MINUTES OF BOARD OF COUNTY
COMMISSIONERS
OF GUILFORD COUNTY
Greensboro, North Carolina
September 18, 2014

The Board of County Commissioners met in a duly noticed regular meeting on September 18, 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, Carolyn Q. Coleman, Kay Cashion, Bruce Davis, 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; Reid Baker, Finance Director; Bonnie Stellfox, Purchasing Director; Merle Green, Public Health Director; Joe Raymond, Health and Human Services Director; Jim Albright, Emergency Services Director; Ben Chavis, Tax Director; John Dean, Human Resources Director; Leslie Bell, Planning & Development Director; Robert McNiece, Facilities, Parks, and Property Management Director; Thomas Marshburn, Parks Division Director; Jeff Fowler, Security Director; Myra Thompson, DSS Administration and Transportation Division Director; Alexis Underwood, DSS Contracts Manager; Paul Lowe, Deputy Clerk; Donald Campbell, Emergency Management Division Director; and members of the media and community.

I. INVOCATION

Board Chaplin Chavis provided the invocation

II. PLEDGE OF ALLEGIANCE

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

III. WELCOME AND CALL TO ORDER

Chairman Bencini called the meeting to order at 5:35 PM.

IV. SPEAKERS FROM THE FLOOR

Luther Falls, Jr., of Greensboro, shared his appreciation for the Board, particularly Commissioner Kay Cashion for honoring his father’s 87th birthday with a resolution.
Lacy Ward Jr., Executive Director of the Civil Rights Museum, provided an update regarding recent changes made at the Museum. Ward reported that Museum staff has selected a new Board of Directors which better represents the community and have put together a strong management team to oversee financial reporting, operations and public relations. Ward welcomed Commissioners to provide ongoing input regarding Museum operations and noted that his staff was working hard to implement improvements which would better position the facility in the future and commented that he was looking forward to working with the Board.

Commissioner Davis formally welcomed Ward on behalf of the County. Davis shared that Ward was doing a wonderful job in his role as Executive Director and stated that he was looking forward to seeing the Museum continue to grow and develop.

Carrie Schlup, Summerfield, expressed concerns regarding the proposed ballot initiative which would allow individuals to waive their right to trial by jury in some instances. Schlup opined that the proposal would hurt State residents and asked the Board to address the issue with a public hearing.

Commissioner Shaw asked the County Attorney how the Board could address the issue.

Mark Payne, County Attorney, replied that Commissioners could hold a public hearing on any topic but noted that the County did not have the authority to remove or place items on the ballot. Payne commented that typically the Board usually does not take stands on political issues which are outside of their purview, but added that ultimately it was the Commissioners’ decision.

Chairman Bencini asked if a resolution would be considered advocacy.

Payne responded that adopting a resolution would indeed be considered advocacy.

Commissioner Coleman commended Schlup for bringing the issue to the Board's attention and stated that she wanted the Board to place the item on the next agenda to fully address the issue.

Commissioner Davis echoed Coleman's concerns and appreciation Schlup for bringing the measure to the Board's attention. Davis expressed concerns that the consideration would erode the rights of citizens and asked if the North Carolina Association of County Commissioners had discussed the issue.

Commissioner Shaw questioned who placed the item on the upcoming ballot in November.

Schlup replied that she believed that the measure was placed on the ballot by the Prosecuting Attorney's and reported that the State Legislature voted in favor of it.

Commissioner Cashion stated that the ballot measure was not a NACO issue and had not been discussed by the organization. Cashion noted that the topic could not be addressed properly by the NCACC before the upcoming election.
Commissioner Coleman commented that it was her understanding that the proposal originated in the General Assembly.

Commissioner Trapp reported that the measure was sponsored by former State Senator Burnsetter and passed both houses of the State Legislature.

Chairman Bencini expressed concerns with the Board as a whole advocating on the issue.

Commissioner Davis opined that a constitutional amendment should warrant a higher level of concern and consideration. Davis shared his surprise that the topic was not debated more openly and that the State Senate passed the ballot consideration unanimously.

Commissioner Cashion noted that as the matter had not been formally challenged, the Board could take a stand on the ballot measure.

Payne reiterated that no legal matter was currently being adjudicated concerning the issue and commented that it was within the purview of the Board as to how they wanted to proceed.

Commissioner Phillips stated that he was open to adding the item to the Board’s next agenda.

Commissioner Trapp shared his support for raising awareness regarding the ballot measure.

Vice Chairman Henning suggested discussing the issue at an upcoming work session.

Commissioner Coleman stated that she preferred addressing the issue at the Board’s upcoming regular meeting. Coleman noted that as regular meetings are televised more citizens would be able to hear the debate and learn about the proposed constitutional amendment.

Vice Chairman Henning expressed his support for Coleman’s proposal, but cautioned Commissioners on using the Board's platform to advocate for policy issues which were outside the County’s jurisdiction.

Commissioner Davis spoke in favor of the motion and urged the Board to place the item on the October 2nd agenda. Davis reminded Commissioners that the Board is a political body— and as such should work to represent its constituents.

