MINUTES OF BOARD OF COUNTY
COMMISSIONERS
OF GUILFORD COUNTY
Greensboro, North Carolina
August 21, 2014

The Board of County Commissioners met in a duly noticed regular meeting on August 21, 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; Reid Baker, Finance Director; Bonnie Stellfox, Purchasing Director; Merle Green, Public Health Director; Jim Albright, Emergency Services Director; Ben Chavis, Tax Director; Leslie Bell, Planning & Development Director, Robert McNiece, Facilities, Parks, and Property Management Director; Jeff Fowler, Security Director; Myra Thompson, DSS Administration and Transportation Division Director; Alexis Underwood, DSS Contracts Manager; Tansy Long, Budget & Management Analyst; Paul Lowe, Deputy Clerk; and members of the media and community.

I. INVOCATION

Board Chaplin, Ben Chavis, led those present in 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 welcomed those present and called the meeting to order at 5:42 PM.

IV. SPEAKERS FROM THE FLOOR

No speakers signed up to address the Board.
V. CONSENT AGENDA

A. BUDGET AMENDMENTS

1. Approve an increase to the FY 2015 Health and Human Services Department (Public Health Division) of $9,564 as detailed below. Adult Services: $9,564 Approve an increase in Federal / State Revenue totaling $9,564 from the Epidemiology / Communicable Disease Branch of the North Carolina Division of Public Health. These are additional funds received for the jail testing program which provides HIV and syphilis testing and education in correctional facilities. These additional funds will be used for program supplies. NO ADDITIONAL COUNTY FUNDS REQUESTED.

B. CONTRACTS

1. Approve (Price Only) contract, in substantial form, with ARO Community Services for in home aid services, by and through the Health and Human Services Department (Social Services Division). The total amount paid by the COUNTY to the CONTRACTOR under this Contract is not expected to exceed $51,500.00. This amount consists of $41,400.00 in Federal funds (HCCBG), $5,000.00 in State Funds (SSBG), and/or $5,100.00 in COUNTY funds. The contract period will begin on October 1, 2014 and end on September 30, 2015.

2. Approve (Price Only) contract, in substantial form, with Mount Eagle Health Care for in home aid services, by and through the Health and Human Services Department (Social Services Division). The total amount paid by the COUNTY to the CONTRACTOR under this Contract is not expected to exceed $51,375.00. This amount consists of $42,300.00 in Federal funds (HCCBG), $4,000.00 in State Funds (SSBG), and/or $5,075.00 in COUNTY funds. The contract period will begin on October 1, 2014 and end on September 30, 2015.

3. Approve (Price Only) contract, in substantial form, with ResCare Home Care for in home aid services, by and through the Health and Human Services Department (Social Services Division). The total amount paid by the COUNTY to the CONTRACTOR under this Contract is not expected to exceed $51,375.00. This amount consists of $42,300.00 in Federal funds (HCCBG), $4,000.00 in State Funds (SSBG), and/or $5,075.00 in COUNTY funds. The contract period will begin on October 1, 2014 and end on September 30, 2015.

4. Approve a sole source exception, in substantial form, to use vendor Norment Security Group, 621 Poole Drive, Garner, NC 27529, to provide maintenance to the existing Strike Industries Video Visitation System and the Airteq/Norment detention hardware installed in the new detention facility, in the amount of $1,603,261.59. Cost is based on total payments over the 5 year term of the contract. (2014/15 Year 1: $301,981.65) (2015/16 Year 2: $311,041.10) (2016/17 Year 3: $320,372.33) (2017/18 Year 4: $329,983.50) (2018/19 Year 5: $339,883.01). The Extended Warranty and Preventive Maintenance Program would provide the following: (a) Software programming Support and upgrade and Major revision upgrades of the Norment provided OnSSI video management system. This extends to the current camera count listed on the equipment attachment; (b) Hardware replacement: Covers all equipment listed in the equipment
attachment to include CCTV, Intercom, PLC control and Touch Screen PCs, and Video Visitation System; (c) Hard-line Preventative Maintenance Inspection: Norment provided security and non-security locks, slider and swing doors devices: Clean, lubricate, perform visual inspections, align and replace minor parts as needed to ensure proper operation of devices; (d) Remote Systems Access Modem and (e) Yearly Refresher Training Sessions. The funds are currently budgeted within Law Enforcement's FY 2014/15 Budget.

