MINUTES OF BOARD OF COUNTY COMMISSIONERS
OF GUILFORD COUNTY

Greensboro, North Carolina
November 4, 2010

The Board of County Commissioners met in a duly noticed regular meeting on November 4, 2010 at 5:30 p.m. in the Commissioners’ Meeting Room, 301 W. Market Street, Greensboro, North Carolina.

PRESENT: Chairman Melvin “Skip” Alston; Vice Chairman Steve Arnold (left the meeting at 7:00 p.m.); Commissioners Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Kirk Perkins, Linda Shaw, Billy Yow, Mike Winstead.

ABSENT: None.

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Carol Williams Gilbert, Lees Chapel United Methodist Church, Greensboro, gave the invocation, which was followed by the Pledge of Allegiance.

WELCOME AND CALL TO ORDER

Chairman Melvin “Skip” Alston called the meeting to order and welcomed everyone present.

SPEAKERS FROM THE FLOOR

Terry Huigens, 3517 Mizzell Road, Greensboro, responded to a comment made by Commissioner Yow regarding the defeat of the recent sales tax increase. She said that as result of the defeat of the sales tax that an increase in property taxes would be forthcoming. She said the citizens of Guilford County have spoken and they demand no more taxes. She said she believes that there is a disconnect between the Guilford County Commissioners and the voters. She said the commissioners should be able to come up with a better plan. She added that the Conservatives for Guilford County have made suggestions for budget cuts as previously stated by Jodi Riddleberger. She then restated some of Ms. Riddleberger's budget cut suggestions from last commissioner's meeting.

Harold Proctor, 2407 Krista Kim Drive, High Point, invited citizens and Commissioners to the upcoming Triad Highland Society flag retirement ceremony on Saturday, November 13, 2010 at Life Community Church on Wendover and Piedmont Parkway from 5:00 p.m. - 6:30 p.m.
Tommy Walls, 303 Yorkleigh Lane, Jamestown, said he would like for the Guilford County Board of County Commissioners to adopt a resolution to further regulate or prohibit the use of herbicides for the care and maintenance of easements and right of ways for utilities. He said hazardous herbicides have caused him much grief and gave the Board an example of "Roundup" being used near water that flows into a stream near his house. He urged the Board to support legislation limiting herbicides.

Commissioner Yow asked Mr. Walls to contact the County Manager seeking resolution to his concerns.

Commissioner Shaw stated that she has discussed the herbicide matter with Mr. Wall and is supportive of his efforts.

Jeff Hyde, 1117 W. Cornwallis Drive, Greensboro, thanked God for the recent election results. He concurred with a point made by Commissioner Winstead in the News & Record stating that he will not approve a tax increase unless the Commissioners have looked at every item and there is no other way. He asked the County Commissioners to make a similar vow. He asked the County Commissioners to listen to the voters and support no tax increases. He added that the Board could begin by limiting county contributions to non-profit organizations.

Jeff Phillips, 6108 Mountain Brook Road, Greensboro, said he was a business owner that is concerned about the business landscape. He asked the Board to stop repeating the same mistakes and vote against a future property tax increase. He said his vote against the sales tax was not an endorsement of a future property tax increase.

Don Wendelken, 3406 Windswept Drive, Summerfield, said he was pleased the sales tax was defeated in the last election. He said he is very happy with the results. He spoke on the Guilford County property revaluation which will be held in 2012. He said if there is a decrease in value - then the property values will be less and the property taxes will be less. He pointed out that he is on the Board of Equalization & Review and asked, "What will happen then?" He said he thinks it is pertinent to think of good logical solutions and forego taxing the citizens of Guilford County.

Jeremy Williams, 2009 Trayburn Lane, High Point, said the commissioners must take into consideration the mandate given by the citizens of Guilford County regarding no sales tax increase. He said he is happy with the results of the note on sales tax. He pointed out that many citizens felt held hostage regarding sales tax vs. property taxes. He said he does not mind paying his fair share of taxes but said the Board must cut spending.

John Blust, 5630 David Christian Place, Greensboro, said he looking forward to serving a new term and that it is an honor to serve in public office in the state legislature. He offered encouraging words to the Board on how to approach the budget crisis. He said it is time to look at the core functions of state and county government and suggested the commissioners start working on the budget from that perspective.