Chairman Bencini shared that he favored discussing the topic at the October 2nd meeting—rather than placing a resolution on the agenda.

Schlup reported that the Rockingham GOP supported the resolution opposing the ballot measure.

Commissioner Coleman called the question.

Commissioner Shaw shared her agreement that the topic should be discussed openly.
Motion was made by Commissioner Carolyn Q. Coleman, and seconded by Commissioner Bruce Davis to approve placing a resolution opposing the proposed ballot measure on the October 2nd agenda.

**VOTE:** Motion carried 9 – 0.


**NOES:** None.

V. **CONSENT AGENDA**

A. **BUDGET AMENDMENTS**

1. Approve Increase to Cooperative Extension for the FY 2014-15 budget in the amount of $9,000 to reflect the receipt of the Syngenta Grant and community donations for the purpose of supporting the School Garden Program at Guilford County Schools.

   The following Budget Ordinance Amendment was adopted:

   **BUDGET ORDINANCE AMENDMENT**
   General Fund
   Increase Appropriation to Cooperative Extension by $9,000
   Increase Other Revenues by $9,000

2. a. Approve an increase to the FY 2015 Emergency Services budget totaling $41,750 for the purposes of expanding the WebEOC program and receiving the Federal Pre-Disaster Planning Grant from North Carolina Emergency Management.

   The following Budget Ordinance Amendment was adopted:

   **BUDGET ORDINANCE AMENDMENT**
   General Fund
   Increase Appropriation Emergency Services $41,750
   Increase User Charges $6,500
   Increase Federal / State Revenue $35,250

3. Approve increase to the FY 2014-15 Economic Development & Assistance budget of $46,125 for receipt of the "One NC Fund Grant" from the North Carolina Department of Commerce. The funds will be disbursed to North State Flexibles, LLC in the amount of $46,125 as a partial payment per the terms of the One NC Fund Grant. No County funds required.

   The following Budget Ordinance Amendment was adopted:

   **BUDGET ORDINANCE AMENDMENT**
   General Fund
   Increase Appropriation Economic Development and Assistance $46,125
   Increase Federal and State Funds $46,125
4. Approve (Revenue) contract, in substantial form, with North Carolina Department of Transportation for FY 15 Elderly and Disabled Transportation services, by and through the Health and Human Services Department (Social Services Division). Increase County Transportation budget by $101,000.00 in federal funds and approve increase in hours for part time drivers. The contract period will begin on July 1, 2014 and end on June 30, 2015.

The following Budget Ordinance Amendment was adopted:

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<th>BUDGET ORDINANCE AMENDMENT</th>
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<td>General Fund</td>
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<td>Increase Appropriation to Transportation by</td>
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<td>Increase Federal &amp; State Funds by</td>
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5. a.) Approve the receipt of the 2014 Justice Assistance Grant (JAG) in the amount of $55,432.

The following Budget Ordinance Amendment was adopted:

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<td>Increase Appropriation</td>
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<td>Law Enforcement</td>
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<td>Increase Federal / State Revenue</td>
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6. a.) Approve receipt of the 2014 Governor's Highway Safety Grant for the DWI Taskforce in the amount of $388,996.00 and endorse the required RESOLUTION.

The following Budget Ordinance Amendment was adopted:

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<td>Increase Appropriation</td>
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<td>Law Enforcement</td>
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<td>Increase Appropriated Fund Balance</td>
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7. a.) Approve receipt of the 2014 Governor's Highway Safety Grant for the DWI Taskforce Educator in the amount of $150,780.00 and endorse the required RESOLUTION (attached).

The following Budget Ordinance Amendment was adopted:

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<td>Law Enforcement</td>
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<td>Increase Federal / State Revenue</td>
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8. a.) Increase the Law Enforcement FY 2015 budget in the amount of $25,410 to reflect the appropriation of prior year Department of Justice Federal Forfeiture Funds.

The following Budget Ordinance Amendment was adopted:

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<th>BUDGET ORDINANCE AMENDMENT</th>
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<td>General Fund</td>
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<td>Increase Appropriation</td>
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<td>Law Enforcement</td>
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<tr>
<td>$25,410</td>
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<tr>
<td>Increase Appropriated Fund Balance (Federal Forfeiture Funds)</td>
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<td>$25,410</td>
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B. CONTRACTS

1. Approve a Price Only Contract, Event #424, to the lowest responsive bidder, Lawmen's Safety Supply, 3319 Anvil Place, Raleigh, NC 27603, for the purchase of body armor. These vests are worn by officers of the Sheriff's Office, in the daily performance of their duties. The lowest, responsive vendor after evaluation by Sheriff's Office command staff, was Lawmen's Safety Supply, 3319 Anvil Place, Raleigh, NC 27603. The initial contract will be for thirty-six (36) months, beginning October 1, 2014 and ending on September 20, 2017, with the option to extend for two additional one-year renewals at the same price, terms and conditions. The estimated price for the thirty-six (36) month period is $140,793. The funds are currently budgeted within Law Enforcement's FY 2015 budget appropriation. NO ADDITIONAL COUNTY FUNDS REQUIRED.

