

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

**Monday, August 18, 2014**

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 August 18, 2014 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 7:01pm.

**PLEDGE OF ALLEGIANCE** led by Chairman Austin.

## **ADJUSTMENTS TO/ADOPTION OF THE AGENDA**

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

**Vote: 5/0.**

## **PUBLIC COMMENTS**

Kathy Rigsbee, a County resident and landowner, addressed the Board. She spoke about fracking. Fracking has been in the news lately because it became legal in North Carolina earlier this year. Also, a budget amendment that was submitted, but did not pass, included funds for doing some test drilling in the Davie Shale Basin. That Basin is in Davie County but part of it also extends into the Courtney area of Yadkin County. She is here tonight representing herself and some fellow citizens who are against fracking. If fracking is done in the County, it will lead to increases in the County's budget and cause damage to the roads. In some areas of the County where fracking is being done, more money has been spent repairing the roads than was actually made by fracking. They are concerned about the danger fracking poses to local water. Millions of gallons of water are used when fracking a well. The water coming out of that fracking process is contaminated with very toxic chemicals. How are they going to safely dispose of that contaminated water? Spills can happen that could cause well water and surface water to become contaminated. Fracking can occur as close as 200 feet from a river or stream and as close as 400 feet from a dwelling. Landowners can also lose control of their own property. Due to forced pooling of land, property owners who don't want to have fracking done on their land can actually be forced to allow it.

Chairman Austin closed the Public Comments at 7:10pm.

## **APPROVAL OF MINUTES**

The August 4, 2014 Regular and Closed Session Minutes were reviewed.

**Commissioner Zachary 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 Comprehensive Transportation Plan and Maps**

Mike Poston addressed the Board. The Comprehensive Transportation Plan (CTP) looks at the future transportation needs of the County. The Yadkin County CTP that the North Carolina Department of Transportation (NCDOT) is working on now will replace the current Yadkin County CTP, the current

Jonesville/Elkin CTP, and the Yadkinville CTP. Rather than having three separate Plans, there will only be one shared Plan once the new Yadkin County Comprehensive Transportation Plan is adopted by the County and the municipalities. Mike Poston went over the draft CTP maps and the State's recommendations with the Board of Commissioners. There was not a map that shows the County's request for a rail line on it but the written recommendations do indicate Yadkin County's interest in having rail service as a future project. The Board reviewed the information. On August 26, 2014 there will be a public Planning Workshop for the Yadkin County Comprehensive Transportation Plan. At the meeting citizens will be able to review the transportation recommendations and provide feedback.

**CONSENT AGENDA**

**Commissioner Hemric made a motion to approve the Consent Agenda items as presented. Vice Chairman Moxley second.**

**Vote: 5/0.**

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

**EMS/Insurance Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Insurance Payments	1044000-48500	3,500	2,133	5,633
EMS Vehicle Maintenance	1054330-53040	33,000	2,133	35,133

Insurance reimbursement for ambulance that was hit by a vehicle running a stop light.

**Amendment to NCDMV Lease Agreement Schedule A and Related Budget Amendment**

The original lease agreement was for two computer workstations but due to the amount of traffic that is being seen at the License Plate Agency, they would like to have another one. The amendment to Schedule A of the lease agreement will add a third computer workstation to the lease. The following budget amendment is needed to cover the additional costs:

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Contracted Services	1054147-51700	1,800	670	2,470
Office Supplies/Materials	1054147-52010	3,000	(670)	2,330

The Board approved the amendment to the lease agreement and the budget amendment.

**Tax Adjustments & Refunds for July 2014**

The Tax Office submitted the tax adjustments and refunds for the month of July for the Board of Commissioners to review and approve. The Board approved the presented adjustments and refunds for the month of July 2014.

**Amendment to Yadkin Valley Agricultural Center Project Ordinance**

The Project Ordinance previously adopted by the Board listed \$3,000,000.00 as being committed to the project by Yadkin County when the Board of Commissioners has committed \$3,500,000.00 to the project. This amendment corrects that error and lists the funds committed by the Yadkin County Farm Bureau and the Yadkin County Livestock Producers.