APPROVED CONSENT AGENDA
Chairman Alston asked if any Commissioner would like to remove any items for separate consideration. Commissioner Coleman asked to remove Item V. C. (4).
Motion was made by Commissioner Parks and seconded by Commissioner Davis to approve the consent agenda.

Chairman Alston explained Item V.C. (6) on the consent agenda regarding the most senior veteran in Guilford County. He said county staff researched veterans and Morris J. Fox, a 93 year old veteran, was determined to be the most senior veteran.

Discussion among Commissioners ensued regarding the selection process for the most senior veteran in the county due to a Commissioner knowing an older veteran.

Commissioner Cashion said the most senior veteran will not need to travel because representatives from the North Carolina Veterans Park Project will come and make a mold of the veterans hand for the memorial.

Commissioner Davis questioned the criteria used to determine the eldest veteran.

County Manager Fox said Brenda Spach, Director of Veterans Services, provided the veterans name.

Commissioner Perkins suggested a press release be made to ask if anyone knows of an older veteran for consideration.

Commissioner Coleman made a motion to advertise for the most senior veteran in Guilford County. Commissioner Perkins seconded the motion.

Commissioner Gibson clarified that the name of the veteran will not be on the memorial. He said only the handprint of the most senior veteran will be made a part of the memorial representing all veterans in Guilford County.

Chairman Alston asked if the agenda item was time sensitive and Manager Fox responded yes.

Following further discussion, Commissioner Coleman amended her motion the county advertise for the most senior veteran for a week and if someone other than Morris Fox is selected the County Manager along with the Chairman of the Board of Commissioners select the final designee and notify the board of the veteran selected.

Commissioner Winstead suggested Commissioner Coleman amend her motion to advertise on the county website to save money and Commissioner Coleman agreed.

The Board agreed by unanimous consent on Commissioner Coleman’s motion to advertise on the Guilford County website for a week seeking the most senior veteran in Guilford County to represent all veterans in Guilford County for the proposed North Carolina Veterans Park Project which will open in Fayetteville, North Carolina on July 4, 2011. Commissioner Perkins seconded her motion. The Board then voted to approve the consent agenda with the exception of Item V. C. (4) which was removed for further consideration as made by Commissioner Parks and seconded by Commissioner Davis. The motion carried 10 to 1 on the following roll call vote:

Yes: Alston, Cashion, Coleman, Davis, Gibson, Grimes, Hayes, Knight, Mosteller, Perkins

No: Winstead
For record purposes Commissioner Yow voted yes for Item V. C. (6).

VOTE: Motion carried 10 - 1
AYES: Chairman Melvin “Skip” Alston, Vice Chairman Steve Arnold; Commissioners Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Kirk Perkins, Linda Shaw, Mike Winstead.
NOES: Commissioner Yow.

BUDGET AMENDMENTS

1. Approved Increase to the Mental Health (Guilford Center) FY 2011 budget in the amount of $37,323 to reflect a one-time allocation in state Traumatic Brain Injury (TBI) funds for community services provision and support for individuals with traumatic brain injuries. Funds will be used to contract with community providers for residential and personal assistance services for TBI consumers. NO ADDITIONAL COUNTY FUNDS REQUIRED.

   The following Budget Ordinance Amendment was adopted:

   General Fund:

   Increase appropriations to Mental Health $37,323
   Increase State/Federal Revenue $37,323

2. Appropriated additional sales tax funds in the amount of $14,679 (effective rate of 23.4%) from revenue generated in the amount of $62,749 from 2006 for Robert S. Segal, CPA, PA for the auditing services of sales tax for the Finance Department and approve payment as set out in the sales tax audit contract. To date, including the amounts referenced above, the County has realized additional revenues of $4,547,124 and incurred fees of $784,391 over a 14 year period.

   The following Budget Ordinance Amendment was adopted:

   General Fund:

   Increase Appropriations to finance Department $14,679
   Increase Sales Tax Revenue $14,679

3. Increased the capital project ordinance for Triad Park by $407,415 and decrease the capital project ordinance for Southwest Park by $407,415. The additional funds for Triad Park come from expended park bond funds in the capital project ordinance for the completed Southwest Park project. These funds, when matched with funds from Forsyth County, will allow for the completion of Phase 8b at Triad Park. Phase 8b consists of a miniature golf course, spray playground, trail extension, stage area, restroom, and concessions building and parking. It will also complete the "circle" around the area designated for the Triad Veterans Memorial that is being privately funded. The reallocation was approved by the Parks and Recreation Commission on August 10, 2010.
NO ADDITIONAL COUNTY FUNDS REQUIRED.