2. Approve Family Services of the Piedmont Inc. contract for Healthy Start Home Visitation Program by and through the Health and Human Services Department (Public Health Division). Family services of the Piedmont will provide culturally appropriate education and support for families experiencing abuse and neglect risk factors in which the mother is pregnant or has a child 19 months of age or younger. Using evidenced based home visitation mentoring model (Nurturing Parent) home visitors help to reduce parental stress, develop and enhance parenting skills and improve child health development. FY 15 goals are to serve approximately 221 families; over 300 referrals to other community providers; and approximately 800 home visits. This represents the same outcomes as in FY 14. The contract amount is $123,000 and was included in the FY 14/15 approved budget. The contract period is July 1, 2014 through June 30, 2015.

3. Approve (Revenue) contract, in substantial form, with North Carolina Department of Transportation for Transportation services, by and through the Health and Human Services Department (Social Services Division). Contract amount is $286,634.00. The contract period will begin on July 1, 2014 and end on June 30, 2015.

4. Approve (Price Only) contract amendment, in substantial form, with Adult Center for Enrichment for adult day care services, by and through the Health and Human Services Department (Social Services Division). Contract amount is $274,756.74. The contract period will begin on July 1, 2014 and end on June 30, 2015.
C. MISCELLANEOUS

1. Approve the North Carolina Department of Transportation's Transportation and Mobility Services Drug and Alcohol Testing Policy.


3. Accept the Tax Department's Beverage License and Tax Collection Reports for the month ending August 31, 2014.

4. Approve Enhanced Voluntary Agricultural District (EVAD) Application #2014-8 being 46.45 acres and comprised of three Tax Parcels (#0169083 @17.41 acres; #0169084 @ 13.92 acres; and #0169077 @15.12 acres) all owned by Carl Thomas Lambeth and Amy Jo Lixl-Purcell, Colfax, NC; Approve EVAD Application #2014-9 being 42.74 acres and comprised of five Tax Parcels (#0133168 @ 18.96 acres; #0133137 @ 10.81 acres; #0133147 @ 3.15 acres; #0133167 @ 7.58 acres; and #0133139 @ 2.24 acres) all owned by Jan Alexander and Roger A. Causey, Pleasant Garden, NC; and Approve EVAD Application #2014-10 being 28.41 acres being Tax Parcel #0110048 @ 28.41 acres.

5. Approve the following sets of County Commissioner's Meeting Minutes: 08/21/2014 - Work Session 08/21/2014 - Regular Meeting 08/28/2014 - Jail Population Reduction Committee Meeting

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

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

VI. PUBLIC HEARINGS

A. Hold a public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, to consider a financing agreement concerning educational facilities proposed to be financed by the Public Finance Authority with proceeds from the issuance of its Educational Facilities Revenue Bonds (Triad Educational Services, Inc.) Series 2014, in one or more series, in an aggregate amount not expected to exceed $25,000,000 in total, and with an amount not expected to exceed $12,500,000.00 for the Project (as hereinafter defined) located in Guilford County.

Payne introduced the financing request to the Board and explained that the proposal would have no financial obligation to the County. Payne then introduced Henry Isaacson, the attorney representing Triad Educational Services Inc.
Isaacson reported that the request would help to refinance two existing properties and explained that IRS regulations required that the bonds be approved by the governing body of the jurisdiction where the properties were located.

Chairman Bencini opened the floor for proponents, there being none that portion of the meeting was closed. Chairman Bencini opened the floor for opponents, there being none that portion of the meeting was closed.

Motion was made by Commissioner Alan Branson, and seconded by Commissioner Ray Trapp to approve resolution approving the financing agreement for Triad Educational Services, Inc. as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, which will utilize Educational Facilities Revenue Bonds (Triad Educational Services, Inc.) Series 2014, in one or more series, in an aggregate amount not expected to exceed $25,000,000 in total, and with an amount not expected to exceed $12,500,000.00 for the Project (as hereinafter defined) located in Guilford County.

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

The Board of Commissioners for the County of Guilford, North Carolina, met in regular session in the Commissioners’ Meeting Room on the Second Floor of the Old County Courthouse in Greensboro, North Carolina, the regular place of meeting, at 5:30 p.m., on September 18, 2014, with Bill Bencini, Board Chair, presiding. The following Commissioners were:

PRESENT: Vice Chairman, Hank Henning; Commissioners Jeff Phillips.
Carolyn Coleman, Kay Cashion, Bruce Davis, Linda Shw, Alan Branson and Raymond Trapp

ABSENT: None

ALSO PRESENT: County Manager Marty Lawing; County Attorney Mark Payne; Henry Issacson, Representing Triad Educational Services, Inc; Clerk to Board Robin Keller; Deputy Clerk, Paul Lowe; members of the public and members of the media.
Commissioner Bencini introduced the following resolution the title of which was read and copies of which had been previously distributed to each Commissioner.

