MINUTES OF BOARD OF COUNTY
COMMISSIONERS OF GUILFORD COUNTY

Greensboro, North Carolina
December 15, 2011

The Board of County Commissioners met in a duly noticed regular meeting on December 15, 2011 at 5:30 p.m. in the Commissioners’ Meeting Room, 301 W. Market St., Greensboro; North Carolina.

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

ABSENT: Vice Chairman Linda Shaw

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

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Jim Bledsoe, Faithway Baptist Church, provided an invocation. Following the invocation, the Board led those present in the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER

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

PRESENTED RESOLUTION IN HONOR OF DANIEL MCCANLESS JR.

Chairman Alston stated that he would like to add a resolution to the agenda. He read the resolution in honor of the Daniel McCanless Jr.

Mr. McCanless thanked the Board and said it has been his privilege to serve the community through the Department of Housing and Urban Development.

IV. SPEAKERS FROM THE FLOOR

Seeing no Speakers from the Floor, Chairman Alston closed that portion of the agenda.

V. APPROVED CONSENT AGENDA

Commissioner Cashion asked to remove Item A. (1)(e) for separate consideration.
Motion was made by Commissioner Parks, and seconded by Commissioner Davis to approve the consent agenda.

**VOTE:** Motion to approve consent carried 8 - 2

**AYES:** Commissioners Alston, Cashion, Coleman, Davis, Parks, Perkins, Winstead, and Yow.

**NOES:** Commissioners Bencini and Gibson.

A. **BUDGET AMENDMENTS**

2. (a.) Approved the purchase and installation of a 100 KW Generator to the most responsive bidder, Beco, Inc. of High Point, North Carolina for $58,000 as per Bid Event 241. The cost of the gas connectivity to Piedmont Natural Gas is estimated to cost $3,000, for a grand total of $61,000. Completion of this project and installation of the generator will provide continuous uninterrupted service to the Special Operations Division, during power failure. It is a requirement of the Evidence Section, which is located in this building, to provide adequate and continuous climate control and refrigeration for storage of DNA evidence. (b.) Approved Increase to the Law Enforcement budget by $61,000 to reflect the appropriation of Federal Forfeiture Funds for the purchase and connection of the generator. The unaudited Federal Forfeiture Fund balance as of 11/27/11 is $1,385,140. NO ADDITIONAL COUNTY FUNDS REQUIRED.

The following Budget Ordinance Amendment was adopted:

<table>
<thead>
<tr>
<th>BUDGET ORDINANCE AMENDMENT</th>
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<tbody>
<tr>
<td>General Fund</td>
<td></td>
</tr>
<tr>
<td>Increase Appropriation to Law Enforcement</td>
<td>$61,000</td>
</tr>
<tr>
<td>Increase Appropriated Fund Balance (Federal Forfeiture)</td>
<td>$61,000</td>
</tr>
</tbody>
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Pleasant Garden and Weaver. In addition, the System-Wide Renovations at Various School Sites FY09 project ordinance reflects the "net" result of all changes highlighted above.

The following Capital Project Ordinances were adopted:

<table>
<thead>
<tr>
<th>CAPITAL PROJECT ORDINANCE AMENDMENTS</th>
<th></th>
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<tbody>
<tr>
<td>School Capital Outlay Fund</td>
<td></td>
</tr>
<tr>
<td>Increase appropriation System-Wide Renovations at Various School Sites FY09</td>
<td>$53,101</td>
</tr>
<tr>
<td>Increase Public Building School Capital Funds</td>
<td>$53,101</td>
</tr>
<tr>
<td>Decrease appropriation System-Wide Renovations at Various School Sites FY09</td>
<td>($1,634,055)</td>
</tr>
<tr>
<td>Decrease Public Building School Capital Funds</td>
<td>($1,239,352)</td>
</tr>
<tr>
<td>Decrease Transfer from General Fund</td>
<td>($394,703)</td>
</tr>
<tr>
<td>Decrease appropriation System-Wide Renovations at Various School Sites</td>
<td>($848,709)</td>
</tr>
<tr>
<td>Decrease Public School Building Capital Funds</td>
<td>($790,517)</td>
</tr>
<tr>
<td>Decrease Transfer from General Fund</td>
<td>($58,192)</td>
</tr>
<tr>
<td>Decrease appropriation</td>
<td>GCS FY 2011 Capital Outlay ($390,520)</td>
</tr>
<tr>
<td>Decrease Transfer from General Fund</td>
<td>($390,520)</td>
</tr>
<tr>
<td>Increase appropriation Roof Replacement / Repair - Allen Jay ES</td>
<td>$615,284</td>
</tr>
<tr>
<td>Increase Public School Building Capital Funds</td>
<td>$546,323</td>
</tr>
<tr>
<td>Increase Transfer from General Fund</td>
<td>$68,961</td>
</tr>
<tr>
<td>Increase appropriation Roof Replacement / Repair - Andrews HS</td>
<td>$1,100,000</td>
</tr>
<tr>
<td>Increase Public School Building Capital Funds</td>
<td>$825,000</td>
</tr>
<tr>
<td>Increase Transfer from General Fund</td>
<td>$275,000</td>
</tr>
<tr>
<td>Increase appropriation Roof Replacement / Repair - Erwin Montessori</td>
<td>$83,000</td>
</tr>
<tr>
<td>Increase Public School Building</td>
<td>$62,250</td>
</tr>
<tr>
<td>Capital Funds</td>
<td></td>
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<td>-----------------------</td>
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</tr>
<tr>
<td>Increase Transfer from General Fund</td>
<td>$20,750</td>
</tr>
<tr>
<td>Increase appropriation Roof Replacement / Repair - Pleasant Garden ES</td>
<td>$475,000</td>
</tr>
<tr>
<td>Increase Public School Building Capital Funds</td>
<td>$77,173</td>
</tr>
<tr>
<td>Increase Transfer from General Fund</td>
<td>$397,827</td>
</tr>
<tr>
<td>Increase appropriation Roof Replacement / Repair - Weaver Education Center</td>
<td>$600,000</td>
</tr>
<tr>
<td>Increase Public School Building Capital Funds</td>
<td>$519,123</td>
</tr>
<tr>
<td>Increase Transfer from General Fund</td>
<td>$80,877</td>
</tr>
</tbody>
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**CAPITAL PROJECT ORDINANCE FOR SYSTEM-WIDE RENOVATIONS AT VARIOUS SCHOOL SITES**

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that for the following capital project ordinance for System-Wide Renovations at Various School Sites adopted on November 15, 2007 and amended on May 6, 2010 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>
</thead>
<tbody>
<tr>
<td>System-Wide Renovations at Various School Sites</td>
<td>$5,314,419</td>
<td>State Lottery Proceeds - $1,587,157</td>
</tr>
<tr>
<td></td>
<td></td>
<td>State Public School Building Capital Fund Proceeds - $2,168,860</td>
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<tr>
<td></td>
<td></td>
<td>Bond Proceeds - $745,274</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from General Fund – $813,128</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 December 15, 2011, in accordance with G.S. 159-17.

CAPITAL PROJECT ORDINANCE FOR GUILFORD COUNTY SCHOOLS – FY 10-11 CAPITAL ALLOCATION

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that for the following capital project ordinance for Guilford County Schools – FY 10-11 Capital Allocation is hereby adopted on December 16, 2010 and amended on December 15, 2011 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:

| Guilford County Schools – FY 10-11 Capital Allocation | Capital Outlay $3,301,417 | Transfer from General Fund $3,301,417 |

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 December 15, 2011 in accordance with G.S. 159-17.

CAPITAL PROJECT ORDINANCE FOR GUILFORD COUNTY SCHOOLS – ROOF REPLACEMENT/REPAIR – ANDREWS HIGH SCHOOL

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that for the following capital project ordinance for Guilford County Schools – Roof Replacement / Repair – Andrews High School 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>Guilford County Schools – Roof Replacement / Repair – Andrews High School</td>
<td>$1,100,000</td>
<td>State Public School Building Capital Fund Proceeds - $825,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Transfer from General Fund – $275,000</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 December 15, 2011, in accordance with G.S. 159-17.

