MINUTES OF BOARD OF COUNTY
COMMISSIONERS OF GUILFORD COUNTY

Greensboro, North Carolina
March 1, 2012

The Board of County Commissioners met in a duly noticed regular meeting on March 1, 2012 at 5:30 p.m. in the Commissioners’ Meeting Room, 301 W. Market St., Greensboro; North Carolina.

PRESENT: Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins; Commissioners Bill Bencini; Carolyn Coleman; Kay Cashion; Bruce Davis, Paul Gibson, John Parks, Linda Shaw (left the meeting at 8:25 p.m.), Mike Winstead, Billy Yow.

ABSENT: Commissioner Mike Winstead

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

I. INVOCATION

Chairman Alston asked for a moment of silent prayer at this time.

II. PLEDGE OF ALLEGIANCE

Brownie Troop 40964, First Lutheran Church, Greensboro and Daisy Troop 02209, Centenary UMC, Greensboro, led everyone in the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER

Chairman Melvin “Skip” Alston welcomed everyone.

IV. PRESENTED RESOLUTION IN REMEMBRANCE OF THE BATTLE OF GUILFORD COURTHOUSE

Commissioner Paul Gibson presented a Resolution in Remembrance of the Battle of Guilford Courthouse declaring March 12-18, 2012 as “The Battle of Guilford Courthouse Week”. Maureen Hartigan, Executive Director, Guilford Battlefield, accepted the Resolution along with Mr. Frank Mascia. Mr. Mascia invited the Board and community to the re-enactment activities on March 17-18.
V. PRESENTED RESOLUTION IN REMEMBRANCE OF DOROTHY BROWN

Chairman Alston presented a Resolution in remembrance of Dorothy Brown. There were also several members of the Dorothy Brown family present to accept the Resolution honoring her life and one of her sons thanked the Board on behalf of the family. Greensboro City Councilman Jim Kee indicated he was one of her adopted sons and also thanked the Board for the resolution in her honor.

VI. SPEAKERS FROM THE FLOOR

Leon Nutez, 2014 Peach Orchard Drive, Greensboro, spoke on his displeasure of County Commissioners running for other offices while sitting Commissioners. He also said he does not like four-year terms for Board members.

Chairman Alston explained Commissioner Davis' terms of office. He also encouraged him to discuss the matter with the County Attorney for clarification on election law.

Commissioner Davis further explained the system is set up in a way to allow him to run for a Senate seat while actively serving as a County Commissioner.

Joanne Lapple, 410 James Doak Parkway, Greensboro, said the Guilford County Tax Department will be sending property tax notices out soon. She encouraged home owners to make sure their property is valued appropriately. She said the C4GC website has tax information available for citizens to help them navigate the Tax Department website.

Jeremy Williams, 2009 Treyburn Lane, High Point, thanked the Board for the Resolution in Remembrance of Guilford Courthouse. He said he is supportive of a Resolution allowing Guilford County Sheriff's officers transporting mental health patients. He suggested a change in the budget approval process to allow for two votes on the budget to provide more transparency and interaction with the public.

Jean Blasingme, 101 Castleton Place, Jamestown, urged community based organizations to seek other means of funding rather than governmental. She said they have many challenges but that through creative fundraising measures they can maintain their levels of funding. She pointed out the success of the United Arts Council through private donations and urged the Board against governmental funding of community based organizations.

Pastor Terry Young, 1208 S. Main Street, High Point, Executive Director of Unity Builders, Inc., thanked the Board for their support in revitalizing the south side of High Point. He said Unity Builders, Inc. has helped restore hope and pride in the south side. He also handed out pictures of homes that were built with the Board's support.

Richard Blanton, 4123 Driftwood Road, Triad Stage Managing Director and Co-founder of Triad Stage, spoke on the “One City One Author 2012” events in honor of Reynolds Price. He highlighted the entire New Music trilogy in a special two-part extended run. He also thanked the Board for their support and urged everyone to attend Triad Stage.
Vice Chairman Perkins Kirk thanked everyone at the Triad Stage and library advocates for their excellent productions and said both are excellent economic drivers for the county.

Commissioner Cashion commended Triad Stage on a wonderful production which she enjoyed.

Willie Taylor, 808-C Carriage Crossing Lane, advocate for Friends of the Library commented on their collaborative efforts with Triad Stage with the “One City One Author” Reynolds Price event. She also announced many upcoming events in the community and urged Commissioner Gibson, libraries liaison to the Board, said he appreciated the collaboration with Triad Stage and commended them on their good work in the community.

Keith Hobson, Lynwood Lakes resident, thanked the Board for all of their hard work in helping the residents of Lynwood Lakes. He urged the Board to support the amendment to the Resolution of the making of certain local improvements or any other possible changes within the Board’s authority for the Lynwood Lakes assessed water and sewer project.

VII. APPROVED CONSENT AGENDA

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

Commissioner Perkins asked to remove Item VII. A. 4 and Commissioner Coleman asked to remove Items VII. B. 1, VII. C. 2 and VII. C. 3.

