

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

Greensboro, North Carolina  
November 2, 2017

The Board of County Commissioners met in a duly noticed regular meeting on November 2, 2017 at 5:30 p.m., in the Commissioners' Meeting Room, 301 W. Market St., Greensboro; North Carolina.

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

ABSENT: None.

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

**I. INVOCATION**

Board Chaplain Ben Chavis provided the invocation.

**II. PLEDGE OF ALLEGIANCE**

Chairman Phillips led those present in the Pledge of Allegiance.

**III. WELCOME AND CALL TO ORDER**

Chairman Phillips called the meeting to order at 5:37 p.m.

**IV. SPEAKERS FROM THE FLOOR**

Marian Bradshaw, Garner North Carolina resident and LeHigh Hanson employee, spoke to her experience with rock quarries, discussed the Crabtree Quarry, and noted the strict regulation and inspection standards implemented.

Jerry Young, Roxboro resident, shared his 22-year employment experience with LeHigh Hanson, and spoke to the benefits of the quarry and the responsibility of the company.

Jimmy Mercer shared his experience with working with Lehigh Hanson, and stated that he lives across the street from the Rocky Mount Rock Quarry.

Carla Strickland, Pleasant Garden Mayor, spoke on behalf of the town's citizens sharing that the addition of the quarry would place the safety of Pleasant Garden residents and citizens in jeopardy. She stated that the quarry would cause disharmony among the community.

Anne Hice, Pleasant Garden resident, noted that her family cattle farm borders the Hanson properties. Hice presented a brochure from the Agricultural Commission, and expressed concerns with the water needed to raise a healthy cow. She expressed additional concern the number of wells on her property will be impacted by the quarry.

Kevin Cornell, Jamestown resident, spoke to an explosion deriving from a nearby quarry. He presented two large rocks that were propelled into his yard from the quarry, which caused excessive damaged to his property. He spoke to the intrusion of the quarry onto his property, and the property damage as result of the blasting.

Pastor Otis Finch, spoke to his experience with the company. Finch stated that it was an infringement of a person's right to pursuit to life, liberty, and happiness. He discussed a parable concerning the slaughtering of hog, and how the community came together to protest the act.

Pastor Cardes Brown, Pleasant Garden resident, spoke to the strength of the community to come together in protest of the proposed rock quarry.

David Robinette Sr., Pleasant Garden resident, spoke to the pattern of community and steady transition of farming to residential zoning, and addressed the plausible issue of diminishing tax growth with the approval of a quarry.

Kimbie Hall, Pleasant Garden resident, stated that her house is within 2,000ft. of the proposed quarry property, and shared her concerns regarding the health and well-being of her family should the quarry be approved. She spoke to lack of air quality monitoring around quarries and cement plants.

Anthony Hall, Pleasant Garden resident, shared his concerns regarding noise and dust caused by normal operations of a quarry. He expressed concern with the intensity and frequency as his property adjoins the Quarry property.

Ted Hall, Pleasant Garden resident, spoke to concerns with the traffic growth associated with a quarry. Spoke to the impact of farm equipment on the roads and the interaction with the truck traffic.

## V. PRESENTATIONS

### A. 2017-192 PROCLAIM NOVEMBER AS PANCREATIC CANCER AWARENESS MONTH

Legislation Text

Commissioner Conrad shared the loss of his father as result of Pancreatic Cancer and emphasized the importance of early screening and awareness of the disease. Conrad read the Proclamation declaring November as Pancreatic Cancer Awareness Month in Guilford County.

Marissa Polumbo, American Cancer Society Director, encouraged citizens to go to Cancer.org, or the American Cancer's 1-800 number. Thanked Commissioners for bringing this to everyone's attention and presenting the Proclamation.

## **VI. CONSENT AGENDA**

Chairman Phillips introduced the Consent Agenda and asked any commissioners wishing to address any item separately to please pull the items for separate consideration.