CAPITAL PROJECT ORDINANCE FOR GUILFORD COUNTY SCHOOLS – ROOF REPLACEMENT/REPAIR – ERWIN MONTESSORI

BE IT ORDAINED by the Board of County Commissioners for Guilford County, North Carolina that for the following capital project ordinance for Guilford County Schools – Roof Replacement / Repair – Erwin Montessori is hereby adopted in accordance with
SEC. 1. The following planned expenditure and associated revenue are hereby authorized and appropriated in connection with this project:

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guilford County Schools – Roof Replacement / Repair – Erwin Montessori</td>
<td>$83,000</td>
</tr>
<tr>
<td>State Public School Building Capital Fund Proceeds</td>
<td>$62,250</td>
</tr>
<tr>
<td>Transfer from General Fund</td>
<td>$20,750</td>
</tr>
</tbody>
</table>

SEC. 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.

SEC. 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.

SEC. 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 December 15, 2011, in accordance with G.S. 159-17.
<table>
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<tbody>
<tr>
<td><strong>SECTION 2.</strong> 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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SECTION 3.</strong> 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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SECTION 4.</strong> 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.</td>
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</table>

**ADOPTED** on first reading this December 15, 2011, in accordance with G.S. 159-17.

**B. MISCELLANEOUS**

1. Approved and continued resolution adopted April 20, 2006 authorizing Register of Deeds to destroy/dispose certain records per North Carolina General Statute 121-5 in accordance to the Records Retention and Disposition Schedule Issued by North Carolina Department of Cultural Resources. (Resolution on file with these minutes)

2. Approved purchase of a 25-foot access and utility easement located at 8121 Flat Rock Rd., Stokesdale, on tax parcel 0150167 for construction and maintenance of the Atlantic and Yadkin Greenway, north of the Haw River in Stokesdale, and authorize staff to take all reasonable and necessary steps to acquire easement. Appraised value of easement is $2,565 and purchase price is the same. To be purchased with existing Parks and Open Space bond funds. NO NEW COUNTY FUNDS REQUESTED.

3. Approved the Tax Department Rebate and Release reports.

Ben Chavis, Tax Director, submitted lists of corrections of clerical errors and assessments made in connection with taxes and assessments for the year 2011 and prior years, and lists were
approved and ordered filed with these Minutes. (The Board also received a rebate release list of 10% and up.)

4. Approved the Tax Department Beverage Licenses and Collections Reports.

APPROVED BEVERAGE LICENSES FOR TAX DEPARTMENT

Ben Chavis, Tax Director, submitted lists of applications for beverage licenses, which he stated, had been approved by the Sheriff’s Department and the North Carolina ABC Board. The Board adopted the following resolution:

BE IT RESOLVED that beverage licenses be issued to applicants as shown by lists filed with these Minutes and that said parties be and they are hereby granted licenses in accordance with their applications effective upon the payment of the licenses tax, said licenses to be signed in the name of Guilford County by the Tax Supervisor or one of his assistants and delivered to the applicants upon receipt of the licenses tax as provided by law.

TAX COLLECTION REPORTS FILED

Ben Chavis, Tax Director, filed reports of tax collections for the period ending December 1, 2011 for the Greensboro, High Point, Jamestown and Countywide collections offices, and a back year financial report.

ITEMS REMOVED FOR SEPARATE CONSIDERATION

1. Approved decrease to Public Health’s FY 2012 budget by ($316,175) as detailed below:

   Adult Services: $34,910
   a.) Approved a $3,000 increase in federal receipts to reflect funds being received from the N.C. Department of Health and Human Services for promotional expenses in our Syphilis Elimination Program.
   b.) Approved a $30,710 increase in state receipts to reflect funds being received from the N.C. Department of Public Health Tobacco Prevention and Control Branch for utilization in our TRU (Tobacco Reality Unfiltered) Programs. This award is part of the TRU Sustainability Project intended to fund activities that strengthen organizational infrastructure and enhance prospects for long-term sustainability of evidence-based tobacco use prevention / control work in the local community and state.
   c.) Approved a $1,200 increase in other receipts (registration fees) to reflect monies collected from participants of training classes (local and regional health professionals) offered through our local STD Training Center Program. Funds will be used to support the costs of the classes (supplies, training materials, etc.)

