MINUTES OF BOARD OF COUNTY
COMMISSIONERS
OF GUILFORD COUNTY

Greensboro, North Carolina
March 6, 2014

The Board of County Commissioners met in a duly noticed regular meeting on March 6, 2014 at 5:30 PM, in the Commissioners’ Meeting Room, 301 W. Market St., Greensboro; North Carolina.

PRESENT: Chairman Bill Bencini, presiding; Vice Chairman Hank Henning; Commissioners Jeff Phillips, Bruce Davis, Carolyn Q. Coleman, participating by telephone, Kay Cashion, Linda O. Shaw, Alan Branson, and Raymond Trapp.

ABSENT: None.

ALSO PRESENT: Marty Lawing, County Manager; Mark Payne, County Attorney; Robin Keller, Clerk to the Board; Michael Halford, Budget Director; Merle Green, Public Health Director; Bonnie Stellfox, Purchasing Director; Delanie Poteat, Interim Property Management Director; Jim Albright, Emergency Services Director; Ben Chavis, Tax Director; Leslie Bell, Planning & Development Director; Myra Thompson, DSS Division Director- Administration and Transportation Services; Jeff Fowler, Security Director; Paul Lowe, Deputy Clerk to the Board; Randall Lyons, Budget & Management Analyst; Thomas Marshburn, Parks Operations Manager; and members of the media and community.

I. INVOCATION

Board Chaplin Chavis provided the invocation.

II. PLEDGE OF ALLEGIANCE

Chairman Bencini led those in attendance in the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER

Chairman Bencini welcomed those present and called the meeting to order at 5:37 PM.
IV. PRESENTATIONS

A. RESOLUTION HONORING THE LIFE OF DIANNE LEBURNE WALTON MUNDEN

Due to inclement weather, the presentation of the resolution honoring the life of Dr. Dianne LeBurne Walton Munden was postponed.

B. HEAR SANDHILLS CENTER AREA AUTHORITY’S UPDATE ASSOCIATED WITH THEIR LOCAL BUSINESS PLAN AND APPROVE SAME, IN ACCORDANCE WITH N.C. GEN. STAT 122C-115.2.

Victoria Whitt, Chief Executive Officer of the Sandhills Center, presented the organization’s local business plan as required by State statute. Whitt discussed the specific statewide initiatives that the Sandhills Center is working to implement. Whitt shared that her organization and staff are focusing on reducing emergency room wait times for mental health patients in the County and to find employment opportunities for Sandhills customers. Whitt reviewed the CAP program and the subsequent waiting list due to limited funding for services for respite care and community support.

Commissioner Cashion shared her experiences serving on the Sandhills Center Board. Cashion also thanked Ms. Whitt for her service and hard work.

Motion was made by Commissioner Kay Cashion, and seconded by Commissioner Linda O. Shaw to approve the Sandhills Center Area Authority’s update associated with their local business plan and approve same in accordance with N.C. General Statue 122C-115.2.

VOTE: Motion carried 9 – 0.
NOES: None.

V. SPEAKERS FROM THE FLOOR

Charlotte Straney, of Greensboro, spoke to the Board regarding an experience she had due to a recent medical situation which occurred during an incidence of inclement weather. Straney asked the Board to consider researching and implementation of a transportation system which could reach residents with non-emergency medical transportation needs during periods of adverse driving conditions. Ms. Straney expressed frustration that she did not require the immediate and comprehensive medical support of an ambulance but did not have personal transportation that could navigate the icy roads.

Raymond King, of Be Wise Kids Incorporated, of Greensboro, asked the Board to support their initiative. King shared that Be Wise Kids Incorporated is an organization tasked to bring awareness to the plight of and reduce incidents of sexual assault of children. King shared that his
group wanted to work to raise awareness of the need and that through education help prevent children from becoming victims.

Commissioner Trapp spoke in favor of the initiative and spoke to the programs developed by Be Wise Kids, Inc. to empower and educate young children.

VI. CONSENT AGENDA

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

Commissioner Phillips requested the removal of item VI.B.3 from the consent agenda.

Commissioner Branson requested the removal of item VI.C.2 from the consent agenda.

A. BUDGET AMENDMENTS

1. Approve the following Public Health budget amendment, resulting in a net decrease to the FY 2014 budget of ($4,099). NO ADDITIONAL COUNTY FUNDS REQUIRED.