Commissioner Cashion pulled Consent Agenda Item A.1 for separate consideration

Commissioner Coleman Pulled Consent Agenda Item C.1 for separate consideration

**Motion was made by Alan Perdue, and seconded by Melvin "Skip" Alston to approve item VI. CONSENT AGENDA**

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

### **A. BUDGET AMENDMENTS**

#### ***REMOVED FROM CONSENT FOR SEPARATE CONSIDERATION***

- 1. 2017-371 DHHS- PUBLIC HEALTH DIVISION - CPR FEE INCREASE - \$10,000  
Approve an increase of \$10,000 in User Charges and increase the FY 2017-18 Health & Human Services - Public Health Division budget by the same amount to reflect the increase in fee for AHA Heart Saver cards.*

#### **Legislation Text**

**Motion was made by Kay Cashion, and seconded by Melvin "Skip" Alston to Approve an increase of \$10,000 in User Charges and increase the FY 2017-18 Health & Human Services - Public Health Division budget by the same amount to reflect the increase in fee for AHA Heart Saver cards.**

**VOTE: Motion carried 9 - 0**

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

**NOES:** None

**B. CONTRACTS**

**1. 2017-367 LIMITED USE AGREEMENT WITH U.S. MARSHAL'S SERVICE FOR JUVENILE DETENTION CENTER**

Approve, in substantial form, an interlocal agreement with the United States Marshal's Service (USMS) in the amount of \$36,600 to be effective October 1, 2017 through September 30, 2018 for a term of one (1) year.

[Legislation Text](#)

[US MARSHALS SERVICE - Guilford County Juvenile Detention Center Limited User Agreement.pdf](#)

**C. MISCELLANEOUS**

***REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION***

**1. 2017-373 SALE OF COUNTY PARK PROPERTY**

*Approve the sale of a portion of the Guilford County and Forsyth County Park property located at 220 Pratt Road in Kernersville to the North Carolina Department of Transportation for the sum of \$69,750.00, and authorize staff to take all reasonable and necessary steps to execute the sale of the property.*

[Legislation Text](#)

[Triad Park - NCDOT Project Map](#)

[Triad Park - NCDOT Summary-Contingent Offer](#)

[Triad Park - NCDOT Appraisal and maps](#)

**Motion was made by Carolyn Q. Coleman, and seconded by Alan Branson to Approve the sale of a portion of the Guilford County and Forsyth County Park property located at 220 Pratt Road in Kernersville to the North Carolina Department of Transportation for the sum of \$69,750.00, and authorize staff to take all reasonable and necessary steps to execute the sale of the property.**

**VOTE:** Motion carried 9 - 0

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

**NOES:** None

**2. 2017-372 SALE OF SURPLUS PROPERTY**

Approve the sale of surplus properties located at 1509 Elmer St, Greensboro, 135-137 Flemingfield Rd, Greensboro and 6750 R1 Monnett Rd, Climax to the current highest bidder, and authorize staff to take all reasonable and necessary steps to execute the sale of the property.

[Legislation Text](#)

[1509 Elmer Bid 10-26-10262017083258](#)

[135-137 Flemingfield Bid 10-26-10262017083347](#)

[6750 R1 Monnett Bid 10-26-10262017083428](#)

[6750 R1 Monnett GIS](#)

[1509 Elmer St GIS](#)

[135 137 Flemingfield](#)

3. 2017-369 APPROVE ONE (1) VOLUNTARY AGRICULTURAL DISTRICT (VAD) APPLICATION AND ONE (1) ENHANCED VOLUNTARY AGRICULTURAL DISTRICT (EVAD) APPLICATION  
Approve one (1) VAD application (#2017-05) owned by Carl Clayton of Summerfield, NC and one (1) EVAD application (2017-06) owned by Ronald Roberson of Julian, NC.

[Legislation Text](#)

[2017-05](#)

[2017-06](#)

[Updated VAD Brochure](#)

4. 2017-239 MINUTES APPROVAL  
Approve the following sets of Minutes:  
Work Session 10.05.17  
Regular Meeting 10.19.17

[Legislation Text](#)

[WS10.05.17.pdf](#)

[dm101917.pdf](#)

**ITEMS PULLED FOR SEPRATE CONSIDERATION**

VI. CONSENT

- A. 1. 2017-371 DHHS- PUBLIC HEALTH DIVISION - CPR FEE INCREASE - \$10,000  
Approve an increase of \$10,000 in User Charges and increase the FY 2017-18 Health & Human Services - Public Health Division budget by the same amount to reflect the increase in fee for AHA Heart Saver cards.

[Legislation Text](#)

Commissioner Cashion sought further details concerning the item, and noted the cost increase.

Public Health Director, Merle Green, spoke to a letter the County had received from the American Heart Association regarding the increase. Green stated that the cost of the card does include training and materials.

**Motion was made by Kay Cashion, and seconded by Melvin "Skip" Alston to Approve an increase of \$10,000 in User Charges and increase the FY 2017-18 Health & Human Services - Public Health Division budget by the same amount to reflect the increase in fee for AHA Heart Saver cards.**

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

- C. 1. 2017-373 SALE OF COUNTY PARK PROPERTY  
Approve the sale of a portion of the Guilford County and Forsyth County Park property located at 220 Pratt Road in Kernersville to the North Carolina Department of Transportation for the sum of \$69,750.00, and authorize staff to take all reasonable and necessary steps to execute the sale of the property.