[The Amended Project Ordinance is attached as Appendix A.]

**Grandview Animal Hospital Agreement**

Grandview Animal Hospital will provide veterinary services for the County's Spay Neuter Program. The Board approved the agreement and authorized the County Manager to sign it.

**Highlands Mapping Agreement**

Highlands Mapping provides the County with GIS support services. Those services include database maintenance, ESRI software upgrade support, on-site training for software upgrades, and emergency support services. The Board approved the agreement and authorized the County Manager to sign it.

**Classic Business Systems Contract**

Classic Business Systems provides the Elections Department with verification cards, confirmation cards, NCOA cards, military and absentee materials, and other related election materials. The Board approved the contract and authorized the County Manager to sign it.

**Carolina Recording Systems Agreement Renewal for Audio Recording Services**

Carolina Recording Systems provides the system that is used to record all the calls and radio traffic coming into and going out of the 911 Center. The Board approved the agreement and authorized the County Manager to sign it.

**RCS Wireless Service Agreement**

RCS Wireless provides radio console programming services, radio site repairs, and 24/7 emergency maintenance services for the county-wide radio system that is currently being used. The Board approved the agreement and authorized the County Manager to sign it.

**Southern Software Annual Support Agreements**

Southern Software provides support for the following Sheriff's Office systems: RMS, HRMS, JMS, CAD, MAPS, MDIS, and their paging/wireless messaging system. The Board approved the agreements and authorized the County Manager to sign them.

**Frontier Natural Gas Service Agreement for New EMS Bay Building**

This is an agreement for Frontier Natural Gas to install a natural gas line to the new EMS bay building and provide them with natural gas services. The Board approved the agreement and authorized the County Manager to sign it.

**Cleary Masonry General Services Contract**

Cleary Masonry will provide the County with as needed masonry services. This is a five year general services contract that requires an approved task order before any work is performed. The Board approved the contract and authorized the County Manager to sign it.

**C W Electric General Services Contract**

C W Electric will provide the County with as needed electrical services. This is a five year general services contract that requires an approved task order before any work is performed. The Board approved the contract and authorized the County Manager to sign it.

**Johnson's Modern Electric General Services Contract**

Johnson's Modern Electric will provide the County with as needed electrical services. This is a five year general services contract that requires an approved task order before any work is performed. The Board approved the contract and authorized the County Manager to sign it.

**Marvin's Garage Doors General Services Contract**

Marvin's Garage Doors will provide the County with as needed garage door services. This is a five year general services contract that requires an approved task order before any work is performed. The Board approved the contract and authorized the County Manager to sign it.

**Hamptonville Fire Extinguisher Sale & Service General Services Contract**

Hamptonville Fire Extinguisher Sale & Service will provide the County with as needed fire extinguisher services. This is a five year general services contract that requires an approved task order before any work is performed. The Board approved the contract and authorized the County Manager to sign it.

**Industrial Solutions General Services Contract**

Industrial Solutions will provide the County with as needed roofing services. This is a five year general services contract that requires an approved task order before any work is performed. The Board approved the contract and authorized the County Manager to sign it.

**Todd Brothers General Services Contract**

Todd Brothers Plumbing will provide the County with as needed plumbing services. This is a five year general services contract that requires an approved task order before any work is performed. The Board approved the contract and authorized the County Manager to sign it.

**Dorsett Technologies General Services Contract**

Dorsett Technologies will provide the County with as needed HVAC heating and air conditioning services. This is a five year general services contract that requires an approved task order before any work is performed. The Board approved the contract and authorized the County Manager to sign it.

**K & V Heating & A/C General Services Contract**

K & V Heating & A/C will provide the County with as needed HVAC heating and air conditioning services. This is a five year general services contract that requires an approved task order before any work is performed. The Board approved the contract and authorized the County Manager to sign it.

**NC Alliance of Public Health Agencies Contract**

The North Carolina Alliance of Public Health Agencies provides professional staffing services for the Human Services Agency. The Board approved the contract and authorized the County Manager to sign it.

**Novant Health Agreement**

The Novant Health agreement is needed to allow authorized employees to access the protected health information of patients. The Board approved the agreement and authorized the County Manager to sign it.

