

**MINUTES OF BOARD OF COUNTY COMMISSIONERS  
OF GUILFORD COUNTY  
WORK SESSION**

Greensboro, North Carolina  
January 16, 2020

The Board of County Commissioners met in a duly noticed Work Session at 2:00PM in the Blue Room located on the first floor of the Old County Courthouse, 301 W. Market St., Greensboro, NC.

**PRESENT:** Chairman Jeff Phillips, presiding; Vice Chairman Alan Perdue (in at 4:09) Commissioners Kay Cashion, J. Carlvena Foster (in at 3:32pm), Melvin “Skip” Alston and Alan Branson, Justin Conrad and Hank Henning.

**ABSENT:** Commissioners Carolyn Q. Coleman,

**ALSO PRESENT:** County Manager Marty Lawing; County Attorney Mark Payne; Deputy County Manager Clarence Grier; Clerk to Board Robin Keller; Jessica Wolfe, Deputy Clerk to Board; Finance Director Harley Will Various County staff, members of the public and members of the media.

**I. Welcome and Call to Order**

Chairman Phillips welcomed all present and call the meeting to order at 2:21PM. He thanked everyone for the patience in starting the meeting a few minutes late.

Chairman Philips noted the change in the agenda order that moving the update on progress of the Unified Development Ordinance to first on the agenda.

**II. New Business**

County Manager Lawing introduced the item. He shared that the goal is to make it more user friendly and make it easier to interpret. He shared that staff has made good progress.

Kay Graybeal, Deputy Director of Planning, introduced Chad Steering, Consultant out of Raleigh.

Mr. Steering stated that the project started over a year ago and reviewed the project timeline. He shared that all planning documents should have public engagement. He reviewed the various public input opportunities such as community tours, stakeholder interviews, public open houses, and website updates as a few of the efforts they have made. Mr. Steering

thanked the members of the UDO steering committee and their efforts to shepherd this process.

He reviewed the project website located at [www. GuilfordUDOUupdate.com](http://www.GuilfordUDOUupdate.com) which is available for the public to follow. He reviewed formatting changes and general reorganization, with goals to weed out inconsistencies and redundancies.

Mr. Steering noted the Rock Creek Consent Judgement that is not in the current ordinance that was created in the late 80s which will be added to reduce confusion.

Mr. Steering reviewed the use table and new individual standards. He reviewed some of the development standards, such as parking standards, which were difficult for staff to enforce. He spoke to changes made to landscape standards making it easier for staff to administer and the public to understand. He spoke to the changes in the sign ordinances and to subdivision and street section recommendations and changes, and changing minor subdivisions from 4 to 5 lots, and maintained the ability to do flag lots.

Steering spoke to the rules for public access points for public formatted subdivisions. He spoke to access points for multi-family units. He noted updates in terminology with best practices and processes consistent with North Carolina General Statutes. He reviewed the next steps and recommendations to be made by the planning board and submission to the Board of County Commissioners. He noted that they are recommended that for a period of time (1-year) there would be dual ordinances to allow the public to understand and adhere to the new changes.

Commissioner Branson shared that his goal is to make these ordinances business-friendly. He spoke to inconsistencies he has seen in the current ordinances and questioned the changes in the Rock Creek area.

Planning and Development Director Leslie Bell stated that they have made modifications to the ordinances, to incorporate those Rock Creek standards into the ordinances, and added items such as storm water. He spoke to the state regulations, which had been updated to provide flexibility, but those same changes were not made in the local ordinances. He stated that we tried to increase the flexibility of our local ordinances to evolve with state statutes.

Commissioner Cashion questioned if Trebic was represented on the committee. Marlen Sanford confirmed support of the UDO. She stated that they are very pleased and feel that this is going to be in the best interest of our building community.

Chairman Phillips questioned the timeline for a final document.

Mr. Steering stated that they are estimating late spring early summer.

Chairman Phillips thanked the committee and staff for their great work and their efforts to ensure that Guilford County is successful.

