

**YADKIN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MINUTES**

Monday, November 18, 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 November 18, 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 Boy Scout Troop 696. They attended tonight's meeting as part of earning a Citizenship in the Community badge. The Boy Scouts and Boy Scout leaders in attendance were: Gavin Adams, Brody Whitaker, Tyler Wood, Ian Tavano, Joel Jones, Seth Stinson, Shane Adams, Chuck Tavano, and Jerome Mauldin.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

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

Vote: 5/0.

PUBLIC COMMENTS

Lizette Diaz, from Yadkinville, addressed the Board. She asked if there would be an open house held for the new jail.

Chairman Austin closed the Public Comments portion at 7:03pm.

APPROVAL OF MINUTES

The November 4, 2013 Regular and Closed Session minutes were reviewed. Vice Chairman Moxley made a motion to approve both sets of minutes as presented. Commissioner Welborn second.

Vote: 5/0.

REPORTS/REQUESTS OF THE BOARD

Update on the YVEDDI 5K Walk/Run

Brenda Holbrook addressed the Board. She told those present she would be retiring soon. The 5K Walk/Run was held to raise funds for the Meals on Wheels program to offset the funds lost due to sequester cuts. They want to be sure no seniors will go hungry. There is currently no waiting list for any of the YVEDDI services. There was 134 people registered and 116 participated. They raised approximately \$12,877.00, which exceeded their goal of \$10,000.00. They intend to make the 5K Walk/Run an annual fundraising event. Brenda Holbrook announced that Commissioner Welborn came in 2nd in his age group and presented him with an award. She thanked the Commissioners for all of their support.

CONSENT AGENDA

Commissioner Hemric 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:

Community Action/ROAP Grant Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
ROAP Elderly & Disabled Trans Rev	1045800-44640	58,118	1,113	59,231
ROAP Rural Gen Pub Rev	1045800-44641	67,106	6,814	73,920
ROAP Employment Rev	1045800-44643	11,517	(1,689)	9,828
ROAP Elderly & Disabled Trans Exp	1055800-57190	58,118	1,113	59,231
ROAP Rural Gen Pub Exp	1055800-57106	67,106	6,814	73,920
ROAP Employment Exp	1055800-57105	11,517	(1,689)	9,828

The budget amendment is needed is because the actual grant amount for FY2014 differed from the amount that was originally budgeted.

Solid Waste Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Equipment Maintenance	6054710-53020	15,000	(5,000)	10,000
Professional Services	6054710-51500	6,000	(2,000)	4,000
Vehicle Maintenance	6054710-53040	15,000	7,000	22,000

There have been many truck repairs this year so additional funds are needed in the Vehicle Maintenance line.

One-Time Rabies Vaccination Fee Reduction for Fall Rabies Clinic

The Animal Shelter requested the fee for rabies vaccinations be reduced from \$10.00 to \$7.00 for the fall rabies clinic that will be held November 21, 2013. Three local veterinarians will be charging \$7.00 for these vaccinations at the rabies clinics they are holding in November. The Animal Shelter will continue charging the \$10.00 fee at all other times. The Board approved the \$7.00 vaccination fee for the fall rabies clinic that is being held Thursday, November 21, 2013 from 3:00pm to 5:00pm.

ePlus Contract

The ePlus NetApp/VMware contract is for additional storage space in the County's virtual environment and for software upgrades. The additional storage space is needed to allow for more scanned documents to be stored. The Board approved the contract and authorized the County Manager to sign it.

SyncSort Contract for BEX Support

BEX is used to back-up the County's servers. SyncSort provides BEX back-up software support and maintenance. The Board approved the renewal contract and authorized the County Manager to sign it.

B & J Farm Supply Contract for Fuel Delivery

B & J Farm Supply will deliver fuel to various County locations. The Board approved the contract and authorized the County Manager to sign it.