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED $25,000,000 EDUCATION FACILITIES REVENUE BONDS (TRIAD EDUCATIONAL SERVICES, INC.) SERIES 2014 BY THE PUBLIC FINANCE AUTHORITY SOLELY WITH RESPECT TO THE PROJECT LOCATED IN GUILFORD COUNTY, NORTH CAROLINA, WHICH AMOUNT IS EXPECTED NOT TO EXCEED $12,500,000.00

WHEREAS, the County of Guilford, North Carolina (the "County") is a political subdivision of the State of North Carolina and the Board of Commissioners for the County (the "Board") is the elected governing body of the County; and

WHEREAS, the Public Finance Authority (the "Authority") is a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statute, is authorized to issue tax-exempt, taxable, and tax credit conduit bonds for public and private entities throughout all 50 states and is jointly sponsored by the National Association of Counties, National League of Cities, Wisconsin Counties Association and League of Wisconsin Municipalities (the "Sponsors"); and

WHEREAS, pursuant to 66.0304 of the Wisconsin Statutes, as amended, the Authority proposes to issue its Education Facilities Revenue Bonds (Triad Educational Services, Inc.) Series 2014 (the "Bonds") in an aggregate principal amount not to exceed $25,000,000 and to lend a portion of the proceeds of the Bonds, not expected to exceed $12,500,000 for the Project (as hereinafter defined) located in the County, to Triad Educational Services, Inc., a North Carolina non-profit corporation (the "Borrower"), for the purpose of providing funds to facilities located in the County to: (1) (A) refinance certain indebtedness incurred to acquire, construct improve and/or equip certain charter school educational facilities including (i) an existing
approximately 75,000 square foot, one-story facility known as Triad Math and Science Academy Middle/High School located at 700 Creek Ridge Road, City of Greensboro, County of Guilford, North Carolina, serving grades 7-12 and approximately 850 students and (ii) an approximately 45,000 square foot, one-story facility to be known as Triad Math and Science Academy Elementary School to be located at 600 Industrial Avenue, City of Greensboro, County of Guilford, North Carolina, proposed to serve grades K-6 and approximately 500 students (collectively, the "Guilford County Facility") and (B) finance certain other expenditures related to such construction, improvement and/or equipping of the Guilford County Facility; (2) pay certain expenses incurred in connection with the issuance of the Bonds; and (3) fund all or a portion of a reserve fund deposit, capitalized interest and related working capital (collectively, the "Project");

WHEREAS, the Guilford County Facility initially is and will be owned by the Borrower and leased to and operated by Triad Math and Science Academy Company, a North Carolina non-profit corporation, d/b/a Triad Math and Science Academy; and

WHEREAS, the Bonds do not constitute a debt of the State of North Carolina or any political subdivision or any agency thereof, including the County, or a pledge of the faith and credit of the State of North Carolina or any political subdivision or any such agency, including the County, but are payable solely from the revenues and other funds provided for in a loan agreement between the Authority and the Borrower and accordingly NO LOCAL JURISDICTION, COUNTY, STATE OF NORTH CAROLINA OR TAXPAYER FUNDS WILL EVER BE INVOLVED, OBLIGATED, DUE OR PAID AS A RESULT OF THE ISSUANCE OF THE BONDS; and
WHEREAS, the Bonds or a portion thereof will be "private activity bonds" for purposes of the Internal Revenue Code of 1986, as amended (the "Code"), and the interest on all or a portion of such Bonds shall be excluded from gross income under Section 103 of the Code;

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the Bonds are required to be approved by the "applicable elected representative" of a governmental unit having jurisdiction over the entire area in which the Project is located, after a public hearing held following reasonable public notice; and

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries the project is to be located and Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010 (the "Joint Exercise Agreement"), also requires local government approval before the Authority issues bonds for a project in that jurisdiction; and

WHEREAS, the Borrower has requested that the Board, as the "applicable elected representative" of the County, approve the financing of the Project by the Authority and the issuance of the Bonds solely in order to satisfy the public approval requirements of Section 147(f) of the Code, Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement AND NOT WITH RESPECT TO THE ADVISABILITY OR FEASIBILITY OF THE PROJECT AND WITHOUT APPROVAL OF OR COMMITMENT FOR ANY FUNDING BY ANY LOCAL JURISDICTION, THE COUNTY, THE STATE OF NORTH CAROLINA OR ANY TAXPAYER; and

WHEREAS, pursuant to Section 147(f) of the Code, the Board, following notice duly given in the form attached hereto as Exhibit A (the "TEFRA Notice"), has today held a public

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF GUILFORD, NORTH CAROLINA:


IN APPROVING THE ISSUANCE BY THE AUTHORITY OF THE BONDS, THIS BOARD OF COMMISSIONERS MAKES NO FINDINGS REGARDING THE ADVISABILITY OR FEASIBILITY OF THE GUILFORD COUNTY FACILITY, DOES NOT APPROVE OR COMMIT TO FUNDING BY ANY LOCAL JURISDICTION, THE COUNTY, THE STATE OF NORTH CAROLINA OR ANY TAXPAYER AND LIMITS ITS APPROVAL TO THE COUNTY.