Alston questioned the one-year grace period utilizing two ordinances and any major changes that could occur that would be detrimental as we move forward.

Mr. Steering stated that a lot of the issue is codifying things that are already being done. He stated that a one-year grace period is not required but is a recommendation of staff leaving some flexibility to grandfather items that may have started but not yet completed during the transition.

Bell stated that if adopted, it would be in effect immediately. He stated that if someone is coming in under the new document, but if there is something under the old document that would get them through. With the goal not hold up development.

Payne stated that the goal is to have a standardized process for what should be grandfathered and what should not be grandfathered.

Branson emphasized again that the first goal should be: business friendly.

## **B. Discuss Guilford County Schools Master Facility Plan and Funding Options**

### **1. School Bond Referendum Principle Options**

County Manager Lawing shared that there is a lot of information to be shared, including the County's capacity to repay the debt, and which projects the Board of Commissioners and Board of Education want to be accomplished.

He introduced David Sheetwood, the County's Financial Advisors from First Tryon, who will present the funding options.

Chairman Phillips welcomed and introduced school board member Winston McGregor and School CFO/COO Angie Henry who are present at the meeting.

Mr. Sheetwood provided a brief overview of the presentation and funding scenarios that he will present to the board and reviewed the funding model that was used.

Mr. Sheetwood discussed four scenarios between 700 Million and 1 Billion that they have provided three level of funding options. He shared the assumptions of the analysis, including that the board would issue over 3 periods, first being in 2022, 2024 and 2026.

He noted that the assumed principle structure is a 20-year level principle, with assumptions of any premium on the bond sale would be used to pay the interest in the first couple of years. Sheetwood noted that the key assumptions include the County maintaining a Triple A Bond rating. He stated that the two later scenarios they used current rates plus 1.5%. He shared the value of a penny that was considered at 5.2M, and a ¼ cent sales tax at 19 Million per year with an annual growth rate of 1.5%.

Mr. Sheetwood reviewed the first scenario of 700M with no sales tax but would require a 1.99 cent property tax increase; with the ¼ cent sales tax there is no additional property tax, and with a ½ cent sales tax there is no property tax increase. Mr. Sheetwood went on to review the funding models for 800 Million and 900 Million issuances. Noting that starting at a 900 Million rate and up, a property tax would be required even if a ¼ cent sales tax passed.

Mr. Sheetwood reviewed the fifth scenario, with an additional referendum to pass at the end of 8 years that another 800Million in November 2028 would require a 2.50 cent property tax increase.

He shared the existing school related debt structure, with some capacity and debt rolling off in 2023/24 and some additional debt roll off in 24/25, which would help to absorb the spike in debt if a school bond is passed.

Phillips questioned the assumptions. He shared the need to include debt service and potential debt services.

Alston questioned if we need to consider debt now, or something that would be on the table two years from now.

Phillips stated that they are suggesting a 6-year period of time that the county would need to be aware of large projects not on the County's Capital Improvement Needs Plan and that those anticipated costs should be included as well.

Branson stated that some of this information is on already the CIP. He stated that there are 40Million in County facilities needs. With some county parking decks in particular, in great need of repair.

Lawing confirmed that no more than 40 Million is on the current CIP, which would cover parking decks, and phase II of EMS. He stated that we have some maintenance needs, but you shouldn't issue bonds to replace maintenance and HVAC issues.

Alston, questioned if the 40 M is needed for this year's budget; or was he talking about capital improvements over a longer period of time.

Phillips noted that while it would not be included in a bond, we should be considerate of any tax increase in addition to the bond to cover both County responsibilities as well as School Capital needs.

The board discussed various outcomes of the models.

Phillips noted that all examples would require a property tax increase if the ¼ cent sales tax does not pass.

Mr. Sheetwood stated that the property tax increases would be held to cover the debt repayments in the next fiscal years. He stated if you held the property tax increase until fiscal year 2023, you

would need more later, as you would not be getting the benefit of the interest of the full 2 cents immediately.

Alston, questioned if the sales tax is passed, how long would it take to implement and receive those funds?