Motion was made by C. Coleman, and seconded by J. Parks to approve the following consent agenda. The motion carried 7 to 3 on the following roll call vote:

VOTE:    Motion carried 7 – 3
AYES:    Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins;
         Commissioners Kay Cashion, Carolyn Coleman, Bruce Davis, John
         Parks, Linda Shaw.
NOES:    Commissioners Bill Bencini, Paul Gibson, Billy Yow.
ABSENT:  Commissioner Mike Winstead.

A. BUDGET AMENDMENTS

1. Approved increase to Social Services FY 2011-12 budget in the amount of $3,345,265 to reflect the approved funding authorization from NC Dept of Health and Human Services for the administration of the Crisis Intervention Program and Federal Low Income Home Energy Assistance Program. NO ADDITIONAL COUNTY FUNDS REQUIRED.

The following Budget Ordinance Amendment was adopted:
General Fund
Increase Appropriation to Social Services by $3,345,285

Increase Federal and State Revenue by $3,345,265

2. Appropriated additional sales tax funds in the amount of $123,681 (effective rate of 26.25%) from revenue generated in the amount of $471,164 for Robert S. Segal, CPA, PA through the auditing of sales tax for the Finance Department and approve an increase to Finance Department Fiscal Year 2011-12 budget in the amount of $123,681 to permit payment for the services as set out in the sales tax audit contract. Fiscal year-to-date, including the amounts referenced above, the County has realized additional revenues of $509,644 and incurred fees of $133,782.

The following Budget Ordinance Amendment was adopted:

General Fund

Increase Sales Tax $123,681

Increase Finance $123,681

3. Amended the Penn Griffin Middle School capital project ordinance to correctly reflect the sources of non-bond local funding consistent with Board actions and the county's financial records. Prior to March 2009, the ordinance correctly reflected non-bond local funds as a Transfer from the General Fund and an appropriation of Fund Balance. On March 5, 2009, the Board amended the project ordinance, but the non-bond local funding sources on the ordinance were inadvertently combined into a single source, Transfer from the General Fund. Currently, the ordinance indicates non-bond county funds of $4,236,438 - Transfer from the General Fund. The correct sources of non-bond local funds are $1,236,438 - Transfer from General Fund and $3,000,000 - Fund Balance Appropriated. There is no change in the total project budget.

CAPITAL PROJECT ORDINANCE FOR GC BOARD OF EDUCATION
GRiffin MIDDLE SCHOOL

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that for the Griffin Middle School capital project adopted September 16, 1999 and amended April 18, 2002, September 16, 2004, October 21, 2004, October 13, 2005, March 5, 2009, and January 19, 2012 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:
### PROJECT NAME | EXPENDITURE | REVENUE
---|---|---
GC Board of Education School Capital Outlay | Griffin Middle School - $6,893,800 | State Bond - $1,751,000

Transfer from General Fund – $1,236,438

Appropriated Fund Balance - $3,000,000

Bond Proceeds - $906,362

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 amendment 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 March 1, 2012, in accordance with G. S. 159-17.

**B. CONTRACTS**

2. Approved the contract purchases for Department replacement Vehicles for Law Enforcement, Fleet, Animal Control, EMS and EMS-Fire from North Carolina State Contracts 070G, 070B, 070A and GSA Contract GS-07-0205W for a total amount $1,151,550.47. The Department Vehicles and Animal Body Box were approved in the Capital Outlay Listing for FY 2011/2012 (attached). NO ADDITIONAL COUNTY FUNDS REQUIRED.

3. Approved the purchase of the main data center server farm Cisco Ethernet switch and the 1st year of Cisco SmartNet maintenance for the County’s data communication through NC State Contract 204L (Cisco Layer 2 LAN Switches) for a total cost of $149,735 as detailed: Cisco core Switch ($138,139.46) 1st year Cisco SmartNet maintenance ($11,594.66) NO ADDITIONAL COUNTY FUNDS REQUIRED.

4. Approved the price only purchase of a replacement EMC disk storage device under the NC State Contract 204J (Mass Storage Convenience Contract) as well as implementation services for a total cost of $217,565. Individual costs for this disk replacement project are: EMC Storage Device ($150,065) Implementation Services ($67,500) Approved by the technology committee. NO ADDITIONAL COUNTY FUNDS REQUIRED.
C. MISCELLANEOUS

1. Approved the 2nd quarter ending December 31, 2011 financial report for the Guilford County Guilford Center in accordance with North Carolina General Statute G.S. 122C-117(c).

4. Approved Resolution for Installment Financing Agreement Under N.C. General Statute 160A-8209;20 For Issuance Of Not To Exceed $17,000,000 Qualified School Construction Bonds, designating the County Manager and Finance Director as representatives of the County in this matter, authorizing the execution and delivery of documents in connection with this financing, and approving the acquisition of real property from the Guilford County Schools to serve as collateral for the financing which will continue to be used by the Guilford County Board of Education. (b.) Approved any and all necessary steps including, facilitating financing through a required non-profit corporation.

5. Approved Retiree Health Insurance Resolution amendment to allow covered eligible dependents of deceased plan members to receive County contribution at the same level as previously afforded to the deceased. Approved continuation of Reduction in Force Resolution for fiscal year 2012/2013. Modified fiscal year 2012/2013 Voluntary Enhanced Retirement Resolution (previously approved) to offer incentive for 30-year employees to provide early notification of intent to retire.

