

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

Greensboro, North Carolina
November 17, 2016

The Board of County Commissioners met in a duly noticed regular meeting on November 17, 2016 at 5:30PM, in the Commissioners' Meeting Room, 301 W. Market St., Greensboro; North Carolina.

PRESENT: Chairman Jeff Phillips, presiding; Vice Chairman Alan Branson; Commissioners Hank Henning, Kay Cashion, Carolyn Q. Coleman, J. Carlvena Foster, Justin Conrad, Alan Perdue and Ray Trapp (in at 6:09PM).

ABSENT: None.

ALSO PRESENT: County Manager Marty Lawing; County Attorney Mark Payne; Deputy County Manager Clarence Grier; Robin Keller, Clerk to Board; Ariane Webb, Budget Analyst; Reid Baker, Finance Director; Michael Halford, Budget Director; John Dean, Human Resources Director; Ben Chavis, Tax Director; Robert McNiece; Property Management/Facilities/Parks Director; Captain Ken Whitesell; Sheriff's Office; J. Leslie Bell, Planning & Development Director; Merle Green, DHHS-Public Health Division Director; Heather Skeens, DHHS-Social Services Division Director; Jeff Fowler, Security Director; members of the community and media.

I. INVOCATION

Board Chaplain Ben Chavis offered the invocation.

II. PLEDGE OF ALLEGIANCE

Chairman Phillips led those present in the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER

Chairman Phillips welcomed those present and called the meeting to order at 5:35PM.

Chairman Phillips referenced the addendum to the meeting removing agenda item VII.D., regarding the public hearing to consider rezoning appeal case #16-08-GCPL-04265: AG to CZ-FS-30 (Plainfield Road and Lake Brandt Road) due to withdrawal of the appeal, and to remove VIII.D., regarding 2017 Health Plan updates, from New Business.

Through general consensus, the Board accepted the addendum to the agenda.

IV. SPEAKERS FROM THE FLOOR

Chairman Phillips opened the floor for speakers.

Steven Sardi of Climax, NC discussed his objection to the Guilford County Planning Board's decision to approve the rezoning of +/- 20 acres located north of the intersection of Bernie Road and Monnett Road, and presented a petition from homeowners in the surrounding area. He expressed concerns with the recommendations listed in the staff report and the lack of infrastructure to support the approved rezoning.

Chairman Phillips welcomed Mr. Sardi to continue discussing his concerns regarding the rezoning during this portion of the meeting, and informed him there would be approximately twenty (20) minutes allotted to him during the scheduled public hearing to present his objections.

Carl Sardi and Keith Bowman both requested to wait until the public hearing to present their concerns regarding the rezoning.

V. PRESENTATIONS

A. 2016-374 RESOLUTION HONORING THE LIFE OF CENTENARIAN, WILLIAM "BILL" A. HORNEY, JR.

Legislation Text

Commissioner Foster welcomed Mr. Horney and his family, and thanked him for the wonderful achievements he has accomplished for High Point. She read the resolution into the minutes.

Mr. Horney expressed his appreciation for the honor, and shared the true joy in his life is working with other people who want to make things better.

B. 2016-368 PROCLAIM NOVEMBER 17 AS PANCREATIC CANCER AWARENESS DAY IN GUILFORD COUNTY

Legislation Text

WPCD16 Proclamation Template int.docx

Commissioner Conrad spoke to the importance of awareness and early detection of pancreatic cancer. He welcomed his family, representing their late father, Ken Conrad; Anthony Williamson and family, representing his late wife, Betty Williamson; Jeanne Spillers and Betty Turner representing their late family member, Jerry Turner; and Dr. Autumn McRee from the UNC-Chapel Hill Cancer Center. Conrad requested any others affected by pancreatic cancer to join the other representatives at the front of the chamber, and read the proclamation into the minutes.

Dr. McRee shared the struggle related to diagnosing and treating those with pancreatic cancer, and noted this form has surpassed breast cancer in the cause of cancer-related deaths. She spoke to improvements in cancer research and outcomes, and spoke to the need for additional public awareness, national attention and research funding.

Betty Turner, mother of Jerry Turner, spoke to the memory of her son and thanked the Board for their support of pancreatic cancer awareness.

Anthony Williamson, husband of Betty Turner, thanked Commissioner Coleman for the invitation to the meeting, and spoke to the memory of his wife, who passed away as a result of pancreatic cancer in 2014.

Commissioner Foster left the meeting at 6:00PM.

Jeanne Spillers shared the advocacy efforts of the Pancreatic Cancer Action Network (PANCAN), and their role in raising funds for research and awareness of pancreatic cancer.

Lee Conrad shared the importance of early detection and spoke to the value of family support. She thanked the Board for its recognition of pancreatic cancer.

Chairman Phillips thanked the families and expressed the Board's honor in commemorating Pancreatic Cancer Awareness Day.

C. [2016-406 DHHS-DSS PRESENTATION: NATIONAL ASSOCIATION OF COUNSEL FOR CHILDREN \(NACC\) CHILD WELFARE LAW CERTIFICATION](#)

[Legislation Text](#)

Sharon Barlow, DHHS-Social Services Division Children's Services Director, shared the recent accomplishments of Deputy County Attorney Lori Gershon in her achievement of the National Association of Counsel for Children (NACC) Child Welfare Law Certification. She stated Attorney Gershon is one of only twelve (12) attorneys in North Carolina to achieve this certification, and spoke to her devotion to serving children and their families.

Commissioner Trapp arrived to the meeting at 6:09PM.

Ms. Gershon thanked the staff and shared that it was her honor to receive the recognition and provide support on behalf of the children in our community.

County Attorney spoke to the achievements of Ms. Gershon, and the Legal staff, and thanked the Board for this recognition.

D. 2016-401 RECEIVE REPORT REGARDING ANNUAL AUDIT FOR FY2015-2016

Legislation Text

FY 2016 Audit Presentation

Eddie Burke, Relationship Audit Partner with Cherry Bekaert, reviewed the results and five (5) findings identified during the single audit. He noted the county received opinions on financial statements, internal controls and compliance, and federal/state dollars received and administered from the single audit. Burke discussed the significant findings and non-material compliance issues discovered during the review.

He discussed the process to test internal controls, and noted no major concerns were identified. Burke noted county revenues increased over the past year due to increases in charges for services and revenue from sales tax. He noted the county revenues exceeded the budget by \$9.5 million, and noted the county is in compliance with the existing fund balance policy. Burke reviewed the audit of long-term debt, and stated the county's control environment is very good and received the Government Finance Officers Association (GFOA) Certificate of Achievement report for 2016. He thanked the departments who collaborated with Cherry Bekaert and welcomed questions regarding the audit.

Chairman Phillips clarified the county underspent by \$9.5 million.

Burke confirmed the county exceeded the revenue budget by \$9.5 million.

Commissioner Coleman questioned the need to add \$8.7 million to the retirement.

Burke stated this amount resulted from recent updates to Governmental Accounting Standards Board (GASB) requirements for governments associated with multi-employer retirement plans to report pro-rata share of any retirement liabilities.

Commissioner Coleman questioned if the county's liability of \$8.7 million would be considered an expense, thus decreasing the amount underspent by the county this year.

Burke noted the liability is not reported as a current expense, as it only becomes due as employees retire, and the amount is subject to fluctuation annually.

VI. CONSENT AGENDA

Chairman Phillips asked if any Commissioners wished to pull an item from the consent agenda.

Commissioner Coleman requested item B.1. pulled from the consent agenda for further consideration.

A. BUDGET AMENDMENTS

1. 2016-418 NCDHHS EPIDEMIOLOGY/COMMUNICABLE DISEASE FUNDING: RAPID DETECTION AND RESPONSE CAPACITY PROJECT - \$353,836

Approve an increase of \$353,836 in Federal/State revenues and increase the DHHS - Public Health Division FY 2016-17 budget by the same amount to reflect funds awarded from the North Carolina Department of Health and Human Services (NCDHHS) Epidemiology/Communicable Disease Branch for the Rapid Detection and Response Capacity Project for Antimicrobial - Resistant Gonorrhea.

[Legislation Text](#)

2. 2016-422 COMPLETION OF LAW ENFORCEMENT CONSTRUCTION PROJECTS

Approve the appropriation of \$65,000 of Fund Balance (Unauthorized Substance Tax Funds) and increase the FY 2016-17 Law Enforcement budget by \$65,000, and authorize staff to take the necessary steps to complete the construction projects.