[Legislation Text](#)  
[Triad Park - NCDOT Project Map](#)  
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[Triad Park - NCDOT Appraisal and maps](#)

Commissioner Coleman sought more information concerning the sale of the property jointly owned by Forsyth and Guilford County, and the total acreages included in the following the sale of the property. She further sought clarification concerning the distribution of the funds from the sale, and the oversight being implemented regarding the allocation of the received funds from the sale to ensure equal distribution.

Robert McNiece, Facilities/Parks and Rec/Property Management Director, stated that there is over 424 acres in the park, and spoke to the fund disbursements.

**Motion was made by Carolyn Q. Coleman, and seconded by Alan Branson to Approve the sale of a portion of the Guilford County and Forsyth County Park property located at 220 Pratt Road in Kernersville to the North Carolina Department of Transportation for the sum of \$69,750.00, and authorize staff to take all reasonable and necessary steps to execute the sale of the property.**

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

## VII. PUBLIC HEARINGS

- A. 2017-374 HOLD PUBLIC HEARING ON ECONOMIC INCENTIVE GRANT FOR PIEDMONT TRIAD FILM COMMISSION  
Hold Public Hearing in accordance with N.C.G.S. 158-7.1 for allocation of economic incentive grant for the Piedmont Triad Film Commission.

[Legislation Text  
Film Commission.pdf](#)

Upon general consensus of the Board members, Chairman Phillips reordered the public hearings to afford more time for the quarry discussion. Phillips reviewed the procedures for the public hearing.

Leslie Bell, Planning Director, introduced the item, for the Piedmont Triad Film Commission for an economic developments incentive payment for the amount of 25K for fiscal year 2017-18. The payment will be used for job creation and recruitment.

Chairman Phillips opened the floor for public comments.

Rebecca Clark, Executive Director of the Piedmont triad Film Commission, shared the contributed support from several adjoining counties to the Triad Film Commission. She emphasized that Guilford County contributes the largest sum. Clark reviewed current projects in the community and emphasized an increase of revenues due to the projects.

Chairman Phillips opened the floor for opponents, there being non the public hearing was closed.

Commissioner Cashion spoke to the appropriation of the funds with the adoption of the budget and spoke to the work being done in the region.

Commissioner Foster questioned the process and selection of the Film Commission's Board of Directors.

Ms. Clark stated that they have three seats available, and seek a full representation from the three largest cities, Winston Salem, High Point, and Greensboro. She shared that they are looking for representation from the High Point area.

Commissioner Foster asked for Ms. Clark to provide the membership of the board and the recruitment process.

Commissioner Cashion asked for a review of the budget.

Ms. Clark readily acquiesced stating that Greensboro 35K; Winston Salem 32K, Forsyth County 30K, 12K from High Point CVB, 2K from Rockingham County, 5K from Randolph County, 2K from Surry County. She stated that they continue to work on regional support.

**Motion was made by Melvin "Skip" Alston, and seconded by Kay Cashion to adopt Public Hearing in accordance with N.C.G.S. 158-7.1 for allocation of economic incentive grant for the Piedmont Triad Film Commission.**

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

- B. 2017-351 HOLD PUBLIC HEARING TO CONSIDER REZONING CASE #17-07-GCPL-03453: CU-HI-SP to AMENDED CZ-HI-SP  
Conduct required public hearing for rezoning case #17-07-GCPL-03453 to rezone approximately 351.98 acres near the corner of McClellan and Racine Road, being Tax Parcel #s 0132396, 0132538, and 0132537, just south of the town of Pleasant Garden in the Fentress Township.

[Legislation Text](#)  
[Leighigh Hanson Amended Application.pdf](#)  
[1-App\\_03453](#)  
[3-Staff Report\\_03453](#)  
[BCC Zoning Statement 03453 Nov 2 2017](#)  
[GC-Planning9-13-17amended final](#)

- C. 2017-344 PUBLIC HEARING ON 5310 - ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES, 5311 - COMMUNITY TRANSPORTATION, 5339 CONSOLIDATED CAPITAL PROJECTS AND 5307 URBANIZED AREA GRANT APPLICATIONS FOR FY2019

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 and 5339 program grant applications, and adopt the accompanying resolutions. These grants will be included in the FY 2019 Transportation Budget request.

