

AGENDA

DAVIDSON COUNTY BOARD OF COMMISSIONERS

August 9, 2011

7:00 PM

Commissioners' Meeting Room
Governmental Center – 913 Greensboro Street
Lexington, North Carolina 27292

- A. CALL TO ORDER AND WELCOME
- B. INVOCATION
- C. PLEDGE OF ALLEGIANCE
- D. RECOGNITION – Special Recognition for Finance
- E. REGISTER FOR PUBLIC ADDRESS
- F. ADOPTION OF AGENDA
- G. PUBLIC ADDRESS
- H. PUBLIC HEARING
 - 1. Budget Ordinance for Astran Drive CDBG Sewer Project
 - 2. Rezoning Requests
 - 3. 2011 Justice Assistance Grant (JAG)
- I. ITEMS FOR DECISION/INFORMATION – **CONSENT**
 - 1. Minutes
 - 2. Budget Amendments by Zeb Hanner, Assistant County Manager
 - 3. Tax Report of Refunds by Joe Silver, Tax Administrator
 - 4. Year End Disclosure Statement by Joe Silver, Tax Administrator
 - 5. Declaration of Surplus Property by Dwayne Childress, Purchasing Director
 - 6. JCPC Appointments and Reappointments
 - 7. Adult Care Home Community Advisory Committee Appointment
 - 8. Inspections Progression Plan Revision by Jim Tysinger, Human Resources Director
 - 9. Condemnation of Property Authorization by Chuck Frye, County Attorney
 - 10. Re-location of Board of Elections
- J. ITEMS FOR DECISION/INFORMATION – **DELIBERATION**
 - 1. Discussion of Euthanization of Animals at Animal Shelter by Commissioner Cathy Dunn
 - 2. Piedmont Triad Rural Planning Organization (PTRPO) MOU by Guy Cornman, Planning and Zoning Director
 - 3. Firing Range Bid Award by Dwayne Childress, Purchasing Director
 - 4. Viper Tower by Terry Bailey, 911 Communications
- K. CLOSED SESSION – Real Property
- J. ADJOURNMENT

NOTE: Anyone with disabilities who needs an accommodation to participate in the meeting should notify the County Manager's Office at 336-242-2202 at least 24 hours prior to the meeting.



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

July 6, 2011

Sam Watford
Board Chairman
Davidson County
PO Box 1067
Lexington NC 27293-1067

Dear Mr. Watford:

We are pleased to notify you that your comprehensive annual financial report for the fiscal year ended **June 30, 2010** qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

The Certificate of Achievement plaque will be shipped to:

Jane S. Kiker
Finance Director

under separate cover in about eight weeks. We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release is enclosed to assist with this effort. In addition, details of recent recipients of the Certificate of Achievement and other information about Certificate Program results are available in the "Awards Program" area of our website, www.gfoa.org.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,
Government Finance Officers Association

Stephen J. Gauthier, Director

Technical Services Center

SJG/ds



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

07/06/2011

NEWS RELEASE

For Information contact:
Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **Davidson County** by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

Jane S. Kiker, Finance Director

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

COMMISSIONERS' AGENDA

Date: August 9, 2011

Exhibit: _____

ITEM: H.1. Public Hearing for Astran Drive Budget Ordinance for Sewer Project

ITEM INFORMATION: The Board will conduct a public hearing to receive public input on the Astran Drive Sewer Project and Budget Ordinance.

ACTION TO BE TAKEN: Open public hearing and close public hearing.

**Grant Project Budget Ordinance
For
Davidson County, NC
2010 CDBG Infrastructure Grant Project # 10-C-2186
Astran Drive Sewer Extension Project**

Be it ordained by the Board of Commissioners of Davidson County, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, this grant project ordinance is adopted, as follows:

Section 1: Project Identification

The Astran Drive Sewer Extension Project, authorized by this ordinance, involves the construction of a new low-pressure sewer extension for the Astran Drive neighborhood just south of Denton in an unincorporated section of the County. The project will allow the elimination of as many as twelve failing septic systems in this area, which provide a health and environmental problem. At the completion of the project Davidson County intends to transfer the sewer improvements constructed under the grant to the Handy Sanitary District as provided for in the project's Funding Construction, Ownership and Operation Agreement signed by both parties and submitted with the grant application.

Section 2: Authorization to Proceed

This ordinance authorizes the Davidson County Board of Commissioners, as well as the County's professional staff and any consultants procured by the County, to proceed with implementation of the Astran Drive Sewer Extension Project within the scope of the budget presented in this ordinance.

Section 3: Anticipated Project Revenues

It is expected that the revenues listed in the table below will be available from various project partners, including the County and Handy Sanitary District, to complete activities under the Astran Drive Sewer Extension

Project, and by this ordinance, the funds listed from the County in the table below are appropriated.

Project Activity	Budget Amount		
	CDBG Funds	County Funds	Total Funds
Sewer Improvements	227,240	0	227,240
Grant Administration	20,000	12,500	32,500
Consultant Services	18,500	12,500	31,000
Project Advertisements	1,500	0	1,500
Total	\$247,240	\$12,500*	\$259,740

* Handy Sanitary District will reimburse Davidson County for this expense as provided for in the project’s Funding Construction, Ownership and Operation Agreement signed by both parties and submitted with the grant application.

All of these funds are expected to be invested in the implementation of the Astran Drive Sewer Extension Project, and Davison County does not expect to realize any revenues from this project.

Section 4: Financial Reporting:

The County Manager is directed to require the project grant administrator to provide quarterly reports on the implementation and financial status of the Astran Drive Sewer Extension Project to the Davidson County Board of Commissioners.

Section 5: Relationship to Annual Budget

The County Manager is also directed to include an analysis of past and future costs and revenues for this grant project in each annual budget submitted to the Board of Commissioners for as long as the project is active and this ordinance remains in effect.

Section 6: Use of Unexpended Funds

Any funds appropriated for this grant project by this ordinance, which remain unexpended at the completion of the project, shall be reserved by the Board of Commissioners for use as provided by applicable state and Federal laws and regulations.

Section 7: Use of This Ordinance

Copies of this grant project ordinance shall be made available to the County Manager and Finance Director to provide direction in expending funds for this project.

Adopted by the Davidson County Board of Commissioners this the 9th day of August 2011.

Signed:

_____, Date _____
Chairman of the County Commissioners

Attest:

_____, Date _____
County Clerk

The following Commissioners voted for the passage of this ordinance:

The following Commissioner(s) voted against the passage of this ordinance:

TO: Robert Hyatt, Davidson County Manager

FROM: Ray Manieri, All American Associates, Inc.

RE: Astran Drive CBDG Project Items for Board of Commissioners Meeting August 9

I am providing the accompanying digital files related to the Astran Dr. CDBG sewer project. These provide copies of the various plans and policies relating to the project, which will be presented for approval to the Davidson County Board of Commissioners at the Board's August 9 meeting. After approval and signing by the Board Chairman, I would like to get these back for submission to NC DCIA or inclusion in the project file for review by the grant monitor. I am providing brief information about each item below.

A. Public Hearing for Budget Ordinance:

I have suggested that the Board of Commissioners hold a public hearing to provide an opportunity for the public to comment on the adoption of a Project Budget Ordinance for the Astran Drive CDBG project. The public hearing was properly advertised (see the attached copy of the advertisement) on Thursday, July 28. The NC Division of Community Investment and Assistance requires the adoption of a budget ordinance for the project. To satisfy Mr. Hill, however, I cannot cite a specific regulation requiring a public hearing prior to the adoption of project budget ordinance. It is something I always recommend, as I believe that it is consistent with HUD's policy to provide opportunities for public input, and its just good policy to provide such an opportunity at the adoption of a project budget. I believe that the project grant monitor will look for this and, that the County cannot err by providing too much opportunity for public comment.

B. Specific Approvals/Adoptions for the Meeting Agenda:

The Board of Commissioners will need to approve and adopt the following NC DCIA required items. Adoption can be accomplished in one motion, but the meeting minutes should reflect that each specific item was adopted. The Chairman will need to sign and date each item.

(1) Project Budget Ordinance:

This is a specific plan for use of the grant funds. The County is required to provide a match of 5% of the grant amount, which in the application was rounded to \$12,500. Handy Sanitary District has agreed to pay this cost to the County.

(2) Citizen Participation Plan:

This is an NC DCIA template, which describes how the County will allow public participation in the project during its term.

Ray Manieri
310 Folly Farms Cr.
Mount Airy, NC 27030
336-710-3356
manieri1234@yahoo.com

(3) Equal Employment Opportunity Plan:

This is an NC DCIA template, which describes the County's plan for complying with equal employment opportunity regulations during the project.

(4) Fair Housing Plan:

The County must adopt a Fair Housing Plan for the term of the project. This describes the activities and schedule for completing activities that County will engage in to "affirmatively further fair housing" during the grant. The activities included represent the minimum the state will accept. The grant administrator will implement the activities and grant funds will pay the costs. This plan is based on an "Analysis of Impediments to Fair Housing Choice", which the County is required to adopt, and which I am completing and expect to submit to the Board for adoption in September.

(5) Procurement Plan:

This plan will govern procurement for the project. It includes all the required CDBG references, etc., and will be accepted by the grant monitor. Purchasing Director Dwayne Childress has reviewed this plan.

(6) Relocation and Anti-Displacement Plan:

Even though this is a sewer project and will not involve any relocation or displace anyone, NC DCIA still requires the County to adopt such a plan. Grant monitors will approve this.

(7) Section 3 Plan:

The County is required to "the fullest extent possible" ensure that qualified low-income persons and business owned by such persons and other Historically Underutilized Businesses have an opportunity to participate in any jobs and business opportunities arising from the project. The plan is an NC DCIA template. The addendum is the specific plan that the County would follow and is the minimum the state will accept.

(8) Language Access Plan and Four-Factor Analysis:

All federal funding recipients must now have an approved LAP. This plan should describe the number of Limited English Proficiency (LEP) persons in the County, the type and number of contacts the County expects, how it will provide interpretation and translation services if necessary, and how it will collect and report on the provision of such services. This plan is an NC DCIA template and not related to just the Astran Dr. Project and its activities. It is an ongoing plan, which the County should implement and relates to all County activities. I do not believe that this plan requires the County to do much more than it already does in the area of providing language assistance services, other than collecting and reporting information. The County's Purchasing Director has

reviewed this plan. As required, I have already submitted the plan for pre-approval by the NC DCIA Compliance Office, and, I have been advised that it is acceptable.

(9) Section 504 Transition Plan:

Due to the County's receipt of the Astran Dr. grant, the County Human Resources Department must complete a self-survey designed to determine the County's level of compliance with Section 504 of the federal *Rehabilitation Act of 1973*. Section 504 relates to prohibition of disability-based discrimination. Any compliance deficiencies need to be covered in a Transition Plan, which the County will implement. I completed the survey with the Human Resources Director and his staff. The County needs to address three areas to be fully compliant with Section 504.

- Arrange for TDD telephone service to allow communication by the hearing-impaired
- Develop a policy with procedures to ensure the timely processing of disability-based discrimination complaints
- Develop a policy with procedures to ensure the timely processing of requests for a disability-based accommodation and determining whether such a request might impose an undue financial and administrative burden on the County.

I have developed the attached items and reviewed them with the Human Resources Department:

- Section 504 Transition Plan (This does not actually require Board approval but the adoption of the accompanying policies would)
- Policy and Procedures for Resolution of Complaints Alleging Disability-Based Discrimination
- Policy and Procedures for Determining Undue Financial and Administrative Burden Related to Responding to Requests for Accommodation Based on Disability
- Accompanying Complaint and Request Forms
- A Resolution adopting the policies

I recommend that the Board of Commissioners adopt the attached policies with the resolution.

Davidson County
CITIZEN PARTICIPATION PLAN
Astran Dr. Sewer Extension Project
CDBG Grant Project # 10-C-2186

This plan describes how **Davidson County** will involve citizens in the planning, implementation and assessment of the Community Development Block Grant (CDBG) program. The funds must be used for projects, which benefit low and moderate-income persons and aid in the elimination and prevention of slums and blight. The program is intended to assist governments in understanding neighborhood improvement programs. The regulations give ultimate responsibility for the design and implementation of the program to local elected officials and also require that citizens be given an opportunity to serve in a key advisory role to these elected officials.

SCOPE OF CITIZEN PARTICIPATION

Citizens will be involved in all stages of the CDBG program, including program implementation, assessment of performance, and design of changes in the Citizen Participation Plan. There will be three (3) general mechanisms for their involvement:

1. To serve as an advisory committee to the project;
2. To attend or hold public hearings or community meetings; and
3. To provide individual citizen efforts in the form of comments, complaints or inquiries submitted directly to the Program Administrators or designated Town official.

PROGRAM IMPLEMENTATION

Citizen participation in program implementation will occur primarily through consultation with **Davidson County**. Citizens will be asked to review and comment on specific guidelines for approved projects. They will also meet to review any program amendments, budget revisions and program modifications. All such changes will be discussed with the **County** and their comments considered prior to taking action. If program amendments require approval from the North Carolina Department of Commerce, a public hearing shall be held specifically on the amendment. Citizens may also be involved in implementation of projects specifically requiring citizen participation, such as self-help projects. Their roles will be defined as the project develops. Technical assistance will be available as needed.

PROGRAM ASSESSMENT

Program assessment activities by citizens will occur in a variety of ways. A performance hearing will be held thirty to sixty (30 to 60) days prior to the start of planning for the next program year. The Program Amendment will be asked to provide citizen commentary for the Grantee Performance Report.

As a part of the orientation to the program offered at the public hearing, citizens will be invited to submit comments on all aspects of program performance through the program year. Comments should be submitted in writing to **Davidson County Manager**. He will respond in writing within ten (10) days. If the response is unsatisfactory, the complainant should write directly to **Chairperson of the Davidson County Board of Commissioners**. He shall respond within ten (10) days.

If the citizen is still dissatisfied, he/she should write to the NC Department of Commerce, Division of Community Assistance, 4313 Mail Service Center, Raleigh, NC 27699-4313, Attention: Citizen Participation Matter. Program staff will also be available during normal business hours to respond to any citizen inquiries or complaints at 919-571-4900.

The Citizen Participation Plan will be subject to annual review and proposed revision, to occur in the period between the performance hearing and the public hearing on the subsequent year's application.

TECHNICAL ASSISTANCE

Technical Assistance will be provided to citizen organizations and groups of low/moderate income persons or target area residents upon request to **Davidson County**. Such assistance will support citizen efforts to develop proposals, define policy and organize for the implementation of the program. It is expected that such assistance will be provided directly to the citizens in response to their request.

Assistance could be provided in the form of local presentations, informational handouts, research of a specific issue or other short-term efforts.

PUBLIC INFORMATION

The **Davidson County** will also undertake public information efforts to promote citizen participation. These efforts will include the following:

1. Public Notice of all Public Hearings will be published in the non-legal section of the local newspaper at least ten (10) days before the scheduled hearing. These notices will indicate the date, time, location and topics to be considered. These notices will also be made available in the form of press releases, as a public service announcement to local radio stations and will be provided to churches within the target area of distribution.
2. Orientation Information will be provided at the first public hearing. The Program Administrator(s) will make a presentation which covers: (a) the total amount of CDBG funds available and the competitive basis for award; (b) the range of eligible activities; (c) the planning process and the schedule of meetings and hearings; (d) the role of citizens in the program and (e) a summary of other program requirements, such as the environmental policies, fair housing provisions and contracting procedures.
3. A Public File containing program documentation will be available for review at the ULG Office during normal business hours. Included will be copies of the Application, Environmental Review Record, the Citizen Participation Plan and the Annual Performance Report. Other program documents are also available for citizen review on request at the ULG Office consistent with applicable State and local laws regarding personal privacy and obligations of confidentiality.
4. Public Hearings an interpreter will be provided for all non-English speaking individuals and/or deaf individuals.

ADOPTED, this the 9th day of August, 2011.

Chairperson, Davidson County Board of Commissioners

Davidson County

10-C-2186
(Grant number)

Equal Employment and Procurement Plan

Davidson County maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.

In furtherance of this policy, **Davidson County** prohibits any retaliatory action of any kind taken by any employee of the locality against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

Davidson County shall strive for greater utilization of all persons by identifying previously underutilized groups in the workforce, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunity and affirmative action measures is hereby assigned to the *County's* Human Resources Director to assist in the implementation of this policy statement.

Davidson County shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports, as requested, on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the *Chairman of the Board of Commissioners*.

Davidson County is committed to this policy and is aware that with its implementation, the **County** will receive positive benefits through the greater utilization and development of all its human resources.

Adopted this 9th day of August 2011.

Chairman, Davidson County Board of Commissioners

ATTEST:

(Clerk)

Recipient's Plan to Further Fair Housing

Grantee: Davidson County

Recipient's Address: 913 Greensboro St.,
Lexington, NC 27292

Contact Person: County Manager

Contact Phone #: 336-242-2000

Contact Email:

Robert.Hyatt@DavidsonCountyNC.gov

TDD #: To be Established

I. Indicate if the Recipient will be affirmatively furthering fair housing for the first time or has implemented specific activities in the past.

First Time _____

Past Activities _____

II. Identify and analyze obstacles to affirmatively furthering fair housing in recipient's community. (Use additional pages as necessary)

This Fair Housing Plan is based on the findings and recommendations conducted for Davidson County's 2011-2015 Analysis of Impediments to Fair Housing Choice, a large part of which was completed at the time this plan was developed, but which has yet to be adopted and submitted by the County for approval. There are believed to be few violations of fair housing requirements under Title VIII of the Civil Rights Act of 1968 within the unincorporated areas of Davidson County within which Davidson County Government has jurisdiction. It is believed that most property owners, lenders and real estate sales and management agencies are aware of and abide by these regulations in the sale, rental, and the financing of real estate purchases in Davidson County. The biggest obstacles to the exercise of fair housing choice in Davidson County is believed to be the lack of knowledge about fair housing requirements by County residents, especially low-income, and African-American and Hispanic residents. For this reason, the County plans to implement the educational program described below.

III. Will the above activities apply to the total municipality or county?

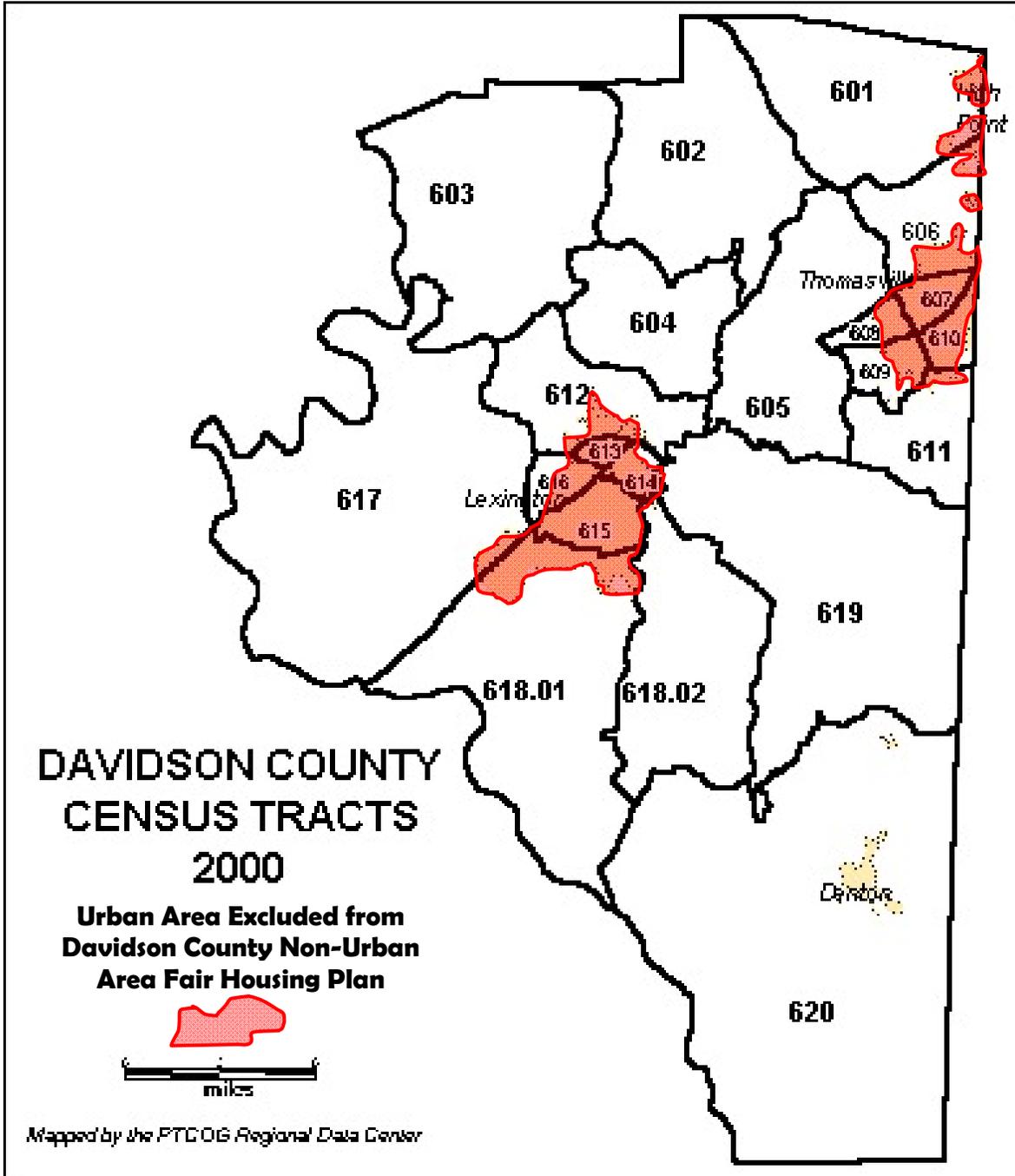
Yes _____

No _____

If no, provide an explanation.
(Use additional pages as necessary)

These activities will only apply to non-urban area of Davidson County outside of the boundaries of the cities of Lexington and Thomasville and High Point, which intrudes into a small portion of northeastern Davidson County. The map below defines this area.

Non-Urban Davidson County Fair Housing Plan Map



Such an application is appropriate because Davidson County has no jurisdiction inside these municipalities and the cities have their own Analyses of Impediments to Fair Housing Choice, their own human relations commissions, and their own Fair Housing Plans. The remainder of the County also has a very different demographic, income, and housing profile and, therefore, different housing issues than these urban areas.

IV. Briefly describe the quarterly activities that the recipient will undertake over the active period of the grant to affirmatively further fair housing in their community. A time schedule and estimated cost for implementation of these activities must be included. Activities must be scheduled for implementation at least on a quarterly basis. (Use attached table)

Quarterly Fair Housing Activity	Months	Year	Estimated Cost	Actual Cost
Project 1st Quarter: Sponsor Fair Housing Fair at Lexington Public Library	3 rd Q	2011	\$200	
Project 2nd Quarter: Publish general fair housing information and the complaint procedure with TDD # in local newspaper.	4 th Q	2011	\$200	
Project 3rd Quarter: Distribute fair housing pamphlets and posters from the North Carolina Human Relations Commission to local lenders, realtors, libraries and the county governmental complex.	1 st Q	2012	0	
Project 4th Quarter: Sponsor general fair housing information and complaint procedure add with TDD # on local radio station.	2 nd Q	2012	\$100	
Project 5th Quarter: Publish general fair housing information and the complaint procedure with TDD # in local newspaper.	3 rd Q	2012	\$200	
Project 6th Quarter: ; Distribute fair housing pamphlets and posters from the North Carolina Human Relations Commission to local lenders, realtors, libraries and the county governmental complex.	4 th Q	2012	0	
Project 7th Quarter: Sponsor general fair housing information and complaint procedure add with TDD # on local radio station.	1 st Q	2013	\$100	
Project 8th Quarter: Publish general fair housing information and the complaint procedure with TDD # in local newspaper.	2 nd Q	2013	\$200	
Project 9th Quarter: ; Distribute fair housing pamphlets and posters from the North Carolina Human Relations Commission to local lenders, realtors, libraries and the county governmental complex.	3 rd Q	2013	0	
Project 10th Quarter: Sponsor general fair housing information and complaint procedure add with TDD # on local radio station.	4 th Q	2013	\$100	

V. Describe recipient's method of receiving and resolving housing discrimination complaints. This may be either a procedure currently being implemented or one to be implemented under this CDBG grant. Include a description of how the recipient informs the public about the complaint procedure. (Use additional pages as necessary)

- 1) Any person or persons wishing to file a complaint of housing discrimination in the **County** may do so by **informing the County Manager** of the facts and circumstance of the alleged discriminatory acts or practice.
- 2) Upon receiving a housing discrimination complaint, the **County Manager** shall acknowledge the complaint within **10 days in writing** and inform the Division of
of
Community Assistance and the North Carolina Human Relations Commission about the complaint.
- 3) The **County Manager** shall **offer assistance** to the Commission in the investigation and reconciliation of all housing discrimination complaints which are based on events occurring in the **County**.
- 4) The **County Manager** shall **publicize** in the local newspaper, with the TDD#, who
is the local agency to contact with housing discrimination complaints.

Approved By:

Chairman of Davidson County
Board of Commissioners

Signature

Date

**Davidson County
Assessment of the Need for Limited English Proficient
(LEP) Linguistic Services and Language Access Policy
Plan**



**Prepared for Davidson County
By
Ray Manieri, All American Associates**

Adopted by the Davidson County Board of Commissioners, August 9, 2011

Section I: Introduction

A. Receipt of CDBG Grant Triggers Language Access Plan Requirement:

Davidson County recently received a 2010 Community Development Block Grant (CDBG) award from the North Carolina Division of Community Investment and Assistance (NC DCIA). The grant provides funds to extend a sewer line to a low to moderate-income neighborhood on Astran Drive, and rid the neighborhood of failing septic systems. CDBG funds are federal revenues provided to NC DCIA by the US Department of Housing and Urban Development (HUD), which NC DCIA in turn distributes to local governments.

To ensure that grant recipients are compliant with Title VI of the Civil Rights Act of 1964, as well as with Executive Order 13166 issued on August 11, 2000, NC DCIA now requires its grant recipients to assess the language assistance needs of English Limited Proficient (LEP) persons in its general service population. If the LEP target audience is large enough, the lesser of 5% of the grantee's population, the grantee must adopt a Language Access Plan (LAP), based on that assessment, which details how they will provide language assistance services to LEP persons.

The requirement to perform an assessment and develop an LAP relates to US Department Justice (DOJ) and HUD legal interpretations that failure to provide adequate assistance to LEP persons could be a violation of the Title VI prohibition against discrimination based on national origin. Now, all federal departments and agencies providing federal funding assistance to state and local governments must require the recipients of federal financial assistance to make reasonable efforts to provide language assistance to ensure meaningful access for LEP persons to the recipient's programs and activities.

B. County LEP Responsibilities:

To fulfill this requirement Davidson County must do the following:

1. Conduct a Four-Factor Analysis; Self-Assessment:

This self-assessment should be reasonable, flexible and fact-dependent. It should balance the need to ensure meaningful access by LEP persons to critical services, while not imposing undue financial burdens on small businesses, small local governments, or small nonprofit organizations. The initial step in developing an LAP involves the conducting an individualized assessment, or Four-Factor Analysis, which balances the following four factors:

a) Number of LEP Persons:

The initial component of the Four-Factor Analysis involves developing an understanding of the number or proportion of LEP persons eligible to be served or likely to be encountered within the County's population. A large number or portion of

LEP persons within the general population, at least five years or older, indicates a need for language assistance services. Federal guidance considers a substantial LEP population, which has to be served, to be the lesser of 1,000 persons or 5% of the population five years of age and older.

b) Frequency of Contact:

A completion of the Four-Factor Analysis also involves determining the frequency with which LEP individuals are likely to come in contact with the programs and services offered by the County. The more frequent the contact with a particular language group, the more likely it is that the County will need to provide enhanced language services in that language. It is also advisable to consider the frequency of different types of language contacts. For example, frequent contacts with Spanish-speaking people who are LEP may require certain assistance in Spanish. Less frequent contact with different language groups may suggest a different and less intensified solution. If a LEP person accesses a program or service on a daily basis, a recipient has greater duties than if the same person's frequency of contact with a recipient's program or activity is unpredictable or infrequent. Notwithstanding, recipients should consider whether appropriate outreach to LEP persons could increase the frequency of contact with LEP language groups.

c) Importance of Contact:

The Four Factor Analysis also examines the nature and importance of the programs, activities, or services provided by the County to the lives of LEP individuals. As a rule of thumb, the more important the activity, information, service, or program, or the greater the possible consequences of the contact to the LEP individuals, the more likely language services are needed. The County should determine, therefore, whether denial or delay of access to services or information could have serious implications for the LEP individual.

d) Resources Available:

The final component of the Four-Factor Analysis involves identification of the resources (dollars and personnel) available to ensure the provision of language assistance to LEP individuals participating in the County's programs and/or activities. The level of resources and the costs may have an impact on the nature of the language assistance provided. Smaller recipients with more limited budgets are not expected to provide the same level of language services as larger recipients with large budgets. In addition, reasonable costs may become unreasonable, when the costs substantially exceed the benefits derived from provision of language assistance services. Reduction of costs for language services can be accomplished by such options as the use of technology (such as sharing through the internet, telephonic language lines, etc.); the sharing of language assistance materials and services among and between recipients, advocacy groups, and Federal grant agencies, and reasonable business practices. The County should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns.

2. Develop a Language Access Plan (LAP):

Based on the outcome of the Four-Factor Analysis or assessment, Davidson County must develop a Language Access Plan (LAP). This plan should address the following issues:

- Identification of the LEP target audience
- Description of the language assistance services to be offered
- Description of the policies and procedures, which will be used to provide services
- Record keeping and documentation
- Staff development and training
- Compliance procedures, reporting, and monitoring
- Complaint resolution

Section II: Four-Factor Analysis

Completion of this self-assessment will provide information to Davidson County elected officials and professional staff about the magnitude of the need for language services within its population, the appropriate target audience for such services, what services should be provided, and how these services should be provided. Information gathered during the self-assessment process will form the basis of the County's LAP.

This self-assessment takes the form of the Four-Factor Analysis suggested in Department of Justice (DOJ) and Department of Housing and Urban Development (HUD) guidance on LEP compliance. The approach examines four issues related to the LEP situation and is designed to assist in developing a balanced assessment. The four factors examined include the following:

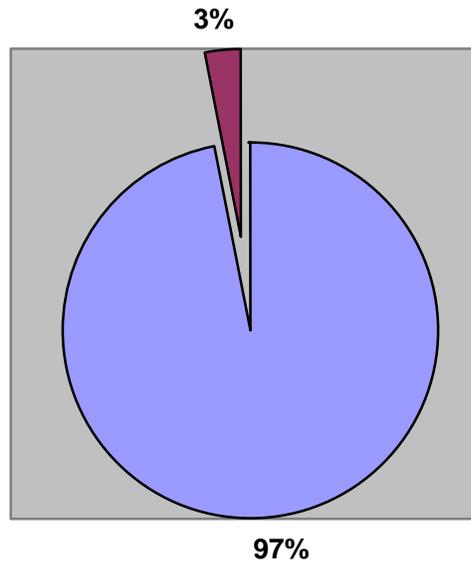
A. Number or Proportion of LEP Persons:

Of Davidson County's 2009 population of 156,033, 145,969 were at least five years old.¹ Of this population, 92.9%, or 135,740, spoke only English at home, but 7.1%, or 10,229, spoke some other language at home.² Of this group of persons, not speaking English at home, 47%, or 4,810 spoke English less than "very well". These 4,810 persons that spoke English less than very well amounted to only 3.2% of the 145,969 people in Davidson County 2000 population five or more years of age. Therefore, language might be a barrier to obtaining meaningful access to programs and activities conducted or services or information provided by Davidson County for about 3% of the population five years old or older.

¹ 2005-2009 American Community Survey, Davidson County, accessed at www.factfinder.census.gov.

² Ibid.

Percent of Population Speaking English Less Than Very Well



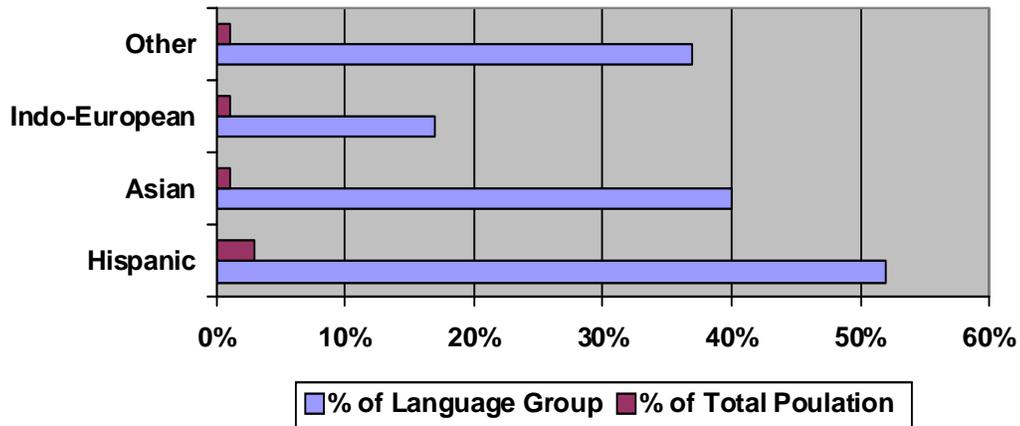
■ Speak English Very Well
 ■ Speak English Less Than Very Well

The majority of the 4,810 individuals at least five years of age in Davidson County for whom language might be a barrier to obtaining meaningful access to programs and activities conducted or services or information provided by the County are Hispanic.³

Non English Speaking Language Group	# Persons 5+ Years Old	# Speaking English Less Than Very Well	% Language Group Speaking English Less Than Very Well	% Persons 5+ Years Old (145,969)
Hispanic	7,903	4,126	52%	3%
Asian	1,100	444	40%	<1%
Indo-European	1,066	181	17%	<1%
Other	160	59	37%	<1%
Total	10,229	4,810	47%	3%

³ Ibid.

Language Group Percentage of Not Speaking English Well



Although LEP individuals account for only 3% of the general population over five years of age, this number amounts to 4,810 persons, a significant LEP population for which Davidson County must develop a plan to assist.

B. Frequency of LEP Person Contact:

Davidson County believes that four of its departments are the most likely points of contact for its interaction with LEP, primarily Hispanic individuals. Such contact is likely to come through the Davidson County Health and Social Service Departments, as the County's growing Hispanic, low to moderate-income community seeks access to services and programs offered by these departments. Contact may also occur through the County Human Resources Department as LEP persons may apply for jobs with the County. Finally, contact may occur through the Davidson County Sheriff's Office, if LEP persons are victims or perpetrators of criminal activity. The County estimates that over the course of a year, that it may have contact with as many as 3,000 LEP persons.

C. The Nature and Importance of the Program, Activity, and Services Provided:

These contacts are of a serious and important nature. They involve the receipt of monetary, food, shelter, medical and physical protection benefits for LEP individuals involved, as well as their families. Denial or delay of access to services or information could have serious implications for the LEP individual.

D. Resources Available and Cost Benefit:

Davidson County has reasonable financial resources with which to provide language access service. The County's 2011-2012 General Fund Budget is \$118.2 million, and its Ability-To-Pay, ranked at 81st by the North Carolina Department of Commerce, places

it among the top 20% of North Carolina Counties. The County believes that for a reasonable annual expense it can provide to provide adequate language services to its LEP population. From this expenditure, Davidson County will accrue compliance with Title VI of the Civil Rights Act of 1964, and to the fullest extent possible ensure that LEP persons seeking services, benefits, and information from the County will be provided with language services adequate to access the desired services, benefits, and information through a non-discriminatory process.

Based on the completion of the above Four-Factor Analysis, Davidson County has developed and adopted the following Language Access Plan.

Section III. Language Access Plan

4-1

Davidson County

The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by Davidson County must take adequate steps to ensure that their policies and procedures do not deny or have the effect of denying LEP individuals with equal access to benefits and services for which such persons qualify. This Policy defines the responsibilities the agency has to ensure LEP individuals can communicate effectively.

This policy and plan is effective September 30, 2010.

Scope of Policy

These requirements will apply to the Davidson County (herein referred to as "the agency") including subcontractors, vendors, and sub-recipients.

The agency will ensure that LEP individuals are provided meaningful access to benefits and services provided through contractors or service providers receiving sub-grants from the agency.

Definitions

- A. Limited English Proficient (LEP) individual – Any prospective, potential, or actual recipient of benefits or services from the agency who cannot speak, read, write or understand the English language at a level that

permits them to interact effectively with health care providers and social service agencies.

- B. Vital Documents – These forms include, but are not limited to, applications, consent forms, all compliance plans, bid documents, fair housing information, citizen participation plans, letters containing important information regarding participation in a program; notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance, and other outreach materials.
- C. Title VI Compliance Officer: The person or persons responsible for compliance with the Title VI LEP policies.
- D. Substantial number of LEP: 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the agency and speak a primary language other than English and have limited English proficiency.

Providing Notice to LEP Individuals

- A. The agency will take appropriate steps to inform all applicants, recipients, community organizations, and other interested persons, including those whose primary language is other than English, of the provisions of this policy. Such notification will also identify the name, office telephone number, and office address of the Title VI compliance officer(s).

List the current name, office telephone number and office address of the Title VI compliance officers:

Dwayne Childress
913 Greensboro St.
Lexington, NC 27292
336-242-2030

(Note: The agency must notify the DCA compliance office immediately of changes in name or contact information for the Title VI compliance officer.)

- B. The agency will post and maintain signs in regularly encountered languages other than English in waiting rooms, reception areas and other initial points of contact. These signs will inform applicants and beneficiaries of their right to free language assistance services and invite them to identify themselves as persons needing such services.

Identify areas within the agency where these signs will be posted:

Reception areas at:

- Davidson County Health Department
- Davidson County Social Services Department
- Davidson County Human Resources Department
- Davidson County Administration Building

C. The agency will include statements of the right to free language assistance in Spanish and other significant languages in all outreach material that is routinely disseminated to the public (including electronic text).

D. The agency will also disseminate information in the following manner:

(Describe how information will be disseminated. This may include, but not be limited to dissemination of pamphlets explaining the rights in this policy).

Information will be disseminated in public hearing announcements, in job applications, and on the County web site.

Provision of Services to LEP Applicants/Recipients

A. Assessing Linguistic Needs of Potential Applicants and Recipients

1. The agency will assess the language needs of the population to be served, by identifying:
 - a. the language needs of each LEP applicant/recipient
 - b. the points of contact where language assistance is needed; and
 - c. The resources needed to provide effective language assistance, including location, availability and arrangements necessary for timely use.
 - d. Other (*describe*):

2. Determining the Language Needs of the Population to be Served

The agency is responsible for assessing the needs of the population to be served. Such assessment will include, but not be limited to the following:

- a. The non-English languages that are likely to be encountered in its program will be identified.

- b. An estimate of the number of people in the community for whom English is not the primary language used for communication will be completed and updated annually. To identify the languages and number of LEP individuals local entities should review:
 - i. census data
 - ii. school system data
 - iii. reports from federal, state, and local governments
 - iv. community agencies' information, and
 - v. data from client files
 - vi. Other (*specify*):
- c. The points of contact in the program or activity where language assistance is likely to be needed will be identified.

3. Determining the Language Needs of Each Applicant/Recipient

The agency will determine the language needs of each applicant/recipient. Such assessment will include, but not be limited to the following:

- a. At the first point of contact, each applicant/recipient will be assessed to determine the individual's primary language.

Check all methods that will be used:

- multi-language identification cards, a poster-size Language list or the use of "I speak" peel-off Language identification cards for indicating Preferred languages
- English proficiency assessment tools, provided they can be administered in a manner that is sensitive to and respectful of individual dignity and privacy
- Other (describe):
- b. If the LEP person does not speak or read any of these languages, the agency will use a telephone interpreting service to identify the client's primary language.
- c. Staff will not solely rely on their own assessment of the applicant or recipient's English proficiency in determining the need for an interpreter. If an individual requests an interpreter, an interpreter will be provided free of charge.

A declaration of the client will be used to establish the client's primary language.

- d. When staff place or receive a telephone call and cannot determine what language the other person on the line is speaking, a telephone interpreting service will be utilized in making the determination.
- e. If any applicant/recipient is assessed as LEP, they will be informed of interpreter availability and their right to have a language interpreter at no cost to them with a notice in writing in the languages identified in Section C. Provisions of Written Translations.

A. Provision of Bilingual/Interpretive Services

- 1. The agency will ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English speaking population. The provision of bilingual/interpretive services will be prompt without undue delays. In most circumstances, this requires language services to be available during all operating hours.

(Describe whether the agency has bilingual staff, and if so, how many and in what Sections/Programs/Divisions, whether the agency uses contractual services to meet this requirement, whether the agency relies on telephone interpreter services, etc.)

To provide the required effective bilingual/interpretive services Davidson County contracts with contracts with an external provider, Language Line Services.

- 2. The agency will provide language assistance at all level of interaction with LEP individuals, including telephone interactions.

Describe how this requirement will be met: The County will contract with Language Line Services to provide this service.

- 3. *(Note: The agency may use paid interpreters, qualified bilingual employees, and qualified employees of other agencies or community resources. Telephone interpreter services should only be utilized as a back-up system, or where other language assistance options are unavailable.)*

3. Interpreter Standards

- a. Those providing bilingual/interpretive services will meet the linguistic and cultural competency standards set forth

below. The agency will ensure that interpreters and self-identified bilingual staff, have first been screened to ensure that the following standards are met before being used for interpreter services:

- i. Can fluently and effectively communicate in both English and the primary language of the LEP individual
- ii. Can accurately and impartially interpret to and from such languages and English
- iii. Has a basic knowledge of specialized terms and concepts used frequently in the provision of the agency's services
- iv. Demonstrates cultural competency
- v. Understands the obligation to maintain confidentiality
- vi. Understands the roles of interpreters and the ethics associated with being an interpreter

Describe how the agency ensures the competency of bilingual staff and interpreters: The County contracts with Rosario, Inc. a private consultant to provide this service

- b. When staff members have reason to believe that an interpreter is not qualified or properly trained to serve as an interpreter, the staff member will request another interpreter.

4. Using Family Members or Friends as Interpreters

- a. Applicants/recipients may provide their own interpreter; however, the agency will not require them to do so.
- b. The agency will first inform an LEP person, in the primary language of the LEP person, of the right to free interpreter services and the potential problems for ineffective communication. If the LEP person declines such services and requests the use of a family member or friend, the agency may utilize the family member or friend to interpret only if the use of such person would not compromise the effectiveness of services or violate the LEP person's confidentiality. The agency will monitor these interactions and again offer interpreter services, if it appears there are problems with this arrangement.
- c. The agency will indicate in the LEP individual's file that an offer of interpreter services was made and rejected; that the individual was informed of potential problems

associated with using friends or family members and the name of the person serving as an interpreter at the LEP individual's request.

- d. Only under extenuating circumstances shall the agency allow a minor (under the age of 18 years) to act temporarily as an interpreter. The agency will keep a written record of when it has used a minor as an interpreter, and this information will be shared with the DCA upon request.
5. The agency will **not** require the applicant/recipient to pay for bilingual/interpretive services.