[Legislation Text](#)

B. CONTRACTS

Removed from the Consent Agenda

1. 2016-425 RENEWALS OF PRICE ONLY CONTRACTS FOR PROFESSIONAL ARCHITECTURAL & ENGINEERING SERVICES

Approve a one (1) year renewal of price only contracts with the following four (4) vendors: PNP Design Group, 111 Paisley Street, Greensboro NC; ESPA Architects and Planners, 301 East Sycamore Street, Greensboro NC; Moser Mayer Phoenix Associates, PA, 328 East Market Street, Greensboro NC; and TFF Architects & Planners, 300 North Greene Street, Greensboro, NC for professional architectural and engineering services effective September 17, 2016.

[Legislation Text](#)

[Event 473-PNP Design Group-Amendment 1](#)

[Event 473 ESPA - Amendment 1](#)

[Event 473-Moser Mayer Amendment 1](#)

[Event 473-TFF Architects-Amendment 1](#)

C. MISCELLANEOUS

1. 2016-415 ADOPT SCHEDULE OF VALUES, STANDARDS AND RULES PROPOSED FOR GUILFORD COUNTY'S 2017 REAL PROPERTY REVALUATION

Approve and issue an order adopting the proposed Schedule of Values, Standards and Rules for Guilford County's 2017 Real Property Revaluation. In accordance with NCGS 105-317, publish notice of the order once a week for four (4) consecutive weeks in a newspaper having general circulation in the County, with the last publication being not less than seven (7) days before the last date of challenging the validity of the Schedules, Standards and Rules by appeal to the North Carolina Property Tax Commission.

[Legislation Text](#)

[Guilford County Schedule of Values 2017](#)

2. 2016-412 APPROVE TWO (2) VOLUNTARY AGRICULTURAL DISTRICT (VAD) APPLICATIONS

Approve two (2) VAD applications.

[Legislation Text](#)

[2016-08](#)

[2016-09](#)

[Brochure](#)

3. 2016-387 CONVEYANCE PROPERTY: 508 TENTH STREET, GIBSONVILLE, NC TO THE TOWN OF GIBSONVILLE

Authorize conveyance of County-owned surplus property located at 508 Tenth Street, Gibsonville, NC to the Town of Gibsonville. Authorize the County Manager to enter into and execute conveyance agreement with the Town of Gibsonville, and authorize staff to take all reasonable and necessary steps to execute the conveyance of the property.

[Legislation Text](#)

[Gibsonville Property Report-10062016102234](#)

[508 Tenth St](#)

4. 2016-388 SALE OF SURPLUS PROPERTY: 203 R1 BURTON FARM ROAD, BROWN SUMMIT, NC

Approve the sale of surplus property located at 203 R1 Burton Farm Rd, Brown Summit, NC (Tax Parcel No. 0129893) for \$5,001 to the current highest bidder, and authorize staff to take all reasonable and necessary steps to execute the sale of the property.

[Legislation Text](#)

[203 R1 Burton Farm Contract-10272016111606.pdf](#)

[203 R1 Burton Farm GIS.pdf](#)

5. 2016-394 2016-17 APPLICATION FOR PUBLIC SCHOOL BUILDING CAPITAL FUND - NC EDUCATION LOTTERY DISTRIBUTION

Approve the application for the release of \$4,799,500 from the PSBCF - NC Education Lottery to be used for FY 2016-17 debt service expense from school bond referenda in accordance with the County's FY 2016-17 adopted budget. Joint approval by the Board of Education is required for funds to be released by the State.

[Legislation Text](#)

[GC 2016-17 PSBCF Lottery Application.pdf](#)

6. 2016-404 BUDGET AMENDMENT REPORT FOR BUDGET AMENDMENTS PROCESSED UNDER THE AUTHORITY GRANTED TO THE COUNTY MANAGER IN THE FY 2016-17 BUDGET ORDINANCE

Receive Budget Amendment report for budget amendments processed under the authority granted to the County Manager in the FY 2016-17 Budget Ordinance.

[Legislation Text](#)

[Budget Amends Report 2016-11-17.pdf](#)

7. 2016-416 PROPERTY TAX REBATES AND RELEASES FOR MONTH ENDING OCTOBER 31, 2016

Accept and approve property tax rebates and releases for the month ending October 31, 2016.

[Legislation Text](#)

[October 2016 NCVTS Pending Refund report](#)

[October 2016 Rebates and Releases](#)

8. 2016-417 TAX COLLECTION AND BEVERAGE LICENSE REPORTS FOR MONTH ENDING OCTOBER 31, 2016

Accept and approve the tax collection and beverage license reports for the month ending October 31, 2016.

[Legislation Text](#)

[401C All Guilford 10-31-16](#)

[Bev 10-31-16 Detail](#)

9. 2016-411 MINUTES APPROVAL

Review and approve the following sets of draft meeting minutes:
10.20.16 Regular Meeting
10.20.16 Work Session

[Legislation Text](#)

[dm10.20.16.pdf](#)

[dmws 102016.pdf](#)

Motion was made by Vice Chairman Alan Branson, and seconded by Commissioner Justin Conrad to adopt the consent agenda.

VOTE:	Motion carried 8 - 0
AYES:	Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue, Ray Trapp
NOES:	None
ABSENT:	J. Carlvena Foster

ITEM REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION

B.1. 2016-425 RENEWALS OF PRICE ONLY CONTRACTS FOR PROFESSIONAL ARCHITECTURAL & ENGINEERING SERVICES

Approve a one (1) year renewal of price only contracts with the following four (4) vendors: PNP Design Group, 111 Paisley Street, Greensboro NC; ESPA Architects and Planners, 301 East Sycamore Street, Greensboro NC; Moser Mayer Phoenix Associates, PA, 328 East Market Street, Greensboro NC; and TFF Architects & Planners, 300 North Greene Street, Greensboro, NC for professional architectural and engineering services effective September 17, 2016.

[Legislation Text](#)

[Event 473-PNP Design Group-Amendment 1](#)

[Event 473 ESPA - Amendment 1](#)

[Event 473-Moser Mayer Amendment 1](#)

[Event 473-TFF Architects-Amendment 1](#)

Commissioner Coleman shared this group of firms was presented to the Board three (3) years ago, and noted concerns regarding the lack of contracting with Minority & Women Business Enterprise (MWBE) providers was expressed during the original meeting.

Robert McNiece, Property Management/Facilities/Parks Director, confirmed these providers will have the ability to provide services without the requirement to submit a request for qualifications (RFQ), and noted the group consists of two (2) historically underutilized business (HUB) certified firms. He shared they have worked to utilize the services of MWBE contractors on other projects, but noted there were few African-American firms who meet HUB certification requirements. McNiece stated there was limited response from these firms when the county has published RFQ's, but noted the department recently received a list of African-American owned firms, and will work to solicit them directly.

Commissioner Coleman expressed her frustration regarding the county's statistics in MWBE participation in contracting, and spoke to the need for change to the current practices.

McNiece stated there are only twelve (12) African-American owned architectural/engineering firms in North Carolina, with two (2) of those located in Guilford County.

Commissioner Coleman urged staff to solicit these firms directly regarding county projects.

Commissioner Trapp identified local African-American architectural firms working with the City of Greensboro, and encouraged the Board to define the policy related to MWBE participation.

McNiece reiterated 50% of the architectural/engineering firms are HUB certified.

Commissioner Coleman expressed concern with staff efforts to make direct contact with local firms meeting MWBE requirements.

McNiece noted the MWBE participation rate on construction contracts is significantly higher than the county's overall rate, and expressed his concern with the county's inability to attract MWBE architectural/engineering firms.

Commissioner Cashion questioned if staff had made direct community with local African-American architectural/engineering firms.

McNiece confirmed he received a specific listing today, and will directly solicit responses from these firms.

Commissioner Cashion urged staff to make an effort towards direct communication with smaller, minority-owned firms.

Chairman Phillips questioned a reasonable timeframe to contact the firms.

McNiece stated that he will make direct contact with the firms within the next week.

Chairman Phillips requested McNiece provide the Board with an update regarding his progress.

Motion was made by Commissioner Hank Henning, seconded by Commissioner Alan Perdue, to approve a one (1) year renewal of price only contracts with the following four (4) vendors: PNP Design Group, 111 Paisley Street, Greensboro NC; ESPA Architects and Planners, 301 East Sycamore Street, Greensboro NC; Moser Mayer Phoenix Associates, PA, 328 East Market Street, Greensboro NC; and TFF Architects & Planners, 300 North Greene Street, Greensboro, NC for professional architectural and engineering services effective September 17, 2016.