[Legislation Text](#)  
[Transportation background for 2019 agenda item 11-2-17](#)  
[TRANSPORTATION PROGRAM RESOLUTION 2019](#)  
[Transportation Application 2019 grant](#)  
[Transportation TitleVI 2019](#)  
[Transportation ANTICIPATED VENDOR AWARDS in FY2019](#)



[Transportation Public Hearing Notice 2019 11-2-17](#)  
[Transportation PUBLIC HEARING RECORD 2019 11-2-17](#)  
[Transportation DBE GOOD FAITH EFFORTS CERTIFICATION 2019 11-2-17](#)  
[Transportation FY2018 NCDOT Consolidated Capital Call for Projects 20170706](#)  
[Transportation FY19 Comm. Trans Program grant application](#)  
[FY 19 Transportation Budget Information.pdf](#)

Myra Thompson, DHHS-Social Services Division Transportation Director, introduced the item. She noted that there a total of four grants on the agenda. Thompson reviewed the grants and that the funds go to transportation services for the elderly in rural Guilford county as well as salary and benefits and vehicle replacements. Thompson shared that the grants require opportunity for public input.

Chairman Phillips opened the floor for public hearing comments.

No Proponents or Opponents, the public hearing portion of the item was closed.

**Motion was made by Justin Conrad, and seconded by Melvin "Skip" Alston to Conduct required public hearing to assess the value and need for a community transportation system, and approve submission of the 5310, 5311,5307 and 5339 program grant applications, and adopt the accompanying resolutions. These grants will be included in the FY 2019 Transportation Budget request.**

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

D. 2017-352 HOLD PUBLIC HEARING TO CONSIDER TEXT AMENDMENT CASE #17-09-GCPL-04839 TO ADOPT REVISIONS TO THE GUILFORD COUNTY FLOOD DAMAGE PREVENTION ORDINANCE (INCLUDED AS PART OF THE GUILFORD COUNTY DEVELOPMENT ORDINANCE)  
Hold Public Hearing and request approval of Text Amendment Case#17-09-GCPL-04839 to adopt revisions to the Guilford County Flood Damage Prevention Ordinance based on the 2017 North Carolina model Flood Damage Prevention Ordinance.

[Legislation Text](#)  
[REVISION 10-4-17 Flood Damage Prevention Ordinance - Article III](#)  
[REVISION 10-4-17 ART7 - Article VII ENVIRONMENTAL REGULATIONS](#)  
[Summary of Changes\\_Flood Damage Preventin Ord\\_Nov2017](#)  
[FEMA Letter](#)  
[Ordiance Update](#)

Leslie Bell, Planning Department Director, introduced the agenda item. Bell noted that the revisions are initiated due to a requirement from FEMA in order for Guilford County to remain in the national flood insurance rate program. Bell reviewed the recommended changes

Frank Parks, Planning Engineer spoke to the details of the map changes and text amendments. Parks noted that very few if any County residents will be impacted by the changes. Branson noted that the impacted area does affect any County residents.

Chairman Phillips opened the floor for public hearing comments.

There being no opponents and no proponents, Chairman Phillips closed the public hearing portion of the item.

**Motion was made by Melvin "Skip" Alston, and seconded by Carolyn Q. Coleman hold Hold Public Hearing and request approve Text Amendment Case#17-09-GCPL-04839 to adopt revisions to the Guilford County Flood Damage Prevention Ordinance based on the 2017 North Carolina model Flood Damage Prevention Ordinance.**

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

Chairman Phillips asked for consensus to reorder the public hearings to place Public Hearings Agenda Item B. last.

**[B. 2017-351 HOLD PUBLIC HEARING TO CONSIDER REZONING CASE #17-07-GCPL-03453: CU-HI-SP to AMENDED CZ-HI-SP](#)**  
[Conduct required public hearing for rezoning case #17-07-GCPL-03453 to rezone approximately 351.98 acres near the corner of McClellan and Racine Road, being Tax Parcel #s 0132396, 0132538, and 0132537, just south of the town of Pleasant Garden in the Fentress Township.](#)

**Motion was made by Melvin "Skip" Alston, and seconded by Kay Cashion to Accept amendments to application**

**VOTE: Motion carried 8 - 0**  
**AYES: Melvin "Skip" Alston, Alan Perdue, Carolyn Q. Coleman, Hank Henning, Jeff Phillips, J. Carlvena Foster, Justin Conrad, Kay Cashion**  
**NOES: None**

Vice Chairman Branson asked to be recused from voting on the application due to his current position in the trucking industry. He shared that his families company contracts with a competitive quarry and that he currently is a business partner with LeHigh Hanson and its subsidiaries.