**Division of Public Health Agreement Addendum for STD Prevention Services and Approve Related Budget Amendment**

The STD Prevention Division of Public Health Agreement Addendum provides funds to local health departments to be used to purchase condoms for persons at high risk for HIV and STDs in their jurisdictions in order to reduce the spread of these diseases. The local health department is also to provide instructions on how to properly use condoms. The following budget amendment will accept the State funding and place it in the expenditure lines:

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
STD	1045111-44235	781	50	831
AIDES Control	1055111-52051	500	50	550

The Board approved the addendum and accepted the State funding.

**YVEDDI Migrant Head Start Agreement**

The YVEDDI Migrant Head Start agreement is for Human Services to provide medical and health-related services to children who are enrolled at the YVEDDI-Migrant Head Start Center that is located in Yadkin County. The Board approved the agreement and authorized the County Manager to sign it.

**Cape Fear Contract**

Human Services contracts with Cape Fear Regional Transportation to provide transportation services to eligible Medicaid clients. The Board approved the contract and authorized the County Manager to sign it.

**PUBLIC HEARING/ACTION TO SET PUBLIC HEARING**

**Set a Public Hearing to Consider Rezoning a Portion of PIN #484500876816**

Mike Poston addressed the Board. A resident would like to use an existing dwelling that is on their property to run a furniture business out of. The property is zoned Residential Agriculture so a portion of it would need to be rezoned to Community Business in order to allow a business to operate there. The Planning Board heard the request on August 11, 2014 and they recommended approving it. It is consistent with the adopted Land Use Plan. **Commissioner Zachary made a motion to set a public hearing to consider proposed rezoning of a portion of PIN #484500876816 from Residential Agriculture (RA) to Community Business (CB) on September 15, 2014 at 7:00pm. Commissioner Welborn second. Vote: 5/0.**

**BOARD ACTION**

### **5D Reservoir Recreation Area Signage**

The 5-D Reservoir Recreation Area project is well under way. A name needs to be chosen for the park because an order needs to be placed soon for the sign that will be placed at the entrance to the park. County Manager Church asked the Board to consider what they would like to name it. Also, if the Board wants they can choose a name for the lake and the dam. The Board discussed names for the park, the lake, and the dam. It was suggested that the park be named either Yadkin County Memorial Park or Yadkin Memorial Park. It was suggested that the lake be named Lake Hampton due to the parks proximity to Hamptonville. It was suggested the dam be named after Ned Hood and Allen Chamberlain. They were the two who originally started the dam project back in the 1950's. **Commissioner Zachary made a motion to name the dam Hood-Chamberlain Dam, to name the lake Lake Hampton, and to name the park Yadkin Memorial Park. Commissioner Hemric second.**

**Vote: 5/0.**

### **Award Jail Renovation Contract**

The County went out for bids for the second time for the renovation of the old jail. Four or five companies attended the pre-bid conference and tour of the old jail. Only Wishon & Carter Builders submitted a bid on the project. They met the requirements and followed all the directions. The base bid is for all of the work that has to be done on the old jail. Their base bid came in at \$130,891.00. The companies were also asked to bid on optional work. Their bid for doing all of the optional work came in at \$18,742.00. County Manager Church reviewed with the Board what the required work was and what the optional work was. The Board discussed offering an incentive to Wishon & Carter to get the project completed sooner. For the project to be considered completed, all of the work has to be done, all the cleanup has to be done, and a permit for habitation has to have been granted. The early completion bonus will be \$500.00 per day for each day the project is completed before a set date; for each day the project is completed after that set date the early completion bonus will be \$250.00 up to December 31, 2014. If the project is not completed by the contracted completion date, Wishon & Carter Builders will owe the County liquidated damages of \$750.00 for each day the project extends beyond that date. **Commissioner Hemric made a motion to award the jail renovation contract to Wishon & Carter Builders for the base bid and all alternates, not to exceed \$149,633.00, with the addition of an early completion bonus at \$500.00 a day for each day completed before November 15, 2014 and \$250.00 per day for each day after November 15, 2014 up to December 31, 2014. Vice Chairman Moxley second.**

**Vote: 5/0.**

### **CALENDAR NOTES**

- 1) September 1, 2014 – County Offices Closed for Labor Day.
- 2) September 2, 2014 – Regular Board of Commissioners Meeting will be held at 9:00am in the Commissioners Room.