YVEDDI Memorandum of Agreement (MOA) for the ROAP Grant

The MOA is between Yadkin County and YVEDDI. It outlines the responsibilities of each of the parties regarding the handling of Rural Operating Assistance Program (ROAP) funds that have been allocated to Yadkin County for FY2014. The Board approved the MOA and authorized the County Manager to sign it.

Yadkin County School Nursing Services Contract Amendment

The School Nursing Services contract was amended to include two attachments. Attachment I is Assurances and Attachment II is the Scope of Work the contract covers. The Board approved the contract amendment and authorized the County Manager to sign it.

J.F. Garrison & Son Contract Amendment

J.F. Garrison & Son was contracted to construct a pre-engineered steel building for EMS. Soil compaction services that were not included in the original contract are needed so this amendment is to add those services to the contract. The amendment will increase the contract amount by \$8,500.00. The Board approved the contract amendment and authorized the County Manager to sign it.

Adopt Resolution Approving Updated Fire Insurance Districts

The Fire Marshall requested the Board approve new fire insurance districts for Arlington, Buck Shoals, and Forbush. Arlington and Forbush need to be updated because they have built substations to cover additional areas in their districts. Buck Shoals needs to be updated to make sure there is no overlap between them and Arlington. Arlington and Forbush are in the process of lowering the insurance classifications in their areas. The Board adopted the Resolution Approving Insurance District Boundaries for Arlington, Buck Shoals, and Forbush.

[The Resolution and Maps are attached as Appendix A]

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

Set a Public Hearing to Consider a Zoning Ordinance Text Amendment Request

Michael Poston addressed the Board. A citizen has made a request to amend the zoning ordinance to allow for mobile food vending. Services & Development staff reviewed the request and is proposing that mobile food vending be allowed as an accessory use in the commercial and industrial districts. **Commissioner**

Welborn made a motion to set a public hearing for 7:00pm December 16, 2013 to consider zoning text amendments. Commissioner Zachary second.

Vote: 5/0.

Hold Public Hearing to Consider Zoning Ordinance Text Amendments

Michael Poston addressed the Board. There are 8 text amendments to be considered tonight. The first text amendment is needed to address new NC Statute requirements for the Board of Adjustment. The second text amendment will add micro-breweries and breweries as allowed uses in specified districts. The amendment was modeled after ones that were previously done for the wineries. Amendments 3 through 6 are needed to clean up section reference numbers within the zoning ordinance. Amendment 7 will allow tattooing in the Community Business and Highway Business districts. Amendment 8 is to amend the conditional use requirements for outdoor firing ranges. Outdoor firing ranges are allowed but it is very difficult to meet the current standards; the amendment will make the standards more achievable. He went over some of the proposed changes. The required setback will go from 3000 feet to 300 feet. Access will be controlled to prevent unregulated entrance into the firing range. Signs will be posted every 100 feet indicating there is a firing range. No firing activities are allowed daily between the hours of 9:00pm and 7:00am and on Sundays shooting will not commence before 12:30pm. Noise produced on the firing range has to be mitigated to a sound level of 65db or less at any adjacent property line or adjacent roadway. Michael Poston went over various ways that the property owners can use to reduce the amount of noise produced on the firing range. Chairman Austin opened the public hearing at 7:31pm. No speakers came forward. Chairman Austin closed the public hearing at 7:32pm.

BOARD ACTION

Approve Proposed Text Amendments to Yadkin County Zoning Ordinance

The Board discussed the proposed outdoor firing range amendment. They discussed what the maximum noise level should be and what hours of the day that firing activities should not be allowed to occur. **Vice Chairman Moxley made a motion to approve the proposed Text Amendments as presented with three noted changes:**

- 1. No portion of the firing line shall be closer than 300 feet to any exterior property line or 500 feet from an existing dwelling;**
- 2. Noise produced on the firing range shall be mitigated to a sound level of 90db or less;**
- 3. No firing activities are to occur between 10:00pm and 7:00am.**

Commissioner Welborn second.

Vote: 5/0.