A. Provision of Written Translations

1. The agency must provide written materials in languages other than English where a substantial number or percentage of the population eligible to be served or likely to be directly affected by the program needs services or information in a language other than English to communicate effectively.
2. Translation of Vital Documents
 - a. The agency will ensure that vital documents for locally designed programs are translated into Spanish.
 - b. When DCA forms and other written material contain spaces in which the local entity is to insert information, this inserted information will also be in the individual's primary language. When such forms are completed by applicants/recipients in their primary language, the information must be accepted.
 - c. If, as a result of the local language assessment, it appears there are a substantial number of potential applicants or recipients of the agency (defined as 5% or 1,000 people whichever is less) who are LEP and speak a language other than Spanish, the agency will translate and provide vital documents in the appropriate language.
 - d. The agency will keep a record of all vital documents translated, and will submit this information to DCA at their request.
3. If the primary language of an LEP applicant or recipient is a language other than Spanish AND the language does not meet the threshold for translation as defined in the preceding

paragraph, the LEP individual will be informed in their own language of the right to oral translation of written notices. The notification will include, in the primary language of the applicant/recipient, the following language: **IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.**

A. Documentation of Applicant/Recipient Case Records

1. The agency will maintain case record documentation in sufficient detail to permit a reviewer to determine the agency's compliance with this policy.
2. The agency will ensure that case record documentation, including computerized records if appropriate, identifies the applicants/recipient's ethnic origin and primary language. In those cases where the applicant/recipient is non-English speaking, the agency will:
 - a. Document the individual's acceptance or refusal of forms or other written materials offered in the individual's primary language.
 - b. Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. When a minor is used as interpreter, the agency will document the circumstances requiring temporary use of a minor and will provide this information to DCA upon request.
3. Consent for the release of information will be obtained from applicants/recipients when individuals other than agency employees are used as interpreters and the case record will be so documented.

B. Staff Development and Training

1. The agency will provide staff training at new employee orientation and continuing training programs. The training will include, but not be limited to:
 - a. Language assistance policies and procedures, resources available to support such procedures, methods of effective use of interpreters, and familiarization with the discrimination complaint process.

- b. Cultural awareness information, including specific cultural characteristics of the groups served by the agency to provide a better understanding of, and sensitivity to, the various cultural groups to ensure equal delivery of services.
2. The agency will provide or ensure training is provided for bilingual staff and interpreters employed or utilized by the agency. This includes the ethics of interpreting, including confidentiality; methods of interpreting; orientation to the organization; specialized terminology used by the agency; and cultural competency.
3. The agency will ensure that applicable grantees, contractors, cooperative agreement recipients and other entities receiving state or federal dollars are trained in the requirements of this policy.

Describe how this provision will be met: The County will use its staff or private consultants to distribute information to and train such entities

4. The agency will collect and maintain the following information about training provided to staff: the date(s) of such training, the content of such training, the number and types of credit hours awarded; and the names and identifying information of each attendee at the training. The agency will ensure that grantees, contractors, cooperative agreement recipients and other applicable funded entities collect and maintain such information as well.

Compliance Procedures, Reporting and Monitoring

A. Reporting

1. The agency will complete an annual compliance report and send this report to DCIA.
(Format will be supplied by DCIA)

B. Monitoring

1. The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system providing by the DCA. These reports will be maintained and stored by the Title VI compliance officer and will be provided to the DCA upon request.
2. The agency will cooperate, when requested, with special review by the DCA.

Applicant/Recipient Complaints of Discriminatory Treatment

A. Complaints

1. The agency will provide assistance to LEP individuals, who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy.
2. The agency will maintain records of any complaints filed, the date of filing, actions taken and resolution.
3. The agency will notify the appropriate agency or Division within DCA of complaints filed the date of filing, actions taken and resolution. This information will be provided within 30 days of resolution.

B. Investigation

1. The DCA Compliance Office will conduct an investigation of the allegations of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
2. The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.

C. Resolution of Matters

1. If the investigation indicates a failure to comply with the Act, the local unit of government, agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.
2. If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Department of Justice. This notice will be provided in the primary language of the individual with Limited English Proficiency.
3. If not resolved by DCA, then complaint will be forwarded to DOJ, HUD Field Office.

SUBMITTED AND APPROVED BY:

Printed Name of Chairperson of Board

Signature of Chairperson of Board

August 9, 2011

Date

Appendix A: Language Assistance Documentation Form and Report

Individual Language Assistance Services Case Record

Davidson County

Name of Person Receiving Language Services _____

Ethnic Origin _____

Primary Language _____

Did individual accept or refuse forms or other written material offered in individual's primary language?

- Accepted
- Refused

What type of vital documents were translated in writing?

What method was used to provide language services?

- The originally assigned employee was bilingual
- Another bilingual employee acted as interpreter
- Volunteer interpreter was used
- Client provided interpreter
- Minor was used to provide temporary translation (Describe circumstances)

If an individual other than a County employee served as an interpreter, the individual receiving services must consent to the release of this information.

Consent Statement:

This statement has been translated for me and consent to the release of this information regarding the provision of language services to me.

Client Signature Date _____

Processing County Employee Signature Date _____

Department Language Assistance Provision Quarterly Report

Davidson County

Quarter: Year:

Department:

Staff Contact Person:

Telephone: E-mail:

Individual Provided with Language Assistance:

Types of vital documents translated in writing into primary language:

individuals accepting written materials:

individuals refusing written materials:

Other Methods of providing bilingual services:

Cases where originally assigned employee was bilingual:

cases where another bilingual employee acted as interpreter:

cases where volunteer interpreter was used:

cases where client provided interpreter:

cases where minor was used to provide temporary translation:

(Describe circumstances)

Procurement Plan

Astran Drive Sewer Extension Project

2010 CDBG Infrastructure Grant Project # 10-C-2186

A. Purpose and Objectives:

The purpose of this plan is to ensure that Davidson County, hereinafter referred to as the County, and any sub-recipient to whom the County provides CDBG funds under the grant hereinafter known as the Sub-Recipient, comply with the following in their procurement process related to the implementation of the Astran Drive Sewer Extension Project, CDBG Grant # 10-C-2186, funded through the North Carolina Division of Community Assistance (NC DCA).

- Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally Recognized Indian Tribal Governments (24 CFR 85)
- HUD implementing regulations contained in 24 CFR 570.489(g), 24 CFR 570.611, 24 CFR 570.489(h), 24 CFR 85.36
- 4 NCAC 19L.0907, .0908, .0914, .1001, .1003, 1004, .1006
- Bulletin 93.2
- Office of Management and Budget Circular A-87
- NCGS 14-234 (cities and counties)-Conflict of Interest
- NCGS 148-128 through 135 (cities and counties)-Public Building Contracts
- NCGS 44A-25 through 33 (cities and counties)-Model Payment and Performance Bond

The Plan's objective is to accomplish the following:

- Promote to the maximum extent possible, free, and open competition
- Ensure that the County is receiving the best product or service at the most effective cost
- Provide written guidelines in accordance to Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally Recognized Indian Tribal Governments (24 CFR 85)
- Promote the maximum use of minority and female-owned businesses

B. No Conflict of Interest:

It shall be County's policy that no employee, officer, or agent of the County, or any project sub-recipient that uses project CDBG funds, shall participate in the selection, the award, or administration of a contract supported by Federal funds, if a real or apparent conflict of interests exists. This applies to both the procurement action of the County and sub-recipient, as well as for individuals

receiving direct or indirect benefit from CDBG-funded activities under the project.

Therefore, no person with "family ties", such as spouse, parents, children, brother, sister, grandparents, or step, half or in-law relations, or with "business ties", such as a company officer, employee, agent, or stock or share holder with at least 10% ownership in any firm, to any employee, officer, or agent of the Town and any sub-recipient, may have any formal interest in or benefit in any manner from the CDBG-funded activities carried out under this grant project, unless the Town has obtained a waiver stating otherwise from the North Carolina Secretary of Commerce in accordance with Bulletin 93-2.

Prior to incurring any questionable project cost under this grant project, which might involve a conflict of interest, the County and any sub-recipient will send a written request for a determination of conflict of interest to NC DCA. If NC DCA determines that a conflict of interest exists and the County or any sub-recipient still desires to implement the activity, a written request for an exception will be submitted to NC DCA. However, this request will not be submitted until the County has completed the following:

- The County has provided for public disclosure of the nature of the conflict at a regular meeting of its Board of Commissioners. In its request for an exception, the County shall provide a statement from the County Manager noting how and when the disclosure was made.
- Obtained, and submitted with its exception request, an opinion from the County's Attorney that the conflict for which the exception is being sought would not violate state or local law.

No project costs involved with a request for an exception from a conflict of interest shall be incurred prior to a ruling is made on the request by NC DCA.

C. Methods of Procurement to Be Followed:

In accordance with Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally Recognized Indian Tribal Governments (24 CFR 85), the following methods of procurement will be used by the County and any sub-recipient under the grant project:

1. Small Purchase:

Simple and informal small purchase procedures may be used in procuring services, which cost \$25,000 or less. If such procedures are used, price quotes will be obtained from at least three qualified sources, if possible. A record of the verbal quotations will be retained for audit purposes. This record will show the date and the amount of the quote, as well as the person/company providing the quote.

2. Sealed Bids (Formal Advertising):

The formal process of advertising for “sealed bids” will be used in procuring contracts for public facility activity. Bids will be publicly solicited and contain a complete, adequate, and realistic specification or purchase description. This bidding process will result in the awarding of firm-fixed price contracts (lump sum or unit prices) to the responsible bidder, whose bid, conforming with all material terms and conditions of the invitation to bid, is the lowest price. Sealed bidding procedures will require that at least two or more responsible bids are received. When using the process of sealed bidding, the following requirements shall apply:

- The invitation to bid will be publicly advertised and bids shall be solicited from an adequate number of known suppliers, providing them sufficient time prior to the date set for opening the bids.
- The invitation to bid, which will include any specifications and pertinent attachments, shall define the items or services in order for the bidder to respond properly.
- All bids will be publicly opened at a time and place prescribed in the invitation.
- A firm-fixed price contract award will be made in writing to the lowest responsive and responsible bidder.

3. Competitive Negotiation:

For the procurement of services where price or cost is not the only determinant in awarding a contract, a competitive negotiations involving the issuance of a Request for Proposals may be used. If such a method is used, the following requirements will be followed by the County and any sub-recipient:

- Request for Proposals (RPP) will be publicized. This publication will identify in general terms the contractual terms and conditions required of the contractor. Additionally, all evaluation factors will be identified. Upon publication of the RFP in a newspaper of general circulation, a minimum of 14 days must be allowed prior to the date responses are due.
- Proposals will be solicited from an adequate number of qualified sources.
- All Proposals will be evaluated. Evaluation factors will include performance, integrity, cost reasonableness, etc.
- Awards will be made to the most qualified and cost effective bidder.

4. Non-Competitive Negotiations:

The County and any sub-recipient will utilize this method of procurement only under the following conditions:

- Only a single source for the product or service can be identified.
- After solicitation of a number of sources, competition is determined inadequate.

D. No "Cost Plus" Procurement:

This plan explicitly prohibits the use of the "cost plus" method of procurement, especially for construction services, in which a final price for a product or service is determined by adding a specific percentage to the vendors cost.

E. Costs Incurred Prior to Execution of Contract or Approval of Amendment:

The County and any sub-recipient will not incur costs for supplies, equipment, construction, or services related to the grant project prior to the execution of a contract with NC DCA, or approval of a program amendment, without first obtaining written permission to do from NCDCA. In such cases, the County and any sub-recipient will ensure that the costs are eligible and meet Environmental Review requirements at 24 CFR Part 58

F. Affirmative Action:

The County and any sub-recipient will encourage the participation in project procurement activity of small firms and firms owned by low-income persons, minorities, and women by taking the following steps:

- Placing qualified small businesses and business owned by low-income persons, minorities, and women on solicitation lists.
- Assuring that small businesses and business owned by low-income persons, minorities, and women are solicited.
- Using the services of the Minority Business Development Agency of the Department of Commerce.

G. Recordkeeping:

The County and any sub-recipient will maintain records of procurement activity under the grant project sufficient to detail the significant history of procurement. These records will include, but are not necessarily limited to the following:

- Rationale for the method of procurement

- Solicitation of contract type
- Contractor selection or rejection
- The basis for the contract price

Approved by the Davidson County Board of Commissioners at its regular meeting on August 9, 2011.

_____ Date _____
Chairman, Davidson County, North Carolina, Board of Commissioners

Davidson County

Residential Anti-Displacement and Relocation Assistance Plan

Project # 10-C-2186

2010 CDBG Infrastructure Astran Drive Grant Project

A. Purpose of Plan:

Davidson County has received a 2010 CDBG Infrastructure Grant to assist in funding the installation of a low-pressure sewer system extension for the Astran Drive neighborhood. Section 104 (d) of the Housing and Community Development Act of 1974, as amended, requires that a CDBG recipient adopt a Residential Anti-Displacement and Relocation Assistance Plan, which provides for the replacement of all low to moderate income dwelling units demolished or converted to another use under a CDBG-funded project, as well as the relocation assistance of any individuals or families displaced as a result of such demolition or conversion. Even though the Astran Drive project is a sewer project such a plan must be adopted.

B. One for One Unit Replacement Requirement:

Under this plan, all occupied and vacant, but occupiable, low to moderate-income dwelling units demolished or converted to some other use, other than for low to moderate-income housing, as a direct result of activities assisted with CDBG funds under this project, shall be replaced with other low to moderate-income dwelling units within three years of their demolition or conversion. Under this requirement, substandard, but economically repairable units that have been demolished or converted shall be replaced, while more seriously deteriorated, dilapidated units, which cannot be economically repaired, shall not be replaced. A dwelling unit shall also be replaced if a CDBG-assisted rehabilitation results in a rent increase above the point at which the unit would be affordable (rent and utilities exceeding 30% of income).

C. Definitions:

For the purposes of implementation this plan, the following definitions shall apply:

1. Vacant but Occupiable Dwelling Unit:

Such a dwelling is a unit that meets the standards of the current approved North Carolina Building Code and is decent, safe, and sanitary. A dwelling unit is considered decent, safe, and sanitary if (a) it is in good repair and is weather tight, with no leakage or dampness; (b) it has no health, fire, or safety hazards within the structure or in the immediate vicinity; (c) it has running water, a private sewer-connected to a flush toilet, and a bathroom for the exclusive of the occupant, with tub or shower with hot

and cold running water, all within the dwelling unit; (d) it has permanent, reasonably efficient, kitchen facilities for the exclusive use of the occupant, including sink with hot and cold running water, cooking stove connections, shelves and storage space for food and utensils; (e) it has facilities or connections for washing and drying clothes; (f) it is large enough to accommodate the occupants without overcrowding; (g) it is equipped with adequate heating facilities; (h) it is adequately ventilated by at least one operable window in every room and is screened, or screens are available; (i) its is wired for electricity; and (j) it is located in a neighborhood which is free from industrial and other nuisances, is supplied with the community facilities of a standard neighborhood, and is reasonably accessible to transportation, school, churches and stores,

Or

A dwelling that may not meet the standards of the current approved North Carolina Building Code or be considered decent, safe, and sanitary, but can be repaired to meet the code standards and be made decent, safe, and sanitary for a cost that is less than 65% of its present value.

2. Vacant but Un-occupiable Dwelling:

A dwelling unit that cannot be repaired to the standards of the current approved North Carolina Building Code for less than 65% of its current value, is condemnable by, or has already been condemned by the County.

3. Low to Moderate-Income Dwelling Unit-Occupied:

A dwelling unit that is either occupied by a low to moderate-income household, or rents for an amount that would be affordable to a low to moderate-income household such that the household's rent and utilities would not exceed 30% of income for a household that would occupy the unit without overcrowding.

4. Low to Moderate-Income Dwelling Unit-Vacant:

A unit that is vacant but for which its Fair Market Rent would make it affordable to a low to moderate-income household as described above.

D. Replacement Criteria:

Under this plan, a unit required to be replaced will be considered as replaced if it meets all of the following criteria:

1. Occurs within 3 years of the commencement of demolition or rehabilitation related to conversion of the original unit.
2. Is located within Davidson County.

3. Is sufficient in size (number of bedrooms) to house at least the number of occupants that could have been housed in the unit originally demolished or converted, as determined by Davidson County's Minimum Housing Code.
4. Meets the standards of the Davidson County's Minimum Housing Code.
5. Is a public housing, or Housing Choice Voucher unit, or is otherwise restricted to low to moderate-income occupancy for at least 10 years from its initial date of occupancy.

E. Public Notice:

Before obligating and expending CDBG funds for an activity under the project, which will directly result in the demolition or conversion of a low to moderate-income dwelling unit to another use, Davidson County will make public the following:

1. Project Activities:

- Sewer Improvements:

The construction of a 2,800 LF low-pressure sewer system to serve the Astran Drive neighborhood.

2. The map location, number, and bedroom size of units to be demolished or converted unit
3. Time Schedule for Demolition or Conversion
4. General map location and approximate number and bedroom size of replacement units
5. Source of funding and time schedule for replacement units
6. Basis for concluding the replacement units will remain low to moderate-income units for 10 years

F. Relocation Assistance Provided:

Davidson County will provide relocation assistance to any low to moderate-income household displaced by the demolition or conversion to another use of any low to moderate-income dwelling unit as a direct result of CDBG assistance provided under this project. Households will be provided the following:

1. Moving Expenses:

A displaced individual or family covered under this plan shall be eligible to receive a moving expenses payment in accordance with the following sections of the Uniform

Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). Specifically referenced is the following section of the URA:

A choice between (a) actual “reasonable moving expenses” as described in Section 42.301, or (b) a fixed expense and dislocation allowance as described in 42.302. Under Section 24.302-Fixed Payment for Moving Expenses-Residential Moves, the relocatee will receive payment on the basis of the moving expense schedule (Fixed Rate Method) which is prepared by the US Department of Transportation and shown below for the state of North Carolina.

Number of Rooms of Furniture	Occupant Owns Furniture	Occupant Does Not Own Furniture
1	\$500	NA
2	\$700	NA
3	\$900	NA
4	\$1,100	NA
5	\$1,300	NA
6	\$1,500	NA
7	\$1,650	NA
8	\$1,800	NA
First Room	NA	350
Each Additional Room	\$150	\$50

Under the Fixed Rate Method, it should be noted that certain rooms are excluded from the calculation. These include unfurnished or unused rooms, halls, bathrooms, attics, porches, garages, dressing rooms, and utility rooms. However, should the relocatee have sufficient storage room in the above stated rooms, the County may count one additional room for the sum of these, but this is not to exceed one additional room for the calculation of the number of eligible rooms in the dwelling.

2. Advisory Services:

The County shall provide relocation planning, advisory, and coordination services consistent with those described in Section 24.205, Subpart C of the URA. These shall include, but not be limited to, the provision of transportation services as needed to view comparable replacement dwellings, or other transportation as deemed necessary and reasonable to support the relocation, assistance in submitting claims for payment, counseling and education on relocation regulations and coordinating these activities with existing social service and economic assistance programs as they are available.

3. Reasonable Reimbursement

Reimbursement for reasonable and necessary security and other deposits and credit checks.

4. Replacement Housing Assistance:

A displaced individual or family covered under this Plan shall be eligible to receive replacement housing payments in accordance with the following sections of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). Specifically referenced are the following sections of the URA:

- a) Section 24.401-180 Homeowners
- b) Section 24.403-Additional Rules
- c) Section 24.404-Replacement Housing of Last Resort

- A person choosing to rent shall be offered either (a) a Housing Choice Voucher through the local housing authority and referrals to comparable replacement dwelling units where the owner agrees to participate in the Housing Choice Voucher program, or (b) cash rental assistance to reduce the rent and utility costs to 30% of income (adjusted and determined by the County) for a 5-year period and appropriate referrals to comparable replacement dwelling units.
- A person buying an interest in and occupying a unit in a housing cooperative or mutual housing association may elect to receive a lump sum payment equal to the present value of the rental assistance installments. To compute the present value, the rental assistance installments shall be discounted at the passbook savings rate.
- A person may elect Uniform Relocation Act Assistance in lieu of the relocations assistance described above.

G. Minimizing Displacement:

Davidson County will make all reasonable effort, consistent with the Community Development Act of 1974, as amended, to minimize the displacement and relocation of households during the rehabilitation of any structure. Rehabilitation shall be conducted without relocation of the affected occupants to the greatest extent feasible. Should relocation be necessary and should temporary housing be substandard by the above definition, the minimum standards set forth shall not apply. Such relocation shall be accomplished at the minimum feasible cost. Of the two moves involved, (out of and back into the rehabilitated structure) one may be financed under Fixed Payment for Moving Expenses as described below. Temporary relocation payments will be limited to cover only those expenses that would not otherwise be normal to the relocate. This is to say, expenses that are directly related to the temporary relocation and which are above and beyond the normal expenses incurred by the relocatee. These would include, but not be limited to reasonable expenses for lodging for the period of dislocation, travel expenses to and from the lodging or other temporary relocation site, costs for temporary storage of household belongings. This would **not** include reimbursement for expenses that would not otherwise be incurred (meals, normal travel, etc.). Relocatees are required to submit receipts to the County documenting the expenses for which they are requesting reimbursement.

H. Complaint Procedure:

The County shall conform to standard, ethical practices in the relocation of individuals and families and desires to see that all interests are protected. If there are any questions or complaints, the County will solicit the cooperation of all owners and will request an opportunity to discuss them in an effort to satisfy all parties concerned. The County has adopted the following Complaint Procedure.

Citizens may make comments at any point in the grant project program including planning, implementation, and closeout. The County will respond in writing to written citizen comments. Citizen comments should be delivered to:

Robert Hyatt
County Manager
Davidson County
913 Greensboro St.
Lexington, NC 27292

The County will respond to all written citizen comments within ten (10) calendar days of receipt of the comments.

Should any individual, family, or entity have a complaint concerning activities undertaken by the County under the grant project, the complaint should first be discussed with the Project Manager. **ALL EFFORTS SHOULD BE EXHUSTED TO RESOLVE THE COMPLAINT AT THIS LEVEL.**

If the complaint cannot be resolved in this manner, a meeting with Robert Hyatt, Davidson County Manager, to discuss the complaint should be requested. The request should be in writing and should briefly outline the complaint. A meeting date and time will be established within five (5) calendar days of receipt of the request. Upon meeting and discussing the complaint, a reply will be made, in writing within five (5) calendar days.

If the citizen is dissatisfied with the local response, they may write to the North Carolina Department of Commerce, Division of Community Assistance (DCA), 4313 Mail Service Center, Raleigh, NC 27699-4313. DCA will **only respond to written comments** within ten (10) calendar days of the receipt of the comments.

Adopted this 9th day of August, 2011

_____ Date _____
Chairman, Davidson County Commissioners

Local Economic Benefit for Low- and Very Low-Income Persons Plan

Grant Number: 10-C-2186

To ensure that, to the greatest extent possible, contracts for work are awarded to business concerns located or owned in substantial part by persons residing in the Section 3 covered area, as required by Section 3 of the Housing and Urban Development Act of 1968, **Davidson County** has developed and hereby adopts the following Plan:

This Section 3 Plan shall apply to services needed in connection with the grant including, but not limited to, businesses in the fields of planning, consulting, design, building construction/renovation, maintenance and repair, etc.

This Section 3 covered project area for the purposes of this grant program shall include **Davidson County** and portions of the immediately adjacent area.

When in need of a service, the **Davidson County** will identify suppliers, contractors or subcontractors located in the Section 3 area. Resources for this identification shall include the Minority Business Directory published through the State Department of Commerce, local directories and Small Business Administration local offices. Word of mouth recommendation shall also be used as a source.

Davidson County will include this Section 3 clause in all contracts executed under this CDBG Program. Where deemed necessary, listings from any agency noted above shall be included as well as sources of subcontractors and suppliers.

The prime contractor selected for major public works facility or public construction work will be required to submit a Section 3 Plan which will outline his/her work needs in connection with the project. Should a need exist to hire any additional personnel, the **Davidson County** offices of the NC Employment Security Commission shall be notified and referred to the contractor.

Each contractor for housing rehabilitation under the program, as applicable, for jobs having contracts in excess of \$100,000 shall be required to submit a Section 3 Plan. This Plan will be maintained on file in the grant office and shall be updated from time to time or as the grant staff may deem necessary.

Early in our project, prior to any contracting, major purchases or hiring, we will develop a listing of jobs, supplies and contracts likely to be utilized during the project. We will then advertise in our local newspaper an advertisement, prominently located as a display advertisement, the pertinent information regarding the project including all Section 3 required information.

Adopted this 9th day of August, 2011

Chairman, Davidson County Board of Commissioners

Addendum to Section 3 Plan

Davidson County has received a 2010 CDBG Infrastructure grant, project # 10-C-2186, from the NC Division of Community Assistance for the Astran Drive Sewer Extension Project. As a result, the County has adopted a Section 3 Plan, to which this addendum is attached. That plan commits Davidson County to ensuring that, to the fullest extent possible, any jobs and business opportunities with the County, arising from the receipt of this grant, are available to qualified low to moderate-income persons or companies owned by such persons in Davidson County.

This addendum, which has been advertised in the local newspaper, provides a listing of any jobs, supplies, and contracts, which Davidson County anticipates will be available as a result of the receipt of the above grant. This listing is as follows:

- Davidson County does not expect to employ additional personnel as a result of the receipt of the above-described grant. If any positions are required, they will be listed with offices of the North Carolina Employment Security Commission in Davidson County.**
- Davidson County does expect to procure such professional services as grant administration and engineering construction management services as a result of the receipt of this grant. These services will be procured through the request for proposals process and the issue of such RFPs will be announced in a newspaper of countywide circulation at the appropriate time.**
- Davidson County also expects to procure sewer construction services as a result of receipt of this grant. This service will be awarded through a bidding process and the opportunities to bid on these services will be advertised in a newspaper of countywide circulation at the appropriate time.**
- The North Carolina Office of Historically Underutilized Businesses will also be notified of these business opportunities.**



DAVIDSON COUNTY
HUMAN RESOURCES DEPARTMENT
Davidson County Governmental Center
913 Greensboro Street, Suite 403, 4th Floor
Lexington, NC 27292

MEMORANDUM

July 22, 2011

To: Robert Hyatt - County Manager

From: Jim Tysinger - Human Resources Director
Elaine Ratcliffe – Human Resources Analyst II

Re: CDBG / HUD 504 Self-Evaluation Survey and Recipient Information.

Ray Manieri, the grant writer who is working on the CDBG/HUD 504 grant for Davidson County, has been directing Human Resources in the completion of a CDBG Self Evaluation Survey in order to pursue the receipt of a HUD grant. We have attached a copy of the Survey, which revealed areas/policies Davidson County needs to make revisions or updates to in order to meet the grant requirements.

We are asking for the consideration of approval by the BOCC for the following revisions/adoption to be made so that Davidson County may continue to pursue the completion of the CDBG grant application:

1. CDBG/HUD 504 Self-Evaluation Survey (attached).
2. The Davidson County Section 504 CDBG Transition Plan (attached).
3. The Davidson County Policy and Procedures for Resolution of Complaints Alleging Disability-Based Discrimination (attached).
4. Section 504 Disability-Based Discrimination Claim Form (attached).
5. Policy and Procedures for Determining Undue Financial and Administrative Burden Related to Responding to Requests for Accommodation Based on Disability (attached).
6. Request for Reasonable Disability-Based Accommodation Form (attached).

Thank you for your consideration in this matter.

Davidson County
Section 504 CDBG Transition Plan

Purpose of the Plan

Davidson County has received a Federal Community Development Block Grant (CDBG) from the North Carolina Division of Community Investment and Assistance. The County, therefore, is required to ensure that it complies with all CDBG requirements. For this reason, the County recently completed a self-evaluation of its compliance with Section 504 of the Federal *Rehabilitation Act of 1973*, which requires that Federal funding recipients do not discriminate against disabled persons.

Davidson County does not openly practice such discrimination. However, in completing this survey, the County realized the need to undertake certain actions to assure compliance with the Section 504 regulation. Davidson County, therefore, adopts this Section 504 Transition Plan to confirm its commitment to undertake the actions necessary to comply fully with Section 504 requirements.

Section 1: Plan Outreach and Communication

A. Communication:

The County will develop TDD number capability and list the number in the local telephone directory.

Section II: Complaint Processing Procedures

A. Develop and Approve a Disability-Based Discrimination Complaint Procedure:

The County will develop and its Board of Commissioners will approve a policy for handling complaints related to disability-based allegations. This policy will incorporate due process standards and allow for prompt resolution of disability-based complaints.

B. Dissemination of Complaint Procedures:

Once adopted, these complaint procedures will be made available to all current and any new employees, any participants of County-sponsored programs, and provided to anyone who expresses desire to file a disability-based discrimination complaint.

Section III: Employment Policy and Practice:

A. Reasonable Accommodation:

Davidson County will develop, and its Board of Commissioners will approve, a policy relating to the determination of whether or not a request by, an otherwise qualified, employee or job applicant, for accommodation with the applicant or employee's known disability is a reasonable accommodation, or would impose an undue financial or administrative hardship on the County.

Section IV: Resolution and Policies to be Adopted:

Davidson County Board of County Commissioners will adopt a Disability Non-Discrimination Resolution (attached)

Be it resolved by the Board of Commissioners of Davidson County, that

Whereas, Davidson County has recently completed a review of its compliance with Section 504 of the *Rehabilitation Act of 1973* regarding discrimination against persons with disabilities, as part of its grant administration process for the Astran Drive CDBG Sewer Extension Project # 10-C-2186; and

Whereas, the Davidson County does not discriminate against persons with disabilities and desires to bring its policies and procedures into full and complete compliance with Section 504 regulations.

Now therefore, the Davidson County Board of Commissioners hereby adopts the following attached policies (1) Policy and Procedures for Resolution of Complaints Alleging Disability-Based Discrimination, and (2) Policy and Procedures for Determining Undue Financial and Administrative Burden Related to Responding to Requests for Reasonable Accommodation Based on Disability, as part of its overall disability non-discrimination program.

Adopted by the Davidson County Board of Commissioners on the ____ day of _____ 2011 by a vote of ____ Yea and ____ Nay.

Chair, Davidson County Board of Commissioners

Manager, Davidson County

Seal:

Davidson County Policy and Procedures for

Resolution of Complaints Alleging Disability-Based Discrimination

It is the policy of Davidson County not to discriminate against employees, job applicants, and members of the public in the operation of County facilities and programs. If, however, any person believes that they have been discriminated against on the basis of a disability, such person may file a Disability Discrimination Complaint Form.

The Disability Discrimination Complaint Form may be obtained from the office of the Human Resource Director, in the Davidson County Governmental Building located at 913 Greensboro St. in Lexington, NC. A complainant may obtain the form in person, or request the form by telephone by calling 336-242-2919. The Human Resource Director is the designated County Section 504 disability contact person.

The person alleging discrimination should complete the complaint form and return it to the Davidson County Manager. To be considered valid, a complaint must be filed within 10 calendar days of the alleged occurrence.

In attempting to resolve the complaint, the County Manager will take the following steps:

- Discuss the complaint with the complainant
- Discuss the complaint with any County employee the County Manager deems appropriate
- Discuss the complaint with the County Attorney, if deemed appropriate
- Discuss the complaint with the County Board of Commissioners, if deemed appropriate

After completing the steps above, the County Manager will provide a written response to any alleged disability-based discrimination complaint within 15 calendar days of receipt. Any complainant may appeal the decision of the County Manager, regarding a disability-based discrimination complaint, to the Davidson County Board of Commissioners. Appeal may be accomplished by filing a written notice of appeal with the Clerk to the County Board of Commissioners. To be valid, such an appeal must be filed within 15 calendar days of the receipt of the Human Resource Director's decision.

In considering this appeal, the Board of Commissioners may consult with any of the following it deems appropriate:

- The complainant
- The County Manager
- Any County employee
- The County's Attorney
- Any other attorney or disability expert

The County Board of Commissioners shall render a decision on the appeal within 35 calendar days of its submission to the Clerk. The decision of the Board of Commissioners shall be the final County response regarding the submission of a complaint of alleged discrimination based on disability.

Adopted by the Davidson County Board of Commissioners on the _____ day of _____ 2011 by a vote of ____ Yea and ____ Nay.

_____ Date _____
Chair, Davidson County Board of Commissioners

_____ Date _____
Manager, Davidson County

Seal:

Davidson County
Policy and Procedures for Determining Undue Financial and
Administrative Burden Related to Responding to Requests for
Accommodation Based on Disability

It is the policy of Davidson County not to discriminate against employees, job applicants, and members of the public in the operation of County facilities and programs. Therefore, Davidson County will not deny appropriate participation or access, in the operation of County facilities and programs, to any employees, job applicants, and members of the public. Any employee, job applicant, or member of the public that feels their disability prevents them from performing the duties of their job or participating in and gaining access to the County's facilities and programs, that person may file a Request for Reasonable Disability-Based Accommodation Form.

The Request for Reasonable Disability-Based Accommodation Form may be obtained from the office of the Human Resource Director at the Davidson County Governmental Building located at 913 Greensboro St. in Lexington, NC. A requestor may obtain the form in person, or request the form by telephone by calling 336-242-2919. The Human Resource Director is the designated County Section 504 disability contact person. This form allows a person to describe the disability, from which they suffer, and describe the action, which they would like the County to take to allow them to perform their job, participate in County programs and activities, or access County facilities. This request should be submitted at least two weeks ahead of any specific date for any meeting or special event for which the accommodation is needed.

If this request involves providing special assistance, such as audio tape information, or the use of sign language or foreign language interpreters, or some other accommodation, which can be provided with little effort and at a cost of under \$100, the Human Resource Director will attempt to provide such accommodations, and notify the person requesting the accommodations of the County's ability to provide the requested accommodation within 7 days of the request.

If, however, a disability-based accommodation would require a cost estimated to exceed \$100 and cannot be resolved by a simple process, the Human Resource Director shall forward the request to the County Manager for consideration. The County Manager will review the request for accommodation and determine if the County will provide for the accommodation or if the request places an undue financial or administrative burden on the County and will deny the accommodation request. In making this decision, the County Manager will take the following steps:

- Discuss the request with the requestor
- Discuss the request with any County employee the County Manager deems appropriate
- Discuss the request with the County Attorney, if deemed appropriate
- Discuss the request with the Board of County Commissioners, if deemed appropriate

Also in making this decision, the County Manager will consider the following issues:

- The overall size of the County's human resource programs with respect to the number of its employees, the number and type of its facilities, and the size of its budget

- The type of human resources operation, including the composition and structure of the work force
- The nature and cost of the accommodation

The County Manager will provide the requestor with a written response to any disability-based accommodation request within 15 calendar days of receipt by the County Manager. Any requestor may appeal the decision of the County Manager regarding a disability-based request for accommodation to the Davidson County Board of Commissioners. Appeal may be accomplished by filing a written notice of appeal with the Clerk to the Davidson County Board of Commissioners. To be valid, such an appeal must be filed within 15 calendar days of the receipt of the County Manager’s decision. The Board of County Commissioners shall consider the appeal at its next regularly scheduled meeting. In considering this appeal, the Board of County Commissioners may consult with any of the following it deems appropriate:

- The requestor
- The Human Resource Director and County Manager
- Any County employee
- The County’s Attorney
- Any other attorney or disability expert

In making a decision on an appeal, the Board of Commissioners shall consider the following issues:

- The overall size of the County’s human resource programs with respect to the number of its employees, the number and type of its facilities, and the size of its budget
- The type of human resources operation, including the composition and structure of the work force
- The nature and cost of the accommodation

The Board of County Commissioners shall render a decision on the appeal within 35 calendar days of its submission to the Clerk. The decision of the Board of County Commissioners shall be the final County response regarding the submission of a disability-based request for reasonable accommodation.

Adopted by the Davidson County Board of Commissioners on the ____ day of _____ 2011 by a vote of ____ Yea and ____ Nay.

_____ Date _____
 Chair, Davidson County Board of Commissioners

_____ Date _____
 Manager, Davidson County

Seal:

Davidson County
Section 504 Disability-Based Discrimination Form

Date of Complaint:

A. Complainant:

Name: _____ Address: _____

Telephone: _____ E-mail: _____

B. Person Discriminated Against (if other than the complainant): Name: _____

Name: _____ Address: _____

Telephone: _____ E-mail: _____

C. Complaint Questions:

Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated (Please provide specific information about whom, what, where, when):

Have any previous efforts been made to resolve this complaint?

Has the complaint been filed with any Local, State, or Federal civil rights agency or court? (If so, please identify and provide a contact person's name address and telephone number)

Additional space for answers:

_____ Date _____
Complainant Signature

Return to:

Human Resource Director

Davidson County Governmental Building, Fourth Floor

913 Greensboro St.

Lexington, NC 27292

County Response:

Davidson County

Request for Reasonable Disability-Based Accommodation Form

Date of Request:

A. Requestor:

Name:

Address:

Telephone:

E-Mail:

B. Person to be Accommodated (if different from the requestor):

Name:

Address:

Telephone:

E-Mail:

C. Requestor Status:

County Employee _____

Applicant for County Employment _____

If an applicant or employee seeking a work-related disability accommodation, describe the essential functions of your position:

Or:

Member of the Public _____

(Seeking accommodation to participate in a meeting or special event)

D. Description of Disability and Request for Accommodation:

Describe your disability and explain what accommodation is needed and why.
Can you provide any written certification of disability from a medical professional?

_____ Date _____
Requestor Signature

E. Response to Request (To be completed by County staff):

* COMMISSIONERS' AGENDA REQUEST

Date Received _____

H.2.

Meeting Date: August 9, 2011

ITEM: Zoning Public Hearing

ITEM INFORMATION: See information attached.

Cost: N/A

Source of Funding: N/A

Action to be taken by Commissioners: _____

Hold public hearing and take action on each individual rezoning application as presented.

Follow-Up Required: N/A

Additional Requirements: N/A

Exhibit Material Enclosed: X Yes No

* Request, packet information, and exhibit must be received one week before the meeting for a Tuesday Board of Commissioners' Meeting in order to process and distribute to commissioners 5 days before the meeting.

* Request, packet information, and exhibit must be received 9 days (Wednesday) before the meeting for a Friday Board of Commissioners' Meeting in order to process and distribute to commissioners 5 days prior to the meeting.



DAVIDSON COUNTY PLANNING DEPARTMENT

GOVERNMENTAL CENTER
913 GREENSBORO STREET
POST OFFICE BOX 1067
LEXINGTON, NORTH CAROLINA 27293-1067

TOLL FREE NUMBERS:
LEXINGTON 336-242-2220
THOMASVILLE 336-472-8016
WINSTON SALEM 336-723-7890 EXT. 2220
DENTON 336-859-2194 EXT. 2220

GUY L. CORNMAN, III
PLANNING DIRECTOR

To: Board of Commissioners
County Manager
County Attorney
From: Guy Cornman, Planning Director *Guy*
Subject: Zoning Public Hearing Highlights
Date: July 20, 2011

The Board of Commissioners will conduct a public hearing to consider two rezoning applications at its regular meeting on Tuesday, August 9, 2011 at 7:00 PM.

Copies of each application have been included in the agenda packet along with the minutes of the Planning Board where the official recommendations have been rendered. Staff has also prepared its own written recommendation and will be present at the public hearing to help lead the Board through its deliberations on these zoning matters.

ITEM #1 is a request by Jeff Zimmerman to rezone 3.0 acres more or less from RA-3 to that of RC district. Subject property is located in Arcadia Township on the south side of Enterprise Road approximately 300 feet east of the Craver Road intersection. The property is contiguous to an existing RC district created several years ago to allow Mr. Zimmerman and family to establish and operate a RV camper sales and repair business. The request expands this existing commercial node to accommodate the business growing inventory. Both staff and the Planning Board considered the request to be reasonable and consistent with the County's adopted land development plan for the area. No opposition was expressed at the Planning Board meeting; consequently the Board voted unanimously to recommend to rezone the property to RC as presented.

ITEM #2 is a request to rezone property by Mark and Betty Cowan from RM-1 to that of HC district. Said property is located in Conrad Hill Township on the south side of Old Highway 64 East approximately 65 feet east of the South County Home Road intersection. Said property has an existing older structure the applicant intends to have remodeled for commercial use. There appears to be adequate parking for the proposed use with a safe entrance already established. Subject property is contiguous to an already established HC district on the north side. Existing trees and natural vegetation will be left to help screen the proposed business from existing residences on the back side of subject property. Staff and the Planning Board are satisfied the request is reasonable and consistent with the county's adopted Land Development Plan.

No opposition was expressed at the Planning Board level. The Planning Board voted 4 to 0 to recommend the property to be rezoned to HC.

Following the public hearing, staff may have some new applications to present to the Board to set a public hearing date.

k.knox/G.CORNMAN,III

THE DISPATCH

The Dispatch
 30 East 1st Avenue
 PO BOX 908 (27293-0908)
 Lexington, NC, 27293
 Phone: (336) 249-3981
 Fax: (336) 249-2944

DAV CO PLANNING DEPT
 N/A
 PO BOX 1067

LEXINGTON, NC 27293

Account: 42000648
 Phone: (336)242-2220
 P.O. #: PH080911
 Ad Taken By: D012
 Receipt printed: 07/20/2011
 Receipt Number:

Order Number	Class Number	Start Run	End Run	Run Times	Lines	Description
J000345390	0002	07-22-11	07-29-11	4	69	NOTICE OF PUBLIC HEARING Notice is hereby given that a Public Hearing will be held by the Board of Commissioners of Davidson County on TUESDAY, August 9, 2011 at 7:00 PM in the Commissioners Meeting Room, Governmental Center, 913 Greensboro Street in Le

Payment Detail	Pay Date	Type	Card or Check #	Card	Exp	Amount
Current Payment						
Order Price						\$ 249.36
Total Payments					=	\$ 0.00
Balance						\$ 249.36

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held by the Board of Commissioners of Davidson County on TUESDAY, August 9, 2011 at 7:00 PM in the Commissioners Meeting Room, Governmental Center, 913 Greensboro Street in Lexington, North Carolina for the following zoning items:

ITEM #1 Request by Jeff Zimmerman to rezone property in Arcadia Township, Tax Map 13, a portion of Lot 13 containing 3.0 acres more or less. Said property is located on the south side of Enterprise Road approximately 300 feet east of the Craver Road intersection. Rezoning is requested to change from that of RA-3, Rural Agricultural

District, to that of RC, Rural Commercial District.

ITEM #2 Request by Mark and Betsy Cowan to rezone property in Conrad Hill Township, Tax Map 18, Lot 79 containing .49 acre more or less. Said property is located on the south side of E Old Highway 64 approximately 65 feet east of the South County Home Road intersection. Rezoning is requested to change from that of RM-1, Medium Density Residential District, to that of HC, Highway Commercial District.

As a result of the Public Hearing, substantial changes might be made in the advertised proposals, reflecting objections, debate, and discussions at the hearing. All inquiries prior to the Public

Hearing regarding the items mentioned above should be directed to the Davidson County Planning Department at 336-242-2220.

Persons with disabilities who may need special accommodations to participate in this meeting should notify the County Manager's office at 336-242-2200 at least twenty-four hours prior to the start of the meeting.

Samuel L. Watford, Chairman
Davidson County Board of
Commissioners

July 22, 29, 2011

Attention: _____ Fax: _____

This is a final proof. If any information is incorrect, please contact your sales representative prior to the deadline of the first insertion. Otherwise your order is accepted as having been approved.

