

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

Greensboro, North Carolina
October 4, 2018

The Board of County Commissioners met in a duly noticed regular meeting on October 4, 2018 at 5:30 P.M., in the Commissioners' Meeting Room, 301 W. Market St., Greensboro; North Carolina.

PRESENT: Alan Branson, Alan Perdue, Carolyn Q. Coleman, Hank Henning, J. Carlvena Foster, Justin Conrad, Kay Cashion, Mark Payne, County Attorney, Marty Lawing, County Manager, Melvin "Skip" Alston, Jeff Phillips

ABSENT: None.

ALSO PRESENT: County Manager Marty Lawing, Deputy County Manager Clarence Grier, County Attorney Mark Payne, Clerk to the Board Robin Keller, Deputy Clerk to the Board Scott Baillargeon, Tax Director Ben Chavis, Members of staff and members of the media

I. INVOCATION

Board Chaplain Ben Chavis provided the invocation.

II. PLEDGE OF ALLEGIANCE

Chairman Branson led those present in the Pledge of Allegiance.

III. WELCOME AND CALL TO ORDER

Chairman Branson called the meeting to order at 5:45 P.M.

IV. SPEAKERS FROM THE FLOOR

There being none the Chairman closed the public forum.

V. PRESENTATIONS

1. 2018-361 PROCLAIM OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

Approve proclamation declaring October as Domestic Violence Awareness Month in Guilford County

[Legislation Text](#)

Commissioner Cashion invited representatives from the Family Justice Center (FJC) to come forward to be recognized, and read the Proclamation to those in attendance.

Catherine Johnson, Family Justice Center Director, shared that on October 23, 2018 the Family Justice Center in High Point will have its grand opening event.

Chief Shultz of the High Point Police Department shared his appreciation of the Board and their worked to curtail domestic violence. He shared with pride that the victim is no longer the driving force behind criminal prosecution as police departments work in tandem with the FJC to support prosecutions.

Vice Chairman Conrad thanked commissioner Cashion for her work over the years in seeing the FJC through to a reality.

2. 2018-372 RESOLUTION TO RAISE AWARENESS FOR INFANT MORTALITY IN GUILFORD COUNTY

Approve resolution raising awareness for infant mortality in Guilford County

[Legislation Text](#)

Commissioner Foster shared her participation at the recent 8th annual walk to remember those infants who died before their first birthday. There were over 76 empty strollers at the event which represented the number of infants who have died in the last year. She shared her personal story regarding loss of her nephew at the age of five months. Foster read the resolution to those in attendance.

Myra Thompson, Transportation Director, thanked the Board for raising awareness on infant mortality.

3. 2018-350 PIEDMONT LEGACY TRAILS-RESOLUTION OF SUPPORT

Review and adopt the Piedmont Legacy Trails-Resolution of Support.

[Legislation Text](#)

[Resolution of Support](#)

[PLT Fact Sheet](#)

Vice Chairman Conrad invited representatives from the Piedmont Legacy Trails to come forward and read the resolution to those in attendance.

David Craft shared his thanks on behalf of the Piedmont Legacy Trails Group. He shared that Trails are an invaluable amenity to County residents. He shared his appreciation of the County Parks Department and the ability to work with them on the promotion of our trails.

VI. CONSENT AGENDA

Commissioner Branson asked the Board to note the addendum on the agenda.

Motion was made by Melvin "Skip" Alston, and seconded by Justin Conrad to approve VI. CONSENT AGENDA as amended.

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

A. BUDGET AMENDMENTS

1. 2018-354 RESOLUTION APPROVING AMENDING THE CITY CAPITAL FUND BUDGET AND APPROVING CITY CAPITAL FUND EXPENDITURES FROM A PORTION OF THE SEVENTY PERCENT (70%) NET PROCEEDS OF THE OCCUPANCY TAX RECEIVED BY THE GREENSBORO/GUILFORD COUNTY TOURISM DEVELOPMENT AUTHORITY FROM THE ORIGINAL GUILFORD COUNTY THREE PERCENT (3%) ROOM OCCUPANCY TAX FOR THE ADDITION OF A FOURTH POOL AT THE GREENSBORO AQUATICS CENTER

1. Approve amendment to the Greensboro/Guilford County Tourism Development Authority budget to appropriate unassigned City Capital fund balance for construction of a fourth pool at the Greensboro Aquatics Center during fiscal year 2018-2019 in the amount of \$1,000,000.00.

2. That the Guilford County Commissioners hereby approve the expenditures of existing City Capital fund balance, not to exceed \$1,000,000.00 from the above mentioned city capital fund for the purpose of constructing a fourth pool at the Greensboro Aquatics Center for the fiscal year 2018-2019.

