

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

Greensboro, North Carolina
September 7, 2017

The Board of County Commissioners met in a duly noticed regular meeting on September 7, 2017 at 5:30 p.m., in the Commissioners' Meeting Room, 301 W. Market St., Greensboro; North Carolina.

Present: Chairman Jeffrey Phillips, Vice Chair Alan Branson, Commissioners Hank Henning, J. Carlvena Foster (arrived at 5:43PM), Carolyn Q. Colman, Alan Perdue, Melvin "Skip" Alston, Katie "Kay" Cashion, Justin Conrad.

Absent: None.

Also Present: County Manager Marty Lawing, County Attorney Mark Payne, Clerk to the Board Robin Keller, Deputy County Manager Clarence Grier, and members of the press.

I. INVOCATION

Board Chaplain, Ben Chavis, led those present in an invocation.

II. PLEDGE OF ALLEGIANCE

Chairman Phillips led those present in the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER

Chairman Phillips called the meeting to order at 5:41PM.

IV. SPEAKERS FROM THE FLOOR

High Point Mayor, Bill Bencini, recognized that some of the information regarding the High Point Catalyst project may not have been easy to review. He distributed larger maps and a copy of the proposed interlocal agreement to the board. He encouraged the board to speak with High Point city council and staff if they need any additional information to help them make a decision.

High Point Councilwoman Cynthia Davis encouraged the Board to request the Municipal Service District (MSD) area as well. She noted that the MSD area receives development incentives currently in those areas. She shared that the citizens that she represents do not have a problem with the stadium; however, she would like to see it funded privately.

Donna Lewis, High Point resident, thanked the Board for their efforts to speak with her on the High Point Catalyst Project. She shared her good communication relationship with Mr. Bencini, she questioned the need for county funds for the project and urged the County to promote private funding.

Jimmy Morgan, thanked the board for allowing citizens the opportunity to speak at county meetings. He questioned the number of private investors for the High Point Catalyst Project. He expressed concerns with lack of transparency with the identified private funding. Morgan expressed concerns with the lack of information provided to the County Commissioners and to the citizens.

Emanuel Lee, McLeansville resident and founder of a mobile application Our Watch, spoke to public safety concerns in his community. Lee spoke to the need to reach out to communities to build relationships and educate citizens on how to better interact with law enforcement and spoke to the need for increased community safety.

James Adams, High Point resident, spoke in opposition of using public dollars on the High Point stadium project. Adams stated that the project lacks transparency and expressed concerns regarding the minor league team set to join High Point in the new stadium.

V. CONSENT AGENDA

Chairman Phillips noted the Addendum regarding the removal of the August 31, 2017 Joint School Construction Committee minutes from approval consideration. By general consensus the board agreed to the adjustment to the agenda.

Commissioner Coleman pulled Consent Agenda Item C. 2., for separate consideration from the consent agenda.

Commissioner Cashion Pulled Consent Agenda Item B.1, for separate consideration from the consent agenda.

**Motion was made by Alan Perdue, and seconded by Justin Conrad to adopt item V.
CONSENT AGENDA**

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

A. BUDGET AMENDMENTS

1. 2017-294 DHHS PUBLIC HEALTH DIVISION: ADDITIONAL WIC FUNDING \$81,409

Approve an increase of \$81,409 in Federal/State Revenues and increase the FY 2017-18 Department of Health and Human Services - Public Health Division budget by the same amount to reflect revenues received from the Women's and Children's Health Section/Nutrition Services Branch.

[Legislation Text](#)

B. CONTRACTS

REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION

- V. B.1 2017-293 DHHS PUBLIC HEALTH DIVISION: MEMORANDUM OF AGREEMENT GUILFORD COUNTY SCHOOLS - SCHOOL NURSING PROGRAM

Approve Memorandum of Agreement with Guilford County Schools, in substantial form.

[Legislation Text](#)

[GUILFORD COUNTY BOARD OF EDUCATION - 2017-2018 School Nurses MOU \(002\)](#)

2. 2017-302 SOLE SOURCE EXCEPTION TO PURCHASE OF TASERS FROM AXON ENTERPRISE INC.

Approve sole source purchase of the Tasers from Axon Enterprise located at 17800 N 85th St. Scottsdale, Arizona 85255. Direct staff to take such actions necessary to secure the purchase of the equipment and enter into any necessary agreements.

