

**MINUTES OF THE REGULAR MEETING
OF THE ALAMANCE COUNTY BOARD OF COMMISSIONERS FOR ALAMANCE
COUNTY
HELD ON MONDAY, MARCH 2, 2020**

Call to Order - Chair Galey

Attendee Name	Title	Status	Arrived
Bill Lashley	Commissioner	Present	
Amy Scott Galey	Chair	Present	
Steve Carter	Vice Chairman	Present	
Eddie Boswell	Commissioner	Present	
Tim D. Sutton	Commissioner	Present	

Invocation - Commissioner Boswell

Public Speakers

(Citizens may address the Board for no more than 3 minutes per speaker on topics which are related to this meeting agenda.)

Henry Vines

Mr. Vines, Snow Camp resident, spoke about the liquor by the drink. He stated that he opposed to it. He was opposed to the reasoning behind wanting it on the ballot. Mr. Vines offered that the county had voted on this in previous years. It was rejected it every time. He spoke that it would create an atmosphere of opening more bars and clubs which would be a nightmare for the Highway Patrol and the Sheriff's Office. Mr. Vines voiced that he would appreciate the Board not putting this on a ballot.

Commissioners' Responses

Vice Chair Carter mentioned that he had not received any positive comments about this matter.

Approval of the Agenda

American Academy of Pediatric Dentistry Annual Session 2020, Nashville, TN, May 21-24, 2020 for Dr. Ibraheem, Linda Pinyatello, Angie Sloate and Courtney Newton.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Eddie Boswell, Commissioner
SECONDER:	Steve Carter, Vice Chairman
AYES:	Lashley, Galey, Carter, Boswell, Sutton

Consent Agenda

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Lashley, Commissioner
SECONDER:	Steve Carter, Vice Chairman
AYES:	Lashley, Galey, Carter, Boswell, Sutton

Appointments/Reappointments

Historic Properties Commission- Laurie Smith, Chris Wells, & Aric Geda

Recreation and Park Commission- Ann Meletzke

Out-of-State Travel

Out of State Travel – Health Department

Approval of Minutes**Alamance County Board of Commissioners - Regular Meeting - Feb 17, 2020 7:00 PM****Presentations/Other Business****2834 : ABSS Lottery Fund Debt Service Application - County Manager Hagood**

County Manager Hagood spoke that had a number of items that pertained to the education bonds process to present. He said that the first request was to use North Carolina lottery funds in the amount of \$1,459,068 for debt service. He indicated that the Board of Commissioners and the Board of Education had approved a memorandum of understanding for this particular use of these dollars for this purpose.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Lashley, Commissioner
SECONDER:	Steve Carter, Vice Chairman
AYES:	Lashley, Galey, Carter, Boswell, Sutton

2804 : MOU Sales Tax Reimbursement - County Manager Hagood

County Manager Hagood asked the Board to approve an agreement with the school system pertaining to the sales tax for the education bond construction projects. Under the agreement the county would directly pay for the construction costs. County Manager Hagood explained that the school system was not eligible to be reimbursed for sales tax.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steve Carter, Vice Chairman
SECONDER:	Bill Lashley, Commissioner
AYES:	Lashley, Galey, Carter, Boswell, Sutton

2810 : ABSS Lease Agreement - County Manager Hagood

County Manager introduced a lease agreement which was the second piece of the sales tax reimbursement effort. In order for the county to be able to apply for reimbursement of sales tax, the county had to have the school system properties under a lease. He continued that a lease agreement for the 9 properties that were subject to the education bonds funding was included in the packet. The properties included: the new high school, Southern High School, South Mebane Elementary, Cummings High School, Williams High School, Graham High School, Eastern High School, Western High School, and Pleasant Grove Elementary. He said the county will lease these properties in order to be eligible to apply for the sales tax reimbursement. County Manager Hagood offered that once the bond project was completed at the school then the lease would be terminated.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steve Carter, Vice Chairman
SECONDER:	Bill Lashley, Commissioner
AYES:	Lashley, Galey, Carter, Boswell, Sutton