VOTE:	Motion carried 6 - 2
AYES:	Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Justin Conrad, Alan Perdue
NOES:	Carolyn Q. Coleman, Ray Trapp
ABSENT:	J. Carlvena Foster

VII. PUBLIC HEARINGS

- A. 2016-407 HOLD PUBLIC HEARING AND CONSIDER APPROVAL OF FINANCING OF EDUCATIONAL FACILITIES WITH THE PROCEEDS OF NOT TO EXCEED \$42,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF EDUCATIONAL FACILITIES REVENUE AND REVENUE REFUNDING BONDS (GUILFORD COLLEGE), IN ONE OR MORE SERIES, TO BE ISSUED BY THE PUBLIC FINANCE AUTHORITY OF WISCONSIN

Hold Public Hearing on Financing of Education Facilities with the proceeds of not to exceed \$42,000,000 in aggregate principal amount of Educational Facilities and Revenue and Revenue Refunding Bonds (Guilford College), in one or more series, to be issued by the Public Finance Authority of Wisconsin; and APPROVE Associated Resolution in support of refinancing.

Legislation Text

[TEFRA Hearing Request - Guilford College \(Nov 17 Agenda Item\).pdf](#)

[Guilford College - Guilford County TEFRA Approval \(002\).docx](#)

The Chairman announced that the Board would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “*Authority*”), of its Educational Facilities Revenue and Revenue Refunding Bonds (Guilford College) (the “*Bonds*”), in one or more series in an aggregate principal amount not to exceed \$42,000,000, the proceeds of which will be loaned to the Guilford College (the “*College*”) for the following purposes:

(a) to refund in advance of their maturity the College’s obligations with respect to (1) the North Carolina Capital Facilities Finance Agency Revenue Bonds (Guilford College), Series 2005A (the “*2005A Bonds*”), (2) the North Carolina Capital Facilities Finance Agency Revenue Bonds (Guilford College), Series 2005B (the “*2005B Bonds*”), and (3) the North Carolina Capital Facilities Finance Agency Tax-Exempt Educational Facilities Revenue Bonds (Guilford College Project), Series 2008 (the “*2008 Bonds*”); and

(b) to renovate the gymnasium, including the floor, locker rooms, roof and chiller; update fire alarm systems; improve campus lighting, improve ADA access and install fire-dampening sprinklers; renovate Hendricks, Bauman and Founders Buildings; renovate the Campus Library; acquire, furnish and equip an apartment building; renovate or add to New Garden, Binford, Milner, Bryan, Frank Science Center Buildings; update academic classrooms and computer labs; renovate Hege-Cox Hall and add an addition to the building; renovate North Hall; construct a new athletic facility and provide other educational improvements related to the College’s mission on the campus of the College (collectively, the “*New Projects*”)

(c) to fund a debt service reserve for the Bonds; and

(d) to pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

Proceeds of the 2005A Bonds and the 2005B Bonds were used to (1) refinance a loan from Branch Banking and Trust Company dated as of October 29, 2001 to the College (the “*BB&T Loan*”), the proceeds of which were used to refinance a loan from Bank of America, N.A., dated as of November 4, 1999 to the College, the proceeds of which were used to acquire, construct and equip the Frank Family Science Center on the College campus (the “*2005A Project*”), (2) pay the costs of constructing and equipping an approximately 142-bed student housing project and community center on the College campus (the “*2005B Project*” and collectively with the 2005A Project, the “*2005 Projects*”). Proceeds of the 2008 Bonds were used to (a) refund the line of credit with Branch Banking and Trust Company (the “*Line of Credit*”), obtained for the purpose of paying the costs of purchasing or redeeming in advance of their maturity the North Carolina Capital Facilities Finance Agency’s Variable Rate Demand Revenue Bonds (Guilford College), Series 1997 (the “*1997 Bonds*”), the proceeds of which were used to finance (1) the renovation, improvement and equipping of Binford Hall, English Hall, Founder’s Hall and certain classroom buildings and roadways, (2) the construction and equipping of a laboratory building, (3) the acquisition and installation of technology systems, including a security system, and related computers and software and (4) the refunding of prior North Carolina Capital Facilities Finance Agency debt issued for the benefit of the College, the proceeds of which were used to finance or refinance the costs of (A) the acquisition, construction and equipping of a library, a telecommunications center, a telecommunications system and a new residence hall complex and the renovation and equipping of two existing residence halls, (B) the construction of a new road through the College’s campus and (C) the acquisition and installation of a new telephone switch.

The 2005 Projects, the 2008 Project, and the New Projects (collectively, the “*Project*”) are or will be owned and operated by the College. The College and all portions of the Project other than the apartment building that is part of the New Projects are or will be located on the College’s campus at 5800 West Friendly Avenue, Greensboro, NC 27410. The apartment building that is part of the New Projects is located at 813 Dolley Madison Road, Greensboro, NC 27410.

On November 1, 2016, a notice of public hearing was published in the News & Record, a copy of the affidavit of publication being attached as Exhibit A, setting forth a general, functional description of the type and use of the facilities to be financed and refinanced, the maximum principal amount of the Bonds, the initial owner and operator of the facilities and the location of the facilities, among other things.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: **[None]**

The Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing. The Chairman of the Board determined that no other persons who wished to speak at the public hearing were found.

After the Board had heard all persons who had requested to be heard, Chairman Phillips closed the public hearing.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF GUILFORD, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATIONAL FACILITIES REVENUE AND REVENUE REFUNDING BONDS (GUILFORD COLLEGE) IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$42,000,000

WHEREAS, the Guilford College (the “*College*”), has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “*Authority*”), issue its Educational Facilities Revenue and Revenue Refunding Bonds (Guilford College) (the “*Bonds*”), in one or more series in an aggregate principal amount not to exceed \$42,000,000 for the following purposes:

(a) to refund in advance of their maturity the College’s obligations with respect to (1) the North Carolina Capital Facilities Finance Agency Revenue Bonds (Guilford College), Series 2005A (the “*2005A Bonds*”), (2) the North Carolina Capital Facilities Finance Agency Revenue Bonds (Guilford College), Series 2005B (the “*2005B Bonds*”), and (3) the North Carolina Capital Facilities Finance Agency Tax-Exempt Educational Facilities Revenue Bonds (Guilford College Project), Series 2008 (the “*2008 Bonds*”);

(b) to renovate the gymnasium, including the floor, locker rooms, roof and chiller; update fire alarm systems; improve campus lighting, improve ADA access and install fire-dampening sprinklers; renovate Hendricks, Bauman and Founders Buildings; renovate the Campus Library; acquire, furnish and equip an apartment building; renovate or add to New Garden, Binford, Milner, Bryan, Frank Science Center Buildings; update academic classrooms and computer labs; renovate Hege-Cox Hall and add an addition to the building; renovate North Hall; construct a new athletic facility and provide other educational improvements related to the College’s mission on the campus of the College (collectively, the “*New Projects*”);

(c) to fund a debt service reserve for the Bonds; and

(d) to pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

Proceeds of the 2005A Bonds and the 2005B Bonds were used to (1) refinance a loan from Branch Banking and Trust Company dated as of October 29, 2001 to the College (the “*BB&T Loan*”), the proceeds of which were used to refinance a loan from Bank of America, N.A., dated as of November 4, 1999 to the College, the proceeds of which were used to acquire, construct and equip the Frank Family Science Center on the College campus (the “*2005A Project*”), (2) pay the costs of constructing and equipping an approximately 142-bed student housing project and community center on the College campus (the “*2005B Project*” and collectively with the 2005A Project, the “*2005 Projects*”). Proceeds of the 2008 Bonds were used to (a) refund the line of credit with Branch Banking and Trust Company (the “*Line of Credit*”), obtained for the purpose of paying the costs of purchasing or redeeming in advance of their maturity the North Carolina Capital Facilities Finance Agency’s Variable Rate Demand Revenue Bonds (Guilford College), Series 1997 (the “*1997 Bonds*”), the proceeds of which were used to finance (1) the renovation, improvement and equipping of Binford Hall, English Hall, Founder’s Hall and certain classroom buildings and roadways, (2) the construction and equipping of a laboratory building, (3) the acquisition and installation of technology systems, including a security system, and related computers and software and (4) the refunding of prior North Carolina Capital Facilities Finance Agency debt issued for the benefit of the College, the proceeds of which were used to finance or refinance the costs of (A) the acquisition, construction and equipping of a library, a telecommunications center, a telecommunications system and a new residence hall complex and the renovation and equipping of two existing residence halls, (B) the construction of a new road through the College’s campus and (C) the acquisition and installation of a new telephone switch.

The 2005 Projects, the 2008 Project, and the New Projects (collectively, the “*Project*”) are and will be owned and operated by the College.