5. Approve contract, in substantial form, with Wells Fargo Insurance Services in the amount of $69,000 to provide technical assistance related to the management of the County's benefit plans. Wells Fargo has evaluation and reporting tools and in-house experts that will provide assistance to County management in relation to plan design, budget development, financial oversight, wellness incentive administration, legal compliance, and development of plan communications.

C. MISCELLANEOUS


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

3. Approve application #2014-6 being 40.36 acres (part of two parcels following partition) owned by Alan T. and Brenda Redmon, identified as Tax Parcel #0138241, Greensboro, NC. This Tax Parcel is being requested to be added following voluntary removal and partitioning (due to death of owner) of two Tax Parcels that previously included this 40.36 acres (former Application #2006-08 by C.A. & Alan Redmon being 80.72 acres identified as Tax Parcel #10-6-358-0709-0-27 and 76.59 acres identified as Tax Parcel #10-6-358-0-710-W-2, both totaling 157.31 acres and located in Greensboro, NC). Approve Application #2014-7 being 81.58 acres owned by Sarah B. Combs, being Tax Parcel #0166744, Kernersville, NC.

4. Approve the following sets of County Commissioner's Meeting Minutes: 07/15/2014 - Jail Population Reduction Committee Meeting 07/30/2014 - Work Session 08/07/2014 - Work Session 08/07/2014 - Regular Meeting

Motion was made by Commissioner Linda O. Shaw, and seconded by Commissioner Ray Trapp to approve the consent agenda.

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

VI. PUBLIC HEARINGS

A. Hold a Public Hearing for Purposes of Approving the text amendment: Request to amend Section 4-2.3 (A) Conditional Use Districts Established and Section 4-2.3 (B) Application, of the Guilford County Development Ordinance, to rename Conditional Use Districts to Conditional Zoning in both Sections (see attached). The purpose of
Leslie Bell, Planning and Development Director, introduced the topic and explained that the proposed alternations would update terminology found in the County’s Development Code.

Commissioner Coleman questioned if there were situations in which definitions regarding conditional use permitting would differ between the County and the City of Greensboro.

Bell reported that there were many differences especially since the City/County Water Sewer agreement had been completed.

Commissioner Coleman asked for differences between the two sets of codes to be addressed and expressed concerns that the situation could impact developers that operate in the County. Coleman then asked when the alternations could be corrected.

Bell reported that he was working collaboratively with the City’s Planning Director and could provided feedback at the Board’s upcoming meeting in September.

Chairman Bencini opened the floor for opponents and proponents. There being none, Bencini closed the public hearing.

Motion was made by Commissioner Ray Trapp, and seconded by Commissioner Alan Branson to approve the text amendment updating Section 4-2.3 (A) Conditional Use Districts Established and Section 4-2.3 (B) Application, of the Guilford County Development Ordinance, to rename Conditional Use Districts to Conditional Zoning in both Sections (see attached). The purpose of this amendment is to change the terminology and title to reference Conditional Zoning rather than Conditional Use District, to be consistent with process (non quasi-judicial) currently used for such requests. NO COUNTY FUNDS REQUIRED.

**VOTE:** Motion carried 9 – 0.


**NOES:** None.

**B.** Hold a Public Hearing for Purposes of Amending Section 5-13.6 Utilities, Section (B) Water and Sewer Connection to remove the requirement for public water and sewer connection within 300 feet of proposed subdivisions (see attached). With the termination of the Guilford County - City of Greensboro Water and Sewer Agreement coupled with the current City of Greensboro’s Water and Sewer Policy, public water and sewer availability/connection from the City of Greensboro and would be in accordance with the City's utility policy. NO COUNTY FUNDS REQUIRED.

Bell reviewed the second public hearing item. Bell commented that the County was proposing the following alternations in response to updates to both the State’s and the City of Greensboro’s development codes.
Chairman Bencini opened the floor for opponents and proponents. There being none, Bencini closed the public hearing.

Motion was made by Commissioner Bruce Davis, and seconded by Commissioner Carolyn Q. Coleman to approve amending Section 5-13.6 Utilities, Section (B) Water and Sewer Connection to remove the requirement for public water and sewer connection within 300 feet of proposed subdivisions (see attached). With the termination of the Guilford County - City of Greensboro Water and Sewer Agreement coupled with the current City of Greensboro's Water and Sewer Policy, public water and sewer availability/connection from the City of Greensboro and would be in accordance with the City's utility policy. NO COUNTY FUNDS REQUIRED.