2831 : Bond Debt Update - County Manager Hagood

County Manager Hagood provided an update on the bond debt issuance and the county capital projects. He summarized that the main things going on with the school system and the community college was they were working on tweaking their projects. In particular, the timing of their projects. He indicated that one of the ways the county could save money was by limiting the number of times debt was issued. County Manager Hagood reviewed the debt issuance

schedule. He indicated that there were three times that debt was scheduled to be issued: May 2020, September 2020 and March 2021. He said that the school system had refined their debt issuance needs to only 2 debt issuances; September 2020 for an issuance of \$96.3 million and March 2021 for an issuance of \$53.7 million. County Manager Hagood spoke that the community college initially had 5 different bond issuances which stretched from May 2020 all the way to September 2022. He noted that the college had worked to combine some of their projects and had trimmed their debt issuance schedule down to 3. The community college was now looking at March 2021 for an issuance of over \$17.5 million for the Center of Excellence and the parking; September 2021 for an issuance of \$17.6 million for the construction of the Public Safety Training Center, Student Services Center, and the Satellite Campuses; and the final debt issuance scheduled for September 2022 for a little over \$4.4 million for the classroom modernization and the childcare facility.

County Manager Hagood briefly reviewed some of the county's capital projects that he had reviewed with the Oversight Committee.

RESULT: INFORMATIONAL

2828 : Reimbursement Resolution - ACC Bond Projects - County Manager Hagood

County Manager Hagood presented a revised reimbursement resolution for approval for the community college. The bond attorney had recommended having one reimbursement resolution for all the projects rolled into one instead of having reimbursement resolutions for each project. This resolution would replace the reimbursement resolutions that were adopted on April 15, 2019 and August 5, 2019. He noted that the total dollar amount of \$3,031,949 for the reimbursement resolution would remain the same.

Commissioner Boswell introduced the following Resolution which was read by title, and moved it be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR
THE COUNTY OF ALAMANCE, NORTH CAROLINA,
DECLARING ITS INTENTION TO REIMBURSE SAID
COUNTY FROM THE PROCEEDS OF ONE OR MORE TAX-
EXEMPT FINANCINGS FOR CERTAIN CAPITAL
EXPENDITURES.

WHEREAS, the County of Alamance, North Carolina (the "County"), is a political subdivision organized and existing under the laws of the State of North Carolina; and

WHEREAS, the County has determined to pay the cost of expanding and improving the facilities for Alamance Community College, including the construction of additional buildings and other facilities, the enlargement, reconstruction, renovation and repair of existing buildings and other facilities and the acquisition of any necessary land, furnishings, equipment and appurtenant facilities therefor (collectively, the "Project"); and

WHEREAS, the Board of Commissioners for the County (the “Board”) has determined to advance certain moneys to pay such expenditures (the “Expenditures”); and

WHEREAS, such Expenditures are available only for a temporary period and it is and will be necessary to reimburse the County for the Expenditures from the proceeds of one or more tax-exempt financings of the County that are expected to be authorized by the Board (collectively, the “Tax-exempt Financings”).

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

. The Board hereby declares the County’s intent to advance the Expenditures and to reimburse the County with the proceeds of the Tax-exempt Financings for the Expenditures. The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Tax-exempt Financings.

. Each Expenditure was or will be (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Tax-exempt Financings, (c) a nonrecurring item that is not customarily payable from current revenues or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.

. The total estimated amount of Expenditures to be reimbursed is \$3,031,949.

. The maximum principal amount of the Tax-exempt Financings expected to be entered into with respect to the Project is \$39,600,000, plus such additional amounts, if any, as shall be determined to be reasonably necessary for the funding or payment of costs of entering into the Tax-exempt Financings.

. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Tax-exempt Financings to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain preliminary expenditures, costs of issuance, certain de minimis amounts, expenditures by small issuers (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least five years.

. This resolution shall take effect immediately upon its passage.

Thereupon, upon motion of Commissioner Boswell, seconded by Commissioner Lashley, the foregoing resolution was passed by the following vote:

Ayes: Chair Galey, Vice Chair Carter, and Commissioners Boswell, Lashley and Sutton.
Noes: N/A.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Eddie Boswell, Commissioner
SECONDER:	Bill Lashley, Commissioner
AYES:	Lashley, Galey, Carter, Boswell, Sutton

2832 : Performance Management Program Mid-Year Report - County Manager Hagood

County Manager Hagood provided a mid-year report to the Board on the Performance Management Program for fiscal year 19-20. He mentioned that providing this report was one of the County Manager's Office performance management goals. He thought this helped to ensure that the goals were being monitored. He recalled that last year, the performance management goals were tied to the county's strategic plan as a way to help further the initiatives of the strategic plan. County Manager Hagood highlighted some of the successes of the report.

