

**BOARD OF COMMISSIONERS
FORSYTH COUNTY GOVERNMENT CENTER
WINSTON-SALEM, NC 27101**

GLORIA D. WHISENHUNT
Chair
DEBRA CONRAD
Vice Chair
BEAUFORT O. BAILEY
TED KAPLAN
RICHARD V. LINVILLE
WALTER MARSHALL
BILL WHITEHEART

**Agenda
Summary**



MARCH 10, 2008 – GOVERNMENT CENTER – 7:30 P.M.

- 1. Approval of Closed Session Minutes for Meetings of October 4, 2007, October 18, 2007, November 8, 2007, November 15, 2007, November 29, 2007, January 3, 2008, January 10, 2008, and January 17, 2008**

Commissioner Whiteheart moved for approval of the above-stated Closed Session Minutes. Commissioner Kaplan seconded the motion, which was unanimously approved.

- 2. A. Public Hearing on UDO Text Amendment Proposed by City-County Planning Board Staff to Amend Chapter B Section 2-5.60 of the Unified Development Ordinances to Comprehensively Revise the PRD (Planned Residential Development) Standards (UDO-183)**
B. Ordinance Amending Chapter B of the Unified Development Ordinances to Amend the Planned Residential Development Use

After Glenn Simmons, Principal Planner, City/County Planning Department, reviewed the proposed text amendment, the Chair opened the public hearing. Two (2) persons spoke in favor of the proposed text amendment. No one spoke in opposition. The Chair declared the public hearing closed.

Commissioner Whiteheart moved for adoption of UDO-183 to be effective June 1, 2008. Commissioner Bailey seconded the motion, which was unanimously approved.

- 3. A. Public Hearing on Special Use District - No Site Plan Petition of Sarah J. Key from LB-L to LB-L (Medical and Surgical Offices; Professional Office; Offices, Miscellaneous; Services, Personal; Child Day Care Center; Church or Religious Institution, Neighborhood; Library, Public; Police or Fire Station; Neighborhood Organization; and Banking and Financial Services): Property is Located on the South Side of Robinhood Road, West of Olivet Church Road (Zoning Docket F-1496)**
B. Ordinance Amending the Forsyth County Zoning Ordinance and Official Zoning Map of the County of Forsyth, North Carolina
C. Approval of Special Use District – No Site Plan Permit

After A. Paul Norby, City/County Planning Director, reviewed the proposed rezoning, the Chair opened the public hearing. Four (4) persons spoke in favor of the proposed rezoning. No one spoke in opposition. The Chair declared the public hearing closed.

After a motion by Commissioner Marshall to deny the proposed rezoning failed, Commissioner Whiteheart moved for adoption of Zoning Docket F-1496, including conditions added during the meeting. Commissioner Linville seconded the motion, which was approved by a vote of four (4) to two (2). Chair Whisenhunt and Commissioner Marshall voted in opposition.

4. Public Hearing to Allow Citizen Input on Revisions to Proposed Beneficiaries List for the 2006 Forsyth County CDBG Scattered Site Housing Rehabilitation Project

After a review of this item by Dan Kornelis, Forsyth County Housing Director, the Chair opened the public hearing. No one came forward to be heard. The Chair declared the public hearing closed. No action was taken by the Board.

5. PUBLIC SESSION

Persons Who Wish to Speak Concerning Items on this Agenda, or Who Wish to Speak About a Matter Relating to County Government (Other Than a Public Hearing Matter on this Agenda), should Complete a Speaker Card and Hand it to the Clerk Before the Meeting Begins. It is not Necessary to Complete a Card if You are Going to Speak about a Public Hearing Matter on this Agenda. The Chair may Limit the Number of Speakers on a Topic Relating to Future Advertised Public Hearing Matters. Speakers are Limited to Three (3) Minutes Each. The Public Session will be Limited to 30 Minutes.

Mary Annicelli, a mental health advocate representing NAMI (National Alliance on Mental Illness), said the Clerk had given the Board a copy of an e-mail from CenterPoint Human Services regarding a community meeting. Ms. Annicelli said the meeting was only open to the first 33 people who responded. She expressed the opinion that without CenterPoint's governing Board participating, it is not a community meeting.

Claude Bruce spoke regarding the Town of Lewisville requesting an extension of Extra Territorial Jurisdiction from Forsyth County. Mr. Bruce asked the Board to give positive consideration to the matter.