DAVIDSON COUNTY PLANNING DEPARTMENT
Application for Amendment to the Davidson County Zoning Ordinance
Map or Text (Circle One)

Date: 6-8-2011 Fees Paid Rcpt. No.: 2011000102

Applicant(s): Mr. Jeff Zimmerman

Address: 2609 Enterprise Rd. Lexington, NC Telephone No.: 336-775-2100

27295
Property Owner: Family Limited Partnership

Address: SAME. Telephone No.: SAME.

Property Location (General Description) Located on the south side of
Enterprise Road approximately 300 feet east of the Craver
Road intersection.

Township: Arcadia Map No. 13 Blk. No. Lot(s) P/O Lot 13

Acres (more or less) 3.0 ± Existing Zoning District RA-3 Proposed Zoning District: RC

Legal Advertisement: Request by Jeff Zimmerman to rezone
property in Arcadia Township, Tax Map 13, a portion
of Lot 13 containing 3.0 acres more or less. Said
property is located on the south side of Enterprise
Rd. approximately 300 feet east of the Craver Road
intersection. Rezoning is requested to change from
that of RA-3, Rural Agricultural District, to that of
RC, Rural Commercial District.

Planning Board Meeting Date: July 19, 2011 6PM Recommendation: 4-0 Approved

Public Hearing Date: Aug. 9, 2011 7PM Commissioners' Action:

Signature, Applicant(s) 
Jeffrey Zimmerman

Agent: By:

Address: Telephone No.:

Davidson County Planning Department

Name: Jeff Zimmerman (Family Limited Partnership)

Application for Amendment to the Davidson County Zoning Ordinance

Contents of Application: All applications for amendments to this ordinance, without limiting the right to file additional material, shall contain at least the following (applicant may attach additional sheets if necessary):

- (a) If the proposed amendment would require a change in the ZONING ATLAS, a fully dimensioned map at a scale of not less than 400 feet nor more than 20 feet to the inch showing the land which would be covered by the proposed amendment.
- (b) A legal description of such land, if applicable.
- (c) Any alleged error in this ordinance which would be corrected by the proposed amendment with a detailed explanation of such error in the ordinance and detailed reasons how the proposed amendment will correct same.

There does not appear to be an alleged error in the Zoning Ordinance.

- (d) The changed or changing conditions, if any, in a particular area or in the county generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare.

The applicant is asking to extend an existing RC district.

- (e) The manner in which the proposed amendment will carry out the intent and purpose of a comprehensive plan.

Proposed amendment is extending an already existing RC district.

- (f) All other circumstances, factors, and reasons which applicant offers in support of the proposed amendment.

The proposed amendment corrects the zoning map to extend the existing RC district to include the septic area for the business and to satisfy the impervious area for the watershed requirements.

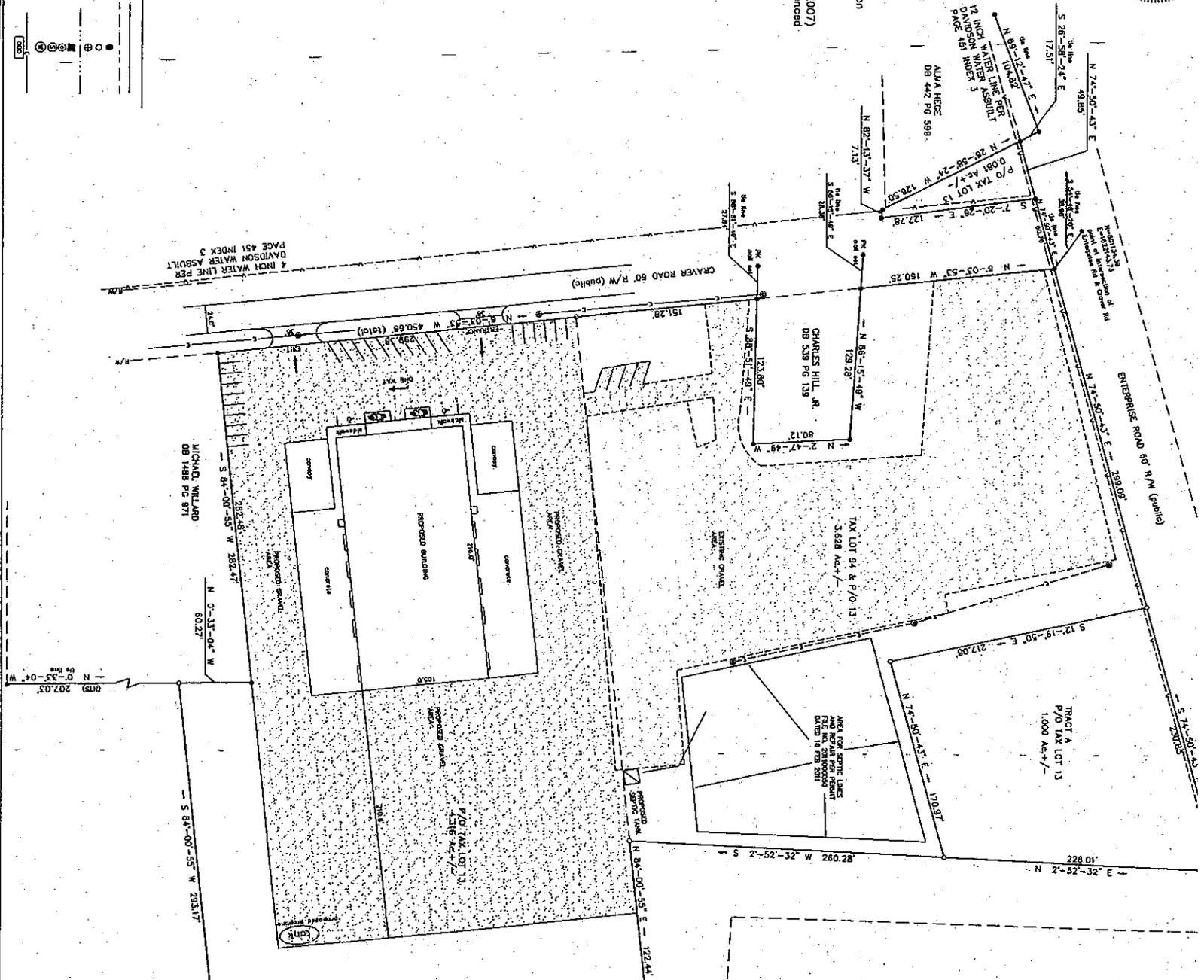


The NC Grid coordinates shown on this plot were derived by RTK differential GPS observations using one Topcon GR5-1 receiver. The network positional accuracy of the RTK derived positional information is 0.10. Horizontal positions are referenced to NAD83 (NRSRS2007) vertical positions are referenced to NAVD88

NOTE: CONTOUR LINES NOT FROM FIELD 10'0.

LEGEND

The Surveyed (or calculated) Line is shown as a solid line
 Iron Found
 Point not monumented
 Stream or creek
 Power Pole
 Sanitary Sewer Main Hole
 Well
 Electric Overhead Line



BEN HEGE
 DB 679 PG 682

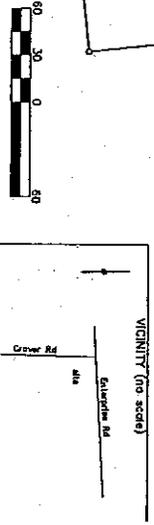
TOTAL AREA: 8,028 AC +/-
 EXISTING IMPROVEMENTS: 2,048 AC +/-
 PROPOSED IMPROVEMENTS: 3,848 AC +/-
 TOTAL IMPROVEMENTS: 5,811 AC +/-
 ALLOWED IMPROVEMENTS: 5,817 AC +/-
 70%
 NOTE: 28 PARKING SPACES PROVIDED
 2 HANDICAP SPACES

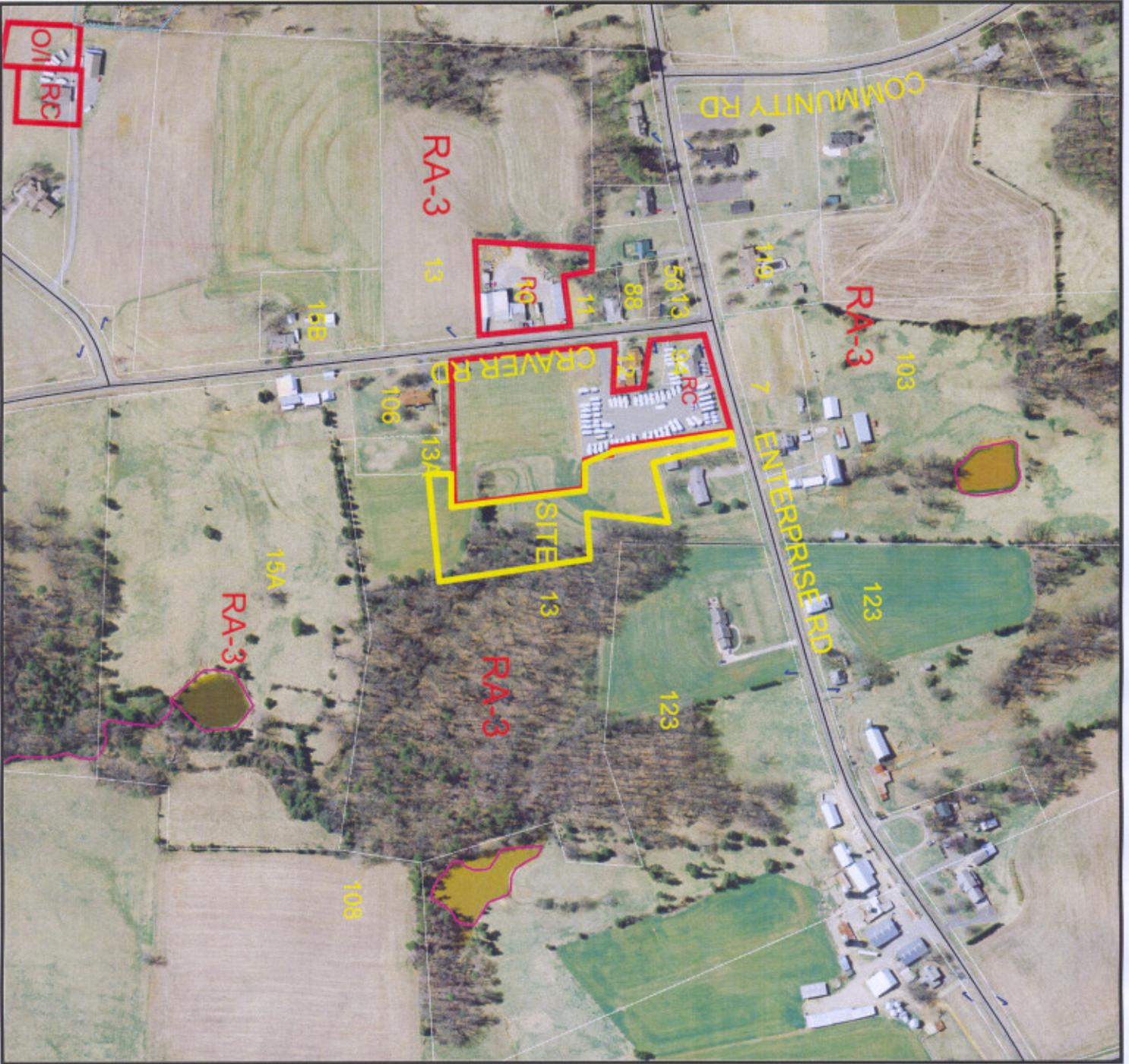
REMAINDER OF TAX LOT 13

SITE PLAN FOR
JEFF ZIMMERMAN

AREA BY COORDINATES
 18 MAY 2011
 PRECISION 1: 10,000 +
 DAVIDSON CO. NC, ARCADIA TOWNSHIP TAX MAP 13 TAX LOT 13
 REF: DB 1489 PG 1728

DATE: FORESTRY & SURVEYING F-01411
 P.O. BOX 36 JOB #
 WALTERBURG, NC 27373 (336) 768-4673 110125P





Legend

- county
- centerlines**
- SECONDARY
- INTERSTATE
- NCHWY
- USHWY
- ZONING BOUNDARIES
- PROPERTY LINES



Applicant:
JEFF ZIMMERMAN

Property Owner:
FAMILY LIMITED PARTNERSHIP

Scale: 1" = 400'

Date: 6/21/11

Drawn By: JHM

REVISED:

FROM: RA-3, RURAL AGRICULTURAL DIST.

TO: RC, RURAL COMMERCIAL DIST.

ARCADIA TWP., TAX MAP 13,
LOT 13 (PORTION), 3.0 ACRES

2009 Aerial Photography

Adjoining Property
Owner Notice - LIST

Applicant: Jeff Zimmerman
Location: Arcadia Township Tax Map 13 P/O Lot 13
Request to change zoning: RA-3 to RC

0301300000056	HEGE ALMA TESH	607 COMMUNITY RD LEXINGTON NC 272950
0301300000010	LINK MONTY GENE	360 ARCADIA DR LEXINGTON NC 272929
0301300000011	MCGEHEE BARBARA MOON	199 CEDAR FOREST LN MOCKSVILLE NC 270280
0301300000012	HILL CHARLES GLENN JR	2832 CRAVER RD LEXINGTON NC 272929
0301300000013	ZIMMERMAN WADE	FAMILY LIMITED PARTNERSHIP LEXINGTON NC 272950
0301300000013A	WILLARD MICHAEL G	2716 CRAVER ROAD LEXINGTON NC 272950
0301300000007	ZIMMERMAN WADE	FAMILY LIMITED PARTNERSHIP LEXINGTON NC 272950
0301300000015B	ZIMMERMAN JEFFREY W	1111 DR ZIMMEMAN RD LEXINGTON NC 272929
0301300000123	HEGE BEN A	2469 ENTERPRISE RD LEXINGTON NC 272950
0301300000088	HEGE ALMA TESH	607 COMMUNITY RD LEXINGTON NC 272950
0301300000094	ZIMMERMAN WADE	FAMILY LIMITED PARTNERSHIP LEXINGTON NC 272950
0301300000103	ZIMMERMAN WADE	FAMILY LIMITED PARTNERSHIP LEXINGTON NC 272950
0301300000106	WILLARD MICHAEL G	2716 CRAVER ROAD LEXINGTON NC 272950
0301300000108	HEGE THOMAS C	2300 ENTERPRISE RD LEXINGTON NC 272950
0301300000119	MALLOY DOUGLAS ALLEN	2652 ENTERPRISE RD LEXINGTON NC 272950
0301300000015A	ZIMMERMAN WADE	FAMILY LIMITED PARTNERSHIP LEXINGTON NC 272950

"Planning for a Better Tomorrow"

Mailed: July 12, 2011

Davidson County
Governmental Center
Lexington, NC

Meeting: PZ on July 19, 2011 6PM
BOC on Aug. 9, 2011 7PM.

STAFF ANALYSIS AND
RECOMMENDATION FOR REZONING REQUEST BY JEFF ZIMMERMAN

Applicant is seeking an additional three acres more or less to be rezoned from RA-3 to that of RC district. Subject property is located in Arcadia Township on the south side of Enterprise Road approximately 300 feet east of the Craver Road intersection.

The proposed district is contiguous to the already established RC district where the applicant maintains a full service RV/Camper sales and repair business.

The request appears reasonable and consistent with the County's adopted land development plan for the area given its location. Policy 1.7 states small business start-ups, expansions, and spin-offs should be encouraged in appropriate locations. Policy 1.8 says Davidson County endorses a pro-business/pro-growth attitude.

Staff recommends approval as it has been presented.

**PLANNING BOARD RESOLUTION OF RECOMMENDATION
DAVIDSON COUNTY, NORTH CAROLINA**

Applicant: Jeff Zimmerman

Location: On the south side of Enterprise Road approximately 300 feet east of the Craver Road intersection.

Lot size: 3.0 acres more or less

Parcel ID #: Arcadia Twp., Tax Map 13, p/o Lot 13

District: RA-3

Meeting Date: 07-19-11

Request: Rezone to RC

Plans: GIS Map prepared by Staff 06-21-11

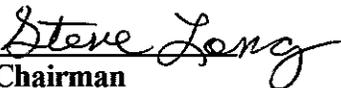
Whereas, the Applicants' property is contiguous to an already established RC District;

Whereas, the Planning Board convened to consider and prepare a recommendation on the application on 07-19-11, at which time the Applicant and/or Applicant's representative was given the opportunity to present arguments and County staff was given opportunity to comment on the Application; and,

Whereas, the Planning Board has made the following conclusions:

- 1) The requested rezoning is reasonable and consistent with the comprehensive plan for the area ;
- 2) The request allows for an existing business to expand without impacting active farmland;
- 3) The business is located at an intersection of two secondary roads considered to be collector roads.

Now Therefore Be It Resolved, on the basis of the foregoing findings and conclusions, that the Planning Board does hereby recommend to the County Commissioners that the request for rezoning be GRANTED.


Chairman

Davidson County Planning Board

7-19-11
Date

PERMITTED USES IN RC

Uses Allowed by Right

- Above Ground Three Phase Electric Power Distribution Lines
- Automobile Body Shops (Excluding Open Storage of Wrecked Vehicles)
- Automobile Car Wash, Drive Through, Requiring Vehicle Stacking
- Automobile Sales, New and Used
- Beauty and Barber Shops
- Bed and Breakfast Inn
- Churches and their Customary Accessory Uses, including on-premises Cemeteries and Child Care
- Community Centers, Public and Non-profit, for Assembly and Recreation
- Compartmentalized Storage for Individual Storage of Residential and Commercial Goods
- Convenience Stores
- Day Care Facility (Freestanding)
- Electric Power Transmission Lines over 44,000 volts, Gas and Fuel Distribution Lines over 100 P.S.I.
- Farm Supplies Sales (Feed, Seed, Fertilizer, etc.)
- Farms (Not Regulated)
- Fleamarket, Indoors
- Fleamarket, Out-of-doors
- Funeral Homes
- Government Emergency Services
- Governmental Offices
- Greenhouses, Nurseries, Plant Cultivation and Sales (Commercial)
- Mixed Commercial and Residential Use Where Commercial Use is Primary and Both Occupy the Same Structure on Lot
- Kennels, Commercial Boarding and Lodging of Domestic Animals
- Kennels, Non-Commercial, On Premises Personal Use
- Libraries
- Motor Vehicle Maintenance and Repair (Excluding Open Storage of Wrecked Vehicles)
- Museums
- Nursing and Rest Homes
- Offices
- Parks, Playing Fields (Non-profit)
- Pharmacy and Drug Store
- Recycling Drop-off Centers
- Repair Services, Electronic and Appliance
- Restaurants, Food and Beverage Establishments
- Retail Trade, Durable and Non-Durable Goods
- Schools, Primary and Secondary
- Service Stations
- Sewage Pumping Stations (Lift Station)
- Streets and Railroad Tracks

- Telephone Exchanges, Switching Stations
- Temporary Building or Structure Related to Development of Land
- Underground Electric Power Distribution Lines under 44,000 volts; Gas and Liquid Fuel Distribution Lines under 100 P.S.I.; Water and Sewer
- Utility Stations and Substations
- Veterinary Clinic, including accessory uses except no Out-of-doors Boarding of Animals in O/I
- Vocational or Professional Schools
- Wireless Communication Towers and Facilities (Colocation Only)*

*Must be no increase in tower height and must submit site plan showing the location of equipment structures to be located within previously approved fenced in area.

Uses Allowed with Special Use Permit, Class A

- Extraction of Earth Products
- Radio and TV Transmitting, Receiving Towers, Storage Tanks, Radar Sites

Uses Allowed with Special Use Permit, Class B

- Cemetery
- Indoor Firing Range

DAVIDSON COUNTY PLANNING DEPARTMENT
Application for Amendment to the Davidson County Zoning Ordinance
Map ~~XXXX~~ (Circle One)

Date: June 30, 2011 Fees Paid Rcpt. No.: 2011000106

Applicant(s): Mark & Betsy Cowan

Address: 179 Kert Drive Lexington NC Telephone No.: 746-4303
Zip: 27292

Property Owner: Vanya Properties, LLC

Address: P.O. Box 1107 Lexington 27293 Telephone No.: 746-4303

Property Location (General Description) Located on the south side of East Old Highway 64 approximately 65 feet east of the South County Home Road intersection.

Township: Conrad Hill Map No. 18 Blk. No. Lot(s) 79

Acres (more or less) .49± Existing Zoning District RM-1 Proposed Zoning District: HC

Legal Advertisement: Request by Mark and Betsy Cowan to rezone property in Conrad Hill, Tax Map 18, Lot 79 containing .49 acre more or less. Said property is located on the south side of E Old Highway 64 approximately 65 feet east of the South County Home Road intersection. Rezoning is requested to change from that of RM-1, Medium Density Residential District, to that of HC, Highway Commercial District.

PZ Planning Board Meeting Date: 7-19-11 6PM Recommendation: 4-0 Approved

BOC Public Hearing Date: 8-9-11 7PM Commissioners' Action: _____

Signature, Applicant(s) ✓ [Signature] Mark Cowan

1 [Signature] Elizabeth Cowan
(Betsy)

Agent: _____ By: _____

Address: _____ Telephone No.: _____

Davidson County Planning Department

Name: Mark R. Cowan (for VANYA Properties, LLC) Elizabeth H. Cowan
Application for Amendment to the Davidson County Zoning Ordinance

Contents of Application: All applications for amendments to this ordinance, without limiting the right to file additional material, shall contain at least the following (applicant may attach additional sheets if necessary):

- (a) If the proposed amendment would require a change in the ZONING ATLAS, a fully dimensioned map at a scale of not less than 400 feet nor more than 20 feet to the inch showing the land which would be covered by the proposed amendment.
- (b) A legal description of such land, if applicable.
- (c) Any alleged error in this ordinance which would be corrected by the proposed amendment with a detailed explanation of such error in the ordinance and detailed reasons how the proposed amendment will correct same.

There does not appear to be an alleged error in the Zoning Ordinance.

- (d) The changed or changing conditions, if any, in a particular area or in the county generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare.

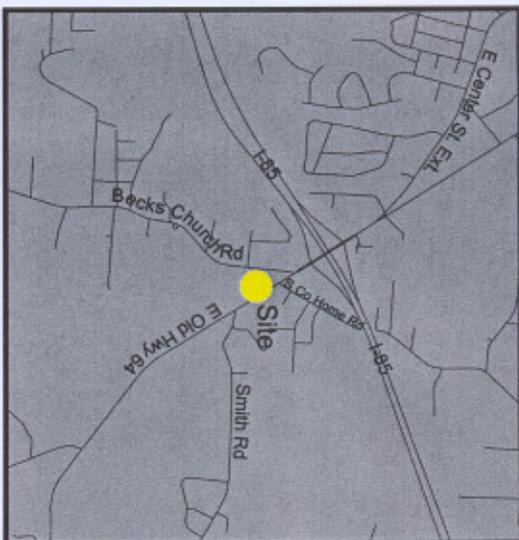
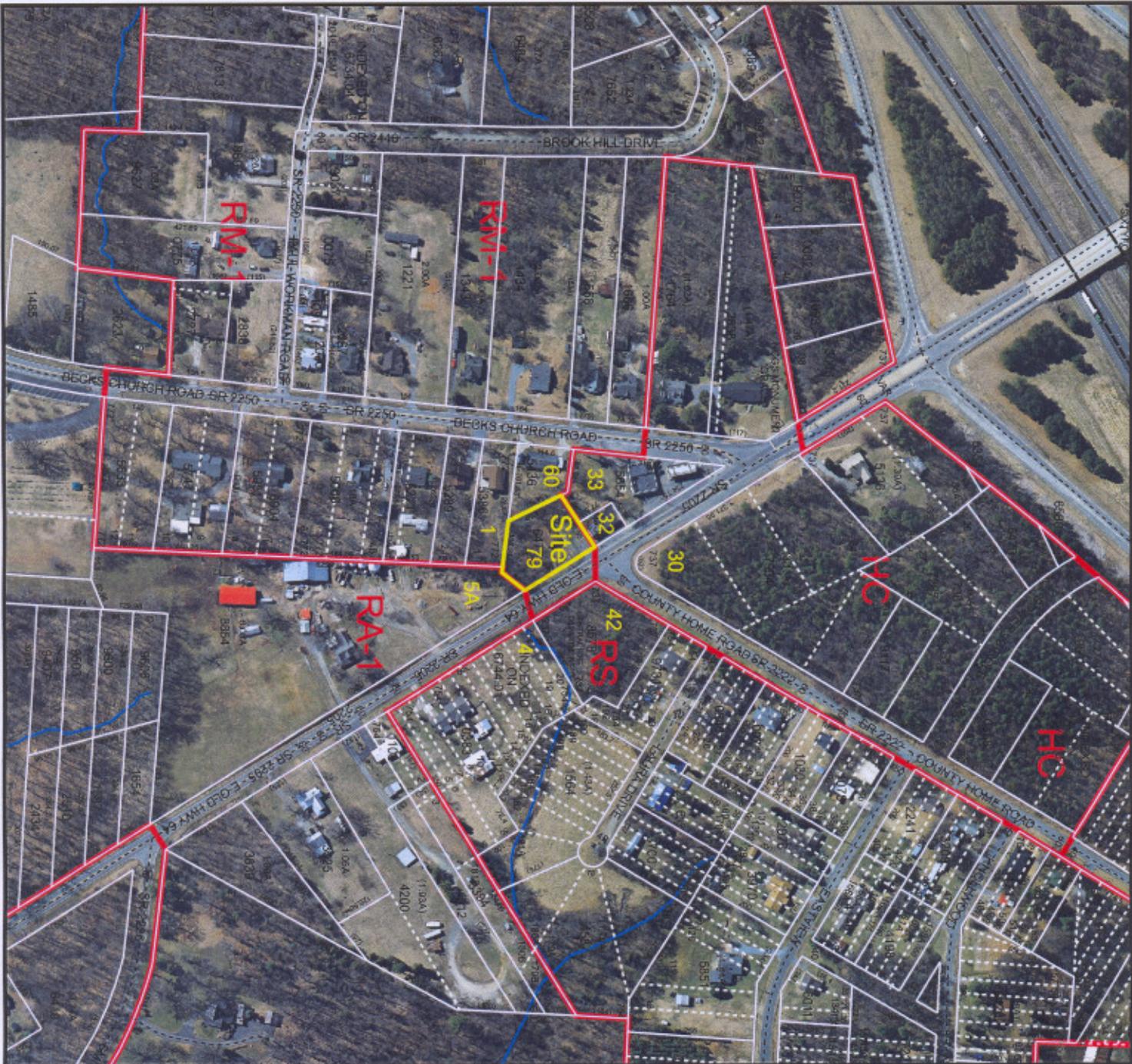
Population growth and commercial expansion in eastern Davidson County, especially associated near I-85/Old Hwy 64 bridge. This would make for changing conditions. Changing this lot to commercial use would make the rezoning reasonable.

- (e) The manner in which the proposed amendment will carry out the intent and purpose of a comprehensive plan.

A comprehensive growth plan includes the commercial expansion on major road crossings like the I-85/Hwy 64 bridge area.

- (f) All other circumstances, factors, and reasons which applicant offers in support of the proposed amendment.

- 1) Adjacent to existing commercial property;
- 2) Currently vacant and requires major renovation to allow residential use;
- 3) Not a desirable area for residential use and difficult to rent even as temporary housing;
- 4) Close to Interstate 85 and fronts on a major highway. 5



Legend

- PROPERTY LINES
- COUNTY BOUNDARY
- SECONDARY ROADS
- INTERSTATE
- NC HWY
- US HWY
- ZONING BOUNDARIES
- WATER

2010 AERIAL PHOTOS



Applicant:		Cowan, Mark & Betsy	
Property Owner:		VANYA PROPERTIES LLC	
Scale	1"=300'	Drawn By:	RLC
Date:	07/05/11	Revised:	
From: RM-1, Medium Density Residential District			
To: HC, Highway Commercial District			
Conrad Hill Township, Tax Map 18, Tax Lot 79, .49 AC + or -			
2010 Aerial Photography			

Adjoining Property Owner List

REZONING APPLICATION
Mark & Betsy Cowan

Meetings: 7-19-2011 6PM PZ
8-09-2011 7PM BOC

05019B0000004	EDWARDS WOODROW	3255 EAST OLD HWY 64 LEXINGTON NC 272927
0501900000005A	SWING ROBERT H	3278 E OLD HWY 64 LEXINGTON NC 272920
05018J0000001	DAN-WEBB INC	202 PARTRIDE LANE LEXINGTON NC 272920
05018I0000042	SHOAF JAMES C JR ET ALS	610 DYKERS CREEK ROAD LEXINGTON NC 272950
05018I0000030	KLASS MARK E ET ALS	23 WEST SECOND STREET LEXINGTON NC 272920
0501800000079	K AND KHAN INC	P.O. BOX 1697 LEXINGTON NC 272931
0501800000060	SWING ROBERT G	954 BECKS CH RD LEXINGTON NC 272928
0501800000033	K AND KHAN INC	P.O. BOX 1697 LEXINGTON NC 272931
0501800000032	K AND KHAN INC	P.O. BOX 1697 LEXINGTON NC 272931

"Planning for a Better Tomorrow"

Conrad Hill Twp. Map 18 Lot 79 RM-1 to that of HC

Notices sent to Mark & Betsy (Elizabeth) Cowan @ 179 Kert Dr. Lexington
Vanya Properties, LLC@ P.O. Box 1107 Lexington
(179 Kert Dr. Lexington

DAVIDSON COUNTY
Lexington, NC 27292
Governmental Center

Mailed: 7-12-2011

STAFF ANALYSIS AND RECOMMENDATION FOR REZONING REQUEST
BY MARK AND BETSY COWAN

Applicants are seeking to have a lot owned by them rezoned from RM-1 to that of HC district. Subject property contains .49 acre more or less and is located in Conrad Hill Township on the south side of E Old Highway 64 approximately 65 feet east of the South County Home Road intersection.

The lot has an existing residential style structure that will be remodeled for use as a small retail and repair shop with an office. The site is contiguous to an already established HC district to the north. This HC district is part of a commercial service center as recognized by the County's Land Development Plan.

Staff will consider the rezoning request to be reasonable and consistent with the comprehensive plan for the area. Old Highway 64 is considered a major thoroughfare that will be able to support additional commercial development at said location.

**PLANNING BOARD RESOLUTION OF RECOMMENDATION
DAVIDSON COUNTY, NORTH CAROLINA**

Applicant: Mark and Betsy Cowan

Location: On the south side of Old US Highway 64 East approximately 65 feet east of the South County Home Road intersection.

Lot size: .49 acre more or less

Parcel ID #: Conrad Hill Twp., Tax Map 18 Tax Lot 79

District: RM-1

Meeting Date: 07-19-11

Request: Rezone to HC

Plans: GIS Map prepared by Staff 07-05-11

Whereas, the Applicants' property is contiguous to an already established HC District;

Whereas, the Planning Board convened to consider and prepare a recommendation on the application on 07-19-11, at which time the Applicant and/or Applicant's representative was given the opportunity to present arguments and County staff was given opportunity to comment on the Application; and,

Whereas, the Planning Board has made the following conclusions:

- 1) The requested rezoning is reasonable and consistent with the comprehensive plan for the area ;
- 2) The request allows for a deteriorating building to remodeled and give the property an active use adding tax value;
- 3) The site is considered to be part of a commercial service center recognized by the County's adopted land development plan.

Now Therefore Be It Resolved, on the basis of the foregoing findings and conclusions, that the Planning Board does hereby recommend to the County Commissioners that the request for rezoning be GRANTED.


Chairman

Davidson County Planning Board

7-19-11
Date

PERMITTED USES IN HC

Uses Allowed by Right

- Above Ground Three Phase Electric Power Distribution Lines
- Auditoriums
- Automobile Body Shops(excluding open storage of wrecked vehicles)
- Automobile Car Wash, Drive Through, Requiring Vehicle Stacking
- Automobile Sale, New and Used
- Banks and Savings & Loan Associations
- Beauty and Barber Shops
- Builders Supply Sales(8' solid fencing or approved screening required for accessory storage yards)
- Bus Passenger Terminals
- Carnivals, Fairgrounds
- Churches and their Customary Accessory Uses, including on-premises Cemeteries and Child Care
- Community Center, Public and Non-Profit, for Assembly and Recreation
- Compartmentalized Storage for Individual Storage of Residential and Commercial Goods
- Convenience Stores
- Day Care Facility(freestanding)
- Drive-In Window Services(bank, fast foods, etc.) where use is permitted in District
- Dry Cleaning and Laundry
- Electric Power Transmission Lines over 44,000 volts; Gas and Fuel Distribution Lines over 100 P.S.I.
- Farm Machinery Sales
- Farm Supplies Sales(feed, seed, fertilizer, etc.)
- Farms(not regulated)
- Fleamarket, Indoors
- Fleamarket, Out-of-Doors
- Funeral Homes
- Golf, Miniature
- Governmental Emergency Services
- Governmental Offices
- Greenhouses, Nurseries, Plant Cultivation and Sales(commercial)
- Grocery Stores(supermarket)
- Group Homes
- Home Furnishings and Appliance Sales
- Hospitals, Medical Clinics
- Hotels and Motels
- Kennels, Commercial Boarding and Lodging of Domestic Animals
- Kennels, Non-Commercial, On Premises Personal Use
- Libraries
- Lodges, Fraternal and Social Organizations
- Manufactured Housing, Travel Trailer, Camper, Marine, Recreational Vehicle Sales
- Mixed Commercial and Residential Use Where Commercial Use is Primary and Both Occupy Same Structure on Lot

- Motor Vehicle Maintenance and Repair(excluding open storage of wrecked vehicles)
- Museums
- Nursing and Rest Homes
- Offices
- Outdoor Advertising Signs
- Outdoor Storage Yard(principle use) (8' solid fencing or other approved screening required)
- Parking as Principal Use of Lot, Tract or Parcel
- Parcel Delivery Service
- Pharmacy and Drug Store
- Printing Establishments
- Recreational Facilities Commercial, Indoors(e.g. bowling alleys, skating rinks, game rooms)
- Recycling Drop-Off Centers
- Repair Services, Electronic and Appliance
- Restaurants, Food and Beverage Establishments
- Retail Trade, Durable and Non-Durable Goods
- Service Stations
- Sewage Pumping Stations(lift station)
- Streets and Railroad Tracks
- Telephone Exchanges, Switching Stations
- Temporary Building or Structure Related to Development of Land
- Underground Electric Power Distribution Lines under 44,000 volts; Gas and Liquid Fuel Distribution Lines under 100 P.S.I.; Water and Sewer lines
- Utility Stations and Substations
- Veterinary Clinic, including accessory uses except no out-of-doors boarding of animals in O/I
- Vocational or Professional Schools
- Wireless Communication Towers and Facilities (Colocation Only)*
 - *Must be no increase in tower height and must submit site plan showing the location of equipment structures to be located within previously approved fenced in area.
- Wireless Communication Towers and Facilities (160 Feet Tall or Less)
- Wireless Communication Towers and Facilities (160 Feet Tall or More)

Uses Allowed with Special Use Permit, Class A

- Adult Uses
- Extraction of Earth Products
- Radio and TV Transmitting, Receiving Towers, Storage Tanks, Radar Sites

Uses Allowed with Special Use Permit, Class B

- Arena
- Bed and Breakfast Inn
- Cemetery
- Drive-In Theater
- Golf Driving Range
- Indoor Firing Range
- Storage of Low Explosives

**DAVIDSON COUNTY
PLANNING BOARD MINUTES
JULY 19, 2011 @ 6:00 PM-GOVERNMENTAL CENTER
LEXINGTON, NORTH CAROLINA**

- Members Present: Chairman Steve Long
Michelle DeLapp
Kelly Smith
David Craver
- Members Absent: John Hedgecock
- Staff Present: Director Guy Cornman
Assistant County Attorney Mike Newby
John Mendenhall, Zoning Officer
Lee Crook, CZO
- Others Present: Jeff Zimmerman, Cindy Zimmerman, Mark Cowan

Draft

I. ADOPTION OF AGENDA

The agenda was adopted as presented with one addition (4 to 0 vote):

V. MBL Variance

- A. Minor Subdivision for Variance to Minimum Building Line in the name of Anthony Downs on Emmanuel Church Road in Thomasville Township

II. PUBLIC ADDRESS

Chairman Long asked the audience if there were any person or persons who needed to address the Board with concerns that were not listed on the agenda.

No testimony was given.

III. PLANNING BOARD MINUTES

Chairman Long asked the Board members to review and examine the Planning Board minutes from June 7th, 2011.

Michelle Delapp made a motion to adopt the minutes.

David Craver seconded the motion and the Planning Board Minutes from June 7th were approved with a 4 to 0 vote.

IV. REZONING REQUESTS

A. Jeff Zimmerman:

Request by Jeff Zimmerman to rezone property in Arcadia Township, Tax Map 13, a portion of Lot 13 containing 3.90 acres more or less. Said property is located on the south side of Enterprise Road approximately 300 feet east of the Craver Road intersection.

Draft

Rezoning is requested to change from that of RA-3, Rural Agricultural District, to that of RC, Rural Commercial District.

Guy Cornman explained the request and an aerial of the said property was exhibited. Mr. Cornman noted that the applicant maintained a full service RV/Camper sales and repair business. The proposed district was already contiguous to the established RC district. Mr. Cornman reminded the board that the public hearing for the rezoning items, heard at this meeting, would be heard at the regular Commissioners meeting day, because of the small number of requests and that date was Tuesday, August 9th at 7:00 PM.

Jeff Zimmerman pointed out the highlighted area in yellow on the exhibited site map and explained to the board that with his growing business, he was constructing a new building at the rear of the said property. The property behind the area being considered would remain RA-3.

Chairman Long asked about the septic system.

Jeff Zimmerman stated that the extension of the RC district would correct the zoning map and would then include the septic area for the business. This would then satisfy the impervious area for the watershed requirements. They had complied with the Health Department requirements and Mr. Zimmerman noted the location of the pumping tank that would go in.

Chairman Long asked for any comments from the audience in regard to this request.

No opposition was expressed.

Chairman Long asked for the Staff's recommendation.

Guy Cornman stated that the request was consistent with the County's adopted Land Development Plan. Mr. Cornman referred to Policy 1.7 which stated small business start-ups, expansions, and spin-offs should be encouraged in appropriate locations. Policy 1.8 said Davidson County endorsed a pro-business/pro-growth attitude. Staff recommended approval as it was presented.

Chairman Long asked for a recommendation from the Board.

Kelly Smith made the motion to approve the request by Jeff Zimmerman for the proposed amendment, correcting the zoning map to extend the existing RC district for a portion of Lot 13. This request was also supported by the Land Development Plan for this particular location.

David Craver seconded the motion. The vote was unanimous at 4 to 0.

Chairman Long invited the concerned parties to attend the Public Hearing on Tuesday, August 9th, 2011 at 7:00 PM in the Commissioners Meeting Room. The Board of Commissioners would make their decision at that time.

B. Mark and Betsy Cowan:

Request by Mark and Betsy Cowan to rezone property in Conrad Hill, Tax Map 18, Lot 79 containing property in Conrad Hill Township, Tax Map 18, Lot 79 containing .49 acre more or less.

Draft

Said property is located on the south side of E Old Highway 64 approximately 65 feet east of the South County Home Road intersection. Rezoning is requested to change from that of RM-1, Medium Density Residential District, to that of HC, Highway Commercial District.

Guy Cornman explained the request. An aerial was exhibited of the said property located in the area 65 feet east of the South County Home Road intersection. Mr. Cornman stated that this track was close to the I-85 corridor. It also was south of Hwy 64 and there were many businesses, there. There were other commercial uses in the area such as a convenience store and Shell Gas Station.

Mark Cowan stated that the building on the property was abandoned. They looked at the building for rental, residentially, but it was not suited and because head-lights from cars coming down County Home Road hit this building, it was not likely anyone would want to live there. The building had potential to be a good location for a small store and that was the plans for now, to use the structure for a store. Later on down the road the building could be torn down and perhaps a dental office placed there. Mr. Cowan expressed that there were some rental homes behind this property and the old Central Fire Department building was currently vacant.

Guy Cornman stated that the Fire Department had moved to Becks Church Road location and it appeared that they were not planning to use that existing building.

Mark Cowan stated that they would check with Health Department as far as the septic when using the existing building as a store instead of a residence and any requirements for this change of use, would be met. There was an individual who wanted to buy the said property and make necessary renovations to open up a store. He had also visited the Planning staff to check on requirements for the renovations and zoning compliance setbacks and other approvals. Mr. Cowan also added that at the back of the property behind the building, adjacent to the adjoining residence, there was a tree screen and this tree cover would be left alone.

There was not opposition present to offer testimony.

Chairman Long asked for the Staff recommendation.

Guy Cornman stated that the Staff recommended approval of this request. The lot had the existing residential type structure and plans were being made to remodel the building for a small retail and repair shop with an office. The site was adjoining an already established HC district to the north. This HC district was part of a commercial service center as recognized by the County's Land Development Plan. The rezoning request appeared to be reasonable and consistent with the comprehensive plan for the area. Old Highway 64 was considered a major thoroughfare that would be able to support additional commercial development at said location.

Chairman Long asked for a recommendation from the board.

Kelly Smith made a motion to approve the request by Mark and Betsy Cowan because he felt this request was supported by the fact that this said property was adjacent to commercial

Draft

property and it was not a satisfactory area for residential use from the testimony given. It was close to Interstate 85 and fronted a major highway.

Michelle Delapp seconded the motion and the vote stood at 4 to 0.

Chairman Long invited the concerned parties to be back in the same meeting room for the Board of Commissioners Public Hearing scheduled for Tuesday, August 9, 2011 at 7:00 PM.

V. MINOR SUBDIVISION-VARIANCE TO MBL
A. Anthony Downs-Thomasville Township

With no further business to bring to the Board's attention, the July 19th, 2011 Planning Board meeting was adjourned with a vote of 4 to 0.

Agent to the Board of Commissioners
Secretary to the Planning Board

Chairman of Davidson County
Planning Board

COMMISSIONERS' AGENDA

Date: August 9, 2011

Exhibit: _____

ITEM: H.3. Public Hearing – 2011 Justice Assistance Grant (JAG)

ITEM INFORMATION: The Board will conduct a public hearing to receive public comments on the _____
2011 JAG funding. Please review the attached information. _____

ACTION TO BE TAKEN: Open and close public hearing. Approve submittal og grant application.