SECTION 2. THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. UPON MOTION OF ALAN BRANSON, SECONDED BY RAYMOND TRAPP, THE FOREGOING RESOLUTION ENTITLED "RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED $25,000,000 EDUCATION FACILITIES REVENUE BONDS (TRIAD EDUCATIONAL SERVICES, INC.) SERIES 2014 BY THE PUBLIC FINANCE AUTHORITY SOLELY WITH RESPECT TO THE PROJECT LOCATED IN GUILFORD COUNTY, NORTH CAROLINA, WHICH AMOUNT IS EXPECTED NOT TO EXCEED $12,500,000.00" WAS PASSED BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: BENCINI, BRANSON, PHILLIPS, DAVIS, COLEMAN

SHAW, CASHION, HENNING AND TRAPP

NOES: NONE

* * * * * *
I, Robin Keller, Clerk to the Board of Commissioners for the County of Guilford, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on September 18, 2014, as it relates in any way to the approval of educational facilities revenue bonds to be issued by the Public Finance Authority and that said proceedings are recorded in the minutes of said Board.

WITNESS my hand and the official seal of said County this 18th day of September, 2014.

[SEAL]

Robin B. Keller
Clerk to the Board

VII. HEALTH AND HUMAN SERVICES BUSINESS

A. Update on Health and Human Services (Public Health Division): annual Communicable Disease Report and Action Plan for Community Health Assessment as required for accreditation.

Merle Green, Public Health Director, provided the Board with County’s annual Communicable Disease Report. Green reported that there were no outstanding communicable diseases found in Guilford County and reminded the Board that the Health Department was currently in the middle of its immunization season.

Green then reviewed the Community Health Action Plan. Green noted that the County’s infant mortality rate is higher than the State average and shared the planned efforts to help reduce this rate.

Commissioner Davis questioned if the County’s higher infant mortality rate was tied to poverty.

Green replied that poverty could be a contributing factor, but noted that any recorded deaths before a child reaches the age of one is included in the infant mortality rate- which would include accidents and drownings.

Green commented that the second priority item would be chronic disease prevention. Green reported that local schools are seeing chronic diseases in children at higher rates. Green added that by addressing conditions with preventative care would help to lower long-term health care costs-while aiding patients to have more favorable outcomes.
Green shared that the last priority issue would be addressing STDs or STIs in the County. Green stated that historically the County has had some of the highest STD rates in the Nation. Green reported that the highest rates are among college age residents.

Commissioner Phillips reiterated that the County’s infant mortality rate was 10 deaths per every 1000 live births.

Commissioner Davis questioned the Ebola outbreaks which have been discussed in the national news and inquired how the County was working to prepare.

Green reported that County staff are working closely with national officials to plan and prepare for possible Ebola outbreaks.

Commissioner Davis urged staff to ensure that the County had a plan in place.

Green assured the Board that the Public Health Department was working diligently to address the concerns and proactively tracking and monitoring international travelers.

Green commented that she needed the Board of Commissioners to approve County’s Action Plan. The Board provided their general consensus to move forward with the identified priorities.

B. Approve of Guilford County Health and Human Services Department, Social Services Division Energy Outreach Plan for LIEAP and CIP programs.

Motion was made by Vice Chairman Hank Henning, and seconded by Commissioner Carolyn Q. Coleman to approve the Guilford County Health and Human Services Department’s, Social Services Division Energy Outreach Plan for LIEAP and CIP programs.

VOTE: Motion carried 9 – 0.


NOES: None.

C. Adopt Bylaws for Health and Human Services Advisory Committee

Joe Raymond, Health and Human Services Director, reviewed the bylaws which were discussed during the September 5th work session.

Chairman Bencini asked if any Commissioners had questions concerning the by-laws.

Commissioner Coleman expressed concerns that former DSS members were not being considered for the new consolidated human services advisory board.

Raymond stated that ultimately the Commissioners had the authority to structure the advisory board- as they saw fit.

Commissioner Phillips questioned if staff had reached out to the former DSS Board members.
Robin Keller, Clerk to the Board, replied that she had sent letters to both former Public Health and DSS Board members. Keller reported that no former DSS Board members applied for membership of the consolidated human services advisory committee.

Vice Chairman Henning reported that the proposed bylaws include provisions that allow members of the advisory board to elect their own Chair annually, but noted that Commissioners had discussed that as the new members of the committee would not immediately know one another- it was suggested that Commissioner Ray Trapp serve as the Chairman for the first year.

Commissioner Coleman questioned if an ex-officio member could serve as a Chair.

Payne explained that the regulations which govern the advisory board allow ex-officio members to serve as Chair.

Motion was made by Vice Chairman Hank Henning, and seconded by Commissioner Carolyn Q. Coleman to approve the proposed bylaws for the human services advisory board and appoint Commissioner Ray Trapp as an Ex-Officio voting member and Chair of the Committee.

