The Board of County Commissioners met in a duly noticed regular meeting on February 21, 2013 at 5:30 p.m., in the Commissioners’ Meeting Room, 301 W. Market St., Greensboro, North Carolina.

PRESENT: Chairman Linda Shaw, presiding; Vice Chairman Bill Bencini, Commissioners Alan Branson, Kay Cashion, Carolyn Coleman (arrived at 5:40 p.m.), Bruce Davis (arrived at 5:42 p.m.), Hank Henning, Jeff Phillips, and Ray Trapp.

ABSENT: None.

ALSO PRESENT: Sharisse Fuller, Interim County Manager/HR Director; Mark Payne, County Attorney; Effie Varitimidis, Clerk To Board; Crystal Maurer, Deputy Clerk to Board.

I. INVOCATION

Chairman Linda Shaw stated that Ben Chavis, Tax Director, would not be present at the meeting to provide the invocation. She asked the Board and those present to observe a moment of silent prayer.

II. PLEDGE OF ALLEGIANCE

The Board led those present in the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER

Chairman Shaw called the meeting to order.

VI. CONTINUED QUASI-JUDICIAL PUBLIC HEARINGS UNTIL MARCH 21, 2013

A. Continued public hearing for Special Use Permit Case #12-12-GCPL-05117. Jayme P. Williams has filed an appeal of the Planning Board's decision to approve (6-1) special use permit for a solar facility on +/- 37.9 acres. This request is located on the South side of Alamance Church Road approximately 1000 feet west of Southmont Drive in Green Township, being tax parcel #0110843.
B. Continued public hearing for Special Use Permit Case #12-12-GCPL-05119. Jayme P. Williams has filed an appeal of the Planning Board's decision to approve (5-2) special use permit for a 30-acre solar facility on approximately +/-278.75 acres. This request is located on the South side of Alamance Church Road approximately 1000 feet east of Old Julian Road in Green Township, being tax parcel #0110947.

Commissioner Branson said it was his understanding that individuals in the community would like to ask for a continuance for both quasi-judicial public hearings and he asked that the Board approve continuing the public hearing until March 21, 2013 to allow these citizens time to gather more information and speak with the applicant and attorney.

Motion was made by Commissioner Branson, and seconded by Vice Chairman Bencini to approve continuing the public hearings until March 21st at 5:30 p.m.

Michael Fox, Attorney representing the applicants, said they were looking forward to meeting with the citizens as soon as possible.

VOTE: Motion to approve the continuances carried 7 - 0
AYES: Commissioners Bencini, Branson, Cashion, Henning, Phillips, Shaw, Trapp.
NOES: None
ABSENT: Commissioners Coleman and Davis.

IV. SPEAKERS FROM THE FLOOR

Commissioner Coleman joined the meeting via conference telephone at 5:40 p.m.

Bud Frediani provided invitations to the Board for the American Red Cross “Salute to Heroes” event at High Point University on March 8th.

Commissioner Davis entered the meeting at 5:42 p.m.

Van Clippard announced that Rev. Bryant will have a screening of the movie Runaway Slave at the Civil Rights Museum this Saturday. He also said he was impressed with Commissioner Phillips’ ideas at the last meeting regarding reducing taxes instead of offering incentives.

David Teague stated he was representing Fire District #28, Kimesville and Northeast Fire Districts regarding the proposed fire service contract. He said these departments are basically the three rural districts left in the County and there are some things they would like to tweak and he asked that they be provided more time to look over the contracts.

V. APPROVED CONSENT AGENDA

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

Commissioner Davis asked to remove item V.C. (2) for separate consideration.
Commissioner Branson asked to remove item V.B. (2) for separate consideration.

Motion was made by Commissioner Cashion, and seconded by Commissioner Davis to approve the consent agenda.

VOTE: Motion to approve carried 9 – 0
AYES: Commissioners Bencini, Branson, Cashion, Coleman, Davis, Henning, Phillips, Shaw, and Trapp.
NOES: None

A. BUDGET AMENDMENTS

1. Approved Public Health request to decrease the FY 2013 budget by ($35,014). This includes a net increase of $9,726 in Appropriated Fund Balance ($10,792 carryover of unused Cone Foundation grant from previous fiscal years less ($1,066) reduction in Smart Start County funds = $9,726). NO ADDITIONAL COUNTY FUNDS REQUIRED.