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

VII. HEALTH AND HUMAN SERVICES BUSINESS

A. Set work session to discuss Health and Human Services Advisory Board duties and responsibilities.

Marty Lawing, County Manager, asked the Board to consider setting a work session to discuss the duties and responsibilities related to the consolidated Human Services Advisory Board.

The Board discussed various dates and decided to hold the work session on September 5th at 10:00 AM.

VIII. NEW BUSINESS

A. Approve the following FY 2014-15 Juvenile Crime Prevention funding and local county match amounts for the following programs: * Teen Court & Life Skills (One Step Further) - JCPC Funds $94,212 - County Funds $8,087 * Community Service Restitution (One Step Further) - JCPC Funds $93,209 - County Funds $8,002 * Counseling, Psychological Testing, Family and Life Skills (Youth Focus) - JCPC Funds $443,097 - County Funds $64,182 * Family Preservation (Youth Focus) - JCPC Funds $58,320 - County Funds $0 * Mell-Burton Structured Day Program (Youth Focus) - JCPC Funds $189,120 - County Funds $0 * Act Together Crisis Care (Youth Focus) - JCPC Funds $57,098 - County Funds $0 * Specialized Treatment of Perpetuators Program (Barium Springs) - JCPC Funds $49,718 -County Funds $4,268 * JCPC Certification/Administration (Guilford County) - JCPC Funds $3,000 AND Authorize the County Manager to execute contracts with the appropriate agencies consistent with this approved funding plan. A copy of the contract provided in the full Agenda packet.

Tansy Long, Budget and Management Analyst and staff liaison to the Guilford County JCPC, introduced the item and explained that the proposed contracts provide services to at risk youth. Long then added that the JCPC’s funding plan was approved with the FY 14/15 County budget.
Commissioner Coleman questioned if the contracts had been placed out for bid and asked for clarification regarding how the various vendors were selected.

Long replied that the County utilizes RFPs which are developed by the State which open in January. Long added that information relating to the RFP was also placed in newspapers and provided on the County’s website.

Commissioner Coleman stated that she wanted additional information regarding the process which the JCPC uses to score and rank the potential vendors that respond to the County’s RFP.

Lawing provided the Board with a scoring sheet.

Long then reviewed the scoring matrix which the JCPC utilizes.

Commissioner Coleman noted that the vast majority of the contracts were provided to two vendors and inquired if members of the JCPC Board had considered awarding some of the contracts to other organizations to improve the equitable distribution of the County’s funds.

Long shared that the JCPC Board’s vote to award the contracts was not unanimous and commented that the Board is constantly working to improve their efforts to attract new firms to apply for funding.

Commissioner Cashion stated that as the Board’s liaison to the JCPC, she could personally assure her colleagues that the proposed contracts and organizations are thoroughly vetted and noted that JCPC’s review process was fair and transparent.

Vice Chairman Henning opined that he could not support the proposal as presented. Henning expressed concerns regarding the level of oversight which is implemented over JCPC programming- to ensure the quality of contracted services that are provided to the County.

Long reported that the JCPC Board operates an ongoing monitoring assessment of all programs.

Commissioner Phillips echoed concerns regarding monitoring and questioned what the annual budget was for the JCPC Board.

Long replied that the County’s local match to support JCPC programming was about $84,000.

Commissioner Phillips stated that the total budget for JCPC, including all funding sources, was approximately $1.2 million dollars and expressed concerns that a majority of the contracts were directed to one service provider. Phillips added that he also had been made aware of issues relating to the attendance concerning some JCPC Board members. Phillips then recommended tabling the matter to a future meeting.

Lawing reported that the Chair of the JCPC Board and a representative from the State were available to answer questions from Commissioners regarding the proposed contracts.
Commissioner Coleman asked when the current JCPC contracts expire.

Long replied that the contracts had expired on June 30, 2014.

Commissioner Cashion expressed concerns regarding tabling the measure and asked if doing so would impact local service providers.

Long responded that delaying the consideration of the various contracts could hurt the agencies’ ability to provide services to the community.

Commissioner Trapp expressed concerns with the proposal and stated that JCPC should submit their funding request during the County’s budget development process.

Commissioner Davis asked for the JCPC Chair and the State representative to address the Board.

Commissioner Coleman questioned how agencies would be impacted by delaying the proposal.

Richard Smith, Area Representative for the State JCPC Board, explained that the JCPC’s budget development process started in January and added that the Allocations Committee had met four times to consider the proposals received by the various agencies. Smith noted that the process had been slowed by added review and assessment sessions.