   Family / Children’s Services: ($351,085)
   d.) Approved an increase of $20,407 in federal receipts to reflect funds to be received from the N. C. Department of Health and Human Services for utilization in our childhood immunizations program. The objective for these one-time funds is to improve / enhance
local immunization efforts. Funds can/will be used for technology (laptops, docking stations, monitors/printers), supplies, and promotional expenses.
e.) Approved a decrease of ($371,492) in state receipts to reflect a reduction of funds from the N. C. Partnership for Children in five Smart Start Programs. Services will be impacted through the loss of four nurse positions (1-Community Transition Program, 1-Child Care Program, 2-Case Management Program), reductions in hours for three positions (1 interpreter-Case Management Program, 2 hygienists-Dental Program), and reduced operational expenditures.

Motion was made by Commissioner Cashion, and seconded by Commissioner Davis to approve Item A. (1)

Commissioner Cashion said this amendment deals with five Smart Start programs. She asked how many children this reduction will impact.

Ken Carter, Public Health, said the program was for all children in childcare facilities and all non-Medicaid children that they provide home visits to. He said it was about 3000 home visits per year and then the additional visits the department makes to daycares.

Commissioner Cashion asked about replacing the lost funds for the programs. She expressed concerned about the state’s cuts to Smart Start.

Mr. Carter said they do not have any funds to replace these state funds unless they use local funds. He said Health Department has put in for grants for these programs for next year in hopes that they will be re-funded.

VOTE: Motion to approve carried 10 - 0
AYES: Commissioners Alston, Bencini, Cashion, Coleman, Davis, Gibson, Parks, Perkins, Winstead, and Yow.
NOES: None.

VI. PUBLIC HEARINGS

A. Held required public hearing and approved amendment to the Guilford County Development Ordinance removing section 6-4.2 (c) Outdoor Lighting, adding new section 6-6 Outdoor Lighting and add lighting definitions to section (2). Planning Board recommended approval on a 7-0 vote on September 14, 2011. Hearing Postponed from November 17th Board meeting.

Les Eger, Planning and Development, explained the proposed amendment for the lighting ordinance. He said it has been prepared with the assistance of a number of community members including professors from Guilford Technical Community College, Triad Real Estate and Building Coalition, Planning Board members and Planning staff. He said the amendment will apply to new business projects and will closely mirror the City of Greensboro’s current ordinance which will improve the review process. He said it is intended for future business uses. He explained the Planning Board unanimously approved the text amendment and staff recommends approval.
Chairman Alston opened the public hearing.

Judy Stalder, Director of Regulatory Affairs with TREBIC, stated her organization has worked with the Committee on this ordinance and it is close to the Greensboro LDO. She said their members are satisfied with the ordinance.

Aaron Martin spoke about the Outdoor Lighting Committee's efforts to develop the proposed ordinance to include the interests of everyone. He presented examples of shielded and unshielded lighting. He spoke of the benefits of shielded lighting for the community.

Chairman Alston asked for opponents to come forward. Seeing none, he closed the public hearing.

Motion was made by Commissioner Bencini, and seconded by Commissioner Parks to approve the text amendment.

Commissioner Coleman asked if the change affects companies with poor lighting now. Mr. Eger responded this is strictly for new businesses and it would not affect existing businesses.

Commissioner Bencini asked about businesses that are reopening. Mr. Eger said if there is an existing site plan then the business would not need to conform to the new standards.

Commissioner Coleman expressed concern that school parking lots need bright lights for safety.

Mr. Martin said there are studies that crime rates go down where it is dark because the criminals use the light to commit crimes so the safety factor is not as great as assumed.

Commissioner Cashion said in the Planning Board minutes they discussed properties that were grandfathered. Mr. Eger explained the discussion at Planning Board was surrounding properties that may be annexed into the City of Greensboro and those properties would be grandfathered.

Commissioner Parks commended TREBIC for their efforts.

Commissioner Davis asked about spotlights that are used for advertising businesses.

Mr. Martin said spotlights might have already been banned nationally.

Mr. Eger said a business or individual could apply for a temporary event permit to use the lights under an exemption. He said there are about nine items that fall under an exemption in the ordinance.

Commissioner Davis asked about construction costs using the shielded lighting.