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

VIII. NEW BUSINESS

A. Review and approve amendment to Guilford County Personnel Regulations 11, 15, 21, 27 and 28 and abolishment of Personnel Regulation 13. This action is requested to ensure that Personnel Regulations are consistent with policy changes to the performance management schedule that were approved with the adoption of the 2014/2015 Budget.

John Dean, Human Resources Director, discussed the proposed alternations to the County Personnel regulations as staff work to implement new performance management standards. Dean noted that the proposal would alter the probationary period for newly hired employees from six months to twelve months. Dean explained that the alternation would make policies consistent throughout all of the County departments. Dean added that the City of High Point also utilizes a twelve month introductory period. Dean also stated that the proposed changes would allow new County employees to automatically transfer sick and vacation time earned while serving in other jurisdictions- instead of having to wait to complete their probationary period. Dean reported that the proposal would allow employees to better respond to family and health emergencies.

Commissioner Coleman expressed concerns that the Board did not first discuss the proposal during a work session. Coleman noted that a work session would have allowed Commissioners more time to fully consider the large number of alternations proposed by Dean. Coleman also questioned the twelve month probationary period. Coleman stated that she felt that the standard six month period allowed departments an adequate length of time to assess an employee’s skill
sets. Commissioner Coleman stated that a prolonged probationary period could harm employee morale and ultimately was not necessarily applicable for all positions Countywide.

Dean acknowledged Coleman’s concerns, but explained that the proposal would champion consistency and uniformity throughout the County. Dean emphasized that the changes to the performance management system would provide supervisors with more opportunities to offer feedback to staff to discuss expectations and performance issues.

Commissioner Coleman asked how pay is determined for employees who serve in an interim or temporary position.

Dean reported that the County has historically only adjusted the salaries of employees who serve as interim department directors.

Commissioner Coleman questioned why the County would not consider a special consideration for supervisors and other staff who assume temporary posts and take on additional duties.

Commissioner Davis inquired how altering the introductory period would impact scheduled staff performance evaluations.

Dean responded that the schedule would remain the same and explained that staff would receive an initial review at six months and a status review after twelve month.

Commissioner Davis commented that it was important to provide timely feedback to employees.

Dean concurred that the expectation would be for supervisors to conduct a formal six month assessment-followed by a twelve month comprehensive evaluation. Dean then added that County Human Resources staff were still reviewing and working to fully implement the performance management program and were considering self evaluations and other mechanisms.

Commissioner Davis recognized the efforts of the Human Resources staff to update the new performance management system and hoped that regular feedback and assessments would be a pillar of any new evaluation program.

Dean responded that the performance management system allows for real-time performance updates, which can be accessed by both employees and supervisors.

Commissioner Coleman expressed concerns regarding the ambiguous terminology found in the proposal-especially the section which "encouraged" supervisors to provide regular feedback to employees.

Dean stated that staff would be recommending additional amendments in the future as they worked to fully implement the performance management system.

Commissioner Coleman questioned the regulation concerning annual staff evaluations and asked if employees would have their salaries adjusted after completing a term of probationary service.
Coleman expressed concerns as the wording in the proposal was a bit unclear as it stated that employees “may” receive a raise after completing an introductory term and meeting certain performance guidelines.

Dean reported that an employee’s capacity to secure a salary adjustment would be based on the health of the merit pool which is impacted by the availability of funds which is provided to the Human Resources Department.

Marty Lawing, County Manager, explained that also the merit pay guidelines could change over time and added that the current wording provides staff with greater flexibility.

Commissioner Coleman questioned the proposal and suggested that the language be altered in the provision to state that employees would be eligible to a salary adjustment depending on the availability of funds.

Payne commented that altering the wordage made the provision less ambiguous.

Motion was made by Commissioner Jeff Phillips, and seconded by Commissioner Kay Cashion to approve the amendments to Guilford County Personnel Regulations 11, 15, 21, 27 and 28 and abolition of Personnel Regulation 13 with the following alternation to Regulation 27- Section D, employees may receive a salary adjustment to employees shall receive a salary adjustment depending on the availability of funds. This action is requested to ensure that Personnel Regulations are consistent with policy changes to the performance management schedule that were approved with the adoption of the 2014/2015 Budget.

**VOTE:** Motion carried 8 – 1.


**NOES:** Commissioner C. Coleman.

Commissioner Coleman as a matter of personal information stated that her no vote on the personnel regulations was due to her opposition to the extension of the trial performance.

B. Approve an increase in User Charges revenue in the amount of $20,000 related to the Chemical Planning Fee and Chemical Planning program. The increase in chemical planning fee revenue is expected to be used to increase the full time equivalent (FTE) allocation for the Emergency Management Division from 4.75 to 5.0. This is necessary to assist with meeting numerous program requirements such as the Mitigation Plan update, Healthcare Facility Disaster Plan Reviews, Continuity of Operations Plan program management, and the completion of numerous after action items identified during the March 2014 Ice Storm. This FTE increase will be completely offset by the budget amendment highlighted above. NO ADDITIONAL COUNTY FUNDING REQUIRED.

