from County Commissioners

Discuss and consider adopting a policy regarding the leasing, sale, and acquisition of property by the County

Lawing reviewed the history of the request, and then explained the components of the policy.

Commissioner Branson addressed past leasing practices, and asked for clarity regarding the policy’s consideration of nominal lease agreements.

Lawing replied that the Board could authorize management to handle nominal lease agreements, and noted that the policy proposed developing a listing of properties which would be available to lease.

Commissioner Trapp questioned the financial and criminal background checks that were required under the proposed plan.

Lawing clarified that the review process would be dependent on the property.

Commissioner Trapp questioned if the existing $1 leases were recorded with the Register of Deeds. Trapp noted that leases of three years or longer should be recorded, after this timeframe he stated that the lease reverts to a month to month contract. Trapp then asked regarding the security deposits that were required under the proposed policy.

Lawing replied that the policy could be refined to ensure that real estate best practices were included in the final document.

Commissioner Coleman inquired regarding the letter of credit requirement provided in the draft policy and asked if this proposal would prohibit new businesses from leasing County property.
Lawing commented that the requirement was only a suggestion, and shared that the policy was written to ensure that the County would remain protected in considerations involving real estate.

Vice Chairman Phillips thanked Lawing for working to develop the proposed policy. Phillips stated that he was interested in promoting conformity throughout the document, and noted that there were some provisions that he would be interested in revising.

Payne addressed the Board’s concerns regarding the continuation of long term leases, and reviewed some of the County's legal obligations associated with these agreements.

Commissioner Conrad commended staff for their efforts in developing the plan, and addressed areas of the proposal that should be modified.

Commissioner Perdue noted that the County had existing long term agreements regarding tower leases and wanted to ensure that those contracts received special consideration.

Commissioner Branson thanked staff for proposing the policy, and shared that he hoped the proposal would help to prevent future instances of unethical behavior, fraud, and waste.

Commissioner Coleman expressed concerns regarding the timing of the approval and suggested tabling deliberation of the plan to a future work session- so that all members could fully review the matter.

Commissioner Conrad commented that the proposed consideration constituted sound fiscal policy, and expressed his interest in moving forward with the proposal.

Motion was made by Commissioner Justin Conrad, and seconded by Commissioner Alan Perdue to approve the proposed Policy regarding the Acquisition, Leasing and Sale of Real Property.

VOTE: Motion carried 6 – 1.
NOES: Commissioner C. Coleman.
ABSENT: Commissioners K. Cashion, C. Foster.

Meeting went into Recess 8:14 PM. Meeting Reconvened at 8:30 PM.

Motion was made by Commissioner Alan Perdue, and seconded by Commissioner Justin Conrad to approve adding a Commissioner Liaison position to the County’s Parks and Recreation Board.

VOTE: Motion carried 7 – 0.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.
Review and Discuss Legislative Goals

Chairman Henning commented that consideration of the Historic Tax Credit resolution would be postponed until the Board’s March 5th Meeting.

Chairman Henning then asked Payne to discuss the resolution regarding the County Line.

Payne reviewed the history of the Alamance/Guilford County Line establishment matter.

Motion was made by Vice Chairman Jeff Phillips, and seconded by Commissioner Alan Branson to adopt a resolution requesting the Finalization of the Alamance/Guilford County Line.

VOTE: Motion carried 7 – 0.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.

RESOLUTION TO REQUEST THE NORTH CAROLINA GENERAL ASSEMBLY TO REAFFIRM THE COUNTY LINE AS ESTABLISHED IN 1849 AS CONFIRMED BY THE NORTH CAROLINA GEODETIC SURVEY OF 2008

WHEREAS, the boundary between Guilford and Alamance Counties was established by survey commissioned by an Act of the North Carolina General Assembly, which Act was adopted during the Session of 1848 and 1849 at the time Alamance County was formed and on May 14, 1849, the survey results were recorded in the office of the Clerk to the North Carolina General Assembly, and many of the survey references demarcating the Guilford/Alamance County line are identifiable today; and

WHEREAS, over the past 166 years various actions by the Counties and other transactions regarding property located at or near the Guilford/Alamance boundary line have resulted in confusion over the status of specific parcels of land in both Alamance County and Guilford County; said confusion being heightened by the ever increasing residential and commercial development in proximity to the Guilford/Alamance County line; and