Mr. Martin said the light fixtures are probably a little more expensive initially but by directing the light downward they can use a lower wattage light and have long term energy savings.
Ms. Stalder stated that the committee was very sensitive to the cost to builders and developers. She said developers and builders are transferring to these fixtures and these standards are the way the industry is moving.

Vice Chairman Perkins thanked the lighting committee and Jeff Deal, Chairman of the Planning Board, for their work and said he supports the amendment.

**VOTE:** Motion carried 10 - 0

**AYES:** Commissioners Alston, Bencini, Cashion, Coleman, Davis, Gibson, Parks, Perkins, Winstead, and Yow.

**NOES:** None.

**B.** Held public hearing and approved amendment with recommended Planning Board Modification: Amendment to Guilford County Development Ordinance adding new section 6-4.75.1, new use line to table of permitted uses inserting Rural Residential Occupation with development standard for the Agricultural District (AG). Under sub-paragraph H2, strike the existing last sentence and insert "Operations which redistribute goods manufactured off-site, without on-site value added, shall be prohibited". Planning Board Recommended approval on a 7-0 vote. Hearing Postponed from November 17th Board meeting.

Les Eger, Planning Department, explained the proposed amendment. He said the amendment was prepared to help residents to establish low intensity businesses in their homes or accessory structures. He said the Rural Residential Occupation (RRO) would only apply to the Agricultural zoning district. He explained the general characteristics of the text amendment. He explained the Planning Board approved it unanimously with the modification presented.

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

Jeff Deal, Chairman of the Planning Board, stated that he has worked with staff to assure consistency with the accessory structures. He said this version attempts to scale them appropriate to lot size and maintain the appearance of the AG district. He discussed the benefits of the proposed ordinance amendment including expanding the ability of residents to work at home.

Chairman Alston asked for opponents to come forward. Seeing none, he closed the public hearing.

Motion was made by Commissioner Perkins, and seconded by Commissioner Davis to approve the text amendment.

Commissioner Bencini asked for a definition of value-added.

Mr. Eger explained he understood value-added to mean that a person could purchase products or items and make some changes to the items to improve the items which increases the value.
Commissioner Bencini stated that it is not very clear in the ordinance about what is meant by value-added. He asked about repackaging bulk items.

Commissioner Cashion asked about on-site retail and beauty shops that sell products.

Mr. Eger explained that the original language regarding on-site retail was struck from the original text amendment and the value-added language was added.

Commissioner Yow stated that in the rural part of the county the ordinance will allow more retail operations and create jobs.

Commissioner Coleman asked if there is any limitation on how large the operations can be and parking.

Commissioner Yow stated that all of the operations are permitted through Planning and Development and there is only a small percentage of the home that can be used for businesses.

Mr. Eger stated that the ordinance limits the number of individuals that can work on the site and the size of the business is limited to no more than 25% of the home but this amendment allows there an option to have operations in accessory structures.

Commissioner Coleman asked about parking for the business.

Mr. Eger stated that parking requirements are that any additional parking shall be behind the principal building or accessory and must be fully screened. He said parking would have to approved through the site plan review process.

Vice Chairman Perkins said he supports this amendment for the citizens in his district and it is really just a tweak to the existing ordinance. He said he believed this will help small businesses in the rural areas.

**VOTE:** Motion to approve carried 10 - 0

**AYES:** Commissioners Alston, Bencini, Cashion, Coleman, Davis, Gibson, Parks, Perkins, Winstead, and Yow.

**NOES:** None.

**VIII. NEW BUSINESS**

A. **Appointed Fire District Overview Committee.**

Chairman Alston stated that Vice Chairman Perkins requested after the work session to put together a Fire District Committee and he is asking Vice Chairman Perkins to serve as Chairman of the Committee. He added that Fire Chiefs will be invited to be a part of the Committee as well.

Vice Chairman Perkins said there would be a cross representation from fire community and citizens.
Commissioner Parks asked about when citizens would be appointed to the Committee.

Vice Chairman Perkins suggested that the Committee sit down and decide on the makeup of the Board and consider people to appoint.

Chairman Alston said the Committee would be in charge of appointing members to the committee. He suggested the Committee could report back in 60 days.