   Adult Services: $2,087

   Approve an increase in Federal / State Revenue in the amount of $2,087 as a reallocation from the North Carolina Public Health Disease and Injury, Tobacco Prevention and Control Branch in order to build upon existing evidence-based tobacco prevention and control strategies and program sustainability by the local Health Department. Funds will be used to complete approved Annual Action Plan activities in cessation, smoke free environments and prevention education.

   Program Support: $2,063

   Approve an increase in Federal / State Revenue of $2,063 from the North Carolina Department of Health and Human Services, Epidemiology / Communicable Disease Branch for the Gonococcal Isolate Surveillance Project (GISP). Guilford County is one of twenty-seven sentinel surveillance sites, and is one of only seven sites on the east coast, that submits gonococcal isolates that will be used to monitor antimicrobial susceptibility in urethral gonococcal isolates. Guilford has participated in this program since 2008. Funds will be used to purchase supplies to support the project.

   Family/Children: ($8,249)

   Approve a ($8,249) decrease in Federal / State Revenue due to reduction in Block Grant funds from state to align budgets in our Family Planning program.
Operational expenses will be decreased to offset this reduction.

The following Budget Ordinance Amendment was adopted:

**BUDGET ORDINANCE AMENDMENT**

General Fund
Decrease Appropriation
Public Health \(\text{($4,099)}\)
Decrease Federal/State Revenue \(\text{($4,099)}\)

2. Approve the attached FY 2014 budget amendment for Animal Services, resulting in an increase of $12,885. NO ADDITIONAL COUNTY FUNDS REQUIRED.

The following Budget Ordinance Amendment was adopted:

**BUDGET ORDINANCE AMENDMENT**

General Fund
Increase Appropriation
Animal Service \$12,885
Increase Federal/State Revenue \$12,885

**B. CONTRACTS**

1. Approve the purchase of 30 800 Mhz radios and accessories from Motorola Solutions, Inc. 1303 East Algonquin Road, Schaumburg, Illinois 60196, in the amount of $187,025.98 to complete subscriber upgrades of public safety agencies in Guilford County. Purchase is from State Contract 725G, with additional 2% volume discount. Funds are available for this purchase and are included in an existing capital project ordinance that was approved by the Board of Commissioners in November 2011. NO ADDITIONAL COUNTY FUNDS.

2. Approve Price Only Contract Renewal - Amendment #1 with no price increases and at the same terms and conditions in substantial form and attached hereto:
   (a) Northwestern Emergency Vehicles (Contract 66381-02/12-180) Amend #1 - $532,449.00 - Purchase of Three (3) complete Ambulances for EMS - Contract period will begin February 13, 2014 and end on February 13, 2015 - No Renewal Options Remaining. Will need to be bid next year. NO ADDITIONAL COUNTY FUNDS.

Removed from Consent Agenda for separate consideration

3. Approve the Price Only Contract Renewal - Amendment #1 with no Price Increases and at the same terms and conditions with the following vendors for total of $2.1 million in substantial form and attached hereto:
   (a) MNZ Corporation, BA/MNZ Transportation, 1400 Battleground Avenue, Greensboro, NC - Contract 110252-06/13-039 - Amendment #1 - $800,000 – Non-emergency Medicaid Transportation for period to begin July 1, 2014 and ending on June 30, 2015 with one remaining renewal
(b) Big Wheel Transportation, P.O. Box 7092, Greensboro, NC – Contract #110254-06/13-016- Amendment #1 - $500,000 - Non-Emergency Medicaid Transportation for period to begin July 1, 2014 and end on June 30, 2015 with one remaining renewal

(c) Triad Transportation, 1017 Pewter Court, Winston Salem, NC – Contract 11025-06/13-040 - Amendment #1 - $800,000 - Non-Emergency Medicaid Transportation for period to begin July 1, 2014 and June 30, 2015 with one remaining renewal No Additional County Funds

C. MISCELLANEOUS

1. The North Carolina Department of Transportation requires the Board of County Commissioners to adopt the Transportation and Mobility Services Department System Safety Program Plan.

Removed from Consent Agenda for separate consideration

2. Authorize the County Manager to implement the attached alternative fee schedule for the replacement / re-roof of non-residential structures in order for Guilford County to be more in line with other jurisdictions.

3. Adopt resolution approving and supporting Sandhills Center Area Authority's petition to the State Human Resources Commission to determine if the Sandhills Center human resources system meets the requirements for substantial equivalency in the areas of Recruitment, Selection and Advancement as well as Classification and Compensation with the State Human Resources Act.