Chairman Phillips asked if there were any Board members who wished to express an objection to the recusal request. There being none, the Board approved the request for recusal.

Chairman Phillips reviewed the public hearing process.

Leslie Bell introduced the Agenda item, and noted that the initial application received a favorable recommendation, but pursuant to County Ordinances, did not receive a super majority and is now before the Board of Commissioners. Bell reviewed the amendment requests to the application conditions.

Commissioner Alston questioned the procedure of the amendment.

County Attorney Mark Payne stated that the Board would need to accept the amendments to the conditions. He clarified that the Board would only agree to amend the application, not to approve the conditions.

Chairman Phillips asked if it could be done by acclamation. And, he questioned if the amendments were received.

Mr. Payne stated that the Board could accept the amendments through acclamation.

Tom Terrell, legal representative for the proponents, stated that the amendments were forwarded to the parties.

Charles Winfree, legal representative for the opponents, confirmed receipt and dissemination.

Mr. Payne noted that legal adequate notice for the application amendments. He noted that the amendments were added to the packet and published online and are more restrictive than in the initial application.

Chairman Phillips opened the floor to Proponents comments.

Mr. Terrell asked the Board for approval of the application. Terrell noted that the high industrial use had been approved or affirmed three times by the Board of Commissioners. Terrell shared that the Board was previously provided with an economic impact study that illustrated up to 25 jobs and \$30M investment over 10 years. He stated that the essence of the request is incremental transitioning from Clay mining to Granite. He noted that the company has added new conditions since the Planning Board meeting. Terrell spoke to the efforts LeHigh Hanson has stated to reduce the quarry's impacts on the community by doubling the berms in height. He noted the absence of any other Guilford County quarry possessing similar restrictions and conditions. He stated that blasting is a highly evolved, highly precise, and scientifically computer-driven process. Terrell discussed the five existing quarries in the County and the lack of complaints received from citizens. Terrell stated that aggregate is 15% to 17% higher in Guilford County and an additional quarry will increase competition. Terrell reviewed various quarries. Terrell noted that they have studied the site for two years.

Rachel Kirkman with Golder Associates and licensed professional geologist, she reviewed the review of groundwater and the potential impact on nearby residential wells. Kirkman reviewed

pumping tests on the sites, and stated that data collected from the test reviewed the area of influence with the maximum area of influence after decades of mining.

Molly Chisim, NC State appraiser, reviewed appraisals of properties nearby existing quarries, and stated that quarries do not impact the market value of adjoining properties.

John Davenport of Davenport Engineering Company conducted traffic impact studies, and stated the result of the study revealed no impact to the community.

Mr. Terrell reiterated the area of influence would not be significantly impacted and does not extend beyond the shown boundary.

Chairman Phillips closed the floor to Proponents and opened it to Opponents.

Chuck Winfree, Attorney representing the citizens of Pleasant Garden, noted that the Clerk to Board has on file over 700 signatures on the petition in opposition to the development. He stated that the area is largely rural and agricultural, and the quarry is inconsistent with the area. He noted that no other Heavy Industrial exists near the property other than another LeHigh Hanson site. Winfree stated that upon initial approval of the High Industrial approval there was to be no blasting on the site, on conditions imposed in 2000. Winfree stated that the Planning Board made a commitment to the community at that time. Winfree reviewed several areas of concern including effect on nearby wells, incompatibility with the surrounding community, proposed conditions are inadequate and other environmental issues.

Alan Berry Nelson, geologist specializing in hydrology, stated that Hanson's consultants have concluded that the cone of depression would extend to certain areas, and based upon his review, the findings did not represent the actual pumping conditions that would be encountered as the quarry develops and expands both vertically and horizontally. Nelson stated that the streams are intermittent, and therefore cannot serve as natural barriers. He noted that a single well alone does not have the capacity to dewater the mine. He stated that large quantiles will need to be pumped from the mine. He outlined and emphasized that there are exist several unanswered questions, and presented his conclusions of the study.

Several residents produced a video for Board consideration in opposition to the quarry's application.

Billy Yow, former County Commissioner and owner/operator of local well company, spoke in opposition to the item.

Chairman Phillips closed the floor to Opponents and opened the floor to Proponents for a three-minute rebuttal period.

Mr. Terrell noted that County staff, the Planning Board, and the County Commissioners have identified the property as a Heavy Industrial site. He noted that conditional zoning is a common practice and everyone has the right to request rezoning of their properties. He noted the credentials of their geologies and refuted that their well testing was pumping at 150 gallons per

minute. Terrell noted that the northern streams did not use the northern streams in the model. Terrell discussed the concerns of noise and that given the distance between properties and the berms any noise would be.