WHEREAS, the Guilford County Board of County Commissioners adopted a resolution on December 13, 2007, requesting the Guilford/Alamance County boundary line be surveyed by the North Carolina Geodetic Survey in order to determine and assist in re-establishing the proper demarcation for said boundary line; and

WHEREAS, a North Carolina Geodetic Survey was conducted in 2008; and

WHEREAS, on March 18, 2010, the Guilford County Board of Commissioners adopted a Resolution asking the General Assembly to take such action to ratify the boundary line established by the Geodetic Survey as the true boundary line and to adopt local legislation to take such measures as necessary to ensure that any adverse impact to the affected landowners are minimized and that no essential services to the properties effected are adversely impacted; and
WHEREAS, on April 15, 2013 and April 21, 2014, Alamance County adopted a Resolution proposing a different approach, the “Alamance Model,” to resolving the issue by allowing certain residential tracks within 150 feet of the line to select the County in which the tract would be located. This approach was similar to that taken by Alamance and Orange Counties to resolve their boundary dispute. On June 10, 2013, the General Assembly passed Session Law 2013-68; Senate Bill 257 to facilitate such a process; and

WHEREAS, the Alamance County delegation requested that the “straight-line” approach be reconsidered, rather than implementing the Alamance Model. Guilford County reconsidered the matter and reviewed applications from landowners seeking to be released to another county. The Guilford County Board of Commissioners determined that the detriments of the Alamance Model outweighed its benefits, creating issues such as:

1) A “zig-zag” boundary line likely to create new confusion and disagreements in the future;
2) A boundary line inconsistent with the actions of the State founders;
3) An unbalanced shift of tax revenues and resources; and
4) In some situations, the creation of incongruous boundary lines.

WHEREAS, on May 12, 2014, the Guilford County Board of County Commissioners resolved to request the North Carolina General Assembly to reaffirm the County line as established in 1849 and confirmed by the North Carolina Geodetic Survey, together with the measures set out in the attached proposed legislation which would protect the interests of impacted landowners; and

WHEREAS, under the dictates of Session Law 2013-68; Senate Bill 257, Alamance and Guilford Counties are to submit to the General Assembly for ratification a completed survey setting out both the North Carolina Geodetic Survey line and all modifications mutually agreed upon modifications. In light of the considerations set out herein, Guilford County could not agree to any modifications; therefore, the submission currently required under Session Law 2013-68; Senate Bill 257 would only include the North Carolina Geodetic Survey line; and

WHEREAS, the Guilford County Board of County Commissioners seeks to request assistance from the North Carolina General Assembly to resolve the long standing issue by adopting the attached proposed legislation and reaffirm the County line as established in 1849 and confirmed by the North Carolina Geodetic Survey in 2008.

NOW THEREFORE, BE IT RESOLVED by the Guilford County Board of Commissioners that this Resolution shall become effective upon its adoption.

Adopted this the 12th day of February, 2015.

The Honorable Paul Henry “Hank” Henning, IV, Chairman
Guilford County Board of Commissioners

ATTEST:

_______________________________
Clerk to Board
Commissioner Conrad commented on the long term impact the proposal could have on County coffers, and opined that local money should stay local.

Motion was made by Commissioner Justin Conrad, and seconded by Vice Chairman Jeff Phillips to adopt a resolution opposing the Sales Tax Reallocation.

VOTE: Motion carried 7 – 0.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.

RESOLUTION IN OPPOSITION OF HOUSE BILL 917 – MODIFYING THE LOCAL SALES TAX CITY DISTRIBUTION

WHEREAS, on May 4, 2011, House Bill 917 entitled “An Act to Modify the Distribution between Counties and Cities of the Local Government Sales and Use Taxes,” was introduced to the North Carolina General Assembly, which currently sits for review with the Commission on Rules, Calendar, and Operations of the House; and

WHEREAS, the implementation of House Bill 917 rewrites the current apportionment formula for both the per capita and ad valorem levy distribution, and in the opinion of this Board, sets the denominator as the countywide population, limiting the county portion to those residents residing in unincorporated areas. The proposed legislature’s reduction of sales taxes to counties could be detrimental as the County holds the obligation to provide services to a population larger than its cities; and

WHEREAS, sales taxes collected by counties are largely budgeted by law to fund school construction, non-municipal programs, and mandatory health and human services used by all residents within Guilford County; and

WHEREAS, the Guilford County Board of County Commissioners requests that the General Assembly vote against House Bill 917, due to the detrimental impacts to both local governments and citizens, as it may limit the funds available for essential services unless property tax increases are considered to insure quality programs and schools for County citizens.