Adopt Resolution Accepting \$10,000.00 Anonymous Donation and Direct How Funds Should be Spent

The Winston-Salem Foundation presented Yadkin County with a \$10,000.00 donation. The funds were provided by an anonymous donor. The person who delivered the check from the Foundation stated that the donor would like the Board to consider spending \$4,000.00 towards law enforcement/public safety; spending \$2,000.00 towards reducing the population in the Animal Shelter by helping animals get adopted; and the remaining \$4,000.00 is to be spent at the Boards discretion. The Board can choose to spend the money as requested or they can choose to spend the money in a different way. One way the Board can choose to spend part of the funds is by purchasing a system that will provide water to the animals. The water system is safer and for the animals than providing them with water in bowels. There is some money in the budget that could be used for the water system instead of using any of these funds for it. The Board discussed ways to spend the donated funds. The Board discussed reducing the adoption fees and spay/neutering programs. The following resolution was considered by the Board for adoption:

**RESOLUTION AUTHORIZING ACCEPTANCE OF \$10,000.00 GRANT
FROM AN ANONYMOUS DONOR**

WHEREAS, The Winston-Salem Foundation has presented Yadkin County with a \$10,000.00 grant check from an anonymous donor; and

WHEREAS, the anonymous donor designated the funds to be used for “various purposes to relieve the burden of government”.

NOW, THEREFORE, BE IT RESOLVED by the Yadkin County Board of Commissioners:

1. The Yadkin County Board of Commissioners hereby approves and accepts the \$10,000.00 and agrees the grant funds will be used solely for purposes that will relieve the burden of government.
2. The Yadkin County Board of Commissioners commends the anonymous donor for his or her support of the needs of the County and expresses their most sincere appreciation to him or her.
3. A signed copy of this resolution will be sent to The Winston-Salem Foundation to be forwarded to the anonymous donor as an expression of the Yadkin County Board of Commissioners gratitude for this generous donation.

Adopted this the 18th day of November, 2013.

Commissioner Hemric made a motion to adopt the Resolution Authorizing Acceptance of \$10,000.00 from an anonymous donor and direct the funds to be spent for the following: \$4,000.00 for public safety as directed by the Sheriff; \$2,000.00 for animal adoption fee reductions - amounting to a \$20.00 fee reduction on the next 100 animals adopted starting November 19, 2013 (in the case where the Humane Society sponsors half the fee, the fee would be reduced \$10.00 for the person adopting the animal and \$10.00 for the Humane Society); and the remaining \$4,000.00 is to be dedicated to a public spay and neuter program that is to be finalized in the next 4 weeks; and the reduced adoption fee will not apply to the already reduced fee paid by Rescue Groups. Vice Chairman Moxley second. Vote: 5/0.

Approve Budget Amendment for East Bend Waterline Capital Project

The Board has previously committed \$1,000,000.00 to the East Bend Waterline project. The following budget amendment will transfer those funds into Capital Projects to be spent:

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	1044000-49000	1,668,964	1,000,000	2,668,964
(Committed East Bend Waterline)				
Transfer to Capital Projects	1054212-57030	0	1,000,000	1,000,000
(East Bend Waterline)				

The funds need to be appropriated now because Davis-Martin-Powell has begun work on the project and bills will start coming in soon. **Commissioner Zachary made a motion to approve the budget amendment for the East Bend Waterline Capital Project. Commissioner Welborn second.**

Vote: 5/0.