WHEREAS, the Project is owned and operated by the College. The proceeds of the Bonds will be used by the College to refinance the 2005 Projects and the 2008 Project and acquire the New Projects.

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

WHEREAS, the Board of Commissioners (the “*Board*”) of the County of Guilford, North Carolina (the “*County*”) is the “applicable elected representative” of the County for the Project located within the County;

WHEREAS, the College has requested that the Board approve the Authority’s issuance of the Bonds and the refinancing and financing of the Project located within the County in order to satisfy the requirements of Section 147(f) of the Code; and

WHEREAS, the Board, following notice duly given in the form attached hereto as Exhibit A (the “*TEFRA Notice*”), held a public hearing today regarding the Authority’s issuance of the Bonds and the financing and refinancing of the Project and now desires to approve the Authority’s issuance of the Bonds and the financing and refinancing of the Project in accordance with the Code;

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in satisfaction of the requirements of Section 147(f) of the Code, the Board hereby approves (a) the Authority’s issuance of the Bonds in an aggregate principal amount not to exceed \$42,000,000 and (b) the financing and refinancing of the Project located in the County.

Section 2. The County has no responsibility for the payment of the principal of or interest on the Bonds or for any costs incurred by the College with respect to the Bonds or the Project.

Section 3. This resolution is effective immediately on its passage.

Michael Jubi, Financial Advisor for Guilford College, introduced the item to the Board. He shared that the tax code requires the local governing board to hold a public hearing and noted the bond refunding in no way obligates the county. He shared that the refinancing is a part of the Guilford College strategic plan to improve enrollment.

Chairman Phillips opened the floor for proponents. There being no proponents, he opened the floor for opponents to the item. There being none, the public input period of the hearing was closed.

Motion was made by Commissioner Kay Cashion, seconded by Commissioner Alan Perdue to hold Public Hearing on Financing of Education Facilities with the proceeds of not to exceed \$42,000,000 in aggregate principal amount of Educational Facilities and Revenue and Revenue Refunding Bonds (Guilford College), in one or more series, to be issued by the Public Finance Authority of Wisconsin; and approve associated resolution in support of refinancing.

VOTE: Motion carried 8 - 0
AYES: Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue, Ray Trapp
NOES: None
ABSENT: J. Carlvena Foster

B. 2016-398 PUBLIC HEARING ON 5310 - ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES AND 5311 - COMMUNITY TRANSPORTATION GRANT APPLICATIONS FOR FY2018

Conduct required public hearing to assess the value and need for a community transportation system, and upon conclusion, approve submission of the 5310 and 5311 program grant applications, and adopt the accompanying resolutions.

[Legislation Text](#)

[F - 5310 Resolution](#)

[E - 5311 Resolution](#)

PUBLIC TRANSPORTATION 5310 PROGRAM RESOLUTION

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Status and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for public transportation projects; and

WHEREAS, the purpose of the Section 5310 program is to enhance mobility for seniors and individuals with disabilities throughout the country, by removing barriers to transportation services and expanding the transportation mobility options available. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all area.

WHEREAS, NCDOT has been designated as the State agency with principle authority and responsibility for administering the Section 5310 Program for small urbanized and rural areas; and

WHEREAS, Guilford County hereby assures and certifies that it will comply with the federal and state statutes, regulations, executive orders, and all small administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.

NOW, THEREFORE, be it resolved that the Chairman of the Guilford County Board of Commissioners is hereby authorized to submit a grant for federal and state funding, provide the required local match, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide public transportation services.

PUBLIC TRANSPORTATION CONSOLIDATED CAPITAL CALL FOR PROJECTS PROGRAM RESOLUTION

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Status and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for public transportation projects; and

WHEREAS, NCDOT has been designated as the State agency with principle authority and responsibility for administering capital projects for small urbanized and rural areas; and

WHEREAS, Guilford County hereby assures and certifies that it will comply with the federal and state statutes, regulations, executive orders, and all small administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.

WHEREAS, Guilford County understands and agrees that capital project requests will be funded with 5310, 5311 (RTAP or ADTAP), 5339, state funds or a combination thereof. The applicant agrees they will adhere to the compliance of the grant used to fund the project.

NOW, THEREFORE, be it resolved that the Chairman of the Guilford County Board of County Commissioners is hereby authorized to submit a grant for federal and state funding, provide the required local match, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide public transportation services.

Myra Thompson, DHHS-Social Services Division Administration Director introduced the item and reviewed the NC Department of Transportation (NCDOT) grant process. She stated these grants are similar to those received last year, and noted one of the grants will allow replacement of nine (9) additional vehicles and fund a salary, along with some operating expenses. She confirmed the grant funding will be utilized during the next fiscal year, with the county contributions to be included in next fiscal year's budget.

Chairman Phillips opened the floor for proponents.

Bob Cleveland with the Piedmont Triad Regional Council – Area Council on Aging, spoke to the need to offer transportation to elderly and disabled citizens in Guilford County, and shared this grant allows for transportation to access medical appointments and other services within Guilford County.

There being no additional proponents, he opened the floor for opponents to the item. There being none, the public input period of the hearing was closed.

Commissioner Perdue questioned if the department were requested to submit a “hold-the-line” budget, would the department be able to utilize the grant to meet operating expenses.

Thompson noted the 5311 grant includes an increase of \$30,000 over the amount included in this year’s budget, to cover the cost of replacing additional vehicles.

Vice Chairman Branson spoke to prior discussions regarding staff salaries and classification of drivers, as well as the scheduling. He questioned if there would be a need for more buses and drivers with the current wait list.

Thompson confirmed an additional full-time driver and part-time driver would be required to serve customers on the wait list. She reviewed the current hours of operation for transportation staff and noted the timeframe with the highest volume of transportation requests is from 7:00AM – 9:00AM. Thompson confirmed they coordinate routes to ensure multiple clients are transported from a specific area in the county.

Vice Chairman Branson questioned if the drivers are required to have any type of passenger endorsement.

Thompson stated the vehicles driven do not require drivers to hold a CDL license. She shared the majority of staff wages are slightly approximately \$12.44/hour for full-time employees, with benefits.

Commissioner Coleman questioned if all of the drivers are making above \$12.00/hour pay rate.

Thompson stated the majority of the drivers that started employment with the county in 2013 have received raises placing them over the \$12.00/hour rate; however, new drivers will begin employment at approximately \$11.55/hour.

Commissioner Coleman questioned the mileage point to replace vehicles.

Thompson confirmed NCDOT recommends replacement at approximately 150,000 miles, depending upon the amount of issues incurred with vehicle maintenance.

Chairman Phillips questioned if the demand for transportation services is increasing.

Thompson confirmed an increase in the demand for services, and noted she does not have sufficient funding or capacity to meet all of the transportation needs for their customers. She stated staff completed a total of 349,000 trips last year, of which 121,000 were reimbursable from Medicaid. Thompson noted this as the reason the number of contracted Medicaid-based vendors increased this fiscal year, and confirmed they conduct approximately 8,800 to 10,000 trips solely for elderly customers.

Commissioner Trapp cautioned that this demand for services for the aging will increase, as the state model encourages in-home care for the elderly.

Commissioner Conrad questioned if additional staff will be needed to man the replacement vehicles.

Thompson stated the grant will only replace current vehicles, and noted the department currently maintains twenty-one (21) vehicles with fourteen (14) drivers. She confirmed these spare vehicles are used to accommodate vehicle maintenance schedules.

Motion was made by Commissioner Hank Henning, and seconded by Commissioner Carolyn Q. Coleman to conduct required public hearing to assess the value and need for a community transportation system, and upon conclusion, approve submission of the 5310 and 5311 program grant applications, and adopt the accompanying resolutions.

VOTE:	Motion carried 8 – 0
AYES:	Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue, Ray Trapp
NOES:	None
ABSENT:	J. Carlvena Foster

C. 2016-402 HOLD PUBLIC HEARING TO CONSIDER REZONING APPEAL CASE #16-06-GCPL-03086: AG to RS-40 (Bernie Road and Monnett Road)

Conduct required public hearing for rezoning case #16-06-GCPL-03086. Property owner Carl A. Sardi has filed appeal of the Guilford County Planning Board's decision to approve a rezoning request on +/- 20.02 acres located north of the intersection of Bernie Road and Monnett Road, and running approximately 1,991 feet west down Bernie Road. Tax Parcel #0123356 owned by Mark and Sandy Voigt.

[Legislation Text](#)

[Appeals Packet.pdf](#)

[GC-Planning 10-12-16doc.doc](#)

J. Leslie Bell, Planning & Development Director, introduced the item and noted this appeal is regarding a rezoning request unanimously approved by the Guilford County Planning Board during its October 12, 2016 regular meeting. He noted the area is not serviced by public water & sewer, and shared this area falls under the Southern Guilford Area Plan, which recommends one unit per acre. He noted approval of the rezoning request would allow the applicant to build a subdivision.

