



Guilford County

301 West Market Street
Greensboro, NC 27402

Meeting Agenda - Final Board of Commissioners

Thursday, January 20, 2022

5:30 PM

Second Floor, Old County Courthouse

FULLY VIRTUAL MEETING

I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. WELCOME AND CALL TO ORDER

(Chairman Melvin "Skip" Alston)

IV. SPEAKERS FROM THE FLOOR

(Each speaker will be allowed three (3) minutes to address the Board. Speakers from the Floor will last for a maximum of thirty (30) minutes.)

V. CONSENT AGENDA

A. BUDGET AMENDMENTS

1. [2022-115](#) DHHS - DIVISION OF SOCIAL SERVICES PANDEMIC LOW INCOME ENERGY ASSISTANCE PROGRAM (LIEAP)
Background: As a result of the state budget being passed, American Rescue Plan Act (ARPA) funds have been allocated to counties for a pandemic automatically authorized energy assistance payment for households with children 0-10 that are receiving Food & Nutrition Services benefits and received LIEAP last fiscal Year 2020-2021. Guilford DHHS-Division of Social Services has received the energy funding authorization for FY 2021-22 with additional funding in the amount of \$3,953,274.00. This additional funding will assist citizens of Guilford county meeting the eligibility criteria with heating and cooling costs. Households will receive \$300 for wood, \$400 for gas and \$500 for electric. Utility vendors will receive direct payment and funds will be solely based on the households' heating source and not their income or available resources.
Requested Action: Approve an increase in Federal/State funds by \$3,953,274 and increase the FY 2021-22 Health and Human Services (Social Services) budget by the same amount to reflect additional funding authorization for the DHHS-Division of Social Services for Pandemic LIEAP program during FY 2021-22.
Budget Impact: \$3,953,274 Increase to Federal/State Funds
\$3,953,274 Increase in Appropriation to Health & Human Services - Social Services
NO ADDITIONAL COUNTY FUNDS REQUIRED
Sponsors: Sharon Barlow
Attachments: [Pandemic LIEAP funding authorization 12.21.2021](#)
[DCDL_Pandemic LIEAP 12.21.2021](#)

2. [2022-116](#) DHHS - DIVISION OF SOCIAL SERVICES LOW INCOME ENERGY ASSISTANCE PROGRAM (LIEAP)
- Background:** Guilford DHHS-Division of Social Services has received an energy program funding authorization for FY 2021-22. Included in the funding authorization is additional energy funding to assist citizens of Guilford County residents with heating and cooling costs. This fiscal year, funding was increased by \$528,657 for direct payments to energy vendors on behalf of eligible households and administrative funding increased by \$8,889.00, which is used to assist Guilford county DSS with administering the the program. With the additional funding, Guilford's total program allocation is \$2,971,043.00 and \$399,137 for administration.
- Requested Action:** Approve an increase in Federal/State funds by \$537,546 and increase the FY 2021-22 Health and Human Services (Social Services) budget by the same amount to reflect additional funding authorization for the DHHS-Division of Social Services for Low-Income Energy Assistance Program (LIEAP) program during FY 2021-22.
- Budget Impact:** \$537,546 Increase to Federal/State Funds
\$537,546 Increase in Appropriation to Health & Human Services - Social Services
NO ADDITIONAL COUNTY FUNDS REQUIRED
- Sponsors:** Sharon Barlow, Interim Director DHHS Division of Social Services
- Attachments:** [LIHEAP & CIP Admin 2022 \(1\)](#)
[LIEAP SFY 2021-22_0](#)

3. [2022-121](#) APPROVE RECEIPT OF DONATIONS TO GUILFORD COUNTY ANIMAL SHELTER

Background: The Guilford County Animal Shelter was listed as an anonymous donor's IRA beneficiary, with the inheritance payout in the amount of \$14,696.89. Animal Services plans on using the additional funds for shelter enrichment programs that help reduce the stress and boredom of kennel life. All shelter animals benefit from enrichment programs, but they can be especially valuable for long-term residents who tend to deteriorate quickly in kennels.

The Guilford County Animal Shelter received an additional, walk-in donation from the Newby Family of \$10,000. Animal Services plans on using these additional funds for the same purpose as above.

Requested Action: Approve receipt of an anonymous donation in the amount of \$14,696.89, and an additional donation in the amount of \$10,000 to the General Fund, Miscellaneous Revenues, and increase the FY 2021-22 Animal Shelter budget by the same amount.