4. Approve the following sets of County Commissioner’s Meeting Minutes:
   2/20/14- Audit Committee Meeting
   2/20/14- Regular Meeting

Motion was made by Commissioner Alan Branson, and seconded by Commissioner Jeff Phillips to approve the consent agenda.

VOTE: Motion carried 9 – 0.


NOES: None.

ITEMS REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION

1. VI.B.3. Approve the Price Only Contract Renewal - Amendment #1 with no Price Increases and at the same terms and conditions with the following vendors for total of $2.1 million in substantial form and attached hereto:

   (a) MNZ Corporation, BA/MNZ Transportation, 1400 Battleground Avenue,
Greensboro, NC - Contract 110252-06/13-039 - Amendment #1 - $800,000 – Non-emergency Medicaid Transportation for period to begin July 1, 2014 and ending on June 30, 2015 with one remaining renewal

(b) Big Wheel Transportation, P.O. Box 7092, Greensboro, NC – Contract #110254-06/13-016 - Amendment #1 - $500,000 - Non-Emergency Medicaid Transportation for period to begin July 1, 2014 and end on June 30, 2015 with one remaining renewal

(c) Triad Transportation, 1017 Pewter Court, Winston Salem, NC – Contract 11025-06/13-040 - Amendment #1 - $800,000 - Non-Emergency Medicaid Transportation for period to begin July 1, 2014 and June 30, 2015 with one remaining renewal No Additional County Funds.

Commissioner Phillips asked if the County served as a pass through agency for the Medicaid non-emergency transportation funds.

Myra Thompson, DSS Division Director - Administration and Transportation Services confirmed that the County serves as a pass through agency to administer the non-emergency Medicaid transportation program.

Bonnie Stellfox, Purchasing Director, provided an update regarding the Medicaid non-emergency transportation program.

Motion was made by Commissioner Jeff Phillips, and seconded by Commissioner Ray Trapp to approve the Price Only Contract Renewal - Amendment #1 with no Price Increases and at the same terms and conditions with the following vendors for total of $2.1 million in substantial form and attached hereto.

VOTE: Motion carried 9 – 0.
NOES: None.

2. VI.C.2. Authorize the County Manager to implement the attached alternative fee schedule for the replacement / re-roof of non-residential structures in order for Guilford County to be more in line with other jurisdictions.

Commissioner Branson asked if the fee schedule for County building permits was going to be reviewed and updated in light of the recent findings.

Marty Lawing, County Manager, shared that he was working collaboratively with the County’s Planning and Development staff to update the fee schedule to ensure that no discrepancies exist. Lawing stated that he wanted to make sure that Guilford County’s fee structure was competitive with other peer counties found in the State.
Commissioner Branson urged Lawing to ensure that the permitting process was straightforward and worked for contractors and developers in the County.

Commissioner Phillips expressed concerns regarding the current fee structure.

Commissioner Cashion asked when the current County fee schedule had been adopted.

Leslie Bell, Planning and Development Director, stated that the fee schedule had been in place since January 1, 2006.

Motion was made by Vice Chairman Hank Henning, and seconded by Commissioner Bruce Davis to approve and authorize the County Manager to implement the attached alternative fee schedule for the replacement / re-roof of non-residential structures in order for Guilford County to be more in line with other jurisdictions.

**VOTE:** Motion carried 9 – 0.


**NOES:** None.

**VII. PUBLIC HEARINGS**

A. Hold Public Hearing for the purpose of considering and adopting Amendments to Chapter 11, Miscellaneous Provisions and Offenses, Sec. 11-5, Discharge of Firearms, and Chapter 13, Parks and Recreation, Sec. 13-5, Firearms, Fireworks, etc., of the Guilford County Code of Ordinances in order to comply with changes to North Carolina General Statutes governing the regulation of firearms by local governments.

Chairman Bencini opened the floor for proponents to speak to the proposed amendments.

No one signed up to speak in favor of the measure.

There being none, Chairman Bencini opened the floor to opponents.

Opposition - Andy Stevens, of Greensboro, spoke in opposition to the amendments. Mr. Stevens shared that the Legislature has been working to improve concealed carry permit access across the State. Stevens cautioned the Board that restricting lawful permit holders’ ability to carry their weapons did not aid in reducing criminal activity found in the County.