Vice Chairman Branson questioned the potential number of houses to be built, and if any soil evaluation had occurred on the property.

Bell stated before any development could occur, the owner would need to acquire the proper permits from the NCDOT for any secondary roads.

Commissioner Coleman questioned the size of the proposed lots.

Bell noted minimum lot size will be 40,000 square feet. He noted all lots would be required to meet this standard, as the request was not for a conditional rezoning.

Commissioner Coleman questioned the status of farming activity near the property.

Bell confirmed the voluntary agricultural district application for the adjacent property owner was approved under the consent agenda.

Chairman Phillips opened the floor for proponents of the rezoning request.

Mark Voight, current owner of Tax Parcel #0123356, stated they have invested funds for soil evaluation, and have a prepared design of the subdivision. He confirmed the plan includes eight (8) lots, with the smallest lot averaging 2.5 acres and the largest comprising four (4) acres. Voight discussed an existing house was renovated and is currently being rented, along with the relocation of a trailer that existed on the property. He shared a third home was donated to the local fire department for controlled burn training.

Voight confirmed no additional work has been done to the site, until the appeal has been resolved; however, the plan is to add five (5) additional homes to the planned subdivision, in combination with existing homes on the remaining three (3) lots. He spoke to miscommunication amongst adjacent property owners, who assumed they were seeking a mobile home designation, and assured the Board they are only seeking an RS40 designation for permanent homes.

Voight discussed the benefit of adding homes to increase revenue for the fire service tax, which supports the local fire department. He shared their attempts to address the concerns of neighbors, and noted some have signed a petition withdrawing their concerns regarding the request.

An unidentified proponent noted the property is located on a state-maintained road, versus a private drive, and confirmed the intersection met NCDOT requirements. He stated the proposed development meets the guidelines of the Southern Guilford Area Plan, and is in compliance with the requirement for low-density housing in the area.

There being no additional proponents, Chairman Phillips opened the floor for opponents to the rezoning request.

Keith Bowman, Bernie Road property owner, shared this road goes through his property, but noted the road was never intended for public use, but as an access road for local farmers. He expressed concerns with staff analyses of the requests, shared the rezoning request is not compatible with the surrounding zoning designations and uses, and is not in compliance with the Southern Guilford Area Plan. Bowman submitted a photograph of the road as evidence.

Steve Sardi, adjacent property owner, noted the staff report failed to indicate adjacent property is used for hay production, and noted the bulk of surrounding property is zoned for agricultural use. He expressed concerns with the RS-40 rezoning, which would allow one house per acre of property, which would not prohibit the developer from adding more than five (5) homes. Sardi spoke to concerns regarding the increase in trips down the road with the addition of homes, which would likely require paving, and the potential strain on local fire and water resources with increased development.

Carl Sardi, adjacent property owner, referenced the petition signed by homeowners opposing the rezoning, and noted they were not contacted by any of the homeowners who wished to withdraw their complaints. He shared the property is best suited for agricultural use, and referenced a prior developer's unsuccessful attempts to build homes on the property. Sardi presented a slide show to the Board regarding the surrounding properties and roads.

Steven Sardi referenced the 2011 Fire Evaluation Master Plan, and noted it indicates inadequate staffing, poor volunteer recruitment, and the requirement for higher tax rates to meet the needs presented by increased development in the area. He spoke to the poor quality of the soil on the property, per the soil evaluation report from 1975, and presented slides of the surrounding properties highlighting their current agricultural uses.

Carl Sardi spoke to potential loss of farming income resulting from the rezoning request and changes to the use of the property. He urged the Board to consider their appeal and review their concerns with staff.

Chairman Phillips opened the floor for rebuttals from proponents of the rezoning request. Mark Voight offered photographs of the road and copies of the secondary petition. He reiterated the road is designated a state-maintained road, and shared he is a local resident of this community, and has its best interest in mind. Voight stated the surrounding properties are not regularly farmed, but maintained to grow hay, and noted the developed lots will be larger than those located on surrounding properties.

Chairman Phillips opened the floor for rebuttals from opponents of the rezoning request. Carl Sardi referenced the opposing petition and their desire to maintain the property's current zoning for agricultural use. He spoke to concerns regarding traffic flow, access and speed limit, and presented photographs showing the width of the current road. Sardi shared their desire to maintain the AG zoning designation, and noted there would be no opposition of the developer could build six to eight homes on the property without rezoning to RS40 designation.

Commissioner Coleman requested a copy of the opposing petition.

Keith Bowman, in opposing rebuttal, opined NCDOT would not cover the expense to pave Bernie Road.

Commissioner Perdue expressed concerns regarding public safety access of Bernie Road and questioned if staff measured the roadway width.

Bell stated this is a function of the NCDOT and the county has no authority over their roads.

Commissioner Perdue expressed concerns related to the state and Guilford County fire codes requirements regarding road widths and the ability of emergency vehicles to access properties in this area.

Commissioner Trapp questioned why conditions were not included in the rezoning application.

Voight stated they did not anticipate adjacent property owners contesting the rezoning to RS-40, and noted they could not change the designation without beginning the process again.

Commissioner Trapp spoke to the need for the property owner to work with the surrounding neighbors to include voluntary conditions.

Voight stated they are new to the process, and noted both the surveyor and certified soil scientist supported an RS-40 designation.

Commissioner Trapp questioned if the transportation concerns would be handled by NCDOT.

Bell confirmed the ultimate responsibility regarding driveway access and road conditions would lie with NCDOT.

Commissioner Trapp recommended tabling the decision to allow both parties to work together and develop conditions acceptable to the property owner and neighbors.

Commissioner Conrad echoed Commissioner Trapp's recommendation to table the matter for further discussion. He questioned if prior attempts at development of the property.

Carl Sardi discussed the prior attempts and noted the developer could not successfully build homes, due to water and sewer concerns.

Conrad noted there is potential that the property could not accommodate the planned six to eight homes. He expressed concerns with the Planning Board's unanimous approval of the rezoning request and questioned if the board had considered concerns related to access of emergency vehicles.

Bell stated the board did not request road access information, as the road is considered public and improvements are the responsibility of the NCDOT.

Vice Chairman Branson shared his concerns regarding the NCDOT's role related to road improvements in rural areas of Guilford County.

Bell stated the NCDOT will not authorize a driveway permit or road improvement until the issues with zoning are reconciled.

Vice Chairman Branson questioned the need for a 60 ft. right-of-way to accommodate emergency vehicles, with the proposed development.

Bell reiterated the determination would fall under the authority of NCDOT.

Vice Chairman Branson questioned the deed restrictions related to the construction of the proposed homes.

Voight stated the homes would be stick-built with foundations. He confirmed they measured the road and confirmed the road met state requirements. Voight reiterated they have no interest in building beyond the designed development presented to the Planning Board, and spoke to his interest in negotiating with the opponents.

Bell confirmed Emergency Services is a valuable partner, but noted they did not consult with the department, as this was solely a request for rezoning.

Chairman Phillips questioned if both parties were willing to discuss terms and conditions.

Commissioner Coleman made a motion to table the public hearing, to allow both parties to discuss terms and reach a consensus, and return to the Board of Commissioners regular meeting scheduled for December 15, 2016 with a resolution.

Carl Sardi agreed to discuss terms and conditions of the rezoning application. He questioned if an RS-40 designation was required to move forward with development.

Bell confirmed if the property owner wanted to develop more than four (4) lots on the property, an RS-40 designation was required.

Chairman Phillips expressed concern regarding the lack of communication during the rezoning and appeal processes.

Commissioner Coleman requested Bell facilitate the meeting between the parties.

Motion was made by Commissioner Carolyn Q. Coleman, seconded by Commissioner Justin Conrad to table the public hearing to consider rezoning appeal case #16-06-GCPL-03086: AG to RS - 40 (Bernie Road and Monnett Road) to allow parties to discuss terms and return to the Board of Commissioners regular meeting scheduled December 15, 2016.

VOTE: Motion carried 8 – 0
AYES: Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue, Ray Trapp
NOES: None
ABSENT: J. Carlvena Foster

D. 2016-403 HOLD PUBLIC HEARING TO CONSIDER REZONING APPEAL CASE #16-08-GCPL-04265: AG to CZ-RS-30 (Plainfield Road and Lake Brandt Road)

Conduct required public hearing for rezoning case #16-08-GCPL-04265. Resident Larry Henderson has filed appeal of Guilford County Planning Board decision to approve the rezoning request on +/- 21.46 acres. The request is located approximately 3,770 ft. southeast from the intersection of Plainfield Road and Lake Brandt Road. Tax Parcels #0137976 and #0137978 owned by Anne H. Cloyd.