### **MANAGER'S REPORTS/BOARD ACTION**

#### **Legislative Goals**

The NCAACC is asking the counties to submit proposals for legislative goals by September 19<sup>th</sup>. County Manager Church asked the Commissioners to be thinking about any legislative goals they would like Yadkin County to submit to the NCAACC for consideration.

#### **Guidelines for Funding Non-County Agencies**

Normally the County requires any non-County agencies who receive funds from the County to provide the County with audited financial statements. Should an exception be made to allow a non-County agency to receive funds without providing that information? The Board discussed it and the consensus was to require audited financial statements from non-County agencies who receive funding. It is important to have the audits to see how the funds are being spent.

### **MANAGER'S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED**

There were no funds transfers or contracts to report.

### **BOARD VACANCIES/APPOINTMENTS**

#### **Human Services Advisory Committee**

There is a vacancy for a dentist on the Human Services Advisory Committee.

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### **Workforce Development Board**

There is a vacancy on the Workforce Development Board.

### **Joint Nursing Home and Adult Care Home Community Advisory Committee**

Dawn Cheek has served on the Committee before and would like to be appointed to serve on it again.

**Commissioner Welborn made a motion to appoint Dawn Cheek to the Nursing Home – Adult Care Home Community Advisory Committee. Commissioner Zachary second.**

**Vote: 5/0.**

### **Fall Creek Community VFD Firefighter's Relief Fund Board of Trustees**

Due to the death of a member, there is a vacancy on the Fall Creek Community V.F.D., Inc Firefighter's Relief Fund Board of Trustees. The Fall Creek Community Fire Department requested that Dale Blake be appointed to serve out the remainder of the now vacant two-year term. The term will expire January of 2015.

**Commissioner Zachary made a motion to appoint Mr. Dale Blake to finish the vacant term on the Fall Creek Community V.F.D., Inc. Firefighters Relief Fund Board of Trustees which will expire January 2015. Commissioner Welborn second.**

**Vote: 5/0.**

### **COMMISSIONER COMMENTS**

**Commissioner Hemric** thanked everyone for coming out tonight. He appreciated Ms. Rigsbee coming and speaking about fracking. He thanked Mike Poston for his presentation on the Comprehensive Transportation Plan. He also thanked all of the other County employees who were present tonight. He is glad that they are interested in what is going on in the County.

**Commissioner Welborn** thanked everyone for coming out. He thanked Ms. Rigsbee for expressing her concerns. The Commissioners don't really have any say so when it comes to fracking. He attended the event on Saturday night that was held to honor 115 Purple Heart recipients. He knew two of the recipients who were from Yadkin County. It was a good event. Pete Knight is the organization's president and he did a good job with it.

**Commissioner Zachary** thanked everybody for coming out. He appreciated Ms. Rigsbee coming and sharing information about fracking with the Board. He has heard a lot about it. A lot of the information he has heard relates to fracking in other parts of the United States. It is something to be studied and talked about but it is out of the County's hands. It is always nice to see some of the Department Heads here. They are doing a good job. He appreciates them taking the time to attend the meeting.

**Vice Chairman Moxley** thanked everyone for coming out. He thanked Ms. Rigsbee for her comments and appreciates her sincerity on this issue. There weren't any sessions on fracking at the NCACC Conference. A lot of people are undecided on it because they aren't really educated about fracking and how it works. He thanked Grady Shore for coming in support of the 5-D Park. He thanked Lisa Hughes, Mike Poston, and Kim Harrell for their work. One of the main sessions at the NCACC Conference was on the consolidation of Human Services. Chairman Austin was one of the presenters who helped answer questions on consolidation. Yadkin County's consolidation went well and he thanked those who were involved with that. He has always thought of Yadkin County as a rural area and if it wasn't rural he thought the most it could be was urban. He found out at the Conference that Yadkin County is considered a metropolitan area, or at least that is how the Federal Government defines it.

