

**YADKIN COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
Monday, August 16, 2010**

The Yadkin County Board of Commissioners met in Regular Session on Monday, August 16, 2010, in the Yadkin County Human Services Building (Commissioners Meeting Room), 217 East Willow Street, Yadkinville, North Carolina.

Present were:

Chairman Chad Wagoner
Vice Chairman Kevin Austin
Commissioner Tommy Garner
Commissioner David Moxley
Commissioner Brady Wooten

Staff present: County Attorney, James Graham; County Manager, Aaron Church; and Assistant to the County Manager/HR Officer.

CALL TO ORDER by Chairman Wagoner at 7:00pm

INVOCATION led by James Graham

PLEDGE OF ALLEGIANCE led by Chairman Wagoner

ADJUSTMENT TO / ADOPTION OF THE AGENDA

1. Chairman Wagoner requested that the Board add Appointment of Interim Clerk to the agenda after the Public Comment period.

Commissioner Wooten made a motion to approve the agenda with noted adjustment.

Commissioner Garner second.

Vote: 5/0

Public Comments

Pat Weston appeared before the Board wanting to be heard.

Chris Hauser appeared before the Board and spoke about a new community program called "Magnify Ministries" to help those in need.

Public Comment period closed at 7:17pm

Appointment of Interim Clerk to the Board

Commissioner Garner made a motion to appoint County Manager Aaron Church in a dual role, also serving as the Interim Clerk to the Board until a new one is appointed.

Commissioner Wooten second.

Vote: 5/0

Closed Session

Commissioner Wooten made a motion to go into Closed Session under NCGS 143.318-11(a)(3) to Consult with Attorney and under NCGS 143.318-11(a)(6) to discuss a Personnel matter. Commissioner Moxley second.

Vote: 5/0

Open Session

Commissioner Wooten made a motion to approve Change Orders 9 & 10 for the 5D Project. Commissioner Moxley second.

Vote: 5/0

Commissioner Wooten made a motion to approve Change Order 11 for the 5D Project submitted by Haymes Brothers, Inc. and as approved by Schnabel Engineering and subject to the signing by Haymes Brothers, Inc. and ASI, Inc. of the releases prepared by Yadkin County's legal counsel. Commissioner Moxley second.

Vote: 5/0

Approval of Minutes

Commissioner Wooten made a motion to approve the August 2 Regular Session Minutes with noted changes, August 2 Closed Session minutes, and August 12 Special Called Meeting Minutes. Commissioner Moxley second.

Vote: 5/0

Public Hearing

Commissioner Wooten made a motion to Call for a Public Hearing concerning the Community Development Block Grant (CDBG) on September 20, 2010 at 7:00pm. Commissioner Moxley second. The Public Hearing is for the Recovery Scattered Site Emergency Repairs Housing Project application submittal by the County Planning and Development Department.

Vote: 5/0

A Public Hearing was held for Zoning Ordinance Text Amendment regarding Residential Storage Facilities. The Text Amendments will allow personal storage facilities to be permitted as a principal use in residential and rural agricultural (RA; RR; RL; and RG) zoning districts on a conditional basis. The Text Amendments are Article 11 (Table of Uses); Article 17 (Conditional Uses) Site Standards #1 is changed to "The parcel on which the structure is constructed shall be in fee simple ownership of the person constructing the residential storage facility and #6 is deleted; Article 21 (Definitions) Residential Storage Facility "An off-premises building classified as the principle structure on a lot, used for the storage of personal property. This building is not intended for uses other than storage of personal vehicles, goods, or materials." There were not comments made during the Public Hearing.

Commissioner Moxley made a motion to approve the Zoning Ordinance Text Amendments as presented. Vice Chairman Austin second.

Vote: 5/0

Consent Agenda

Budget Amendment- 5D Parks-Land

Contracts/Agreements

Health Department- Appalachian Health Department

-YVEDDI

- Forsyth Health Care

-Core Path Solutions, LLC

Commissioner Garner made a motion to approve the Consent Agenda. Vice Chairman Austin second.

Vote: 5/0

Board Action

(1) and (2) were combined for action as they both pertain to Temporary Employment Agencies to assist the County when positions are vacant.

Commissioner Wooten made a motion to approve the two contracts as presented. Vice Chairman Austin second.

Vote: 5/0

(3) A contract amendment to the Jacobs Engineering contract to include responding to phone calls and meetings with the Hwy 21 water line at the existing rates in task order #1 (on file).

Commissioner Wooten made a motion to amend the Jacobs Engineering Contract as presented and to approve the related budget amendment. Commissioner Moxley second.