NOW THEREFORE, BE IT RESOLVED THAT THE GUILFORD COUNTY BOARD OF COMMISSIONERS opposes House Bill 917 and respectfully requests that the North Carolina General Assembly oppose its passing.

Adopted this the 12th day of February, 2015.

The Honorable Paul Henry “Hank” Henning, IV, Chairman
Guilford County Board of Commissioners

ATTEST:

Clerk to Board
Resolution Seeking to Raise the Minimum Age of Juveniles held in Prison

Commissioner Trapp shared that only two states North Carolina and New York allow juveniles to be housed with adult prisoners. Trapp raised concerns with the practice, and commented that children should not be housed with hardened adult offenders.

Chairman Henning noted that New York had already passed legislation to end the practice.

Lawing reported that the County had excess capacity at its Juvenile Detention Center, which can house forty eight inmates.

Commissioner Trapp thanked Lawing and the Board for addressing the issue.

Motion was made by Commissioner Carolyn Q. Coleman, and seconded by Vice Chairman Jeff Phillips to adopt a resolution seeking to Raise the Minimum Age of Juveniles held in Prison.

VOTE: Motion carried 7 – 0.


NOES: None.

ABSENT: Commissioners K. Cashion, C. Foster.

RESOLUTION RAISING THE MINIMUM AGE OF JUVENILES HELD IN THE GUILFORD COUNTY JAIL TO EIGHTEEN (18)

WHEREAS, Guilford County recognizes the distinction made by the Supreme Court of the United States that “[D]ifferences between juveniles under 18 and adults demonstrate that juvenile offenders cannot with reliability be classified among the worst offenders...The Thompson plurality recognized the import of these characteristics with respect to juveniles under 16. The same reasoning applies to all juvenile offenders under 18.” Roper v. Simmons, 543 U.S. 551, 553 (2005).

WHEREAS, Guilford County believes that the unreliability of classifying juveniles as adult offenders is directly related to commingling juveniles with adults in adult confinement facilities, specifically the Guilford County Jail.

WHEREAS, Guilford County supports the proposed legislation under House Bill 632 and Senate Bill 506 redefining a “Delinquent Juvenile” under G.S. 7B-1501(7) as: “Any juvenile who, while less than 18 years of age but at least 16 years of age, commits a crime or infraction under State law or under an ordinance of local government, excluding violation of the motor vehicle laws, or who commits indirect contempt by a juvenile as defined in G.S. 5A-31.” This proposed legislation would become effective July 1, 2018, if passed.

WHEREAS, Guilford County supports the proposed legislation under House Bill 632 and Senate Bill 506 redefining a “Holdover Facility” under G.S. 7B-1501(11) as: “A place located in a jail, which has been approved by the Department of Health and Human Services as meeting the State standards for the operation of local confinement facilities, as required in G.S. 153A-221, providing close supervision where a juvenile cannot converse with, see, or be seen by the adult population." This proposed legislation would become effective July 1, 2015, if passed.
WHEREAS, Guilford County believes that it is in the best interest of juvenile offenders to be held in local confinement facilities separate from adult offenders and that the minimum age of juveniles held in the Guilford County Jail should be raised to eighteen (18) years of age.

NOW, THEREFORE, BE IT RESOLVED by the Guilford County Board of Commissioners that it is hereby in support of the minimum age of juveniles held in the Guilford County Jail being raised to eighteen (18) years of age.

ADOPTED this the 12th day of February 2015.

The Honorable Paul Henry “Hank” Henning, IV, Chairman
Guilford County Board of Commissioners

ATTEST:

Clerk to Board

Resolution to Oppose the State Grading System

Commissioner Trapp noted that the issue was raised previously by Commissioner Foster.

Commissioner Coleman spoke to the proposed resolution and expressed her opposition to the new grading system. Coleman commented that a student’s personal growth should carry more weight in the State’s efforts to assess the quality of local schools.

Commissioner Trapp echoed Coleman’s concerns.

Chairman Henning spoke in support of the resolution

Motion was made by Commissioner Ray Trapp, and seconded by Commissioner Carolyn Q. Coleman to adopt a resolution Opposing the State’s Grading System for Schools.