Budget Impact: **Budget Ordinance Amendment**
General Fund
\$24,697.00 increase in Miscellaneous Revenues
\$24,697.00 increase in Appropriation to the Guilford County Animal Shelter

Sponsors: Jorge Ortega

B. CONTRACTS

1. [2022-118](#) REQUEST A REFUND OF EXCISE TAX FOR LAW FIRM CAROLINAS
Background: On August 25, 2021, Law Firm Carolinas paid \$1,405.00 in excise tax to the Guilford County Register of Deeds Office on a North Carolina General Warranty Deed recorded in Book 8500, Pages 1806-1807. The Warranty Deed was mistakenly recorded in Guilford County; however, the property is located in New Hanover County. Law Firm Carolinas is requesting a refund of \$1,405.00 as shown on the Warranty Deed recorded in Guilford County.
Requested Action: Approve the refund of \$1,405.00 to Law Firm Carolinas for payment of excise tax per N.C. Gen. Stat. 105-228.37.
Budget Impact: **NO ADDITIONAL COUNTY FUNDS REQUIRED**
Sponsors: Jeff Thigpen
Attachments: [Deed BK 8500 PG 1806](#)
[Law Firm Carolina Request](#)
[NCgS 105-228.37](#)
[Affidavit of Correction](#)

2. [2022-124](#) AUTHORIZE PURCHASE OF FLEET VEHICLES
Requested Action: Approve the purchase of nineteen (19) vehicles from North Carolina State Contract 070A, in substantial form, in the amount of \$475,106
Budget Impact: **NO ADDITIONAL COUNTY FUNDS REQUIRED**
Sponsors: Ray Lowe
Attachments: [2022 No bid justification Capital Ford \(002\).pdf](#)
[2022 No Justification Performance Ford \(002\).pdf](#)
[Copy of Vehicle quotes for purchase.pdf](#)

C. MISCELLANEOUS

1. [2022-119](#) TAX COLLECTION AND BEVERAGE LICENSE REPORTS FOR MONTH ENDING DECEMBER 31, 2021

Background: Attached is a tax collection report for the month ending December 31, 2021 required by NCGS 105-350(7) to be submitted by the tax collector to the governing body. The purpose of the report is to apprise the governing body of the progress of the tax collector in collecting taxes levied for the current fiscal year.

A list of beverage licenses issued for the month ending December 31, 2021 is attached for the purpose of providing the governing body the opportunity to exercise their authority to refuse to issue a license, as described in NCGS 105-113.71.

Requested Action: Accept and approve the tax collection report and beverage licenses issued for month ending December 31, 2021.

Budget Impact: **NO ADDITIONAL COUNTY FUNDS REQUIRED**

Sponsors: Ben Chavis

Attachments: [401C All Guilford 12-31-2021.pdf](#)
[Bev 12-31-2021 Detail.pdf](#)

2. [2022-120](#) PROPERTY TAX REBATES AND RELEASES FOR MONTH ENDING DECEMBER 31, 2021 AND BUDGET ADJUSTMENT FOR 2019-2020 PROPERTY TAX REFUNDS

Background: A valid defense has been provided by the taxpayer that the tax imposed was invalid and met the criteria of North Carolina General Statute 105-381, to be rebated or released for the amounts contained in the attached reports. Complete reports are maintained on file with the Clerk to the Board.

This agenda item also allows for the required budget adjustment to process 2019-2020 property tax refunds in accordance with North Carolina General Statute 105-290.

Requested Action: Accept and approve property tax rebates and releases for the month ending December 31, 2021 and approve associated Budget Amendment to increase \$429,157 in Appropriated Fund Balance and increase the FY 2021-2022 Tax budget by the same amount towards payment of 2019-2020 property tax refunds

Budget Impact: **Budget Ordinance Amendment**

General Fund

\$429,157 Increase in Appropriation to Appropriated Fund Balance

\$429,157 Increase in Appropriation to Tax

Sponsors: Ben Chavis

Attachments: [December 2021 NCVTS Pending Refund Report.pdf](#)

[December 2021 Rebates and Releases.pdf](#)

VI. PUBLIC HEARINGS

Proponents shall be heard first and shall be provided a total of twenty (20) minutes notwithstanding the number of persons desiring to be heard. Opponents shall be heard after the proponents and shall be provided a total of twenty (20) minutes notwithstanding the number of persons desiring to be heard. Each side will be allowed three (3) minutes in rebuttal.