Approve Communications International, Inc. Contract and Associated Budget Amendment

The contract with Communications International (Ci) is for them to assist the County with the required radio system narrowbanding. The cost of the contract is approximately \$600,000.00. The work should be completed in approximately 8 months. Ci believes that if they are able to get started right away that the work can be completed by June 30, 2014. They will be paid in the following installments: 20% of the total contract amount upon completion of design review; 10% of the total contract amount upon completion of system staging; 45% of the total contract amount upon receipt of the equipment; 25% of the total contract amount upon completion of ATP and acceptance of the system. The County Manager would like all of the equipment to come from one vendor, Harris. Then there should be no compatibility issues and if there is ever an issue with the equipment there will be only one vendor to call for support. 911 funds would be used to purchase communications equipment. In order to cover the costs of this contract the following budget amendment will need to be approved:

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Radio Upgrade Interest	1059830-58234	50,000	(50,000)	0
Radio Upgrade Principal	1059830-58233	150,000	(150,000)	0
Appropriated Fund Balance	1044000-49000	1,668,964	393,971	2,062,935
Radio Equipment Upgrade	1059000-56520	0	593,971	593,971

Vice Chairman Moxley made a motion to approve the Communications International, Inc. contract and authorize the County Manager to sign it and to approve the associated Non-Departmental budget amendment. Commissioner Hemric second.

Vote: 5/0.

CALENDAR NOTES

- 1) November 28 – 29, 2013 – County Offices Closed for Thanksgiving.
- 2) December 24-26, 2013 – County Offices Closed for Christmas.

MANAGER’S REPORTS/BOARD ACTION

Jail Update

The jail had an inspection last week. There are 9 minor things that need to be done. The final inspection should be this week. The Sheriff has indicated that tours will be conducted of the new jail and there will be an open house. Also, at some point the Sheriff would like to have a ribbon cutting and dedication ceremony.

MANAGER’S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED

ePlus Contract

ePlus Technology will provide the IT Department with information technology consulting services and support.

Southern Software Contract

Southern Software will develop and implement the interface for the video visitation system at the jail.

Wilkes Connections Contract

Wilkes Connections will mount a new rack for the IT Department in the Permits Building.

BOARD VACANCIES/APPOINTMENTS

Joint Nursing Home and Adult Care Home Community Advisory Committee

There are two vacancies on the Committee.

Alternate on the Board of Adjustment

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

Alternate on the YVEDDI Board

Chairman Austin serves on the YVEDDI Board. An Alternate may be appointed to fill in for him at the meetings when needed. Terry Titus is willing to act as Chairman Austin’s Alternate. **Commissioner**

Welborn made a motion to appoint Terry Titus as Chairman Austin's Alternate to the YVEDDI Board. Commissioner Zachary second.

Vote: 5/0.

COMMISSIONER COMMENTS

Commissioner Welborn thanked everyone for coming out tonight, especially the Boy Scouts. He thanked Brenda Holbrook for her dedication to YVEDDI. All five of the Commissioners were able to attend the Veteran's Day program that was held at the Park. It was a really good program.

Commissioner Zachary thanked everyone for being here tonight. He thanked the Boy Scouts for coming; they did a great job. It is good to see Scouting going on in Yadkin County. He was a Boy Scout when he was a child. He congratulated the Forbush and Starmount high school football teams for participating in the play offs. He appreciated the public comments tonight. Brenda Holbrook has been a very nice person to work with and he wishes her the best in her retirement. The Veteran's Day program over at the Park was really well done.

Vice Chairman Moxley thanked everyone who came tonight. He gave a special thanks to the Boy Scouts. He was also a Boy Scout as a youth. He saw that several of the Scouts here tonight have already achieved the Star rank and a few of them are in the Order of the Arrows. It was good to have them here. He thanked the Fire Department representatives that were here tonight. They were interested in a consent agenda item dealing with fire insurance districts. They are getting their fire insurance rates reduced which will save homeowners some money. He thanked the person who came up and spoke in Public Comments. He thanked her and her group for being here tonight and invited them to come back. He congratulated Brenda Holbrook on her soon-to-be retirement. He wishes her the best. The football teams were mentioned by Commissioner Zachary. The Forbush cheerleaders also participated in a competition and they won their division. He was honored to be at the Veteran's Day ceremony that was held at the Park.

Commissioner Hemric thanked everyone for coming out. He said the other Commissioners have already covered everything. He congratulated Commissioner Welborn for winning that 5K Walk/Run award.