VOTE: Motion carried 7 – 0.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.

RESOLUTION OPPOSING THE STATE’S GRADING SYSTEM FOR SCHOOLS

WHEREAS, North Carolina parents and taxpayers have the right to know how well our public schools are performing, using multiple methods that align with established best practices in educational assessment and research; and

WHEREAS, at the direction of the North Carolina General Assembly, the State Board of Education has implemented a new rating system—which assesses public schools with a letter grade from A to F, and is overly reliant on proficiency levels based on standardized test scores; and
WHEREAS, relying on one measure-e.g. standardized test scores for 80% of the School Performance Grade defies best practices in educational evaluation, and severely limits the impact of yearly growth (what a student has learned in a given year) on a school’s overall assessment; and

WHEREAS, extensive empirical research highlights the correlation between standardized test results and the socioeconomic status (SES) of the family, and finds that school-based factors, including teacher and principal quality- while critically important, are less impactful on a student’s overall school performance; and

WHEREAS, empirical research demonstrates that while SES is closely associated with student achievement (proficiency), it is not aligned with student growth-that is, unlike proficiency, student growth provides a better determinant for assessing school performance, and

WHEREAS, 58% of the County’s schools were issued a grade of C or lower by the State, even though 75% of these same schools met or exceeded adopted student growth targets during the previous school year. As this grading system does not properly assess the learning outcomes of students, the public may develop misconceptions regarding the quality of education provided by Guilford County Schools, if this evaluation system is maintained.

NOW, THEREFORE, BE IT RESOLVED, that the Guilford County Board of Commissioners asks for the General Assembly to reassess its established grading system and implement a proposal which more closely evaluate and consider the quality level of education that is provided in the County and across the State.

In Witness Whereof, I hereunto set my hand and cause the corporate seal of the County of Guilford to be affixed, this the 12th day of February 2015.

Paul Henry “Hank” Henning, IV, Chairman
Guilford County Board of Commissioners

Resolution seeking the Restoration of State Lottery Proceeds

Vice Chairman Phillips opined that counties are statutorily due a share of net lottery proceeds to support the capital needs of local schools and County held debt. Phillips noted that the County is currently receiving $5,000,000 and should be netting $10,000,000 according to State statutes.

The Board then reviewed the proposed resolution and suggested various modifications.

Motion was made by Vice Chairman Jeff Phillips, and seconded by Commissioner Alan Branson to adopt the modified Resolution seeking the Restoration of State Lottery Proceeds to Support School Capital Needs.
VOTE: Motion carried 7 – 0.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.

RESOLUTION SEEKING THE RESTORATION OF STATE LOTTERY PROCEEDS TO SUPPORT COUNTIES’ SCHOOL CAPITAL NEEDS

WHEREAS, North Carolina counties are statutorily due 40% of the net proceeds from the North Carolina Education Lottery pursuant to NC G.S. 18C-164 and NC G.S. 115C-546.1; and

WHEREAS, the North Carolina Education Lottery was implemented, in part, to serve a public purpose—to provide supplemental funding to counties to help complete capital projects—including the construction, repair, and, renovation of local educational facilities; and

WHEREAS, the financial demands of existing and future debt service requirements, ongoing funding commitments, and efforts to improve, renovate, and enhance local school facilities, necessitate the restoration of the County’s statutorily mandated Lottery proceeds; and

WHEREAS, the Guilford County Board of County Commissioners recognizes that the Governor’s proposal to permanently divert the corporate tax set aside (ADM Fund) to the State’s general fund would cut an additional $75 million dollars a year from Statewide school construction projects, which would further stress finite County resources.

NOW, THEREFORE, BE IT RESOLVED, that the Guilford County Board of Commissioners calls for legislation to be introduced which reinstates the mandated 40% disbursement of net lottery proceeds to counties to fund school capital projects in accordance with NC G.S. 115C-546.1.

BE IT FURTHER RESOLVED, that the Guilford County Board of Commissioners respectfully asks the General Assembly to fully restore lottery funds.

In Witness Whereof, I hereunto set my hand and cause the corporate seal of the County of Guilford to be affixed, this the 12th day of February 2015.

___________________________________
Paul Henry “Hank” Henning, IV, Chairman
Guilford County Board of Commissioners
Lawing then discussed the status of the remaining legislative goals.

The Board agreed to postpone consideration of the remaining goals until their next meeting.