- A. [2022-104](#) PUBLIC HEARING - UDO TEXT AMENDMENT CASE
#21-10-GCPL-09184 TO AMEND ARTICLE 9.3 FLOOD DAMAGE
PREVENTION TO AMEND THE NO-FILL IN FLOODPLAIN PROVISION
TO ALLOW FILL FOR RESTORATION OF NATURAL FLOODPLAIN
FUNCTIONS AND RELATED CLARIFICATIONS & FORMATTING
REVISIONS

Background: The intent of the proposed text amendment is to provide an exclusion to the no-fill provision in Article 9.3 to allow minor filling in the Special Flood Hazard Area (an area which is subject to flood events equal to or surpassing the 1% annual chance flood) where needed to protect or restore natural floodplain functions, such as for part of a stream restoration project.

The amendment language was derived in collaboration with the County's assigned FEMA (Federal Emergency Management Agency) Community Rating System (CRS) Specialist, the CRS technical advisor subcontracted by FEMA, and the NC Department of Public Safety's National Flood Insurance Planner. Clarifications related to the no-fill provision and formatting revisions to ordinance section numbering also are included in the proposed text amendment.

Staff recommends approval. At its December 8, 2021 Regular meeting, the Planning Board recommended unanimously (**8-0**) that the text amendment (as presented) be forwarded to the Guilford County Board of Commissioners for a public hearing and approval. [Members Present: Mr. Apple; Mr. Craft; Mr. Stalder; Mr. Donnelly; Mr. Gullick; Mrs. McKinley; Ms. Buchanan; and Chair Frankie Jones. Absent: Dr Gathers].

Consistency with Adopted Plans: The proposed text amendment is consistent with the following goal of the *Guilford County Comprehensive Plan*:

Natural, Historic, and Cultural Resources Element - Goal #1: "To seek a balance between the built environment and the protection and preservation of the County's natural, historic, and cultural resources through prudent management, public education, participation and outreach, appropriate regulations and enforcement, and active partnerships with stakeholders."

Reasonable and in the Public Interest: The recommended action is reasonable and in the public interest given that it will allow for more appropriately designed environmental restoration projects in or near floodplains, such as stream restoration projects, while adding no new restrictions to development in or near floodplains.

Requested Action: Hold a public hearing and adopt Unified Development Ordinance (UDO) Text Amendment Case #21-10-GCPL-09184 (as presented/attached herein) that amends Article 9.3 Flood Damage Prevention which changes the no-fill provision to allow fill in the floodplain for restoration of natural floodplain functions and related clarifications and formatting revisions.

Budget Impact: **NO ADDITIONAL COUNTY DOLLARS**

Sponsors: J. Leslie Bell (Brent Gatlin, Watershed/Stormwater Engineer)

Attachments: [TA-21-10-GCPL-09184 STAFF REPORT - Floodplain No-fill Provision](#)
[TA-21-10-GCPL-09184 BCC LEGAL NOTICE - Floodplain No-fill Provision](#)

B. [2022-112](#) HOLD PUBLIC HEARING FOR THE PURPOSE OF RECODIFICATION OF GUILFORD COUNTY CODE OF ORDINANCES

Background:

Guilford County currently maintains its codified ordinances on the Municode software platform. In conjunction with the Unified Development Ordinance UDO project, the county will be moving away from Municode and will list its codified ordinances on EnCode Plus. EnCode Plus is a subsidiary of Municode and offers advanced tools to support planning and development ordinances while meeting all of the expectations for online access to the general code. The new tool allows integration with our GIS technology for mapping and visualization of land use requirements and zoning regulations and offers opportunity for expansion to allow users to submit projects online and check their status.

Part of the re-launch of the codes includes consolidation of the two separately maintained sections back into one code. The public hearing and authorization to consolidate the codes back into one document is the last step in the project for a centralized and unified Code of Ordinances which will now be easily accessible to the public; meeting the Board's goals of improved transparency.

Requested Action:

Approve consolidation of the Guilford County Unified Development Ordinance back into Chapter 15, replacing existing language of Chapter 15 Article II section 15-56 of the County's General Code of Ordinances; and authorize staff to proceed with recodification of the section.

Sponsors:

Robin Keller

Attachments:

[Proposed DRAFT Recodification](#)

VII. NEW BUSINESS

A. [2022-114](#) MAKE CERTAIN FINDINGS, INTRODUCE BOND ORDER, AND SET PUBLIC HEARING FOR TWO-THIRDS GENERAL OBLIGATION BOND PROJECT

Background: At the 11/18/21, Board of County Commissioner's work session, the Board approved projects and a plan to issue \$41,000,000 "two-thirds" general obligation bonds to fund the following County projects.

