

YADKIN COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MINUTES

September 16, 2013

The Board of Commissioners of the County of Yadkin, State of North Carolina, met in Regular Session in the Commissioners' Meeting Room of the Yadkin County Human Services Building located at 217 East Willow Street, Yadkinville, NC on September 16, 2013 at 7:00pm.

Present were:

Chairman Kevin Austin
Vice Chairman David Moxley
Commissioner Gilbert Hemric
Commissioner Marion Welborn
Commissioner Frank Zachary

Staff present: County Attorney, Ed Powell; County Manager, Aaron Church; Deputy County Manager/Finance Officer, Lisa Hughes; and Deputy Clerk to the Board, Tanya Gentry.

INVOCATION led by County Manager Aaron Church.

CALL TO ORDER by Chairman Austin at 7:00pm.

PLEDGE OF ALLEGIANCE led by Chairman Austin.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

Vice Chairman Moxley made a motion to adopt the Agenda as presented. Commissioner Zachary second.

Vote: 5/0.

PUBLIC COMMENTS

Anna Shelton Black, a Yadkin County resident since 1977, addressed the Board. She stated she read the article published in the Yadkin Ripple on September 12th regarding the sales tax referendum and really doesn't understand the purpose of the tax. From what she has read, if the sales tax increase gets passed it could allow property taxes to be reduced but that cannot be guaranteed. She is not against the sales tax but would like to know what the \$400,000.00 tax revenue would be used for. She stated she likes Yadkin County and wants good schools. She is really proud to live here. She has lived here since 1977 and she has seen a lot of improvement the County can be proud of. It will cost \$12,000.00 to open the polls and she has some concern over that, especially since it can be difficult to get people to go and vote. She also had some concern over there being no public notice given before the Commissioners voted to place it on the November ballot. She felt there was enough time for the public to be notified before the Board voted at the September 3rd Meeting. If the Board really wants people to get behind it and support the tax the Board needs to say what the money is for. She has no problem voting in favor of it if the Board can tell her how the money is going to be used and why it is really necessary.

Chairman Austin closed the Public Comments portion at 7:07pm.

APPROVAL OF MINUTES

The September 3, 2013 Regular and Closed Session minutes were reviewed. Commissioner Welborn made a motion to approve both sets of minutes. Commissioner Hemric second.

Vote: 5/0.

REPORTS/REQUESTS OF THE BOARD

There were no reports to the Board.

CONSENT AGENDA

Commissioner Zachary made a motion to approve the Consent Agenda items as presented.

Commissioner Welborn second.

Vote: 5/0.

The Consent Agenda items that were approved by the Board are as follows:

Court Facilities Budget Amendment

| Line Item | Account | Current Budget | Increase/(Decrease) | New Budget |
|----------------------------|---------------|----------------|---------------------|------------|
| Utilities | 1054160-54300 | 38,810 | (2,000) | 36,810 |
| Professional Services | 1054160-51500 | 200 | (200) | 0 |
| Janitorial Supplies | 1054160-52015 | 1,500 | (490) | 1,010 |
| Services & Maint Contracts | 1054160-55030 | 5,000 | 2,690 | 7,690 |

Transfer of funds to cover Simplex Grinnell, Thyssen-Krupp, and Cintas services.

HSA/Family Planning Budget Amendment

| Line Item | Account | Current Budget | Increase/(Decrease) | New Budget |
|---------------------------|---------------|----------------|---------------------|------------|
| Family PLN | 1045164-44203 | 51,857 | (654) | 51,203 |
| Family Planning Cont Serv | 1055164-51700 | 37,250 | (654) | 36,596 |

State funding was decreased.

HSA/Maternal Budget Amendment

| Line Item | Account | Current Budget | Increase/(Decrease) | New Budget |
|-------------------|----------------|----------------|---------------------|------------|
| Maternal | 1045163-44199 | 43,984 | (3,451) | 40,533 |
| Maternal Medical | 1055163-51520 | 33,000 | (2,500) | 30,500 |
| Maternal Travel | 1055163-54010 | 1,000 | (500) | 500 |
| Maternal Supplies | 1055163--52010 | 4,700 | (451) | 4,249 |

State funding was decreased.