Lawing shared that we will get into that detail in the next presentation.

Lawing questioned how the reserve accumulates and why. He noted that we are proposing to use the bond premium to collect interest to pay the debt service.

Sheetwood reviewed the recommendations of deferred principle for one year and using the interest to begin paying the interest when the debt repayment spikes.

Phillips questioned the risks from the assumptions of using those premiums.

Sheetwood shared that our bonds are sold competitively. He stated that the County's practice has been to use that premium to pay interest. Which has helped the county in the past. He stated that it is not required to be used that way.

## **2. Bond Referendum Process/Schedule**

Finance Director Harley Will, reviewed the authorization to issue General Obligation Bonds based on the County's full-faith and credit and taxing power.

He reviewed that a bond referendum, must be part of a general election, be in an even number year, and all precincts in the County must be open.

He stated that ballot wording must include purpose of the bonds, maximum amount of the bonds, states the taxes that will be levied to meet the obligation and effective dates.

Will shared that we are required to publish a notice to the LGC by March 9, 2020 with the drop-dead date being July 27, 2020.

He shared that the School Board will need to adopt the resolution petition for issuance of bonds by March 10, 2020. He noted that we need to begin working with the Board of elections in July, as we are now using paper ballots and the drafts of the language will need to go to the publishers.

Vince Roberts, Budget Analyst, reviewed local option sales tax referendum. He noted that August 3<sup>rd</sup> would be the date to notify State Board of Elections to include advisory referendum on the primary election.

Roberts reviewed local options adoption across the state.

Phillips questioned Ms. Sanford in her role with the Chamber as to the status of the ½ cent local bill.

Sanford stated that the bill has passed the house, but is sitting in Senate Rules Committee and would be eligible for the short session starting in April. She stated that there is an option to sign onto a local bill with Cabarrus county. She cautioned that often times tax matters do not pass during election years.

Foster in at 3:32PM

The board discussed the challenges in the ¼ cent sales tax that does not allow County's add language on the ballot to commit those funds to any project.

The Board discussed limitations of the sales tax language and the movement on the ½ cent sales tax bill.

Lawing stated that within the current rules, we would ask all the jurisdictions to pass a resolution supporting the ½ cent sales tax local option.

Commissioner Alston questioned the County's revaluation scheduled in 2020, urging that that we not go rate neutral as there was a clear need for those tax revenues.

Lawing stated that hopefully the overall base would increase, but we have not made that assumption yet. Lawing stated that we can run an analysis on a 5% increase. Which would be a little over 5 Million per year.

Alston, questioned if we moved revaluations every 4 years instead of every 5 years, if the more frequent assessments would be beneficial.

Lawing stated that it was probably less than 5Million in added revenue the last time we assessed.

Lawing reviewed that the next steps are to start reviewing projects next week with the joint committee as to which projects were priorities and how they match up with the models.

Phillips urged the commissioners to follow up with any questions.

Commissioner Cashion questioned when the committee would have a number to bring back to the Board of Commissioners. Cashion stated until we get that number recommended, we really don't know what we need. She shared that the committee needs to present a figure.

Alston shared that the recommendation should come from the school board; or even an at large citizen committee.

Phillips stated that there may come a time where the lifespan of the joint capital committee may have run its course, then it falls to the Board of Education to consider what the request will be.

Winston McGregor noted that there are 2 Billion dollars worth of needs. She shared that the consultants and the staff along with the committee are working through the prioritization.

Phillips noted that the collaboration of the committee has been historic, and we have come a long way. This is a very big decision that both boards are going to be making.

Marlene Sanford shared that it has not gone unnoticed the collaborations of the school board and board of commissioners has been one of the best things that could have been done for this community. She stated that if you want a successful campaign to be run for a sales tax promotion time is of the essence.

Chairman Phillips called a recess at 4:00PM

Board reconvened at 4:04PM

### **C. School Security Options Discussion**

Chairman Phillips introduced the company Absolute Defense, whose mission is to design and implement hardening strategies that save life and property.