THE DISPATCH

JAG

The Dispatch
 30 East 1st Avenue
 PO BOX 908 (27293-0908)
 Lexington, NC, 27293
 Phone: (336) 249-3981
 Fax: (336) 249-2944

DAV CO SHERIFF'S DEPT
 N/A
 PO BOX 1067
 LEXINGTON, NC 27293

Account: 42000649
 Phone: (336)249-0131
 P.O. #: JAGNOTICE
 Ad Taken By: D012
 Receipt printed: 07/07/2011
 Receipt Number:

Order Number	Class Number	Start Run	End Run	Run Times	Lines	Description
J000343412	0002	07-09-11	07-09-11	2	91	STATE OF NORTH CAROLINA COUNTY OF DAVIDSON BEFORE THE DAVIDSON COUNTY BOARD OF COMMISSIONERS NOTICE OF PUBLIC HEARING Notice is hereby given that the Davidson County Board of Commissioners will conduct a public hearing at 7:00 P.M. on August 9, 2011

Payment Detail	Pay Date	Type	Card or Check #	Card	Exp	Amount
Current Payment						
Order Price						\$ 168.17
Total Payments					-	\$ 0.00
Balance					=	\$ 168.17

**STATE OF NORTH
 CAROLINA
 COUNTY OF DAVIDSON
 BEFORE THE DAVIDSON
 COUNTY
 BOARD OF
 COMMISSIONERS
 NOTICE OF PUBLIC
 HEARING**

Notice is hereby given that the Davidson County Board of Commissioners will conduct a public hearing at 7:00 P.M. on August 9, 2011, at the Davidson County Commissioners' Meeting Room, fourth floor, Davidson County Governmental Center, 913 Greensboro Street, Lexington, North Carolina. The purpose of the public hearing is to consider an application for the

2011 Justice Assistance Grant (JAG) in the amount of \$17,540.81. The proposal for the grant funds is to purchase equipment to enhance safety and surveillance capability, update K-9 equipment, and improve efficiency of the Davidson County Sheriff's Office. The proposed equipment to be purchased is as follows:
 (7) EX 500 Motorola portable two way radio with lapel microphone and charger \$907.00 X 7= 6,349.00, Tax \$492.05= Total \$6,841.05
 (6) Stream Light ultra stinger rechargeable flashlights with chargers- \$99.98 x 6= \$599.88, Tax \$ 46.49, Shipping \$17.00= Total \$663.37
 (2) PRO-VISION- Patrol Car video in-car digital cameras- \$2,544x2=\$5,088.00, Secure Digital High Capacity Card

(SDHC) = \$110.00, Shipping
\$38.59= Total \$5,236.59

(1) Nikon D90 18-105 mm
Crime Scene Camera-
\$949.95, 4GB Secure Digital
Card= 39.95= Total \$989.90

(1) Eight (8) channel
surveillance and alarm system
for Evidence Room-
(Surveillance system \$934.99,
Tax 72.46), (Alarm System
\$1,148.00, Tax \$88.97) = Total
\$ 2,244.42

(1) In focus Digital Light
Processing projector for
training (DLP Projector) -
\$729.99, Tax \$ 56.49= Total
786.48

(1) E/Z Collapsible K-9
Crate- \$669.00, Shipping
\$110.00= \$779.00

All interested citizens, groups,
senior citizens and
organizations representing the
interest of county citizens are
encouraged to attend and
submit comments. The detailed
list of the proposed purchase of
equipment is available for
public inspection from 8:00 AM
to 5:00 PM, at 913 Greensboro
Street, Lexington, North
Carolina in the office of the
Clerk to the Board and on the
Davidson County web site
www.co.davidson.nc.us, this
the 8th day of July, 2011.

Anne M. Burkhart, NCCCC
Clerk to the Davidson County
Board of Commissioners

July 9, 2011

Attention: _____ Fax: _____

This is a final proof. If any information is incorrect, please
contact your sales representative prior to the deadline of the first
insertion. Otherwise your order is accepted as having been
approved.

**STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON**

**BEFORE THE DAVIDSON COUNTY
BOARD OF COMMISSIONERS**

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Davidson County Board of Commissioners will conduct a public hearing at 7:00 P.M. on August 9, 2011, at the Davidson County Commissioners' Meeting Room, fourth floor, Davidson County Governmental Center, 913 Greensboro Street, Lexington, North Carolina. The purpose of the public hearing is to consider an application for the 2011 Justice Assistance Grant (JAG) in the amount of \$17,540.81. The proposal for the grant funds is to purchase equipment to enhance safety and surveillance capability, update K-9 equipment, and improve efficiency of the Davidson County Sheriff's Office. The proposed equipment to be purchased is as follows:

(7) EX 500 Motorola portable two way radio with lapel microphone and charger
 $\$907.00 \times 7 = 6,349.00$, Tax $\$492.05 =$ Total $\$6,841.05$

(6) Stream Light ultra stinger rechargeable flashlights with chargers- $\$99.98 \times 6 =$
 $\$599.88$, Tax $\$46.49$, Shipping $\$17.00 =$ Total $\$663.37$

(2) PRO-VISION- Patrol Car video in-car digital cameras- $\$2,544 \times 2 = \$5,088.00$,
Secure Digital High Capacity Card (SDHC) = $\$110.00$, Shipping $\$38.59 =$ Total
 $\$5,236.59$

(1) Nikon D90 18-105 mm Crime Scene Camera- $\$949.95$, 4GB Secure Digital
Card= $39.95 =$ Total $\$989.90$

(1) Eight (8) channel surveillance and alarm system for Evidence Room-
(Surveillance system $\$934.99$, Tax 72.46), (Alarm System $\$1,148.00$, Tax $\$88.97$) =
Total $\$2,244.42$

(1) In focus Digital Light Processing projector for training (DLP Projector) -
\$729.99, Tax \$ 56.49= Total 786.48

(1) E/Z Collapsible K-9 Crate- \$669.00, Shipping \$110.00= \$779.00

All interested citizens, groups, senior citizens and organizations representing the interest of county citizens are encouraged to attend and submit comments. The detailed list of the proposed purchase of equipment is available for public inspection from 8:00 AM to 5:00 PM, at 913 Greensboro Street, Lexington, North Carolina in the office of the Clerk to the Board and on the Davidson County web site www.co.davidson.nc.us, this the 8th day of July, 2011.

Anne M. Burkhart, NCCCC
Clerk to the Davidson County Board of Commissioners

DAVIDSON COUNTY SHERIFF'S OFFICE

110 W Center Street Lexington, NC 27292

Dedicated to honest, professional, and efficient service

Sheriff David S. Grice



*Emergencies: Dial 911
Phone: 336-242-2105
Fax: 336-236-*

June 30 2011

To: The Davidson County Commissioners

On June 23, 2011 the Sheriff's Office was notified that we were eligible to receive a Jag Grant of \$17,559.00. This Grant is based on the County Commissioners approval before July 24, 2011, since the only scheduled Commissioners meeting is July 7, 2011 We request that you approve this Grant. This Grant will be utilized for the purchase of the following listed basic equipment.

(7) EX 500 Motorola portable radios with lapel mics and charger at a cost of

\$907.00 x 7 =	\$6,349.00
Tax 7.75%	\$492.05
Total Cost	\$6,841.05

(6) Stream Light ultra stinger rechargeable flashlights with chargers

\$99.98 x 6 =	\$599.88
Tax 7.75%	\$46.49
Shipping	\$17.00
Total cost	\$663.37

(2) PRO VISION solid state in-car Video Systems with SDHC Cards

\$2,544.00 x 2 =	\$5,088.00
SDHC Cards	\$110.00
Shipping	\$ 38.59
Total cost	\$5,237.59

(1) Nikon D90 18-105mm Camera for Crime Scene Unit

	\$949.95
4GB SD Card	\$39.95
Total Cost	\$989.90

(1) 8 channel surveillance and alarm system for Evidence Room

Surveillance System	\$934.99
Tax	\$72.46
Alarm	\$1,148.00
Tax	\$88.97
Total Cost	\$2,244.42

(1) In focus DLP Projector for training

	\$729.99
Tax	\$ 56.49
Total Cost	\$786.48

(1) E/Z Collapsible K-9 Crate

	\$669.00
Shipping	\$110.00
Total Cost	\$779.00

Total Cost for Equipment	\$17,541.81
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Sheriff D. S. Grice

COMMISSIONERS' AGENDA

Date: August 9, 2011

Exhibit: _____

ITEM: I.1. Minutes

ITEM INFORMATION: Minutes of the June 28, 2011 and July 7, 2011 Board of Commissioners'
meetings and the June 6, 2011 Planning and Zoning Public Hearing are attached for your review and
consideration.

ACTION TO BE TAKEN: Approve/correct and approve

**MINUTES
ZONING PUBLIC HEARING
DAVIDSON COUNTY BOARD OF COMMISSIONERS
JUNE 6, 2011**

**Commissioners Meeting Room
Davidson County Governmental Center
Lexington, NC**

Members Present: Vice Chairman Larry Potts, Don Truell, Fred McClure, Billy Joe Kepley, Cathy Dunn, Todd Yates.
Members Absent: Chairman Sam Watford.
Staff Present: County Attorney Mike Newby, Planning Director Guy Cornman, Lee Crook, John Mendenhall.
Others Present: Thomas Loggins, Robert Everhart III, Kenneth Bowers, Greg Mauldin.

I. WELCOME/INVOCATION;PLEDGE OF ALLEGIANCE

Vice Chairman Potts asked for a motion to excuse Chairman Watford from the meeting. Motion was made by Commissioner Truell to excuse Chairman Watford and was seconded by Commissioner McClure. The vote carried (6-0).

II. ADOPTION OF AGENDA

Vice Chairman Potts asked if there were any additions or deletions to the Agenda. Mr. Cornman stated that he had no new applications for the board to discuss therefore he asked for Item IV to be deleted.

Commissioner McClure made the motion to adopt the Agenda with the deletion of Item IV. The motion was seconded by Commissioner Dunn and the vote carried 6-0.

III. REZONING REQUESTS

A) Arless A. & Thomas Loggins

Request by Arless A. Loggins and Thomas A. Loggins to rezone property in Lexington Township, Tax Map 317, a portion of Lot 1A containing 2.89 acres more or less. Said property is located on the east side of Old US Highway 52 approximately .2 mile north of the Bethesda Road intersection. Rezoning

is requested to change from that of RA-3, Rural Agricultural District and O/I, Office and Institutional District, to that of LI, Limited Industrial District.

Mr. Cornman stated that this rezoning request was heard by the Planning Board and their recommendation was to approve the request by a 5-0 vote. (Exhibit 1)

Vice Chairman Potts asked if there were anyone who wished to speak in favor of the request. At which time, Mr. Thomas Loggins was recognized.

Mr. Loggins stated that he was wishing to build a 40x75 warehouse to store and distribute maps. His business was the distribution of various maps. One truck a week and sometimes only one a month would bring in the maps. They would be stored in the warehouse and then distributed to their customers.

Vice Chairman Potts asked if there were anyone who wished to speak in opposition to the request. There was no response.

Mr. Cornman gave the staff recommendation for approval, stating that the property was along a stretch of Old Highway 52 that had been designated by the Land Development Plan as being a corridor for economic opportunity.

With no questions or comments from the Board, Commissioner Truell made the motion to approve the rezoning. The motion was seconded by Commissioner Dunn and the vote carried 6-0.

B) Robert Lee Everhart III

Request by Robert L. Everhart, III to rezone property in Lexington Township, Tax Map 325, a portion of Lots 63, 64, and 64A containing 4.47 acres more or less. Said property is located on the south side of Business 85 at the Robert Everhart

Road intersection. Rezoning is requested to change from that of HC, Highway Commercial District, to that of RA-3, Rural Agricultural District.

Mr. Cornman stated that this rezoning request was heard by the Planning Board and their recommendation was to approve the request by a 5-0 vote. (Exhibit 2)

Mr. Cornman stated that Highway Commercial zoning existed on both sides of the Business 85 corridor and the Planning Board felt that the land was unsuitable for commercial development.

Vice Chairman Potts asked if there were anyone who wished to speak in favor of this request. At which time, Mr. Robert Everhart was recognized.

Mr. Everhart stated that the property in question was suitable only for pasture due to it being in the floodplain, therefore he wanted to rezone it back to residential.

Vice Chairman Potts asked if there were anyone who wished to speak in opposition to the request. There was no response.

Mr. Cornman gave the staff recommendation for approval stating that the property was unsuitable for commercial development.

Commissioner McClure made the motion to approve the rezoning request. The motion was seconded by Commissioner Dunn and the vote carried 6-0.

C) Kenneth R. Bowers

Request by Kenneth R. Bowers to rezone property in Conrad Hill Township, Tax Map 34A, Lot 50 containing .94 acre more or less. Said property is further located on the south side of E. US Hwy 64 approximately .57 mile east of the Clarksbury Church Road intersection. Rezoning is requested to change from that of RA-3, Rural Agricultural

District, to that of HC, Highway Commercial District.

Mr. Cornman stated that this rezoning request was heard by the Planning Board and it was the Board's recommendation 5-0 to approve the request due to commercial zoning being nearby. (Exhibit 3)

Vice Chairman Potts asked if there were anyone who wished to speak in favor of the request. At which time, Mr. Kenneth Bowers was recognized.

Mr. Bowers stated that the purpose for the rezoning was so that a boat dealership could be placed there. He stated that there was other commercial property in the immediate vicinity near the intersection of Highways 64 and 109. He stated that the area was growing commercially and he felt this would be a good location. He also stated that he and the potential buyer had spoken with the City of Thomasville regarding the public sewer that was nearby. The plan was to bring public sewer down the right of way to the property and serve the dealership.

Mr. Greg Mauldin stated that he was the potential buyer of the property and his desire was to place a boat dealership and repair shop there. He confirmed his conversation with the City of Thomasville on the possibility of sewer.

Vice Chairman Potts asked if there were anyone who wished to speak in opposition to the request. There was no response.

Mr. Cornman gave the staff recommendation for approval stating that Highway 64 was considered a corridor of economic opportunity by the Land Development Plan.

Commissioner Kepley made the motion to approve the rezoning stating that he traveled that highway quite often and hadn't seen a house built in years. Therefore he felt the best use of the property would be commercial. The motion was seconded by Commissioner Dunn and the vote carried 6-0.

With no further business to discuss, Commissioner Truell made the motion to adjourn. The motion was seconded by Commissioner Yates and the vote was unanimous 6-0.

**EX-OFFICIO, CLERK TO THE BOARD
COUNTY COMMISSIONERS
DAVIDSON COUNTY**

**CHAIRMAN
BOARD OF COMMISSIONERS
DAVIDSON COUNTY**

MINUTES

June 28, 2011

The Davidson County Board of Commissioners met on Tuesday, June 28, 2011, at 7:00 PM in the Commissioners' Meeting Room, of the Governmental Center, at 913 Greensboro Street, Lexington, North Carolina for a regularly scheduled meeting.

PRESENT

Commissioners: Chairman Sam Watford, Vice Chairman Larry Potts, Cathy Dunn, Billy Joe Kepley, Fred McClure, Don Truell Todd Yates

Others Present

County Manager Robert Hyatt, Assistant County Manager Zeb Hanner, County Attorney Chuck Frye, Clerk to the Board Anne Burkhart, Davidson Works Director Cindy Livengood, Director of Libraries Ruth Ann Copley, Human Resources Director Jim Tysinger, Risk Management Coordinator Jim Price, Public Works and Services Director Rex Buck, Planning and Zoning Director Guy Cornman, Social Services Director Dale Moorefield, Dean Vick, Rev. Lee Jessup, Major Brian Grubb, Daymark Director Billy West, Lexington City Councilwoman Becky Klass, Emergency Services Director Jeff Smith, Public Works and Services HVAC Technician Randy Mitchell, Art Burkhart, Finance Director Jane Kiker, Solid Waste Director Charlie Brushwood

A. CALL TO ORDER AND WELCOME

Chairman Sam Watford called the meeting to order and welcomed guests.

B. INVOCATION

Commissioner Fred McClure

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

Chairman Watford recognized Art Burkhart for his service to the Social Services Board and as its Chairman and presented him with a commemorative plaque.

Chairman Watford then recognized Troy Garner, Boy Scout, who is working on a Scout project.

Chairman Watford recognized Rev. Lee Jessup, representing Davidson County Council of Chambers.

Chairman Watford then acknowledged the NCDOL Certificate to the Davidson County Commissioners presented by Jim Price, of Risk Management, for the achievement of one million employee hours with no injuries or lost workdays.

E. REGISTER FOR PUBLIC ADDRESS

Chairman Watford noted the register for public address.

F. ADOPTION OF THE AGENDA

On a motion by Commissioner Truell and a second by Vice Chairman Potts the Board voted unanimously 7-0 to adopt the agenda.

(Exhibit 1)

G. PUBLIC ADDRESS

Barney Hill expressed his opposition to funding to Davidson Vision.

Becky Klass addressed the Board concerning the euthanizing of animals by gas chambers at the Davidson County Animal Shelter.

Billy West, Daymark Director, addressed the Board concerning the issues with PBH that were brought to the meeting on June 14, 2011. Mr. West encouraged the Board to stay involved to see that PBH resolves the problems and to be supportive of the PBH Joint Resolution.

H. ITEMS FOR DECISION/INFORMATION - *CONSENT*

On a motion by Vice Chairman Potts and a second by Commissioner Truell the Board voted 6-1 to approve the consent agenda; Commissioner Kepley voted "No."

1. Minutes

The Board approved the Minutes of June 14, 2011 Board of Commissioners' meeting.

2. Budget Amendments by Zeb Hanner, Assistant County Manager

The Board approved budget amendments for Welcome Fire Department, Finance (Economic Development from General Fund), appropriation for COPS issuance fees, Humane Society for spay/neuter from State, Davidson County Schools, and Library. (Exhibit 2)

3. Appointments/Reappointments to the Davidson Works Workforce Development Board by Cindy Livengood, Director of Davidson Works

The Board approved the appointments of Belinda Clark, Neil Grimes, Jorge Mata, Bart Stofferis, and Cheryl Walser, and the reappointments of Gene Klump, Steven Moore, Jane Wilder, and Jim Zoretich to the Davidson Works Workforce Development Board. (Exhibit 3)

4. LSTA 2011-2012 Grant Agreements by Ruth Ann Copley, Director of Libraries

The Board voted to approve the agreements for the LSTA 2011-2012 Grants. (Exhibit 4)

5. Donation of Tract of Land for Use and Ambulance Base by Jeff Smith, Director of Emergency Services

The Board adopted the Resolution for donation of a tract of land for use and an ambulance base and authorized the execution of documents necessary to effectuate this transaction. (Exhibit 5)

6. Assignment of Sewer Easements and Sewer Line for Churchland Sewer Project by Chuck Frye, County Attorney

The Board approved the Resolution authorizing the Assignment of Sewer Easements and Bill of Sale for the Churchland Sewer Project. (Exhibit 6)

7. Assignment of Sewer Easements and Sewer Line for Extended Day Sewer Project by Chuck Frye, County Attorney

The Board approved the Resolution authorizing the Assignment of Sewer Easements and Bill of Sale for the Extended Day Sewer Project. (Exhibit 7)

8. Reclassification by Jim Tysinger, Human Resources Director

The Board authorized the request from Sheriff David Grice to reclassify the Sheriff Evidence Tech, grade 63 to Sheriff Deputy II/Evidence Tech grade 64. (Exhibit 8)

9. Release of Easements by Chuck Frye, County Attorney

The Board approved the correction of easements previously acquired with Sunnyside Farms for the Pilot Sewer Project. (Exhibit 9)

I. ITEMS FOR DECISION/INFORMATION – DELIBERATION

1. Appointment of Voting Delegate to NACO/NCACC

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to appoint Chairman Sam L. Watford to serve as voting delegate to the NACO conference on July 15-19, 2011, in Multnomah, Oregon.

On a motion by Vice Chairman Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to appoint Commissioner McClure as voting delegate to the NCACC conference.

(Exhibit 10)

2. Annual Insurance Review by Jim Price, Risk Management

Risk Management Coordinator Jim Price reviewed the plans for insurance coverage that have been recommended for the 2011-2012 fiscal year.

On a motion by Commissioner McClure and a second by Commissioner Yates the Board voted unanimously 7-0 to approve the insurance review and plan for the 2011-2012 year fiscal year.

(Exhibit 11)

3. Schedule Public Hearing for Zoning Amendment Application by Guy Cornman, Planning and Zoning Director

On a motion by Vice Chairman Potts and a second by Commissioner Truell the Board voted unanimously 7-0 to accept the rezoning application from Jeff and Cindy Zimmerman in Arcadia Township to change 3 acres more or less from RA-3 to RC district, refer it to the Planning Board for its review and recommendation and schedule a public hearing for August 9, 2011, at 7:00 PM in the Commissioners' Room, of the Governmental Center, 913 Greensboro Street, Lexington, North Carolina and to cancel the August 1, 2011 Public Hearing. (Exhibit 12)

4. Joint Resolution for PBH by Commissioner Fred McClure

Commissioner McClure reported on the meeting held with PBH and noted that \$2.5 million has been set aside for the Crisis Center for the building in Thomasville.

Pam Shipman reported that PBH will address the problems noted by the Board and answered questions from Vice Chairman Potts. Vice Chairman Potts noted that he will support the Resolution due to the commitment received from Ms. Shipman.

Commissioner Yates noted that he will support the Resolution based on the commitment.

Commissioner Dunn noted that she has studied the information provided and will support the Resolution.

Commissioner Truell noted complaints from Developmentally Disabled citizens.

Commissioner Kepley stated that he has had nothing but complaints.

On a motion by Commissioner McClure and a second by Commissioner Yates the Board voted 4-3 to adopt the Resolution. Clerk to the Board Anne Burkhart polled the Board; Commissioners Dunn, Kepley and Truell voted "No."

J. CLOSED SESSION - Real Property

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to go into Closed Session for Real Estate.

RETURN TO OPEN SESSION

On a motion by Commissioner Yates and a second by Commissioner Dunn the Board voted unanimously 7-0 to return to Open Session.

County Attorney Chuck Frye reported discussion of Real Property in Closed with directions given for negotiation.

K. ADJOURNMENT

On a motion by Commissioner Dunn and a second by Commissioner Yates the Board voted unanimously 7-0 to adjourn.

Sam L. Watford, Chairman
Davidson County Board of Commissioners

Anne M. Burkhart, Clerk to the Board
Davidson County Board of Commissioners

MINUTES

July 7, 2011

The Davidson County Board of Commissioners met on Thursday, July 7, 2011, in the Commissioners' Meeting Room, Governmental Center, 913 Greensboro Street, Lexington, North Carolina, for a regularly scheduled informational meeting.

PRESENT

Commissioners: Chairman Sam Watford, Vice Chairman Larry Potts, Cathy Dunn, Billy Joe Kepley, Fred McClure, Don Truell, Todd Yates

Others Present

County Manager Robert Hyatt, County Attorney Chuck Frye, Assistant County Manager Zeb Hanner, Clerk to the Board Anne Burkhart, Major Brian Grubb, Purchasing Director Dwayne Childress, IT Director Joel Hartley, Planning and Zoning Director Guy Cornman, CDBG Grant Consultant Ray Manieri

A. CALL TO ORDER AND WELCOME

Chairman Sam Watford called the meeting to order and welcomed guests.

B. INVOCATION

Commissioner Billy Joe Kepley

C. PLEDGE OF ALLEGIANCE

D. RECOGNITION

E. REGISTER FOR PUBLIC ADDRESS

Chairman Watford noted the register for public address.

F. ADOPTION OF AGENDA

On a motion by Vice Chairman Potts and a second by Commissioner Yates the Board voted unanimously 7-0 to approve the agenda with the addition of H.5. Scheduling of a Public Hearing for a Rezoning Application and the deletion of Closed Session for Personnel/Worker's Compensation Mediation

(Exhibit 1)

G. PUBLIC ADDRESS

H. ITEMS FOR INFORMATION/DECISION

1. Astran Drive CDBG by Dwayne Childress, Purchasing Director

Dwayne Childress presented the details of the bid tabulation for the Astran Drive CDBG grant. Mr. Childress pointed out that the requirement of having two firms to respond to the request for bids has been met. Mr. Childress noted that the recommendation was to award the bid to All American, Inc. at \$31,000 for the grant administration.

On a motion by Vice Chairman Potts and a second by Commissioner McClure the Board voted unanimously 7-0 to award the bid to All American, Inc. at \$31,000 for the grant administration.

On a motion by Commissioner McClure and a second by Commissioner Dunn the Board voted unanimously 7-0 to set a public hearing for August 9, 2011, 7:00 PM in the Governmental Center, 913 Greensboro Street, Lexington, North Carolina, to receive public comments and information on the Astran Drive CDBG grant.

County Manager Robert Hyatt presented information on the required Fair Housing Fair and Public Comment Opportunity meetings to be held. (Exhibit 2)

2. Edward Byrne Grant by Major Brian Grubb

Zeb Hanner presented information on the Edward Byrne Grant for the Sheriff's Department. Mr. Hanner noted that the request from the Sheriff's Department is to apply for the grant and to schedule a public hearing.

On a motion by Commissioner Truell and a second by Vice Chairman Potts the Board voted unanimously 7-0 to set a public hearing for August 9, 2011, 7:00 PM in the Governmental Center, 913 Greensboro Street, Lexington, North Carolina.

(Exhibit 3)

3. EEBG Contract Amendment with PTCOG by Robert Hyatt, County Manager

County Manager Robert Hyatt presented information on the EEBG Contract Amendment with PTCOG and noted that a proposal has been presented including a request for funds to finish the contract.

On a motion by Commissioner Dunn and a second by Commissioner Kepley the Board voted unanimously 7-0 to approve the EEBG Contract Amendment with PTCOG. (Exhibit 4)

4. Discussion/Selection of Candidate to Serve as District Director (District 11) on NCACC Board of Directors

Chairman Watford acknowledged the consensus of the Board for him to represent Davidson

County as a candidate to serve as District Director (District 11) on the NCACC Board of Directors.

5. Schedule Public Hearing for a Rezoning Application by Guy Cornman, Planning and Zoning Director

On a motion by Vice Chairman Potts and a second by Commissioner Truell, the Board voted unanimously 7-0 to schedule a public hearing for a rezoning request from Mark and Betsy (Elizabeth) Cowan for 7:00 PM on August 9, 2011, in the Governmental Center, 913 Greensboro Street, Lexington, North Carolina. (Exhibit 5)

I. ADJOURNMENT

On a motion by Commissioner Truell and a second by Commissioner Dunn the Board voted unanimously 7-0 to adjourn.

Sam L. Watford, Chairman
Davidson County Board of Commissioners

Anne M. Burkhart, Clerk to the Board
Davidson County Board of Commissioners

Summary of Budget Amendments for Approval

Budget Amendments for 2010-2011

- A. Davidson County Schools would like to do a line item transfer from various Category I projects from the Southmont Elementary School Road in the amount of \$300,000 to other paving projects.
- B. DSS would like to do a line item transfer to adjust the 2010-2011 Budget to actual expenses to prevent overspending in various line items. No additional funds are being requested.
- C. O. Cooperative Extension would like to appropriate program income received for 4-H of \$2,768.60 to Special Events.
- D. Cooperative Extension would like to appropriate program income received for Horticulture of \$462 to Departmental Supplies.
- E. Cooperative Extension would like to appropriate program income received for Consumer Horticulture of \$540 to Departmental Supplies.
- F. Cooperative Extension would like to appropriate program income received for FCS of \$5,106 to Special Events.
- G. Cooperative Extension would like to appropriate program income received for Field Crops of \$585 to Departmental Supplies.
- H. Cooperative Extension would like to appropriate program income received for Livestock of \$208.89 to Departmental Supplies.

Budget Amendments for 2011-2012

- A. Recreation requests to roll forward funds set aside for the Southmont Park in the 2010-2011 Budget.
- B. Public Works and EMS requests to appropriate \$193,395 in funds from the Capital reserve fund that were unused in the 2009-2010 budget to begin construction of the new Southmont EMS Base approved by Board of Commissioners in the 2009-2010 Budget.
- C. The Fairgrove Fire Department would like to appropriate overage revenue collected in the amount of \$2,583.
- D. The Gumtree Fire Department would like to appropriate overage revenue collected in the amount of \$7,148.
- E. Davidson County Schools would like to allocate the 2011-2012 Capital Projects funding approved in the 2011-2012 budget to various projects listed in the County Schools 2011-2012 budget. There are no additional County funds being requested.
- F. As part of the agreement approved by the Board for the Performance Management Project, the Departments were allowed to bank part of the department savings in the following year if they achieved their goals. DSS would like to appropriate \$6,000 to Contracted Services.
- G. Senior Services would like to appropriate funds received from a bequest in the amount of \$5,306 to Special Activities Thomasville Senior Center.
- H. The Sheriff's Department would like to appropriate Medical Co-payments received in the amount of \$703 to jail medical expenses.
- I. The Sheriff's Department would like to appropriate Commissary Sales received in the amount of \$7,909.58 to Jail Capital Equipment.
- J. The Recreation Department would like to appropriate \$3,100 in funds received from the Nourishing NC community garden grant to Departmental supplies.

- K. The Library would like to recognize \$2685.82 in revenue received for the VITA tax program. The funds will be used to purchase Departmental Supplies for the program.**
- L. The Sheriff's Dept. would like to appropriate \$456,984 of Drug Seized Funds to Other Improvements. In addition, the Sheriff's Department requests that \$295,184 in unused drug seized funds appropriated in the 2010-2011 budget be rolled forward to the 2011-2012 budget. These funds will be used to complete construction at the firing range.**
- M. EMS would like to do a line item transfer to adjust to actual expenses. No additional county dollars are being requested.**
- N. As part of the agreement approved by the Board for the Performance Management Project, the Departments were allowed to bank part of the department savings in the following year if they achieved their goals. Finance would like to appropriate \$1214 to Capital Equipment to replace a computer that can not be repaired.**

BUDGET AMENDMENT NO. 9

Davidson County Schools

Capital Outlay

The Davidson County Board of Education at a meeting on the 30th day of June 2011 approved the following resolution.

Be it resolved that the following amendments be made to the Budget Resolutions for the fiscal year ending June 30, 2011.

Code Number	Description of Code	Amount Increase	Amount Decrease
5100	Regular Instructional Programs		
5200	Special Populations Services		
5300	Alternative Programs and Services		
5400	School Leadership Services		
5500	Co-Curricular Services		
5800	School-Based Support Services		
6100	Support & Development Services		
6200	Speical Population Supp & Development Serv		
6300	Alternative Prog & Serv Support & Develop		
6400	Technology Support Services		
6500	Operational Support Services	2,500.00	
6600	Financial & Human Resource Services		
6700	Accountability Services		
6800	System-Wide Pupil Support Services		
6900	Policy, Leadership and Public Relations Serv		2,500.00
7200	Nutrition Services		
8100	Payments to Other Governmental Units		
8200	Unbudgeted Funds		
8400	Interfund Transfers		
8500	Contingency		
9000	Capital Outlay	14,487,977.00	
TOTAL:		14,490,477.00	2,500.00

Explanation:

Total Appropriation in Current Budget	<u>\$19,905,368.10</u>
Amount of Increase/(Decrease) of above Amendment	<u>\$14,487,977.00</u>
Total Appropriation in Current Amended Budget	<u>\$34,393,345.10</u>

We the Board of County Commissioners of Davidson hereby approve the changes in Capital Outlay Funds as indicated above, and have made entry of changes on the minutes of said Board, the _____ day of June, 2011.

Passed by a majority vote of the Board of Education of Davidson County on the 30th day of June 2011.

Carol B. Crouse

Chairperson, Board of Education

Frank L. Hook

Secretary, Board of Education

Chairperson, Board of County Commissioners

Secretary, Board of County Commissioners

BUDGET AMENDMENT NO. 9

CAPITAL OUTLAY FUND

CODE	DESCRIPTION	PRIOR BUDGET	INCREASE/ DECREASE	REVISED BUDGET
PURPOSE 6500 OPERATIONAL SUPPORT SERVICES:				
4.6550.818.551.000	Purchase of Vehicles	261,640.23	2,500.00	264,140.23
PURPOSE 6900 POLICY, LEADERSHIP AND PUBLIC RELATIONS SERVICES:				
4.6940.888.461.000	Furniture & Equipment	22,210.09	(2,500.00)	19,710.09
PURPOSE 9000 CATEGORY I PROJECT:				
4.9003.074.529.000.011	North/Ledford Area	-	1,624,661.00	1,624,661.00
4.9004.077.529.000.009	Paving-Schools & Admin Parking	503,204.25	300,000.00	803,204.25
4.9020.077.529.000.011	Southmont Elementary Road	300,000.00	(300,000.00)	-
4.9003.334.529.000.011	North/Ledford Area	-	12,863,316.00	12,863,316.00
	TOTAL EXPENSE		14,487,977.00	
 REVENUE				
4.4110.077.004.009	INCREASE IN REVENUE		(300,000.00)	
4.4110.077.020.011	DECREASE IN REVENUE		300,000.00	
4.4810.334.003.011	INCREASE IN REVENUE		(12,863,316.00)	
4.4922.074.000	INCREASE IN REVENUE		(1,624,661.00)	
	TOTAL REVENUE		(14,487,977.00)	
	TOTAL AMENDMENT		-	

**DAVIDSON COUNTY
DEPARTMENT OF SOCIAL SERVICES**

Dale Moorefield, Director



Lexington DSS Office
P.O. Box 788
913 Greensboro Street
Lexington, North Carolina 27293
336-242-2500
FAX: 336-249-7588

Thomasville DSS Office
PO Box 2656
211 W. Colonial Drive
Thomasville, North Carolina 27361
336-474-2760
FAX: 336-472-6635

Lexington Child Support Office
PO Box 788
913 Greensboro Street
Lexington, North Carolina 27293
336-242-2242
FAX: 336-242-1236

Thomasville Child Support Office
PO Box 2656
211 W. Colonial Drive
Thomasville, North Carolina 27361
336-474-2609
FAX: 336-474-2620

Memorandum

Date: 7/217/2011

To: Zeb Hanner, Assistant County Manager

From: Dale Moorefield, Director of Social Services *DM*

RE: Budget Adjustments- Social Services and Child Support

Please adjust the following accounts:

<u>Account Number</u>	<u>Description</u>	<u>Budget</u>	<u>Increase/(Decrease)</u>	<u>New Balance</u>
<u>Expenditures- Social Services- Operating Expenses</u>				
110-2301-442-30-90	Professional Fees	19,300	3,100	22,400
110-2301-442-65-10	Vehicle Mileage	30,685	2,632	33,317
110-2301-442-90-05	Dues & Subscriptions	1,610	56	1,666
110-2301-442-50-15	Travel	143,853	(5,788)	138,065
<u>Expenditures- Public Assistance accounts</u>				
110-2305-442-82-68	Special Links	6,000	7,658	13,658
110-2305-442-82-73	Share the Warmth	6,898	754	7,652
110-2305-442-82-85	Medicaid Transport.	195,000	152,000	347,000
110-2305-442-82-94	Food Stamps	50,250	7,684	57,934
110-2305-442-82-95	WFFA Part.	8,739	13,000	21,739
110-2305-442-82-96	WFFA EA	75,000	3,850	78,850
110-2301-442-82-98	WFFA Trans.	64,600	15,500	80,100
110-2305-442-82-90	Board Home	979,838	(200,446)	779,392

These adjustments are made to prevent overspending in the above named accounts. Questions, please feel free to contact myself at 2562 or Lynn Meeks at 2561.

Appropriated Fund Request Form

Budget Amendment No. _____

Authorization is hereby requested to amend the 2010-2011 budget ordinance for Davidson County in the following manner:

Fund or Department: Cooperative Extension General Fund: Appropriated

Increase estimated revenue in the amount of: \$ _____

Decrease estimated revenue in the amount of: \$ _____

Source of Revenue: General Fund

Increase/decrease appropriation budget in the amount of: \$ _____

Line Item Number	Description	Amount	Date of Deposit
110-4905-385-35.10	4-H General Fund	\$600.00	4/7/2011
110-4905-385-35.10	4-H General Fund	\$99.60	5/17/2011
110-4905-385-35.10	4-H General Fund	\$1,825.00	5/26/2011
110-4905-385-35.10	4-H General Fund	\$30.00	6/2/2011
110-4905-385-35.10	4-H General Fund	\$166.00	6/10/2011
110-4905-385-35.10	4-H General Fund	\$48.00	6/27/2011
110-4905-385-35.10	4-H Revenue	+ \$2,768.60	
110-4905-462-84.10	4-H Expenditure	- \$2,768.60	

Explanation: 4rd Quarter Budget Appropriation

Zeb M. Hanner

_____ Budget Officer

_____ Date



Appropriated Fund Request Form

FY 2011

Budget Amendment No. _____

Authorization is hereby requested to amend the 2010-2011 budget ordinance for Davidson County in the following manner:

Fund or Department: Cooperative Extension General Fund: Appropriated

Increase estimated revenue in the amount of: \$ _____

Decrease estimated revenue in the amount of: \$ _____

Source of Revenue: General Fund

Increase/decrease appropriation budget in the amount of: \$ _____

Line Item Number	Description	Amount	Date of Deposit
110-4907-335-35.05	Horticulture Revenue	\$462.00	6/27/2011
110-4907-335-35.05	Horticulture Revenue		
110-4907-335-35.05	Horticulture Revenue		
110-4907-335-35.05	Horticulture Revenue	+ \$462.00	
110-4907-462-60.10	Horticulture Expenditure	- \$462.00	

Explanation: 4th Quarter Budget Appropriation

Zeb M. Hanner

 Budget Officer

 Date



Appropriated Fund Request Form

FY 2011

Budget Amendment No. _____

Authorization is hereby requested to amend the 2010-2011 budget ordinance for Davidson County in the following manner:

Fund or Department: Cooperative Extension

General Fund: Appropriated

Increase estimated revenue in the amount of: \$ _____

Decrease estimated revenue in the amount of: \$ _____

Source of Revenue: General Fund

Increase/decrease appropriation budget in the amount of: \$ _____

Line Item Number	Description	Amount	Date of Deposit
110-4912-335-35.05	Consumer Horticulture Revenue	\$40.00	4/14/2011
110-4912-335-35.05	Consumer Horticulture Revenue	\$500.00	4/21/2011
110-4912-335-35.05	Consumer Horticulture Revenue		
110-4912-335-35.05	Horticulture Revenue	+ \$540.00	
110-4912-462-60.10	Horticulture Expenditure	- \$540.00	

Explanation: 4th Quarter Budget Appropriation

Zeb M. Hanner

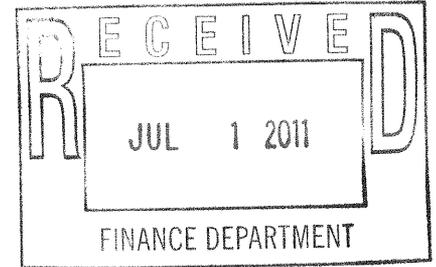
_____ Budget Officer

_____ Date



FAIR GROVE FIRE DEPARTMENT

211 Cedar Lodge Road
THOMASVILLE, N.C. 27360



June 29, 2011

Jane S. Kiker
Davidson County Finance Department
P O Box 1067
Lexington, North Carolina 27293-1067

Dear Ms. Kiker

We hereby request that all excess revenues if any collected in the Fair Grove Fire District and held in escrow for the Fair Grove Volunteer Fire Department be paid to the department. These funds will be used to make needed truck repairs.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Ronnie B. Sink".

Ronnie B. Sink
Secretary,
Board of Directors Fair Grove Fire Department

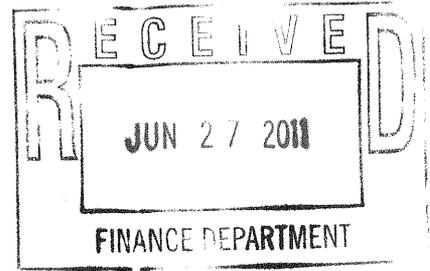
\$ 2,583

June 22, 2011

To: Jane Kiker
Davidson County Finance Department

From: Gumtree Fire & Rescue, Inc

Reference: 2011 Over Tax Collection, \$4514.00



Mrs. Kiker,

I the requesting any over tax collections for year of 2011 for Gumtree Fire & Rescue, Inc. These funds will be use in conjunction with both States Grant and Federal Grants awarded to the department for the purchase of new firefighter gear and equipment for firefighter safety and to better assist our community.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Aaron T. Noah".

Aaron T. Noah
President of the Board
Gumtree Fire & Rescue, Inc.
2466 Gumtree Road
Winston Salem, NC 27107
336) 788-3544

\$ 7,148

CAPITAL OUTLAY

Category I Projects

4.9029.077.529.000.012.00
 4.9031.077.529.000.012.00
 4.9037.077.529.000.012.00
 4.9038.077.529.000.012.00
 4.9040.077.529.000.012.00

Midway Cooling Tower
 Ledford Sr. - Gym Water Heater
 Bus Garage - Storm Water
 East Davidson - Bandroom Floor
 Paving - All Schools

370,000.00
 100,000.00
 531,156.33
 50,000.00
 239,026.67
1,290,183.00

TOTAL

School Reimb-Paving-Park Lots

4.6940.819.532.000.000.00

PAVING-PARKING LOTS
TOTAL

36,660.00
36,660.00

Category II Projects

4.5110.888.461.000.000.00
 4.5110.888.542.000.000.00
 4.5120.888.462.000.000.00
 4.5400.888.542.000.000.00
 4.6580.888.541.000.000.00
 4.6940.888.461.000.000.00
 4.6940.888.541.000.000.00
 4.6940.888.542.000.000.00

Equipment School Allotment-K Hill
 Computer Equip-Sch-Instruct-C Hunt
 Purchase of Computer Hard-C Darr
 Computer Equipment-Sch-G Cline
 Purchase of Furn & Equipment-Wynn
 Furn & Equipment-K Hill
 New/Repl Furn & Equipment-K Hill
 Computer Equip-Adm-G Cline

128,284.55
 105,270.94
 166,000.00
 63,000.00
 185,886.97
 162,939.89
 9,949.10
 80,000.00
901,331.45

TOTAL

Category III Projects

4.6550.120.551.000.000.00
 4.6550.818.551.000.000.00
 4.6580.888.551.000.000.00

State Bus Replacement
 Activity Bus-G Buie- (3)
 Cars & Trucks-G Buie & W Conrad

539,502.00
 261,640.23
 163,102.78
964,245.01

TOTAL

Non-Programmed Charges

4.8400.888.715.000.000.00
 4.8500.888.392.000.000.00

Transfer to Child Nutrition
 Contingency Fund

50,000.00
 5,000.00
55,000.00

DAVIDSON COUNTY
DEPARTMENT OF SOCIAL SERVICES

Dale Moorefield, Director



Lexington DSS Office
P.O. Box 788
913 Greensboro Street
Lexington, North Carolina 27293
336-242-2500
FAX: 336-249-7588

Thomasville DSS Office
PO Box 2656
211 W. Colonial Drive
Thomasville, North Carolina 27361
336-474-2760
FAX: 336-472-6635

Lexington Child Support Office
PO Box 788
913 Greensboro Street
Lexington, North Carolina 27293
336-242-2242
FAX: 336-242-1236

Thomasville Child Support Office
PO Box 2656
211 W. Colonial Drive
Thomasville, North Carolina 27361
336-474-2609
FAX: 336-474-2620

Memorandum

Date: 07/13/2011

To: Zeb Hanner, Assistant County Manager

From: Dale Moorefield, Director of Social Services *DM*

RE: Performance Based Budgeting Savings

Please make the following adjustments to Social Services :

<u>Account Number</u>	<u>Description</u>	<u>Budget</u>	<u>Increase/(Decrease)</u>	<u>New Balance</u>
110-2301-442-50-40	Contracted Services	\$196,067	\$6,000	\$202,067
Revenue				
110-2301-343-10-04	Other	\$24,000	\$6,000	\$30,000

The Department has a contract with Mr. Linwood Bunce to assist with custody issues. We are using our PBB money to cover the costs.

If you have questions, please call me at 2562 or Lynn at 2561.