[Legislation Text](#)

[June 2018 Balance Sheet for City Capital BOC](#)

B. CONTRACTS

1. 2018-338 CONTRACT FOR LEARNING MANAGEMENT SYSTEM (LMS)

Approve the contract for Learning Management System from Cornerstone OnDemand. Total cost for 5 years which includes initial 3 years and optional 2 additional one year extensions not to exceed \$411,192.57.

Year 1 cost to be \$ 77,450.00, Year 2 cost to be \$ 79,773.50 and Year 3 cost to be \$ 82,166.71 for total cost not exceed \$239,390.21 for the 3 years.

County will have an option to renew for 2 additional one year terms at the cost of \$ 84,631.71 for Year 4 and \$ 87,170.66 for Year 5.

Contract start date will be October 29, 2018 and ending October 28, 2021 with the option to extend for two (2) additional one (1) year renewals.

[Legislation Text](#)

[Cornerstone - Price proposal - 8-27-18](#)

[SOW - 8-27-18](#)

C. MISCELLANEOUS

1. 2018-366 APPROVE THREE (3) VOLUNTARY AGRICULTURAL DISTRICT (VAD) APPLICATIONS

Approve three (3) VAD (2018-07, 2018-08, 2018-09), applications.

[Legislation Text](#)

[2018-07](#)

[2018-08](#)

[2018-09](#)

[Updated VAD Brochure](#)

2. ~~2018-362 NC DEPARTMENT OF TRANSPORTATION REQUEST FOR ABANDONMENT OF MAINTENANCE – SR 4177 (Strickland Court)~~

~~Adopt resolution requesting Abandonment of a portion of Secondary Road (SR#4117), Strickland Court, from the North Carolina State Maintained Secondary Road System.~~

[Legislation Text](#)

[Map 1.pdf](#)

[Map 2.pdf](#)

[Petition.pdf](#)

[Plat.pdf](#)

[Resolution Request.pdf](#)

[SR 5 \(Report\).pdf](#)

ITEM 2. PULLED FROM AGENDA – ADDENDUM TO REMOVE ITEM

3. 2018-356 REQUEST REFUND OF TAX STAMPS FOR VERNON LAW

Approve the refund of \$160.00 to The Vernon Law Firm due to the overpayment of tax stamps per GS 105-228.37

[Legislation Text](#)

[Vernon Law Excise Tax Refund Request](#)

[GC Deed Bk 8083 pgs 568-570](#)

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

4. 2018-281 APPROVAL OF MINUTES

Approve following sets of Minutes, work session 09.06.18, work session 09.20.18, work session 11.14.17, regular minutes 09.20.18.

[Legislation Text](#)

[ws09.06.18 Water Feasibility Joint Meeting.docx](#)

[ws 092018](#)

[111417 WS](#)

[dm092018](#)

VII. PUBLIC HEARINGS

1. 2018-360 PUBLIC HEARING ON 5310 - ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES; 5311 - COMMUNITY TRANSPORTATION ASSISTANCE; 5307 - URBAN AREA; AND 5339 - CAPITAL APPLICATIONS FOR FY 2019-20

Conduct required public hearing to assess the value and need for a community transportation system, and upon conclusion, approve submission of the 5310, 5311, 5307, 5339 program grant applications and adopt the accompanying resolutions.

Legislation Text

FY 2020 Program Resolution 201800426

Chairman Branson provided the instructions to the public hearing process.

Myra Thompson, Transportation Director, introduced the public hearing item and noted that this was simply the County's annual grant process. She reviewed each of the grant applications noted the funding requests each department was seeking. She emphasized that upon approval the grants would be included in next year's budget.

Chairman Branson opened the floor for the public hearing.

There being no proponents the floor was opened for opponents.

There being no opponents the public hearing was closed.

A motion was made by Commissioner J. Carlvena Foster and seconded by Commissioner Hank Henning for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes 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 rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation,

reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for “purchase-of-service” projects under the Capital budget Section 5310 program.

WHEREAS, Guilford County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all 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, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the County Manager of Guilford County Board of Commissioners is hereby authorized to submit grant application (s) for federal and state funding in response to NCDOT’s calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

Motion was made by J. Carlvena Foster, and seconded by Hank Henning to approve Conduct required public hearing to assess the value and need for a community transportation system, and upon conclusion, approve submission of the 5310, 5311, 5307, 5339 program grant applications and adopt the accompanying resolutions.

VOTE: Motion carried 9 - 0

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

NOES: None

VIII. NEW BUSINESS

1. 2018-367 GREENSBORO STREETSCAPE PROJECT:715 SUMMIT AVENUE EASEMENTS

Approve, in substantial form, the requested Permanent Easement of 131 square feet, and the assignment of a Temporary Construction Easement of 296 square feet, to the City of Greensboro for \$1,875.00 and authorize staff to take all reasonable actions to finalize and execute said sale.