Chairman Phillips closed the floor to Proponents and opened the floor to Opponents for a three-minute rebuttal period.

Mr. Nelson stated that the northern streams were arbitrarily referred to as ground water barriers, but noted the absence of a well on that side of the property.

Shawn Fitzgerald, geologist in High Point, offered his concerns with some of the findings, and spoke to concerns with respiratory silica.

Chairman Phillips closed the Public Input period, and asked that spokespeople from either side to remain near the podium for further Board inquiry.

**Commissioner Perdue proposed a motion to deny the rezoning request, seconded by Commissioner Alston with the following factors in support:**

- **That the request was inconsistent with the adopted Southern Guilford Area, and is determined that the zoning the property to the Amended CZ-HI-SP is incompatible with the surrounding areas and uses; and**
- **Despite the proposed conditions, the development is not in the public interest as it is incompatible with the surrounding property; and**
- **Some of the concerns raised at the public hearing are additional factors that support the denial.**

Chairman Phillips opened the floor for questions from commissioners.

Commissioner Conrad spoke to the concerns regarding water in the community, and noted that there have been ongoing issues with water in the Pleasant Garden area, and to the specific concerns with the private wells in the community. He asked staff to elaborate, in laymen terms, the impact to the area.

Joe Johnson, Public Health Environmental Quality, stated that staff had pulled well data on several existing quarries, and stated that they looked at replacement wells around those quarries. He stated that the County does have a hydrologist on staff who expressed concern with the northwestern portion of the quarry. Johnson spoke to the impacts to the area. He stated that it is a challenging question to answer. He stated that they did not have sufficient evidence from existing quarries to make a recommendation.

Commissioner Perdue questioned if one could predict the impact of blasting on the water table in the Pleasant Garden area.

Mr. Johnson stated that as a licensed soil scientist, there is a lot of science that goes into those predictions, but stated that there is no way to predict with certainty the overall impacts.

Commissioner Perdue spoke to lack of complaints the Board received regarding issues with existing quarries was most likely due to the fact that Board of County Commissioners has no control over those properties.

Commissioner Coleman questioned Mr. Davenport regarding the impacts to traffic, and if there was any additional remediation that could be recommended to help alleviate the overall traffic burdens such widening roads.

Mr. Davenport stated that there would not be material danger added to the traffic in the area. He noted that the site is already zoned Heavy Industrial and would create any significant difference to existing dangers. Davenport stated that there are a number of roads that would need to be widened by the Department of Transportation. He stated that they do recommend widening and improving several roads, but would first need to obtain Board approval for the quarry before proceeding to the Department of Transportation.

Commissioner Coleman questioned the citizen who spoke to the rocks. She asked how the rocks ended up in his yard. And, inquired among the experts, in the chamber, to provide an explanation for why that would occur.

Kevin Cornell, Jamestown resident, returned to share that the company stated that there was a misjudgment as to the thickness of the rocks being blasted, which propelled them into his yard.

Mr. Terrell spoke to the incident, he reviewed the blast and potential for “fly rock”, and noted the high irregularity of such an incident.

Commissioner Coleman thanked Mr. Terrell’s explanation; however, asked again if there was an expert in the room to whom could speak to the inquiry.

Matt Pelt reviewed the blasting processes, and noted that there are procedures in place that Hanson would implement to prevent the phenomena of “fly rock” from occurring. He spoke to the procedures and different equipment used to mitigate such phenomena.

Commissioner Coleman questioned the strength of the blasting at the Granite site.

Toby Lee, Regional Manager of LeHigh Hanson, addressed the question of granite mining similar to what the other local mines being used at. He stated that the types of blasting at Barton would be similar at the Hanson site.

Commissioner Coleman spoke to several citizens that had travelled to Raleigh, and asked if they would step forward to address their conversation.

Eric Preston, Pleasant Garden Resident, shared that they went to Raleigh to review the Hanson site, and stated that they went to the neighborhood behind the site. He stated that the neighbors shared that the quarry did not affect them from that distance, but that they could hear the sirens.

Mr. Winfree noted that the berm in Jamestown is 50 feet high, and the berm under consideration is projected to only be 20 feet high.

Commissioner Alston addressed Mr. Terrell if he had had any communication with the school system regarding the bus routes that travel on HWY 62.

Mr. Terrell stated that they had consulted with a traffic engineering company instead. He stated that Davenport Engineering conducted a bus stop study over a five-year period. He stated that their findings illustrate that there had not been an accident during that time.

