

**MINUTES OF BOARD OF COUNTY
COMMISSIONERS
OF GUILFORD COUNTY**

Greensboro, North Carolina
September 21, 2017

The Board of County Commissioners met in a duly noticed regular meeting on September 21, 2017 at 5:30PM, in the Commissioners' Meeting Room, 301 W. Market St., Greensboro; North Carolina.

PRESENT: Chairman Jeffrey M. Phillips, Vice Chairman Alan Branson, Commissioners Carolyn Q. Coleman, Melvin "Skip" Alston, Alan Perdue, Justin Conrad, J. Carlvena Foster, Katie "Kay" Cashion, Hank Henning.

ABSENT: None

ALSO PRESENT: County Manager Marty Lawing, County Attorney Mark Payne, Deputy County Manager Clarence Grier, Clerk to the Board Robin Keller, Deputy Clerk to the Board Scott Baillargeon, and members of the media.

I. INVOCATION

Chairman Phillips provided the invocation.

II. PLEDGE OF ALLEGIANCE

Chairman Phillips led those present in the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER

Chairman Phillips called the meeting to order at 5:38PM.

Chairman Phillips called attention to the addendum to remove the Health and Human Services update. The board agreed by unanimous consent to amend the agenda and remove the item.

IV. SPEAKERS FROM THE FLOOR

Felecia Reid, Guilford County employee, spoke to 'back to school' vaccinations. Ms. Reid noted that the County currently holds an 88% compliance rate. She noted that students have until next week to receive their required vaccinations.

Jordan Lessard, High Point resident, urged the commissioners to vote in support of the High Point catalyst project.

Patrick Harmon, High Point resident, spoke in support of the High Point stadium.

David Rosen, High Point resident, shared that the High Point stadium serves as an accelerator for economic growth in High Point. He spoke to the future benefits for the High Point community if approved. He emphasized the need to work collaboratively to ensure the future economic success of High Point.

Jonah Green, High Point resident, spoke in support of the proposed High Point stadium, and shared that she is excited to have a children's museum in High Point.

Larry Diggs, High Point resident, shared that the stadium is a project that can make all residents of Guilford County proud. Mr. Davis spoke to the potential of the stadium could bring to the whole downtown community.

Ron Reagan, High Point resident, spoke of the added value the stadium would provide, and noted that he requires additional faculty positions. He expressed support for the request and urged the Board to vote tonight.

Jeff Golden, High Point resident, stated that the fate of the City of High Point depends on the success of the project before the Board.

Elma Hairston, High Point resident, business owner, and motivational speaker asked the Commissioners to support the vision in High Point.

Wayne Rutherford, Jamestown resident, spoke to similar growth in South Carolina and the project development that started over 20 years ago. He noted that the key to economic success is the leadership willing to commit to a vision.

Matt Thiel, High Point resident, emphasized that despite how the project was presented to the Board, he urged the Board to support the future of High Point.

David Willett, a High Point resident of 84 years, asked the Board to consider Guilford County as one entity and consider the project in High Point.

A.B. Henley, resident of High Point, He thanked the Board for the support of the school Board for their investment in High Point central. Shared his role as a stakeholder in the future of High Point. Henley urged the commissioners to vote in favor of the stadium.

Heidi Majors, Pleasant Garden resident, shared that the YWCA Board of Directors passed a resolution in support of the High Point stadium.

Jeff Horney, High Point resident, spoke to the steady decline of industry in High Point and the need for redevelopment, and urged the Board for their support.

V. PRESENTATIONS

A. 2017-330 PROCLAIM SEPTEMBER 24-30 AS RAIL SAFETY WEEK

Approve Resolution Recognizing September 24-30 as Rail Safety Week.

[Legislation Text](#)

Vice Chairman Branson read the proclamation declaring the week of September 24-30th as Rail Safety Week in Guilford County.

VI. CONSENT AGENDA

Commissioner Foster pulled Consent Agenda Items A. 1. and A. 2. for separate consideration

Motion was made by Commissioner Alan Branson, and seconded by Commissioner Justin Conrad to adopt VI. CONSENT AGENDA

VOTE: Motion carried 9 - 0

AYES: Melvin "Skip" Alston, Alan Perdue, J. Carlvena Foster, Jeff Phillips, Hank Henning, Justin Conrad, Kay Cashion, Carolyn Q. Coleman, Alan Branson

NOES: None

A. BUDGET AMENDMENTS

REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION

1. 2017-322 DHHS- PUBLIC HEALTH DIVISION - ADDITIONAL COMMUNICABLE DISEASE INVESTIGATION - \$592

Approve an increase of \$592 in Federal/State Revenues and increase the FY 2017-18 Department of Health and Human Services - Public Health Division budget by the same amount to align the Communicable Disease Investigation budget with the amount awarded from Epidemiology/Communicable Disease Branch.

[Legislation Text](#)

REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION

2. 2017-323 DHHS- PUBLIC HEALTH DIVISION - ADDITIONAL COMMUNICABLE DISEASE TB CONTROL \$14,415

Approve an increase of \$14,415 in Federal/State Revenues and increase the FY 2017-18 Department of Health and Human Services - Public Health Division budget by the

same amount to align the Communicable Disease TB budget with the amount awarded from Epidemiology/Communicable Disease Branch.