[Legislation Text](#)

[Summit Ave Streetscape-09192018134955](#)

Rick Mosher, Property Manager, introduced the item and discussed the request of a permanent easement for a bus pad in addition to a temporary construction easement that if approved is scheduled to start construction in the spring of 2019.

Motion was made by Kay Cashion, and seconded by Jeff Phillips to approve, in substantial form, the requested Permanent Easement of 131 square feet, and the assignment of a Temporary Construction Easement of 296 square feet, to the City of Greensboro for \$1,875.00 and authorize staff to take all reasonable actions to finalize and execute said sale.

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

2. 2018-365 CITY OF ARCHDALE CONDEMNATION - WEANT ROAD 16 INCH SEWAGE FORCE MAIN PROJECT

Approve and consent to the condemnation request and acquisitions from the City of Archdale for the portions of properties located on WEANT Road for related sewer easements across the identified properties lying in Guilford County identified in the attached map

[Legislation Text](#)

[Condemnation Packet WEANT Road](#)

[Frye Easement plan Map drawing \(002\).pdf](#)

[20180925123906832.pdf](#)

[20180925123857919.pdf](#)

[20180925123916320.pdf](#)

[20180925123924978.pdf](#)

[20180925123936271.pdf](#)

Mark Payne, County Attorney, introduced the item and stated that the City is installing a forced main along Weant Road in Archdale. The main traverses several properties beyond Archdale City limits. Because of NC Statute 153A Article 15, the request requires Board approval for the acquisition of the properties in question. Payne noted that one of the properties would be a condemnation. He called Beth Koontz to the podium to answer any additional questions.

Beth Koontz, Archdale City Attorney, reiterated the request and elaborated the easements in Guilford County that the City needs to obtain to ensure the proper maintenance the sewer line. She noted that the original line was created in the early 1980s and the new line would provide a back-up line should the first line fail. She noted the safety and environmental ramifications that have led the City to seek this request.

Chairman Branson sought background information concerning the condemnation as far the amount of footage, and inquired about the County property owner, and the reasons for why the citizen refuses to cooperate with the City of Archdale regarding this matter.

Koontz stated that she did not know the square footage of the property; however, indicated that the City of Archdale had made several attempts to work with the property owner to come to some negotiation concerning the easement on his property. She shared that after several attempts to work this dispute out with the property owner, the City has decided to seek condemnation as a final reprieve.

Commissioner Perdue questioned if the condemnation and the action across his property would have any impact on the owners' current use of the property.

Koontz noted that all of the easements traverse the front of each owner's property and therefore should not impact the use of the property in any way. She additionally stated that the City returns the property equal to, or better than, it was previously found.

Commissioner Foster inquired about how close the easement was to the eastside plant in High Point.

Koontz stated that she did not know off-hand and would need to answer that question at a later date.

Commissioner Henning questioned the condemnation process and the reasons for why the resident in opposition to the easement on his property. Henning also questioned the number of properties affected, and if there was a cost to the home owners.

Koontz shared that the City Manager has reached out to them on several occasions. She noted that the resident is not fond of governmental intrusion. The City has made efforts to work with the resident. We have completed between 22 and 25 other properties associated with this project.

Commissioner Coleman questioned if the project would increase the amount of sewage or wastewater going to the eastside High Point treatment plant.

Koontz shared that it will not, but as development occurs in Archdale, it would be anticipated to handle growth. However, the current line is at 95% and the goals are to provide secondary support for the existing line. The line is being recommended due to the current line being at the end of its useful life. The State encourages redundancies in sewer lines.

Commissioner Alston questioned the compensation to the homeowner, and asked if the compensation rate had been negotiated.

Koontz shared that it is a tax appraised rate, and the process is that we will deposit the amount with the Clerk of Court and the resident will have the option to receive the funds or dispute the rate.

Payne noted that the property owner must respond within 30 days of the date of notice of the condemnation.

Commissioner Cashion questioned if the condemnation just covered the footage needed for the line.

Koontz stated the footage needed is 10 feet wide and 160 feet long.

Motion was made by Melvin "Skip" Alston, and seconded by Hank Henning to approve and consent to the condemnation request and acquisitions from the City of Archdale for the portions of properties located on WEANT Road for related sewer easements across the identified properties lying in Guilford County identified in the attached map

VOTE: Motion carried 9 - 0

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

NOES: None

IX. HEALTH AND HUMAN SERVICES UPDATE

1. 2018-363 DHHS- DIVISION OF SOCIAL SERVICES - AGING AND ADULT SERVICES IN-HOME AIDE & ADULT DAY CARE PROGRAMS

Receive DHHS - Social Services Division information on Aging and Adult Services In-Home Aide and Adult Day Care programs.