6. Approved the purchases of eight (8) "USED" undercover vehicles to be purchased from local vehicle dealers at a cost not to exceed $25,500 each or for a total amount not to exceed $210,120. The vehicles will be used for Law Enforcement undercover operations, the make and model of the vehicles are not known at this time. Three (3) quotes prior to purchase. Requisitions/Purchase orders will be issued over a period of time for the purchase of these vehicles as needed in FY 2011-2012. NO ADDITIONAL COUNTY FUNDS REQUIRED.

7. Authorized staff to take all reasonable and necessary steps to acquire up to +/- 53 acres of property located at 407 West Parris Avenue in High Point, owned by the Hedgecock family. Tax parcel number is 0197213. Negotiated purchase price is $10,300 per acre for the entire parcel (approximately 53 acres, subject to survey) estimated at $545,900, which is under the appraised value of $610,000. Land will be purchased with Open Space Bond Funds and used for open space purposes. The seller, the Hedgecock heirs, has agreed to pay for demolition of the existing dilapidated home site on the property prior to sale. Additional structures on the property will be assessed for their historic value and either demolished or restored using Open Space Bond Funds.

8. Approved Minutes of the following County Commissioners' Meetings:
   10-06-11 - Closed Session
   10-20-11 - Work Session
   10-20-11 - Closed Session
ITEMS REMOVED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION

ITEM VII. A. 4 (APPROVED)

4. Amended the FY 2012 Soil & Water Conservation District budget by $13,750 in order to accept the grant funds provided through the NC Division of Soil & Water Conservation. Funds will be used to pay for a temporary part-time staff position to conduct baseline data collection and crop year data analysis as part of the required local assistance in implementing the Agriculture Rule in the Jordan Lake Nutrient Management Strategy, which requires annual reporting to document the nutrient reduction from agricultural production in the three subwatersheds in the basin: Haw, Upper New Hope, and Lower New Hope and Approve contract agreement with NC Division of Soil & Water Conservation.

Motion was made by Commissioner Perkins and seconded by Commissioner Davis to approve Item VII. A. 4.

Commissioner Yow expressed his displeasure of the Jordan Lake Rules Nutrient Management Strategy and the funding for the part-time staff position.

Betty Garrett explained the agenda item is necessary in order to accept grant funds provided by the state in order to collect data in two phases for the Jordan Lake Nutrient Management Strategy. She said this will help staff at Soil and Water with the workload.

Vice Chairman Perkins said this is part of the required local assistance that the State has imposed on the County. He said the State is offering us funds to implement the project and noted soil and water staff are in support of the grant. He urged the Board to act favorably on this request.

Commissioner Yow said the State requires regulations be followed but they are at a cost for Guilford County. He said the State should have a strategic plan in place for the project. He requested a report be provided on what the Jordan Lake Rules will cost the County. He thinks this is a bad decision for Guilford County hoped the Board will deny the request.
Betty Garrett, Guilford County Planning, assured the Board that they will be keeping records of expenses because they can bill the state for anything other than salaries and indicated work must be completed by June 30, 2012.

Commissioner Coleman asked several questions concerning hourly wages and transportation costs. She also asked if the position was for an experienced individual.

Ms. Garrett said the person will need to have experience but the logistics regarding hourly wages and transportation will be addressed at the staff level.

Commissioner Shaw expressed concern regarding local farmers. She asked if this will help or hinder them.

George Teague, Chairman Board of Board of Supervisors, advised that many Guilford County farmers are already doing best management practices and data accumulation should not hinder them.

Commissioner Cashion asked if other counties were also documenting water quality data and Ms. Garrett responded yes.

Chairman Alston said Guilford County will not spend more than the state allocates.

Following discussion, the Board voted on the motion made by Commissioner Perkins and seconded by Commissioner Davis. The motion carried 9 to 1 on the following roll call vote:

**VOTE:** Motion carried 9 – 1

**AYES:** Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins; Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Linda Shaw

**NOES:** Commissioner Billy Yow

**ABSENT:** Commissioner Mike Winstead

**ITEM VII. B. 1 (APPROVED)**

1. Approved Price Only contract with lowest responsive bidder Cornerstone Institutional, LLC, for the purchase of Inmate Mattresses for the Guilford County Jails for the Law Enforcement Department. Contract amount is $98,106. The contract period will begin on March 5, 2012 and end on March 4, 2013 with the option to renew for two (2) additional one year periods. NO ADDITIONAL COUNTY FUNDS REQUIRED.

Motion was made by Commissioner Cashion and seconded by Commissioner Davis to approve Item VII. B. 1.
Commissioner Coleman asked Bonnie Stellfox, Purchasing Director, how many mattresses will be purchased and if current mattresses could be refurbished to meet state guidelines. She also questioned why the contract is for two additional years.

Ms. Stellfox responded 1000 new mattresses will be purchased for the new detention center but that a price only contract for 600 mattresses (on an as needed basis) was for the contract price on the agenda item. Ms. Stellfox said a local company received the bid. She also explained the bid process.

Commissioner Coleman said she would like to give someone else an opportunity to bid each year.

Ms. Stellfox added that two the one year renewal options are in the contract but pointed out the initial contract is for one year and at the end of each year it could be bid again.