He introduced Annie Trent. Ms. Trent thanked the board for the opportunity to speak regarding school safety needs.

Tonya Cockman spoke to history of the company and reviewed her passion and experiences with needs for security. She reviewed their company's recent clients both governmental and private including NSA, DoS, FBI, DoD.

Perdue in at 4:09PM

Former Judge Patrice Hennit spoke on behalf of the need for immediate action in hardening our school security.

Kevin Renn with Absolute Defense, shared his credentials with the Board. He reviewed the goals and mission of the company. He reviewed how they work with communities and businesses to set goals and security priorities.

Ashley Powell, Team member shared the need for a shift in the approach in how security is considered, and that the community needs to take precautions to prevent, deter and prepare for school violence. She recommended a comprehensive and sustainable plan for each school and that the Guilford community can no longer delay taking actions.

Phillips noted that the County needs to understand the status of the Schools RFP for school safety consultants. He shared his concerns that the county allocated funds for these services two years ago and no action has been taken to date. He shared that school security cannot wait until a school bond is put on the ballot in November.

Commissioner Cashion questioned school staff present as to where they are with the allocation and planning for safety in our schools.

Winston McGregor stated that she was not informed of the agenda item and not prepared to speak to this topic.

Angie Henry shared that they have issued the purchase order for the study and once that work is done, then they would do an RFQ for the design work.

Cashion questioned how the group would propose hardening the older schools.

Renn stated that working with the schools and working with best practices they would ensure that any recommendations made are moving strategically down the road for long term solutions.

Phillips questioned the safety tiers.

Kevin Renn stated that there are 4 tiers within the system from simplest measures to high level fingerprint scanning, and advanced technology.

Conrad questioned if this group has had an option to meet with GCS staff.

The company stated that they met with Mr. McCully last year, but noted that they had not provided them the PASS (Partner Alliance for Safer Schools) document which is a recent addition to their education portfolio. One of the items they were waiting for was the school schematics to be completed to provide better advice.

Conrad questioned the first steps.

Staff stated that they would walk each school, and talk with the staff and the teachers and begin an interview process.

Conrad questioned a projected process for an assessment.

They stated that it would be 3 months. As we are a local company and we are fully invested in this community. Our children go to these schools.

Conrad, noted that a member of our Board who has been in public safety his entire career. He shared that there are many things that do not cost anything. Such as staff documenting what is actually taking place. He noted that this board has addressed the need to improve communications, in order to call for help and address a problem. The study helps to visualize how big this problem is and how to we address them. The CAD studies that we have been waiting on for 4-5 years just came in. These are priorities in our schools. While we have made some limited progress, but the best thing about taking a systematic approach is that we are all working together and moving in the same direction.

Conrad questioned what the costs of an initial assessment would be.

April stated that wake County and Charlotte have already done these assessments. She noted that they normally charge between \$5,000 - \$7,000 per school but would work with Guilford County as it is a shame that they do this across the nation, but we have not addressed the issues in our home town.

Carlvena Foster asked what the County role is regarding school security contractors and if are taking the lead on the project.

Phillips stated that we have \$9.4 Million for school safety unappropriated right now. Phillips stated that if the county decides to take the lead, he would be comfortable with that decision, but we cannot do it without the school board. Phillips noted that he does not know what the schools are doing right now. He stated that all he is aware of is that we are well over 1.5 years for appropriations of funds for this purpose and we have seen no movement.

Branson stated that it is concerning in his opinion that we are moving so sluggish given the status of the needs and state of the nation.

### **III. Other Business**

No other business was added to the agenda.

### **IV. Hold Closed Session pursuant to N.C.G.S. 143-318.11 (a)(6) for the purpose of reviewing and considering employee contracts and evaluations.**

The board convened into closed session by unanimous consent at 4:45PM

Board entered closed session at 4:54PM

The Board reconvened into open session at 5:05PM

There being no further business, the Board adjourned the meeting by unanimous consent at 5:06 PM.

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Jeff M. Phillips, Chairman

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Robin B. Keller Clerk to Board