Jail/Law Enforcement Center Project Ordinance Amendment

| Line Item | Account | Current Budget | Increase/(Decrease) | New Budget |
|---------------------------------|---------|----------------|---------------------|------------|
| Professional Services | | 1,059,098 | 26,922 | 1,086,020 |
| Printing | | 15,000 | (4,652) | 10,348 |
| Issuance | | 100,000 | (22,270) | 77,730 |
| Site Prep/Construction | | 6,339,000 | 325,000 | 6,664,000 |
| Construction: Water/Sewer Lines | | 300,000 | (300,000) | 0 |
| Construction: Testing | | 25,000 | (25,000) | 0 |
| Equipment | | 164,900 | 0 | 164,900 |
| Contingency | | 211,800 | 0 | 211,800 |

The Project Ordinance originally adopted by the Board contained 8 expenditure lines but when it was entered into MUNIS in 2009 everything was placed into 4 expenditure lines. The auditors made adjusting entries in FY2009 to move expenditures to the correct codes. This amendment aligns the Project Ordinance with MUNIS.

Cintas Renewal Agreement

Human Services has an agreement with Cintas to rent mats/rugs from them. The Board approved the renewal agreement and authorized the County Manager to sign it.

Maximus Consulting Services Renewal Agreement

Human Services has a software maintenance agreement with Maximus for their Time & Effort Calculation System and their Quarterly Information Consolidation system. The Board approved the renewal agreement and authorized the County Manager to sign it.

NC Division of Emergency Management MOA for GIS Redundancy Partnership

The NC Division of Emergency Management offers counties a GIS Redundancy Partnership. It allows the counties to upload their GIS data to a secure Emergency Management FTP site where it can be stored as a backup. If Yadkin County experiences an emergency and the GIS data cannot be accessed locally, Yadkin County can access its GIS data on the Emergency Management FTP site. Uploading the data to their FTP site gives Emergency Management access to each counties GIS data allowing them to better plan for and respond to emergencies. The Board approved the MOA and authorized the County Manager to sign it.

Brooks Internet Software Renewal Agreement

The IT Department has a software support agreement with Brooks Internet Software to support RPM Select. RPM Select is used by the Human Services Agency for printing from the State mainframe and serves as their Northwoods virtual printer. The support agreement was dropped January 12, 2011 and must be caught up in order to maintain support. RPM Select currently resides on the old virtual sever and needs to be upgraded for compatibility and moved to the new virtual server. This renewal agreement covers January 1, 2011 through September 5, 2014. The Board approved the agreement and authorized the County Manager to sign it.

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

Set a Public Hearing on the Rural Operating Assistance Program (ROAP)

Debby Pendleton, YVEDDI Mobility Manager, addressed the Board. The Rural Operating Assistance Program grants funds to be used to provide operating expenses for elderly and disabled transportation services; for rural general public transportation services; and for employment transportation services. YVEDDI has completed the application documents. A public hearing is required and YVEDDI requested it be set for October 7, 2013. **Commissioner Hemric made a motion to set a public hearing on the Rural Operating Assistance Program for 9:00am on October 7, 2013. Vice Chairman Moxley second.**
Vote: 5/0.

Set a Public Hearing to Consider Zoning Text Amendments

Mike Poston addressed the Board. He requested the Board set a public hearing to consider zoning ordinance text amendments. There are eight potential amendments. Two of the amendments would allow for new uses, like micro-breweries/breweries and tattoo parlors. One of the amendments addresses new State Statute requirements for the Board of Adjustment. Another amendment proposes changes to the conditional use requirements for an outdoor firing range. The other four amendments are to correct section reference numbers. **Commissioner Zachary made a motion to set a public hearing for 7:00pm on October 21, 2013 to consider zoning text amendments. Commissioner Welborn second.**
Vote: 5/0.