   Adult Services: ($67,514)
   a.) Approved a $1,000 increase in Other revenue to reflect funding received from United HealthCare Inc. to offset expenses related to the January 8, 2013 Legislative Seminar held at the Greensboro Coliseum Special Events Center (facility rental, marketing, food/beverage costs).

   b.) Approved a ($70,000) decrease in User Charges revenue (Medicaid) in our Community Alternatives Program (CAP) to more accurately reflect anticipated program revenues received for client home/vehicle modifications. Clients of this in-home care program request these modifications in order to allow them to remain in their home environment, delaying a costly move to a nursing home. The number of FY 2013 modification requests have been less than projected.

   c.) Approved a $1,486 increase in Federal/State revenue to align budgets in our Tobacco Prevention Program. Additional funds will be utilized for program operational expenses.

   Family and Children's Services: $32,500
   a.) Approved a $3,866 increase in Other revenue (Cone Foundation funds) and a $10,792 increase in Appropriated Fund Balance (Cone Foundation support funds received in prior fiscal years) to align funding sources in our Smart Girls Teen Pregnancy Prevention Program. Funds will be used for program operational expenses (supplies, food/beverages, facility rental, consultation, etc.).

   b.) Approved an $18,908 increase in Federal/State revenue and a ($1,066) decrease in Appropriated Fund Balance to align funding sources in our Smart Start Newborn, Dental, and Child Care Programs. Additional funding will be used to restore three
program positions to full-time (35 hours to 40 per week) and to increase operational expenses (supplies, travel / training, etc.).

The following Budget Ordinance Amendment was adopted:

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<tr>
<td>General Fund</td>
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<tr>
<td>Decrease Appropriation to Public Health</td>
<td>($35,014)</td>
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<tr>
<td>Increase Federal/State Revenue</td>
<td>$20,394</td>
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<tr>
<td>Increase Appropriated Fund Balance</td>
<td>$9,726</td>
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<tr>
<td>Increase Other Revenue</td>
<td>$4,866</td>
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<tr>
<td>Decrease User Charges</td>
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2. Approved Increase to Other Protection for FY 12-13 budget in the amount of $15,000 to reflect the grant award received from the Governor's Crime Commission in order to enhance the services provided by the Specialty Courts. The grant will allow the Specialty Courts to provide additional treatment services, purchase drug screening kits, and assist clients with public transportation costs. NO ADDITIONAL COUNTY FUNDS REQUIRED.

The following Budget Ordinance Amendment was adopted:

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<tr>
<td>Increase Appropriation to Other Protection</td>
<td>$10,000</td>
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<tr>
<td>Increase Federal/State Funds</td>
<td>$15,000</td>
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3. Approved increase of $24,633 to the FY 2012-2013 Property Tax revenue budget and also to the Tax Department budget to permit payment of $24,633 to Tax Management Associates, Inc. for contracted auditing services. As a result of property tax audit services, the County has realized an additional $82,108 in property tax revenue. NO ADDITIONAL COUNTY FUNDS REQUIRED.

The following Budget Ordinance Amendment was adopted:

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4. Approved increase to Board of Elections FY 2012-13 budget in the amount of $2,646 to reflect the appropriation of reimbursement funds from the North Carolina State Board of Elections for the expenditures associated with the payment for the audio coding services for the July 17 and November 6, 2012 elections. NO ADDITIONAL COUNTY FUNDS REQUIRED.

The following Budget Ordinance Amendment was adopted:

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<tr>
<td>Increase Appropriation</td>
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<td>Board of Elections</td>
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<tr>
<td>Increase Federal/State</td>
<td>$2,646</td>
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<td>Funds</td>
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5. a.) Approved the trade-in of weapons parts from seventeen (17) Heckler & Koch weapons to Lawmen's for a credit of $11,000 to be applied to the purchase of gas masks for Law Enforcement from this vendor. These weapons are non-serviceable and have been removed from active use.

b.) Approved the purchase of (35) thirty-five Gas Masks and associated equipment to be used by the Sheriff's Emergency Response Team from Lawmen's, 3319 Anvil Place, Raleigh, NC 27603, in the amount of $23,972. Current gas masks are eight (8) years old and the filters are out of date and must be replaced. Forty percent (40%) of the current gas masks have either yellowing or broken shields, broken seals or straps that are cracking. The remaining masks are showing signs of age.

c.) Increased the Law Enforcement FY 2012/13 budget by $23,972 to reflect the use of Appropriated Fund Balance (Federal Forfeiture Funds) for the purchase of the gas masks. The unaudited balance of the Federal Forfeiture account before purchase is $689,592. NO ADDITIONAL COUNTY FUNDS REQUIRED.