Vice Chairman Perkins said he would like to give a status report in 60 days because he believed the process would take a longer than 60 days.

Commissioner Coleman asked that there be racial diversity on the Committee.

Vice Chairman Perkins said any Commissioner can recommend a citizen for appointment to the Committee.

Motion was made by Commissioner Winstead, and seconded by Commissioner Coleman to approve appointment of Commissioners Perkins, Parks, and Yow, to the Fire District committee.

Commissioner Davis said he would like each Commissioner to appoint someone to the Committee.

Commissioner Yow said they need to be mindful of the size of the Board. He said he would like every Board member to submit a name.

Chairman Alston said that any Board member that wants to make a recommendation for appointment can give the name to Vice Chairman Perkins within the next couple of weeks.

Commissioner Parks urged Commissioner Davis to serve on the Committee.

**VOTE:**  
**AYES:** Commissioners Alston, Bencini, Cashion, Coleman, Davis, Gibson, Parks, Perkins, Winstead, and Yow.  
**NOES:** None.

C. **Adopted Resolution in Opposition of the City Councils request to Rezone Guilford County Property Formally Known as The Evergreens, Zoning Case #11-16**

Commissioner Davis read the resolution.

Motion was made by Commissioner Davis, and seconded by Commissioner Coleman to adopt the resolution.

Commissioner Gibson asked if the Board voted to file the protest petition.
Mark Payne, County Attorney, said the directive to staff was to take all necessary means to affect the sale.

Commissioner Gibson said they did not specifically vote as a Board for a protest petition. He said he is in favor of selling the property but he has problem with the wording in the resolution as well as sending resolutions to other elected bodies.

Mr. Payne explained that the Board did not know all the issues surrounding selling the property but the charge to staff was to take all steps that are necessary. He said this resolution makes it plain that they are supporting the protest petition.

Chairman Alston stated that it was inferred that staff would take all necessary action. He said the Board did not know at the last meeting that the City of High Point would consider rezoning the property. He said if the Board wants to override what he and the Manager did by filing the protest petition then they have the option tonight.

Commissioner Yow stated that the City of High Point disrespected the County by trying to rezone the property without its knowledge or permission. He said it was appropriate to take these steps because the County needs to do everything it can to sell the property.

Chairman Alston stated that he should have instructed staff to send the Board information regarding the protest petition as soon as it was filed.

Commissioner Bencini asked if the Board explicitly directed the County Manager or Chairman to file the protest petition. Mr. Payne replied no.

Commissioner Bencini asked if the County received proper notification of the rezoning. Mr. Payne responded the County received the notice after the last Board of Commissioners meeting and a few days prior to the deadline for filing protest petitions for the Planning and Zoning Commission Meeting.

Commissioner Davis stated that the property belongs to Guilford County and the Board gave direction to staff to make the sale. He said if High Point rezoned the property then he believed the County would not get the highest and best price for the property. He said they gave staff explicit enough directions to do what was necessary. He pointed out the High Point Planning and Zoning Commission voted unanimously not to rezone the property. He added this proposed project will bring 185 jobs and have a $40 million impact for High Point.

Commissioner Cashion stated that the numbers regarding the economic impact speak for themselves. She said she sees this resolution as a part of their due diligence.

Commissioner Bencini stated that whether they like it or not they don't have jurisdiction over zoning in municipalities. He said Commissioners are criticizing the City of High Point but those words are not well deserved.
Commissioner Perkins stated that as the property is presently zoned the proposed use by the buyer is permitted. Mr. Payne said that is his understanding as well.

Commissioner Perkins stated that he understands High Point's concerns but if the City has another vision then they should buy the land. He said he hopes the City does not try to rezone the property.

Commissioner Parks inquired about the use of protest petitions.

Mr. Payne stated that he respects other jurisdictions but the County is a landowner and as a property owner it possesses rights, including the right to file a protest petition.

Commissioner Parks asked what vote would be required for City Council to rezone now that a protest petition has been filed.

Mr. Payne replied that a successful vote needs to be a three-quarters vote if there is a protest petition filed in a case.

Commissioner Bencini stated that the property owner always has the right to file a petition but the wording in the resolution states that the County Manager and Chairman were directed to file the petition.