Jim Albright, Emergency Services Director, introduced the item and discussed the various phases of emergency management. Albright reviewed the recently approved Continuity of Operations
Plan or COOP Plan. Albright reported that the workload of the Chemical Planner had been greater than anticipated and asked the Board to extend a 3/4 FTE to a full time position.

Vice Chairman Henning questioned if the Chemical Planning fee was increasing.

Albright explained that the fee was not changing and shared that the Emergency Services Department was requesting the approval of a budget adjustment.

Motion was made by Commissioner Jeff Phillips, and seconded by Commissioner Alan Branson to approve an increase in User Charges revenue in the amount of $20,000 related to the Chemical Planning Fee and Chemical Planning program. The increase in chemical planning fee revenue is expected to be used to increase the full time equivalent (FTE) allocation for the Emergency Management Division from 4.75 to 5.0. This is necessary to assist with meeting numerous program requirements such as the Mitigation Plan update, Healthcare Facility Disaster Plan Reviews, Continuity of Operations Plan program management, and the completion of numerous after action items identified during the March 2014 Ice Storm. This FTE increase will be completely offset by the budget amendment highlighted above. NO ADDITIONAL COUNTY FUNDING REQUIRED.

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

C. Consider the request from the Nussbaum Center for Entrepreneurship for a three year deferral on the loan payment or forgiveness of the $75,000 loan.

Lawing introduced the item and reported that the Nussbaum Center was seeking deferral of a $75,000 loan. Lawing then introduced Sam Funchess, President of the Nussbaum Center.

Funchess spoke to the item and commented that the deferment was due to an unexpected transition of the Center- resulting from the instability of their previous landlord. Funchess reviewed the economic impact of the Center. Funchess explained that due to their untimely move half of the Center’s clients relocated. Funchess stated that recently the Center was becoming more stable and has an occupancy rate of 92%. Funchess added that the Center works with a diverse clientele- as 64% of clients are MWBE firms. Funchess then shared that DH Griffin had recently donated an industrial property to the Center which will help to expand their efforts.

Commissioner Phillips questioned the Center’s request- as the agenda item asked for the loan to be deferred or forgiven.

Funchess answered that the Center would be appreciative if the loan was forgiven.

Commissioner Davis asked if the Center had made any interest or principle payments.

Lawing reported that no payments had been received from the Center.
Vice Chairman Henning noted that the loan was originally offered thirteen years ago—yet not a single payment had been received.

Commissioner Coleman questioned if the Center would not have moved— if they would have started to make loan payments in 2010.

Funchess stated that yes, however; the need to move prevented repayment.

Commissioner Coleman asked what will help position the Center to repay their loans in 2017.

Funchess replied that the donated former manufacturing property could be rented out to clients which would help to generate a positive cash flow that will enable the Center to repay their obligations.

Commissioner Cashion asked if the loan- was interest free.

Funchess confirmed that the financing provided to the Center was made interest free.

Commissioner Cashion questioned if the Center sold the donated property- if they could repay the loan.

Funchess commented that it would depend upon how much the parcel sold for.

Commissioner Cashion expressed concern that there did not seem to be any intent from Center staff to repay the loan.

Commissioner Davis spoke in favor of the motion to approve the deferment of the loan for an additional three years. Davis commented regarding the benefits of the Nussbaum Center and the valuable work they do to better the community.

Vice Chairman Henning thanked Funchess for his work, but raised concerns regarding the length of time since the loan was originally made and the fact that no payments had been received.

Funchess stated that the Center is not pleased with the situation, but would work in the future to honor their commitments made to the County.

Commissioner Cashion asked how many jobs have been produced by the Center.

Funchess replied that over the past twenty six years the Center has housed approximately 400 firms that have produced about 2,500 jobs.

Commissioner Shaw shared that though she appreciates the Center’s efforts to improve the local economy-she does not support forgiving the loan.

Commissioner Branson questioned the specifics of the deferral and asked how much money was spent to renovate their current location.
Funchess commented that the Center invested about $2.5 million dollars to improve their current facility.

Commissioner Trapp questioned why the funding was not provided as a grant—rather than a loan.

Commissioner Branson asked if the Center had received any additional grant monies from the County.

Funchess reported that no additional County monies had been received since 1989.

Commissioner Trapp shared that he supported forgiving the loan based upon the County’s current incentive plan and similar CBO grants issued annually.

Commissioner Phillips questioned if Funchess was employed by the Center in 2001.

Funchess responded that he was on the Board, but did not become President until 2002.

Commissioner Phillips asked if the deferment request would be made retroactive to March 2014.

Funchess questioned if the deferment was approved if the requirement mandating audited financials could be removed.

Commissioner Phillips stated that completed tax returns would be an agreeable replacement.

Motion was made by Commissioner Bruce Davis, and seconded by Commissioner Ray Trapp to approve the request from the Nussbaum Center for Entrepreneurship for a three year deferral on the loan payment or forgiveness of the $75,000 loan.

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

D. Make Appointments and Reappointments to County Boards and Commissions

Motion was made by Vice Chairman Hank Henning, and seconded by Commissioner Alan Branson to approve the various appointments and reappointments to County boards and commissions.