[Legislation Text](#)

[Guilford County SO - NC - X26P \(80\) New](#)

[Sole Source Letter - CEW Axon](#)

C. MISCELLANEOUS

1. 2017-298 BUDGET AMENDMENT REPORT FOR BUDGET AMENDMENTS PROCESSED UNDER THE AUTHORITY GRANTED TO THE COUNTY MANAGER IN THE FY 2017-18 BUDGET ORDINANCE

Receive Budget Amendment report for budget amendments processed under the authority granted to the County Manager in the FY 2017-18 Budget Ordinance.

[Legislation Text](#)

[Budget Amends Report - 2017-09-07.pdf](#)

V. C. 2 REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION

2. 2017-301 RESOLUTION OF SUPPORT FOR NCDOT PROJECT TO INSTALL A TRAFFIC SIGNAL AT THE INTERSECTION OF NORTH CHURCH STREET (SR 1001) AND ARCHERGATE ROAD (SR 2516)

Approve Resolution in Support for NCDOT project to install a traffic signal at the intersection of North Church Street and Archergate Road.

[Legislation Text](#)

[NCDOT Letter and Map](#)

[Resolution of Support of NCDOT to Install Traffic Light](#)

3. 2017-299 APPROVE ONE (1) ENHANCED VOLUNTARY AGRICULTURAL DISTRICT (EVAD) APPLICATION

Approve One (1) EVAD Application (#2017-03).

[Legislation Text](#)

[EVAD 2017_03 Application](#)

[Brochure](#)

4. 2017-220 ANNUAL REPORT ON USE OF ALCOHOL AND BEVERAGE COMMISSION (ABC) BOTTLE TAX PROCEEDS - ALCOHOL DRUG SERVICES (ADS) OF GUILFORD

Receive into the record, annual report from Alcohol and Drug Services (ADS) for county funds provided and expended in accordance with NC G.S. 18B-805.

[Legislation Text](#)

[NCGS 18B-805.pdf](#)

[FY 2016-17 ADS Performance Report.pdf](#)

5. 2017-300 APPROVAL OF THE MINUTES

Approve the following sets of Minutes:

08/17/17 Work Session

08/17/17 Regular Meeting

08/31/17 Joint School Construction Committee

[Legislation Text](#)

[081717 Regular Meeting](#)

[081717 Work Session](#)

[083117 Joint School Construction Committee](#)

ITEMS PULLED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION

B. CONTRACTS

1. 2017-293 DHHS PUBLIC HEALTH DIVISION: MEMORANDUM OF AGREEMENT GUILFORD COUNTY SCHOOLS - SCHOOL NURSING PROGRAM

Approve Memorandum of Agreement with Guilford County Schools, in substantial form.

[Legislation Text](#)

[GUILFORD COUNTY BOARD OF EDUCATION - 2017-2018 School Nurses MOU \(002\)](#)

Commissioner Cashion noted the outline of duties of school nurses. She noted that she did not find reference to mental health and substance abuse training with respect to CIT Training

Public Health Director Merle Green stated that the nurses do receive training.

Cashion noted the increase in juveniles involved with substance abuse and suicide and the need for rapid response.

Green confirmed that the staff have training in addressing mental health concerns.

Cashion questioned if they have access to the drug Narcan.

Green stated the County does not provide Narcan to the schools and would check if the schools provide it through other mechanisms.

Motion was made by Kay Cashion, and seconded by Justin Conrad to Approve Memorandum of Agreement with Guilford County Schools, in substantial form.

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

C. MISCELLANEOUS

2. 2017-301 RESOLUTION OF SUPPORT FOR NCDOT PROJECT TO INSTALL A TRAFFIC SIGNAL AT THE INTERSECTION OF NORTH CHURCH STREET (SR 1001) AND ARCHERGATE ROAD (SR 2516)

Approve Resolution in Support for NCDOT project to install a traffic signal at the intersection of North Church Street and Archergate Road.

[Legislation Text](#)

[NCDOT Letter and Map](#)

[Resolution of Support of NCDOT to Install Traffic Light](#)

Commissioner Coleman questioned why the County was being asked to approve the state's project for a traffic light.