The following Capital Project Ordinance Amendments were adopted:
County Building Construction Fund

Triad Park
Increase Appropriation $407,415
Increase Bond Proceeds $407,415

Southwest Park
Decrease appropriation ($407,415)
Decrease Bond Proceeds ($407,415)

CAPITAL PROJECT ORDINANCE FOR TRIAD PARK LAND PURCHASES AND IMPROVEMENTS

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that for the following capital project ordinance for Triad Park amended on June 6, 1996; July 26, 1996; December 4, 1997; March 26, 1998; September 16, 1999; October 3, 2002; October 5, 2006; and August 7, 2008 in Guilford County 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>
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<tbody>
<tr>
<td>TRIAD PARK - Land and Improvements</td>
<td>County Building Construction Open Space - Forsyth County - $4,942,622</td>
<td>Appropriated Fund Balance – $1,232,925</td>
</tr>
<tr>
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<td>Transfer from General Fund $950,000</td>
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<td></td>
<td></td>
<td>Miscellaneous $100,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bond Proceeds $2,659,697</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 November 4, 2010 in accordance with G.S. 159-17.

CAPITAL PROJECT ORDINANCE FOR SOUTHWEST PARK

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that for the following capital project ordinance for Guilford County is hereby adopted 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>SOUTHWEST PARK</td>
<td>SOUTHWEST PARK</td>
<td>BOND PROCEEDS - $2,592,585</td>
</tr>
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<td></td>
<td>$2,592,585</td>
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</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 November 4, 2010, in accordance with G.S. 159-17.

CONTRACTS

1. Amended contract No. 52232-10/93-165 to allow Koury Corporation an additional 36 months or until January 1, 2014 to complete the commercial portion of the water and sewer infrastructure within the boundaries of the Grandover Development. NO ADDITIONAL COUNTY FUNDS REQUIRED. (Subject to additional approval from the City of Greensboro).

MISCELLANEOUS

1. Approved the North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement. NO ADDITIONAL COUNTY FUNDS ARE REQUIRED. (See copy in file.)

2. Approved the attached resolution adopting and implementing the updated Guilford County Emergency Operations Plan. (See copy in file).

3. Approved the Resolution regarding the use of proceeds from the sale of surplus Guilford County School property adopted by the Guilford County Board of Commissioners on June 3, 2010 in accordance with NC General Statutes 160A, 115C-518 and 115C-426. The Board of Education (BOE) is offering the Board of County Commissioners the first opportunity to obtain this property (228, 230 and 232 Hobson Street, High Point) tax valued at $127,400 or exercise its right of first refusal. The resolution allows the BOE to sell the property and request that the clear proceeds from such sale be made available to the BOE.
(Note: Item V. C. (4) removed from the consent agenda)

5. Approved the application for the release of $9,500,000 from the Public School Building Capital Fund - North Carolina Education Lottery distributions for FY 2010-11 school bond referenda debt service expense. Joint approval by both the Board of Commissioners and the Board of Education is required. Once application is approved by the Board of Commissioners, it will be forwarded to the Board of Education for approval.

6. Approved to advertise on the Guilford County website for a week seeking the most senior veteran in Guilford County to represent all veterans in Guilford County for the proposed North Carolina Veterans Park Project which will open in Fayetteville, North Carolina on July 4, 2011.

7. Approved minutes from the following Commissioners’ Meetings:
   July 22, 2010 – Regular Meeting
   September 16, 2010 – Audit Committee
   October 5, 2010 – Work Session/Animal Committee
   October 6, 2010 – Human Service Improvement Task Force (HSITF)
   October 13, 2010 – HSITF
ITEM V. C. (4) Removed for separate consideration.

ITEM V. C. (4) Tabled to Board’s next meeting on November 18, 2010.

Commissioner Coleman asked for a representative from the Sheriff’s department to explain the item but there was no one from the Sheriff’s department present.

County Attorney Payne explained the resolution. He advised that the resolution is necessary in order for the Sheriff’s department to be in line with state statutory requirements for inmates.

Commissioner Coleman had questions concerning the inmates at the Prison Farm and moved the Board table action on Item C. (4) until the Board’s next meeting on November 18, 2010 in order for a representative from the Sheriff’s department be present to further explain. The motion was seconded by Commissioner Perkins and it carried 9 to 2 on the following roll call vote:

**VOTE:** Motion carried 9 – 2

**AYES:** Chairman Melvin “Skip” Alston, Commissioners Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Kirk Perkins, Linda Shaw, Mike Winstead.