The first step in the process to issue the bonds is for the Board to consider the following resolutions

(1) making certain required findings,

The following bond orders authorizing "two-thirds" general obligation bonds shall include the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, and to pay capital costs of such improvements,

(2) introducing a bond order authorizing \$31,200,000 "two-thirds" general obligation bonds for public buildings, including without limitation administrative buildings, law enforcement administrative buildings, parking facilities, and courthouse facilities and including the acquisition and construction of new public buildings, the improvement and expansion of existing public buildings,

(3) introducing a bond order authorizing \$4,300,000 "two-thirds" general obligation bonds for law enforcement facilities, including without limitation, detention facilities,

(4) introducing a bond order authorizing \$2,000,000 "two-thirds" general obligation bonds for parking facilities, including without limitation, public parking facilities,

(5) introducing a bond order authorizing \$1,500,000 "two-thirds" general obligation bonds for public health facilities, including without limitation, alcohol and drug addiction treatment facilities, public health administrative buildings and

(6) introducing a bond order authorizing \$2,000,000 "two-thirds" general obligation bonds for parks and recreation facilities, and

(7) calling a public hearing on the bond order to be held at the meeting on February 3, 2021.

The requested action is approval of the before referenced resolutions.

Requested Action: Approve Resolutions (1) making certain required findings, (2) introducing a bond order authorizing \$31,200,000 “two-thirds” general obligation bonds for public buildings, including without limitation administrative buildings, law enforcement administrative buildings, parking facilities, and courthouse facilities and including the acquisition and construction of new public buildings, (3) introducing a bond order authorizing \$4,300,000 “two-thirds” general obligation bonds for law enforcement facilities, including without limitation, detention facilities, (4) introducing a bond order authorizing \$2,000,000 “two-thirds” general obligation bonds for parking facilities, (5) introducing a bond order authorizing \$1,500,000 “two-thirds” general obligation bonds for public health facilities, including without limitation, alcohol and drug addiction treatment facilities, (6) introducing a bond order authorizing \$2,000,000 “two-thirds” general obligation bonds for parks and recreation facilities, and (7) calling a public hearing on the bond order to be held at the meeting on February 3, 2021.

Sponsors: Derrick Bennett

Attachments: [Resolution Introduction Bond Orders - Guilford 2022A GO Bonds \(2 3\)](#)
[Notices of Public Hearings - Guilford 2021 2 3 GO Bonds](#)
[Finance Officer Estimate of Interest - Guilford 2022A GO Bonds \(2 3\)](#)
[Debt Statement - Guilford 2022A GO Bonds \(2 3\)](#)

B. [2022-129](#) RECEIVE REPORT REGARDING ANNUAL AUDIT REPORT FOR FY 2020-2021

Requested Action: Receive report from April Adams of Cherry Bekaert, LLP for results of FY 2020-2021 annual audit.

Sponsors: Derrick Bennett - Finance Director, April Adams - Cherry Bekaert, LLP

Attachments: [Guilford 2021 Audit Board Presentation](#)

VIII. HEALTH AND HUMAN SERVICES UPDATE

- A. [2022-123](#) DHHS - PUBLIC HEALTH DIVISION: ANNUAL COMMUNICABLE DISEASE UPDATE
- Background:** NC Local Health Department Accreditation standards require that for each year, a report to the Board of Health is provided, which will summarize local communicable disease incidence and trends. According to the NC Administrative Code (rule 10A NCAC 41A.0101), 82 communicable disease conditions are legally required to be reported to the Division of Public Health within specified time frames, depending on the disease. Some of these conditions are rarely, if ever, reported to occur in Guilford County and others are very frequent. The overview includes selected reportable diseases, organized by means of transmission.
- Requested Action:** Receive the Annual Communicable Disease Report
- Budget Impact:** **NO ADDITIONAL COUNTY FUNDS REQUIRED**
- Sponsors:** Dr.Vann, Director DHHS- Division of Public Health
- Attachments:** [Selected Reportable Communicable Diseases Data Brief 2021 final](#)

IX. COMMISSIONER LIAISON UPDATES

X. COMMENTS FROM COUNTY MANAGER / COUNTY ATTORNEY

XI. COMMENTS FROM COMMISSIONERS

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

XIII. ADJOURN

*THE NEXT REGULAR MEETING OF
THE GUILFORD COUNTY BOARD OF COMMISSIONERS
WILL BE HELD FEBRUARY 3, 2022 AT 5:30PM IN THE
COMMISSIONERS MEETING ROOM,
OLD COUNTY COURTHOUSE
301 W. MARKET STREET, GREENSBORO NC 27401.*