Commissioner Coleman stated that she wanted the Board to consider approving a resolution asking the State to bolster funding to local school systems to support textbook purchases.

Commissioner Perdue shared that he wanted to receive additional information regarding the issue from School Board staffers before voting on the proposed resolution.

Vice Chairman Phillips agreed and stated that he would need to investigate the issue further before considering the matter.

Commissioner Coleman spoke in favor of the proposed motion, and commented that she wanted to ensure that all students had the needed resources to be successful in the classroom.

Chairman Henning noted that he wanted to propose adding an additional item to the Board’s list of legislative goals- to ask the State to alter its statutes to relieve localities of their responsibility to advertise delinquent tax accounts.

Motion was made by Commissioner Alan Perdue, and seconded by Commissioner Ray Trapp to approve pursuing the legislative goal of altering State statutes to relieve localities of their responsibility to advertise delinquent tax accounts.

**VOTE:** Motion carried 6 – 1.


**NOES:** Commissioner C. Coleman.

**ABSENT:** Commissioners K. Cashion, C. Foster.

Chairman Henning reviewed the proposed budget development calendar.

Commissioner Coleman commented that the Budget Committee work sessions which were outlined on the schedule should be attended by all Board members.

Commissioner Branson asked if staff felt comfortable with the proposed timeline- so that all of the appropriate information associated with the decision to shutter farming operations at the Prison Farm could be made available for the Board to review as a part of the budget development process.

Lawing replied that staff would have recommendations and a very thorough transition plan regarding the Prison Farm site for the Board to review by the end of March.

Motion was made by Vice Chairman Jeff Phillips, and seconded by Commissioner Ray Trapp to adopt the 2015 Budget Calendar.
VOTE: Motion carried 7 – 0.
AYES: Commissioners A. Branson, A. Perdue, C. Coleman, H. Henning, J.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.

Set Work Sessions for Evaluations of Direct Reports

The Board set a work session for Friday, March 6th at 1:00 PM to evaluate its direct reports.

VII. Appointments and Reappointments to Various Boards and Commissions

Commissioners did not act on any appointments and reappoints to County advisory boards.

VIII. COMMENTS FROM COMMISSIONERS

Commissioner Conrad thanked staff for their efforts to develop the real property policy. Conrad then noted that Frank Mascia Jr. passed away tragically in an airplane accident, and commended Mascia for his years of service to the community.

IX. COMMENTS FROM COUNTY MANAGER

Lawing advised the Board that the County had received an offer to purchase a parcel of County held property located at 506 Battleground Avenue. Lawing reported that Battleground & Smith, LLC had offered to pay $290,000 for the .34 acre property.

Commissioner Branson asked if the liability for addressing environmental issues found at the property which formerly served as a County fuel station would transfer to the developer if sold.

Payne shared that if sold the developer would be responsible for addressing any environmental issues found at the site.

Motion was made by Commissioner Carolyn Q. Coleman, and seconded by Commissioner Ray Trapp to approve the sale of the County held property located at 506 Battleground Avenue to Battleground & Smith LLC for $290,000.

VOTE: Motion carried 7 – 0.
AYES: Commissioners A. Branson, A. Perdue, C. Coleman, H. Henning, J.
NOES: None.
ABSENT: Commissioners K. Cashion, C. Foster.
X. **HOLD CLOSED SESSION PURSUANT TO N.C.G.S. §143-318.11 FOR THE PURPOSES OF CONSIDERING A BUSINESS LOCATION OR EXPANSION AND TO CONSULT WITH THE COUNTY ATTORNEY.**

Motion was made by Commissioner Alan Branson, and seconded by Commissioner Justin Conrad to enter into closed session pursuant to N.C.G.S. §143-318.11 for the purposes of considering a business location or expansion and consult with the County Attorney.

**VOTE:** Motion carried 7 – 0.


**NOES:** None.

**ABSENT:** Commissioners K. Cashion, C. Foster.

Meeting went into Recess at 9:28 PM. Meeting Reconvened at 10:00PM

XI. **ADJOURN**

Motion was made by Commissioner Alan Branson, and seconded by Commissioner Ray Trapp to adjourn the meeting at 10:28 PM.

**VOTE:** Motion carried 7 – 0.


**NOES:** None.

**ABSENT:** Commissioners K. Cashion, C. Foster.

______________________________________________
Chairman

______________________________________________
Deputy Clerk