CC: Social Services Board Members
Lynn Meeks

LRM

11/2



Davidson County Department of Senior Services

Thessia Everhart-Roberts, Director
 Thessia.Everhart@davidsoncountync.gov

555-B West Center Street Ext. • Lexington, NC 27295
 Phone: 336.242.2290 • Fax: 336.236.7515

211 West Colonial Drive • Thomasville, NC 27360
 Phone: 336.474.2754 • Fax: 336.472.5634

Budget Amendment

Budget Amendment No. 1

Authorization is hereby requested to amend the 2011 – 2012 budget ordinance for Davidson County in the following manner:

Fund or Department: **Senior Services**

General Fund: **Appropriated**

Increase (decrease) estimated revenue in the amount of

110-2501-339-10-24

\$5,306

Increase (decrease) estimated revenue in the amount of

Source of revenue:

Ruby Wilson Zelnak
Estate

Increase (decrease) appropriation budget in the amount :

Line item number	Description	Amount
<u>110-2501-442-84-10</u>	<u>Special Activities for Thomasville Center</u>	<u>\$5,306</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
TOTAL	_____	<u>\$0</u>

Explanation: **The Estate of Ruby Wilson Zelnak bequeathed the Thomasville Senior Center these funds. With the pending loss of General Purpose funding in the 2012 Budget, it was determined to hold these funds to be used to offset the loss. Senior Service would request that these be carried over from the 2011 Fiscal year into the 2012 fiscal year.**

Department Head: *Thessia Roberts* Date: *7.19.11*

BIESECKER, TRIPP, SINK & FRITTS, L.L.P.

ATTORNEYS AT LAW

STREET ADDRESS:

THE LAW BUILDING

118 WEST FIRST AVENUE

LEXINGTON, NORTH CAROLINA 27292

MAILING ADDRESS:

POST OFFICE BOX 745
LEXINGTON, N.C. 27295-0745

TELEPHONE: (336) 249-9961

FAX: (336) 249-3309

REAL ESTATE FAX (336) 249-3300

JOE E. BIESECKER
ROGER S. TRIPP
IRVIN R. SINK
WILLIAM F. FRITTS
CHRISTOPHER A. RAINES
DANIELLE DRANGELIS

December 13, 2010

Mr. Charles E. Frye, III
County Attorney for Davidson County
913 Greensboro Street
Lexington, NC 27292

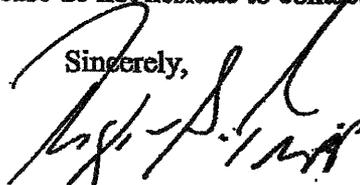
Re: Estate of Ruby Wilson Zelnak
Estate File No. 10 E 424
BTSF File No. 21416-T

Dear Chuck:

Pursuant to the Last Will and Testament of Ruby Wilson Zelnak, enclosed is an estate check in the amount of \$5,306.00, payable to Davidson County Senior Center and earmarked for the Thomasville location. This represents your 25% of her net estate after payment of all debts, costs of sale and costs of administration of the estate. Also enclosed is a receipt to be signed, dated, witnessed and returned to me in the enclosed envelope. Signing the receipt acknowledges that you have received your distribution from Ms. Zelnak's estate.

If you have questions, please do not hesitate to contact me.

Sincerely,



Roger S. Tripp

RST/cww

Enclosures

DAVIDSON COUNTY SHERIFF'S OFFICE

110 W Center Street Lexington, NC 27292

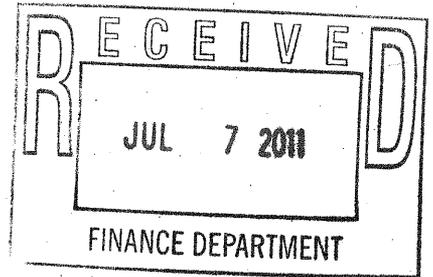
Dedicated to honest, professional, and efficient service

Sheriff David S. Grice



Emergencies: Dial 911
Phone: 336-242-2105
Fax: 336-236-3091

Date: 7/6/11



Jane Kiker, Director
Davidson County Finance

Re: Transfer of Inmate Medical Co-payments

Ms. Kiker,

Please transfer the medical co-payments for the following months into line item 110-3110-342-1000.

<u>April</u>	\$ <u>137.00</u>	
<u>May</u>	\$ <u>208.00</u>	
<u>June</u>	\$ <u>358.00</u>	
		Total \$ <u>703.00</u>

Thank you,

Jail Administrator

DAVIDSON COUNTY SHERIFF'S OFFICE

110 W Center Street Lexington, NC 27292

Dedicated to honest, professional, and efficient service

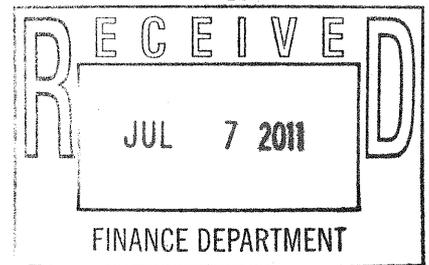
Sheriff David S. Grice



Emergencies: Dial 911
Phone: 336-242-2105
Fax: 336-236-3091

Date: 7/6/11

Jane Kiker, Director
County Finance



Re: Transfer of Inmate Commissary Sales

Ms. Kiker,

Please transfer the inmate commissary sales for the following months into Line Item

110-3110-423.70-15.

<u>April</u>	<u>\$2117.18</u>
<u>May</u>	<u>\$2901.78</u>
<u>June</u>	<u>\$2890.62</u>
TOTAL	<u>\$7909.58</u>

Thank you,

Jail Administrator



Nourishing North Carolina
883 Washington St, Raleigh, NC 27605

919-832-5868 or michelle@ncrpa.net
www.ncrpa.net/NourishingNC
www.facebook.com/NourishingNorthCarolina

To: Nourishing NC Grant Recipients
From: Michelle Wells
Re: Checks and other miscellaneous information
Date: 6/30/11

Enclosed please find the check for your Nourishing NC community garden grant.

You will note that this check is for \$100 more than your requested/approved amount. This extra \$100 is to help with 2 items:

- To cover the cost of 2 4x4 posts, quickrete type product and some bolts/nuts to erect the Nourishing NC sign that will be sent to you for display in the garden.
- To purchase a set of scales to have at the garden to weigh produce. The setup of your garden will determine the best type of scales for the garden. I've even seen scales used for weighing fish used to weigh fruits/veggies.

If you don't spend all of the \$100 on the sign installation and scales, use the balance to purchase seeds, plants, soil, etc for the garden.

The Money: I've had 2 gardens contact me with a question about their budget and the need to change some of their expense items. Here's a great example: A garden was going to purchase a tiller with some of their money. The local lawn & garden center has offered FREE use of their rental tiller during the work week because most of their rentals are on the weekend. What a great gift from the community. After hearing this and sharing my excitement, I said to them "use the funds you had for the tiller for something else your garden needs". If you have questions about spending your funds, please contact me.

Facebook: Nourishing NC has a facebook page www.facebook.com/NourishingNorthCarolina Please share this with your garden participants. We want to see what is happening at your garden. Post pictures of your garden and what is happening there!

Publicity: Did you send out your press release? Did you get any exposure? Send me the info via email or snail mail.

Evaluation: Hopefully next week, you'll get the information to begin sharing the results of your garden – produce grown, volunteer hours, etc. More information to come on that later!

Thanks for being part of this project. I can't wait to hear all about your projects!

Michelle

Security features are included. Details on back.

NC RECREATION & PARK ASSOCIATION
NOURISHING NC
883 Washington Street
Raleigh, NC 27605
Ph: (919) 832-5868

STATE EMPLOYEES' CREDIT UNION
RALEIGH, NC
66-7704/2531

001016

6/29/2011

PAY TO THE ORDER OF Davidson County Recreation

\$ **3,100.00

Three Thousand One Hundred and 00/100*****

DOLLARS

Davidson County Recreation
PO Box 1067
Lexington, NC 27293

FOR NNC Garden grant

Michelle Webb
Wanda M. Samlee MP

⑈001016⑈ ⑆253177049⑆08634223413⑈

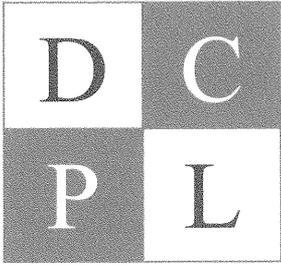
NC RECREATION & PARK ASSOCIATION/NOURISHING NC

Davidson County Recreation

6/29/2011

001016

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
6/27/2011	Bill	062711	3,100.00	3,100.00		3,100.00
				Check Amount		3,100.00



DAVIDSON COUNTY
PUBLIC LIBRARY SYSTEM

Ruth Ann Copley
Director of Libraries

W

MEMORANDUM

DATE: June 20, 2011

TO: Zeb M. Hanner, Budget Director
Robert Hyatt, County Manager
Board of Commissioners

FROM: Ruth Ann Copley, Director of Libraries *RAC*

RE: Budget Amendment

The attached budget amendment is to recognize and transfer \$2,685.82 in additional revenue from the VITA Tax program into Departmental Supply line item #110-5301-452.60-10 for the 2011-12 budget. Vita is a program which enables trained volunteers to prepare income taxes for low to moderate income families of Davidson County at no charge. This grant money from the IRS through the Davidson County Tax Coalition reimburses the library branches for services, support, and supplies during the tax season. We want to appropriate this money into the Supply line item where monies have already been spent for computer and printer supplies.

AUTHORIZATION IS HEREBY REQUESTED TO AMEND THE 2011-2012 BUDGET
ORDINANCE FOR DAVIDSON COUNTY IN THE FOLLOWING MANNER:

DEPARTMENT OR FUND 2011/2012 Library - General Fund

INCREASE ESTIMATED REVENUE IN THE AMOUNT OF _____

SOURCE OF REVENUE	<u>Davidson Co. Tax Coalition- VITA</u>	<u>\$2,685.82</u>
-------------------	---	-------------------

INCREASE APPROPRIATIONS BUDGET IN THE AMOUNT OF _____

<u>LINE ITEMS NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
<u>110-5301-452.60-10</u>	<u>Dept. Supplies</u>	<u>2,685.82</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

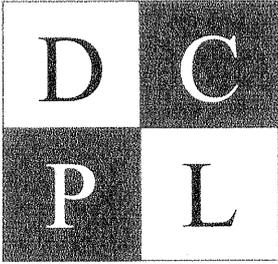
TRANSFER BUDGETED APPROPRIATIONS BY LINE ITEM AS FOLLOWS:

<u>REDUCE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

June 20, 2011
DATE

FINANCE OFFICER

DEPARTMENT HEAD



DAVIDSON COUNTY
PUBLIC LIBRARY SYSTEM

Ruth Ann Copley
Director of Libraries

April 18, 2011

Davidson County Tax Coalition
Thomasville, NC

To Whom It May Concern:

The Davidson County Public Library requests reimbursement in the amount of \$1,909.00 for the following services and support provided to the Davidson County Tax Coalition VITA Program during the 2011 Tax Season:

1. \$588.00 for 56.5 hours of staff support at \$10.40 per hour during the tax season. This support consisted of answering telephone questions about tax sites beginning January 15, scheduling appointments, and responding to taxpayer and preparer needs at the five library sites over the course of the tax season.
2. \$1,321.00 for 1,321 hours of computer use during the season. \$1.00 per hour is the cost calculated to provide hardware, associated operating software, IT infrastructure, IT support and internet services for each computer used by the VITA program.

Sincerely,

A handwritten signature in black ink that reads "Ruth Ann Copley". The signature is fluid and cursive, with the first and last names being more prominent.

Ruth Ann Copley
Director

DAVIDSON COUNTY SHERIFF'S OFFICE

110 W Center Street Lexington, NC 27292

Dedicated to honest, professional, and efficient service

Sheriff David S. Grice



*Emergencies: Dial 911
Phone: 336-242-2105
Fax: 336-236-3091*

To: County Commissioners

From: Sheriff David S. Grice

Date: July 28, 2011

Re: Transfer of Drug Forfeiture Money and Roll Forward range funds remaining from 2010-2011 budget year

1. I request that funds previously transferred from the asset forfeiture balance which were not used in the 2010-2011 budget year be moved / rolled forward into the 2011-2012 capitol outlay budge to be used toward the construction of the firing range.
2. I request that drug asset forfeiture funds be transferred into the capital outlay budget code number 110-3108-4237015 for completion of firing range and range classroom building.

\$312,984.00 complete construction lights, wall, fence, grading roadway, etc
+\$144,000.00 construction 30x40 range classroom building
\$456,984.00

- All money used for the firing range is asset forfeiture / drug seized funds, no tax dollars are used
- On April 22, 2011, the Sheriff's Office received \$648,115.00 in asset forfeiture funds from a 2005 case

Budget Amendment No. _____

Authorization is hereby requested to amend the 2011-2012 budget ordinance for Davidson County in the following manner:

Fund or Department: _____ General Fund

Increase (decrease) estimated revenue in the amount of
Source of revenue: 1,214

Increase (decrease) appropriation budget in the amount of

<u>Line item number</u>	<u>Description</u>	<u>Amount</u>
110-0501-413-7015	capital outlay	1,214

Appropriate PBB funds for a replacement computer.

Finance Officer

Date

Dell recommends Windows® 7.

View/Print Cart

 Print Page

County of Davidson

E-quote Number: 1004374883016

E-quote Name	Finance	E-Quote Description	Finance
Saved By:	Joel Hartley joel.hartley@davidsoncountync.gov	Phone Number:	(336) 242-2032
Saved On:	Thursday, July 14, 2011	Purchasing Agent:	
Expires On:	Saturday, August 13, 2011	Notes/Comments:	
Premier Page Name	County of Davidson		
Additional Comments:			

Description



Dell OptiPlex 780 Small Form Factor - New!

Date & Time: July 14, 2011 8:03 PM CST

SYSTEM COMPONENTS

Dell OptiPlex 780 Small Form Factor - New!

OptiPlex 780 Small Form Factor for Standard PSU, Genuine Windows® 7 Professional, No Media, 32-bit, English

Qty	1
Unit Price	\$1,213.50

Catalog Number: 84 W1632

Module	Description	Show Details
OptiPlex 780 SFF	OptiPlex 780 Small Form Factor for Standard PSU	
Operating System	Genuine Windows® 7 Professional, No Media, 32-bit, English	
Processors	Intel® Core™ 2 Duo E7500 with VT (2.93GHz, 3M, 1066MHz FSB)	
MEMORY	3GB DDR3 Non-ECC SDRAM, 1333MHz, (2 DIMM)	
Keyboard	Dell KB212-B USB 104 Quiet Key Keyboard, English	
Monitors	Dell E Series E2011H 20in Wide Monitor, VGA/ DVI	
Video Cards	Integrated Video, Intel® GMA 4500, DisplayPort/ VGA	
Boot Hard Drives	250GB 7,200 RPM 3.5" SATA, 3.0Gb/s Hard Drive with NCQ and 8MB Cache	
Mouse	Dell MS111 USB Optical Mouse	
Systems Management Mode	Intel® Standard Manageability	
Hard Drive Mode	No RAID	
Removable Media Storage Device	8X Slimline DVD-ROM, with Cyberlink Power DVD™ No Media	
Thermal	Heat Sink, Mainstream, Small Form Factor	
Speakers	Dell AX510PA Sound Bar for all Entry Flat Panel Displays (Black)	
Power Supply	Standard Power Supply	
Documentation	Opti 780 Documentation English	
Productivity Software	Microsoft® Office Professional 2010, English	

Energy Efficiency Options	Dell Energy Smart Power Management Settings Enabled
Resource DVD	No Resource DVD
Hardware Support Services	5 Year Basic Limited Warranty and 5 Year NBD Onsite Service
Setup and Features Information Tech Sheet	No Tech Sheet
Shipping Packaging Options	Shipping Material for System, Small Form Factor
Processor Branding	Vista Basic Sticker

TOTAL: \$1,213.50

	Total Price
Sub-total	\$1,213.50
Shipping & Handling	\$0.00
Tax*	\$81.91
*Exemptions reflected in final checkout page only	
Total Price¹	\$1,295.41

As low as **\$35/month***2



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Why should I apply?

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Large Text

snCM54

COMMISSIONERS' AGENDA

Date: August 9, 2011

Exhibit: _____

ITEM: I.3. Tax Report of Refunds by Joe Silver, Tax Administrator

ITEM INFORMATION: The Tax Report of Refunds for June and July 2011 is attached for your review and consideration.

ACTION TO BE TAKEN: Approve/Disapprove

DAVIDSON COUNTY
JULY 2011 REFUNDS

	REFUND #				TOTAL	
DIST	REFUND CODE	REAL	PERSONAL	BUSINESS	VALUE	RATE
C002	65-10	13810			13810	0.0054
FR35	65-10	13810			13810	0.0007
C002	66-10	14720			14720	0.0054
FR35	66-10	14720			14720	0.0007
C002	67-10	15770			15770	0.0054
FR35	67-10	15770			15770	0.0007
CI28	68-10	75400			75400	0.0056
C002	1-10	6300			6300	0.0054
CI28	1-10	6300			6300	0.0056
C002	2-06	9190			9190	0.0054
FR34	2-06	9190			9190	0.0008
C002	3-06	8590			8590	0.0054
FR34	3-06	8590			8590	0.0008
C002	4-06	8040			8040	0.0054
FR34	4-06	8040			8040	0.0008
TOTAL		228240	0	0	228240	
LESS DISCOUNTS						
TOTAL		228240	0	0	228240	0

REFUND CODE

- | | | |
|-------------------------|-------------------------|------------|
| 1. DOUBLE LISTED | 6. MH DBL LISTED W/REAL | 11. CHANG |
| 2. ACREAGE CORRECTION | 7. MH MOVED/VALUE | 12. PREVIC |
| 3. HOUSE ON WRONG TRACT | 8. INCORRECT VALUE | 13. BOARD |
| 4. TRANSFER ERROR | 9. INCORRECT FIRE DIST. | 14. BUSINE |
| 5. ELD/DISB. EXEMPTION | 10. CLERICAL ERROR | 15. LANDU |

MOTOR VEHICLE REFUNDS FOR THE MONTH OF JULY

		TOTAL
SUBTOTAL	PENALTY	REFUND
\$74.57	7.46	\$82.03
\$9.67	0.97	\$10.64
\$79.49	7.95	\$87.44
\$10.30	1.03	\$11.33
\$85.16	8.52	\$93.68
\$11.04	1.1	\$12.14
\$422.24		\$422.24
\$34.02	3.4	\$37.42
\$35.28	3.53	\$38.81
\$49.63	4.96	\$54.59
\$7.35	0.74	\$8.09
\$46.39	4.64	\$51.03
\$6.87	0.69	\$7.56
\$43.42	4.34	\$47.76
\$6.43	0.64	\$7.07
\$921.85	\$49.97	\$971.82
\$921.85	\$49.97	\$971.82

DE IN VALUE
 DUSLY PAID
) OF E & R
 ESS NO LONGER IN OPERATION
 SE ADJUSTMENT

\$2,119.99

REFUND NAMES
JULY 2011 REFUNDS

NAME	REFUND #
RAMSEY MARGARET	65
RAMSEY MARGARET	66
RAMSEY MARGARET	67
SUMMIT HOME BUILDERS INC	68
RICHARDSON GARVIE GENE	1
STOKES LANA SUE	2
STOKES LANA SUE	3
STOKES LANA SUE	4

COMMISSIONERS' AGENDA

Date: August 9, 2011

Exhibit: _____

ITEM: I.4. Year End Disclosure Statement by Joe Silver, Tax Administrator

ITEM INFORMATION: Please review the year end disclosure statement for approval.

ACTION TO BE TAKEN: APPROVE

July 5, 2011

To: Davidson County Board of Commissioners

From: Joe Silver - Tax Administrator

Re: Fiscal Year 2010-2011 Annual Settlement Statement

In accordance with N.C.G.S. 105-373, I submit the following report:

The total tax revenue for Davidson County charged to me to collect for fiscal year July 1, 2010 thru June 30, 2011 was **\$70,176,275.95**. This amount was for the original scroll (tax bills) mailed in July, 2010; thirteen (13) motor vehicle scrolls, the public utility scroll, and the discovery scrolls.

Discounts were given for early payment of taxes in the amount of **\$335,150.84**.

Releases were written for **\$244,449.20**.

Payments received totaled **\$66,666,110.45**

The amount of current year (2009-2010) delinquent taxes not collected was **\$2,945,138.76**.

This calculates to a current year collection percentage of **95.80 %**.

During the year we continued to collect delinquent taxes for prior years. For the fiscal year, our office collected **\$2,089,417.27**.

Penalties and Interest Collections totaled **\$520,678.03**.

As of this date, our total average percentage collected for the previous ten (10) years is **99.43%**.

As required by law, a list of all delinquent taxpayers and the amounts owed are available in our Tax Office for your inspection.

I would like to commend all my staff for their untiring efforts in assessing, mapping, listing, billing and collecting these Ad Valorem Property Taxes.

I request that the Board of Commissioners approve this year end settlement statement.

Commissioners' Agenda Request

Date Received. July 27, 2011

I. 5.

Meeting Date: August 9, 2011 Consent Agenda Item

Item. Declare Items Listed Surplus & Grant Authority Sell Items & Grant Authority

to Accept Winning Bid as Sale Price

Item Information Declare Items Listed Surplus.

Would sale items listed on GovDeals after proper advertising.

Grant authority to accept winning bid as sell price, and have this information reported

Will ask for reimbursement of advertising and selling expenses from Miscellaneous Revenue,

through a budget amendment.

Cost: 7.5% of sale price plus advertising expense.

Source of Funding: Deducted from Proceeds of the Sale.

Action to be taken by Commissioners. Approve

Follow-Up Required. N/A

Additional Requirements: N/A

Exhibit Material Enclosed X Yes No

TO Robert Hyatt
FROM Dwayne Childress
DATE July 27, 2011
SUBJECT Declaring Items Surplus

Dear Sir,

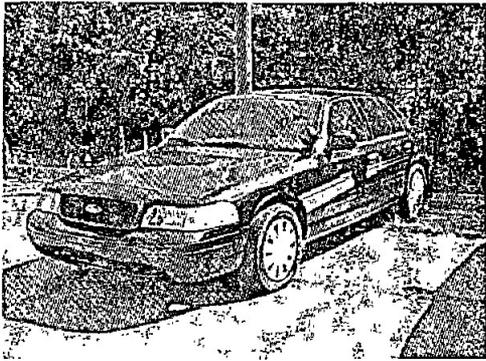
We have several items to sell After proper advertising; I will sell them on GovDeals com I have listed them by bullet point for ease of reading

Asset No	Year	Item	Mileage	Condition	Vin No
14335	2007	Ford Crown Vic	85 742	Poor	2FAFP71W77X134622
14334	2007	Ford Crown Vic	121 914	Poor	2FAFP71W47X134626
14244	2006	Ford Crown Vic	157,014	Good	2FAHP71W06X118995
14226	2006	Ford Crown Vic	121 054	Good	2FAHP71W66X118998
14103	2004	Ford Crown Vic	164 097	Poor	2FAHP71W74X151425
14183	2005	Ford Crown Vic	145 993	Poor	2FAHP71W55X148072

It is easier and more cost effective to sell these items in place versus storing and moving them to be sold If you have any questions please feel free to contact me at 242-2030

Respectfully submitted,

Dwayne Childress
Purchasing Director



Asset #14335



Asset #14334



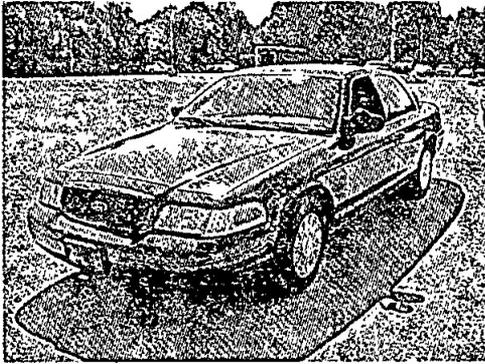
Asset #14244



Asset #14226



Asset #14103



Asset #14183

COMMISSIONERS AGENDA

Date: August 9, 2011

Exhibit _____

**ITEM: I.6. Juvenile Crime Prevention Council (JCPC)
Appointments/Reappointments**

ITEM INFORMATION:

ACTION TO BE TAKEN: Approval of FY 2011-2012 JCPC Membership is requested

FOLLOW-UP:



**DAVIDSON COUNTY
JUVENILE CRIME PREVENTION COUNCIL
Post Office Box 1067
Lexington, North Carolina 27293
336-242-2200**

MEMORANDUM

TO: Davidson County Board of Commissioners

FROM: Robert Hyatt, County Manager and JCPC Chairman

Date: August 9, 2011

Re: Appointments to the Juvenile Crime Prevention Council

Attached, please find the proposed Juvenile Crime Prevention Council (JCPC) membership list for fiscal year 2011-2012, which was unanimously approved by the Council on June 29, 2011. As mandated by North Carolina General Statute 143B 544-545, JCPC members serve staggered, two year terms and may be reappointed by the Board of Commissioners.

The Council respectfully requests your approval of the following re-appointments to the JCPC, whose terms will be effective July 1, 2011, through June 30, 2013:

<u>Name/Organization</u>	<u>JCPC Specified Membership Position</u>
Angie Banther (Director, Path of Hope)	Substance Abuse Professional
Scott Bannister (Director, Boys & Girls Club)	Member of the Faith Community
Cathy Dunn	County Commissioner
Mary Covington (District Court Judge)	Chief District Judge Designee
Layton Long	Local Health Director
Christina Howell (Executive Director, Communities in Schools)	Non-profit Agency
Tammy Curry (City of Lexington)	Parks and Recreation
Jeff Insley (Chief of Thomasville Police)	Commissioner Appointee

The Council respectfully requests your approval of the following new appointments to the JCPC, whose terms will be effective July 1, 2011 through June 30, 2013:

<u>Name/Organization</u>	<u>JCPC Specified Membership Position</u>
Matthew Ray Allen (West Davidson Sr. High School)	Student
Spencer Arrowood (North Davidson Sr. High School)	Student
Andrea Walker (Baptist Children's Home Intake Coordinator/ Foster Care Manager)	Commissioner Appointee

The Council respectfully requests your approval of the following appointment to the JCPC, to fill an unexpired term, to expire June 30, 2012:

<u>Name/Organization</u>	<u>JCPC Specified Membership Position</u>
Charlesanna Hanner (Retired educator-Thomasville City Schools)	Commissioner Appointee
LaShay Avery (PBH Community Relations Manager)	Local Mental Health Authority Director Designee

SPECIFIED MEMBERS OF JCPC 2011-2012

PROPOSED

Specified Members	Name	Title	Designee	Race	Gender	Term Expires
1) School Superintendent or designee	Rick Kriesky	Superintendent-Lexington City Schools	No	White	M	June 30, 2012
2) Chief of Police	Jimmy Truell	Captain-Lexington Police Department	Yes	White	M	June 30, 2012
3) Local Sheriff or designee	Mitch Kepley	Lieutenant Davidson County Sheriff's Department	Yes	White	M	June 30, 2012
4) District Attorney or designee	Sheri Woodyard	Assistant District Attorney	Yes	White	F	June 30, 2012
5) Chief Court Counselor or designee	Krista Hiatt	Chief Court Counselor-District 22A & 22B	No	White	F	June 30, 2012
6) Director, Piedmont Area Mental Health Authority or designee	LaShay Avery	PBH Community Relations Manager	Yes	Black	F	June 30, 2012
7) Director DSS or designee	Kathy Hitchcock	DSS Child Protective Services Program Administrator	Yes	White	F	June 30, 2012
8) County manager or designee	Robert Hyatt	Davidson Co. Manager	No	White	M	June 30, 2012
9) Substance Abuse Professional	Angie Banther	Executive Director-Path of Hope	No	White	F	June 30, 2013
10) Member of Faith Community	Scott Bannister	Director-Boys & Girls Club	No	White	M	June 30, 2013
11) County Commissioner	Cathy Dunn	Davidson Co. Commissioner	No	White	F	June 30, 2013
12) Up to 2 persons under age 21 (State Youth Council Rep if available)	Matthew Ray Allen	Student-West Davidson High School	No	White	M	June 30, 2013
13) Juvenile Defense Attorney	Spencer Arrowood	Student-North Davidson High School	No	White	M	June 30, 2013
14) Chief District Judge or designee	VACANT Mary Covington	District Court Judge	Yes	White	F	June 30, 2013
15) Member of Business Community	Gene Klump	Senior Vice President/Market Executive New Bridge Bank	No	White	M	June 30, 2012
16) Local Health Director or designee	Layton Long	Director-Davidson Co. Health Dept.	No	White	M	June 30, 2013
17) Rep. United Way/Other Non-profit	Christina Howell	Executive Director Communities in Schools Of Lexington/Davidson County	No	White	F	June 30, 2013
18) Representative-Parks & Recreation	Tammy Curry	City of Lexington Parks & Recreation	No	Black	F	June 30, 2013
19) Co. Commissioner appointee	Debbie Rice	Executive Director Family Services of Davidson Co.	No	White	F	June 30, 2012
20) Co. Commissioner appointee	Eric Torrence	Career Counselor-Get REAL	No	Black	M	June 30, 2012
21) Co. Commissioner appointee	Fred Mock	School Superintendent-Davidson Co. Schools	No	White	M	June 30, 2012
22) Co. Commissioner appointee	Andrea Walker	State Intake Coordinator/Foster Care Mgr.- Baptist Children's Home	No	White	F	June 30, 2013
23) Co. Commissioner appointee	Frankie Hedrick	School Social Worker-Davidson County Schools	No	White	F	June 30, 2012
24) Co. Commissioner appointee	Jeff Inasley	Chief-Thomasville Police	No	White	M	June 30, 2013
25) Co. Commissioner appointee	Charlesanna "Charlie" Hanner	Retired Thomasville City Schools Educator, Thomasville Citizen	No	White	F	June 30, 2012

****N.C.G.A. 143B-543 92002 Session) specifies suggested members be appointed by county commissioners to serve on local Juvenile Crime Prevention Councils. In certain categories, a designee may be appointed to serve. Please indicate the person appointed to serve in each category and his/her title. Indicate appointed members who are designees for named positions. Indicate race and gender for all appointments.**

COMMISSIONERS' AGENDA

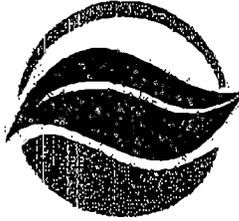
Date: August 9, 2011

Exhibit: _____

ITEM: I.7. Adult Care Home Community Advisory Committee Appointment

ITEM INFORMATION: Please review the attached recommendation for appointment from Dorian Fredricksen.

ACTION TO BE TAKEN: Appoint



PIEDMONT TRIAD COUNCIL OF GOVERNMENTS

Meadowview Crossing
2216 W. Meadowview Road, Suite 201
Greensboro, NC 27407-3480
Phone: 336 294-4950
Fax: 336 632-0457
www.ptcog.org

Fax

4 pgs
130

To: Anne Burkhart **From:** Dorian Fredricksen

Fax: 248-8440 **Date:** July 18, 2011

Urgent For Review Please Comment Please Reply Please Recycle

I have recently received the attached volunteer application and would like to submit the name listed below as a nominee to serve on the Adult Care Home Community Advisory Committee:

Debbie Todd **236 Heritage Acres Lane, Winston-Salem, NC 27107** **336-479-6258**

Your assistance in bringing this matter to the Board of County Commissioners is appreciated. As soon as new members are appointed, we will implement the training process as outlined in the *North Carolina General Statutes*.

Community Advisory Committee VOLUNTEER APPLICATION

Thank you for your interest in the Community Advisory Committee. If you are a county resident, at least 18 years old, and are willing to volunteer your time and expertise to your community, please complete and submit this application and mail to:

Piedmont Triad Council of Governments' Area Agency on Aging
2218 W. Meadowview Road, Suite 201
Greensboro, NC 27407-3480

NAME: <i>Debbie Todd</i>		
ADDRESS: <i>236 Heritage Acres Ln</i>		
CITY: <i>Winston Salem</i>	STATE: <i>NC</i>	ZIP: <i>27107</i>
HOME PHONE: <i>(336) 479-6250</i>	WORK PHONE: <i>() same</i>	EMAIL: <i>ddtodd1@triad.rr.com</i>
PLACE OF EMPLOYMENT: <i>Retired</i>		
COUNTY OF RESIDENCE: <i>Davidson</i>	COMMITTEE REQUESTED? PLEASE CHOOSE ONE: <input type="checkbox"/> ADULT CARE HOME <input checked="" type="checkbox"/> NURSING HOME <input type="checkbox"/> JOINT	
Why are you interested in volunteering on the Community Advisory Committee? <i>During my professional work career, I spent many years in the Nursing Home environment, serving as an RN, Administrator, Assistant Administrator and Director of Nurses. I continue to have an interest in providing our elderly and debilitated population with an environment where their quality of life can be preserved.</i>		
Please list any work, volunteer, and/or educational experience that you would like us to consider in the review of your application. Feel free to attach a resume. <i>RN LTC Administrator (license not active) Director of Nurses Served on Standards/Ethics Committee for NC Nursing Home Association where I served as team lead for peer reviews.</i>		

would work with any

Do you have a family member (spouse, son, daughter, mother, father, sister, brother, or in-laws of these) who resides in a facility that might be visited by the committee on which you are interested in serving?	YES	<input checked="" type="radio"/> NO
Do you have a financial interest in a facility that might be visited by the committee on which you are interested in serving?	YES	<input checked="" type="radio"/> NO
Are you an employee of or serving on a governing board of a facility that might be visited by the committee on which you are interested in serving?	YES	<input checked="" type="radio"/> NO
Do you provide paid services of any kind to a resident or staff person in a facility that might be visited by the committee on which you are interested in serving?	YES	<input checked="" type="radio"/> NO
Are you a public official?	YES	<input checked="" type="radio"/> NO
Are you available to complete 15 hours of initial orientation prior to assuming any official responsibilities on the committee? Initial training includes a full-day (7 hours) of classroom training; completion of a home-study assignment (5 hours over 30 day period); a facility orientation session with the Ombudsman held at a facility in the county (3 hours).	<input checked="" type="radio"/> YES	NO
Are you available for a minimum of 6-8 hours every quarter (i.e. every 3 months) to visit facilities in your county?	<input checked="" type="radio"/> YES	NO
Are you available to attend a one-hour quarterly committee meeting in your county during business hours?	<input checked="" type="radio"/> YES	NO
Are you willing to complete 10 hours of continuing education per year (provided by the Ombudsman Program)?	<input checked="" type="radio"/> YES	NO
Do you understand that no monetary reimbursement will be provided for expenses incurred (i.e. mileage) by committee volunteers?	<input checked="" type="radio"/> YES	NO
Have you been convicted of any criminal or civil offenses that relate to the abuse, neglect, or exploitation of children and/or adults; drug misuse; fire arm violations; physical or sexual assault; murder or other violent crime?	YES	<input checked="" type="radio"/> NO

With my signature, I affirm that I have thoroughly read and understand the information provided in this packet. I affirm that the information I have provided in this volunteer application is accurate to the best of my knowledge.

SIGNATURE: Debbie Todd

DATE: 06/24/2011

In order to help us comply with state reporting requirements, please complete the following questions:

SEX: M F RACE: Caucasian DATE OF BIRTH (mm/dd/yyyy): 07/14/1950

This information will not be kept with your application

COMMISSIONERS' AGENDA

Date: August 9, 2011

Exhibit: _____

ITEM: I.8. Inspection Progression Plan Revision by Jim Tysinger, Human Resources Director

ITEM INFORMATION: Please review the attached memo.

ACTION TO BE TAKEN: Approval.



DAVIDSON COUNTY
HUMAN RESOURCES DEPARTMENT
Davidson County Governmental Center
913 Greensboro Street, Suite 403, 4th Floor
Lexington, NC 27292

MEMORANDUM

July 15, 2011

To: Robert Hyatt - County Manager

From: Jim Tysinger - Human Resources Director
Elaine Ratcliffe – Human Resources Analyst II 

Re: Request from Human Resources and Ron Triplette, Director of Inspections, to make the following revisions to the 1997 Inspections Department Progression Plan (highlighted on attachment):

1. Combine Numbers 1 and 2, and revise with “minimum salary” in place of “hiring rate.”
2. Remove Number 3 from the Inspections Department Progression Plan.
3. Revise Number 8 of the Inspections Department Progression Plan to reflect the correct position and authorization numbers.

Mr. Triplette, Director of Inspections, has requested that we revise number 8 of the Inspections Department Progression Plan. This change will reflect the actual positions (the correct position and authorization numbers) that have or are obtaining other classifications in Fire Inspection. This revision of the Inspections Department Progression Plan will also include an updated format, the combination of Numbers 1 and 2, position/authorization numbers used with our current payroll system, as-well-as the removal of number 3.

We have attached Mr. Triplette’s request, as-well-as the 1997 version of the Inspections Department Progression Plan and the revised version that HR is recommending.

This change will be effective with BOCC approval.

Thank you for your time and consideration.

Inspections Department Progression Plan
(Revised July, 2011)

1. An applicant employed, who does not have a level I in the field we have asked for in the position vacancy notice, will be paid 2.5% below the minimum salary of the assigned pay grade until he/she does qualify at the level I, at which time they will move to the minimum salary of the assigned pay grade.
2. When the employee obtains level I in another field, he/she will receive an additional 2.5% upon receipt of the certificate.
3. When the employee obtains level II in any field, he/she will receive an additional 2.5% upon receipt of the certificate.
4. When the employee obtains level III in any field, he/she will receive an additional 2.5% upon receipt of the certificate.
5. This plan will apply for three additional fields other than the field for which they were employed. (Fields are Building, Electrical, Plumbing and Mechanical).
6. Only two positions will receive a 2.5% increase for cross training to other levels in the Fire Classification. These two positions being position # 5809 (Inspector IV-B, authorization # 2) and position # 5806 (Plans Examiner, authorization # 1) as designated.
7. These employees will also be eligible for merit when applicable.
8. Under State standards, all applicants begin with a (24) twenty-four month probationary certificate in any field.

Adopted Effective: _____ by Board of County Commissioners of Davidson County

Chairman

Davidson County Personnel



Davidson County Governmental Building
P. O. Box 1067, 913 Greensboro Street
Lexington, North Carolina 27292
Office - (910) 242-2210, Job Line - (910) 242-2211

1. AN APPLICANT EMPLOYED, WHO DOES NOT HAVE A LEVEL I IN THE FIELD WE HAVE ASKED FOR IN THE POSITION VACANCY NOTICE WILL BE PAID 2.5% BELOW THE HIRING RATE UNTIL HE/SHE DOES QUALIFY AT THE LEVEL I.
2. WHEN THE EMPLOYEE HAS OBTAINED HIS/HER LEVEL I, IN THEIR REQUIRED FIELD, THEY WILL MOVE TO THE HIRING RATE.
3. THE EMPLOYEE WILL RECEIVE A 2.5% INCREASE AFTER SIX MONTHS OF SERVICE, PROVIDED HE/SHE WAS EMPLOYED AT THE HIRING RATE OR BELOW.
4. WHEN THE EMPLOYEE OBTAINS A LEVEL I IN ANOTHER FIELD HE/SHE WILL RECEIVE AN ADDITIONAL 2.5% UPON RECEIPT OF THE CERTIFICATE.
5. WHEN THE EMPLOYEE OBTAINS A LEVEL II IN ANY FIELD HE/SHE WILL RECEIVE AN ADDITIONAL 2.5% UPON RECEIPT OF THE CERTIFICATE.
6. WHEN THE EMPLOYEE OBTAINS A LEVEL III IN ANY FIELD HE/SHE WILL RECEIVE AN ADDITIONAL 2.5% UPON RECEIPT OF THE CERTIFICATE.
7. THIS PLAN WILL APPLY FOR THREE ADDITIONAL FIELDS OTHER THAN THE FIELD FOR WHICH THEY WERE EMPLOYED. (Fields are Building, Electrical, Plumbing, Mechanical)
8. ONLY TWO POSITIONS WILL RECEIVE A 2.5% INCREASE FOR CROSS TRAINING TO OTHER LEVELS IN THE FIRE CLASSIFICATION BEING POSITION #104340N2933-001 & #104340N2933-008 AS DESIGNATED.
9. THESE EMPLOYEES WILL ALSO BE ELIGIBLE FOR MERIT WHEN APPLICABLE.
10. UNDER STATE STANDARDS ALL APPLICANTS BEGIN WITH A (24) TWENTY FOUR MONTH PROBATIONARY CERTIFICATE IN ANY FIELD.

ADOPTED EFFECTIVE JANUARY 28, 1997

By: BOARD OF COUNTY COMMISSIONERS
OF DAVIDSON COUNTY

CHAIRMAN

Elaine Ratcliffe

From: Ron Triplette
Sent: Wednesday, July 13, 2011 4:58 PM
To: Elaine Ratcliffe
Subject: Fire Certification duties assignment

My previous request included the change of position numbers to correct the outdated resolution of 1994 & 1997 wherein the duties of fire certification as allowed by the Board included the Plans Examiner and the Assistant Inspections Director. The Inspections Assistant Director does not have the qualifications associated and necessary to utilize the Fire training and certification such as Electrical Level III to handle fire investigations including Electrical Fires. My request is to move the assigned duty over to an Inspector IV-B Position being Number 5809-2. Mr. Searcy will have the appropriate credentials necessary to help facilitate the additional needs of the County and the Department on August 1, 2011. At that time we desire to allow him to apply for Fire Probationary Level I to begin the process to achieve Fire Level III over the next few years as permitted by the North Carolina Code Officials Qualification Board, and our Cross training Resolution. Thanks.

7/15/2011

Elaine Ratcliffe

From: Ron Triplette
Sent: Wednesday, June 15, 2011 5:28 PM
To: Elaine Ratcliffe; Jim Tysinger
Subject: Fire Training for Inspectors as allowed by Board Action dated August 23, 1994
Attachments: Fire requestto Elaine.pdf

Having been authorized to allow two of my Inspectors to cross train into Fire, My Assistant Director and our Plans Examiner under position numbers assigned at the time, only the Plans Examiner past and present have pursued this change. I now have a Field Inspector interested in training into the fire field since my Assistant (John Latham) has no interest in the Fire Training. William Clinton Searcy has expressed this interest to me and also to Jim, as to being allowed to pursue this. I have emphasized to him that he must coordinate with the Fire Marshal's Office in an effort to facilitate this if it is approved for the change of duty over to his position number from John Lathams position. I encourage this as a means to help facilitate any County needs in Fire Plan Review or inspections. In my history search it also came to my attention in my own file relevant to Fire that I never received any incentive for cross training into Fire as encouraged by our Board and Manager at the time as that Gary Borders the then Fire Marshal only held a Standard Certificate for Fire with our County and in the event he was out, on vacation or otherwise unavailable our County was not in a position to respond to those needs. On April 27th of 1993 I received my Building Level III Certificate of which as part of my Job Description as the Director I was not entitled to a crosstraining increase of which I understood. On August 1, 1994 I received my fourth Level III Certificate for Plumbing of which I received a 2.5% increase as per the resolution. On October 25th 1994 I received my fifth Level III Certificate from the State of which I find no mention nor paperwork for this level increase. Could it be that I was not entitled to the crosstraining, I find no record of such actions. When you have time if you are allowed, could you investigate this aspect of my inquiry as well as to my request to allow Clint Searcy the fire training classification change? I have attached records of changes to the Cross Training Program and resolutions affecting Fire training. Thanks.

7/15/2011

COMMISSIONERS AGENDA

Date: August 9, 2011

Exhibit: Attached

ITEM: I9. Request for Authorization to Condemn Property to Acquire Rights of Way Easements for Sewer Projects

ITEM INFORMATION: The Office of the County Attorney requests authorization to initiate necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire rights of way easements for sewer service projects for easements pursuant to G.S. § 14-234(b)(2).