Susan Taylor Burluson spoke in opposition to the termination of the Kernersville Rescue Squad (item 18 on the agenda). Ms. Burluson said the squad could be an asset during a crisis.

Terri Masten, representing Waste Management, spoke in favor of item 13 on the agenda regarding solid waste franchise fees.

Marc Ingersoll, Attorney for Kernersville Rescue Squad, spoke in opposition to item 18, a Resolution terminating the County's contract with the squad.

6. Resolution Authorizing Application by the United Way of Forsyth County, Inc. to the United States Department of Health and Human Services on Behalf of Forsyth County for an Assets for Independence Act (AFIA) Grant for Individual Development Account (IDA) Funds (Housing Department)

Commissioner Bailey moved for adoption of the above-stated Resolution. Commissioner Marshall seconded the motion, which was unanimously approved.

7. A. Amendment to 2007 School Facilities Capital Project Ordinance
B. Amendment to 2007 FTCC Capital Project Ordinance

Commissioner Bailey moved for adoption of the above-stated Capital Project Ordinances. Commissioner Kaplan seconded the motion, which was unanimously approved.

8. A. Resolution Authorizing Joint Applications with the Winston-Salem/Forsyth County Schools for \$2,790,281 from the North Carolina Public School Building Capital Fund North Carolina Education Lottery to Retire a Portion of the County's 2006 School Bond Indebtedness
B. Amendment to State Public School Building Capital Fund Grant Project Ordinance

Commissioner Kaplan moved for adoption of the above-stated Resolution and Grand Project Ordinance. Commissioner Bailey seconded the motion, which was approved unanimously.

9. Amendment to 2007 Schools Facilities Capital Projects Ordinance (Caleb's Creek Elementary and Reagan High School Addition)

Commissioner Kaplan moved for adoption of the *Amendment to 2007 Schools Facilities Capital Projects Ordinance (Caleb's Creek Elementary and Reagan High School Addition)*. Commissioner Bailey seconded the motion, which was unanimously approved.

10. Resolution Approving the Amount to be Spent for Additional Land for a Proposed Caleb's Creek Elementary School Site (Tax Block 5642, Lot 401B) (West Side of Teague Lane, Kernersville, NC)

Commissioner Linville moved for adoption of the *Resolution Approving the Amount to be Spent for Additional Land for a Proposed Caleb's Creek Elementary School Site (Tax Block 5642, Lot 401B) (West Side of Teague Lane, Kernersville, NC)*. Commissioner Bailey seconded the motion, which was unanimously approved.

11. A. Resolution Ratifying and Authorizing Joint Application with Winston-Salem/Forsyth County Schools for \$750,000 from the North Carolina Public School Building Capital Fund and Designating Local Matching Funds of \$250,000

B. Amendment to 2007 Schools Facilities Capital Projects Ordinance

C. Amendment to State Public School Building Capital Fund Grant Project Ordinance

Commissioner Kaplan moved for adoption of the above-stated Resolution, Capital Projects Ordinance, and Grand Project Ordinance. Commissioner Bailey seconded the motion, which was unanimously approved.

12. Ordinance Assigning and Transferring the Exclusive Residential and Small Business Franchise to Collect, Transport, and Dispose of Solid Waste in Areas 7 and 14 of Forsyth County (Public Health Department)

Commissioner Whiteheart moved for adoption of the Ordinance Assigning and Transferring the Exclusive Residential and Small Business Franchise to Collect, Transport, and Dispose of Solid Waste in Areas 7 and 14 of Forsyth County (Public Health Department). Commissioner Kaplan seconded the motion, which was unanimously approved.

A second reading of the ordinance is required to become effective.

13. Ordinance Revising the Maximum Fees Charged by Franchise Collectors for Certain Residential and Small Business Solid Waste Collection, Transportation and Disposal to Include a Fuel Surcharge Fee in Accordance with Chapter 19 of the Forsyth County Code (Public Health Department)

Requesting further information on this item, Commissioner Linville moved that it be continued to the Board's next meeting on March 24, 2008. Commissioner Bailey seconded the motion, which was unanimously approved.

14. A. Resolution Authorizing Execution of an Agreement to Receive Grant Funds from the North Carolina Department of Health and Human Services, Division of Public Health, HIV/STD Prevention and Care Branch (Forsyth County Department of Public Health)

B. Budget Ordinance Amendment Appropriating \$25,333 in Grant Funds from the North Carolina Department of Health and Human Services, Division of Public Health, HIV/STD Prevention and Care Branch to the Forsyth County Department of Public Health

Commissioner Kaplan moved for adoption of the above-stated Resolution and Budget Ordinance Amendment. Commissioner Marshall seconded the motion, which was unanimously approved.