**NOES:** Vice Chairman Steve Arnold and Commissioner Billy Yow.

VI. PUBLIC HEARING

A. Held Public Hearing on Amendment to Guilford County Development Ordinance Sub-Article 7-1.9, Environmental Regulations Concerning Stormwater Management/Watershed Protection. Amendments include supporting references in 7-1.3, and text in Sub-Article 3-12.4. Amendments to these sections of the Guilford County Development Ordinance are required to maintain compliance for Riparian buffer Protection for Lands within the Jordan Lake Watershed as set forth in the North Carolina Administrative Code, 15A NCAC 02B .0267. (Planning Board vote recommended approval 6 to 1 at their meeting on October 13, 2010)

Adopted Amendment to Guilford County Development Ordinance Sub-Article 7-1.9, Environmental Regulations Concerning Stormwater Management/Watershed Protection. Amendments include supporting references in 7-1.3, and text in Sub-Article 3-12.4. Amendments to these sections of the Guilford County Development Ordinance are required to maintain compliance for Riparian buffer Protection for Lands within the Jordan Lake Watershed as set forth in the North Carolina Administrative Code, 15A NCAC 02B .0267.

Les Egger, Guilford County Planning Department, introduced the item and Shea Bolick, Guilford County Planning Department/Watershed Engineer explained the amendment.

Mr. Bolick said that this the first phase of protection for the watershed. He also said there is a state mandate for Guilford County to approve the text amendments for the Jordan Lake Watershed rules and asked the Board for favorable consideration of the request.
Chairman Alston opened the public hearing for proponents and opponents. Seeing no proponents he asked if there were any opponents.

Don Wendelken, 3406 Windswept Drive, Summerfield, said he was not an opponent but had a question. He asked if there would be additional costs associated with the Board approving the amendment.

Hearing no other opponents, Chairman Alston closed the public hearing.

Commissioner Yow questioned if additional staff will be needed if the amendment is approved.

Mr. Bolick said existing staff will be used in phase one and no additional costs will be associated with the amendment at this time. However, he added that the future is unknown and pointed out this is an unfunded state mandate.

Motion was made by Commissioner Cashion, and seconded by Commissioner Parks to approve the amendment to Guilford County Development Ordinance Sub-Article 7-1.9, Environmental Regulations Concerning Stormwater Management/Watershed Protection. Amendments include supporting references in 7-1.3, and text in Sub-Article 3-12.4. Amendments to these sections of the Guilford County Development Ordinance are required to maintain compliance for Riparian buffer Protection for Lands within the Jordan Lake Watershed as set forth in the North Carolina Administrative Code, 15A NCAC 02B .0267. The motion carried 8 to 3 on the following roll call vote:

**VOTE:** Motion carried 8 – 3  
**AYES:** Chairman Melvin “Skip” Alston, Commissioners Kay Cashion, Carolyn Coleman, Bruce Davis, Paul Gibson, John Parks, Kirk Perkins, Linda Shaw .  
**NOES:** Vice Chairman Steve Arnold and Commissioners Mike Winstead Billy Yow.

**VII. UNFINISHED BUSINESS**

**A. Heard Report from Human Services Improvement Task Force**

Commissioner Coleman reported that the Human Services Improvement Task Force (HSITF) has had nine meetings since September, moving at a fast pace, and is making great progress.

She said the committee and staff have been reviewing the core services of each of the human service agencies and collected information and heard several presentations from various groups. She pointed out that they see opportunities for immediate action in the areas of improving direct services, enhancing technology and being more unified serving clients. She added that the HSITF will present its report to the Board of Commissioners and present options at the Board’s first meeting in December.

Commissioner Perkins said the first meeting in December is the organizational meeting of the Board and asked for clarification on the meeting date.
Chairman Alston said the presentation will be December 16th at the Board’s first regular meeting.

Commissioner Parks asked when the HSITF meets and Commissioner Coleman said they meet every Wednesday morning at 10:00 a.m. and said the meetings are open to any Commissioner desiring to attend. Motion was made by Commissioner Coleman, and seconded by Commissioner Perkins to approve to approve adoption of the report and set December 16, 2010 as the date to hear the presentation from the HSSITF. The motion carried 11–0 unanimously of the following roll call vote:

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

VIII. NEW BUSINESS

A. There was no new business from the County Commissioners.

IX. MADE APPOINTMENTS/REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Commissioner Shaw read the recommendations for appointment to the Planning Board.