The following Budget Ordinance Amendment was adopted:

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<td>Increase Appropriation</td>
<td>$23,972</td>
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<tr>
<td>Law Enforcement</td>
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<tr>
<td>Increase Fund Balance</td>
<td>$23,972</td>
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B. **CONTRACTS**

1. Approved Sole Source contract with Duncan-Parnell Geomatics for the purchase of 4 Trimble GeoXT 6000 units, associated software and maintenance for GIS Services/Mapping for the Public Health Department's Environmental Health and Water Quality Program (hand held global positioning units used to identify property boundaries, location of wells and other landmark features.) Contract amount is $24,375.00. The contract period will begin on 02/28/2013 and end when project is completed with the option to renew for (2) of years. NO ADDITIONAL COUNTY FUNDS.

3. Approved Contract for a Statistical Modeling and Simulation Solution with lowest responsive bidder Optima US Ltd., located in Austin, Texas for the Department of Emergency Services. Contract amount not to exceed $258,000 for initial installation, implementation with annual maintenance cost in the amount of $24,500 to begin one year from implementation. Project was approved by the Technology Committee and funding was approved in the FY 2012-13 Budget. NO ADDITIONAL COUNTY FUNDS REQUIRED.

4. Approved Price Only Contract Renewal Options for one additional year with Dynamic Quest, 4821 Koger Blvd., Greensboro, NC for Information Services Data Center Server Monitoring $78,600 and Helpdesk Services $97,500 for one additional year with NO PRICE INCREASES. The two Contract Renewals total $176,100. Both contracts contain two additional one year renewal options. Dynamic Quest provides helpdesk and infrastructure monitoring 24x7 365 days a year for Guilford County. Before outsourcing to Dynamic Quest, Information Services had six operators and two help support staff to handle the duties above. NO ADDITIONAL COUNTY FUNDS.

C. **MISCELLANEOUS**

1. Approved Public Health's request to establish a new fee for dental procedure:

   **Family and Children's Services:**
   a. Approved establishment of a $27.00 fee for new dental code D1208 (Topical Application of Fluoride, limited to individuals less than 21 years of age). This new fee is part of the Current Dental Terminology 2013 American Dental Association (ADA) code updates. The new code replaces two codes previously in place for these services.

3. Approved the revised FY 2012-13 Juvenile Crime Prevention Council (JCPC) County Funding Plan to reflect the most recent program amendment approved by the Guilford JCPC, which includes transferring $12,501 of unallocated state funds from the JCPC Certification/Administration budget to the Youth Focus Counseling Program budget. The
Youth Focus Counseling program provides counseling services to juveniles and parents of juveniles who are court-involved or at risk of court involvement. Although this adjustment does not change the overall JCPC or county budget, the county must approve the program amendment. These funds will be returned to the state if not used by June 30, 2013. NO ADDITIONAL COUNTY FUNDS REQUIRED.

4. Adopted resolution ordering the advertisement of the delinquent 2012 tax liens on real property.

RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF GUILFORD COUNTY, NORTH CAROLINA

BE IT RESOLVED:
(1) That the list of delinquent 2012 taxes that are liens on real property be filed with these minutes.

(2) That the Tax Director, in accordance with North Carolina General Statute 105-369, is authorized and directed to proceed with the advertisement of tax liens on real property for which 2012 taxes have not been paid.

(3) That the tax liens of all townships in Guilford County shall be advertised in the Greensboro News-Record, the High Point Enterprise and the Carolina Peacemaker once the third week of March.

5. Approved the Tax Department Beverage Licenses and Collection Reports.

Ben Chavis, Tax Director, submitted list 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 show 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 license tax, said licenses to be signed in the name of Guilford County by the Tax Supervisor or one of his assistance and delivered to the applicants upon receipt of the licenses tax as provided by law.

Ben Chavis, Tax Director, filed reports of tax collections for the period ending, for the Greensboro, High Point, Jamestown, and countywide collections offices, and a back year financial report for period ending January 31, 2013.

6. Approved the Tax Department Rebate and Release reports.

Ben Chavis, Tax Director, submitted a list of corrections of clerical errors and assessments made in connection with taxes and assessments for the year 2012 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.)

7. Approved Minutes of the following County Commissioners Meetings:
   10/18/12 - Closed Session

ITEMS REMOVED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION

2. Approved the purchase of (41) MCT Toughbook Laptop In-Car Computers ($143,788) and a three (3) year warranty for each of the (41) Model 31’s at $9,225 for a total cost of $153,013 from North Carolina State Contract 204B. The North Carolina State awarded vendor is: USAT, P.O. Box 9334, Chapel Hill, NC. The purchase of the 41 laptops and the 41 -3 year warranties is part of a six (6) year computer replacement plan, and was reviewed/approved by the County’s Technology Committee. Funds for the laptops and warranties were approved in the Fiscal Year 2012/2013 Law Enforcement Budget. NO ADDITIONAL COUNTY FUNDS REQUIRED.