Chairman Alston stated that he was advised by the County Attorney to file the petition before the deadline and he acted on the Board's behalf.

**VOTE:** Motion carried 8 - 2

**AYES:** Commissioner Alston, Cashion, Coleman, Davis, Parks, Perkins, Winstead, and Yow.

**NOES:** Commissioners Bencini and Gibson

**RESOLUTION IN OPPOSITION OF THE CITY COUNCIL’S REQUEST TO REZONE GUILFORD COUNTY PROPERTY FORMALLY KNOWN AS “THE EVERGREENS”, ZONING CASE #11-16**

**Whereas,** the High Point City Council has requested rezoning of approximately 91.5 acres from the Public & Institutional District (PI) to a Residential Multifamily-8 (RM-8) District identified as Zoning Case #11-16; which consists of four parcels adjacent to and west of the I-74 (US 311) interchange with Greensboro Road; and,

**Whereas,** two of the four parcels totaling 21.44 acres of land are owned by Guilford County and formerly referred to as “The Evergreens”; and,

**Whereas,** on October 20, 2011, the Board of County Commissioners received an offer in the amount of $3.1 million for the purchase of the said property, which would add millions of dollars of real and personal property back onto the Guilford County tax rolls and anticipates approximately 200 additional jobs for the High Point area. And on this date the Board voted, on
a 9-0 vote, to enter into a contract to sell The Evergreens property and directed staff to take necessary steps to secure the contract and advertise for an upset bid; and,

Whereas, the High Point Planning and Zoning Commission voted unanimously on December 13, 2011, to not support the proposed rezoning, Case #11-16; and

Whereas, Guilford County is opposed to proposed rezoning of The Evergreens property which would prevent the anticipated use of the potential buyer; and

Now, Therefore Be It Resolved, that the Guilford County Board of Commissioners supports the County’s Protest Petition, filed in accordance to the Board’s direction given on October 20, 2011, by both the County Manager and the Chairman of the Board, and hereby acknowledges that the filed petitions are authorized by the County and urges the High Point City Council to carefully consider the proposed rezoning case #11-16 and its ramifications to its residents.

Adopted this the 15th day of December, 2011.

IX. COMMENTS FROM COMMISSIONERS

Commissioner Yow stated that it has been an interesting year and he wished citizens a Merry Christmas.

Commissioner Winstead commended the Greensboro Holiday Parade.

Commissioner Parks congratulated the Northern Guilford Nighthawks and Page Pirates for winning state championships in their respective divisions.

Commissioner Cashion stated that she recently attended the National Association of Counties Board of Directors meeting. She said the Building Naming Committee will meet on January 5th at 8:30 a.m.

Commissioner Perkins stated that he attended the grand opening of the Nanotechnology Center and it will open up a lot of opportunities for Guilford County and the State of North Carolina. He also encouraged citizens to visit County parks during this time of the year.

Commissioners Davis and Coleman also wished all the citizens, staff and Board members a Happy New Year.

Commissioner Gibson wished everyone a happy holiday season. He said he participated in the North Carolina Association of County Commissioners Board meeting and he encouraged Board members to get involved in the NCACC.

Commissioner Bencini wished everyone a joyous season.

XII. HELD CLOSED SESSION AND SET PUBLIC HEARING ON THE POSSIBLE LOCATION OR EXPANSION OF BUSINESS OR INDUSTRY
Motion was made by Commissioner Perkins, and seconded by Commissioner Parks to enter closed session.

VOTE: Motion carried 10 - 0
AYES: Commissioners Alston, Bencini, Cashion, Coleman, Davis, Gibson, Parks, Perkins, Winstead, and Yow.
NOES: None.

The Board entered closed session at 7:36 p.m. The Board reconvened in open session at 7:48 p.m.

Motion was made by Commissioner Davis, and seconded by Commissioner Parks to set a public hearing on January 19, 2012 for an economic incentive request.

VOTE: Motion carried 6 - 0
AYES: Commissioners Alston, Cashion, Davis, Parks, Perkins, Winstead.
NOES: None.

XIII. ADJOURNED

There being no further business, the meeting was adjourned at 7:55 p.m.

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Chairman

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Deputy Clerk