Commissioner Alston questioned if any future plans to expand HWY 62.

Mr. Terrell stated that there are future plans to expand; however, noted that there are already trucks sharing the road with the busses on 62. He calculated that there would be an additional 143 trucks, but noted that at two trips per day equates to 286 total trips per day.

Commissioner Cashion questioned how the traffic count was determined.

Mr. Davenport reviewed the process of a traffic impact analysis. He noted that his company did contact Guilford County schools to review all of the stops, accidents, bridges, and roadway widths. Davenport reviewed the data comparable to the quarry impacts near other schools.

Commissioner Cashion questioned if there were onsite traffic counts.

Mr. Davenport reviewed the counting reviews.

Commissioner Cashion questioned if farm equipment was included in the review.

Mr. Davenport confirmed that they did.

Commissioner Cashion questioned the conditions provided by Mr. Terrell. She noted that the blasting is expected 7-6 p.m. Monday through Friday. She questioned the additional operations outside of these hours.

Mr. Terrell stated that it is standard practice that quarry business closes at the end of the day.

Mr. Owens stated that the company closes at the end of the business day. He stated that in his experience his quarry closes at 5:00 p.m. and the quarry goes quiet.

Mr. Winfree responded that there is no limitation on operations to cease at 5:00 p.m.

Commissioner Conrad spoke to the concerns regarding water he asked staff their opinion. He stated that he had done his due diligence on the quarry in his district, and addressed the concerns regarding water. He stated that he was an ardent advocate for private property, and requested the expert opinions of staff.

Gene Mao, County staff Hydrogeologist, stated that there could be an impact to the wells on the northwest side of the property.

County Manager Marty Lawing spoke to concerns regarding water impact to adjoining properties, and stated that there were two potential properties that could be impacted. Lawing added that per the County's review, there was a lack of data to show the significant impact near quarries. Lawing stated that they are not able to conclude that those wells adjacent to the quarry that were replaced were related to the quarries.

Commissioner Perdue asked if the water conditions are the same in every area of the County.

Mr. Nelson stated that the groundwater conditions are not consistent on any given site. He stated that there are fractures in the fracture rock are very unpredictable.

Commissioner Perdue questioned the Davenport study concerning every road leading into and out of the quarry.

Mr. Davenport stated that they had studied all roads, and determined that the only road that went to the quarry was Racine Road.

Commissioner Coleman spoke to concerns regarding the dissemination of information to the Board. She questioned why County staff had not tested the land in question in order to provide a neutral opinion on the site.

Mr. Lawing stated that would be very unique to have the County to incur the costs of drilling wells to render an opinion, and emphasized that a third opinion would be superfluous.

Commissioner Cashion spoke to the other areas of County well data, and inquired if those areas experienced water quantity issues similar to that in Pleasant Garden.

Mr. Johnson shared that well yields vary greatly across properties, but stated that no substantial data exists to indicate any one region as more problematic than another.

Chairman Phillips questioned the current use conditions of clay mining, and the condition of the property.

Mr. Winfree stated that nothing has happened on the property since 2000.

Commissioner Conrad requested that staff be in touch with Ms. Anne Hice regarding several questions she had had.

Chairman Phillips questioned the model used by LeHigh Hanson, regarding asphalt and concrete.

Mr. Winfree stated that the parent company of LeHigh Hanson is Heidelberg Construction, the parent company to LeHigh Hanson, historically add to include concrete and/or asphalt.



Chairman Phillips inquired about the addition of multiple products being produced and the impact to the community overall.

Mr. Terrell stated that the application before the Board is only for granite mining. He stated that it is possible for additional zoning request, and that the matter before the Board is to approve granite mining, but additional future requests would not be precluded.

Chairman Phillips questioned the additional conditions for clarification concerning the future production of concrete and asphalt on the property.

Mr. Terrell noted that some of the conditions were discussed at the planning board, other conditions were a result of a listening process as they have discussed with residents and commissioners and planning board to addresses concerns.

Chairman Phillips questioned process if adjoining property owner has issues with wells how to become a participant in the program listed in the conditions.

Mr. Terrell reviewed the process, and spoke to the concerns.

Commissioner Henning stated his position throughout the week concerning risk, and spoke to the staff's recommendations to the Board.

Commissioner Cashion shared her concerns that while the company has made additional conditions to accommodate the community, and noted that Hanson does not appear to address all of the stated issues that would assuage the concerns of the citizens.

Chairman Phillips spoke to his observations about the quarry. He noted that he did not receive any emails or letters from a Pleasant Garden resident in support of the quarry.