Motion was made by Commissioner Davis, and seconded by Chairman Shaw to approve item V. C. (2).

Commissioner Davis asked where the funds are coming from for the purchase and if they include any federal forfeiture funds.

Interim County Manager, Sharisse Fuller, stated the funds were coming from the Technology fund. She said the Sheriff’s Department presented this request to the Technology Committee and it was approved by the Committee.

Commissioner Davis asked if the purchases were staggered.

Ken Whitesell, Sheriff’s Department, said they have the laptops on a six-year rotation and the department normally purchases 35 laptops per year but this year they have reclassified some positions that will require laptops.

VOTE: Motion to approve carried 9 – 0
AYES: Commissioners Bencini, Branson, Cashion, Coleman, Davis, Henning, Phillips, Shaw, and Trapp.
NOES: None

2. Approved the updated Fire Protection Service Contract in substantial form as attached hereto for distribution and execution with the fire departments that provide fire protection to Guilford County fire districts and authorize staff to negotiate clarification and non-material changes. This contract governs the service requirements of the contract agencies and was developed collaboratively with stakeholder input and approved by the Guilford County Fire Rescue Council Chief Section in December 2012.
Motion was made by Chairman Shaw, and seconded by Vice Chairman Bencini to approve the updated Fire Protection Service Contract for distribution and execution with the Fire Departments that provide fire protection to the Guilford County fire districts.

Commissioner Branson said he understood this was an on-going study but would like further background information on how this was developed.

Alan Perdue, Emergency Services Director, explained the process started as a result of a Fire Service Study and Evaluation in 2010-11. He said the Fire Chiefs began meeting in 2011 to address issues raised in the study and the top issue they identified was contracts. He said his staff asked the Fire Chiefs to come together to draft a contract for consideration by the Fire Districts and the County. He added that in December of 2012 the Fire Chiefs voted to approve the contract.

Summerfield Fire Chief Chris Johnson thanked Fire Chief Ray Smith who headed the contract committee. He said the Committee looked at all aspects of fire districts to draft a resolution that would be universal for all the districts in the county. He stated the contract was approved in December and there were no departments that voted against the contract at that time. He said the Fire Chiefs would like to move forward with this contract.

Chief Ray Smith explained the committee took best practices from across the state to create the contract. He said the contract has been reviewed at many levels and they feel it will work in the best interest of the County and the Fire Districts.

Commissioner Branson asked Mr. Teague to address the issues in the contract for Kimesville, District #28 and Northeast Fire District. He asked if there might be a way to resolve their concerns.

Mr. Teague said there a few small issues they had including a few words they would like to change such as the word “indemnify” in section #18. He expressed concerned the District could be held responsible for things they wouldn’t be able to pay for because they are a small District. He also spoke to concerns with section #17.

Commissioner Branson asked the County Attorney about the issues raised.

County Attorney Mark Payne said Summerfield, Stokesdale, and Colfax Fire Districts did have questions originally and staff made minor clarifications based on those questions but it did not change the substance of the contract. He explained the indemnification clause states the Fire Districts were responsible for their actions which is typical of most County contracts and he did not recommend making any changes to that clause. He said it is a form contract and the Board could approve the contract in substantial form and then if individual Districts ask for clarifications that do not change the substance then both parties could still move forward.

Mr. Teague also expressed concerns about auditing and the costs associated with multiple audits.
Mr. Payne responded the audit issue could be clarified if approved in substantial form. He said the County would not punitively audit.

Commissioner Davis asked if the motion needs a substitute or an amendment.

Mr. Payne asked the Board to make plain that the vote is to approve in substantive form and authorize staff to make such changes which are non-material for clarification purposes based upon discussion with individual departments.

Commissioner Phillips asked for Mr. Perdue to clarify as to why this contract is important.

Alan Perdue explained the County’s primary interest is on behalf of the public. He said the Fire Districts are non-profit corporations that provide a service to the citizens. He said contract will provide the base line standards for services, ensure capital assets remain in the community, and the audit requirement ensures public trust.

Commissioner Phillips asked how they have addressed the concerns of the Districts.

Mr. Perdue stated they went to the Districts to ask them to assist in drafting the contract. He added there are situations where the County must have the ability to step in due to state requirements to maintain insurance ratings.