RESULT:	INFORMATIONAL
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Board of Health Appointment- Representative of the General Public Position

Stacie Saunders, Public Health Director presented two applications for appointment to the Board of Health as representatives of the general public. The two applicants were Tracy Salisbury and Tim Woody. The Board of Health had recommended the appointment of Tracy Salisbury. Commissioner Boswell, seconded by Vice Chair Carter moved approval of the appointment of Tracy Salisbury to the Board of Health. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Eddie Boswell, Commissioner
SECONDER:	Steve Carter, Vice Chairman
AYES:	Lashley, Galey, Carter, Boswell, Sutton

2838 : Alamance County Board of Adjustment Presentation - Tonya Caddle, Planning Director

Tonya Caddle, Planning Director, reviewed that the Inspections Department administered the county's watershed ordinance. She mentioned that the watershed ordinance had been updated during the summer of 2018. She noted that the county's Board of Adjustment had not met in over 20 years and there was a current request for a variance. Ms. Caddle continued that since there was no current board to hear the variance, five people were needed to serve on this board and three alternates. She emphasized that the Board of Adjustment had specific membership requirements and that the members had to reside in a watershed. Ms. Caddle stressed that it was necessary to have the seven members immediately and the alternates could be appointed at a later time.

Chair Galey asked Ms. Caddle to give an update on the Land Development Plan meetings. Ms. Caddle responded that she did not have the schedule with her but there were meetings planned for March and April and that information was available on the website.

RESULT:	INFORMATIONAL
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2830 : Liquor By The Drink Presentation - Clyde Albright, County Attorney

County Attorney Albright said he had sent a brief history to the Board on alcohol in North Carolina that went back to prohibition. He continued that there were 168 local Alcohol and Beverage Control (ABC) systems and 430 liquor stores throughout North Carolina. He said the General Assembly determined last year that there were too many ABC systems and a law was passed that prohibited the creation of any new ABC Boards. Mr. Albright said that it also required that if there was going to be liquor by the drink in a county, that county would have to merge with an existing ABC Board. He said the merger with an existing ABC Board would have to be completed and the details negotiated and distributed to the voters before it could go on a ballot. He said it was not as straight-forward as he initially thought especially since that new law was passed.

Commissioner Lashley said he brought this up because people in the county should have the same rights as people in the city. He stated that he was not in favor of liquor by the drink but the people deserved to be treated fair.

Commissioner Sutton said alcohol was the biggest drug in the United States. He said that for years he said that he would never support liquor by the drink. He said that bar owners want the money and they serve beer that was almost double the alcohol content. Commissioner Sutton said that Commissioners and leaders had to take a stand on some things. He advised that he was for moral, ethical implementation of mores in this county and he did not think the mores of this county went down the line of liquor by the drink. He said that he would not support a referendum.

Vice Chair Carter said he had struggled with this since it was brought up. He spoke that he had not received any positive comments. He shared a past story of a fatal accident involving a drunk driver. He agreed with Commissioner Sutton that he did not need to go on the ballot.

Commissioner Boswell commented that it would take a lot of county resources to prepare this for a ballot. He said there were a lot of other pertinent issues that they needed to deal with.

Chair Galey agreed with Commissioner Boswell. She said they needed more information about the process when the subject came up. She said that her personal approach to making policy decisions was to weigh the cost and the benefits. Chair Galey saw this as a cost to the county to go through the process without knowing whether the voters were going to approve it. She said she had received negative feedback and agreed with Commissioner Boswell that the county had other things to focus on with staff time right now. She commended Commissioner Lashley for bringing this issue up.

RESULT: NO ACTION TAKEN

Public Speakers

(Citizens may address the Board for no more than 3 minutes per speaker on issues of public interest.)

James Walker, county resident, spoke about trash being everywhere. He indicated that he had spoken with Sheriff Johnson and Mr. Hill at the landfill. He inquired about what was holding up the program to have people picking up trash.