[Legislation Text](#)

[Rezoning Map](#)

[Notice of Appeal.pdf](#)

[Application for Rezoning](#)

[Rev GC-Planning 9-14-16 draft Minutes .pdf](#)

This item was removed via addendum, due to withdrawal of the request for appeal of the rezoning.

E. 2016-423 PUBLIC HEARING AND APPROVAL OF TEXT AMENDMENT CASE #16-08-GCPL-04262 TO THE GUILFORD COUNTY GENERAL DEVELOPMENT ORDINANCE TO INCORPORATE NC GENERAL ASSEMBLY LEGISLATIVE UPDATES RE: TEMPORARY HEALTH CARE STRUCTURES, RESIDENTIAL DESIGN STANDARDS, PERFORMANCE GUARANTEES, SIGN REGULATION AND PERMIT CHOICE

Conduct a public hearing and approve Text Amendment Case 16-08-GCPL-04262 to the Guilford County General Development Ordinance as a result of Legislative changes approved by the NC General Assembly for Temporary Health Care Structures - (Adds Use to Definitions Sect. 2-1.3, Permitted Use Schedule Sect. 4-3-1, Adds Use to Development Standards Sect. 6-4.88 & Permits temporary health care structures); Residential Design Standards - (Add to Definitions Sect. 2-1.1, Eliminates design standards in the Overlay District Requirements Sect. 4-12.7 & Limits County's ability to regulate the aesthetics of single family structures); Performance Guarantees - (Agreement & Security Sect. 3-10.1 & Limits the amount of security to 125% of project costs); Sign Regulation - (Amends Sign Regulations Exempt from Regulation Sect. 6-1.3 & Exempts fence wraps from County regulation); & Permit Choice - (Amends Zoning Map & Text Amendments Sect. 3-12.1 & Provides greater certainty for developers if ordinances change).

[Legislation Text](#)

[SL Temp Health Care Structures](#)

[SL Res Bldg Design Elements](#)

[SL Perf Guarantees](#)

[SL Sign Regs And Permit Choice](#)

[2015 Legislative Update \(004\)](#)

[Rev GC-Planning 9-14-16](#)

Bell introduced the item and noted recent statutory changes require updates to the general development ordinance. He reviewed the proposed changes to the text amendments.

Chairman Phillips opened the floor for proponents. There being no proponents, he opened the floor for opponents to the item. There being none, the public input period of the hearing was closed.

Motion was made by Commissioner Hank Henning, seconded by Commissioner Alan Perdue to conduct a public hearing and approve Text Amendment Case 16-08-GCPL-04262 to the Guilford County General Development Ordinance as a result of Legislative changes approved by the NC General Assembly for Temporary Health Care Structures - (Adds Use to Definitions Sect. 2-1.3, Permitted Use Schedule Sect. 4-3-1, Adds Use to Development Standards Sect. 6-4.88 & Permits temporary health care structures); Residential Design Standards - (Add to Definitions Sect. 2-1.1, Eliminates design standards in the Overlay District Requirements Sect. 4-12.7 & Limits County's ability to regulate the aesthetics of single family structures); Performance Guarantees - (Agreement & Security Sect. 3-10.1 & Limits the amount of security to 125% of project costs); Sign Regulation - (Amends Sign Regulations Exempt from Regulation Sect. 6-1.3 & Exempts fence wraps from County regulation); & Permit Choice - (Amends Zoning Map & Text Amendments Sect. 3-12.1 & Provides greater certainty for developers if ordinances change).

VOTE: Motion carried 8 - 0
AYES: Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue, Ray Trapp
NOES: None
ABSENT: J. Carlvena Foster

F. 2016-396 PUBLIC HEARING AND APPROVAL OF TEXT AMENDMENT (CASE #16-08-GCPL-04129) TO THE GUILFORD COUNTY GENERAL DEVELOPMENT ORDINANCE FOR RADIO, TELEVISION, AND COMMUNICATION TOWERS (PRINCIPAL)

Conduct a public hearing and request approval of Text Amendment Case #16-08-GCPL-04129: Radio, Television, Communication Tower (Principal) to the Guilford County Development Ordinance to add a new Section 2-1.16 to Article II Definitions for industry terminology, amend the Permitted Use Table 4-3-1, Radio Television Communication Tower (Principal) to allow Stealth/Camouflage Design Towers as limited permitted uses in all zoning districts with development standards (amends Section 6-4.70), and allow Non-stealth Design Towers as limited permitted uses in the AG, GB, GO-M, GO-H, HB, CP, LI, HI, and PI Zoning Districts with development standards (amends Section 6-4.70).

[Legislation Text](#)

[2-Revisions 04129 Draft](#)

[Permitted Uses Transportation Warehousing and Utilities Schedule 7-21-16](#)

[1-Staff Report 04129](#)

[Rev GC-Planning 9-14-16](#)

Bell introduced the item and noted the updates will amend and align the ordinance with best practices related to radio, television and communication towers. He noted the text amendment expands the use of these towers in all districts.

Chairman Phillips opened the floor for proponents. There being no proponents, he opened the floor for opponents to the item. There being none, the public input period of the hearing was closed.

Motion was made by Commissioner Ray Trapp, seconded by Commissioner Hank Henning to conduct a public hearing and request approval of Text Amendment Case #16-08-GCPL-04129: Radio, Television, Communication Tower (Principal) to the Guilford County Development Ordinance to add a new Section 2-1.16 to Article II Definitions for industry terminology, amend the Permitted Use Table 4-3-1, Radio Television Communication Tower (Principal) to allow Stealth/Camouflage Design Towers as limited permitted uses in all zoning districts with development standards (amends Section 6-4.70), and allow Non-stealth Design Towers as limited permitted uses in the AG, GB, GO-M, GO-H, HB, CP, LI, HI, and PI Zoning Districts with development standards (amends Section 6-4.70).

VOTE:	Motion carried 8 - 0
AYES:	Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue, Ray Trapp
NOES:	None
ABSENT:	J. Carlvena Foster

Commissioner Perdue thanked the staff for their work on this ordinance change, and noted these tower regulations are critical for growth and the ability to maintain cell phone demands related to access of emergency services.

By unanimous consent, the Board recessed the meeting at 8:19PM.

The Board reconvened the meeting at 8:35PM.

VIII. NEW BUSINESS

A. 2016-426 CARE MANAGEMENT TRANSITION TO IN HOME AIDE III

Approve request for one (1) new Social Worker II position and authorize staff to make the required amendments to Public Health and Social Services division budgets, once final adjustments have been determined by the Piedmont Triad Regional Council (PTRC).

[Legislation Text](#)

[Care Management Transition](#)

Heather Skeens, DHHS-Social Services Division Director, discussed the transition of the Public Health (PH) Division's Care Management program in the Social Services Division (DSS) In-Home Aide Level 3 program. She stated the integration of these services addresses one of the six DHHS consolidation priorities, and noted these programs provide similar services to the same aged and disabled population. Skeens shared the Commission on Aging evaluated the programs and determined if they could be administered more effectively. She discussed their decision to consolidate the two (2) programs into one (1) under the direction of DSS, to gain cost efficiencies, improve monitoring standards and maximize funding.

Skeens shared the timeline associated with DSS In-Home Care Aide Level 3 assuming responsibility of the forty (40) customers currently served through PH Care Management, increasing the total number served through In-Home Care to approximately 100 customers. She confirmed DSS will also absorb the wait list for the Care Management program.

Thompson reviewed the staffing and funding requirements related to consolidation, and shared the need to request a full-time social worker II position to conduct case management responsibilities for the customers transitioning to the In-Home Aide program, in addition to a request to consolidate the funding sources. She noted DSS staff would absorb the administrative duties.

Skeens reviewed the program consolidation timeline to ensure seamless transition of services. She spoke to conversations with existing contractors, staff and customers regarding the consolidation, and assessments that will be conducted to ensure they meet the eligibility requirements for In-Home Aide program.

Commissioner Trapp questioned if one (1) social worker position was sufficient to manage the program.

Skeens confirmed the position was sufficient to manage the additional forty (40) customers from Care Management.

Commissioner Trapp questioned future expansion of the program.

Skeens stated DSS currently has seventeen (17) customers on the waiting list, and PH has forty (40) customers on its waiting list. She noted the HCCBG funding is capped, thereby limiting the number of customers that can be served by the agency.