Chairman Austin stated that the other Commissioners have said it all and said it well so he didn't have much to add. He thanked everybody for being here tonight. He thanked the staff for all the hard work they do keeping this County running smoothly.

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, **Commissioner Welborn made a motion to approve the Memorandum of Agreement with For the Animals, Inc. Commissioner Hemric second.**

Vote: 5/0.

Vice Chairman Moxley made a motion for a resolution of appreciation to the Town of Yadkinville for their assistance in the jail project and authorizing all five Commissioners to sign it. Commissioner Zachary second.

Vote: 5/0.

Commissioner Zachary made a motion to adjourn. Commissioner Welborn second.

Vote: 5/0.

Tanya Gentry

Prepared by Tanya Gentry
Deputy Clerk to the Board

Kevin Austin

Kevin Austin, Chairman
Yadkin County Board of Commissioners

12/2/2013

Date approved by the
Yadkin County Board of Commissioners

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

Ed Powell, County Attorney
Aaron Church, County Manager
Tanya Gentry, Deputy Clerk



YADKIN COUNTY

NORTH CAROLINA

YADKIN COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING INSURANCE DISTRICT BOUNDARIES

WHEREAS, fire district boundaries for incorporated volunteer fire departments are established by boards of county commissioners pursuant to N.C.G.S. 153A-233, which districts are also used for insurance grading purposes; and

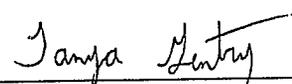
WHEREAS, the fire district boundaries in the unincorporated portion of Yadkin County been revised and created on the GIS system, and to reflect annexations by municipalities in the County; and

WHEREAS, the Yadkin County Fire Marshal has created new fire insurance district maps using the GIS system for Arlington, Exhibit A; Buck Shoals, Exhibit B; and Forbush, Exhibit C; fire districts which are incorporated by reference into this Resolution; now, therefore, be it

RESOLVED that the Yadkin County Board of Commissioners approves the boundary lines of Arlington, Exhibit A; Buck Shoals, Exhibit B; and Forbush, Exhibit C; Fire Insurance Districts exclusive of current or future municipal town limits, and as represented in the scaled GIS produced maps certified by the County Fire Marshal.

Motion made by Commissioner Hemric, and seconded by Commissioner Welborn, and approved on this being the 18th day of November, 2013.

Approved: 
Chairman Kevin Austin
Yadkin County Board of Commissioners

Attest: 
Deputy Clerk to the Board

(Seal)

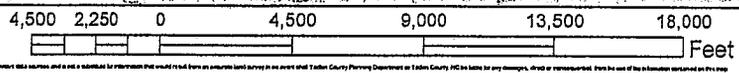
Arlington Six Mile Insurance Map

"Exhibit A"

-  County
-  Town of Jonesville
-  ---
-  ---



1 inch = 1,200 feet



Mapping information is a representation of recent data sources and is not a substitute for information that would result from an insurance land survey in an event that Yadkin County Planning Department or Yadkin County, NC be liable for any damages, direct or consequential. Permit use of the information contained on this map.