Chair Galey asked Sheriff Johnson to respond. Sheriff Johnson said they have what they needed to get started but were waiting on the man-power.

Donna Poe, Snow Camp resident, spoke that she was there once again representing the Snow Camp community that had been anxiously waiting. She shared they had waited the past 18 months for the possibility of a rock quarry in the middle of their peaceful community. Ms. Poe asked for the results of the outside counsel's evaluation of the permit that was issued. She said it had been too long and they could not wait any longer. She mentioned the state was in the third round of requesting information as they had been in contact with them weekly. Ms. Poe sought answers and asked the Board not to make the Snow Camp community wait any longer.

Commissioners' Responses

County Manager's Report

County Manger Hagood reported that the county was planning to implement a new program using purchasing cards. He asked Susan Evans, Finance Officer to give a brief overview. Ms. Evans explained that this was a state contracting program with Bank of America. She continued that the county had submitted an application to the program and was accepted. Ms. Evans noted that more and more businesses and companies were looking at electronic means of payment. This would allow the county to have greater oversight than just issuing a credit card. She mentioned that limits will be put into place and restrictions can be placed on the types of purchases that can be made. Ms. Evans noted that since this was a state contract vendor there was the ability for the county to receive a rebate for the purchases made using the cards.

Commissioners' Comments

Vice Chair Carter spoke that the county was rapidly growing and he suggested that the county may need to start looking at a five-year anticipated budget. He advised that this would give the county an opportunity to look and anticipate the revenue growth on a longer curve than just over the next 12 months. He said by looking at the anticipated revenues, they would have the opportunity to plan on how to spend that money to meet the needs of a growing community going forward.

County Manager Hagood acknowledged that staff had done a good job with the capital plan and multi year project list. He said they had begun to have those discussion about revenue projections over multiple years and evaluate how they trended. He was hopeful that they may be able to start incorporating the multi-year process in the upcoming budget.

Chair Galey had mentioned that it was discussion back in 2017 about looking at a four-year revaluation cycle rather than staying on the eight-year cycle. She commented that since Mr. Akins department did a good bit of work where it may not be as expensive and cumbersome to do it more frequently. Mr. Akins responded that there was a significant cost that was unavoidable with revaluation. He said there cost was a little bit less than average and that his staff had positioned themselves in the last budget to be able to perform some of the technical pieces of a revaluation quicker and more fluid. Chair Galey shared her concerns of waiting every eight-years could possibly replicate the problems that occurred in the 2011 revaluation. Mr. Akins offered that he had read an article that Wake County has seen a 20% increase in value and they were on a four-year cycle. He said a shorter cycle does have some advantages. Commissioner Boswell offered that it kept the county current in what was happening with the market. Chair Galey offered that if there was a consensus in possibly exploring this then Mr. Akins could do a presentation at the next meeting for further discussion before they get into budget season.

Chair Galey asked Stacie Saunders, Public Health Director, to address the landscape of the coronavirus in Alamance County.

Chair Galey announced that they had received a report on the Alamance Aggregates permit from the outside attorney. She asked the county attorney to address any steps to be taken at this point.

County Attorney Albright reminded the Board that when they discussed hiring an outside attorney to review the permit, the Board had indicated a desire to have a conversation with the attorney in closed session. He said now was an appropriate time to plan a closed session specifically for the purpose of reviewing the letter and discussing his review. The Board directed the county attorney to contact the outside attorney and work on scheduling a special meeting.

Closed Session: N.C.G.S. 143-318.11(a)(3)

Vice Chair Carter, seconded by Commissioner Boswell, moved to get into Closed Session pursuant to N.C.G.S. Section 143-318.11(a)(3) in order to preserve the attorney-client privilege between the county attorney and the Board and consult with the county attorney regarding the claims made in the case entitled: Augello v Alamance County. The motion carried.

Commissioner Lashley, seconded by Vice Chair Carter, moved to reconvene in open session. The motion carried. Chair Galey announced that the Board had received legal advice from the

county attorney concerning the settlement of the Augello claim and had authorized the mediated settlement.

Adjournment

There being no further business to be brought before the Board, the meeting was adjourned at 11:35 AM

Respectfully Submitted,

CLERK TO THE BOARD