County Manager Marty Lawing noted that the County sporadically receives similar requests throughout the year. He noted that the DOT requests the County to approve projects under consideration and also provides notification to the local legislative body of usage of DOT contingency dollars to ensure that the local community is aware of the request.

Commissioner Coleman questioned the process for securing traffic signals for those residents that live in the County. She questioned if the County desired the installation of a traffic light within County limits. She questioned the procedure to have modifications such as traffic lights added by the DOT.

Lawing stated that residents work directly with the DOT on their requests, or could utilize their General Assembly Delegation to promote requests to the DOT.

Motion was made by Carolyn Q. Coleman, and seconded by Alan Branson to Approve Resolution in Support for NCDOT project to install a traffic signal at the intersection of North Church Street and Archergate Road.

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

VI. NEW BUSINESS

1. 2017-306 SET A PUBLIC HEARING TO CONSIDER PROPOSED CHANGES TO CHAPTER 5: ANIMAL ORDINANCE REGARDING SPAY AND NEUTER REQUIREMENTS

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

Legislation Text

Draft Animal Ordinance Spay and Neuter 08.17.pdf

Deputy County Manager Grier introduced the item. He reviewed the recommended changes for a one time purchase of a permit to maintain unaltered animals (cats and dogs) under the proposed revisions to the Animal Ordinance. Grier noted that there is a large pet over-population crisis in Guilford County and that the Animal Services Board was tasked with providing recommendations to curb pet over-population.

Bev Levine, Animal Services Advisory Board member provided background of the proposal. Levine noted that the proposed ordinance would require that any intact animal which comes into the custody of Animal Control or Animal Shelter staff would be offered a financial incentive, in lieu of a fine to spay and neuter their pets prior to release. She noted that this provision serves as an extra tool to animal shelter and animal control officers to ensure that animals that often run at large are spay or neutered to prevent unwanted litters. She noted that the changes would not be a final solution for the pet overpopulation issues in Guilford County but they one of many steps to address the issue.

Carl Ashby, Animal Services Advisory Board member, echoed that they are looking to give animal control additional tools to encourage owners to spay or neuter their pets. He stated that we know from our history that we have had a difficult time getting citizens to take advantage of low cost/no cost spay neuter programs. He noted that if an animal comes into contact with Animal Services, there would be incentives to spay/neuter. He noted that the ordinance language is fairly straight forward and does allow certain exclusions for a permit to maintain an intact cat or dog. He reiterated that if a person's animal comes into contact with Animal Services they must either pay a fine or take measures including low cost no cost options to spay and neuter their pets prior to their return. He further stated that the County can never build a shelter large enough to facilitate the needs of the current state of the animal overpopulation problem in Guilford County.

Commissioner Conrad thanked staff for the efforts to resolve the issues, and noted that the Animal Services Advisory Board is tasked with researching these types of items. He reported that the advisory board reviewed several different policies, and noted that the proposed changes address the issues with those animals that are already in contact with Animal control, those that are running at large and are a part of the overpopulation problem. Conrad noted the need to encourage communication on spay neuter options in our community, and that there have been three initiatives brought to the Board of Commissioners in the last eight months making significant progress in animal welfare issues in our community.

Chairman Phillips thanked the members of the Animal Advisory Board for all of their efforts in addressing the animal welfare needs for Guilford County. He thanked Commissioner Conrad for his leadership.

Motion was made by Justin Conrad, and seconded by Melvin "Skip" Alston to Set a public hearing to consider adoption of the proposed changes to Chapter 5: Animal Ordinance regarding spay and neuter requirements for September 21, 2017.

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

2. 2017-244 SET PUBLIC HEARING - CITY OF HIGH POINT: CATALYST (STADIUM PROJECT) PROJECT

Set a public hearing, in accordance with N.C. General Statute 158-7.1, for the purposes of receiving public input on a request from the City of High Point that the Board of Commissioners approve a financial commitment of annual payments to the City of High Point equal to the current City of High Point property tax rate of 64.75 cents per hundred, applied against the increased tax revenue realized by the County as a result of the anticipated increase in assessed valuation on taxable property within the Stadium Influence area over a period of 20 years from the date of completion of construction of the Stadium project.