ACTION TO BE TAKEN: Pass Resolution

FOLLOW-UP: Sign Resolution

NORTH CAROLINA
DAVIDSON COUNTY

RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE
RIGHTS OF WAY EASEMENTS FOR SEWER PROJECTS

WHEREAS, Davidson County is in the process of providing required sewer service to Davidson County Schools and sewer service to other property owners in Davidson County; and,

WHEREAS, It is necessary and in the public interest to acquire rights of way easements for the sewer system.

Now Therefore, Be It Resolved by The Davidson County Board of Commissioners that:

1. Davidson County acquire rights of way easements for sewer lines, water drainage systems and general utility easements for the required sewer service to Davidson County schools and sewer service to other property owners in Davidson County for the Stoner-Thomas/Extended Day School Phase II project:

2. That the County Attorney is authorized and directed to institute the necessary proceedings in Court under Chapter 40A of the North Carolina General Statutes to acquire the rights of way easements for the sewer service project.

Adopted this the 9th day of August, 2011.

Davidson County
Board of Commissioners

By: _____
Sam L. Watford
Chairman

Attest:

Anne M. Burkhart
Clerk to the Davidson County
Board of Commissioners

COMMISSIONERS' AGENDA

Date: August 9, 2011

Exhibit: _____

ITEM: I.10. Relocation of Board of Elections

ITEM INFORMATION: Please review the attached information for the relocation of the Board of Elections.

ACTION TO BE TAKEN: Approval



DAVIDSON COUNTY BOARD OF COMMISSIONERS

Post Office Box 1067
Lexington, North Carolina 27293
(336) 242-2200

SAMUEL L. WATFORD, CHAIRMAN
LARRY W. POTTS, VICE-CHAIRMAN
CATHY DUNN
BILLY JOE KEPLEY
FRED D. MCCLURE
DON W. TRUELL
TODD YATES

ROBERT C. HYATT
COUNTY MANAGER

MEMORANDUM

TO: Board of Commissioners

FROM: Robert C. Hyatt, County Manager 

DATE: July 25, 2011

RE: Board of Elections Space Needs

**CC: Zeb Hanner, Assistant County Manager
Rex Buck, Public Works and Services Director
Ruth Huneycutt, Board of Elections Director**

Public Works and Services is nearing completion with the renovation work on the outside part of the old Don Mays building located across the street from the Governmental Center. Initial plans previously discussed with the Commissioners were to move Transportation, Garage, and Public Works and Services into this facility once the work is finished. In a recent conversation with Public Works and Services Director, Rex Buck, I asked if these operations would utilize all space in this building or if there would be vacant space that could accommodate another County Department. He advised the front section of the building (where the former car dealership showroom was located) would be available for another possible use.

I discussed with Mr. Buck the feasibility of using this area for the Board of Elections. The 2007 Facilities Evaluation Report identified additional space was needed for the Board of Elections. The Report also noted several problems with the building, concluding it is in poor condition and needs major renovation. Mr. Buck believes there may be adequate space available in the renovated building to meet the Board of Elections needs. We contacted Board of Elections Director, Ruth Honeycutt, and discussed this issue with her. She has looked at the space and thinks it may be workable. Public Works and Services is currently developing a floor plan / cost estimate for up fitting this space that will accommodate the needs of the Board of Elections. Those numbers will be available to share with the Commissioners on August 4th.

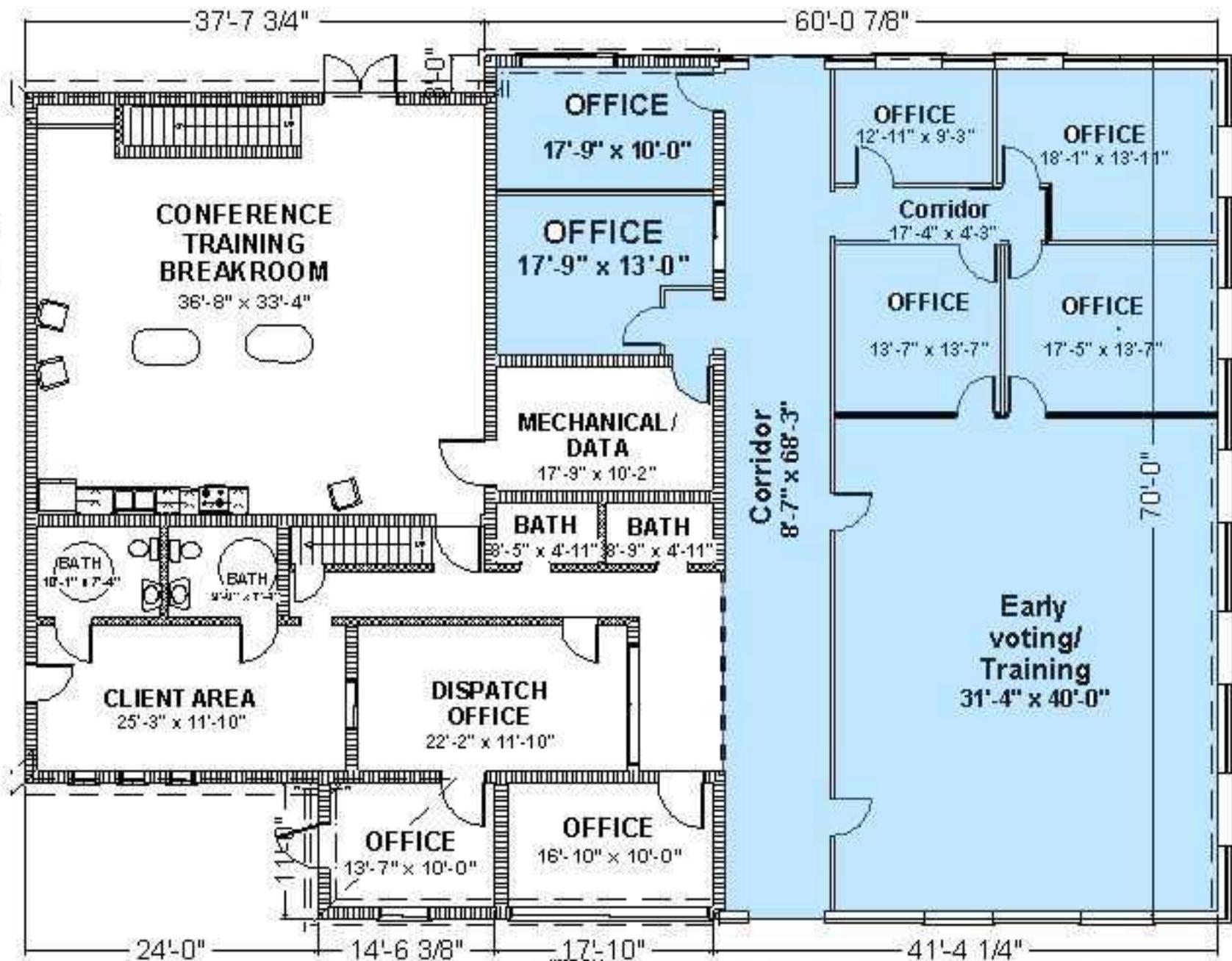
It is anticipated the 2012 Elections will bring a large voter turnout and we are working to find them a better facility before that cycle gets underway. County staff has previously looked at a couple of other locations for the Board of Elections. We looked at renovating the old Post Office Building. It has sufficient square footage but it is on three different levels and there is no elevator. Also, the building is not handicapped accessible. Further, we have been looking at the old Davidson House (Willie M Home purchased through mental health grant) located behind the upper Health Department Parking area. This building too has sufficient square footage, but we are still working with the State to see if the County can take possession of the facility. Even if we get possession, much renovation work will be required, plus the property is not as accessible and does not currently have sufficient parking to handle the traffic during the early voting periods.

Of the three locations we have explored, the renovated Don Mays building space seems to be the best alternative. The County owns the property and the needed up fit work can be completed to meet the 2012 election time frame. The location is highly visible, easily accessible off of Main Street and will have plenty of parking spaces. Although I have not seen the cost estimate, I anticipate the up fit cost of this space will be significantly less than renovating either of the other buildings. The renovation costs can come from the County's Capital Reserve Fund.

947 N Main Street Upfit- Board of Elections Budget

1- Demo showroom area	2,000
2- Permits	275
3- Metal stud wall framing materials for offices	3,500
4- Metal stud wall framing labor	4,000
5- Metal stud wall framing material (fire barrier voting machine storage)	4,800
6- Metal stud wall framing labor (fire barrier voting machine storage)	5,000
7- Electrical for added offices (materials)	3,000
8- Electrical for added offices (labor)	4,000
9- HVAC changes for offices	1,200
10- HVAC for conditoning voting machine space	15,000
11- New drywall for offices material	4,000
12- New drywall for offices labor	5,600
13- New firecode drywall around voting machine storage (material)	6,000
14- New firecode drywall around voting machine storage (labor)	7,600
15- Interior painting	10,000
17- Doors and hardware (materials)	3,300
19- Doors and hardware (labor)	2,000
20- Floor covering and base trim	6,800
21- Data cabling	9,800
22- Install 4-insulated garage doors	9,800
22- Engineering fee for parking lot repair/resurfacing	3,500
Total material	80,975
Total labor	30,200
Grand Total	111,175

**DON MAYS:
HVAC LAYOUT**



Blue denotes proposed Board of Elections office space.







COMMISSIONERS' AGENDA

Date: August 9, 2011

Exhibit: _____

ITEM: J.1. Discussion of Animal Euthanization

ITEM INFORMATION: The Board will discuss the euthanization methods used at the Animal Shelter.

* COMMISSIONERS' AGENDA REQUEST

Date Received _____

J.2.

August 9, 2011

Meeting Date: _____

ITEM: PTRPO MOU Update

ITEM INFORMATION: _____

Please refer to attached information.

Cost: N/A

Source of Funding: N/A

Action to be taken by Commissioners: _____

Adopt amended Memorandum of Understanding for the Piedmont

Triad Rural Planning Organization.

Follow-Up Required: Chairman will need to execute the 2 copies
of the MOU

Additional Requirements: _____

Exhibit Material Enclosed: X Yes _____ No

* Request, packet information, and exhibit must be received one week before the meeting for a Tuesday Board of Commissioners' Meeting in order to process and distribute to commissioners 5 days before the meeting.

* Request, packet information, and exhibit must be received 9 days (Wednesday) before the meeting for a Friday Board of Commissioners' Meeting in order to process and distribute to commissioners 5 days prior to the meeting.



DAVIDSON COUNTY PLANNING DEPARTMENT

GOVERNMENTAL CENTER
913 GREENSBORO STREET
POST OFFICE BOX 1067
LEXINGTON, NORTH CAROLINA 27293-1067

GUY L. CORNMAN, III
PLANNING DIRECTOR

TOLL FREE NUMBERS:
LEXINGTON 336-242-2220
THOMASVILLE 336-472-8016
WINSTON SALEM 336-723-7890 EXT. 2220
DENTON 336-859-2194 EXT. 2220

TO: Board of Commissioners
County Manager
County Attorney
FROM: Guy Cornman, Planning Director *Guy*
SUBJECT: Piedmont Triad RPO MOU Update
DATE: July 25, 2011

As all of you are aware, the merger of the Northwest COG and the Piedmont Triad COG became effective July 1, 2011 with the new name now called Piedmont Triad Regional Council of Governments. As a result of the merger, NCDOT is requiring the Memorandum of Understanding (MOU) for the Piedmont Triad RPO be updated to reflect the new name of the host organization, Piedmont Triad Regional COG. This is the only change to the MOU. All of the member jurisdictions are remaining the same. The voting methodology is remaining the same (no weighted voting). The MOU document is being forwarded to each member jurisdiction for the governing body to approve the change to the MOU.

This request was discussed at the last meeting of the Piedmont Triad RPO back in June. At that time, the TCC/TAC voted to recommend the name change to all member jurisdictions so that official transportation planning business can continue to be carried out. The amended draft of the MOU is attached for your review. Your action on this matter will be appreciated.

Guy Cornman

From: Anne Burkhart
Sent: Monday, June 27, 2011 4:08 PM
To: Guy Cornman
Subject: FW: Piedmont Triad RPO MOU Update for Davidson County Aug 9 Mtg
Attachments: RPO - MOU 11.doc

Guy – Robert has asked that you and Commissioner Kepley review this before placement on the agenda for Aug. 9th.

*Anne M. Burkhart
Clerk to the Board, CountyManager's Assistant
336-242-2202 voice - 336-248-8440 fax*

From: Jesse Day [mailto:JDay@ptcog.org]
Sent: Monday, June 27, 2011 12:18 PM
To: Anne Burkhart
Cc: Hanna Cockburn
Subject: Piedmont Triad RPO MOU Update for Davidson County Aug 9 Mtg

Anne,

Thanks for placing the MOU update for the Piedmont Triad Rural Planning Organization on the August 9th agenda. Attached is a copy of the MOU as adopted by the Transportation Advisory Committee of the RPO on June 15th.

The attached MOU has two locations for signature: p. 6 and 11. The pg. 6 signature page is a joint signature page and a member of the PTRPO staff will bring a copy for signature on the meeting date or mail one ahead of time. The pg. 11 signature page is solely for you and your Chair's signature.

Below is a short paragraph about why and what is being updated in the MOU.

Let me know if you have any questions. Tks, Jesse

About the Piedmont Triad Rural Planning Organization MOU Update

The memorandum of understanding (MOU) for the Piedmont Triad Rural Planning Organization (PTRPO) establishes the purposes and responsibilities of the PTRPO, including the membership of the Transportation Advisory Committee and the Transportation Coordinating Committee. The MOU establishes the responsibilities between County members, lead agency staff and the NCDOT.

The Piedmont Triad Council of Governments is changing names to the Piedmont Triad Regional Council (PTRC) effective July 1, 2011. The lead agency name is the Piedmont Triad Regional Council, which is reflected in the updated MOU. There are no other changes to the MOU.

About the Piedmont Triad Rural Planning Organization

The Piedmont Triad Rural Planning Organization provides long range local and regional transportation planning services, project prioritization and facilitates public participation in the rural transportation planning process.

7/25/2011

Jesse Day, AICP
Regional Planner
Specializing in bicycle, pedestrian and open space planning



Piedmont Triad Council of Governments

2216 W. Meadowview Road Suite 201

Greensboro, NC 27407-3480

Phone: 336.294.4950

Fax: 336.632.0457

7/25/2011

**Amended
Memorandum of Understanding for
Cooperative, Comprehensive and Continuing Transportation
Planning and the Establishment of the
Piedmont Triad Rural Transportation Planning Organization (RPO) For**

Caswell County and the participating municipalities therein; Davidson County and the participating municipalities therein but lying outside the High Point Urban Area MPO and Winston-Salem/Forsyth County Urban Area MPO; Montgomery County and the participating municipalities therein; Randolph County and the participating municipalities therein but lying outside the High Point Urban Area MPO; Rockingham County and the participating municipalities therein; and the North Carolina Department of Transportation (NCDOT), hereinafter collectively, 'the Parties'.

Witnesseth

Whereas, on April 17, 2002, the Parties entered into a Memorandum of Understanding which created the Piedmont Triad Rural Planning Organization, hereinafter 'RPO'; amended on December 19, 2007; and

Whereas, the RPO provides rural areas the opportunity to work in partnership with NCDOT toward the development of sound, short and long-range transportation planning for the rural areas of our region; and

Whereas, the Parties have agreed to amend the amended Memorandum of Understanding.

Now, Therefore, the following Amended Memorandum of Understanding is made on this the 15th of June, 2011.

Section 1. Purpose and Responsibilities. It is hereby agreed that the Parties intend to establish and participate in a Rural Transportation Planning Organization created for the general purposes and responsibilities outlined in the following:

1. Develop long-range local and regional multi-modal transportation plans in cooperation with the Greensboro Urban Area MPO, the Burlington/Graham Urban Area MPO, the High Point Urban Area MPO, the Winston-Salem/Forsyth County Urban Area MPO; and the North Carolina Department of Transportation.
2. Provide a forum for public participation in the rural transportation planning process.

3. Develop and prioritize suggestions for transportation projects that the RPO believes should be included in the State Transportation Improvement Program (STIP).
4. Provide transportation-related information to local governments and other interested organizations and persons.

Section 2. Lead Planning Agency. It is hereby further agreed that the transportation plans and programs and land use policies and programs for the RPO will be coordinated by the Piedmont Triad Regional Council (PTRC), an agency selected on behalf of participating local governments and NCDOT, to be the administrative entity and to serve as the lead local planning agency for coordinating rural transportation planning in the five county planning area. The RPO hereby authorizes PTRC to be the recipient of any funds appropriated to the RPO by NCDOT pursuant to North Carolina General Statute 136-213(c), or otherwise obtained by the RPO.

Section 3. Establishment of Transportation Advisory Committee (TAC). A Transportation Advisory Committee (TAC) is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the RPO. The TAC shall have the responsibility of keeping local elected governing boards informed of the status and requirements of the transportation planning process; to assist in the dissemination and clarification of the decisions, inclinations, and policies of the local elected governing boards and NCDOT; and to help ensure meaningful public participation in the rural transportation planning process.

1. The TAC will be responsible for carrying out the following:
 - A. Establishment of goals, priorities, and objectives for the transportation planning process.
 - B. Endorsement and review of changes to adopted transportation plans within the RPO.
 - C. Endorsement, review and approval of a Planning Work Program (PWP) for transportation planning which defines work tasks and responsibilities for the various agencies participating in the RPO.
 - D. Endorsement, review and approval of transportation improvement projects which support and enhance regional and local transportation within the five-county RPO.
2. The membership of the TAC shall consist of the following:
 - A. One county commissioner representing Caswell County and one municipal elected official from Caswell County.

- B. One county commissioner representing Davidson County and one elected official from a municipality outside of the High Point Urban Area MPO and Winston-Salem/Forsyth County Urban Area MPO in Davidson County.
 - C. One county commissioner representing Montgomery County and one municipal elected official from Montgomery County.
 - D. One county commissioner representing Randolph County and one elected official from a municipality outside of the High Point Urban Area MPO in Randolph County.
 - E. One county commissioner representing Rockingham County and one elected official from a municipality in Rockingham County.
 - F. One North Carolina Board of Transportation member, representing Divisions 7, 8 or 9.
 - G. The chair of the Piedmont Authority for Regional Transportation (PART), or his/her designated PART board member, participating ex officio without vote.
3. Each voting representative on the TAC shall have one vote.
 4. The county commissioner representing each county on the TAC shall be selected every two years by the Board of County Commissioners of each county in regular session. While individual representation may change at the discretion of the county board of commissioners, each county shall have a seat on the TAC so long as the county is a member of the RPO.
 5. The term of membership for the municipal representative from each county shall be two years. At the end of each two year term, the municipalities within each county that are not included within the jurisdiction of an MPO shall caucus and select a municipal representative from the county. Municipal representatives who have just completed a two-year term are eligible to serve additional terms if selected by the county's municipal caucus.
 6. An alternate for each TAC member shall be designated, provided they meet the same qualifications as the appointee.
 7. In the event a county is no longer a member of the RPO, municipal representation for that county is also lost. Municipalities cannot be a member of the TAC without the county being a member of the RPO.
 8. A TAC membership roster shall be compiled and updated at least annually, listing each member and alternate.
 9. The TAC shall meet as often as it is deemed necessary, appropriate and advisable. A quorum shall be required for the transaction of all

business. A quorum shall consist of fifty-one percent (51%) of the active membership of the TAC. TAC members who fail to attend or send an alternate in their place for two (2) consecutive meetings of the TAC shall have their seat declared vacant, and their absence shall not count for quorum. Attendance at a future meeting shall automatically reinstate the member's seat on the Committee. On the basis of majority vote of its voting membership, the TAC shall appoint a member of the committee to act as chairperson and vice-chairperson with the responsibility for coordination of the committee's activities.

10. The PTRC will serve as staff to the TAC.

Section 4. Establishment of the Technical Coordinating Committee (TCC). A Technical Coordinating Committee shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the RPO and the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the TAC regarding any necessary actions relating to the continuing transportation planning process.

1. The TCC shall be responsible for development, review, and recommendation for approval of the PWP for the RPO and the STIP priorities.
2. Membership of the TCC shall include technical representatives from all local and state government agencies directly related to and concerned with the transportation planning process for the RPO planning area. The membership shall include, but not be limited to, the following:
 - A. The Manager, Assistant Manager, Planning Director, or Engineer from each county within the RPO planning area, or his/her designee.
 - B. The Chief Administrative Official, Planning Director, Engineer or Clerk from each incorporated municipality within the RPO planning area, or his/her designee.
 - C. The Transportation Director of each rural transportation service provider in the RPO planning area, or his/her designee.
 - D. The Division Engineers for NCDOT Highway Divisions 7, 8 and 9, or his/her designee.
 - E. The NCDOT Transportation Planning Branch Manager or his/her designee.

- F. The NCDOT Triad and Sandhills Area Traffic Engineers, or his/her designee.
 - G. The Director of the Piedmont Authority for Regional Transportation (PART), or his/her designee, participating ex officio without vote.
 - H. The Transportation Directors of the Greensboro Urban Area MPO, the High Point Urban Area MPO, The Winston Salem/Forsyth County Urban Area MPO and the Burlington/Graham Urban Area MPO, or his/her designee, participating ex officio without vote.
3. Each voting representative on the TCC shall have one vote. An alternate shall be designated for each member, provided they meet the same criteria as the member.
 4. Membership of the TCC may be altered on the basis of a majority vote of its membership and approval of the TAC, and may be further defined and expanded as permitted in the duly adopted bylaws.
 5. A TCC membership roster shall be compiled and updated at least annually, listing each member and alternate.
 6. The TCC shall meet when it is deemed necessary, appropriate and advisable. A quorum shall be required for the transaction of all business. A quorum shall consist of fifty-one percent (51%) of the active membership of the TCC. TCC members who fail to attend or send an alternate in their place for two (2) consecutive meeting of the TCC shall have their seat declared vacant, and their absence shall not be counted for quorum. Attendance at a future meeting shall automatically reinstate the member's seat on the Committee. On the basis of majority vote of its voting membership, the TCC shall appoint a member of the committee to act as chairperson with the responsibility for coordination of the committee's activities.
 7. The PTRC will serve as staff to the TCC.

Section 5. Commitment to the Rural Planning Process. The Parties further agree to assist in the rural transportation planning process by providing planning assistance, data and inventories where possible, in accordance with the approved PWP.

Section 6. Staff Support and Coordination. Each member jurisdiction shall have the support of RPO staff in developing local transportation projects and priorities. It is further agreed that each member shall coordinate its transportation plans with those of other RPO members. Additionally, the RPO may identify and present projects of a regional nature to NCDOT for consideration.

Section 7. Termination. The Parties may terminate their participation in the RPO by giving written notice of termination to the other parties ninety (90) days before the end of the fiscal year.

Section 8. Applicability. This amended Memorandum of Understanding supersedes and replaces any prior Memorandum of Understanding between the Parties regarding the RPO.

Section 9. Witness. In witness thereof, the Parties have been authorized by appropriate and proper resolutions, and/or legislative authority to sign this Amended Memorandum of Understanding, on this, the 15th of June, 2011.

BY:
County of Caswell

Chairman

Clerk to the Board

County of Davidson

Chairman

Clerk to the Board

County of Montgomery

Chairman

Clerk to the Board

County of Randolph

Chairman

Clerk to the Board

County of Rockingham

Chairman

Clerk to the Board

Piedmont Triad Regional Council

Chairman

Executive Director

NCDOT

Approved as to Execution

Secretary

Assistant Attorney General

MONTGOMERY COUNTY

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE PIEDMONT TRIAD RPO," is hereby adopted by the Montgomery County Board of Commissioners, this the 19th of July, 2011.

Montgomery County

By: _____
Jackie Morris, Chairman

Michelle Richardson, Clerk to Board

CASWELL COUNTY

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE PIEDMONT TRIAD RPO," is hereby adopted by the Caswell County Board of Commissioners, this the 11th of July, 2011.

Caswell County

By: _____
Nathaniel Hall, Chairman

Paula Seamster, Clerk to Board

RANDOLPH COUNTY

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE PIEDMONT TRIAD RPO," is hereby adopted by the Randolph County Board of Commissioners, this the 11th of July, 2011.

Randolph County

By: _____
J. Harold Holmes, Chairman

Cheryl Ivey, Clerk to Board

DAVIDSON COUNTY

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE PIEDMONT TRIAD RPO," is hereby adopted by the Davidson County Board of Commissioners, this the 9th of August, 2011.

Davidson County

By: _____
Sam Watford, Chairman

Anne Burkhart, Clerk to Board

ROCKINGHAM COUNTY

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE PIEDMONT TRIAD RPO," is hereby adopted by the Rockingham County Board of Commissioners, this the 12th of July, 2011.

Rockingham County

By: _____
James Kallam, Chairman

Pamela McLain, Clerk to Board

PIEDMONT TRIAD REGIONAL COUNCIL

This, "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE **PIEDMONT TRIAD RPO,**" is hereby adopted by the Board of Delegates of the Piedmont Triad Regional Council (PTRC), this the 1st of July, 2011. By the adoption of this resolution, the PTRC also agrees to serve as administrative entity for the Piedmont Triad RPO and to receive such funding that is forthcoming.

Piedmont Triad Regional Council

Clerk: _____

By: _____
Chairman

Memorandum of Understanding
Approved as to form:

NC Department of Transportation

Assistant Attorney General

By: _____
Secretary

Commissioners' Agenda Request

Date Received: July 29, 2011

J.3.

Meeting Date: August 9, 2011 Deliberation Agenda Item

Item: Firing Range Bid Award

Item Information: This is the bid award for construction for the Firing Range for the Sheriff's Office.

Cost: \$559,639.00 Base Bid or \$601,484.00 Advanced Lighting +\$41,845.00

Source of Funding: Capital

Action to be taken by Commissioners: Approve

Follow-Up Required: N/A

Additional Requirements: N/A

Exhibit Material Enclosed : X **Yes** **No**

To: Robert Hyatt

From: Dwayne Childress

Date: August 29, 2011

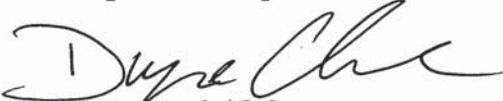
Subject: Bid Award DCSO Firing Range

Dear Sir,

I am writing you in response to the bid opening of Tuesday July 26, 2011. The bid was for the construction of the Sheriff's Firing Range. We have an engineer that drew up the plans and opened for competitive bidding. The following several pages are the results of that process. I would encourage the Board to add the \$41,845.00 alternate bid for lighting and this is based on experience with Musco and others. I have taken the liberty of attaching several pages that outline the performance of the Musco Lighting versus others.

It would seem the bid that offers the lowest price and the most responsive-responsible bid is that of Pedulla Excavating & Paving, Inc. Therefore, it is my recommendation and that of Mr. Scheer to the Board of Commissioners that we accept the bid of Pedulla Excavating & Paving, Inc. If you have any questions you may contact me at 242-2030.

Respectfully submitted,


Dwayne Childress
Purchasing Director



July 28, 2011

Mr. Dwayne Childress
Director
Davidson County Purchasing Department
903 Greensboro Street, Suite 104
Lexington, North Carolina 27292

**RE: Davidson County Firing Range
Certified Bid Tabulation & Recommendation for Contractor Selection**

Dear Dwayne:

Richardson Smith Gardner & Associates, Inc. (RSG) is pleased to present you with the results of the bidding for the Davidson County Firing Range, which bid on July 26, 2011 at 3:00 p.m. The results of the bid are as follows below. One alternate (Bid Alternate A (Alternate Lighting)) was also considered.

BIDDER		BASE BID	BASE BID PLUS ALTERNATE A (ALTERNATE LIGHTING)
1.*	Pedulla Excavating & Paving, Inc.	\$559,639.00	\$601,484.00
2.	Country Boy Landscaping, Inc.	\$561,875.50	\$637,500.50
3.	Locke-Lane Construction, Inc.	\$584,485.00	\$664,485.00
4.	Lynn Thomas Grading, Inc.	\$588,519.20**	\$639,519.20
5.	Bar Construction Company, Inc.	\$654,366.35**	\$721,510.35
6.	Foster Grading Co., Inc.	\$666,045.25**	\$834,675.25
7.	Triangle Grading & Paving, Inc.	\$667,846.00	\$695,503.00
8.	H.M. Kern Corp.	\$684,154.64**	\$887,154.64
9.	Sexton Construction Co., Inc.	\$713,144.00**	\$771,944.00
10.	Buchannon & Sons, Inc.	\$859,965.00	No Bid

* Rank by Base Bid.

** Amount Corrected for Math Error.

Based on the bid results, Pedulla Excavating & Paving is the clear low bidder for both the base and bid alternate. Pedulla's base bid was also very close to the range of \$566K to \$595K predicted in our construction cost estimate dated July 24, 2011 (sent via email).

Bid Alternate A was added to allow a performance based lighting system. The **attached** information supplied by the system manufacturer, Musco Lighting, demonstrates that long-term savings using the proposed alternate lighting system will save the County money. Musco also has a demonstrated history of good performance on other County projects requiring similar lighting systems. Thus, RSG recommends that the County include Bid Alternate A for this project.

Mr. Dwayne Childress
July 28, 2011
Page 2

Based upon all of the information obtained from Pedulla Excavating & Paving, RSG finds their submittal to be complete. Further, RSG contacted several references provided by Pedulla. Each of these references was very positive about Pedulla's work. Thus, we recommend that this project be awarded to Pedulla Excavating & Paving, Inc. of Mooresville, North Carolina for the Base Bid plus Bid Alternate A in the amount of \$601,484.00.

Attached is a certified tabulation of each bid received.

Sincerely,
Richardson Smith Gardner & Associates, Inc.

Pieter K. Scheer, P.E.  Digitally signed by Pieter K. Scheer, P.E.
DN: CN = Pieter K. Scheer, P.E., C = US, O =
Richardson Smith Gardner & Assocs.
Date: 2011.07.28 17:39:27 -04'00'

Pieter K. Scheer, P.E.
Principal, Project Manager

Attachments: Musco Lighting Information
Certified Bid Tabulation

cc: Sheriff David Grice, Davidson County

BID TABULATION
Devidson County Firing Range
 July 26, 2014, 3:00 pm

BASE BID:

PAY ITEM NUMBER	ITEM DESCRIPTION	EST. QUANTITY	UNITS	UNIT PRICE	AMOUNT	COUNTRY BOY LANDSCAPING, INC. P.O. Box 290 Hamory, NC 28644 87108	LOCKE/LANE CONSTRUCTION, INC. 5003 Taylorsville Hwy Stony Point, NC 28678 466075	LYNN THOMAS GRADING, INC. 230 Rocky River Church Road Pilot, NC 28135 47966	BAR CONSTRUCTION COMPANY, INC. 811-A Industrial Avenue Greensboro, NC 27406 7973
1.0	Site Preparation	6.0	EA	LS	\$19,800.00				
2.0	Excavation	14,750.0	CY	\$2.00	\$29,500.00				
3.0	Over-Excavation & Backfill	1,000.0	CY	\$5.00	\$5,000.00				
4.0	Embankment	10,500.0	CY	\$1.00	\$10,500.00				
5.0	Misc. Additional Embankment	500.0	CY	\$2.00	\$1,000.00				
6.0	Rock Removal - Mass	1,000.0	CY	\$19.00	\$19,000.00				
7.0	Rock Removal - Trench	200.0	CY	\$53.00	\$10,600.00				
8.0	Bullet Trap Backstops - Concrete Work & Trench Drains w/ Limestone Fill	2.0	EA	LS	\$24,800.00				
9.0	Bullet Trap Backstops - Rubber Mats (24" Thickness)	225.0	CY	LS	\$27,145.00				
10.0	Concrete Pad (55" x 60")	370.0	SY	LS	\$11,460.00				
11.0	Concrete Sidewalks	184.0	LF	LS	\$4,600.00				
12.0	Drainage & Erosion and Sedimentation Control	---	---	---	---				
13.0	Trench, General Construction Entrance/Exit	1.0	LS	LS	\$2,750.00				
14.0	Sediment Traps	3.0	EA	LS	\$12,640.00				
15.0	French Drains - Perforated Piping (P" A Stone/Geotextile)	500.0	LF	\$14.00	\$7,000.00				
16.0	French Drains - Solid Piping (P" B Rhens (12" IZ)	515.0	LF	\$12.00	\$6,180.00				
17.0	DC-11	180.0	LF	\$4.00	\$720.00				
18.0	DC-31	135.0	LF	\$4.00	\$540.00				
19.0	DC-41	510.0	LF	\$4.00	\$2,040.00				
20.0	RP Rip Aprons	4.0	EA	LS	\$1,085.00				
21.0	Rock Check Dam (Below C-2)	1.0	LS	LS	\$400.00				
22.0	Filter Berms	2.0	EA	LS	\$1,750.00				
23.0	Precast Drop Inlet (DI-1)	1.0	LS	LS	\$2,200.00				
24.0	Precast Concrete Manhole (MH-1)	1.0	LS	LS	\$2,500.00				
25.0	TRM on Slopes Steeper than 2:1 TV	1,000.0	SY	\$3.00	\$3,000.00				
26.0	ECB on Slopes Steeper than 2:1 TV	6,000.0	SY	\$1.50	\$9,000.00				
27.0	24" Diam. RCP (Class III) (C-3 & C-4) (4 FES)	100.0	LF	\$45.00	\$4,500.00				
28.0	24" Diam. RCP (Class III) (C-3 & C-4) (1 FES)	252.0	LF	\$47.00	\$11,844.00				
29.0	30" Diam. RCP (Class III) (C-2) (2 FES)	52.0	LF	\$90.00	\$4,680.00				
30.0	30" Diam. RCP (Class III) (C-2) (1 FES)	2,000.0	LF	\$1.70	\$3,400.00				
31.0	36" Filter Fence	140.0	LF	\$6.00	\$840.00				
32.0	Aggregate Surfing	5.0	AC	\$1,420.00	\$7,100.00				
33.0	Parking Stops	3,000.0	SY	\$13.00	\$39,000.00				
34.0	Chain Link Fence (1.570 LPI & Gates (2 Swing) Cant.)	32.0	EA	\$65.00	\$2,080.00				
35.0	Electrical Work & Lighting	1.0	LS	LS	\$26,800.00				
36.0	Water Supply System (WHL, Piping, Yees Hydrants, Etc.)	1.0	LS	LS	\$125,375.00				
37.0	Quality Control Testing	1.0	LS	LS	\$10,000.00				
38.0	Surveying Control	1.0	LS	LS	\$4,800.00				
39.0	Bonds, Mobilization, & Insurance (Max. = 4%)	1.0	LS	LS	\$11,095.00				
40.0	Bonds, Mobilization, & Insurance (Max. = 4%)	1.0	LS	LS	\$20,000.00				
TOTAL BASE BID PRICE					\$559,839.00				

BID ALTERNATE A (ALTERNATE LIGHTING):
 Additional (or Reduced) Cost from Base Bid

PAY ITEM NUMBER	ITEM DESCRIPTION	EST. QUANTITY	UNITS	UNIT PRICE	AMOUNT	COUNTRY BOY LANDSCAPING, INC. P.O. Box 290 Hamory, NC 28644 87108	LOCKE/LANE CONSTRUCTION, INC. 5003 Taylorsville Hwy Stony Point, NC 28678 466075	LYNN THOMAS GRADING, INC. 230 Rocky River Church Road Pilot, NC 28135 47966	BAR CONSTRUCTION COMPANY, INC. 811-A Industrial Avenue Greensboro, NC 27406 7973
1.0	Additional (or Reduced) Cost from Base Bid	1.0	LS	LS	\$17,622.00				
TOTAL BASE BID PLUS ALTERNATE A PRICE					\$577,461.00				
IRREGULARITIES					NONE				
Notes:					No Qualifications Information Provided.				
Additional Notes:					Written Base Bid was \$498.60 higher than calculated.				
TOTAL BASE BID PLUS ALTERNATE A PRICE					\$639,519.20				
Additional Notes:					Written Base Bid was \$10,000 lower than calculated.				

CERTIFICATION: This is certified to be an accurate tabulation of bids received for the project.
Richardson Smith Gardner & Associates, Inc.
Richard S. Gardner
 Pieter K. Scheer, P.E.
 Principal, Project Manager
 July 27, 2011



Pg 5

RIN TARIH ATTON

BID TABULATION Davidson County Firing Range July 26, 2011, 3:00 pm		BICER Water Grading Co., Inc. ADDRESS: 3132 Overcan Road Concord, NC 28027		Terzaghi Grading & Paving, Inc. P.O. Drawer 2710 Burlington, NC 27215		I.M. Kern Corporation P.O. Box 14424 Greensboro, NC 27419		Selden Construction Company, Inc. 2700 Boulder Park Court Winston-Salem, NC 27101		Buchanan and Sons, Inc. P.O. Box 123 Winstler, NC 28789			
NC CONTRACTOR LICENSE NO. 39999													
BASE BID: NUMBER	EST. QUANTITY	ITEM DESCRIPTION	UNITS	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE		
1.0	6.0	Site Preparation	AC	\$40,000.00	LS	\$20,000.00	LS	\$20,000.00	LS	\$20,000.00	LS		
2.0	14,750.0	Excavation	CY	\$4.00	LS	\$59,000.00	LS	\$4.00	LS	\$59,000.00	LS		
2.1	1,000.0	One Excavation & Backfill	CY	\$17,750.00	LS	\$17,750.00	LS	\$17,750.00	LS	\$17,750.00	LS		
3.0	10,900.0	Embarkment	CY	\$1.40	LS	\$15,260.00	LS	\$1.40	LS	\$15,260.00	LS		
3.1	500.0	Minor Additional Embankment	CY	\$1.00	LS	\$500.00	LS	\$1.00	LS	\$500.00	LS		
4.0	1,000.0	Rock Removal - Mass	CY	\$35.00	LS	\$35,000.00	LS	\$35.00	LS	\$35,000.00	LS		
4.1	200.0	Rock Removal - Trench	CY	\$45.00	LS	\$9,000.00	LS	\$45.00	LS	\$9,000.00	LS		
5.0	2.0	Reinforcing Bars - Concrete Work & Trench Drains	EA	\$39,300.00	LS	\$39,300.00	LS	\$39,300.00	LS	\$39,300.00	LS		
5.1	225.0	Reinforcing Bars - Concrete Work & Trench Drains	EA	\$175.00	LS	\$39,300.00	LS	\$175.00	LS	\$39,300.00	LS		
6.0	310.0	Concrete Pad (5' x 6')	LF	\$1,300.00	LS	\$403,000.00	LS	\$1,300.00	LS	\$403,000.00	LS		
7.0	184.0	Concrete sidewalks	LF	\$4,000.00	LS	\$739,200.00	LS	\$4,000.00	LS	\$739,200.00	LS		
8.0	1.0	Drainage & Erosion and Sedimentation Control	---	---	---	---	---	---	---	---	---		
8.1	1.0	Temp. Cover Construction Entrance/Exit	---	---	---	---	---	---	---	---	---		
8.2	3.0	Sealment Traps	EA	\$5,310.00	LS	\$15,930.00	LS	\$5,310.00	LS	\$15,930.00	LS		
8.3	500.0	French Drains - Perforated Piping (6" & Stone/Gravel)	LF	\$12.50	LS	\$6,250.00	LS	\$12.50	LS	\$6,250.00	LS		
8.4	515.0	French Drains - Solid Piping (6" & Risers (12" (2)	LF	\$10.75	LS	\$5,531.25	LS	\$10.75	LS	\$5,531.25	LS		
8.5	180.0	DC-11	LF	\$6.80	LS	\$1,224.00	LS	\$6.80	LS	\$1,224.00	LS		
8.6	130.0	DC-31	LF	\$6.80	LS	\$884.00	LS	\$6.80	LS	\$884.00	LS		
8.7	510.0	DC-41	LF	\$6.80	LS	\$3,468.00	LS	\$6.80	LS	\$3,468.00	LS		
8.8	4.0	Rip Rap Aprons	EA	\$1,000.00	LS	\$4,000.00	LS	\$1,000.00	LS	\$4,000.00	LS		
8.9	1.0	Rock Check Dam (Below C-2)	EA	\$400.00	LS	\$400.00	LS	\$400.00	LS	\$400.00	LS		
8.10	2.0	Filter Berms	EA	\$1,100.00	LS	\$2,200.00	LS	\$1,100.00	LS	\$2,200.00	LS		
8.11	1.0	Precast Drop Inlet (D-1)	EA	\$3,120.00	LS	\$3,120.00	LS	\$3,120.00	LS	\$3,120.00	LS		
8.12	1.0	Precast Concrete Manhole (MH-1)	EA	\$3,027.00	LS	\$3,027.00	LS	\$3,027.00	LS	\$3,027.00	LS		
8.13	1,100.0	TRM on Sloped Steeper than 2H:1V	SY	\$4.50	LS	\$4,950.00	LS	\$4.50	LS	\$4,950.00	LS		
8.14	6,000.0	ECR on Sloped Steeper than 2H:1V	SY	\$2.90	LS	\$1,740.00	LS	\$2.90	LS	\$1,740.00	LS		
8.15	100.0	18" Diam. RCP (Class III) (C-3-A-C-4) (4 FEES)	LF	\$51.00	LS	\$5,100.00	LS	\$51.00	LS	\$5,100.00	LS		
8.16	252.0	24" Diam. RCP (Class III) (C-3-A-C-1B) (1 FEES)	LF	\$38.00	LS	\$9,576.00	LS	\$38.00	LS	\$9,576.00	LS		
8.17	52.0	30" Diam. RCP (Class III) (C-2) (2 FEES)	LF	\$89.00	LS	\$4,628.00	LS	\$89.00	LS	\$4,628.00	LS		
8.18	2,000.0	Silt Fence	LF	\$2.25	LS	\$4,500.00	LS	\$2.25	LS	\$4,500.00	LS		
8.19	140.0	Stone Filter Fence	LF	\$9.00	LS	\$1,260.00	LS	\$9.00	LS	\$1,260.00	LS		
8.20	5.0	Revegetation	AC	\$1,900.00	LS	\$9,500.00	LS	\$1,900.00	LS	\$9,500.00	LS		
9.0	3,000.0	Aggregate Surfacing	SY	\$15.50	LS	\$46,500.00	LS	\$15.50	LS	\$46,500.00	LS		
10.0	32.0	Paving Slops	EA	\$65.00	LS	\$2,080.00	LS	\$65.00	LS	\$2,080.00	LS		
11.0	1.0	Chain Link Fence (1.5' O/LF) & Gates (3 Swing/1 Cart.)	LF	\$34,765.00	LS	\$34,765.00	LS	\$34,765.00	LS	\$34,765.00	LS		
12.0	1.0	Electrical Work & Lighting	LS (Allowance)	\$146,700.00	LS	\$146,700.00	LS	\$146,700.00	LS	\$146,700.00	LS		
13.0	1.0	Water Supply System (Wet Piping, Yard Hydrants, Etc.)	LS (Allowance)	\$10,000.00	LS	\$10,000.00	LS	\$10,000.00	LS	\$10,000.00	LS		
14.0	1.0	Quality Control Testing	LS	\$1,000.00	LS	\$1,000.00	LS	\$1,000.00	LS	\$1,000.00	LS		
15.0	1.0	Surveying Control	LS	\$12,800.00	LS	\$12,800.00	LS	\$12,800.00	LS	\$12,800.00	LS		
16.0	1.0	Bonds, Mobilization, & Insurance (Max. = 4%)	LS	\$24,760.00	LS	\$24,760.00	LS	\$24,760.00	LS	\$24,760.00	LS		
TOTAL BASE BID PRICE				\$666,046.25		\$667,846.00		\$684,154.64		\$713,144.00			
BID ALTERNATE A (ALTERNATE LIGHTING): Additional (or Reduced) Cost from Base Bid													
1.0	1.0	LS	LS	\$168,830.00	LS	\$27,857.00	LS	\$203,000.00	LS	\$58,800.00	LS		
TOTAL BASE BID PLUS ALTERNATE A PRICE				\$834,876.25		\$695,503.00		\$887,154.64		\$771,944.00			
IRREGULARITIES:													
				Written Base Bid was \$0.25 lower than calculated.					Written Base Bid was \$69 higher than calculated.				
				NONE					Written Base Bid was \$0.69 lower than calculated.				
				NONE					Written Base Bid was \$69 higher than calculated.				
				NONE					NONE				

pg 6

Corporate: 100 1st Ave West · PO Box 808 · Oskaloosa, IA 52577 · 641/673-0411 · 800/825-6020 · Fax: 641/673-4852
Manufacturing: 2107 Stewart Road · PO Box 260 · Muscatine, IA 52761 · 563/263-2281 · 800/756-1205 · Fax: 800/374-6402
Web: www.musco.com · **Email:** lighting@musco.com



Davidson County Firing Range
July 25, 2011

Musco's Light Structure Green System assures DCFR that they will have 25 years of safe, guaranteed light levels at the lowest operating cost in a hassle free manner by eliminating 100% of the maintenance and communication costs to the owner.