Public Hearing for Close-Out of the 2010 Economic Recovery CDBG Grant Project

Mike Poston addressed the Board. As part of the close-out procedures, Yadkin County is required to hold a public hearing to assess the programs performance. The hearing was advertised in the Yadkin Ripple as required. The project started out with eight applicants. When the homes were re-qualified before the rehabilitation work started on the homes, some of the applicants no longer qualified for the grant or had decided they no longer wanted to participate in the grant. Two homes that met the qualifications were successfully rehabilitated. The grant funds that were not spent will be de-obligated. Chairman Austin opened the Public Hearing at 7:20pm. No speakers came forward. Chairman Austin closed the Public Hearing at 7:21pm. No further action was needed tonight.

BOARD ACTION

Town of East Bend Intergovernmental Water Services Agreement

County Manager Church addressed the Board. The water services agreement with East Bend has been in the works a long time. It is very similar to the water services agreement the County approved to purchase water from the Winston-Salem/Forsyth County Utility Commission. The main difference in the agreement with East Bend is that Yadkin County will be selling the water instead of purchasing it. It is a 20 year agreement that is to start within 4 years of it being signed. The amount charged to East Bend is estimated to be enough to cover the initial cost of the water and some of the debt the County will incur if the line is put in. Yadkin

County has agreed to purchase and install the initial meter that will be located at the Metered Point. Yadkin County will also provide backflow prevention into East Bend's line. East Bend has approved this water services agreement. **Vice Chairman Moxley made a motion to approve the Intergovernmental Water Services Agreement with the Town of East Bend and authorized the County Manager to sign it. Commissioner Hemric second.**
Vote: 5/0.

J.F. Garrison & Son Agreement

County Manager Church addressed the Board. This agreement is to construct a pre-engineered steel building beside of Yadkin Valley Community Hospital for EMS to use to store ambulances and other items in. The cost came in at less than the Capital Project Ordinance amount the Board previously approved. **Commissioner Welborn made a motion to approve the J.F. Garrison & Son Agreement and authorized the County Manager to sign it. Commissioner Zachary second.**
Vote: 5/0.

RCS Wireless Contract

County Manager Church addressed the Board. A lightning strike occurred at the East Bend radio site and the contract with RCS Wireless is for them to repair the damage. The insurance is expected to cover the cost of the repairs after the deductible is paid. **Commissioner Zachary made a motion to proceed with approval to allow RCS Wireless to complete the radio component repairs, not to exceed \$12,000.00, as identified in the contract. Vice Chairman Moxley second.**
Vote: 5/0.

Award Public Safety Radio System Bid to Communications International (Ci)/Harris

County Manager Church and Ric Martin, of Federal Engineering, addressed the Board. Ric Martin was not present but spoke with the Board via speaker phone. Federal Engineering reviewed the proposals that came in and drafted comparisons between them in order to assist the County in making a decision on who to recommend. Federal Engineering did not make a recommendation. Proposals came in from Communications International (Ci)/Harris, Mobile Communications, Motorola, and Tait Radio. County Manager Church read the quoted price and time to completion provided by each of the vendors in their proposals. The County Manager recommended the bid be awarded to Ci/Harris based on their quoted price, technical qualifications, experience, and completion schedule. Federal Engineering has worked with them in the past and they are a reputable company. The County Manager has done a reference check and Ci/Harris has good references. The Board reviewed the proposal comparisons and discussed it. **Commissioner Welborn made a motion to award the Public Safety Radio System Bid to Communications International (Ci)/Harris and authorized the County Manager to negotiate a contract with them. Vice Chairman Moxley second.**
Vote: 5/0.

Appropriate Funds from Contingency for Rescue Squad Capital Needs

The Rescue Squad has some unexpected expenses that are outside the norm for them. They do not have sufficient funds in their budget to cover repairing or replacing a vehicle motor and a boat motor so they have requested additional funds from the County. The County has some Contingency funds that can be appropriated for use by the Rescue Squad if the Board approves. **Commissioner Zachary made a motion to approve the appropriation of \$6,000.00 from Contingency for Rescue Squad Capital Needs. Vice Chairman Moxley second.**
Vote: 5/0.