Legislation Text

3. 2017-310 RECEIPT OF THE 2017 GOVERNOR'S HIGHWAY SAFETY PROGRAM
LAW ENFORCEMENT LIAISON GRANT

Approve receipt of the 2017 Governor's Highway Safety Law Enforcement Liaison Grant in the amount of \$63,000 and adopt the accompanying local governmental resolution. Increase Federal/State Revenues by \$43,000 and the FY 2018 Law Enforcement budget by \$43,000 to reflect receipt of grant funds in addition to the \$20,000 included in the adopted budget.

Legislation Text

LEL RESOLUTION

4. 2017-311 RECEIPT OF THE 2017 GOVERNOR'S HIGHWAY SAFETY DWI TASK
FORCE GRANT

Approve receipt of the 2017 Governor's Highway Safety DWI Taskforce Enforcement Grant Totaling \$456,296 (\$114,075 in Federal/State revenue and a local match of \$342,221 which is shared between the Guilford County Sheriff's Office \$179,201 and the High Point Police Department \$163,020). Increase the FY 2017-18 Law Enforcement budget by \$8,718; increase Federal/State Revenues by \$9,136; and decrease Appropriated Fund Balance by \$418 to align the estimated amounts included in the adopted budget with the final grant award amounts.

Legislation Text

TASKFORCE RESOLUTION

5. 2017-313 RECEIPT OF THE 2017 GOVERNOR'S HIGHWAY SAFETY DWI
EDUCATOR GRANT

Approve the receipt of the 2017 Governor's Highway Safety Grant for the DWI Taskforce Educator in the amount of \$76,461 (\$38,231 in Federal/State funds and a 50% local match of \$38,230) and adopt the accompanying Local Government Resolution. Increase the FY 2018 Law Enforcement budget by \$1,384; decrease Federal and State revenue by \$856; and increase Appropriated Fund Balance by \$2,240 to align the estimated amounts included in the adopted budget with the final grant award amounts.

[Legislation Text](#)

[EDUCATOR RESOLUTION](#)

6. 2017-335 AMEND TAX FORECLOSURE ATTORNEY AGREEMENT AND APPROVE ASSOCIATED BUDGET ORDINANCE AMENDMENT

Approve amendment to contract No. 114209-11/16-195 Mark D. Bardill, P.C. d/b/a/ Zacchaeus Legal Services. Increase User Charge revenue by \$185,000 and increase Tax Department FY2018 budget by \$185,000.

[Legislation Text](#)

B. CONTRACTS

1. 2017-305 FY18 5339 SMALL URBAN BUS AND BUS FACILITY GRANT - MOA WITH DEPARTMENT OF TRANSPORTATION

Approve attached Memorandum of Agreement, in substantial form, with the Department of Transportation by and through the Health and Human Services Department (Division of Social Services) in the amount of \$540,000 (Federal/State Funds of \$486,000 and County funds of \$54,000) for the purchase of nine light transit vehicles with wheelchair lifts. Increase Federal and State revenue by \$486,000 and increase the FY 2017-18 Transportation budget by the same amount to appropriate grant funds for the vehicle purchases.

[Legislation Text](#)

[NC dept of Transportation 2017-2018 5339 SMALL URBAN BUS AND BUS FACILITY GRANT](#)

[vehiclereplacementplanFY18.pdf](#)

2. 2017-312 RESOLUTION APPROVING 2017 GOVERNOR'S HIGHWAY SAFETY BIKE SAFE GRANT

Approve the receipt of the 2017 North Carolina Governor's Highway Safety BikeSafe Grant in the amount of \$5,000 and adopt the accompanying local government resolution.

[Legislation Text](#)

BIKESAFE RESOLUTION

C. MISCELLANEOUS

1. 2017-321 PROPERTY TAX REBATES AND RELEASES FOR MONTH ENDING AUGUST 31, 2017

Accept and approve property tax rebates and releases for the month ending August 31, 2017.

[Legislation Text](#)

[August 2017 NCVTS Pending Refund report](#)

[August 2017 Rebates & Releases](#)

2. 2017-320 TAX COLLECTION AND BEVERAGE LICENSE REPORTS FOR MONTH ENDING AUGUST 31, 2017

Accept and approve the tax collection and beverage licensing reports for month ending August 31, 2017. Full report on file with the Clerk's Office.

[Legislation Text](#)

[Bev 08-31-17 Detail](#)

[401C All Guilford 8-31-17](#)

3. 2017-314 SALE OF SURPLUS PROPERTY

Approve the sale of surplus properties located at: 739 Hendrix St, High Point NC; 1809 Brentwood St, High Point, NC; 2846 2848 Lees Chapel Road, Greensboro, NC; and 906 Rockhurst Drive, Sedalia, NC to the current highest bidder, and authorize staff to take all reasonable and necessary steps to execute the sale of the property.

[Legislation Text](#)

[739 Hendrix Bid-08312017163421](#)

[1809 Brentwood Bid-08312017163505](#)

[2846 2848 Lees Chapel Bid-08312017163557](#)

[906 Rockhurst Bid-08312017163624](#)

[739 Hendrix GIS](#)

[1809 Brentwood GIS](#)

[2846 2848 Lees Chapel GIS](#)

[906 Rockhurst GIS](#)

4. 2017-327 RECORDS RETENTION AND DISPOSITION SCHEDULE

Approve amendment to Standard 6 - Emergency Services Records - Amending Item 1, 911 Recordings as shown on substitute page 43 and Item 13, Emergency Notifications as shown on substitute pages 45 and 45a

[Legislation Text](#)

[Records Retention Update - Emergency Services.pdf](#)

5. 2017-324 REQUEST REFUND OF TAX STAMPS FOR TUGGLE DUGGINS, ATTORNEYS AT LAW

Approve the refund of \$409.00 to the law firm of Tuggle Duggins for overpayment of excise tax stamps per GS 105-228-37.