[Legislation Text](#)

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

[Proposed Term Sheet.pdf](#)

[City of High Point NC - Hybrid TIF Revenue Materials 8.24.17 \(003\).pdf](#)

Motion was made by J. Carlvena Foster, and seconded by Melvin "Skip" Alston to Set a public hearing, in accordance with N.C. General Statute 158-7.1, for the purposes of receiving public input on a request from the City of High Point that the Board of Commissioners approve a financial commitment of annual payments to the City of High Point equal to the current City of High Point property tax rate of 64.75 cents per hundred, applied against the increased tax revenue realized by the County as a result of the anticipated increase in assessed valuation on taxable property within the Stadium Influence area over a period of 20 years from the date of completion of construction of the Stadium project; to be held on September 21, 2017

Commissioner Alston spoke in support of the motion, and noted the number of unanswered questions on both sides of the debate. Alston emphasized the public hearing process as a viable means to have the issues discussed for the benefit of both High Point and Guilford County.

Commissioner Conrad echoed the opportunity for the City of High Point residents to have a forum to discuss the project. He expressed concern that a public hearing had not previously occurred with the City of High Point, and affirmed that he could not support the request of the County to provide financial support as written. Conrad stated that the financing of the project should have been a voter referendum and therefore would not support the motion. Conrad questioned some of the information provided in regard to the property tax values used for the assessed values of the target area. Conrad noted that property owned by the city, non-taxable property, is included in the tax values for the identified area. Conrad expressed frustration in the discrepancies provided in the data.

Lawing recognized that there were a number of the properties that should not be included in the final values for comparisons purposes for declining values and that the data provided was not accurate.

Commissioner Conrad noted that there were 121 properties that were included in the value total that should not have been included, thus indicating that the decreased value of 19% could not be accurate.

Lawing recognized the discrepancy, and offered an apology for the faulty data.

Commissioner Henning echoed the concerns, and stated that the initial requests were for a quarter billion dollars down to 40 Million. He expressed frustrations with staff and the figures presented. Henning relayed his disappointment and concerns that the Board continues to receive partial or inaccurate information making it very difficult to adequately assess the project and make informed decisions.

Commissioner Alston interjected a point of order and stated that the item presented before the Board is to set a date for a future public hearing.

Commissioner Cashion shared her support for setting the public hearing. She expressed her desire that the City of High Point would have provided a public hearing prior to this meeting. She noted her disappointment regarding mix of information received in the various numbers presented to the Board, and shared that she is looking forward to the City of High Point answering those questions.

Commissioner Foster stated the City of High Point recognized the need of a public hearing, and spoke in support of the project and setting a public hearing.

Vice Chair Alan Branson shared that there is a need for a public hearing on this topic. He expressed concerns with the 64.75 cent rate, and stated his desire for some room for negotiating on the level of support on this project. He expressed concerns regarding some of the feedback from High Point when the Board of Commissioners asked for information and the reluctance of the City of High Point to share information and respond to questions. He expressed concerns with the term of the request. He stated that the county continues to look at supporting High Point in its efforts to improve their economy and downtown area, but noted that the County must weigh the request for financial support with the County's obligations to supporting schools needs, social services and public safety and does not want to jeopardize those responsibilities.

Commissioner Perdue shared that hearing additional information is crucial to their ability to make a decision on the request, and noted that there are more questions than answers. He expressed interest in hearing from the citizens.

Chairman Phillips stated that this is clearly a high point initiative. He expressed disappointment that the residents of High Point have not yet received an opportunity to be heard. Phillips shared that he could not support a public hearing as he believes that the project has been presented to the Board of Commissioners out of order. Phillips expressed his disappointment that the project has financing request has been presented in the manner that it has been and urged both High Point and Guilford County staff to not prolong the process unless, the board is seriously considering the request.

Commissioner Coleman expressed the importance of the citizens to be heard when considering expenditures that impact their funds. She noted that when making such a decision to use funds for projects other than schools or other necessities, it is always good to know that if the project fails that the Citizens of High Point are willing to pay this debt based upon their input and willingness to pay this debt.

VOTE:	Motion to set public hearing carried 7 – 2
AYES:	Melvin "Skip" Alston, Alan Branson, Alan Perdue, Carolyn Q. Coleman, J. Carlvena Foster, Hank Henning, Kay Cashion
NOES:	Jeff Phillips, Justin Conrad

VII. COMMENTS FROM COUNTY MANAGER

Lawing noted that there is a memorandum before the board for the Joint Capital Facilities Committee. He noted that the committee meeting. He noted that the next steps would be to develop a scope of work for negotiations with the successful bidders. He stated that the board of education will be discussing this at their next meeting and will be providing authorization to move ahead.