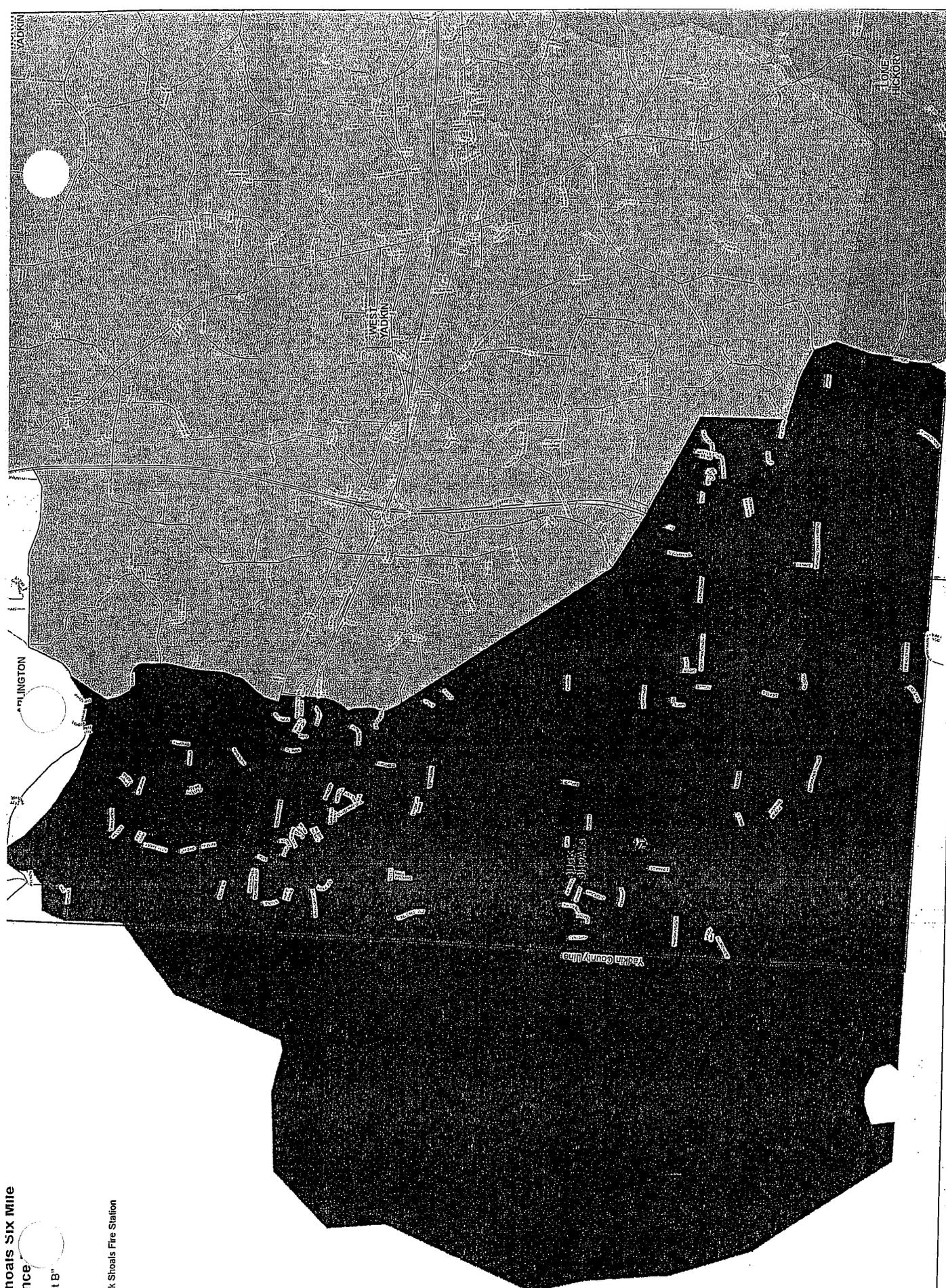
Buck Shoals Six Mile Insurance "Exhibit B"