Commissioner Phillips made a motion to adopt alternative amendments to Chapter 11, Miscellaneous Provisions and Offenses, Sec. 11-5, Discharge of Firearms, and Chapter 13, Parks and Recreation, Sec. 13-5, Firearms, Fireworks, etc., of the Guilford County Code of Ordinances in order to comply with changes to North Carolina General Statutes governing the regulation of firearms by local governments. Phillips asked that the County Attorney pass out the revisions.

Commissioner Branson seconded the Motion.
Commissioner Phillips explained that the revisions associated with his motion would not impose concealed carry permit access in recreational areas on County Property.

Commissioner Cashion asked for clarification in regards to the proposed revisions.

Chairman Bencini stated that the revisions would allow concealed permit holders to bring firearms into County recreation facilities, whereas the original amendments formerly under consideration would prohibit concealed carry access on the County’s designated recreational areas such as the pools, ball fields, playgrounds etc.

Commissioner Cashion commented that she did not feel that guns have a place on recreational fields and facilities. Cashion commented that she could not support an extension of gun rights into County facilities which regularly hosts children’s programming and sporting events.

Commissioner Branson spoke in favor of the revisions. Branson shared that concealed permit holders must pass through a rigorous vetting procedure, which includes a background check.

Commissioner Phillips spoke in favor of adopting the less restrictive ordinance- as in his opinion- enforcing concealed carry rules in County recreational areas would be nearly impossible. Phillips then asked for clarification regarding the process for approving the motion.

Mark Payne, County Attorney, clarified that the provision must be passed unanimously-if not the Board would have to vote on the measure at its next regular meeting. Payne shared that the second vote did not have to be a unanimously one.

Commissioner Linda Shaw shared that she has been a long time NRA member, but had some reservations regarding the proposed provisions. Shaw commented that recent alternations to State rules regulating concealed weapons in parks required the Board to update its ordinances.

Commissioner Cashion shared her support for current State statutes regarding concealed weapons, but commented that she did not back expanding the standards to allow firearms in County recreation facilities. Cashion stated that in general she supported gun rights- but did not feel comfortable supporting the motion.

Vice Chairman Henning spoke in support of the revised ordinance.

Commissioner Davis spoke in support of the amendment. Davis stated that his concerns rested with individuals who do not respect the law and choose not to obtain a concealed handgun permit. Davis commented that concealed permit holders receive training and are usually more respectful of laws and regulations regarding the handling of handguns. Davis stated that since the State Legislature had expanded concealed carry permits holders’ access into parks- it was difficult to regulate and doing so could be punitive to law abiding citizens.

Commissioner Trapp spoke in support of the amendment. Trapp stated that enforcement would be difficult to administer- especially after recent alternations instigated by the State Legislature.
Commissioner Coleman stated that she would not be supporting the alternate revisions. Coleman reminded the Board that the Legislature created the provision of local governments to have the ability to prohibit concealed carry permit holders in bringing weapons into recreational areas. She commented that the intent of this provision is to recognize that these areas are designed to attract and house large groups of children and families and that allowing weapons in these areas could place them at risk. Commissioner Coleman expressed concerns that all those with current concealed carry permits are not necessarily the law abiding citizens that other Commissioners are referencing in their support of the changes. She pointed out to the Board that concealed carry permits are valid for six years and that while one may be mentally competent when the initial permit is issued, the mental health of the permit holder may deteriorate over time increasing the likelihood of violence. Coleman commented that she did not understand the need for residents to bring weapons into the parks and therefore could not support the changes offered in Commissioner Phillip’s motion.

Motion was made by Commissioner Jeff Phillips, and seconded by Commissioner Alan Branson to approve revised Amendments to Chapter 11, Miscellaneous Provisions and Offenses, Sec. 11-5, Discharge of Firearms, and Chapter 13, Parks and Recreation, Sec. 13-5, Firearms, Fireworks, etc., of the Guilford County Code of Ordinances in order to comply with changes to North Carolina General Statutes governing the regulation of firearms by local governments.

VOTE: Motion carried 7 – 2.
NOES: Commissioners C. Coleman, K. Cashion.

Chairman Bencini shared that because the measure was not approved unanimously, the issue would be considered again at the next regularly scheduled Board meeting.