[Legislation Text](#)

[IHA ADC BOCC presentation 102018](#)

Diane Haden, Program Manager for the Division of Adult and Aging services, reviewed the purpose of the services: maintaining individuals at home and in their community and prevent premature placement into long term care facilities. She stated that the target population is disabled adults 18 years and older their income is not a determinant; she reviewed the funding sources for the programs and the reimbursement rates the County receives through the program funding sources; she reported that they are currently serving 179 clients for In-Home Aide Services and 47 clients for Adult Day Care Services; and that they have 439 individuals on the waiting lists.

Chairman Branson thanked staff for their support of the aging community.

Commissioner Foster questioned how many Adult Day Care facilities in Guilford County.

Hagen stated that there are only four in the County.

2. 2018-364 DHHS- DIVISION OF SOCIAL SERVICES - THE STATE OF ECONOMIC SERVICES

Receive DHHS - Social Services Division update on the state of Economic Services.

[Legislation Text](#)

Myra Thompson, Transportation Director, introduced the New Economic Services Directors. She reviewed the number of applications. noted that the USDA requires a 95% timeliness when processing FNS recertification's and the County has been meeting that expectation. She shared that the County is meeting the Medicaid processing timeliness of 90% as the County has been meeting and exceeding that benchmark as well. Thompson provided an update on the departments turnover rates. Thompson noted that they do multiple promotions in the department and promotions are included in the turnover rate calculations. Thompson provided updates on each of the programs under the Economic Services Department.

Commissioner Phillips shared that he would prefer to see a five year backward looking trend for each category.

Thompson noted that food stamps and Medicaid enrollment is on the increase for Guilford County because the increased number of "working poor".

Commissioner Phillips request of the Board if this information can be provided to the Board in greater detail at a work session.

Commissioner Foster thanked Mrs. Thompson, Mrs. Grooten and Mrs. Skeens for their recent attendance at a community function honoring Social workers.

X. APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

1. 2018-348 APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Approve the listed appointments and reappointments to various Boards & Commissions as follows:

Guilford County Planning Board

Danny Thompson to the Designee District 5

JCPC

Reappoint Carie Jones - Barrow - United Way Representative

[Legislation Text](#)

[DThompson Redacted 091818](#)

[CJonesBarrow 070618](#)

Motion was made by Jeff Phillips, and seconded by Justin Conrad to approve X. APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

VOTE: Motion carried 8 - 0

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

NOES: None

2. 2018-374 EXCEPTION APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

High Point CVB

Re-Appoint Ron Barker - Small Hotels Position

[Legislation Text](#)

[Ron Barker HPCVB.pdf](#)

Motion was made by J. Carlvena Foster, and seconded by Melvin "Skip" Alston to approve Re-Appoint Ron Barker to High Point CVB - Small Hotels Position

VOTE: Motion carried 9 - 0

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

NOES: None

XI. COMMENTS FROM COUNTY MANAGER

County Manager Marty Lawing provided an update on Hurricane Florence and the County staff's involvement on the recovery. Guilford County did not have enough significant damage to qualify for public assistance. He noted that there is some possibility for individual assistance due to an apartment complex flooding but no decision has been made as of yet. Lawing reviewed staff support in various Eastern North Carolina Counties in the areas of animal services, emergency management, and social services intake support.

XII. COMMENTS FROM COMMISSIONERS

Commissioner Cashion reminded those present as to the status of this year's citizens' academy. She shared the feedback regarding the participant's appreciation of the quality of the County's staff. Cashion shared the Board's condolences to the family of previous Commissioner Bob Landreth.

Commissioner Coleman echoed her condolences to the Landreth family, and shared that she served as Mr. Robert Landreth Jr., Vice-Chairman during his last year of service. She spoke to his integrity and character and to her pleasure of having the opportunity to serve with him.

Commissioner Alston shared his fond memories of Mr. Landreth.

Commissioner Conrad thanked Mr. Ray Trapp and Chancellor Martin for the opportunity to attend the unveiling of the Innovation Mobile. He thanked Register of Deeds Jeff Thigpen and the NW Guilford High School for coming to the forefront to collect needed supplies for eastern NC.

Vice Chairman Conrad questioned if we contact the school of government for programs for school construction projects funding.

Chairman Branson shared his condolences in the passing of Mr. Landreth. He also noted several other community and family friends who also passed in the past week. He shared his appreciation of the Cooperative Extensions Innovations Mobile and the opportunity it will provide to students in our region.

XIII. ADJOURN

Motion was made by Justin Conrad, and seconded by Alan Perdue to XIII. ADJOURN

VOTE: Motion carried 9 - 0

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

NOES: None

meeting adjourned by unanimous consent at 7:01 P.M.

Chairman

Clerk