- Musco is the manufacturer and directly responsible for the production and performance of their lighting systems and has many reference projects throughout Davidson County Schools, NC and multiple parks and recreational facilities.
- This is a UL Listed lighting system designed for 25+ year life expectancy – engineered foundations by a licensed North Carolina Structural Engineer with concrete below grade to eliminate corrosion, enclosed wiring, and remote ballasts for maintenance and easy fuse inspection.
- All maintenance associated with the Musco provided lighting system including fixture repair, spot and group relamping covered by Musco's Constant 25 warranty (includes 1000w fixtures as well).
- Musco provides specifically funded reserves to assure owners of their ability to back up the performance claims and maintenance.
- Musco provides testing and accountability throughout warranty period
- Light Structure Green provides the lowest cost of ownership (see attached) over an expected 30-40 year life cycle of this lighting system as compared to conventional depreciating technology.
- Musco Sports Lighting is the only manufacturer with dedicated field service/maintenance staff with a local office.
- Control Link internet based control and monitoring system provides the most comprehensive values/features. All communication costs are included during the 25 year warranty period.
- Glare and spill light control is reduced by at least 50% compared to conventional light technology as specified through improved photometrics and proper mounting height design.

Thank you again for the opportunity to provide you with this information. Please let me know if there are any questions with regard to product.

Sincerely,

Dina Neeley

Sales Representative
Musco Sports Lighting, LLC
Phone: 336-414-1030
E-mail: dina.neeley@musco.com
Fax: 336/887-0771

Lighting . . . We Make It Happen.

Pg 7

25-Year Life-Cycle Cost

Davidson County Firing Range Thomasville, NC

Prepared for: Mr. Pieter Scheer, Richardson Smith Gardner And Associates

07/25/11



Your Savings

	Hours Average kW	Typical Floodlighting Equipment		
		10,000 87.5	10,000 50.0	
Energy		\$87,480	\$50,048	\$37,432
Group Relamp		\$22,500	\$0	\$22,500
Lamp Maintenance		\$3,750	\$0	\$3,750
Controls - Energy		\$21,870	\$0	\$21,870
25-Year Life-Cycle Cost		\$135,600	\$50,048	\$85,552

Assumptions

Field Name	Annual Operating Hours	Energy Cost per kWh	Typical Floodlighting Equipment		Musco Green		Controls Energy Savings
			Fixtures	Avg kW	Fixtures	Avg kW	
All Fields	400	\$0.10	54	87.5	32	50.0	25.0%
Firing Range							
Firing Range 2							
Firing Range 2 _ INC							
Firing Range - INC							

NOTE:

Life-cycle costs are based upon the assumptions given by the customer above. Any variation in this data will change the life-cycle cost proportionately. Group Relamp calculates using a per lamp replacement cost of \$125, including parts, equipment, and labor. Useful lamp life of typical floodlighting equipment is 3000 hours. Musco guarantees the average Green Generation Lighting® system kW and 5000 hours useful life of the lamp.





Musco Constant 25™

25-Year Product Assurance & Warranty Program

Musco Sports Lighting, LLC will provide all materials and labor to maintain operation of your lighting system to original design criteria for 25 years, or until maximum hours of coverage have accumulated, whichever comes first. Musco products and services are guaranteed to perform on your project as detailed in this document.

Light

Average Constant Light™ levels are guaranteed through Musco's Smart Lamp® and service technology, within the Illumination Engineering Society of North America RP-6-01 standards of +/- 10% of the design criteria.

Musco will electronically monitor lamp operation and operating hours, and will group re-lamp as needed based on usage hours.

Individual lamp outages that occur during the lamp warranty and maintenance period are repaired when the usage of any field is materially impacted. If actual usage exceeds the maximum hours of coverage, the customer will be required to purchase lamp replacements in order to maintain the warranty to the end of twenty-five years.

Energy Consumption

Average and maximum energy consumptions for your lighting system are guaranteed. Exhibit A provides a 25-year energy cost model based upon the customer provided utility rate and anticipated hours of usage. Changes in rates or usage will proportionately change the costs.

Monitoring, Maintenance and Control Services

Musco shall monitor the performance of your lighting system, including on/off status, hours of usage and lamp outages. If fixture outages that affect playability are detected, Musco will contact you and proactively dispatch technicians.

On-off control of your lighting system is provided via an easy-to-use web site scheduling system, phone, fax, or email. Our trained Control-Link Central™ staff is available toll-free 24/7. Regular usage reports are always available on Control-Link Central's web site.

Spill Light Control

Spill light readings at identified locations are guaranteed to be controlled to the values provided in Musco's design documents for your project, shown in Exhibit B. Readings shall be within the Illumination Engineering Society of North America RP-6-01 standards of +/- 10% of the design criteria.

Structural Integrity

Your project has been designed to _____.
Structural integrity of equipment manufactured by Musco is guaranteed.

Musco has a team of people to ensure fulfillment of our product and services warranty (Exhibit C) and maintains financial reserves dedicated to support our fulfillment of this warranty. Please keep this document as your signed contract guaranteeing comprehensive service for the 25-year period.



Musco Constant 25™

25-Year Product Assurance & Warranty Program

Project Details

Project Name: _____

Project Number: _____

Owner: _____

City, ST: _____

Product(s) Covered: _____

Date Issued: _____

Expiration: _____ or maximum hours of coverage noted below, whichever occurs first

Total Average kW per hour: _____ Total Maximum kW per hour: _____

Musco products and services are guaranteed to perform on your project as follows:

Field/Zone	Fixture Quantity	Lamp Type/ Lamp Hours	Average Target Constant Light Level	Uniformity Max/Min	Total Relamps Included	Estimated Annual/25- Year Estimated Usage Hours	Maximum Hours of Coverage



Musco Constant 25™

25-Year Product Assurance & Warranty Program

Terms and Conditions

Service under this Contract is provided by Musco Sports Lighting, LLC ("Musco") or an authorized servicer approved by Musco. Services performed under this Contract shall consist of furnishing labor and parts necessary to restore the operation of the Covered Product(s) to original design criteria provided such service is necessitated by failure of the Covered Product(s) during normal usage. This Contract covers Product(s) consisting of Musco's Green Generation Lighting with Control-Link® and any additional Musco manufactured product as listed on page 2.

"We", "us" and "our" mean Musco. "You" and "your" mean the purchaser of the Covered Product(s). No one has the authority to change this Contract without the prior written approval of Musco. Musco shall not assume responsibility for their agents or assignees other than as described below. If there is a conflict between the terms of this Contract and information communicated either orally or in writing by one or more of our employees or agents, this Contract shall control.

Additional Provisions

1. **Availability of Service:** Control-Link Central operators shall be available 24/7 via web site, phone, fax, or email. Maintenance service specialists shall be available 8AM to 5PM Central Time, and services shall be rendered during these same hours in your local time zone, Monday through Friday (with the exception of national holidays). Hours of operation are subject to change without notice to you. Musco will exercise all reasonable efforts to perform service under this Contract, but will not be responsible for delays or failure in performing such services caused by adverse weather conditions, acts of any government, failure of transportation, accidents, riots, war, labor actions or strikes or other causes beyond its control.
2. **Determination of Repairs:** Musco will utilize the field monitoring system and any information provided by the customer to determine when the usage of the field is materially impacted. From this information, Musco will determine needed repair and/or replacement of Covered Product(s) and parts. Repair will be with product(s) of like kind and quality.
3. **Your Requirements Under this Contract:** You must meet all electrical and installation requirements as specified by the manufacturer. In addition, you promise and assure: full cooperation with Musco, Musco's technicians and authorized servicers during telephone diagnosis and repair of the Covered Product(s); reasonable accessibility of the Covered Product(s); a non-threatening and safe environment for service.

You agree to check fuses and to replace fuses as needed. Musco provides spare fuses and a fuse puller in the lowest alpha-numeric numbered enclosure. Musco will replenish spare fuses used.

You agree to keep your Green Generation Lighting system online. This means keeping the required control voltage to the control system at all times. Any deviation from this practice must be discussed with the Musco's Warranty Department.

4. **Service Limitations - This Contract does not cover:** Maintenance, repair or replacement necessitated by loss or damage resulting from any external causes such as, but not limited to, theft, environmental conditions, negligence, misuse, abuse, improper electrical/power supply, unauthorized repairs by third parties, attachments, damage to cabinetry, equipment modifications, vandalism, animal or insect infestation, physical damage to Covered Products parts or components, failure of existing structures, supporting electrical systems or any non-Musco equipment, or acts of God/nature (including, but not limited to: earthquake, flood, tornadoes, typhoons, hurricanes or lightning).

5. Contract Limitations:

- a. **EXCLUSIONS FROM COVERAGE:** IN NO EVENT WILL MUSCO BE LIABLE FOR ANY SPECIAL, INDIRECT, INCIDENTAL OR CONSEQUENTIAL DAMAGES WHICH INCLUDE, BUT ARE NOT LIMITED TO, ANY DELAY IN RENDERING SERVICE OR LOSS OF USE DURING THE REPAIR PERIOD OF THE COVERED PRODUCT(S) OR WHILE OTHERWISE AWAITING PARTS.
- b. **Limitation of Liability:** To the extent permitted by applicable law, the liability of Musco, if any, for any allegedly defective Covered Product(s) or components shall be limited to repair or replacement of the Covered Product(s) or components at Musco's option. THIS CONTRACT IS YOUR SOLE EXPRESS WARRANTY WITH RESPECT TO THE COVERED PRODUCT(S). ALL IMPLIED WARRANTIES WITH RESPECT TO THE COVERED PRODUCT(S) INCLUDING, BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, ARE HEREBY EXPRESSLY EXCLUDED.
- c. For the purposes of and by your acceptance of this Contract you acknowledge and agree that if a surety bond ("Bond") is provided the warranty and/or maintenance guarantee provided for in this Contract and any corresponding liability on behalf of the issuing surety under the Bond is limited to the first twelve (12) months of said warranty and/or maintenance guarantee coverage period. Any warranty and/or guarantee coverage period in excess of said initial 12 month period does not fall within the scope of the Bond and shall be the sole responsibility of Musco.
- d. Musco requires reasonable access for a crane or man lift equipment to service the lighting system. Musco will not be responsible for damage from operating the vehicle on the property when the equipment is operated in the prescribed manner over the designated access route.
6. **Transfer and Assignment:** Except to owners, you shall not have the right to assign or otherwise transfer your rights and obligations under this Contract except with the prior written consent of Musco; however, a successor in interest by merger, operation of law, assignment or purchase or otherwise of your entire business shall acquire all of your interests under this Contract.
7. **Governing Law:** Unless otherwise governed by applicable state law, the Contract shall be interpreted and enforced according to the laws of the State of Iowa.
8. **Subrogation:** In the event Musco repairs or replaces any Covered Product(s), parts or components due to any defect for which the manufacturer or its agents or suppliers may be legally responsible, you agree to assign your rights of recovery to Musco. You will be reimbursed for any reasonable costs and expenses you may incur in connection with the assignment of your rights. You will be made whole before Musco retains any amounts it may recover.

Signature: _____

Vice President of Sales

Pg 11

COMMISSIONERS AGENDA

Date: August 9, 2011

Exhibit: Attached

ITEM: J.4. Welcome VIPER Tower

ITEM INFORMATION: Attached please find information regarding the Welcome VIPER Tower for your review. This item is to be considered for approval of the following documents on behalf of Davidson County: (1) FY 2007 PSIC Conditional Grant Award; (2) FY 2007 PSIC Retention Authorization Letter (which describes the State's responsibilities as the grant recipient on behalf of the County); and, (3) FY 2007 PSIC Memorandum of Understanding/Agreement.

ACTION TO BE TAKEN: Approve/disapprove

FOLLOW-UP: Execute documents and return to North Carolina Department of Crime Control and Public Safety.



DAVIDSON COUNTY EMERGENCY COMMUNICATIONS

949 North Main St
Lexington, North Carolina 27292
Phone 336-242-2132
Fax 336-242-1377

MEMORANDUM

From: Terry Bailey, Communications Director
To: Mr. Hyatt, County Manager
Subject: VIPER Tower (Welcome)
Date: July 1, 2011

In reference to the proposed NC State VIPER tower to be located at US Hwy 52 and Tall Pines rd, I would like to voice that I am in support of this state project. At this time the location of this project is of limited value to public safety in Davidson County. The tower is being located on a property that belongs to the State that is closer to a Davidson Water Tank that we already have equipment that supports our needs. However, this site could be an asset as the county looks forward to future radio projects such as a trunked radio system, acknowledging that a trunked system is about having adequate towers for the coverage area. This tower could reduce cost of a system in the form of shared resources. The state at the kickoff meeting for this tower at the 911 center in early May extended the invitation to put resources from the County on the tower when built and in the future. I have sent the state a list of potential equipment space needed in the future so the tower could be engineered to hold the loading. Again I would like to extend my support for this VIPER tower in Welcome.



North Carolina Department of Crime Control and Public Safety

Beverly Eaves Perdue, Governor

Reuben F. Young, Secretary

June 28, 2011

Terry Bailey, Director
Davidson County Emergency Communications
949 North Main St.
Lexington, North Carolina 27292

Dear Mr. Bailey:

As the State Administrative Agent, I am pleased to announce that North Carolina has been awarded \$22,130,199.00 for the acquisition and deployment of interoperable communications equipment through the FY 2007 Public Safety Interoperable Communications Grant Program (PSIC). PSIC was established as a one-time matching grant award by the National Telecommunications and Information Administration (NTIA) in consultation with the U.S. Department of Homeland Security. As part of the planned, phased State effort to enhance interoperable communications through the development of the Voice Interoperability Plan for Emergency Responders (VIPER), your jurisdiction is receiving an award of approximately \$751,000 to purchase VIPER infrastructure equipment. The breakdown of the award is as follows:

PSIC Funding Amount:	\$ 600,800.00
<u>State Match Amount:</u>	<u>\$ 150,200.00</u>
Total Award Amount:	\$ 751,000.00

The National Telecommunications and Information Administration (NTIA) and the U.S. Department of Homeland Security (DHS) require States to meet certain pass-through requirements. In the context of the PSIC program, NTIA and DHS define “pass-through” as an obligation on the part of the States to make funds available to public safety agencies that are local or tribal government entities or authorized nongovernmental organizations. Four requirements must be met to pass-through grant funds:

- There must be some action to establish a firm commitment on the part of the awarding entity,

MAILING ADDRESS:

4701 Mail Service Center
Raleigh, NC 27699-4701
Telephone: (919) 733-2126



www.NCCrimeControl.org

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OFFICE LOCATION:

512 N. Salisbury Street
Raleigh, NC 27604-1159
Fax: (919) 715-8477



- The action must be unconditional on the part of the awarding entity (i.e., no contingencies for availability of SAA funds),
- There must be documentary evidence of the commitment, and
- The award terms must be communicated to the official grantee.

The PSIC 2007 guidance states,

For the pass-through of funds, each State and Territory may retain some or all of the pass-through for expenditures made by the State and Territory on behalf of the pass-through local entities . . . ***only if requested in writing by the pass-through recipients.*** States and Territories holding grant funds on behalf of local entities must enter into a formal Memorandum of Understanding (MOU) with the local unit of government, tribal government and/or nongovernmental entities, as applicable. . . . A final, executable copy of the MOU must be kept on file with the S[tate] and NTIA.

DHS provided a model MOU in *Appendix C "Template for MOU"* of the FY 2005 Homeland Security Grant Program guidance.

To meet NTIA and DHS pass-through and MOU requirements, the PSIC grant award package is comprised of 3 documents that will require the signature(s) of your jurisdiction's authorized signatories. Enclosed are the following documents for signature:

1. FY 2007 PSIC Conditional Grant Award (signature required)
2. FY 2007 PSIC Retention Authorization Letter (which describes the State's responsibilities as the grant recipient on behalf of the local jurisdictions-signature required)
3. FY 2007 PSIC Memorandum of Understanding/Agreement - signature required)

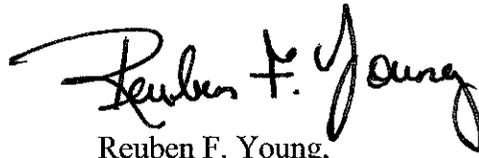
The State and the local jurisdictions, as beneficiaries of the programs, are responsible for adherence to all federal and state laws, rules and regulations in the administration and use of the grant funding. FY 2007 PSIC grant program guidance can be found at http://www.ntia.doc.gov/psic/PSICguidance_081607.pdf. Please feel free to contact the N.C. Division of Emergency Management if you have questions regarding this guidance.

If you desire to have the N.C. Department of Crime Control and Public Safety manage your portion of the statewide program on your jurisdiction's behalf, please sign the Grant Award document, print the Retention Authorization Letter on your letterhead and sign it and return these documents with the signed MOU to the address listed below.

John Yarboro
Homeland Security Branch Chief
1830-B Tillery Place
Raleigh, N.C. 27604

If you have any questions or need further assistance, please contact David Skordinski at (919) 715-8000, ext. 334 or dskordinski@ncem.org.

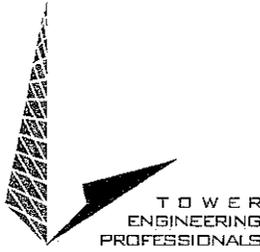
Sincerely,

A handwritten signature in black ink that reads "Reuben F. Young". The signature is written in a cursive style with a large, looping "Y" at the end.

Reuben F. Young,
Secretary

RFY/pm

Enclosure



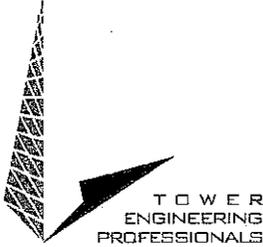
June 2, 2011

Davidson County Planning and Zoning
Governmental Center
3rd Floor, Suite 305
913 Greensboro Street
Lexington, NC 27292

Subject: Proposed 480-ft Self-Support Communications Tower
NC Highway Patrol Site: **Welcome**
FCC TCNS # 76925
Old U.S 52
Lexington, NC
(Davidson County)

To Whom It May Concern:

Tower Engineering Professionals, Inc. (TEP) of Raleigh, NC has been contracted by the North Carolina Highway Patrol Department of Crime Control and Public Safety to complete a NEPA Checklist (FCC Compliance Audit) for the aforementioned proposed Emergency Services Communications tower. As part of completion of the Form-620 Submission to the North Carolina Historic Preservation Office as directed by the FCC-Nationwide Programmatic Agreement (FCC-NPA), Tower Engineering Professionals, Inc. is required to contact your office regarding the proposed undertaking. The proposed tower will be located east-southeast of Old U.S. Highway 52, north of Tall Pines Road, in central Davidson County, NC. The proposed tower site is currently occupied by previously disturbed fallow earthen land uses. The proposed access easement will proceed southeast from Old U.S. Highway 52 for approximately 75-ft until reaching the proposed fenced tower compound. The proposed access easement and fenced tower compound appear to be located within the immediate vicinity of a former residential dwelling that has since been removed. The proposed irregular shaped six-sided fenced tower compound will contain one 480-ft (495-ft with appurtenances) self support communications tower, one 11.5-ft x 24-ft equipment shelter, and 40 kw emergency Diesel generator located atop a 5.5-ft x 9.5-ft concrete pad. The proposed tower site elevation is approximately 895-ft AMSL. The parent property is located in a portion of Davidson County where the surrounding land is primarily occupied by commercial, municipal, low-density residential, agricultural, and undeveloped forested land uses.



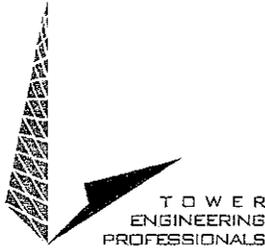
The approximate coordinates of the tower location are as follows:

Latitude: N 35° 55' 27.84" (NAD 83)
Longitude: W 80° 14' 35.94" (NAD 83)

TEP contracted Environmental Services, Inc., a cultural resources consulting firm, to perform an Archaeological Evaluation, to make an assessment of the potential direct effects the proposed tower may have on archaeological resources. The Archaeological Evaluation has been included for your review.

Research conducted by TEP personnel, utilizing the online North Carolina State Historic Preservation Office historical sites mapper, resulted in the identification of six (6) historic properties within the designated 1.5-mile FCC visual APE.

1. The Hamilton Everhart Farm identified by Site ID: DV0157 - NR was an 1860 2-story weatherboard log home, before being demolished in the early 2000's. It was listed as a "National Registered" (NR) property in 1984 by the North Carolina State Historic Preservation Office.
2. The James P. Thomas Farm identified by Site ID: DV0158 - SL was listed as a "Study List" (SL) property in 1983 by the North Carolina State Historic Preservation Office.
3. The Welcome Milling Company identified by Site ID: DV0359 - SL was listed as a "Study List" (SL) property in 1990 by the North Carolina State Historic Preservation Office, however; it has reportedly been destroyed.
4. The Welcome Historic District identified by Site ID: DV0361 - SL was listed as a "Study List" (SL) property in 1980 by the North Carolina State Historic Preservation Office, its eligibility remains in question.
5. The Welcome Railroad Station identified by Site ID: DV0059 - SL was listed as a "Study List" (SL) property in 1980 by the North Carolina State Historic Preservation Office, however; it has reportedly been destroyed.
6. The Andrew Berrier Farm identified by Site ID: DV0188 - SL was listed as a "Study List" (SL) property in 1983 by the North Carolina State Historic Preservation Office.



Further, the research resulted in the identification of four (4) surveyed points within the designated 1.5-mile FCC visual APE that were surveyed in 1981 by the North Carolina State Historic Preservation Office, however; no determination of eligibility has been made to date.

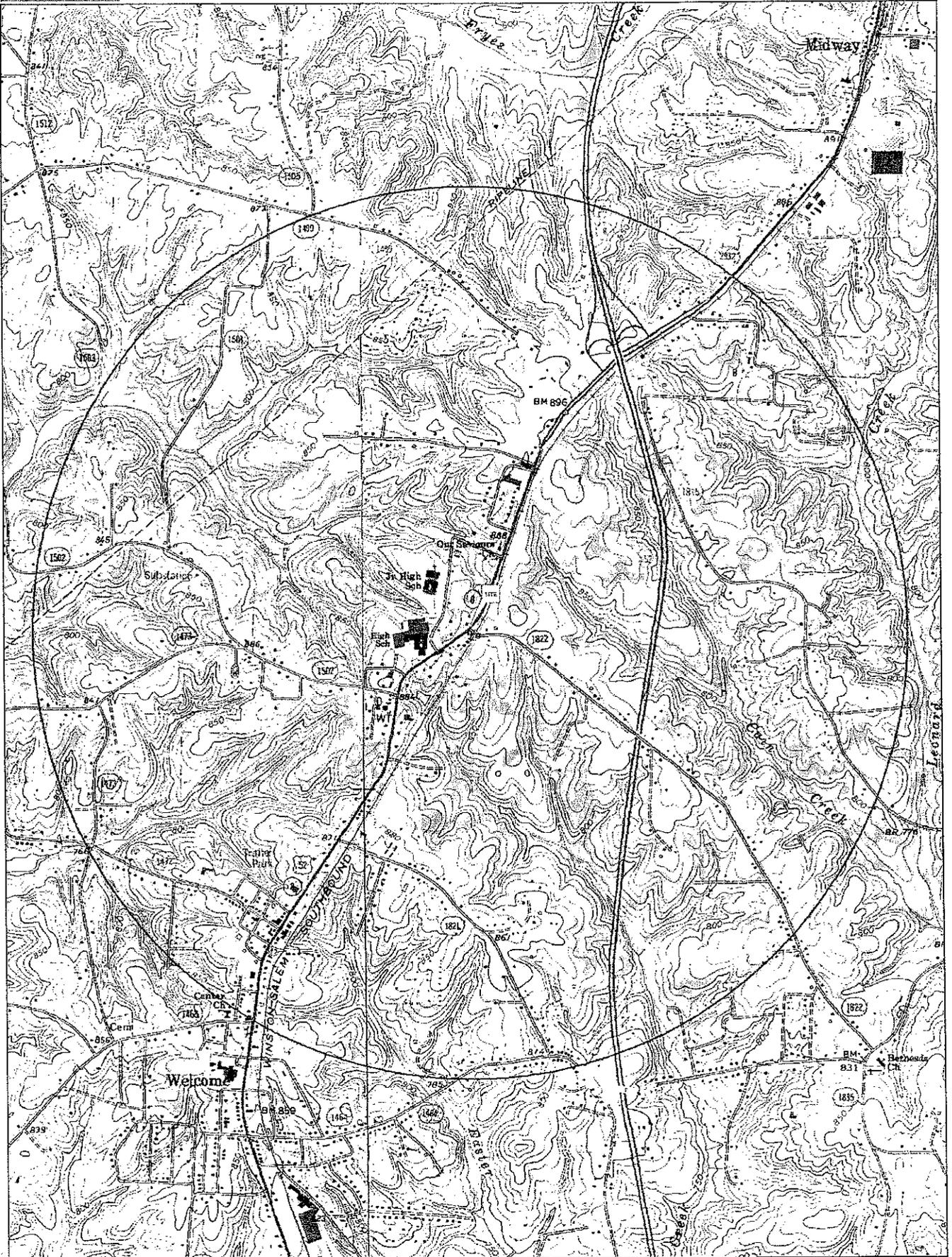
It is the position of TEP that the proposed tower construction will have "no effect" on sites eligible for or listed in the National Register of Historic Places within the APE; however, we would appreciate any comments that you may have on the proposed activity regarding the possible impacts that the proposed facility may have on Historic Properties. Please make any comments within thirty days of the receipt of this documentation.

A portion of the pertinent 7.5-minute topographic map that depicts the proposed tower location, Archaeological Evaluation, NCSHPO Map, NCSHPO Results, site plan, and site photographs has been included for your review. If there are any questions, or if any additional information is needed, please do not hesitate to call. Thank you for your assistance and cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Andrew B. Blake".

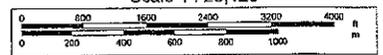
Andrew B. Blake
Environmental Scientist



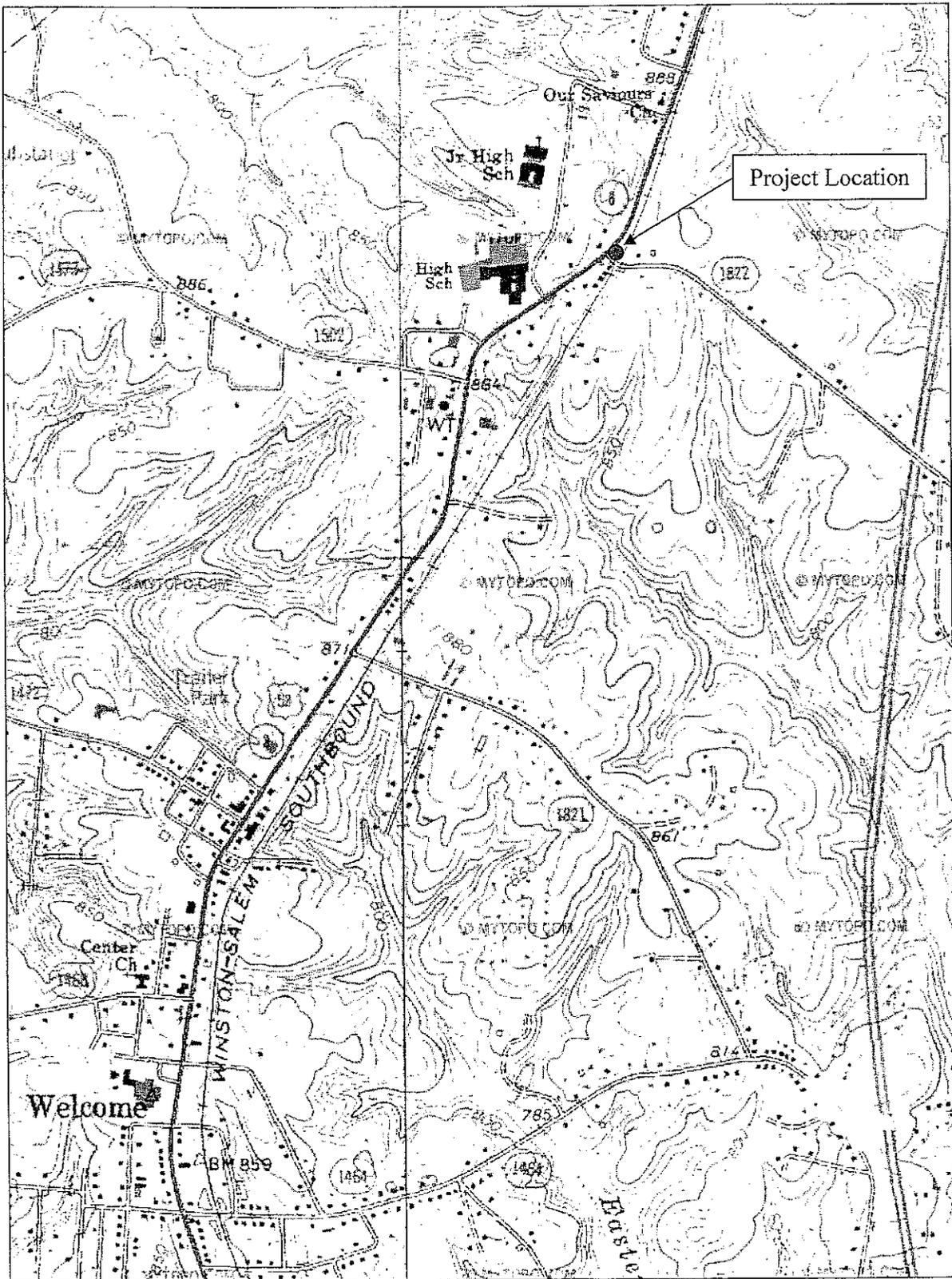
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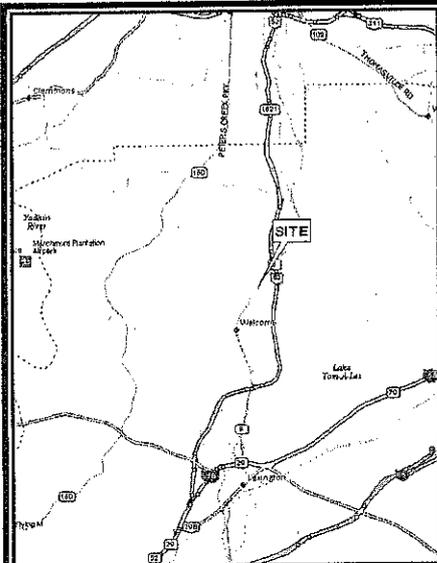
Scale 1 : 28,125



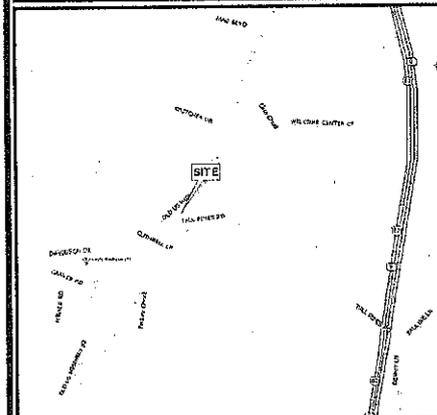
1" = 2,343.8 ft Data Zoom 13-0



Project Location (Midway USGS 7.5-minute quadrangle)



VICINITY MAP



LOCATION MAP

FROM RALEIGH, NC, TRAVEL WEST ON I-40 FOR 100 MILES. TAKE EXIT 183A ONTO US 52. AFTER APPROXIMATELY 3 MILES TAKE EXIT 97 ONTO OLD US 52. CONTINUE ON OLD US 52 FOR APPROXIMATELY 8 MILES. THE SITE WILL BE ON YOUR LEFT AT THE CORNER OF TALL PINES ROAD.

DRIVING DIRECTIONS

PROJECT INFORMATION:

PROPOSED TELECOMMUNICATIONS FACILITY

SITE NAME:
WELCOME

SITE NUMBER:
HP-1354

SCO ID NUMBER:
T.B.D.

AERONAUTICAL STUDY NO:
2010-ASO-5829-OE

SITE ADDRESS:
**OLD US 52
LEXINGTON, NC 27374
(DAVIDSON COUNTY)**

LATITUDE N 35° 55' 27.64"
LONGITUDE W 080° 14' 35.84"
GROUND ELEVATION = 495'

TOWER COORDINATES

TOWER OWNER:
NAME: NORTH CAROLINA HIGHWAY PATROL
ADDRESS: 3318 GARNER ROAD, BUILDING TWO
CITY, STATE, ZIP: RALEIGH, NC 27610
CONTACT: MARTY RANDALL
PHONE: (919) 662-4440

APPLICANT / LESSEE:
NAME: NORTH CAROLINA HIGHWAY PATROL
ADDRESS: 3318 GARNER ROAD, BUILDING TWO
CITY, STATE, ZIP: RALEIGH, NC 27610
CONTACT: MARTY RANDALL
PHONE: (919) 662-4440

PROPERTY OWNER:
NAME: DEPARTMENT OF TRANSPORTATION
ADDRESS: 176 SUIAS CREEK PK.
CITY, STATE, ZIP: WINSTON-SALEM, NC 27127
CONTACT: UNKNOWN
PHONE: UNKNOWN

AREA OF CONSTRUCTION: 2,570 SQ. FT.±
PRESENT OCCUPANCY TYPE: VACANT LOT
PROPOSED OCCUPANCY TYPE: TELECOMMUNICATIONS FACILITY
CURRENT ZONING: HC
PARCEL ID NUMBER: 113020000035
JURISDICTION: DAVIDSON COUNTY

UTILITIES:
POWER COMPANY: DUC POWER COMPANY
CONTACT: CUSTOMER SERVICE
POLE # NEAR SITE: 418 601

TELEPHONE COMPANY: UNKNOWN
CONTACT: UNKNOWN
PHONE: UNKNOWN
PEDESTAL # NEAR SITE: 418 1

PROJECT SUMMARY

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING:

1. NORTH CAROLINA BUILDING CODE
2. LOCAL BUILDING CODE
3. CITY/COUNTY ORDINANCES
4. ANS/71A/EIA-222-G (2009 EDITION)
5. NORTH CAROLINA ELECTRIC CODE (2008 EDITION)

CODE COMPLIANCE

SURVEYOR:
NAME: TOWER ENGINEERING PROFESSIONALS, INC.
ADDRESS: 3703 JUNCTION BOULEVARD
CITY, STATE, ZIP: RALEIGH, NC 27603
CONTACT: CLIFFORD C. BYRD, P.L.S.
PHONE: (919) 661-6351

CIVIL ENGINEER:
NAME: TOWER ENGINEERING PROFESSIONALS, INC.
ADDRESS: 3703 JUNCTION BOULEVARD
CITY, STATE, ZIP: RALEIGH, NC 27603
CONTACT: JOHN GOINS, P.E.
PHONE: (919) 661-6351

STRUCTURAL ENGINEER:
NAME: N/A
ADDRESS: N/A
CITY, STATE, ZIP: N/A
CONTACT: N/A
PHONE: N/A

ELECTRICAL ENGINEER:
NAME: TOWER ENGINEERING PROFESSIONALS, INC.
ADDRESS: 3703 JUNCTION BOULEVARD
CITY, STATE, ZIP: RALEIGH, NC 27603
CONTACT: J. RUSSELL HILL, P.E.
PHONE: (919) 661-6351

GEOTECHNICAL ENGINEER:
NAME: TOWER ENGINEERING PROFESSIONALS, INC.
ADDRESS: 3703 JUNCTION BOULEVARD
CITY, STATE, ZIP: RALEIGH, NC 27603
CONTACT: J. RUSSELL HILL, P.E.
PHONE: (919) 661-6351

TOWER MANUFACTURER:
NAME: T.B.D.
ADDRESS: T.B.D.
CITY, STATE, ZIP: T.B.D.
CONTACT: T.B.D.
PHONE: T.B.D.

PROJECT TEAM

APPLICANT/OWNER:



N.C. HIGHWAY PATROL
3318 GARNER ROAD, BLDG. 2
OFFICE: (919) 662-4440



IF YOU DIG IN
NORTH CAROLINA...
CALL US FIRST!
1-800-632-4949

NORTH CAROLINA ONE CALL
IT'S THE LAW

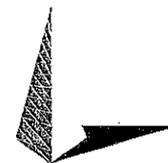
THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER/SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

UTILITY STATEMENT

SHEET	DESCRIPTION	REV
T1	TITLE SHEET	0
N1	PROJECT NOTES	0
Z1	SITE PLAN	0
Z2	COMPOUND DETAIL	0

INDEX OF SHEETS

PLANS PREPARED BY:



TOWER ENGINEERING PROFESSIONALS
3703 JUNCTION BOULEVARD
RALEIGH, NC 27603-5263
OFFICE: (919) 661-6351
www.tepgroup.net

N.C. LICENSE # C-1794

REV	DATE	ISSUED FOR:
0	05-12-11	PRELIMINARY ZONING

DRAWN BY: TRG CHECKED BY: JBG

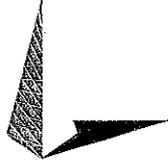
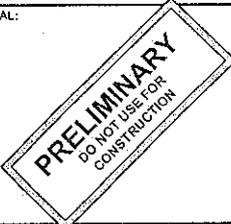


SHEET NUMBER:	REVISION:
T-1	0

TEP #: 110796

GENERAL NOTES:

1. ALL REFERENCES TO OWNER IN THESE DOCUMENTS SHALL BE CONSIDERED NORTH CAROLINA HIGHWAY PATROL OR IT'S DESIGNATED REPRESENTATIVE.
2. ALL WORK PRESENTED ON THESE DRAWINGS MUST BE COMPLETED BY THE CONTRACTOR UNLESS NOTED OTHERWISE. THE CONTRACTOR MUST HAVE CONSIDERABLE EXPERIENCE IN PERFORMANCE OF WORK SIMILAR TO THAT DESCRIBED HEREIN. BY ACCEPTANCE OF THIS ASSIGNMENT, THE CONTRACTOR IS ATTESTING THAT HE DOES HAVE SUFFICIENT EXPERIENCE AND ABILITY, THAT HE IS KNOWLEDGEABLE OF THE WORK TO BE PERFORMED AND THAT HE IS PROPERLY LICENSED AND PROPERLY REGISTERED TO DO THIS WORK IN THE STATE OF NORTH CAROLINA.
3. WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE NORTH CAROLINA BUILDING CODE, 2009 EDITION.
4. UNLESS SHOWN OR NOTED OTHERWISE ON THE CONTRACT DRAWINGS, OR IN THE SPECIFICATIONS, THE FOLLOWING NOTES SHALL APPLY TO THE MATERIALS LISTED HEREIN, AND TO THE PROCEDURES TO BE USED ON THIS PROJECT.
5. ALL HARDWARE ASSEMBLY MANUFACTURER'S INSTRUCTIONS SHALL BE FOLLOWED EXACTLY AND SHALL SUPERCEDE ANY CONFLICTING NOTES ENCLOSED HEREIN.
6. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO DETERMINE ERECTION PROCEDURE AND SEQUENCE TO INSURE THE SAFETY OF THE STRUCTURE AND ITS COMPONENT PARTS DURING ERECTION AND/OR FIELD MODIFICATIONS. THIS INCLUDES, BUT IS NOT LIMITED TO, THE ADDITION OF TEMPORARY BRACING, GUYS OR TIE DOWNS THAT MAY BE NECESSARY. SUCH MATERIAL SHALL BE REMOVED AND SHALL REMAIN THE PROPERTY OF THE CONTRACTOR AFTER THE COMPLETION OF THE PROJECT.
7. ALL DIMENSIONS, ELEVATIONS, AND EXISTING CONDITIONS SHOWN ON THE DRAWINGS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO BEGINNING ANY MATERIALS ORDERING, FABRICATION OR CONSTRUCTION WORK ON THIS PROJECT. CONTRACTOR SHALL NOT SCALE CONTRACT DRAWINGS IN LIEU OF FIELD VERIFICATIONS. ANY DISCREPANCIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER AND THE OWNER'S ENGINEER. THE DISCREPANCIES MUST BE RESOLVED BEFORE THE CONTRACTOR IS TO PROCEED WITH THE WORK. THE CONTRACT DOCUMENTS DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES. OBSERVATION VISITS TO THE SITE BY THE OWNER AND/OR THE ENGINEER SHALL NOT INCLUDE INSPECTION OF THE PROTECTIVE MEASURES OR THE PROCEDURES.
8. ALL MATERIALS AND EQUIPMENT FURNISHED SHALL BE NEW AND OF GOOD QUALITY, FREE FROM FAULTS AND DEFECTS AND IN CONFORMANCE WITH THE CONTRACT DOCUMENTS. ANY AND ALL SUBSTITUTIONS MUST BE PROPERLY APPROVED AND AUTHORIZED IN WRITING BY THE OWNER AND ENGINEER PRIOR TO INSTALLATION. THE CONTRACTOR SHALL FURNISH SATISFACTORY EVIDENCE AS TO THE KIND AND QUALITY OF THE MATERIALS AND EQUIPMENT BEING SUBSTITUTED.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING, AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR INSURING THAT THIS PROJECT AND RELATED WORK COMPLIES WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL SAFETY CODES AND REGULATIONS GOVERNING THIS WORK.
10. ACCESS TO THE PROPOSED WORK SITE MAY BE RESTRICTED. THE CONTRACTOR SHALL COORDINATE INTENDED CONSTRUCTION ACTIVITY, INCLUDING WORK SCHEDULE AND MATERIALS ACCESS, WITH THE RESIDENT LEASING AGENT FOR APPROVAL.
11. BILL OF MATERIALS AND PART NUMBERS LISTED ON CONSTRUCTION DRAWINGS ARE INTENDED TO AID CONTRACTOR. CONTRACTOR SHALL VERIFY PARTS AND QUANTITIES WITH MANUFACTURER PRIOR TO BIDDING AND/OR ORDERING MATERIALS.
12. ALL PERMITS THAT MUST BE OBTAINED ARE THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR WILL BE RESPONSIBLE FOR ABIDING BY ALL CONDITIONS AND REQUIREMENTS OF THE PERMITS.
13. 24 HOURS PRIOR TO THE BEGINNING OF ANY CONSTRUCTION, THE CONTRACTOR MUST NOTIFY THE APPLICABLE JURISDICTIONAL (STATE, COUNTY OR CITY) ENGINEER.
14. THE CONTRACTOR SHALL REWORK (DRY, SCARIFY, ETC.) ALL MATERIAL NOT SUITABLE FOR SUBGRADE IN IT PRESENT STATE. AFTER REWORKING, IF THE MATERIAL REMAINS UNSUITABLE, THE CONTRACTOR SHALL UNDERCUT THIS MATERIAL AND REPLACE WITH APPROVED MATERIAL. ALL SUBGRADES SHALL BE PROOFROLLED WITH A FULLY LOADED TANDEM AXLE DUMP TRUCK PRIOR TO PAVING. ANY SOFTER MATERIAL SHALL BE REWORKED OR REPLACED.
15. THE CONTRACTOR IS REQUIRED TO MAINTAIN ALL PIPES, DITCHES, AND OTHER DRAINAGE STRUCTURES FREE FROM OBSTRUCTION UNTIL WORK IS ACCEPTED BY THE OWNER. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGES CAUSED BY FAILURE TO MAINTAIN DRAINAGE STRUCTURE IN OPERABLE CONDITION.
16. ALL MATERIALS AND WORKMANSHIP SHALL BE WARRANTED FOR ONE YEAR FROM ACCEPTANCE DATE.
17. ALL BUILDING DIMENSIONS SHALL BE VERIFIED WITH THE PLANS (LATEST REVISION) PRIOR TO COMMENCING CONSTRUCTION. NOTIFY THE ENGINEER IMMEDIATELY IF ANY DISCREPANCIES ARE DISCOVERED. THE OWNER SHALL HAVE A SET OF APPROVED PLANS AVAILABLE AT THE SITE AT ALL TIMES WHILE WORK IS BEING PERFORMED. A DESIGNATED RESPONSIBLE EMPLOYEE SHALL BE AVAILABLE FOR CONTACT BY GOVERNING AGENCY INSPECTORS.