VIII. NEW BUSINESS

A. In accordance with Section 3(d)(6) of the Enabling Act of the Piedmont Triad Airport Authority, approve the conveyance by the Authority to the North Carolina Department of Transportation, in fee simple, of approximately 0.463 acres of land, as shown in blue on the attached drawing, and a temporary construction easement in an additional 0.022 acres, for the sum of $78,000.

Mr. Bill Cooke, Counsel for the Piedmont Triad Airport Authority, stated on the Authority’s behalf he was requesting that the Board approve the sale of 0.463 acres of land to the North Carolina Department of Transportation (NCDOT) for $78,000. Cooke shared that the Authority Board had approved the proposed sale. Cooke stated that the land transfer would allow the NCDOT to relocate Pleasant Ridge Road. Cooke shared that a temporary construction easement would be conveyed to the NCDOT during the project.
Motion was made by Commissioner Alan Branson, and seconded by Commissioner Ray Trapp to approve in accordance with Section 3(d)(6) of the Enabling Act of the Piedmont Triad Airport Authority, approve the conveyance by the Authority to the North Carolina Department of Transportation, in fee simple, of approximately 0.463 acres of land, as shown in blue on the attached drawing, and a temporary construction easement in an additional 0.022 acres, for the sum of $78,000.

VOTE: Motion carried 9 – 0.
NOES: None.

B. New Business from County Commissioners

Commissioner Coleman stated that no one had filed to run against her in the upcoming primary and general election. Coleman commented that she appreciated the community’s support and was looking forward to working with the other Commissioners over the next four years.

IX. APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Piedmont Triad Airport Authority

Appoint Commissioner Linda O. Shaw- term expiring 04/20/17

Motion was made by Vice Chairman Hank Henning, and seconded by Commissioner Ray Trapp to approve appointments and reappointments to various Boards and Commissions.

VOTE: Motion carried 9 – 0.
NOES: None.

Commissioner Coleman stated that Commissioner Shaw’s appointment would commence after the term of current Airport Authority Henry H. Isaacson ended in April 2014.

Commissioner Shaw thanked the Board for supporting her appointment to the Airport Authority.

X. COMMENTS FROM COMMISSIONERS

No additional comments were offered by the County Commissioners.

XI. COMMENTS FROM COUNTY MANAGER
Lawing provided the Board with an update concerning the cell phone ban which was recently implemented at the Guilford County Court House. Mr. Lawing stated that about 30% of Court House visitors, or about 40 people, are turned away daily due to having banned electronic devices. Lawing shared that the County is looking to increase the number of storage boxes found at both County Court Houses in High Point and Greensboro.

Lawing commented that High Point University had submitted an offer to purchase two parcels of County owned land located at 1010 and 1012 Barbee Avenue in High Point. Lawing commented that the University was interested in constructing a School of Public Health on the two lots. Lawing shared that the County acquired the properties in 2012 due to unpaid property taxes. Lawing commented that the University was offering $25,000 for both properties.

Motion was made by Commissioner Jeff Phillips, and seconded by Commissioner Linda O. Shaw to authorize the County Manager to begin the process of disposing of the two properties by selling them to High Point University.

VOTE: Motion carried 9 – 0.
NOES: None.

Lawing reminded the Board regarding the upcoming work session regarding human services consolidation. Lawing shared that the work session would be held on Thursday, March 20th at 2:00 PM. Lawing commented that representatives from the North School of Government and the North Carolina Association of County Commissioners would address the Board at the work session.

XII. SPEAKERS FROM THE FLOOR

Andy Stevens - thanked the Board for their vote regarding gun regulations.

XIII. HOLD CLOSED SESSION PURSUANT TO N.C.G.S. §143-318.11 FOR THE PURPOSES OF: CONSULTING WITH THE COUNTY ATTORNEY AND CONSIDERING THE ACQUISITION OR SALE OF PROPERTY and TO DISCUSS A PERSONNEL MATTER.

Motion was made by Commissioner Ray Trapp, and seconded by Commissioner Bruce Davis to approve entering closed session pursuant to N.C.G.S. §143-318.11 for the purposes of consulting with the County Attorney and considering the acquisition or sale of property and to discuss a personnel matter.

VOTE: Motion carried 9 – 0.
NOES: None.

Meeting went into Recess at 7:04 PM.
Meeting Reconvened at 7:36 PM.

XIV. ADJOURN
Motion to adjourn made by Commissioner Trapp and seconded by Commissioner Henning. Motion carried unanimously.

Meeting Adjourned at 7:36 PM.

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Chairman

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Deputy Clerk to the Board