[Legislation Text](#)

[Tuggle Duggins Letter requesting excise tax refund](#)

[B 7963 p 1761 Deed](#)

[GS 105 228 37 Refund Tax Stamps](#)

6. 2017-329 APPROVAL OF THE MINUTES

Approval of the Minutes
09/07/17 Regular Meeting Minutes

[Legislation Text](#)

ITEMS PULLED FOR SEPARATE CONSIDERATION

V. CONSENT

- A.1. 2017-322 DHHS- PUBLIC HEALTH DIVISION - ADDITIONAL
COMMUNICABLE DISEASE INVESTIGATION - \$592

[Legislation Text](#)

Motion was made by J. Carlvena Foster, and seconded by Kay Cashion to Approve an increase of \$592 in Federal/State Revenues and increase the FY 2017-18 Department of Health and Human Services - Public Health Division budget by the same amount to align the Communicable Disease Investigation budget with the amount awarded from Epidemiology/Communicable Disease Branch.

Commissioner Foster questioned if the amount was a full grant amount.

Public Health Director, Merle Green, stated that Item A. 1. is in the STD clinic, and clarified that it is not a new program. She noted that oftentimes the state has remaining dollars for items such as supplies that is redistributed throughout the year. She noted that these funds reflect those reallocations of state dollars from other counties who had unspent funds.

VOTE: Motion carried 9 - 0
AYES: Melvin "Skip" Alston, Alan Perdue, J. Carlvena Foster, Jeff Phillips, Hank Henning, Justin Conrad, Kay Cashion, Carolyn Q. Coleman, Alan Branson
NOES: None

- A. 2. 2017-323 DHHS- PUBLIC HEALTH DIVISION - ADDITIONAL
COMMUNICABLE DISEASE TB CONTROL \$14,415

Approve an increase of \$14,415 in Federal/State Revenues and increase the FY 2017-18 Department of Health and Human Services - Public Health Division budget by the same amount to align the Communicable Disease TB budget with the amount awarded from Epidemiology/Communicable Disease Branch.

[Legislation Text](#)

Motion was made by J. Carlvena Foster, and seconded by Melvin "Skip" Alston to Approve an increase of \$14,415 in Federal/State Revenues and increase the FY 2017-18 Department of Health and Human Services - Public Health Division budget by the same amount to align the Communicable Disease TB budget with the amount awarded from Epidemiology/Communicable Disease Branch.

Commissioner Foster questioned if the grant was related to the previous agenda items.

Green stated that the \$14,415 grant allows the department to expand TB investigations and is a similar reallocation of available unused grant dollars. Green stated that this is the same mechanism as the previous item with the reallocation of unexpended funds from other entities.

VOTE: Motion carried 9 - 0

AYES: Melvin "Skip" Alston, Alan Perdue, J. Carlvena Foster, Jeff Phillips, Hank Henning, Justin Conrad, Kay Cashion, Carolyn Q. Coleman, Alan Branson

NOES: None

VII. PUBLIC HEARINGS

A. 2017-331 HOLD PUBLIC HEARING TO CONSIDER PROPOSED CHANGES TO CHAPTER 5: ANIMAL ORDINANCE REGARDING SPAY AND NEUTER REQUIREMENTS

Hold public hearing to consider adoption of the proposed changes to Chapter 5: Animal Ordinance regarding spay and neuter requirements.

Legislation Text

Draft Animal Ordinance Spay and Neuter 08.17

Deputy County Manager, Clarence Grier, outlined the Animal Services Advisory Board proposal regarding spay and neuter requirements in Guilford County. He noted that the ordinance would only be enforced if the animals came in contact with Animal Control or law enforcement. He discussed the fee associated with the ordinance, and stated that veterinarians would not be required to collect a fee.

Commissioner Coleman questioned whether or not low-cost spay neuter clinic options would be provided. She inquired about locations for where the fee could be paid, and given that many citizens lack transportation, asked if the County had options to provide to those who require assistance to be in compliance with the ordinance.

Grier noted that the County has a contract with several veterinarians and the Humane Society to offer low-cost spay and neuter services. Grier stated that staff have the authority to offer a sliding scale for fees if compliance measures are taken by the owner. Grier discussed spay and neuter options to accommodate those citizens that are unable to pay the fee.

Vice Chairman Branson spoke to the implications of show dogs and hunting animals that escape their enclosures. He sought further clarification for how the ordinance would impact those type breeds.

Grier stated that exemptions have been included in the language of the ordinance to accommodate both show and hunting dogs. He elaborated the process for how the County will process these type of situations.

Vice Chair Branson emphasized that the ordinance did not intend to seek out animals that were neither spayed nor neutered.

Grier stated that it is not the intent of the ordinance to seek out unaltered animals. Rather that the ordinance is designed to address animals who come into contact with animal services.

Commissioner Conrad noted that the ordinance language regarding spay and neuter requires a secondary animal ordinance violation. The County would need to be called out for a separate infraction.

County Attorney Mark Payne noted that the ordinance would only become an issue should the animal be picked up under a violation of another section of the Animal Ordinance. He also stated that a citation can be waived if the owner gets the animal spayed or neutered.

Chairman Phillips opened the floor of the public hearing for proponents.

Doug Levine, a resident of Guilford County, spoke in support of the ordinance. He spoke against the information submitted by the AKC. He noted that the ordinance is not a mandatory spay or neuter policy and does not require an animal to be immediately sterilized, and that the ordinance only impacts animals that come into contact with Animal Control for other violations. He emphasized that owners can choose to keep their pets unaltered. He expressed concern for the crisis facing Guilford County regarding irresponsible pet owners.