Renewal Microsoft Enterprise Agreement through SHI, International

Dale Ring addressed the Board. This is a 3 year renewal agreement for all the County's Microsoft licenses. Full-time, part-time, and reserve employees access various Microsoft products on their desktops, laptops, servers, and mobile devices. This agreement will increase the County's user licenses to 325. The IT Department has been doing audits to get an accurate count of the number of user accounts and devices that Yadkin County has. The current number of licenses is not sufficient. **Commissioner Hemric made a motion to approve the Microsoft EA Agreement through SHI, International and authorize the County Manager to sign the agreement, pending County Attorney approval. Commissioner Welborn second.**

Vote: 5/0.

CALENDAR NOTES

- 1) September 30, 2013 – The Joint Meeting with the Board of Education will need to be rescheduled or canceled per the request of the Board of Education. The Board of Commissioners discussed it and the Board of Education will be contacted so a new date can be set for the Joint Meeting.

MANAGER'S REPORTS/BOARD ACTION

RFP for Solid Waste Services

The bid package/RFP for Solid Waste has been completed. It will go out to the public in the morning and be placed on the County's website. The solid waste services contract will be a big contract that involves a lot of money. This project is currently on schedule.

Anonymous Grant

An anonymous donor has granted Yadkin County with \$10,000.00. To keep the donor anonymous a foundation in Winston-Salem wrote the check and is acting as the contact for the grant. The Board discussed it and a resolution to thank the donor will be placed on an upcoming agenda.

MANAGER'S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED

Funds Transfers

| Department | | Purpose |
|---------------------------|---------|--|
| Human Services Agency/WIC | | Transfer funds from Breastfeeding Supplies to Postage to cover the cost of mailings for WIC. |
| WIC BF Supplies | (400) | |
| WIC Admin Postage | 400 | |
| Elections | | Transfer funds to cover costs of mandated State Board Training for Elections. |
| Maintenance Contracts | (1,000) | |
| Travel | 1,000 | |

Tyler Technology Contract

The IT Department has an annual agreement with Tyler Technology for operating system and database administration support.

Old Stage Grill Contract

EMS had a contract with Old Stage Grill to supply a meal for 35 people on September 5, 2013.

Wishon Enterprises Contract

The IT Department has an agreement with Wishon Enterprises for Courthouse wiring.

BOARD VACANCIES/APPOINTMENTS

Community Child Protection Team/Child Fatality Team

There is one vacancy that needs to be filled by a parent of a child who died before their 18th birthday.

Joint Nursing Home and Adult Care Home Community Advisory Committee

There are three vacancies on the Committee. Donna Love no longer wishes to serve on the Committee.

Alternate on the Board of Adjustment

There is a vacancy for an alternate on the Board of Adjustment.

Yadkin County Library Board

The Board of Commissioners was asked to appoint two members to the Yadkin County Library Board. Mary Ann Dye's term has expired so a representative from the Town of East Bend is needed. The East Bend Public Library submitted three names for consideration and recommended that Karen Matthews be chosen to fill the seat. A second seat also needs to be filled. Three names were submitted for consideration to fill that

seat. The Board discussed it. **Vice Chairman Moxley made a motion to appoint Karen Matthews as the Eastern appointee and Thomas Bastable as the Western appointee to the Yadkin County Library Board. Commissioner Zachary second.**

Vote: 5/0.

COMMISSIONER COMMENTS

Commissioner Welborn thanked everyone for coming out. There was a good crowd compared to the Monday morning meeting. He thanked Dale Ring for the work he put in on the Microsoft agreement. He thanked all of the County employees for the good job they are doing. He hasn't heard any complaints about anything and thinks things are going along good. The jail project won't be completed as quickly as he had hoped. It may be November before it is done.

Commissioner Zachary thanked everybody for being here tonight. This was another fairly significant meeting. Some pretty important things have been done in the last month or so, particularly in regard to the waterline to help East Bend and promote the eastern part of the County. We are starting to see it coming together now; it has been a long time coming. He thanked Dale Ring for his work. The County staff is taking care of business. He appreciates the work the County staff does.