Commissioner Trapp questioned if the program could serve additional clients, if county funds were included in the budget.

Skeens clarified county funds would be used towards the service provided by the program; however, salaries of social workers and staff administering the program were eligible for reimbursement from other funding sources.

Commissioner Trapp spoke to recommendations encouraging in-home care of the disabled and elderly, and noted the additional county expense attributed to this trend. He requested projections regarding the potential cost to serve the fifty-seven (57) customers currently on the DSS/PH wait lists.

Skeens stated their goal is to serve nine (9) additional customers annually from the waiting list.

Motion was made by Commissioner Hank Henning, seconded by Commissioner Ray Trapp, to approve request for one (1) new Social Worker II position and authorize staff to make the required amendments to Public Health and Social Services division budgets, once final adjustments have been determined by the Piedmont Triad Regional Council (PTRC).

VOTE: Motion carried 8 - 0
AYES: Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue, Ray Trapp
NOES: None
ABSENT: J. Carlvena Foster

B. 2016-424 APPROVE CONTRACT WITH MARK D. BARDILL PC DBA ZACCHAEUS LEGAL SERVICES FOR PROPERTY TAX COLLECTION SERVICES

Approve the contract with Mark D. Bardill P.C., dba Zacchaeus Legal Services, in substantial form, for the provision of property tax collection services, in the amount not to exceed \$15,000 per year, for an initial term of four years, with automatic two renewal options. For a term beginning 12-01-2016 through 12-01-2020.

[Legislation Text](#)

[ZLS Proposal 11-3-16 \(2\)](#)

Ben Chavis, Tax Director, introduced the item and provided an update regarding the status of taxes associated with properties in foreclosure status for five (5) or more years. He noted the county currently has 943 properties in some stage of the process, with an average delinquency of eight (8) years, and an additional 500 properties potentially eligible for the program. Chavis confirmed these figures translate to \$9.8 million in uncollected tax revenue, and discussed the need to focus on eliminating the current backlog of properties. He shared Zaccheus Legal Services has extensive experience in this field, and reviewed the terms of the proposed contract.

Commissioner Trapp questioned the outcomes associated with the contractor successfully eliminating the backlog of foreclosures.

Chavis stated he did not foresee the county owning the bulk of the properties, and spoke to statistics indicating most property owners are willing to pay back taxes. He shared in other cases, banks will assume ownership, or if the property lies within the municipalities, the City of Greensboro or City of High Point are contracted to purchase the properties.

County Attorney Mark Payne reviewed the foreclosure process with the Board.

Commissioner Trapp expressed caution with the potential for the County to assume ownership of the properties.

Payne noted the County has incorporated additional measures to thoroughly vet the properties prior to beginning foreclosure processes.

Commissioner Trapp expressed his concern with the contract and shared he would not be able to support the request.

Chavis shared approximately \$9.8 million in tax revenue was uncollected last year, and noted his role as Tax Director requires he ensure all taxes are collected equitably.

Commissioner Coleman questioned if an individual purchasing a foreclosed home has an obligation to pay the remaining mortgage and taxes.

Chavis confirmed the new owner would inherit all liens attached to the property.

Payne stated the mortgage company will typically foreclose on the property, and pay any delinquent taxes and fees, prior to the Tax department beginning its processes.

Motion was made by Commissioner Justin Conrad, seconded by Vice Chairman Alan Branson, to approve the contract with Mark D. Bardill P.C., dba Zacchaeus Legal Services, in substantial form, for the provision of property tax collection services, in the amount not to exceed \$15,000 per year, for an initial term of four years, with automatic two renewal options. For a term beginning 12-01-2016 through 12-01-2020.

VOTE: Motion carried 7 - 1

AYES: Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue

NOES: Ray Trapp

ABSENT: J. Carlvena Foster

C. 2016-405 GUILFORD COUNTY SCHOOLS - HIGH POINT CENTRAL HIGH SCHOOL PROJECT ORDINANCE AMENDMENT

Approve attached amended Ragsdale High School (decrease existing), Academy at Central High School (decrease existing), and High Point Central High School (increase existing) capital project ordinances as outlined in the attachments and accept/approve the transfer of funds from Guilford County Schools in the forms of proceeds from the sale of the site formerly known as the Immaculate Heart of Mary and committed Schools fund balance generated by red light camera fines for the purpose of funding the amended High Point Central High School project ordinance.

[Legislation Text](#)

[Memo to BOC from GCS - Transfer to HPC - Life Safety.pdf](#)

[Summary of HP HS Amendment 11-17-16.xlsx](#)

[Academy at Central High School - Amended 11-17-16 PENDING.docx](#)

[High Point Central HS - Add. - Renov. - Amended 11-17-16 PENDING.docx](#)

[Ragsdale High School - Amended 11-17-16 PENDING.docx](#)

Michael Halford, Budget Director, introduced the item and stated the project will address fire safety issues identified at the county and state levels. He reviewed how the projects will be funded.

Commissioner Perdue thanked Guilford County Schools (GCS) staff for addressing fire code issues, but expressed concerns with the proposed costs for standard installation, and questioned if additional items were being addressed through the project.

Julius Monk, GCS Executive Director of Facilities, shared the challenges of bringing the three (3) buildings to be addressed through the project up to current fire safety standards. He noted the varying ceiling heights, combined with HVAC renovations and the age of the facility could result in discovery of unknown issues during construction.

Commissioner Perdue questioned if the project would address all the fire code violation issues, as well as, update fire safety systems in the buildings.

Monk confirmed and noted they are following a phasing plan designed by the county to meet the fire safety standards.

Motion was made by Commissioner Carolyn Q. Coleman, seconded by Commissioner Ray Trapp, to approve attached amended Ragsdale High School (decrease existing), Academy at Central High School (decrease existing), and High Point Central High School (increase existing) capital project ordinances as outlined in the attachments and accept/approve the transfer of funds from Guilford County Schools in the forms of proceeds from the sale of the site formerly known as the Immaculate Heart of Mary and committed Schools fund balance generated by red light camera fines for the purpose of funding the amended High Point Central High School project ordinance.

VOTE: Motion carried 8 - 0
AYES: Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue, Ray Trapp
NOES: None
ABSENT: J. Carlvena Foster

D. 2016-390 2017 HEALTH PLAN UPDATES

Approve the following: 1.) Remove exclusions for Adaptive Behavior Treatment for Autism Spectrum Disorder and mirror copayments, deductibles and coinsurance for this treatment with those that apply to other physical and mental health services. Provide coverage up to a \$40,000 annual maximum to age 18; 2.) Remove the exclusion for gender transition services and replace with compliant language that sets forth limits and exclusions related to these services; 3.) Enroll the County's health plan in UHC's specialty pharmacy program; 4.) Accept pharmacy formulary changes recommended by UHC; and 5.) Amend the medical flexible spending plan maximum to reflect an increase from \$2,550 to \$2,600.

[Legislation Text](#)

[Pharmacy info part 1.pdf](#)

[Pharmacy info part 2.pdf](#)

[Copy of Ratified Session Law 2015-271.docx](#)

[EB Compliance Update October 2016.pdf.pdf](#)

This item was removed from the agenda via addendum.

IX. HEALTH AND HUMAN SERVICES UPDATE

A. 2016-409 DHHS - DIVISION OF SOCIAL SERVICES UPDATE ON THE FOOD AND NUTRITION SERVICES PROGRAM

Receive DHHS - Division of Social Services update on the Food and Nutrition Services program.

Legislation Text

FNS Updates September

FNS Timeliness Urban Trends Up to 10 21 16

FNS Timeliness Urban 10 17 16 thru 10 21 16

Skeens reported DSS has achieved a processing rate of 97-99% for Food & Nutrition Services (FNS) applications since January 2016, and have met United States Department of Agriculture (USDA) requirements.

Elizabeth White, DHHS-Social Services Division Economic Services Director reviewed the status of FNS recertifications. She confirmed 420, or 17%, of the recertifications received during September were overdue upon processing. White reviewed the status of staff in training and vacant positions, and provided a quarterly update on overtime utilized by the department. She noted approximately \$45,500 in overtime hours was dedicated to FNS processing, approximately \$77,000 towards Medicaid processing, and \$4,000 for supportive services during the first quarter of FY 2017.

Commissioner Conrad questioned the differences in overtime hours used during the months of the first quarter.

White shared processing timeframes that result of fluctuation of the volume of recertifications received by the agency, which affects the amount of overtime required to accomplish the work. She reviewed the status of current trainees.

Commissioner Conrad questioned if the trainees would be able to provide assistance with the current workload.