Vote: 5/0

(4) **Commissioner Wooten made a motion to adopt the Resolution Authorizing the Sale of Personal Property by Public Auction and declaring it surplus. Commissioner Garner second.**

Vote: 5/0

(5) County Manager Church presented information pertaining to EMS' leave accruals and maximum accrual. County policy establishes the accrual rate and limits the maximum accrual payout of 240 hours. The practice has been set indicating a higher rate of accrual and maximum payout of 720 hours for 24-hour EMS employees. Currently, there are several EMS employees who want to retire in the next several months and the Board must approve the additional payout for these employees and a related budget amendment. The accrual rates will be addressed within the Pay and Classification Study.

Commissioner Garner made a motion to authorize the County Manager to payout a maximum of 720 hours for EMS employees with 25 years of experience with Yadkin County and to approve the General Fund budget amendment. Vice Chairman Austin second.

Vote: 5/0

(6) The Board discussed Mr. Loudermilk's request at the Board's last meeting to restore the \$3,129.00 funding to the Library. Most of the discussion revolved around the purpose of

giving them the additional funds and any related benefits, along with setting a precedent for other agencies to come forward with additional funding requests.

Commissioner Moxley made a motion to approve a General Fund Budget Amendment increasing the Library's budget by \$3,129.00. Commissioner Garner second.

Vote: 2/3 (Commissioners Wagoner, Wooten and Austin against)

(7) County Motto

Vice Chairman Austin made a motion to appoint Commissioner Chad Wagoner, Phyllis Adams, Bobby Todd, Andrew Mackie and Christopher Ong to serve as the County Motto Selection Committee. Commissioner Garner second.

Vote: 4/0 (Chairman Wagoner abstaining)

Manager's Report

Manager Church introduced Christopher Ong and the application for an American Recovery and Reinvestment Act (ARRA) of 2009 Energy Grant that will be distributed through the North Carolina State Energy Office (NC Dept. of Commerce). The state assigned Jeff Stallings of Stallings Engineering to conduct a walk through of county buildings identifying energy source and lighting issues that would be addressed through the grant. The County partnered with the Town of Yadkinville and was able to pick up a higher tier ranking by the State. The grant funding will allow for high efficiency light fixtures and bulbs, new high efficiency heat pumps and replacement of an antiquated boiler; and, programmable thermostats which will also reduce operating costs in the Planning/Permits Building, Ag Extension, County Courthouse and Human Resources Building. In addition, the grant also involves developing a Strategic Energy Plan that will guide the County's fiscal and environmental use of energy resources. The grant total is \$101,301 and does not require any County funds. The Board does not need to take action at this time.

Calendar Notes

Chairman Wagoner stated that the 1st Annual NC Beer Festival will be held August 28, 2010 at Tanglewood and the group "Kansas" will be performing.

The joint meeting with Board of Education is scheduled for Monday, August 30th. More details will be provided to the Board once they are confirmed.

Commissioner Comments

Vice-Chairman Austin informed the Board that he is still receiving phone calls about Virgil Hodges Lane and that the neighbors need to work it out. He also received a call concerning a mobile home that doesn't meet the setback requirements and he passed that information on to the Manager. He further stated that he is glad the County is no longer using gas to euthanize cats and dogs at the shelter.

Commissioner Garner made a motion to instruct the County Manager to start a Preliminary Engineering Report for a sewer line. Chairman Wagoner stated that per the Board's rules, they could not take action during their Comment Period. **Commissioner Wooten made a motion to suspend the rules, Vice Chairman Austin second.**

Vote: 5/0

Commissioner Garner made a motion to instruct the County Manager to begin the process for a Preliminary Engineering Report for the sewer line at Westwood Road to 21, South 21 to the Hoots Road/Rocky Branch intersection. Commissioner Wooten second.

Vote: 4/1 (Vice Chairman Austin opposed)

Commissioner Austin requested to instruct the Manager to obtain cost estimates for this project and to examine the potential revenues and impact on the Enterprise Fund. He had Board consensus to include this information.

Commissioner Moxley informed the Board that David Wentworth, the Architect from Charlotte working with the 5D Recreation Committee and Plan for the park that can be submitted for the PARTF grant. The plan has to be completed first and it will be probably fall of 2011 before the water supply is sufficient, so the timing works.

Commissioner Wooten reported on the Yadkinville Park and Ride facilities through PART.

Chairman Wagoner had no comments.

Attorney Jim Graham had no comments.

Commissioner Wooten made the motion to adjourn the meeting, Commissioner Moxley second. Vote: 5/0

Prepared by
Asst. to the County Manager/HR Officer

Date Approved by the
Yadkin County Board of Commissioners