Major Debbie Montgomery, Guilford County Sheriff’s Department, said some mattresses can be refurbished for the detention center but they must meet state guidelines for health and sanitation.

Ms. Stellfox further explained the bid process and addressed the contract period in more detail.

Commissioner Coleman stated she would like to allow opportunities for other companies to bid on mattresses rather than award one company the contract for two years.

Chairman Alston asked what was the life expectancy of the mattresses and Major Montgomery responded a couple of years.

Commissioner Coleman requested staff be vigilant on informing the Board the next time mattresses are bid.

Motion was made by Commissioner Cashion and seconded by Commissioner Davis to approve Item VII. B. 1 and it carried 10 to 0 on the following roll call vote:

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

ITEM VII. C. 2 (APPROVED)

2. Approved the Board of Education’s second quarter increases/decreases of more than 10% to the County’s original FY 2012 purpose and function allocation to the school’s system’s Local Current Expense Fund. These changes reflect adjustments made by the Board of Education to its adopted budget ordinance. Per NCGS 115C-433 the Board of
Education is obligated to get approval from the Board of Commissioners of any increase/decrease of more than 10% to a purpose and function allocation made by the County.

Motion was made by Commissioner Shaw and seconded by Commissioner Cashion to approve Item VII. C. 2.

Commissioner Coleman asked for clarification on the agenda item concerning the dollar amount to be allocated for purpose and function.

County Manager Fox explained that when the County adopts the budget ordinance for schools if the schools choose to shift dollars more than 10% between purpose and function they can as long as they do not change the grand total amount.

Commissioner Coleman requested a clearer printout in the future.

The Board voted on the motion made by Commissioner Shaw and seconded by Commissioner Cashion and it carried 10 to 0 on the following roll call vote:

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

ITEM VII. C. 3. (APPROVED)

3. Adopted a Resolution for the Guilford County Sheriff’s Office Supporting Involuntary Commitment Transport Services With Guilford County Sheriff’s Office Armed Detention Personnel in compliance of G.S 122C-251. The Resolution will cover Armed Detention Officers employed by the County to transport mental patients from Mental Health to out of county facilities instead of sworn Deputy Sheriffs. Currently, only sworn Deputy Sheriffs can transport mental patients, this would give the Sheriff’s Office more flexibility to transport mental patients and be in compliance with State Law.

RESOLUTION SUPPORTING INVOLUNTARY COMMITMENT TRANSPORT SERVICES WITH GUILFORD COUNTY SHERIFF’S OFFICE ARMED DETENTION PERSONNEL

WHEREAS, pursuant to N.C.G.S. §122C-251(a), the County has the duty to provide transportation under the involuntary commitment proceedings of Article 5 of Chapter 122C of the North Carolina General Statutes for (i) citizens of Guilford County, and (ii) any person taken into custody within Guilford County limits (“Transportation Services”); and
WHEREAS, the County has been providing such Transportation Services through the use of sworn Guilford County Sheriff’s Deputies; and

WHEREAS, N.C.G.S. §122C-251(g) permits the Board of Commissioners to designate law enforcement or private agency personnel to provide all or parts of the Transportation Services required by involuntary commitment proceedings, provided such designated persons are trained and provide for adequate safety and protection of both the public and the person transported; and

WHEREAS, all requirements of N.C.G.S. §122C-251(g) would be satisfied by permitting the use of Armed Detention Officers employed by the Guilford County Sheriff’s Office in the provision of transportation subsequent to the respondent’s initial evaluation under the involuntary commitment proceedings of Article 5 of Chapter 122C; and

WHEREAS, the Guilford County Sheriff’s Office will establish policy and provide for the training of its Armed Detention Officers to meet or exceed the requirements of N.C.G.S.§122C-251(g).

NOW, THEREFORE, IT IS RESOLVED, that, as permitted by N.C.G.S. §122C-251(g), a plan for transportation of respondents in involuntary commitment proceedings required under N.C.G.S. §122C-251(a) permitting the use of Armed Detention Officers employed by the Guilford County Sheriff’s Office in the provision of transportation subsequent to the respondent’s initial evaluation is hereby adopted; and

IT IS FURTHER RESOLVED that nothing herein shall prevent the use of sworn law enforcement personnel in providing any part of the transportation of respondents in involuntary commitment proceedings.

Motion was made by Commissioner Gibson and seconded by Commissioner Shaw to approve Item VII. C. 3.

Commissioner Coleman questioned if staff was adequately trained to transport mental patients and suggested they receive additional training to serve this population.

Major Montgomery said detention staff must receive training on an annual basis for mental patients.

Commissioner Gibson expressed concern on the personnel transporting mental patients. He asked if officers will be pulled from other assignments to transportation.

Major Montgomery indicated they officers will be in transportation and not pulled from other areas.

Commissioner Gibson also pointed out that the Guilford Center has crisis intervention training for mental patients and urged the Sheriff’s department to use the Guilford Center as a resource for training.
Chairman Alston shared Commissioner Coleman’s concerns that staff be adequately trained in transporting mental patients.