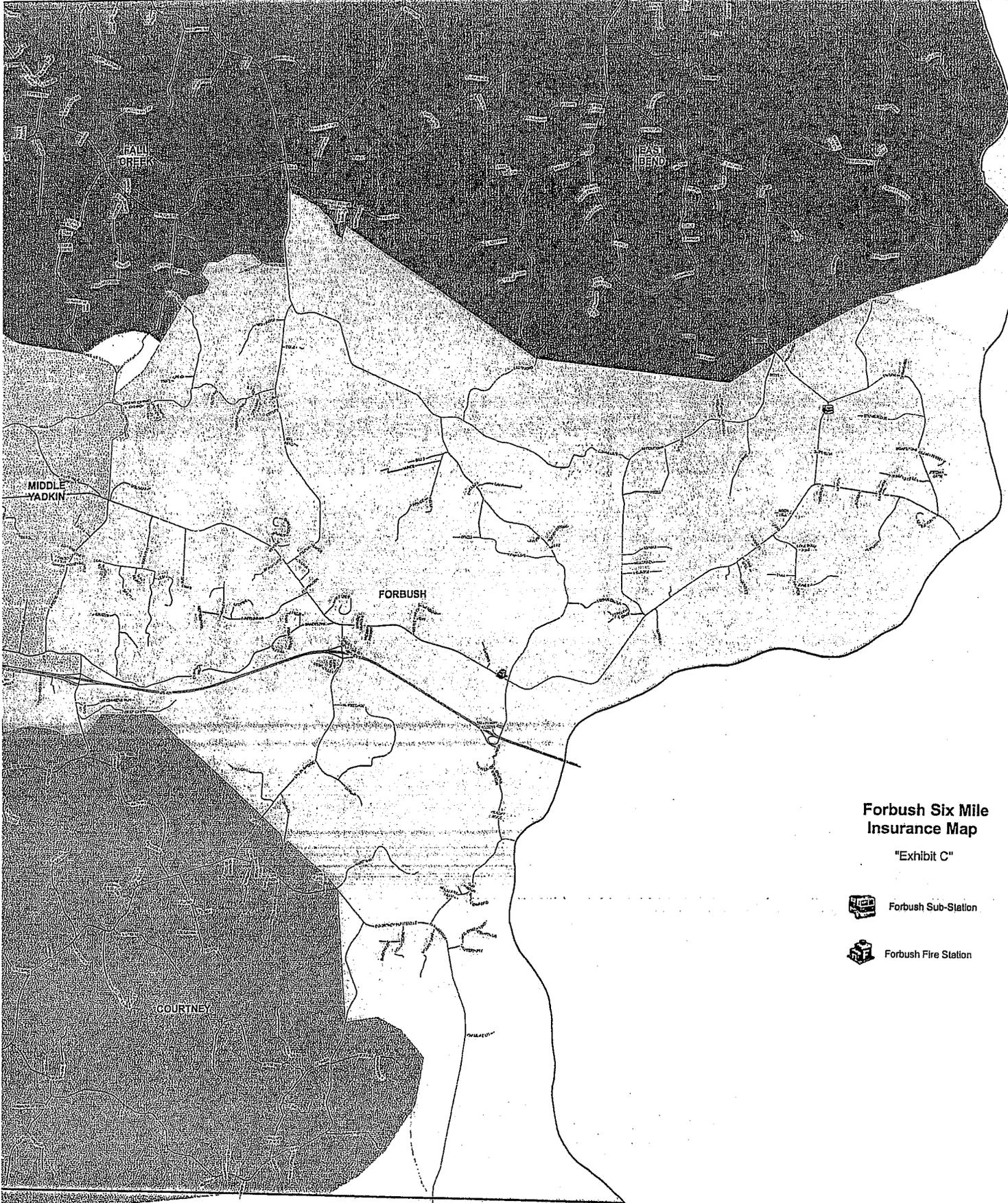
Appendix A



1 inch = 1,400 feet

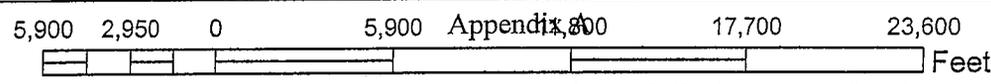
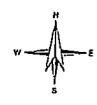


Maping information is a representation of various data sources and is not a substitute for information that would result from an accurate land survey. No warranty is made by the State of North Carolina, or any other agency, for the accuracy of the information shown on this map. The user of the information is responsible for its use.



Forbush Six Mile Insurance Map
 "Exhibit C"

-  Forbush Sub-Station
-  Forbush Fire Station



Mapping information is a representation of various data sources and is not a substitute for information that would result from an accurate land survey. In no event shall Yadkin County Planning Department or Yadkin County, NC be liable for any damages, direct or consequential, from the use of the information contained on this map.