Commissioner Branson accepted a friendly amendment to the original motion to approve the updated fire department service contact in substantial form as attached hereto for distribution and execution with the fire departments that provide fire protection to Guilford County fire districts and authorize staff to negotiate clarification and non-material changes. Commissioner Davis seconded the amendment.

Commissioner Coleman recommended the Board ask the Districts to finalize the contracts by the April Board meeting.

Mr. Payne said with the motion on the table execution would be a matter of several weeks for those with concerns but all others would move forward shortly.

VOTE: Motion to approve carried 9 – 0
AYES: Commissioners Bencini, Branson, Cashion, Coleman, Davis, Henning, Phillips, Shaw, and Trapp.
NOES: None

Alan Perdue, Emergency Services Director, thanked the public and the Board for their support during his career with Guilford County. He said it has been an honor and a blessing to work for Guilford County.

Chairman Shaw expressed her appreciation to Mr. Perdue for his work and the work of EMS.

Commissioner Phillips commended and congratulated Mr. Perdue on his retirement.
Commissioner Davis said he appreciated Mr. Perdue and his staff. He said Guilford County has the best EMS in the world and he wished him luck.

Commissioner Bencini thanked him for professionalism and leadership.

Commissioner Cashion also thanked Mr. Perdue for his leadership.

Commissioner Henning said he admired Mr. Perdue’s passion for the job and he thanked him for his service.

Commissioner Branson said he was very thankful for Mr. Perdue's time and his service. He wished him the best of luck in his retirement.

Commissioner Trapp said EMS and Public Safety are undervalued and he appreciated his service to the County.

Commissioner Coleman also thanked Mr. Perdue for his service to Guilford County.

VIII. NEW BUSINESS

A. New Business from County Commissioners.

Commissioner Branson requested a workshop for the Planning Board and Commissioners on solar farms. He said these operations are fairly new in Guilford County and there could be larger and more complex systems proposed in the future.

Chairman Shaw suggested a workshop in the later part of April. She asked about colleges and universities that may be able to present on this topic.

Sharisse Fuller, Interim County Manager/HR Director, said she has discussed with some of the universities in the area already and she will let the Board know.

IX. COMMENTS FROM COUNTY COMMISSIONERS

Commissioner Trapp sent his condolences to the Hinnant family.

Commissioner Branson recognized Brandon Kiger who was in the audience and working on his Eagle Scout badge.

Commissioner Cashion reminded the Board of the building naming ceremonies next week for the Langford, Aderholdt, and Tillman buildings in High Point. She said a reception will follow the ceremonies and should be well attended.

Commissioner Coleman wished a happy 90th birthday to Jessie Walton. She also sent condolences to the Level family.
Commissioner Davis echoed condolences to the Level family.

Chairman Shaw announced the Second Harvest Food Bank is looking for volunteers. She reminded the Board about Committees being subject to the open meetings laws and announced the next meeting of the Animal Welfare Committee is March 5th. She also asked the Board to delay the Manager’s budget message until May 16th and it was the consensus of the Board to delay the message. She added she would like the Board to recognize citizens that are celebrating their 100th birthday and asked citizens to contact Commissioners if there is family member they would like to have recognized.

X. COMMENTS FROM COUNTY MANAGER

Sharisse Fuller said as an update on the salary/equity initiative the vendor is beginning the process of reviewing all the positions for the equity study and they plan to complete the study no later than the end of April. She stated Fleet will transition from the Sheriff’s Department by March 1st. She also stated that staff has been looking at ways to save money and United Healthcare has agreed to meet with the County on March 4th at 9:00 a.m. in the Blue Room to share ways they can provide savings and she invited the Board to attend.

Chairman Shaw set a meeting for March 4th at 9:00 a.m. in the Blue Room to meet with United Healthcare.

XI. SPEAKERS FROM THE FLOOR

Van Clippard announced there is a block of free tickets available for college students for the event at the Civil Rights Museum he mentioned earlier.

A citizen presented his petition to re-open the law library. He also asked the Board to consider bringing cleaner water to Guilford County.

Chairman Shaw suggested he speak with Greensboro City Council since they provide water.

The citizen also asked about putting a Whole Foods or other organic food store in the eastern area to serve minorities. He also spoke about increasing teachers’ salaries.

Chairman Shaw suggested the Farmers Market for fresh foods.

Commissioner Davis pointed out the County is involved in community gardens.

Commissioner Trapp added there is group working to open a co-op on Phillips Ave.

XII. ADJOURNED

There being no further business, the meeting was adjourned at 6:50 p.m.
Chairman

Clerk to Board