Following discussion, the Board voted on the motion made by Commissioner Gibson and seconded by Commissioner Shaw to approve Item VII. C. 3 and it carried 9 to 1 on the following roll call vote:

**VOTE:** Motion carried 9 – 1  
**AYES:** Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins; Commissioners Bill Bencini; Kay Cashion, Bruce Davis, Paul Gibson, John Parks, Linda Shaw, Billy Yow  
**NOES:** Commissioner Carolyn Coleman  
**ABSENT:** Commissioner Mike Winstead

Vice Chairman Perkins recognized Mayor Lenny Williams from the Town of Gibsonville that was present.

**VII. HELD PUBLIC HEARINGS**

**ITEM VII. A. (DENIED)**

A. Held Public Hearing to receive public comment on the Guilford County Commercial Investment Policy, and approve:

1) A commercial investment grant for MEDI USA, LP at 6481 Franz Warner Parkway, Whitsett, NC in a proposed amount not to exceed $63,294 over three years at an annual amount of $21,098.  
2) A commercial investment grant for Coilplus-NC, Inc., 426 S. Chimney Rock Road, Greensboro, NC in a proposed amount not to exceed $102,462 over three years at an annual amount of $34,154.  
3) Authorize the County Manager to execute an agreement with one or both companies, if approved, to provide public funds in an amount determined by the Board Commissioners, not to exceed a maximum amount of $63,294 for MEDI USA, LP and a maximum amount of $102,462 for Coilplus-NC, Inc. to be paid based on the terms of the agreement. Terms of agreements subject to staff approval.

Betty Garrett, Guilford County Planning, explained the Commercial Investment Policy for a commercial investment grant from MEDI, USA, LP and Coilplus-NC, Inc. She stated that the projects met all the criteria for the county’s commercial investment grant under their commercial investment policy program.

Chairman Alston opened the public hearing and asked for proponents to come forward.

Tim Worke, controller MEDI USA, LP said the company manufactures medical compression hosiery products and sport socks. He spoke in favor of the grant. He said the German company is
presently located in Whitsett, NC and continues to expand. He indicated the average salary is approximately $40,000 and that they offer a rich benefits package for employees. He said the grant would facilitate the continued growth of the company and assist their investment opportunities.

Bill Hudson, General Manager, Coilplus -NC, Inc. spoke in support of the investment grant. He said the Japanese company provides flat rolled steel processing. He said they are expanding their existing facility. He pointed out that they service many industries and their main customers are in the Carolina’s. He also said the have a diverse workforce, partner with GTCC students and urged the Board to support their request because they meet the grant criteria.

Robin Rhyne, Greensboro Economic Development Alliance, indicated both companies are excellent and hoped the Board would favorably support them and their investments in the area.

Chairman Alston asked for opponents to come forward. Having no opponents present Chairman Alston closed the public hearing.

Motion was made by Commissioner Linda Shaw and seconded by Commissioner John Parks to approve the commercial investment grants for MEDI USA and Coilplus-NC as submitted.

Commissioner Bencini said he will not support the request because the policy has been rescinded and he thinks it is a bad policy.

Commissioner Coleman said she supports bringing jobs to Guilford County and will support both requests. She also requested a listing of products that are produced by the companies.

Commissioner Gibson asked the County Attorney if the Attorney General’s Office had responded to County concerns and Mr. Payne said no. Commissioner Gibson said he will not support the requests because of the policy.

Vice Chairman Perkins welcomed the companies. He said he agrees that this was a bad policy when it was approved and thankful it has been rescinded. He stated that the current state of the economy is bleak and he cannot support the requests at this time.

Commissioner Parks said the policy existed although he wished it could have been better. He said it was put in place to help small businesses. He said he will support both requests because they met the required criteria.

Commissioner Cashion referenced support from citizen’s academy participants for the commercial investment policy. She said she will support the request but asked the county attorney for assurance that the county had any vulnerability if the policy has yet to be approved by the Attorney General’s Office. She said she will honor the policy because it was in place at the time.

The County Attorney advised that there is no legal issue if the Board wants to move forward.
Commissioner Davis said he will be supportive of the request in order to increase jobs. He said the policy did not address small businesses as it should have but hoped the Board will continue to work on ways to assist small business needs.

Commissioner Perkins asked the companies if they could provide their annual sales figures.

The MEDI USA representative responded $35 million a year and the Coilplus representative responded $100 million a year in revenue.

Commissioner Davis said profit margins should be considered. He said the Board should be fair when considering revenues and costs and look at the big picture which is to create jobs.

Chairman Alston said the Board should keep their word on their policy. He said the businesses are putting many dollars in the community and the Board should be supportive of the requests.

Having no further discussion, the voted on the motion made by Commissioner Shaw and seconded by Commissioner Parks to approve the commercial incentive requests by MEDI USA and Coilplus as submitted. The motion failed 5 to 5 on the following roll call vote:

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

Chairman Alston called for a short recess at 7:40 p.m. and the Board reconvened at 7:50 p.m.

**ITEM VII. B (APPROVED)**

B. Held Public Hearing to receive public comment and Adopt the Liberty Road/Woody Mill Road zoning overlay district map, as the first step in implementing associated Liberty Road/Woody Mill Road zoning overlay text amendment. This request was approved on a 5-2 vote at the January 11, 2012 Planning Board Public Hearing.