Jenny Caviness, JCPC Board Chair, shared that the Board’s final funding plan was prepared in June and recognized the Commissioners’ concerns regarding the scoring tools used by the JCPC.

Commissioner Davis shared his concerns relating to the current scoring criteria.

Smith then reviewed JCPC’s review process and the associated scoring system.

Davis stated that the JCPC should work to diversify the organizations that are awarded contracts.

Smith reported that the State had recently altered how organizations are compensated from a quarterly reimbursement system to a monthly allotment- which has resulted in new agencies applying for funding.

Caviness replied that the JCPC Board is working diligently to expand its applicant pool and has implemented training programs to educate potential providers regarding requirements, selection criteria, and presentation skills- in aim to help more agencies develop stronger proposals.

Commissioner Trapp questioned the temporary shelter services referenced in the report.

Smith responded that the shelter services, cited in the report, operate as a diversion program to keep delinquent youth from entering a prison facility. Smith added that these youth could be provided for by DSS, but would present a risk to other children in the DSS foster care system.
Commissioner Trapp commented that he wanted the Board to review the program, and other JCPC initiatives, to ensure that the County is not duplicating services which are already provided by the County.

Commissioner Phillips asked if Smith was a voting member of the Guilford County JCPC.

Smith reported that he was not, but offers technical assistance to the Board.

Commissioner Phillips questioned what was the total funding for the JCPC Board.

Caviness replied that the County’s match, $84,000, could be in the form of a cash payment or through providing in-kind services to the Board.

Commissioner Phillips inquired why more counseling service providers had not bid on the various contracts and asked Caviness to address the attendance issues.

Caviness reported that the Board does have an attendance policy in place and noted that she had not observed issues with attendance. Caviness added that she had recently noticed an improved level of engagement from Board members.

Commissioner Coleman questioned why BOTSO had not received funding this year.

Caviness replied that the organization had a divestiture of services as their administrator had moved and added that BOTSO was in negotiations with other organizations to house their programming.

Commissioner Cashion asked what the consequences would be of delaying the contracts.

Smith reported that if the consideration of the contracts was tabled until September then agencies would not receive funding until October. Smith commented that smaller organizations with less developed funding streams would be particularly harmed—which would include One Step Further.

Commissioner Trapp shared that he was concerned for the agencies’ ability to maintain operations, but stated that the JCPC should make their funding request during the County’s budget development process.

Commissioner Davis expressed concerns regarding JCPC’s dereliction of their duties in failing to ensure that their funding request was made in a timely manner.

Caviness apologized for the tardiness of the proposed contracts and shared that she would work in the future to align JCPC’s funding request with the County’s fiscal year.

Vice Chairman Henning shared his concerns regarding the proposal and stated that he wanted to ensure that JCPC’s programs were properly vetted.
Commissioner Phillips questioned if the Board could approve the County’s match for the months of July through September.

Smith replied that the total match needed to be paid before the State could release their funds.

Commissioner Cashion asked the Board to move forward with the request and work to implement reforms in JCPC programming throughout the next year.

Commissioner Davis expressed his disappointment with the situation, but however felt obligated to support the item. Davis directed the JCPC Board to provide more frequent reports and updates to Commissioners and asked the Board to work to implement more equitable funding.

Commissioner Coleman shared her disappointment, but stated that failing to move forward at this juncture would negatively impact the children who rely on the services which the JCPC Board provides. Coleman asked that Commissioners consider a work session to follow-up on the matter.

Commissioner Shaw expressed concerns that delaying the item could cause the funding to be redirected to other jurisdictions.

Commissioner Phillips offered a substitute motion.

Motion was made by Commissioner Jeff Phillips, and seconded by Vice Chairman Hank Henning to table considering the various contracts associated with item VIII.A until the Board’s work session scheduled for September 5th.

**VOTE:** Motion failed 3 – 6.

**AYES:** Commissioners J. Phillips, H. Henning, A. Branson.

**NOES:** Commissioners B. Davis, C. Coleman, B. Bencini, L. Shaw, K. Cashion, R. Trapp.

Motion was made by Commissioner Carolyn Q. Coleman, and seconded by Commissioner Bruce Davis to approve the following FY 2014-15 Juvenile Crime Prevention funding and local county match amounts for the following programs:

- **Teen Court & Life Skills (One Step Further)** - JCPC Funds $94,212 - County Funds $8,087
- **Community Service Restitution (One Step Further)** - JCPC Funds $93,209 - County Funds $8,002
- **Counseling, Psychological Testing, Family and Life Skills (Youth Focus)** - JCPC Funds $443,097 - County Funds $64,182
- **Family Preservation (Youth Focus)** - JCPC Funds $58,320 - County Funds $0
- **Mell-Burton Structured Day Program (Youth Focus)** - JCPC Funds $189,120 - County Funds $0
- **Act Together Crisis Care (Youth Focus)** - JCPC Funds $57,098 - County Funds $0
- **Specialized Treatment of Perpetuators Program (Barium Springs)** - JCPC Funds $49,718 - County Funds $4,268
- **JCPC Certification/Administration (Guilford County)** - JCPC Funds $3,000

AND Authorize the County Manager to execute contracts with the appropriate agencies consistent with this approved funding plan. A copy of the contract provided in the full Agenda packet.
VOTE: Motion carried 8 – 1.
NOES: Vice Chairman H. Henning.

B. New Business from County Commissioners

Commissioner Davis out at 7:01 PM.

Vice Chairman Henning shared that he wanted to offer a motion to reappoint Commissioner Kay Cashion to the Sand Hills Center Board of Directors.

Motion was made by Vice Chairman Hank Henning, and seconded by Commissioner Linda O. Shaw to reappoint Commissioner Kay Cashion to the Sand Hills Center Board of Directors.

VOTE: Motion carried 8 – 0.
NOES: None.
ABSENT: Commissioner B. Davis.

IX. COMMENTS FROM COMMISSIONERS

Commissioner Davis in at 7:04 PM.

Commissioner Phillips stated that the County had accepted the Greensboro City Council’s ALS Ice Bucket Challenge and encouraged other Commissioners and staff to participate.

Commissioner Davis replied that he accepted Phillips’ Ice Bucket Challenge.

Commissioner Cashion commented that she had recently attended the North Carolina County Commissioner’s Conference held in Asheville. Cashion reported that the Conference focused on economic development issues. Cashion added that a working group had developed a report which she would share with the full Board. Cashion also noted that she and Commissioner Phillips had participated in a work session regarding Human Services Consolidation. Cashion then informed the Board that the County's Citizens' Academy would begin on September 8th and encouraged residents to sign up for the program.

Commissioner Trapp thanked Caviness for addressing the Board regarding the JCPC contracts and shared that he was looking forward to working with her in the future.

Vice Chairman Henning shared that he had recently attended the Purple Heart Association Dinner and thanked all veterans for their service and commitment to the United States.

Commissioner Davis reminded everyone regarding the upcoming John Coltrane Jazz Festival.
**X. COMMENTS FROM COUNTY MANAGER**

**A. Receive Update on road name change request to rename High Point Road to Gate City Boulevard will be made by the Guilford County Planning Board.**

Lawing provided an update concerning the status of the proposed name change of High Point Road to Gate City Boulevard. Lawing made the Board aware that in 1979 the delegation of road naming was passed from the Board of Commissioners to the Planning Board. Lawing then reviewed the public hearing and review process that the Planning Board would employ.

Chairman Bencini expressed concerns regarding the potential hardships that the alternation would have on local emergency management officials.

Bell clarified the proposed changes and reviewed NCDOT maps with Commissioners.

The Board expressed concerns with the renaming and urged the Planning Board and citizens to consider the long lasting impacts of implementing the alteration.

Lawing reported that staff had copies of the adopted County Budget for the Board to review.

**XI. SPEAKERS FROM THE FLOOR**

No one signed up to address the Board.

**XII. HOLD CLOSED SESSION PURSUANT TO N.C.G.S. 143-318.11 FOR THE PURPOSES OF CONSULTING WITH THE COUNTY ATTORNEY.**

Motion was made by Commissioner Linda O. Shaw, and seconded by Commissioner Ray Trapp to enter closed session pursuant to NCGS §143-318.11 for the purposes of consulting with the County Attorney.

**VOTE:** Motion carried 9 – 0.


**NOES:** None.

Meeting went into Recess at 7:30 PM.

Meeting Reconvened at 8:50 PM.
Action on Closed Session Items

Motion was made by Vice Chairman Hank Henning, and seconded by Commissioner Jeff Phillips to authorize staff to enter into a settlement on the discussed Workers' Compensation Claim at the amount discussed during the Closed Session Meeting.

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

XIII. ADJOURN

Motion was made by Vice Chairman Hank Henning, and seconded by Commissioner Linda O. Shaw to adjourn the meeting at 8:51 PM.

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

Chairman

Deputy Clerk