Dr. Kim Sheets, local veterinarian in Greensboro, spoke in favor of the proposal. She noted that she offers low-cost spay and neuter options and that there are several low-cost programs available. She stated that the policy offers an incentive for owners to do the right thing. She noted that this community has a problem of free roaming animals.

Beverly Levine, Member of the Animal Services Advisory Board and professional statistician, noted that the shelter easily takes in more animals each year than can be given away, and emphasized that the spay/neuter ordinances had demonstrated to be a proven and successful strategy for addressing the animal overpopulation problems. She stated that the proposed ordinance places costs on owners whose animals violate existing ordinances. She noted that the

County has an obligation to reduce the intake of animals at the shelter. She noted that statistically none of the animals at the shelter in the past year have been AKC certified and that the majority of animals euthanized are cats thereby making the AKC concerns moot. She noted that the current ordinance language comes from other entities including Buncombe County.

Bob Sloan, President of Project Bark, stated that Project Bark has been in existence for over seven years, designed to offer spay neuter assistance. He stated that the County contracts with the agency to provide financial assistance for individuals who meet poverty level guidelines for low cost and no cost spay and neuter services. He noted that 90% of the animals that enter the County shelter are pitbull's and pitbull mixes. He noted that 80% of those are euthanized because they are unwanted and unable to be adopted. He noted that there is no other county in North Carolina that provides spay neuter assistance support, and thanked the commissioners for their work.

Jan Grafton, Whitsett resident and shelter volunteer, stated that she started a rescue organization, and daily receives calls regarding animal over population. She emphasized the savings of tax dollars the ordinance would generate.

Allison Dunmore, Greensboro resident and shelter volunteer, noted that she assists in the promotion of pet responsibility through a program taught to fourth graders in Guilford County. She spoke to the impacts of over population and kennel stress. She stated that if we are truly humane people and care about the animals in Guilford county, we should support the ordinance to help manage pet overpopulation.

Donna Lawrence, president of Susie's Hope non-profit, noted that 8-12 million animals enter animal shelters each year. She stated that shelter intakes figures are high. She shared that she is in support of the ordinance. She stated that anything that we do to slow down animal euthanasia in Guilford County is important.

Chairman Phillips closed the floor to proponents and opened the floor to opponents.

Dr. Glenn Huth, Stoney Creek Veterinarian in Whitsett, NC, stated that the County has an accountability problem. He stated that he would like to see more clarification of the language in the ordinance, specifically the mandate, that differentiates between a show dog and a breeder and a clear definition of these terms. He recognized that there is no simple procedure. He stated that he discourages his clients from spay or neutering their dogs until their growth plates are developed. He expressed concern as a veterinarian if he would be at risk for advising his clients on what they should do.

Lori Shultz, Service Dog trainer in Julian NC, expressed concerns with the intent of the law, and emphasized that she breeds dogs but they are not AKC certified. She inquired about how the ordinance would affect breeders like her.

Mac Mahoney, Julian resident, shared that he breeds hunting dogs and expressed the need for additional exclusions for hunting dogs to be added to the ordinance language.

Meg Wood, Greensboro resident and president of Furniture City Kennel Club in High Point, stated that they hold a dog show once a year. She stated that they also support Project Bark for a good solution for spay and neuter.

Chairman Phillips closed the floor to opponents and opened the floor for a three-minute Rebuttals

Beverly Levine speaking on behalf of the proponents noted that service dogs and show dogs are exempt from the ordinance, and that the ordinance is targeting spay/neuter incentives. She stated that the ordinance is specifically targeting those animals running at large and coming into contact with Guilford County Animal Services. She added that financial incentive is a crucial component of the ordinance.

Bill Cooper, Pleasant Garden resident, speaking on behalf of the opponents shared that he had two animals that were tagged, get loose, and were subsequently taken to the shelter. He urged an exemption for hunting dogs, as they get loose often.

Chairman Phillips concluded the public input period. He stated his appreciation of both opponents and proponents.

Commissioner Alston asked staff to address the veterinarian, Dr. Glenn Huth, specifically regarding his concerns with the language of the ordinance, and any liability of veterinarians when giving advice to their clients that may be contrary to the ordinance.

Grier spoke to the language regarding the six-month age requirement for animals to be sterilized. Grier noted that the County's veterinarians advise that spaying and neutering animals at six months is a common practice in the veterinarian community.

County Attorney Payne noted that the changes to the animal control ordinance would not place obligation on the veterinarian, and subsequently places zero liability on anyone other than the pet owner. Payne reviewed the exceptions drafted in the proposal. He stated that there is a notation for exemption status in the ordinance language for any animal that has a certification from a veterinarian where the procedure would make the animal unfit for the procedure. He added that if a veterinarian makes such a certification signed by a licensed veterinarian then the County would not look behind the veterinarian.

Commissioner Alston requested that Dr. Huth return to the podium.

Dr. Huth reviewed his aforementioned statements concerning the impacts of the ordinance, which could have long-term injury to the animal.

Commissioner Conrad noted that the concerns put forth by Dr. Huth are exempted from the ordinance.

Commissioner Alston suggested altering the language as a Friendly Amendment to remove "Endanger" and replace with "Adversely Impact".

Payne advised that the language should read “Adversely Impact the Health”.