Les Eger, Guilford County Planning, explained the procedures for public hearings Items VII. B & C. He said the Board could combine both cases but vote on each one individually.

Chairman Alston asked the Board if they wanted to hear public hearings B and C together or separately. It was the consensus of the Board to hear the public hearings separately.

Mr. Eger further explained the zoning overlay district map and said staff recommends approval as the first step in implementing the associated Liberty Road/Woody Mill Road text amendment.

Chairman Alston opened the public hearing and asked proponents to come forward.
Dan Rogers, 4802 Archwood Drive, said the area was strategically important because it will be the new front door for their community. He said the area has a second chance for a new central mixed use shopping district in the area.

Martie Heim, southeast neighborhood resident, spoke in support of the southeast area. She said the neighborhood group has worked on the project plans for many months. She said TREBIC was invited to attend their meetings but did not. She stated that TREBIC is opposed to the request.

Mr. Sandy Westhersby, Charlotte developer/ resident and largest area single property owner, said the community has come up with a plan which he thinks it is good. He said the community has worked together and the project will exceed current requirements. He said this is not third party zoning. He said nothing in the zoning overlay that will cause a burden for anyone.

Cindy Farmer Wood, Forest Oaks resident, said she fully supports the overlay district in all aspects. She also highlighted a letter from Stephen Davis, owner 1/5 area of property in the overlay district. She read that he fully supports all aspects of the overlay district.

Terry Lee, Pleasant Garden, Managing Director Southeast Land Company, said he has worked on the plan. Mr. Lee said he fully endorses the plan and welcomes the new front door to community near the interchange. He also said future development will occur in the area and that Cone Hospital Health Care plans to build a facility in that location in the near future which will further improve the area.

Commissioner Shaw left the meeting at this time. DaveGearheardt, Southeast Guilford Community Association member, read letters of support from residents in the area. He said he thinks their property will increase in value and asked the Board for their support.

Denese Osborne, President Southeast Community Association, said the association wants to enhance the quality of life for the residents of southeast Guilford County. She said the association is in favor of the plan and urged the Board to support the plan. She asked everyone present in support of the plan to stand and show their community support.

Dan Rogers explained their interaction with TREBIC. He said TREBIC offered no compromise. He said TREBIC will try to point out that this is a third party rezoning but it is not. He hoped the Board will ignore TREBIC’s comments.

Chairman Alston asked if there were any opponents to come forward.

Judy Stalder, 115 S. Westgate Drive, TREBIC membership representative, said they are in opposition of the request based on the following:

1) It is not necessary. (All the other tracts will come before the Board for approval. The owner of the nuisance shopping center has indicated he will do more.)
2) This will set a precedent and the architectural design standards are new and very restrictive. (Wood is not a primary building material. Requiring brick or stone and no creative building allows for no changes in building trends.)

3) It is third party rezoning. (She said all property owners must be in favor of this. She said the notice went to the property owners. She presented the notice to the Board for review. She said they would be mandating sidewalks etc...)

She further indicated that this is a citizen group making decisions and TREBIC asks the Board to deny this request and instead support small area plan guidelines.

Gary Hill, 30 Cape May Point, Greensboro, represents the Greensboro Builders Association, pointed out the proposed overlay supports a fundamental difference in the county’s policy and will increase developer costs. He read a letter from the Greensboro Builders Association stating their position on the overlay. He said it will be a more helpful to rewrite the outdated unified development ordinance to allow development flexibility. He said the Greensboro Builders Association urges the Board to deny the request.

Betty Smith, 16 Hines Park Lane, Greensboro, said she is a member of TREBIC and a realtor. She said she has worked with several large developments and she applauded the southeast group for their efforts. She said her biggest concern is that land must be attractive for people to purchase but said plans must be fluid. She said the planning is well founded but it sets a precedent in Guilford County. She said the reality is that restrictions can be achieved through other means. She further stated that this will be the county's first residential overlay district and it should be done with a broad brush to allow for flexibility.

Chairman Alston informed the proponents that they are allowed a three minute rebuttal at this time.

Ed Christenberry, 8644 Old Liberty Road, Randolph County, member of the Tabernacle United Methodist Church. He said they in very close proximity to the overlay area. He said the church plans to expand their campus and has a vision for the community. They are in support of the overlay.

Mr. Rogers asked about planning overlays in the state. Nothing is set in stone.

Alan Branson, 3731 Old Julian Road, Julian, he said he has been a part of the development phase and said the people in the area have done their due diligence and asked for the Board’s support. Chairman Alston allowed for a three minute rebuttal from the opponents at this time.

Judy Stalder, TREBIC, said in opposition that there are property owners that would differ with many of the residents opinions stated tonight.

Betty Smith reiterated that if approved this would be the first residential overlay in the unincorporated areas.
Gary Hill pointed out that restrictions will make the buildings attractive but if someone cannot afford to rent them and purchase items that the buildings will become vacant and cause other problems.

County Attorney Mark Payne clarified both public hearings procedural requirements.

Commissioner Yow made the motion and Commissioner Parks seconded the motion to adopt the Liberty Road/Woody Mill Road zoning overlay district map, as the first step in implementing associated Liberty Road/Woody Mill Road zoning overlay text amendment.

Commissioner Bencini asked if anyone could offer proof that all the property owners support the overlay or not.