VOTE: Motion carried 9 – 0.
NOES: None.
Adult Home Community Advisory Committee
Appoint Jamie Foust (term expiring 09/18/17)
Appoint Melissa Vatalaro (term expiring 09/18/17)

Board of Adjustment
Appoint Carey Campbell (term expiring 09/18/17)

Commission on Aging
Reappoint Terry Mitchell (term expiring 09/18/17)
Reappoint Mary Lou Andrew-Blakeney (term expiring 09/18/17)
Reappoint Joan Bass (term expiring 09/18/17)

Fire District Commission- Alamance
Appoint Wayne Miller (term expiring 07/01/15)

Fire District Commission- Oak Ridge
Appoint E. Trent Allen (term expiring 09/18/16)

Fireman’s Relief Fund Board of Trustees
Appoint Marilyn Miller (term expiring 09/18/16)

Planning Board
Brian Mann (term expiring 09/18/17)
Frankie Jones Jr. (term expiring 09/18/17)
Jason Cannon (term expiring 12/31/15)

Nursing Home Community Advisory Committee
Appoint Helen Terry (term expiring 09/18/17)
Appoint Kimberly Payne (term expiring 09/17/17)

Transportation Advisory Board
Appoint Sabrina Hamm (term expiring 09/18/17)
Appoint Renee Griffin (term expiring 09/18/17)

Tourism Development Authority
Reappoint Yvonne Johnson (term expiring 09/18/17)

E. New Business from County Commissioners

No new business was offered for discussion.

IX. COMMENTS FROM COMMISSIONERS

Commissioner Phillips shared that it was an honor to attend the dedication of the South Tower Steel Beam at the Carolina Field of Honor. Phillips thanked Commissioner Davis for his ongoing efforts with the memorial. Phillips also stated that he recently attended the dedication of the Reedy Fork Fire and EMS base and thanked the employees and volunteers for their service.

Commissioner Davis thanked those who attended the 9/11 memorial ceremony at the Carolina Field of Honor and the team who helped implement the development of the memorial. Davis then wished his wife a very happy birthday; but noted that he was disappointed in the Cable provider serving High Point- as residents were still reporting difficulty receiving sound on the
government cable channel. Davis then asked for the Board to review the County’s MWBE business development policy at the next work session.

Vice Chairman Henning thanked Commissioner Davis for all of his efforts with the Carolina Field of Honor and the Griffin family for their donation of the steel beam to the memorial.

Chairman Bencini acknowledged Mayor of Gibsonville Lenny Williams and future County Commissioner Alan Perdue who were in attendance at the meeting.

Commissioner Cashion reported that she recently attended a meeting of Downtown Greensboro and shared that their strategic plan was very impressive. Cashion also stated that she was a part of a NACo Leadership Team which met recently in Washington, DC. Cashion asked for a work session to be held on October 2nd –so she could provide an update on the Family Justice Center.

Commissioner Shaw expressed the Board's condolences in the passing of the County's Former Clerk Effie Varitimidis’s father. Shaw then shared that she wanted to reconvene the Animal Welfare Advisory Committee to work to update the County’s animal control ordinance.

Commissioner Branson stated that it was a delight to attend the Triad Park Carolina Field of Honor 9/11 ceremony memorial.

Commissioner Trapp reminded the Board of the upcoming charity flag football game between the City and the County- that would benefit worthwhile programs in the community.

Commissioner Branson asked regarding the recent Minority Suppliers meeting which was held on August 14th. Branson questioned what the level of participation seen at the seminar was.

Lawing reported that about twenty five participants attended the meeting which lasted about two hours.

Commissioner Branson asked if the County was able to secure any new vendors through the outing.

Commissioner Trapp commented that he felt the engagement was very productive and shared that MWBE Coordinator, Shayla Parker was able to review the process in great detail with the participants.

Commissioner Shaw congratulated Davis for his efforts with the Carolina Field of Honor, she recognized his outstanding work, and also thanked the Griffin family for all of their community involvement.
X. COMMENTS FROM COUNTY MANAGER

A. Receive and accept budget amendment report for budget amendments that have been processed under the authority granted to the County Manager in the FY 2014-2015 Budget Ordinance.

No comments were offered by the County Manager.

XI. SPEAKERS FROM THE FLOOR

No speakers signed up to address the Board.

XII. HOLD CLOSED SESSION PURSUANT TO N.C.G.S. §143-318.11(a) (2) (3) FOR THE PURPOSES OF CONSULTING WITH THE COUNTY ATTORNEY.

Motion was made by Vice Chairman Hank Henning, and seconded by Commissioner Ray Trapp to enter closed session pursuant to N.C.G.S. §143-318.11 (a) (2)(3) for the purposes of consulting with the County Attorney.

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

Meeting went into Recess at 8:22 PM.

Meeting Reconvened at 8:46 PM.

XIII. ADJOURN

Motion was made by Vice Chairman Hank Henning, and seconded by Commissioner Jeff Phillips to adjourn the meeting at 8:47 PM.

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

Chairman William S. Bencini, Jr.

Deputy Clerk