Commissioner Conrad reviewed the exclusions in the ordinance including those who own or harbor service dogs, individuals who are non-residence of the County who are here for a period less than 30 days, veterinary hospitals, a kennel license under the section dealing with high-volume kennels, and the exemption that deals with pure-bred animals.

Commissioner Coleman spoke to the requirement of hunting dogs to be excluded in the ordinance, and referenced one of the speakers whose dog was impounded and had to pay \$200, and asked Commissioner Conrad would be amenable to adding show dogs into the exemption.

Commissioner Conrad spoke to the exclusion concerning show dogs. Conrad stated that to remove the certifications, and the owner would need to provide evidence that the animal is a show animal in an organization.

Commissioner Coleman made the friendly amendment to reflect that the owner can prove that the animal had participated in sanctioned events.

Chairman Phillips inquired about hunting dogs, and their efforts to become a sanctioned group.

Commissioner Alston expressed concerns setting a precedent to allow citizens to self-certify their animals. He emphasized the vagueness of the ordinance as it stands, and stated that a certification needs to be addressed.

Commissioner Perdue noted that it is an important issue, and stressed the need to be considered and covered by an organization. He recommended altering the language to amend number six to place a comma so to read: “or any other national, regional, or local organization recognized by Guilford County Animal Services.” Perdue spoke to the cumbersome nature of writing ordinances from the dais, and expressed the need to be as unambiguous as possible in the language. He recommended placing a staff approved listing referenced in the ordinance that can be modified as is necessary.

Commissioner Conrad recognized the need to avoid the allowance of disparate exclusions to the ordinance.

Commissioner Perdue clarified that requested that his amendment recommendations would reference a listing maintained by staff of approved qualified organizations meeting exemption requirements.

Chairman Phillips expressed the need for a broader scope of the language to ensure that clarity is achieved. However, hashing out the minutiae could be obtained at a later date.

Commissioner Conrad expressed concern for delineating between a hunting and non-hunting dog to respect the language of the ordinance. He referenced the Beagle Hunting Group referenced earlier, and spoke to the overall vagueness of a broad scope of the language.

Payne clarified the recommendation to identify the listing, which places a responsibility on staff, to make a determination to maintain and set up criteria to become recognized by Guilford County Animal Services in order to be considered and placed on the list.

Vice Chairman Branson spoke to the motion, and stated that he still harbored concerns with those who hunt and those who are not in a hunting club. Branson stated that if and when hunting there is a large pack of hunting dogs, would the County be willing to negotiate the fine per dog.

Grier stated that there are often incidents where owners face larger fines. He noted that the goal of the County is to promote compliance with the laws and therefore staff are authorized to work with owners to reduce fines, and/or offer payment plans so long as the goal of compliance is achieved.

Commissioner Coleman spoke in support of Commissioner Perdue's recommendation and agreed to resend her friendly amendment.

Chairman Phillips noted that if approved the ordinance would take effect January 1, 2018 with a 90-day transition period.

Commissioner Conrad and Commissioner Alston accepted Commissioner Perdue's friendly amendment to the motion.

Motion was made by Justin Conrad, and seconded by Melvin "Skip" Alston to adopt the proposed changes to Chapter 5: Animal Ordinance regarding spay and neuter requirements as amended to remove word endangered and insert words adversely impact the health, and to modify item number 6. To add, "or any other national regional, or local organization recognized by Guilford County Animal Services."

VOTE: Motion carried 8 - 1

AYES: Melvin "Skip" Alston, Alan Perdue, J. Carlvena Foster, Jeff Phillips, Hank Henning, Justin Conrad, Kay Cashion, Carolyn Q. Coleman

NOES: Alan Branson

Chairman Phillips called for a ten-minute recess at 8:00PM

Chairman Phillips called the meeting back to order at 8:15PM

B. 2017-333 HOLD PUBLIC HEARING - CITY OF HIGH POINT: CATALYST (STADIUM PROJECT) PROJECT

Hold a public hearing, in accordance with N.C. General Statute 158-7.1, for the purposes of receiving public input on a request from the City of High Point that the Board of Commissioners assist in the Downtown Catalyst Project by making payments

to the city for a period of 20 years and consider approval of attached Interlocal Agreement.

[Legislation Text](#)

[Catalyst Interlocal High Point.pdf](#)

[Catalyst Project County Presentation.pdf](#)

[Revenue Target Area 2017 May.pdf](#)

County Manager Marty Lawing reviewed the City of High Point's request to build a multi-use stadium project and plan to finance the project with Limited Obligation Bonds of 35M with a request that the County's assist on their debt repayment. Lawing stated that the increase would be based on the economic increase in the identified target area. Lawing stated that the inter-local agreement is contingent on the construction of the project, and reviewed the terms of the inter-local agreement.

Chairman Phillips offered the Board an opportunity to address any technical questions before the Public Hearing portion of the item.

Commissioner Alston noted that the request is not a Tax Incremental Financing (TIF) agreement, but rather an inter-local agreement, or a synthetic TIF.

Chairman Phillips opened the floor to proponents.

Jay W. Wagner, High Point Mayor Pro-Tem, shared that High Point City Council passed an agreement 8-1 in support of the project. He stated that the project will not require a tax increase for residents, and if the project did not succeed, the request does not place the County at risk. He emphasized the importance for regional cooperation in economic development, and that the project would be the first true regional cooperation for economic development. He asked the Board to consider a yes vote to transform High Point, and move the County toward the first regional cooperation venture. He addressed the philosophical opposition that he had faced in coming to a yes decision. He expressed that the stadium is a 501(c)(3), and that there is not an individual who will get rich off this investment, as it is a gift from affluent High Point residents.