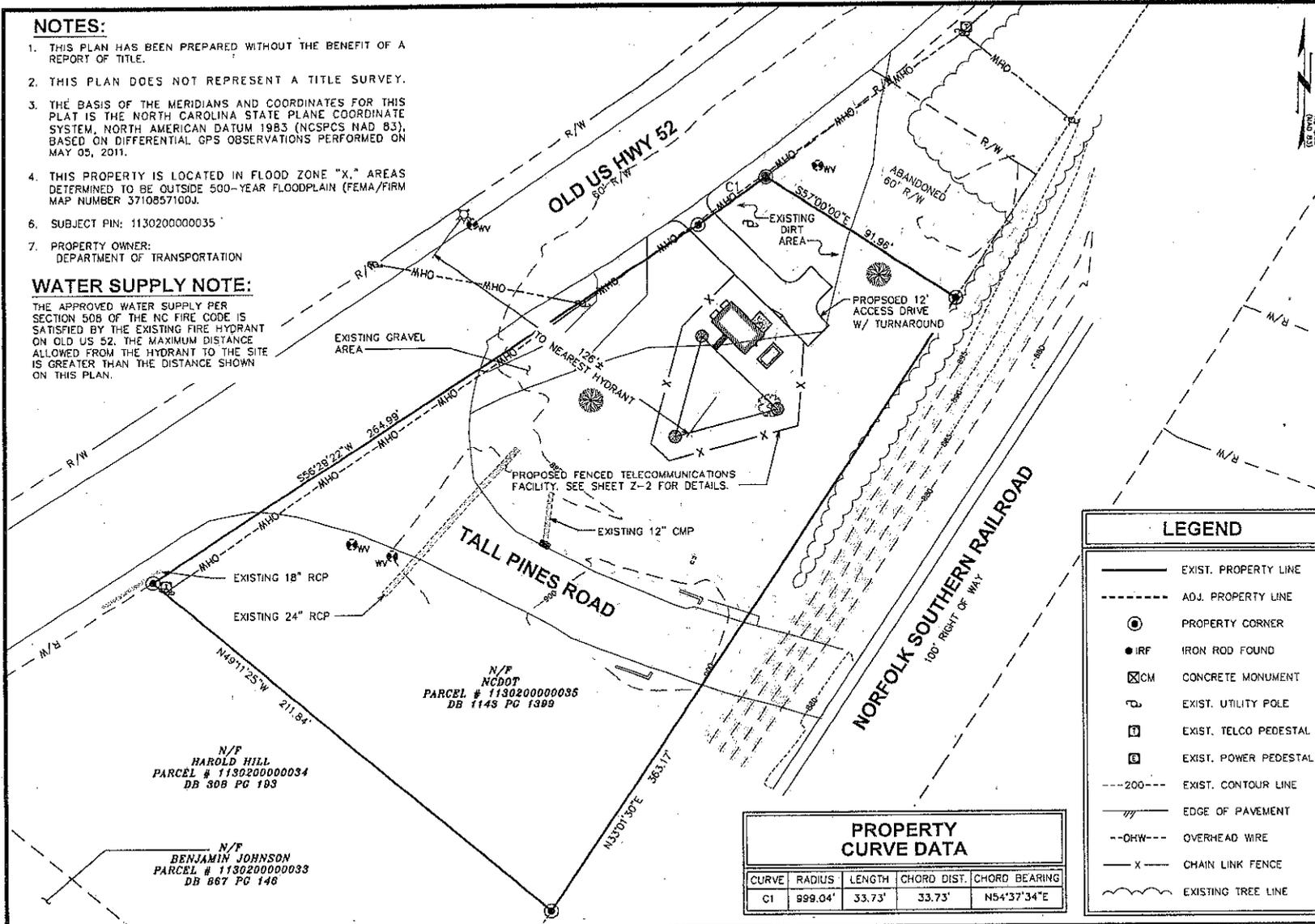
PLANS PREPARED FOR:  3318 GARNER ROAD, BLDG. 2 RALEIGH, NC 27607 OFFICE: (919) 862-4440	
PROJECT INFORMATION: WELCOME SITE # HP-1354 SCO ID # T.B.D. OLD US 52 LEXINGTON, NC 27374 (DAVDSON COUNTY)	
PLANS PREPARED BY:  TOWER ENGINEERING PROFESSIONALS 3703 JUNCTION BOULEVARD, RALEIGH, NC 27603-5263 OFFICE: (919) 661-6351 www.lepgroup.net N.C. LICENSE # C-1794	
SEAL: 	
0 05-12-11 PRELIMINARY ZONING	ISSUED FOR:
REV DATE	ISSUED FOR:
DRAWN BY: TRG	CHECKED BY: JBG
SHEET TITLE: PROJECT NOTES	
SHEET NUMBER: N-1	REVISION: 0 TEP #: 110796

NOTES:

1. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A REPORT OF TITLE.
2. THIS PLAN DOES NOT REPRESENT A TITLE SURVEY.
3. THE BASIS OF THE MERIDIANS AND COORDINATES FOR THIS PLAT IS THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (NCSPCS NAD 83), BASED ON DIFFERENTIAL GPS OBSERVATIONS PERFORMED ON MAY 05, 2011.
4. THIS PROPERTY IS LOCATED IN FLOOD ZONE "X," AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN (FEMA/FIRM MAP NUMBER 3710857100).
6. SUBJECT PIN: 1130200000035
7. PROPERTY OWNER:
DEPARTMENT OF TRANSPORTATION

WATER SUPPLY NOTE:

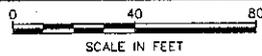
THE APPROVED WATER SUPPLY PER SECTION 50B OF THE NC FIRE CODE IS SATISFIED BY THE EXISTING FIRE HYDRANT ON OLD US 52. THE MAXIMUM DISTANCE ALLOWED FROM THE HYDRANT TO THE SITE IS GREATER THAN THE DISTANCE SHOWN ON THIS PLAN.



PROPERTY CURVE DATA				
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BEARING
C1	999.04'	33.73'	33.73'	N54°37'34"E

LEGEND

- EXIST. PROPERTY LINE
- - - - - ADJ. PROPERTY LINE
- PROPERTY CORNER
- IRF IRON ROD FOUND
- ⊠ CM CONCRETE MONUMENT
- ⊕ EXIST. UTILITY POLE
- ⊞ EXIST. TELCO PEDESTAL
- ⊞ EXIST. POWER PEDESTAL
- - - - - EXIST. CONTOUR LINE
- /// EDGE OF PAVEMENT
- - - - - OHW OVERHEAD WIRE
- X - CHAIN LINK FENCE
- ~ EXISTING TREE LINE



SITE PLAN
SCALE: 1" = 40'

PLANS PREPARED FOR:

3318 GARNER ROAD, BLDG. 2
RALEIGH, NC 27607
OFFICE: (919) 662-4440

PROJECT INFORMATION:
WELCOME
SITE # HP-1354
SCO ID # T.B.D.
OLD US 52
LEXINGTON, NC 27374
(DAVDSON COUNTY)

PLANS PREPARED BY:

TOWER ENGINEERING PROFESSIONALS
3703 JUNCTION BOULEVARD
RALEIGH, NC 27603-5263
OFFICE: (919) 661-6351
www.tepgroup.net
N.C. LICENSE # C-1794

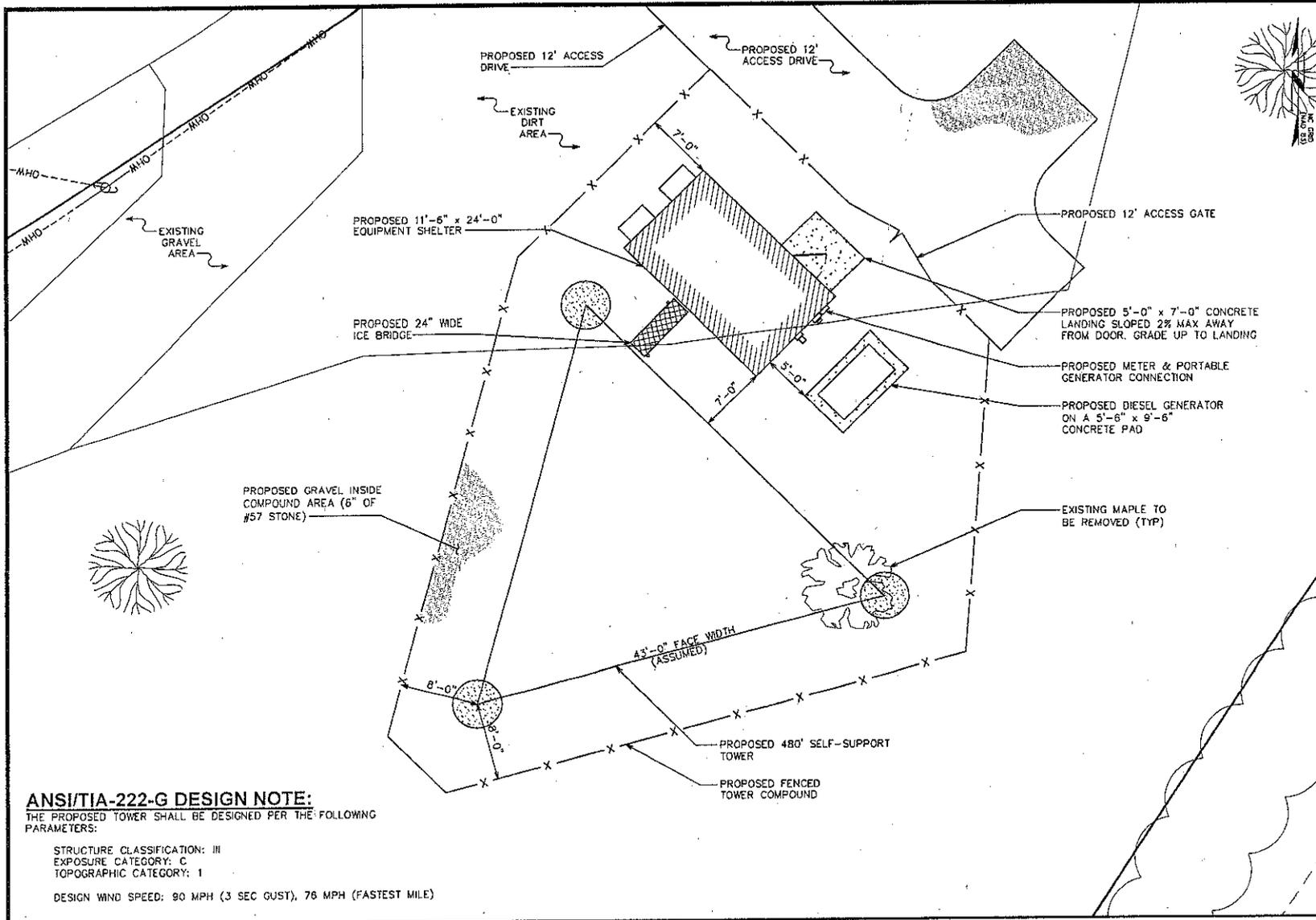
SEAL:

PRELIMINARY
DO NOT USE FOR
CONSTRUCTION

0	05-12-11	PRELIMINARY ZONING
REV:	DATE	ISSUED FOR:
DRAWN BY:	TRG	CHECKED BY: JBG

SHEET TITLE:
SITE PLAN

SHEET NUMBER: Z-1	REVISION: 0 REP #: 11029C
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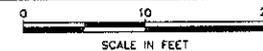
ANSI/TIA-222-G DESIGN NOTE:
 THE PROPOSED TOWER SHALL BE DESIGNED PER THE FOLLOWING PARAMETERS:

STRUCTURE CLASSIFICATION: III
 EXPOSURE CATEGORY: C
 TOPOGRAPHIC CATEGORY: 1

DESIGN WIND SPEED: 90 MPH (3 SEC GUST), 76 MPH (FASTEST MILE)

COMPOUND DETAIL

SCALE: 1" = 10'



PLANS PREPARED FOR:

3318 GARNER ROAD, BLDG. 2
 RALEIGH, NC 27607
 OFFICE: (919) 662-4440

PROJECT INFORMATION:
WELCOME
SITE # HP-1354
SCO ID # T.B.D.
 OLD US 52
 LEXINGTON, NC 27374
 (DAVIDSON COUNTY)

PLANS PREPARED BY:

TOWER ENGINEERING PROFESSIONALS
 3703 JUNCTION BOULEVARD
 RALEIGH, NC 27603-6263
 OFFICE: (919) 661-6351
 www.tepgroup.net

N.C. LICENSE # C-1794

SEAL:

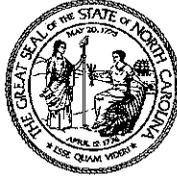
PRELIMINARY
 DO NOT USE FOR
 CONSTRUCTION

0	05-12-11	PRELIMINARY ZONING
REV	DATE	ISSUED FOR:

DRAWN BY: TRG | CHECKED BY: JBG

SHEET TITLE:
**COMPOUND
 DETAIL**

SHEET NUMBER: Z-2	REVISION: 0 TEP #: 110796
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North Carolina Department of Crime Control and Public Safety

Beverly Eaves Perdue, Governor

Reuben F. Young, Secretary

GRANT AWARD

Subgrantee: Davidson County

Project Title(s): FY 2007 VIPER PSIC Allocation

Grant Period: 10-01-2007 – 06-30-2012

Date of Award: 09-30-07

Federal Award Amount: \$ 600,800.00

Grant No.: 2007-GS-H7-0022

State Match Amount: \$ 150,200.00

Total Amount of Award: \$ 751,000.00

In accordance with the provisions of Federal Fiscal Year 2007 Public Safety Interoperable Communications Grant Program, the North Carolina Division of Emergency Management hereby awards to the foregoing Sub-grantee a grant in the amount shown above. The CFDA number is 11.555, and the North Carolina Division of Emergency Management federal grant number is 2007-GS-H7-0022.

Payment of Funds: The original signed copy of this Award must be signed by the Official Authorized to Sign in the space below and returned to the North Carolina Division of Emergency Management **no later than July 15, 2011**. **The grant shall be effective upon return of this form and final approval by the North Carolina Division of Emergency Management of the grant budget and program narrative.** Grant funds will be disbursed (according to the approved project budget) upon receipt of evidence that funds have been invoiced and products received and/or that funds have been expended (i.e., invoices, contracts, itemized expenses, etc.).

Conditions: I certify that I understand and agree that funds will only be expended for those projects outlined in the funding amounts as individually listed above. I also certify that I understand and agree to comply with the general and fiscal terms and conditions of the grant including special conditions; to comply with provisions of the Act governing these funds and all other federal laws; that all information is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized to commit the applicant to these requirements; that costs incurred prior to grant application approval will result in the expenses being absorbed by the sub-grantee; and that all agencies involved with this project understand that all federal funds are limited to a twelve-month period.

Supplantation: The Act requires that subgrantees provide assurance that subgrant funds will not be used to supplant or replace local or state funds or other resources that would otherwise have been available for homeland security activities. In compliance with that mandate, I certify that the receipt of federal funds through the North Carolina Division of Emergency Management shall in no way supplant or replace state or local funds or other resources that would have been made available for homeland security activities.

ACCEPTANCE FOR THE SUBGRANTEE

BY: _____

ROBERT HYATT, COUNTY MANAGER
DAVIDSON COUNTY

REUBEN F. YOUNG, SECRETARY
NC DEPARTMENT OF CRIME CONTROL AND
PUBLIC SAFETY

GRANT AWARD NOTICE: THIS AWARD IS SUBJECT TO THE GRANT SPECIAL CONDITIONS AND FINAL APPROVAL BY THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY, DIVISION OF EMERGENCY MANAGEMENT OF THE GRANT PROGRAM BUDGET AND NARRATIVE.

MOA Amount: \$751,000
MOA #: 6011A
Tax #: 56-6000004
Federal Share: \$600,800.00
Federal Fund Code # 1520-045-H6-553
State Share: \$150,200.00
State Fund Code #: 1520-045-H6-552
C DFA #: 11.555
Grant #: 2007-GS-H7-0022

**MEMORANDUM OF UNDERSTANDING / AGREEMENT
BETWEEN THE STATE OF NORTH CAROLINA,
DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY,
DIVISION OF EMERGENCY MANAGEMENT,**

THE N.C. STATE HIGHWAY PATROL

AND

**THE COUNTY OF DAVIDSON
REGARDING STATE USE OF HOMELAND SECURITY GRANT FUNDING
ON BEHALF OF DAVIDSON COUNTY**

1. **PARTIES.** The parties to this Memorandum of Understanding/Agreement (hereinafter referred to as "MOA" or "Agreement") are the State of North Carolina, Department of Crime Control and Public Safety, Division of Emergency Management, the N.C. State Highway Patrol and the County of Davidson.
2. **AUTHORITY.** This Agreement is authorized under the provisions of: 1) Public Law 111-83, The Department of Homeland Security Appropriations Act, 2010; 2) Public Law 110-53, The 9/11 Commission Act of 2007; 3) Public Law 107-56, (6 U.S.C. § 101 et seq.), the USA Patriot Act of 2001; 4) Public Law 107-296, the Homeland Security Act of 2002, 6 U.S.C. 101 et. seq.; 5) Public Law 109-295, The Post-Katrina Emergency Management Reform Act of 2006, 6 U.S.C. 752(c); 6) Public Law 109-171, The Deficit Reduction Act of 2005, as amended by Public Law 110-53; 7) Public Law 109-459, the Call Home Act of 2006; 8) the implementing recommendations or regulations of each Act or Law, if any; 9) the U.S. Department of Commerce, National Telecommunications and Information Administration, FY 2007 Public Safety Interoperable Communications (PSIC) Grant Program Guidance and Application Kit available at http://www.ntia.doc.gov/psic/PSICguidance_081607.pdf; 10) applicable Grants Programs Directorate (GPD) Information Bulletins available at: <http://www.fema.gov/government/grant/bulletins/index.shtm>; and 11) the N.C. Emergency Management Act, Chapter 166A of the North Carolina General Statutes.
3. **PURPOSE.** The purpose of this Memorandum of Agreement (MOA) is to establish responsibilities and procedures to implement the terms of the U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA), FY 2007 Public Safety Interoperable Communications (PSIC) Grant Program. A copy of the

complete federal grant instructions is available at
http://www.ntia.doc.gov/psic/PSICguidance_081607.pdf

This Agreement is to set forth terms by which the State of North Carolina, Department of Crime Control and Public Safety, Division of Emergency Management (Grantee), shall provide Public Safety Interoperable Communications Grant funding to the N.C. State Highway Patrol (NCSHP) to expend on behalf of the (Sub-grantee) to purchase and construct infrastructure for the Voice Interoperability Plan for Emergency Responders (VIPER).

4. **BACKGROUND.** The U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA), in consultation with the Department of Homeland Security (DHS), and in accordance with the authorities listed herein, created the FY 2007 Public Safety Interoperable Communications (PSIC) Grant Program. This program was established to assist public safety agencies in the acquisition of, deployment of, or training for the use of interoperable communications systems.

The State of North Carolina, Department of Crime Control and Public Safety, Division of Emergency Management, as the designated State Administrative Agency (SAA) to administer funds under the U.S. Department of Homeland Security (DHS) and Public Safety Interoperable Communications (PSIC) Grants Programs, and the County of Davidson have the common purpose to improve public safety communications during natural or man-made disasters.

On September 30, 2007, the National Telecommunications and Information Administration (NTIA) and the Department of Homeland Security (DHS) issued grant number 2007-G.S.-H7-0022 to the State of North Carolina, Department of Crime Control and Public Safety, Division of Emergency Management (Grantee). Grantee is mandated to allocate at least 80% of the total amount of the grant to local government, tribal government or authorized nongovernmental public safety agencies, and may retain some or all of the local entities' allocation of grant funds for expenditures made by the State on behalf of the local entities, provided that the local entities give written consent specifying the amount of funds to be retained and the intended use of funds, and provided that the parties enter into a memorandum of understanding.

The N.C. State Highway Patrol (NCSHP) is the agency responsible for creating the infrastructure and managing the Voice Interoperability Plan for Emergency Responders (VIPER). County of Davidson (Sub-grantee) desires for NCSHP to purchase interoperable communications equipment on its behalf, with its allocation of Seven Hundred Fifty One Thousand Dollars (\$751,000.00) in PSIC funds.

Per the Letter from Sub-grantee that State Retain Funds effective November 14, 2007, incorporated by reference herein, Sub-grantee requests that Grantee retain Seven Hundred Fifty One Thousand Dollars (\$751,000.00) of the grant funds awarded to Sub-grantee to be used on behalf and for the benefit of Sub-grantee.

Per the Letter from Sub-grantee that State Retain Funds effective November 14, 2007, and this MOA, Sub-grantee authorizes Grantee to provide the funds to NCSHP to purchase the equipment listed on the Project Budget Detail Worksheet, incorporated by reference herein.

5. RESPONSIBILITIES:

- a. The State of North Carolina, Department of Crime Control and Public Safety, Division of Emergency Management (Grantee) shall:
 - (1) Provide funding to NCSHP to purchase VIPER equipment, as described in Attachment A, on behalf and for the benefit of the County of Davidson.
 - (2) Conduct a review of the project to ensure that it is in accordance with Statewide Communications Interoperability Plan.
 - (3) The performance period for the award to the State of North Carolina, Department of Crime Control and Public Safety, Division of Emergency Management, ends on **June 30, 2012**. Funds allocated for the procurement of equipment must be encumbered and invoices received by the State of North Carolina, Department of Crime Control and Public Safety, Division of Emergency Management (Grantee), by **June 30, 2012**.
 - (4) Directly monitor the completion of this project.

- b. The North Carolina State Highway Patrol shall:
 - (1) Expend FY 2007 Public Safety Interoperable Communications Grant Program funds in accordance with the applicable PSIC and USDHS Program Guidance and Application Kit(s), the Grant Application Package, and the Grant Award and Special Conditions documents, incorporated by reference herein, of this MOA for the purchase of VIPER infrastructure, including but may not be limited to, antenna, microwave, generator, tower, building or real property, to implement the Statewide Communications Interoperability Plan to improve public safety communications during natural or man-made disasters.

 - (2) Utilize State of North Carolina and/or local procurement policies and procedures for the procurement of the VIPER equipment and the expenditure of equipment funds, and conform to applicable State and Federal law and the standards identified in the Procurement Standards Sections of 44 Code of Federal Regulations (CFR) Part 13 and 2 CFR Part 215. NCSHP must follow procurement procedures and policies as outlined in the applicable PSIC and USDHS Program Guidelines and Application Kits and the PSIC and USDHS Financial Management Guide. NCSHP shall comply with all applicable laws, regulations and program guidance. NCSHP must comply with the most recent version of the Administrative

Requirements, Cost Principles, and Audit requirements. Administrative and procurement practices must conform to applicable federal requirements. A non-exclusive list of regulations commonly applicable to DHS grants are listed below, codified in the following guidance: 44 CFR Part 13; 2 CFR 215; 2 CFR Parts 225, 220, and 230 (formerly OMB Circulars A-87, A21 and A-122); 15 CFR Part 24; Federal Acquisition Regulations (FAR), Part 31.2; and OMB Circular A-133 "Audits of States, Local Governments, and Non-Profit Organizations" and 44 CFR Part 14; 28 CFR Part 23 "Criminal Intelligence Systems Operating Policies"; 49 CFR Part 1520 "Sensitive Security Information"; Public Law 107-296, The Critical Infrastructure Act of 2002; Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et. seq.; Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et. seq; Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794; The Age Discrimination Act of 1975, as amended, 20 U.S.C. 6101 et. seq.; Cash Management Improvement Act (CMIA) and its implementing regulations at 31 CFR Part 205; FEMA Grant Programs Directorate, Grants Management Division, Match Guidance; Certifications and Assurances regarding Lobbying 31 U.S.C. 1352, Drug-Free Workplace Act, as amended, 41 U.S.C. 701 et. seq. and Certification Regarding Drug-Free Workplace Requirements, Debarment and Suspension Executive Orders 12549 and 12689 and 44 CFR Part 17 and Certification Regarding Debarment, Suspension and Other Responsibility Matters; Assurances as listed in SF 424B and SF 424D, 28 CFR Parts 66, 67, 69, 70 and 83; and Grant Award and Special Conditions documents.

- (3) Submit invoice(s) requesting reimbursement for item(s) received to the NCEM Homeland Security grants manager. Grantee will reimburse NCSHP for eligible costs as outlined in the applicable USDHS Program Guidelines and Application Kits. NCSHP must take possession of all purchased equipment and receive any grant-eligible service prior to seeking reimbursement from the grantee.
- (4) Complete the procurement (s) process not later than June 30, 2012.
- (5) Provide quarterly progress reports to the NCEM Homeland Security grants manager as described in Attachment B by the following dates: 15 January, 15 April, 15 July, and 15 October.
- (6) Provide inventory list at project completion phase to the Homeland Security Branch listing all equipment purchased through the grant.
- (7) Comply with the applicable federal statutes, regulations, policies, guidelines and requirements, reporting requirements and certifications as outlined in the applicable PSIC Program Guidelines and Application Kits and Grant Award and Special Conditions documents.

- (8) Maintain grant management filing system as required in Attachment C.
- (9) Retain all original records pertinent to this MOA for a period of five years following the date of the closure of the grant award, or audit if required, or longer where required by law. However, if litigation, claim or audit has been initiated prior to the expiration of the five-year period and extends beyond the five year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved.
- (10) Comply with current federal suspension and debarment regulations pursuant to OMB Circular A-133 which states in pertinent part that “[e]ffective November 26, 2003, when a non-federal entity enters into a covered transaction with an entity at a lower tier, the non-federal entity must verify that the entity is not suspended or debarred or otherwise excluded. NCSHP shall be responsible to ensure that it has checked the federal Excluded Parties List System (EPLS) to verify that contractors or sub-recipients have not been suspended or debarred from doing business with the federal government”.
- (11) Ensure that FY 2007 PSIC funds are not used to support the hiring of any personnel for the purposes of fulfilling traditional public safety duties or to supplant traditional public safety positions and responsibilities.
- (12) Non-supplanting Requirement. Federal grant funds will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose.
- (13) All materials publicizing or resulting from award activities shall contain this acknowledgement: *“This project was supported by a Federal award from the U.S. Department of Homeland Security, Office of Grants and Training and the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management.”* Use of the federal program logo must be approved by DHS. Printed as a legend, either below or beside the logo shall be the words *“100 percent Funded by U.S. Department of Homeland Security.”*
- (14) NCSHP shall order, receive, inspect, and stage the equipment and supplies. The purchase or acquisition of any additional materials, equipment, accessories or supplies beyond those identified in this MOA shall be the sole responsibility of NCSHP and shall not be reimbursed under this MOA. NCSHP shall prominently mark any equipment purchased with grant funding as follows: *“Purchased with funds provided by the U.S. Department of Homeland Security.”*

- (15) NCSHP shall maintain exclusive custody, care and control of the VIPER equipment and shall have sole decision-making authority as to its maintenance, operation and use.
- (16) NCSHP shall have sole responsibility for the maintenance, insurance, upkeep, and replacement of the VIPER infrastructure equipment procured pursuant to this Agreement.
- (17) NCSHP shall maintain an effective property management system that complies with the following requirements. Equipment is defined as tangible, non-expendable property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. NCSHP may have property management guidelines that are more restrictive, requiring a unit of equipment with a value of less than \$5,000 to be inventoried; if so, such equipment purchased under this award allocation shall be included on the report submitted to Grantee.
- a) Grantee and NCSHP shall take an initial physical inventory of the equipment. The NC SHP Grant Summary, the VIPER Site document, IR Site document, Microwave document, Radio Distribution document, Cost Reports with backup documentation, Certificate of Title, and any other Sub-grantee reports or inventory reports that include information regarding the grant, vendor, invoice number, cost per item, number of items, description, location, condition and identification number may be used to meet this requirement. NCSHP must provide quarterly updates until all funds are expended
 - b) NCSHP must ensure a control system exists to ensure adequate safeguards to prevent loss, damage or theft. NCSHP shall be responsible for replacing or repairing equipment which is willfully or negligently lost, stolen, damaged, or destroyed. Any loss, damage or theft of the property must be investigated and fully documented, and made part of the official project records.
 - c) NCSHP must ensure adequate maintenance procedures exist to keep the equipment in good condition.
 - d) Disposition Procedures. NCSHP may dispose of the equipment when the original or replacement equipment acquired under the grant award is no longer needed for the original project or program. Items with a fair market value of less than \$5,000 may be retained, transferred or otherwise disposed of with prior approval of Grantee and in accordance with disposition requirements in 44 C.F.R. Part 13. Items with a current per unit standard federal or fair market value in excess of \$5,000 may be retained, transferred or otherwise disposed of with prior Grantee approval in accordance with disposition requirements in 44 C.F.R. Part 13. NCSHP must

provide documentation that includes the method used to determine current fair market value.

(18) No indirect or administrative costs will be charged to this allocation award.

c. the County of Davidson (Sub-grantee) agrees that:

- (1) The purchase or acquisition of any additional materials, equipment, accessories or supplies, or the provision of any training or exercise beyond that identified in this MOA shall be the sole responsibility of Sub-grantee and shall not be reimbursed under this MOA.
- (2) NCSHP shall have exclusive custody, care and control of the VIPER equipment and shall have sole decision-making authority as to its maintenance, operation and use. NCSHP's decision-making authority shall include, but is not limited to, the authority to approve any and all modifications, additions, deletions, or right of access related to the VIPER site.

6. **FUNDING AND COMPENSATION.** All terms and conditions of this MOA are dependent upon and subject to the allocation of funds from NTIA, DHS, FEMA and Grantee for the purposes set forth and the MOA shall automatically terminate if funds cease to be available. Allowable costs shall be determined in accordance with the U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA), FY 2007 Public Safety Interoperable Communications (PSIC) Grant Program Guidelines and Application Kit, incorporated by reference herein, and available at: http://www.ntia.doc.gov/psic/PSICguidance_081607.pdf, 44 C.F.R. Part 13, 2 CFR Parts 215, 220, and 230, Federal Acquisition Regulations (FAR) Part 31.2, OMB Circulars A-21, A-87, A-122 and A-133 and the U.S. DHS Financial Management Guide available at http://www.dhs.gov/xlibrary/assets/Grants_FinancialManagementGuide.pdf.
7. **WARRANTY.** The Sub-grantee shall hold Grantee and NCSHP harmless for any liability and personal injury that may occur from or in connection with the performance of this MOA to the extent permitted by the North Carolina Tort Claims Act.
8. **POINTS OF CONTACT.** To provide consistent and effective communication between the County of Davidson and the Department of Crime Control and Public Safety, Division of Emergency Management, and the N.C. State Highway Patrol, each party shall appoint a Principal Representative(s) to serve as its central point of contact responsible for coordinating and implementing this MOA. The Department of Crime Control and Public Safety, Division of Emergency Management, contacts shall be John Yarboro, Homeland Security Chief, and Patty Moyer, Grant Manager. The State Highway Patrol contacts shall be Robert West, Captain. The County of Davidson contacts shall be Robert Hyatt, County Manager.

All confidential information of either party disclosed to the other party in connection with the services provided hereunder will be treated by the receiving party as confidential and restricted in its use to only those uses contemplated by the terms of this MOA. Any information to be treated as confidential must be clearly marked as confidential prior to transmittal to the other party. Neither party shall disclose to third parties, the other party's confidential information without written authorization to do so from the other party. Specifically excluded from such confidential treatment shall be information that: (i) as of the date of disclosure and/or delivery, is already known to the party receiving such information; (ii) is or becomes part of the public domain, through no fault of the receiving party; (iii) is lawfully disclosed to the receiving party by a third party who is not obligated to retain such information in confidence; or (iv) is independently developed at the receiving party by someone not privy to the confidential information. In accordance with page 17 of the FY 2007 Public Safety Interoperable Communications Grant Program Guidelines and Application Kit, NTIA and DHS recognize that “[m]uch of the information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under Federal control is subject to requests made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §552, all determinations concerning the release of information of this nature are made on a case-by-case basis and may fall within one or more of the available exemptions under the Act. . . . The [Grantee and NCSHP] should be familiar with the regulations governing Protected Critical Infrastructure Information (6 CFR Part 29) and Sensitive Security Information (49 CFR Part 1520), as these designations may provide additional protection to certain classes of homeland security information.”

9. **SUBCONTRACTING.** If NCSHP or any sub-recipient of the grant funds awarded under this MOA subcontracts any or all purchases or services required under this Agreement, then NCSHP or the sub-recipient agrees to include in the subcontract that the subcontractor is bound by the terms and conditions of this MOA. NCSHP and any sub-recipient agree to include in the subcontract that the subcontractor shall hold Grantee harmless against all claims of whatever nature arising out of the subcontractor's performance of work under this MOA. If NCSHP or any sub-recipient subcontracts any or all purchases or services required under this MOA, a copy of the executed subcontract Agreement must be forwarded to Grantee. A contractual arrangement shall in no way relieve NCSHP or any sub-recipient of its responsibilities to ensure that all funds issued pursuant to this grant be administered in accordance with all state and federal requirements. NCSHP and any sub-recipient are bound by all special conditions of this grant award as set out in the Grant Application Package and the Grant Award and Special Conditions documents, incorporated by reference herein, as well as all terms, conditions and restrictions of the applicable PSIC Program Guidelines and Application Kits referenced herein.

10. **SITUS.** This Agreement shall be governed by the laws of North Carolina, and venue for any disputed matters or claims shall be in the Superior Court of Wake County, North Carolina.
11. **ANTITRUST LAWS** This Agreement is entered into in compliance with all State and Federal antitrust laws.
12. **COMPLIANCE WITH LAWS.** NCSHP shall be wholly responsible for the purchases to be made under this MOA and for the supervision of its employees and assistants. NCSHP shall be responsible for compliance with all laws, ordinances, codes, rules, regulations, licensing requirements and other regulatory matters that are applicable to the conduct of its business and purchase requirements performed under this MOA, including those of federal requirements and State and local agencies having appropriate jurisdiction and found in applicable PSIC Program Guidelines and Application Kits.
13. **OTHER PROVISIONS/SEVERABILITY.** Nothing in this Agreement is intended to conflict with current laws or regulations of the State of North Carolina, Department of Crime Control and Public Safety, Division of Emergency Management, the N.C. Highway Patrol or the County of Davidson. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.
14. **ENTIRE AGREEMENT.** This MOA and any annexes, exhibits and amendments annexed hereto and any documents incorporated specifically by reference represent the entire agreement between the parties and supersede all prior oral and written statements or agreements.
15. **MODIFICATION.** This agreement may be modified upon the mutual written consent of the parties.
16. **PROPERTY.** The NCSHP shall be responsible for the custody and care of any property purchased with FY 2007 Public Safety Interoperable Communications (PSIC) Grant funds and furnished for use in connection with the performance of this agreement and shall reimburse the Grantee for any loss or damage to said property until the property is disposed of in accordance with FY 2007 Public Safety Interoperable Communications (PSIC) Grant Program requirements. Grantee will not be held responsible for any property purchased under this MOU. Title to the property purchased with FY 2007 PSIC funds shall be in the State of North Carolina, Department of Crime Control and Public Safety and the County of Davidson.
17. **TERMINATION.** The terms of this agreement, as modified with the consent of all parties, will remain in effect until June 30, 2012. Either party upon thirty (30) days advance written notice to the other party may terminate this agreement.

Upon approval by USDHS, FEMA and the issuance of the Grant Adjustment Notice, if this MOA is extended, the termination date for the extension will be the date listed in the applicable USDHS, FEMA Grant Adjustment Notice, incorporated by reference herein.

If DHS suspends or terminates funding in accordance with 44 C.F.R. §13.43 and the FY 2007 Public Safety Interoperable Communications (PSIC) Grant Program Guidelines and Application Kit, incorporated by reference herein, the N.C. Highway Patrol shall reimburse the Division of Emergency Management for said property.

18. **EXECUTION AND EFFECTIVE DATE.** This Agreement will become binding upon execution of all parties to the Agreement. The terms of this Agreement will become effective on November 14, 2007. The last signature shall be that of Mr. Gerald A. Rudisill, Jr. Chief Deputy Secretary, North Carolina Department of Crime Control and Public Safety.
19. **TERM OF THIS AGREEMENT.** This Agreement shall be in effect from **November 14, 2007 to June 30, 2012.**

IN WITNESS WHEREOF, the parties have each executed this Agreement and the parties agree that this Agreement will be effective as of [November 14, 2007].

(REMAINDER OF THIS PAGE 10 IS INTENTIONALLY LEFT BLANK. SIGNATURE PAGE FOLLOWS)

**N.C. DEPARTMENT OF CRIME
CONTROL & PUBLIC SAFETY**

DAVIDSON COUNTY

BY: _____
H. DOUGLAS HOELL, DIRECTOR
DIVISION OF EMERGENCY MANAGEMENT

BY: _____
ROBERT HYATT
COUNTY MANAGER
DAVIDSON COUNTY

BY: _____,
ROBERT V. WEST, CAPTAIN
N.C. HIGHWAY PATROL

BY: _____
[NAME]
[TITLE]
[LOCAL GOVT]

APPROVED AS TO PROCEDURES:

BY: _____
[NAME]
[TITLE]
[LOCAL]

BY: _____
MARVIN MERVIN, CONTROLLER
DEPARTMENT OF CRIME CONTROL
AND PUBLIC SAFETY

BY:  _____
CASANDRA G. WHITE, GENERAL COUNSEL
REVIEWED FOR THE DEPARTMENT OF CRIME
CONTROL AND PUBLIC SAFETY, BY CASANDRA
G. WHITE, CCPS GENERAL COUNSEL, TO
FULFILL THE PURPOSES OF THE US
DEPARTMENT OF HOMELAND SECURITY
GRANT PROGRAMS

BY: _____
GERALD A. RUDISILL, JR.
CHIEF DEPUTY SECRETARY
DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY

THIS MOA WAS PREVIOUSLY APPROVED AS TO FORM BY THE NORTH CAROLINA DEPARTMENT OF JUSTICE FOR THE FY2007 PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS GRANT PROGRAM ONLY AND IS SUBJECT TO EXECUTION BY GERALD A. RUDISILL, JR., CHIEF DEPUTY SECRETARY OF THE DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY. THIS MOU/MOA SHOULD NOT BE USED FOR OTHER MOUs/MOAs FOR THE PSIC OR STATE HOMELAND SECURITY GRANT PROGRAMS FOR OTHER FISCAL YEARS.

**ATTACHMENT A
EQUIPMENT BUDGET DETAIL**

ATTACHMENT B
QUARTERLY PROGRESS REPORTS

QUARTERLY PROGRESS REPORTS
FY2007 NCSHP PSIC Infrastructure Projects
Quarter (list dates):

Total Project Cost: \$20,350,736.50
Federal Share: \$16,280,589.20
State Share: \$4,070,147.30

Funds Expended Prior Quarters:

Funds Expended this Quarter:

Activities	Metric	Current Status
1.	Date, status (planned, in negotiation, purchased, placed in service)	

Report completed by:

Date submitted:

Submit report quarterly via email to pmoyer@ncem.org. Report due dates are April 15, July 15, October 15, January 15.

ATTACHMENT C

Required NCSHP or Sub-Recipient File Documentation

NCSHP or sub-recipient must meet the financial administration requirements in 44 CFR Part 13 and must maintain a file for each homeland security grant award. The files must be available for review by the North Carolina Division of Emergency Management – Homeland Security Branch Staff for site visits, project closeout and future audits.

NCSHP or sub-recipient must include appropriate documentation in the file, including but not limited to the following documents:

Conditional Grant Award

Letter from Davidson County Requesting that State Retain Funds

Memorandum of Agreement/Memorandum of Understanding and Supporting Appendices

Completed appropriate cost report forms with invoices

Audit Findings and Corrective Action Plans

PRINT ON THE LOCAL GOVT LETTERHEAD

[Date]

Mr. John T. Yarboro
Homeland Security Branch Chief
NC Division of Emergency Management
4716 Mail Service Center
Raleigh, NC 27699-4716

RE: FY 2007 Public Safety Interoperable Communications (PSIC) Grant Program -
Request that State Retain Funds
Grant #: 2007-G.S.-H7-0022
Grant amount: \$ XXX,XXX.00

Dear Mr. Yarboro:

As the official authorized to sign for the [Name of Local/Tribal/Nongovernmental Entity] and having accepted the above-referenced sub-grant by executing the Conditional Grant Award document dated [Month Day], 2011, I hereby request that the State of North Carolina, Department of Crime Control and Public Safety, Division of Emergency Management, retain _____ Thousand, _____ Hundred and _____ Dollars (\$____, _____.00) of the grant funds on behalf of the [Name of Local/Tribal/Nongovernmental Entity] to implement the Voice Interoperability Plan for Emergency Responders (VIPER). I am aware that the N.C. State Highway Patrol manages and serves as the strategic facilitator for the VIPER program. Therefore, I request that the Division of Emergency Management provide the total amount of the funds retained to the N.C. State Highway Patrol to purchase VIPER equipment.

The effective date of this Request that State Retain Funds is Month Day, 2011.

Sincerely,

(Name)
(Title)