White stated the trainees do not participate in overtime processing, as they are not proficient enough to process large volumes of work. She shared the mentoring process, and noted FNS staff are able typically able to manage approximately 70-80% of the workload accomplished by a seasoned employee, within 5-6 months of completing training.

Chairman Phillips requested the monthly overtime hours worked.

White provided the hours, and noted even after approval of the caseworker positions requested, the amount of overtime dollars expended to accomplish the work would fund additional positions.

Commissioner Coleman questioned when management would consider additional staffing for the department.

County Manager Marty Lawing stated even with the approval of additional positions requested, the plan would not have eliminated all of the overtime required to accomplish the work. He confirmed the Board approved all but seven (7) of the positions included in the original request.

Skeens confirmed approval of the seven (7) positions would have decreased the need for overtime.

Commissioner Coleman questioned the departmental goal to eliminate the backlog of work by June 2016.

Skeens noted the approved positions were distributed between FNS and Medicaid, and noted the originally requested thirty-seven (37) would allow them to accomplish the work without the need for excessive overtime; however, the goal was not to overfill positions, and the original request would not eliminate the potential for a backlog in light of excessive sick or vacation leave.

Commissioner Coleman questioned the turnover rate for the department and if they conduct exit interviews to determine the reason for voluntary termination.

Skeens noted they do not separate promotions from turnover rates, and noted the entry-level caseworker position allows them to enter the agency and transition into higher-level positions.

Commissioner Coleman requested a report of the total number of voluntary and involuntary resignations since January 2016, including the data from the exit interviews.

Commissioner Cashion questioned the average overtime hours worked weekly per employee.

White stated a caseworker will average 10-13 hours/week of overtime, which can be accomplished in 2-hour shifts during the week, and 5-hour shifts on Saturdays or Sundays. She noted the overtime hours do not include hours accrued by supervisors who must manage the employees working overtime.

Commissioner Cashion questioned if the overtime was voluntary.

White stated the agency requires mandatory overtime, and offers voluntary overtime, but remains flexible in how the hours are accomplished.

Commissioner Cashion questioned if mandatory overtime was listed a reason for leaving the agency during exit interviews.

White shared she had not received the exit interview data, but noted the division remains sensitive to the family and personal needs of the eligibility staff.

Skeens stated overtime has not been listed as a reason for leaving, and noted the typical response was acceptance of new employment or promotion.

Commissioner Cashion expressed her interest in the report requested by Commissioner Coleman.

Chairman Phillips clarified the request, to include the net number of full-time eligibility employees, incorporating the number of employees hired versus those terminated, relative to the volume of processing over the past year, and a comparison of the amount of overtime utilized during this timeframe.

Skeens noted the departments plan to present the impacts upon active caseload management in January 2017 for all eligibility staff.

Chairman Phillips clarified the information should be presented by program area, and requested they discuss the impact of previously approved positions upon the current workload.

Commissioner Trapp questioned the total FNS cases for Guilford County.

White confirmed Guilford County has approximately 44,000 active FNS cases.

B. 2016-410 DHHS- PUBLIC HEALTH DIVISION UPDATE: CERTIFIED NURSING ASSISTANTS - SCHOOL NURSE PROGRAM

Receive DHHS- Public Health Division update: Certified Nursing Assistant - School Nurse Program.

[Legislation Text](#)

[School Health CNA Project overview Nov16.pptx](#)

Merle Green, DHHS-Public Health Division Director, provided an update regarding the status of Certified Nurse Assistants (CNA), in partnership with school nurses, in the GCS system. She reviewed the background of the pilot project, and reported the initial success of the program. Green discussed CNA responsibilities and their orientation process. She noted the CNA's were placed in Title I elementary schools identified with the greatest health needs, and each serve approximately ten (10) schools throughout Greensboro and High Point.

Commissioner Conrad thanked Green for the report, and spoke to the concerns expressed by the Project One citizens group regarding the pilot project. He expressed his appreciation for school nurses, and noted the CNA's are able to provide them with much needed support. Conrad spoke to the need for additional training on environmental health to evaluate food-borne illnesses.

X. APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

A. 2016-397 APPOINTMENTS & REAPPOINTMENTS TO GUILFORD COUNTY BOARDS & COMMISSIONS

Consider and approve the recommended appointments and reappointments to the listed Guilford County Boards & Commissions.

[Legislation Text](#)

[Jamestown Planning Board Roster](#)

[SRichmond - Jamestown Planning Board 102116](#)

[RNewbill - Jamestown Planning Board 102816](#)

[NH CAC Roster](#)

Jamestown Planning & Zoning Board

Appoint Sherrie Richmond (term expiring October 20, 2021)

Reappoint Richard Newbill (term expiring May 11, 2021)

Nursing Home Community Advisory Committee

Reappoint Jennifer Youngblood (term expiring November 17, 2019)

Motion was made by Commissioner Alan Perdue, seconded Commissioner Hank Henning, to approve the recommended appointments and reappointments to the listed Guilford County Boards & Commissions.

VOTE: Motion carried 8 - 0

AYES: Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue, Ray Trapp

NOES: None

ABSENT: J. Carlvena Foster

XI. COMMENTS FROM COUNTY MANAGER

Lawing requested the Board schedule a work session to provide updates on ongoing large capital projects.

Chairman Phillips requested the work session include a closed session to continue with employee evaluations.

Commissioner Coleman questioned if the work session could be held prior to next regular meeting on December 15, 2016.

Lawing spoke to the need to move forward with construction on certain capital projects.

By unanimous consent, the Board scheduled a work session for Wednesday, November 30, 2016 from 3:00PM-5:00PM.

XII. COMMENTS FROM COMMISSIONERS

Commissioner Conrad thanked the Board for their support of the Pancreatic Cancer Awareness proclamation. He announced the Autism UnBound auction will be held Saturday, November 19, 2016 at 6:30PM at Temple Emmanuel. Conrad shared his intent to present the Board with a memorandum of understanding (MOU) to conduct a water feasibility study in Northwest Guilford County during the December 15, 2016 meeting.

Commissioner Cashion provided an update regarding the status of Mental Health services through the Sandhills catchment. She noted their approval of up to \$100,000 in funding to expand Substance Abuse counseling and financial assistance for those in recovery, as well as, transportation for eligible citizens. Cashion shared the Sandhills Board is evaluating the need for a facilities-based crisis center as an alternative to hospitalization for those in behavioral health crises. She shared she will attend the Council of Community Programs Conference in Pinehurst, NC, and announced Family Justice Center Director Catherine Johnson was honored with the Rising Star award. Cashion reminded the Board of the upcoming NACo Legislative Conference in February 2017, and the NACo Annual Conference in summer 2017.

Commissioner Perdue congratulated Commissioners Phillips, Trapp, Henning and Branson on their recent re-elections.

Commissioner Coleman greeted special friends John Scott and family.

Vice Chairman Branson thanked the citizens for their support during the election, and spoke to the news of a recently announced economic development opportunity within Guilford County.

Chairman Phillips shared the multi-jurisdictional Hurricane Matthew relief effort is still receiving donations, and thanked Jeff Thigpen and his staff for their hard work and coordination. He shared a letter sent to the Board by Jean Simkins Hollis, and expressed his honor in being invited to participate in the Dr. George C. Simkins Jr. memorial statue dedication.

XIII. HOLD CLOSED SESSION PURSUANT TO N.C.G.S. §143-318.11 (a) (1)(3) and (5) FOR THE PURPOSE OF CONSULTING WITH THE COUNTY ATTORNEY.

Motion was made by Commissioner Alan Perdue, seconded by Vice Chairman Alan Branson, to hold closed session pursuant to N.C.G.S. §143-318.11 (a) (1)(3) and (5) for the purpose of consulting with the County Attorney.

VOTE: Motion carried 8 - 0
AYES: Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Carolyn Q. Coleman, Justin Conrad, Alan Perdue, Ray Trapp
NOES: None
ABSENT: J. Carlvena Foster

The meeting recessed at 9:50PM.

The meeting reconvened at 11:02PM.

Motion was made by Commissioner Alan Perdue, seconded by Vice Chairman Alan Branson, to renew the Symetra contract, in substantial form, in the amount of \$632,313 to be effective January 1, 2017, for a term of one (1) year.

VOTE: Motion carried 6 - 0
AYES: Jeff Phillips, Alan Branson, Hank Henning, Kay Cashion, Justin Conrad, Alan Perdue
NOES: None
ABSENT: Carolyn Q. Coleman, Ray Trapp, J. Carlvena Foster

XIV. ADJOURN

There being no further business, the Board adjourned the meeting by unanimous consent at 11:04PM.

Jeffrey M. Phillips
Chairman

Robin Keller
Clerk to Board