Nicki Lee, High Point resident, urged the Board to pass the agreement, and spoke to the economic development of downtown High Point. She emphasized that the stadium project is only a catalyst for future economic development, and will attract and retain talent to ensure the economic vitality of High Point.

Randy Carter, High Point Resident, stated that with the recent departure of businesses associated with the furniture market, the City of High Point is "hollow" that has produced a blight in the community. He outlined how the stadium is a necessary part of a larger solution. He noted that the stadium is critical to the overall development; however, stated that High Point is nearing a turning point.

Chris Williams, High Point City Councilman and member of Forward High Point, stated that a yes vote tonight would benefit the citizens of High Point. He stated that the project will provide job opportunities in the core of High Point.

Bruce Davis shared that the Board's decision will have a tremendous impact on the citizens of high Point for years to come, and reminded the Board to consider the many incentive projects presented over the years and the risk that each of those projects brought with them each time. Davis remarked that when considering past economic requests, the goal was to promote the quality of life and improvements of the community, and noted that the stadium project, while not without its own set of risks, Davis emphasized the stadium carries a great potential to provide value and impact to the communities.

Chairman Phillips opened the floor for opponents.

Lewis Thibodaux, High Point resident, thanked the Board for their service and their efforts to ask difficult questions. He urged the Board to continue to ask the difficult questions.

Jeremy Williams, High Point resident, spoke to the sincerity of those who have spoken in support of the project. He noted that there is a risk to the tax payers of the City of High Point for a public funded stadium. Mr. Williams spoke against tax payer funding of the project, and noted to the mixed messages as to the impact on residents.

Chris McCoy, Guilford County resident and member of American Prosperity of North Carolina, spoke against using tax payer money to subsidize the stadium project. He stated that they could not support corporate welfare for sports teams.

Jimmy Morgan, Guilford County resident, thanked the Board for holding a public hearing. He spoke against using County funds to support the project. Morgan expressed disparate concerns for the future use of the stadium.

David Bagley, High Point resident, spoke in support of a public private partnership, and urged the Board to delay a vote until the next month in order to pass a unanimous vote. He noted that they are working to bring Amazon to Guilford County, and stated that the stadium is a critical factor in that project.

George Wallace, Greensboro resident, shared his opposition, and noted that the stadium is not a mandated governmental expense and that stadiums are often unsuccessful.

Chairman Phillips offered a period of rebuttal.

Frank Thomas, High Point Pastor and community leader, reiterated the timeliness of the project in relation to the economic revitalization of High Point, Guilford County, and the Piedmont Triad. He spoke in support of massive re-development in the High Point area.

James Adams, High Point resident, spoke to similar cities that have publicly financed similar catalyst projects that have had negative outcomes. He urged the Board to take the public dollars out of the project.

Chairman Phillips closed the public input period.

Motion was made by Melvin "Skip" Alston, and seconded by Kay Cashion to postpone a vote on the Interlocal agreement for a period of 60 to 90 days.

Commissioner Alston stated that he hoped to get to a yes with this project; however, that people were left out of the process. Alston cautioned that if pressured to vote tonight that the Board would overwhelmingly vote no. He stated there was need for additional time to address all of the questions surrounding the project proposal. Alston noted that the Board has a responsibility to all residents to Guilford County that due diligence on the proposal was completed. Alston commented that he had hopes that the Board could get to a yes vote for the project but needed time to fully understand the request and the implications to the County. He expressed frustration with the bullying tactics used rather than open dialog. He noted that the Board has received multiple calls with concerns. He noted that it is too important to High Point not to sit down together with community leaders and work together. He beseeched those in attendance to allow the Board of Commissioners time to fully review and answer outstanding questions regarding the proposal.

Commissioner Foster stated that Guilford County will support high impact projects that will redefine and revitalize the downtown area. She stated that the City of High Point is on a timeline and urged the Board to support the proposal.

Commissioner Conrad recommended consideration of a commissioner working group to work with members of High Point. He noted the outpouring of caring and compassionate people in High Point and the need for help in the High Point area. He spoke to the misconceptions presented during this request.

Commissioner Coleman shared that other commissioners may wish to also serve on a committee or be involved in conversations if one is created.

Commissioner Cashion spoke to the numerous emails she received from both those for and against the project.

Commissioner Henning thanked those who reached out to him regarding the request. He stated that High Point does need a catalyst project, and does support the project in principle, but noted that the number of citizens in the community who demand good government. He added that the project is a 20-year interlocal agreement impacting multi-millions, and that we have an obligation to get it right the first time.

Vice Chairman Branson thanked those who came out to speak during the public hearing. He spoke in support of the needed improvements for downtown High Point. He expressed concerns with the lack of professionalism in the request submitted to the Board in the last three weeks.

Chairman Phillips reiterated that the Board the motion on the floor is not to decline the request, rather the Board is willing to try to get to a common goal that is in the best interest of Guilford County.

Commissioner Alston noted that he is willing to give the request the County's immediate attention.

Commissioner Coleman echoed Commissioner Alston's sentiments.

VOTE: Motion to table approval of an inter local agreement carried 8 – 1
AYES: Melvin "Skip" Alston, Alan Perdue, Jeff Phillips, Hank Henning, Justin Conrad, Kay Cashion, Carolyn Q. Coleman, Alan Branson
NOES: J. Carlvena Foster

VIII. NEW BUSINESS

A. 2017-317 APPROVAL OF AE SERVICES EVENT #580, SMALL PROJECTS

Approve award of on-call contracts for architectural engineering services to the HUB Minority Firms of Raymond Engineering and Alabi Architecture, and authorize staff to take all reasonable and necessary steps to execute the selection of these firms.