Commissioner Foster thanked the Hanson Group and the citizens who traveled to High Point to share information on the site.

**Motion was made by Alan Perdue, and seconded by Melvin "Skip" Alston to deny Not consistent with conditional use zoning, incompatible with surrounding area and usages, not in the public interest.**

**VOTE: Motion carried 8 – 0**

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

**NOES: None**

The Board recessed at 9:23 p.m.

The Board reconvened at 9:39 p.m.

Commissioner Coleman left the meeting at 9:39 p.m.

### VIII. HEALTH AND HUMAN SERVICES UPDATE

#### A. 2017-370 DHHS - DIVISION OF SOCIAL SERVICES CHILDREN'S SERVICES UPDATE

Receive DHHS - Division of Social Services update on Children's Services' licensing and recruitment efforts and NC FAST.

#### Legislation Text

Sharon Barlow, Social Services staff, shared that NC Fast for child welfare is two months into its implementation. Barlow provided an update on foster care recruitment. Barlow reported that they have hired a second recruiter. She noted the additional licenses of foster homes and a steady increase in new licensing applications.

#### B. 2017-356 DHHS - DIVISION OF SOCIAL SERVICES ADOPTION PROMOTION PROGRAM FUND

Appropriate \$189,000 in Federal/State Revenues and increase the FY 2017-18 Health & Human Services - Social Services Division budget by \$189,000 to account for additional available revenue from FY 2018 Adoption Promotion Program funds.

#### Legislation Text

Myra Thompson, Transportation Director, reviewed the agenda item, and spoke to the additional revenue due to the increase in adoptions.

Chairman Phillips inquired about the carryover from the previous year.

Mrs. Thompson stated that those funds were carried over from year to year, and the numbers reflect that carryover.

**Motion was made by Melvin "Skip" Alston, and seconded by J. Carlvena Foster to Appropriate \$189,000 in Federal/State Revenues and increase the FY 2017-18 Health & Human Services - Social Services Division budget by \$189,000 to account for additional available revenue from FY 2018 Adoption.**

**VOTE: Motion carried 8 - 0**

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

**NOES: None**

### IX. APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

- A. 2017-243 APPOINTMENT AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS  
Approve appointments and reappointments to various boards and commissions.

[Legislation Text](#)

[TOliver App 101917 2 Redacted](#)

[JVaripapa Application Redacted](#)

**Motion was made by Melvin "Skip" Alston, and seconded by Alan Perdue to Approve appointments and reappointments to various boards and commissions.**

**VOTE: Motion carried 8 - 0**  
**AYES: Melvin "Skip" Alston, Alan Branson, Alan Perdue, Hank Henning, Jeff Phillips, J. Carlvena Foster, Justin Conrad, Kay Cashion**  
**NOES: None**

**X. COMMENTS FROM COUNTY MANAGER**

County Manager Lawing recommended scheduling a work session for November 14, 2017 to discuss the following items: MWBE Update, Architects and Engineering Requirements, the Family Justice Center – High Point Expansion, and a Capital Project Update.

Chairman Phillips recommended that the work session be set from 1-3 p.m.

Mr. Lawing noted that the NAACP would like to host its annual conference in Guilford County in 2019.

Commissioner Coleman returned to the meeting at 9:49 p.m.

Mr. Lawing provided an update with the contract with the Humane Society for the operation of the SPOT mobile, and shared that the first event will take place next week. 11/10, at 8:30 a.m., on South English Street.

Chairman Phillips mentioned cancelling the November 16, 2017 Regular Meeting, and noted that a secondary work session would need to be set to evaluate direct reports.

**XI. COMMENTS FROM COMMISSIONERS**

Commissioner Henning shared that the Colfax Fire Department received an award for the Highest Rating for a North Carolina Department.

Commissioner Alston asked if the County had any employees making less than \$15.00 per hour wage. Alston asked for a listing of those positions and a cost in what would be needed to raise those salaries, and questioned the speakers from the floor policy.

Mr. Lawing indicated that the County does have employees making less than a \$15.00 per hour wage, and would provide a list of those positions.

Commissioner Coleman asked for some discussion on policies.

Commissioner Conrad offered all present a Pancreatic Cancer Awareness bracelet.

Commissioner Cashion shared her attendance of the anniversary luncheon of the Evans Blount Clinic. She spoke to the event and the presentation provided, and thanked Merle Green and DHHS – Public Health, for her continued efforts.

## **XII. ADJOURN**

Board adjourned by unanimous consent at 10:04 p.m.

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Chairman

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Clerk