Leg Eger said staff has sent notices with all pertinent information to all 31 property owners within the area via US mail and it was published in the News & Record.

Commissioner Coleman said she will support the request but requested a definition of a third party rezoning. She asked for further clarification of building materials and asked why TREBIC was not involved in the planning process.

Mr. Eger responded if your property was rezoned without having any notification of the rezoning it would be a third party rezoning. He also explained the type of building materials specified and the types of development applicable.

Ms. Stalder said she did not know why TREBIC was not involved in the process.

Commissioner Davis asked Ms. Stalder to clarify TREBIC’s position and she further clarified. He asked questions about the notification process and asked if there was anyone present in opposition to stand and there was no one.

Commissioner Perkins read a portion of the notice that was sent to property owners. He thinks what is requested will enhance the area. He also commended staff on their work with the community.

Commissioner Yow pointed out that this is not a tool for future use.

Commissioner Gibson said he will support the request. He commented on the many citizens that have come before the Board in support of the request. Commissioner Cashion said she has high respect for TREBIC but wishes that they had been involved earlier. She commended the citizens on working on the project for approximately 3 years. She asked the citizens present to stand if they are still supportive of the request having heard the points brought out by the opposition.

Commissioner Parks thanked everyone for the emails and calls on the overlay request. He also thanked TREBIC and stated the hearing is an example of democracy and values the process.
The Board voted on the motion made by Commissioner Yow and seconded by Commissioner Parks to adopt the Liberty Road/Woody Mill Road zoning overlay district map, as the first step in implementing associated Liberty Road/Woody Mill Road zoning overlay text amendment. The motion carried 9 to 0 on the following roll call vote:

VOTE: Motion carried 9 - 0
AYES: Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins;
Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Billy Yow.
NOES: None
ABSENT: Commissioners Linda Shaw Mike Winstead.

ITEM VII. C. (APPROVED)

C. Held Public Hearing to receive public comment and Approve text amendment to implement Liberty Road/Woody Mill Road zoning overlay. Planning Board recommended approval on a 5-2 vote.

Mr. Eger explained the request to approve the text amendment to implement Liberty Road/Woody Mill Road zoning overlay. He explained changes and emphasized that this is not a third party rezoning. He pointed out that the text amendments and overlays are not the most restrictive in the triad. He also indicated that there are methods of appealing that will be written into our development ordinance. He also said the overlay district and text amendment is consistent with the Woody Mill area plan.

Chairman Alston asked for the proponents to come forward.

Dan Rogers, 4802 Archwood Drive, said he is support of the text amendment. He said he has already covered all points as stated in the previous public hearing for the zoning overlay.

There was no opposition present.

Motion was made by Commissioner Yow and seconded by Commissioner Parks to approve text amendment to implement Liberty Road/Woody Mill Road zoning overlay. The motion carried 9 to 0 on the following roll call vote:

VOTE: Motion carried 9 - 0
AYES: Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins;
Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Billy Yow.
NOES: None
ABSENT: Commissioners Linda Shaw Mike Winstead.
ITEM VII. D. (APPROVED)

D. Held Public Hearing to receive public comment to Consider the Amendment to Resolution Of The Making Of Certain Local Improvements or any other possible changes within the Board’s authority for the Forest Oaks Estates assessed water and sewer project that was approved January 19, 2006. The amendment modifies the payment terms as set out in the December 1, 2005 Preliminary Resolution as follows: 1. Reduces interest rate to five (5%) percent per annum; 2. Extends time to pay assessments to ten (10) years from date of confirmation of the assessment roll - a) first five (5) years with no interest; b) the second five (5) years, starting the sixth (6th) year from confirmation of the assessment roll, in five equal installments at five (5%) percent interest per annum; c) if a connection is made to the utilities during the five (5) year abeyance period, then payment begins at that time; d) all other payment terms remain the same as set out in the December 1, 2006 Preliminary Resolution.

Betty Garrett explained the request. She said the public hearing is required because the Board changed the terms as set out in the preliminary resolution submitted and specified the modification terms for Forest Oaks.

Chairman Alston asked the proponents to come forward.

Harold Garrett, 4515 Indian Wells Drive, spoke in support of the request for water and sewer and thanked the Board for the resolution. He expressed concern about several vacant lots. He also suggested the Board consider a discount to those desiring to hook on at a later time.

There was no opposition to the request.

Commissioner Perkins commented on the assessment terms and said the resolution will be helpful to the community.

Having no further discussion, the Board voted on the motion made by Commissioner Yow, seconded by Commissioner Parks, to adopt the Amendment to Resolution Of The Making Of Certain Local Improvements or any other possible changes within the Board’s authority for the Forest Oaks Estates assessed water and sewer project that was approved January 19, 2006. The amendment modifies the payment terms as set out in the December 1, 2005 Preliminary Resolution as submitted. The motion carried 9 to 0 on the following roll call vote:

VOTE: Motion carried 9 - 0
AYES: Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins; Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Billy Yow.
NOES: None
ABSENT: Commissioners Linda Shaw and Mike Winstead.
ITEM VII. E. (APPROVED)

E. Held Public Hearing to receive public comment to Consider the Amendment to Resolution Of The Making Of Certain Local Improvements or any other possible changes within the Board’s authority for the Lynwood Lakes assessed water and sewer project that was approved December 13, 2007. The amendment modifies the payment terms as set out in the November 15, 2007 Preliminary Resolution as follows: 1) Reduces interest rate to five (5%) percent per annum; 2) Extends time to pay assessments to ten (10) years from date of confirmation of the assessment roll - a) first five (5) years with no interest; b) the second five (5) years, starting the sixth (6th) year from confirmation of the assessment roll, in five equal installments at five (5%) percent interest per annum; c) if a connection is made to the utilities during the five (5) year abeyance period, then payment begins at that time; d) all other payment terms remain the same as set out in the November 15, 2007 Preliminary Resolution.