Vice Chairman Moxley thanked everyone for coming out tonight. He is happy to see the East Bend waterline progressing. He has been disappointed in the length of time it takes to get these things done. It has taken at least three years to get the waterline agreements done so he can imagine how long it will take to get some pipe in the ground. He believes the waterline will help the eastern part of the County, not just East Bend. He thanked Mike Poston for his work on the Planning Board and on the zoning amendments. He thanked Dale Ring for his work on the Microsoft contract and his computer work. He thanked Keith Vestal for his work with planning the EMS storage building where the ambulances will be parked. It is a steel building but he thinks it will fit in with the Hospital building and look pleasing. It will be a good addition for EMS. He thanked Lisa Hughes and Tanya Gentry for their work. He thanked all the employees of the Sheriff's Department for their work on getting information for the communications system. Trying to come up with a system that will work for the Sheriff's Department, EMS, the fire departments, and the Rescue Squad is quite a large task. That is one of the reasons a consulting firm was needed to assist with the project. He thinks the right choice has been made for the communications project.

Commissioner Hemric thanked everyone for coming out. He believes the other Commissioners have covered everything. He thanked the staff. He believes they do a really good job. He thanked Ms. Black for her comments. He appreciated the ladies from YVEDDI coming to present information on ROAP.

Chairman Austin stated this has been a very productive night. The County is making progress on a lot of things. He appreciated everyone coming out. He said he would take a stab at answering a few of Ms. Black's questions and concerns. The toughest decision the Board had to make regarding putting the referendum forward for a vote was the \$12,000.00 cost associated with it. Sales tax is not only paid by Yadkin County residents, it is paid by visitors to Yadkin County also. A lot of Yadkin County residents are going to other counties to purchase things and are paying sales tax in those counties. A few neighboring counties particularly are seeing a significant amount of retail from Yadkin County citizens. The County found out from the Commerce Department that there is approximately \$770,000.00 a year in sales taxes that are generated from out of county trade, primarily tourism. If the County adds this quarter of a percent sales tax, that will represent approximately another \$96,000.00 that will be coming into Yadkin County every year. It is worth it to pay the \$12,000.00 expense to get the sales tax referendum on the ballot this year to try and get the income coming in sooner. It is difficult to say what the \$400,000.00 would be used for at this time. If the needs of the County grow the funds will be used to help meet those needs. It is possible that unused funds can be returned in the form of a property tax reduction. The County has two basic sources of income and they are property tax and sales tax. The quarter of a percent sales tax would allow a significant amount of money to come in to Yadkin County from someone other than Yadkin County citizens. When tourists come to Yadkin County they are using the County's services so it is reasonable for them to help pay for those services. As for why there was no public notice given, there is no requirement for a public hearing to be held. The Board simply voted to put the item on the ballot. The citizens would have to approve the sales tax referendum before it could come back to the Commissioners to actually vote to levy the tax. It is when the

Board considers implementing the tax that a public notice would be required. If the referendum fails, the tax would not come back to the Board for them to consider implementing.

Chairman Austin made a motion to go into Closed Session pursuant to NCGS 143-318.11(a) (1)(3)(4)(5)(6) to discuss Personnel Matters and to Protect Personnel Information that is Confidential under NCGS 153A-98, and to discuss the potential Location or Expansion of Industries or other Businesses in the County, to Establish the County's Negotiating Position for Acquiring Real Property and to Instruct the County Staff on that Position, and to have a Privileged Consultation with our County Attorney. Commissioner Zachary second.

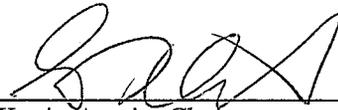
Vote: 5/0.

After a motion to come out of Closed Session was made and the Board was in Open Session, Vice Chairman Moxley made a motion to adjourn. Commissioner Zachary second.

Vote: 5/0.



Prepared by Tanya Gentry
Deputy Clerk to the Board



Kevin Austin, Chairman
Yadkin County Board of Commissioners

10/1/13

Date approved by the
Yadkin County Board of Commissioners