Legislation Text

Small AE Projects-09062017073812

Event 580 On Call Small A-E Projects MWBE Agenda Memo.docx

Facilities/Parks/Property Management Director Robert McNiece stated that they are requesting approval of the contracts.

Commissioner Coleman questioned the firms that submitted bid materials and whether the firms had contributed previously on County projects. She requested to review the criteria for the selection of the firms, and questioned the typical County practice regarding the number of architects a firm must have to qualify to bid.

McNiece spoke to the bid process and reviewed the two firms. He outlined the MWBE background of the firm. He stated that the firm is on-call service and would be available to the County for smaller projects with the majority of the work being for HVAC projects or repair projects with total construction less than \$500,000. McNiece stated that they received a total of four bids, one bidder not having an on-staff architect, and emphasized that the focus was on improving the Counties MWBE criteria to be one of the major contributing factors to the

selection. McNiece added that in regards to the firm that had reached out to Ms. Coleman, that although the contractor did not meet the requirements for this project, staff are working with the unsuccessful bidder on another project that may be better able to complete for the County.

Commissioner Alston questioned the County's practice of a two architect requirement and if that requirement was necessary for all major jobs. He questioned whether or not the requirement was an on-going requirement or if it merely pertained to certain projects. He added that he hoped that the requirement be removed for future projects to ensure a wider selection of bidders through the region. He stated that there are alternatives to obtaining project security apart from having a built-in requirement of two architects. Alston noted his understanding of the requirement, but wanted to ensure that the County does not limit minority firms simply due to a lack of two licensed architects in a firm.

McNiece stated that the requirement of two architects for larger projects is a requirement.

Lawing stated that staff are recommending two architects for larger projects as a best practice to protect the County.

McNiece stated that a second architect is not required to be in the same firm, but they do require a level of redundancy built into either directly through the firm or as a mutual agreement with another firm.

Chairman Phillips asked for clarification on the County practice of having two architects in a firm to be considered.

McNiece spoke to the practice and stated that they need to be in joint venture.

Commissioner Alston asked for some additional discussion and clarity on the practice.

Chairman Phillips recommended the topic for work session.

Vice Chairman Branson noted that the jail construction project was a collaboration of two firms. He noted that it is becoming more and more common since the downturn of the economy.

Motion was made by Melvin "Skip" Alston, and seconded by Alan Branson to approve the award of on-call contracts for architectural engineering services to the HUB Minority Firms of Raymond Engineering and Alabi Architecture, and authorize staff to take all reasonable and necessary steps to execute the selection of these firms.

VOTE: Motion carried 9 - 0

AYES: Melvin "Skip" Alston, Alan Perdue, J. Carlvena Foster, Jeff Phillips, Hank Henning, Justin Conrad, Kay Cashion, Carolyn Q. Coleman, Alan Branson

NOES: None

B. 2017-315 APPROVAL OF ARCHITECTURAL ENGINEERING SERVICES FOR ANIMAL SHELTER AND CAPITAL PROJECT ORDINANCE AMENDMENT

Approve the selection of PNP Design Group as the provider of architectural engineering Services for the New Animal Shelter and authorize staff to take all reasonable and necessary steps to execute the selection of this firm and award a Contract for Design Services; and amend the County Animal Shelter Replacement capital project ordinance to increase project funding by \$25,000 for programming services.

[Legislation Text](#)

[Animal Shelter AE-08312017170654](#)

[Animal Shelter Replacement Amend Summary 9-21-17.pdf](#)

[Animal Shelter Replacement - Amend 9-21-17.pdf](#)

[Event 574 MWBE Animal Shelter A-E Agenda Memo.docx](#)

McNiece reviewed the item, and stated that they are recommending PNP Design Group.

Chairman Phillips sought clarification of whether the request was a needs assessment.

McNiece noted that it was a needs assessment, cost assessment, and size recommendations request.

Commissioner Coleman questioned how many total buildings was the County working on at present, and encouraged additional MWBE participation.

McNiece stated that the County is currently working on two buildings, one for EMS, and one for the Animal Shelter.

Motion was made by Alan Perdue, and seconded by Justin Conrad to Approve the selection of PNP Design Group as the provider of architectural engineering Services for the New Animal Shelter and authorize staff to take all reasonable and necessary steps to execute the selection of this firm and award a Contract for Design Services; and amend the County Animal Shelter Replacement capital project ordinance to increase project funding by \$25,000 for programming services.

VOTE: Motion carried 9 – 0

AYES: Melvin "Skip" Alston, Alan Perdue, J. Carlvena Foster, Jeff Phillips, Hank Henning, Justin Conrad, Kay Cashion, Carolyn Q. Coleman, Alan Branson

NOES: None

C. 2017-316 APPROVAL OF ARCHITECTURAL ENGINEERING SERVICES FOR LAW ENFORCEMENT ADMINISTRATION BUILDING RENOVATION AND CREATION OF LAW ENFORCEMENT ADMINISTRATION BUILDING RENOVATION CAPITAL PROJECT ORDINANCE

Approve the selection of Walter Robbs Callahan & Pierce Architects as the provider of architectural engineering Services for the Law Enforcement Administration Building, and authorize staff to take all reasonable and necessary steps to execute the selection of this firm and award the contract; and adopt a Law Enforcement Administration Building Renovation capital project ordinance in the amount of \$550,000 to be funded with bond proceeds.