**Chairman Austin** appreciated Ms. Rigsbee's comments. Fracking has been a topic steering committees have reviewed. He believes fracking will be discussed at the legislative goal session that is coming up. There is nothing that one county can do. It is up to the legislature to control fracking. Several counties will probably have this at the top of their radar when it comes time to look at legislative goals. The NCACC Conference was very informative. Two of the sessions that he attended at the Conference that he thinks will be helpful to Yadkin County were the session on rail service and the session on public/private partnerships. While at the Conference he learned that 22 counties have consolidated their Human Services in one form or another. The session on consolidation was a great one. He and County Manager Church were swamped with questions after the session. The consolidation of Human Services seems to be where the future is headed. It

is nice to have Yadkin County on the forefront of that. He is proud of the Yadkin County staff that helped to make consolidation go so well.

**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 Hemric 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 approve to adjust the salary for employee in position number 630044 in the amount of \$867.00 and to change the titles for the following position numbers as requested: 630009, 630071, 630047, 630045, 630065, 630044, 700023, 630038, 630051, and 630034. Commissioner Welborn second.

Vote: 5/0.

Commissioner Welborn made a motion to create a Permit Fee for handicap ramps for single family residential dwellings in the amount of \$25.00. Commissioner Hemric second.

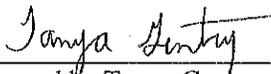
Vote: 5/0.

Commissioner Zachary made a motion to add Building Inspector III to the Classification & Pay Plan at a pay grade 66, to reclassify Building Inspector I position # 540006 to a Building Inspector III, and authorized the County Manager to waive the hiring policy to fill the position. Commissioner Welborn second.

Vote: 5/0.

Vice Chairman Moxley made a motion to recess the meeting to Thursday, August 21, 2014 at 5:00pm in the Board of Commissioners Room. Commissioner Hemric second.

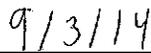
Vote: 5/0.



Prepared by Tanya Gentry  
Deputy Clerk to the Board



Kevin Austin, Chairman  
Yadkin County Board of Commissioners



Date approved by the  
Yadkin County Board of Commissioners

**County of Yadkin**  
**Yadkin Valley Agricultural Center**  
**Project Ordinance - Amendment 1**

BE IT ORDAINED by the Board of Commissioners, County of Yadkin, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the North Carolina General Statutes, the following Project Ordinance is hereby adopted:

Section 1. The grant authorized is to construct the Yadkin Valley Agricultural Center.

Section 2. The officers of this unit are hereby directed to proceed with this Project within the terms of all documents and the budget contained herein.

Section 3. The following amounts are appropriated for the Yadkin Valley Agricultural Center Project:

Site Prep and Construction:	
Building	\$ 4,419,000
Site Preparation	\$ 875,000
Church Road	\$ 100,000
Highway 601 Improvements	\$ 75,000
Furnishings	\$ 100,000
Signage	\$ 5,000
Contingency	\$ 280,000
Professional Services	\$ 306,300
	<u>\$ 6,160,300</u>

Section 4. The following revenues are anticipated to be available to complete the Yadkin Valley Agricultural Center:

Transfer from General Fund	\$ 3,500,000
Tobacco Trust Fund	\$ 100,000
Yadkin County Farm Bureau	\$ 50,000
Yadkin County Livestock Producers	\$ 29,167
Financing Proceeds	\$ 2,481,133
	<u>\$ 6,160,300</u>

Section 5. The Finance Officer is hereby directed to maintain the Project Fund with sufficient detailed accounting records to satisfy the requirements of the financing agreements, and state/federal regulations.

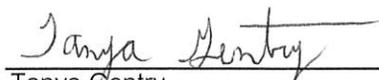
Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due.

Section 7. Copies of this Project Ordinance shall be furnished to the Clerk to the Board, and to the Finance Officer for direction in carrying out this Project.

Adopted this the 18th day of August, 2014.



Kevin Austin, Chairman  
Board of Commissioners

  
Tanya Gentry  
Deputy Clerk to the Board