Motion was made by Commissioner Shaw, and seconded by Commissioner Perkins to approve the following appointment as recommended. The motion carried 11to 1 on the following roll call vote:

VOTE: Motion carried 11 – 0
AYES: Commissioner Perkins, Commissioner Winstead, Commissioner Parks, Commissioner Yow, Vice Chairman Arnold, Chairman Alston, Commissioner Cashion, Commissioner Davis, Commissioner Coleman, Commissioner Gibson, Commissioner Shaw
NOES: None

Planning Board
Appoint Al Leonard, Jr. (term expiring 9/05/12)

X. COMMENTS FROM COMMISSIONERS

Commissioner Parks informed everyone of various events he attended since the last Board meeting.
Commissioner Davis thanked his supporters during the recent election. He said that he is honored to serve as a Democrat on the Guilford County Board of Commissioners. He said he won one race and lost another but said congratulations are still in order. He stated that he was the underdog running for NC Senate District 28 and his campaign was run with honesty and integrity. He also said he was proud to represent the citizens of County Commissioner District 1 and help make Guilford County a better place to live.

Chairman Alston commented that Commissioner Davis ran a great race and congratulated him.

Commissioner Coleman thanked the people in County Commissioner District 9 for allowing her to serve another term on the Guilford County Board of County Commissioners.

Commissioner Gibson congratulated all the commissioners that won re-election. He then questioned County Manager Fox regarding real estate broker services provided to Guilford County.

County Attorney Mark Payne responded to Commissioner Gibson’s concerns.

Commissioner Gibson asked specifically about the contract and asked if was open ended and the County Attorney said yes until it is terminated and allows for 30 days notice. Commissioner Gibson also questioned the percentage of commission allowed.

Attorney Payne stated it is 5% commission on the contract that is limited to 5 specific locations.

Commissioner Gibson said he would like to see the contract and discuss the matter at the next county commissioners meeting in further detail.

Chairman Alston suggested the County Manager provide Commissioner Gibson the information requested the next day but Commissioner Gibson said he would like to have the matter discussed at a public meeting.

Commissioner Gibson also asked if a Request for Proposal (RFP) was required and the County Attorney said it was not. Commissioner Gibson then asked the County Manager who made the contract decision and she said she did. He then asked her about the process she used to make the decision.

The County Manager explained the capital investment plan and the sequence of events leading up to the decision.

Chairman Alston spoke on the contract and said it is not an exclusive agency contract and Commissioner Gibson said he disagreed.

Commissioner Shaw thanked everyone for their support in the election, her husband Bob, and congratulated everyone that won re-election.

Commissioner Cashion thanked everyone that helped her with her re-election and said she will be looking at ways to have no property tax increases.
Commissioner Perkins thanked everyone that participated in the recent election. He suggested the Board begin thinking about the possibility of postponing any bond projects because of the struggling economy.

Chairman Alston congratulated everyone that ran for public office and welcomed the re-elected Commissioners back to the Board. He also thanked those that supported the 1/4 cent sales tax. He added that Guilford County has many needs and he will be looking everywhere for savings in order to be able to pay for voter approved bond debt. He said his message is to continue to do more with less.

XI. COMMENTS FROM COUNTY MANAGER

There were no comments from the County Manager.

XII. SPEAKERS FROM THE FLOOR

Don Wendelken, 3406 Windswept Drive, Summerfield, said he comes to commissioner’s meetings to remind all the Commissioners that they are stewards of taxpayer’s dollars and urged them to ask the following questions: “who, what, when, where, why and how.”

COUNTY MANAGER FILES REPORTS OF OUT OF STATE TRAVEL AND CONTRACTS FOR MONTHS OF SEPTEMBER AND OCTOBER 2010

County Manager, Brenda Fox, filed her report dated October 25, 2010, of out of state travel and contracts as approved by her for the months of September and October 2010.

XIII. ADJOURNED

Motion was made by Commissioner Yow, and seconded by Commissioner Perkins to adjourn and it carried 10-0 by unanimous consent.

There being no further business, the meeting was adjourned at 7:11 p.m.

___________________________
Chairman

___________________________
Clerk