[Legislation Text](#)

[LEC AE-08312017171752](#)

[LE Admin Building Ren Amend Summary 9-21-17.pdf](#)

[LE Admin Building Renovation - Adopt 9-21-17.pdf](#)

[Event 575 A-E LEC MWBE Agenda Memo.docx](#)

Motion was made by Melvin "Skip" Alston, and seconded by Alan Perdue to Approve the selection of Walter Robbs Callahan & Pierce Architects as the provider of architectural engineering Services for the Law Enforcement Administration Building, and authorize staff to take all reasonable and necessary steps to execute the selection of this firm and award the contract; and adopt a Law Enforcement Administration Building Renovation capital project ordinance in the amount of \$550,000 to be funded with bond proceeds.

VOTE: Motion carried 9 – 0

AYES: Melvin "Skip" Alston, Alan Perdue, J. Carlvena Foster, Jeff Phillips, Hank Henning, Justin Conrad, Kay Cashion, Carolyn Q. Coleman, Alan Branson

NOES: None

D. 2017-326 REFUNDING 2005A, 2005B, and 2007B SERIES VARIABLE RATE PUBLIC IMPROVEMENT GENERAL OBLIGATION (GO) BONDS AND 2012A GO PUBLIC IMPROVEMENT BONDS

- 1) Adopt the Resolution Relating to Refunding Bonds;
- 2) Adopt the Resolution introducing refunding Bond Order authorizing General Obligation Bonds not to exceed \$215,000,000 for refunding all or any portion of the 2005A, 2005B, and 2007B series Variable Rate Public Improvement General Obligation (GO) Bonds and the 2012A GO Public Improvement Bonds;
- 3) Authorize the publication of Bond Order as introduced;
- 4) Adopt resolution authorizing a public hearing on the Bond Order to be held October 5, 2017;
- 5) Approve all required appropriations for refunding. Total actual appropriations will be reported to the Board after closing on the bond sale. All appropriations are anticipated to be fully offset by sale revenues;
- 6) Authorize staff to take all necessary steps to proceed as approved.

[Legislation Text](#)

[Bond order intro 2017 Guilford GO refunding](#)

[Summary of Refunding Results - \(9.6.17\).pdf](#)

Finance Director, Reid Baker, spoke to the opportunity for the refunding of several bonds with a potential savings of 8.14M dollars with an improved cash flow of 10M. Baker stated that the requested action item 2 would need to be amended to introduce the refunding bond order only, and the adoption would occur at the next meeting.

Motion was made by Carolyn Q. Coleman, and seconded by Melvin "Skip" Alston to

- 1) Adopt the Resolution Relating to Refunding Bonds;**
- 2) Adopt the Resolution introducing refunding Bond Order authorizing General Obligation Bonds not to exceed \$215,000,000 for refunding all or any portion of the 2005A, 2005B, and 2007B series Variable Rate Public Improvement General Obligation (GO) Bonds and the 2012A GO Public Improvement Bonds;**
- 3) Authorize the publication of Bond Order as introduced;**
- 4) Adopt resolution authorizing a public hearing on the Bond Order to be held October 5, 2017;**
- 5) Approve all required appropriations for refunding. Total actual appropriations will be reported to the Board after closing on the bond sale. All appropriations are anticipated to be fully offset by sale revenues;**
- 6) Authorize staff to take all necessary steps to proceed as approved.**

VOTE: Motion carried 9 – 0

AYES: Melvin "Skip" Alston, Alan Perdue, J. Carlvena Foster, Jeff Phillips, Hank Henning, Justin Conrad, Kay Cashion, Carolyn Q. Coleman, Alan Branson

NOES: None

IX. HEALTH AND HUMAN SERVICES UPDATE - REMOVED FROM AGENDA

X. APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

A. 2017-308 APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Approve the listed appointments and reappointments to various Guilford County Boards & Commissions.

[Legislation Text](#)

[LBates-Harley Redacted Application](#)

[WCutler Redacted Application 082817](#)

[BWilliams Redacted Application](#)

[TWatlington Redacted](#)

Motion was made by Carolyn Q. Coleman, and seconded by Melvin "Skip" Alston to Approve the listed appointments and reappointments to various Guilford County Boards & Commissions.

VOTE: Motion carried 9 - 0

AYES: Melvin "Skip" Alston, Alan Perdue, J. Carlvena Foster, Jeff Phillips, Hank Henning, Justin Conrad, Kay Cashion, Carolyn Q. Coleman, Alan Branson

NOES: None

XI. COMMENTS FROM COUNTY MANAGER

County Manager Lawing asked the Board to schedule a work session for October 5th to include Board of Health training for accreditation; architectural firm policy; and the discussion of the Family Justice Center in High Point, and the third party administrative vendor for United Health Care.

XII. COMMENTS FROM COMMISSIONERS

Vice Chairman Branson spoke to the muscadine grapes harvested from a County farm. He stated that a community harvest was set for the following weekend.

Commissioner Alston provided an update on the District 8 Precinct meeting, and shared that the next meeting is set for October 16th - Candidates forum October 23.

Commissioner Foster shared her attendance of the Guilford County Hall of Fame. She wished Deputy Manager Clarence Grier a happy birthday.

Chairman Phillips echoed the birthday wishes to both Clarence Grier and Commissioner Perdue.

XIV. ADJOURN

Motion was made by Alan Branson, and seconded by Carolyn Q. Coleman to adjourn, motion carried by unanimous consent.

Meeting adjourned at 10:45PM

Jeffrey M. Phillips
Chairman

Robin Keller, Clerk to Board