Betty Garrett explained the request. She said the public hearing is required because the Board changed the payment terms as set out in the preliminary resolution submitted and specified the modification terms for Lynwood Lakes.

Chairman Alston asked for the proponents to come forward.

Keith Hobson, Lynwood Lakes resident, asked those present opposed to the Lynwood Lakes assessed water and sewer project to stand and there was no one. He also asked those present in support of the Lynwood Lakes assessed water and sewer project to stand and several citizens did.

Motion was made by Commissioner Parks and seconded by Commissioner Yow to adopt the Amendment to Resolution Of The Making Of Certain Local Improvements or any other possible changes within the Board’s authority for the Lynwood Lakes. The amendment modifies the payment terms as set out in the November 15, 2007 Preliminary Resolution as submitted. The motion carried 9 to 1 on the following roll call vote:

VOTE: Motion carried 9 - 0
AYES: Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins; Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Billy Yow.
NOES: None
ABSENT: Commissioners Linda Shaw and Mike Winstead.

VIII. UNFINISHED BUSINESS – There was none.

IX. NEW BUSINESS

A. Set Work Session for March 15, 2012 at 4:00 p.m. to discuss parking and any other necessary business.
Commissioner Bencini made a motion, seconded by Commissioner Parks to set a Board work session for March 15, 2012 at 4:00 p.m. to discuss parking and any other necessary business. The motion carried 9 to 0 on the following roll call vote:

VOTE: Motion carried 9 - 0
AYES: Chairman Melvin “Skip” Alston; Vice Chairman Kirk Perkins; Commissioners Bill Bencini, Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Billy Yow.
NOES: None
ABSENT: Commissioners Linda Shaw and Mike Winstead.

B. NEW BUSINESS FROM COUNTY COMMISSIONERS

Vice Chairman Perkins announced a Budget Committee meeting on March 13 at 2:00 p.m. and on March 16 at 9:00 a.m.

The Clerk to Board said the members of the Budget Committee are Commissioners Perkins, Alston, Yow, Shaw.

Vice Chairman Perkins also announced the next Fire Committee meeting on March 12 at 6:00 p.m. at the Sedgefield/Pinecroft Fire Station.

X. COMMENTS FROM COMMISSIONERS

Commissioner Yow expressed his sympathy to the family of Rich Brenner and asked everyone to keep his family in their prayers.

Commissioner Parks congratulated Marsha Williams, Guilford County Animal Shelter Director, on recognition from the Humane Society naming the animal shelter one of the top 10 placement shelters in the nation. He also announced several events which he recently attended.

Commissioner Cashion provided the Board an update on the Building Naming Committee. She said there were five buildings to be proposed for naming consideration at their next meeting on March 15 and information will be available on the county website.

Vice Chairman Perkins announced recent events which he attended and specifically commended 4H on the wonderful things they do for young people in the community. He also recognized Commissioner Linda Shaw on receiving an award for her work on animal welfare from the Humane Society.

Commissioner Davis offered his deepest condolences to the family of Rich Brenner.

Commissioner Alston said he hoped the Board would present a Resolution in honor of the life of Rich Brenner at some time in the future and asked everyone to pause for a moment of silent prayer in his honor.
XI. COMMENTS FROM THE COUNTY MANAGER

There were no comments from the County Manager.

XII. SPEAKERS FROM THE FLOOR

There were no Speakers from the floor.

XIII. HELD CLOSED SESSION FOR THE POSSIBLE EXPANSION OR LOCATION OF BUSINESS OR INDUSTRY

Motion was made by Vice Chairman Perkins, and seconded by Chairman Alston, to enter closed session to discuss possible expansion or location of business or industry and the motion carried by unanimous consent.

The Board went into Closed Session at 10:00 p.m.

The Board reconvened into Open Session at 10:10 p.m.

SET PUBLIC HEARING FOR MARCH 15, 2012 TO HEAR A REQUEST FOR AN ECONOMIC INCENTIVE REQUEST

Motion was made by Commissioner Parks and seconded by Commissioner Perkins to set a public hearing on March 15, 2012 to hear an economic incentive request and the motion carried by unanimous consent.

COUNTY MANAGER FILES REPORTS OF OUT OF STATE TRAVEL AND CONTRACTS FOR THE MONTH OF FEBRUARY 2012

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

XIV. ADJOURNED

Commissioner Parks made a motion to adjourn at 10:13 p.m. and it was seconded by Commissioner Davis. The motion carried by unanimous consent.

____________________________________
Chairman

____________________________________
Clerk