15. Resolution Authorizing Execution of an Agreement with Golf Fore! Fun, Inc. for Use of Tanglewood Park Facilities

Commissioner Kaplan moved for adoption of the *Resolution Authorizing Execution of an Agreement with Golf Fore! Fun, Inc. for Use of Tanglewood Park Facilities*. Commissioner Marshall seconded the motion, which was unanimously approved.

16. Resolution Awarding Contract for Reroofing Forsyth County Mental Health Buildings A & C (General Services Department)

Commissioner Linville moved for adoption of the *Resolution Awarding Contract for Reroofing Forsyth County Mental Health Buildings A & C (General Services Department)*. Commissioner Bailey seconded the motion, which was unanimously approved.

17. Resolution Declaring Certain County Vehicles and Equipment Surplus Property and Authorizing Their Sale (General Services Department)

Upon motion and second by Commissioners Kaplan and Whiteheart, respectively, the *Resolution Declaring Certain County Vehicles and Equipment Surplus Property and Authorizing Their Sale (General Services Department)* was unanimously adopted. (Sale to be held Saturday, April 12, 2008.)

18. Resolution Terminating Rescue Service Mutual Aid Agreement Between Forsyth County and Kernersville Rescue Squad, Inc. (Fire Department)

Commissioner Marshall moved for adoption of the *Resolution Terminating Rescue Service Mutual Aid Agreement Between Forsyth County and Kernersville Rescue Squad, Inc. (Fire Department)*. Commissioner Kaplan seconded the motion, which was unanimously approved.

19. Resolution Approving Refunds in the amount of \$4,195.12 by the Assessor/Collector

Commissioner Linville moved for adoption of the *Resolution Approving Refunds in the Amount of \$4,195.12 by the Assessor/Collector*. Commissioner Bailey seconded the motion, which was unanimously approved.

20. Appointments:

A. Two (2) Appointments to the Adult Care Home Community Advisory Committee, Three-Year Terms, Expiring March 2011 (Non-incumbents appointed will serve a one-year term)

Upon motion and second by Commissioners Whiteheart and Linville respectively, the Board unanimously continued this appointment to its meeting of March 24, 2008.

B. One (1) Appointment to the Winston-Salem/Forsyth County Appearance Commission, Three Year Term, Expiring February 2011 (Capacity: Special Experience or Education in Design)

Upon motion by Commissioner Whiteheart, seconded by Commissioner Linville and unanimously approved, the Board continued this appointment until its meeting on March 24, 2008.

C. Five (5) Appointments to the Equalization and Review Board – 2008 to Serve Until all Matters Have Been Considered Relative to Tax Listings and Tax Values for the Current Year

Marybeth Abdow, Doug Dampier, Richard N. Davis and Georg W. Groce were appointed. The remaining appointment was continued to March 24, 2008.

D. Three (3) Appointments to the Forsyth County Nursing Home Community Advisory Committee, One (1) for a One-Year Term, Expiring March 2009 and Two (2) for Three-Year Terms, Expiring March 2011 (Non-incumbents appointed will serve a one-year term)

Peggy J. Jarvis and Martha Oland were appointed to three-year terms. Karen A. Shannon was appointed to a one-year term.

E. One (1) Appointment to the Piedmont Triad Airport Authority, Three-Year Term, Expiring April 2011

Chair Gloria Whisenhunt was appointed.

F. Three (3) Appointments to the Forsyth County Zoning Board of Adjustment, Three-Year Terms, Expiring April 2011 (Capacities: Two Regular and One Alternate Member)

Tonu T. Kangur, Jr. was appointed as a “Regular” Member. James G. Keeter was appointed as an “Alternate” Member. The remaining “Regular” Member appointment was continued to March 24, 2008.

21. Reports:

A. Title V Air Quality Permit Fee Update Dated February 21, 2008

**B. Report by Tax Collector of Property Tax Commission Order
- Ventas Finance I, LLC - 05 PTC 718**

Commissioner Linville moved to acknowledge receipt of the above-stated reports. Commissioner Bailey seconded the motion, which was unanimously approved.

ADJOURNMENT

At approximately 9:00 p.m., Commissioner Bailey moved for adjournment. Commissioner Linville seconded the motion, which was unanimously approved.