Vice Chair Branson questioned if this the normal process for school projects. He questioned why we would not enter into a bid process with all three and then review the figures versus negotiating with one bidder.

Lawing stated that this is the process used by the school system and is also used for selection of engineers and architects. He stated that given that we are not asking them to design a facility, we could deviate from this selection process.

Vice Chair Branson stated that it was his understanding that a project could be produced from this project.

County Attorney Mark Payne stated that consultant work is considered a service and does not require a bid process. He stated that you are to secure the contract with the best qualified.

Finance Director, Reid Baker shared that at the September 21 meeting they will be bringing forward an action for a resolution to refund bonds. He noted that with current market assumptions the county could realize an 8M savings. Reid advised the board that additional cash flow savings based on assumptions is approximately 10M.

Chairman Phillips inquired about the next present value savings reference concerning the 8M.

Baker expounded the details of the net present value savings rate which takes into consideration the assumptions regarding the various variable interest rate fluctuations in relation to establishing the fixed rates at a current sell. Baker asserted that based on the current market assumptions, with a predicted 25 basis point annual increase in the rate up to a maximum of 3% over approximately a 12-13 year period. Baker reiterated that the County would save on the present value approximately 8.1M

Commissioner Alston questioned the starting rate projected. He questioned the range on the existing bonds. He inquired about the adjustable rate that would get us to the 8.1M variable rates. Penalty; Alston questioned the swap and if there were any penalty fees that would be assessed out of the projected savings.

Baker reviewed the various rates. He elaborated in detail of the capped funds and the availability of funds. Baker noted that even with a penalty the county would still see an 8.1M savings.

Count Payne took a moment to thank the Commissioners and staff for all the kindness expressed on the loss of his mother.

Chairman Phillips expressed additional condolences.

Commissioner Coleman inquired about two building projects in need of architect services. Coleman spoke to having an opportunity to meet with an Africa-America architect. She expressed concerns among the African-American community with a new building project that lacks MWBE involvement in their community. Coleman stated that the Rhino times reported that the reason why the County was behind schedule for the projects was the lack of MWBE participation.

Chairman Phillips noted that several African-American architects that he had met with have been noted for consideration of the projects.

VIII. COMMENTS FROM COMMISSIONERS

Commissioner Alston reported the first district 8 occurred last Tuesday and encouraged residents in his district to vote. Alston listed additional dates for future precinct organization

Commissioner Conrad spoke to those families impacted by the recent hurricanes and urged everyone to keep them in their thoughts and prayers.

Commissioner Foster thanked the Board members for their vote and spoke to recent presentation at High Point University regarding the stadium announcement.

Commissioner Cashion spoke regarding her attendance of the 20th incorporation to the Town of Sedalia. She shared her appreciation of the largely attended event and the County's presentation of a resolution. Cashion noted that she recent attended a meeting with the Sheriff's office to discuss potential program for Women particularly addressing those with substance abuse issues in NC. She stated that she attended the Chamber of Commerce State of the Community with her fellow commissioners. Cashion reported that the Sandhills state of the community meeting last week focused on the crises of services.

Commissioner Henning wished farewell to Kate Queram of N&R as she departs to new endeavors. Henning expressed gratitude for her fairness in reporting the facts.

Commissioner Perdue spoke to the warnings issued by the State for the impending storm. Perdue shared concerns expressed to him regarding the recent changes to the Guilford County Schools graduation.

Commissioner Coleman expressed thoughts and prayers to all those impacted and are scheduled to be impacted during this year's devastating hurricane season.

Vice Chair Branson echoed concerns for those impacted by the storms.

Chairman Phillips spoke to the storm and expressed that the county is working to update the staff and Commissioners with consideration to declare a state of emergency; Expressed sentiment to the families exposed to the storms; Echoed sentiments to Kate and her future endeavors;

IX. ADJOURN

By general consensus, Chairman Phillips adjourned the meeting at 7:11PM

**Motion was made by Alan Perdue, and seconded by Carolyn Q. Coleman to adopt IX.
ADJOURN**

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

Jeffrey M. Phillip, Chairman
Guilford County Board of Commissioners

Robin B. Keller
Clerk to Board