

YADKIN COUNTY BOARD OF COMMISSIONERS
REGULAR MINUTES
Monday, June 15, 2009

The Yadkin County Board of Commissioners met in Regular Session on Monday, June 15, 2009, in the Yadkin County Human Services Building (Commissioners' Meeting Room), 217 East Willow Street, Yadkinville, NC.

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, Stan Kiser; and Clerk to the Board, Gina Brown.

CALL TO ORDER by Chairman Wagoner at 7:03pm.

INVOCATION led by James Graham.

PLEDGE OF ALLEGIANCE led by Chairman Wagoner.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

County Manager Kiser announced a budget amendment to be added as Section XI, Item (2).

Clerk Brown announced that the Solid Waste Monthly report has been made available along with other monthly reports in the front of the agenda packet.

Clerk Brown announced that there were clarifications from the Northwest Piedmont Council of Governments to be reviewed as Section IX, Item (3).

Vice Chairman Austin made a motion to approve the agenda with the noted adjustments. Commissioner Moxley second.

Vote: 5/0

PUBLIC COMMENTS

Public Comments portion of the meeting opened at 7:08pm.

Tom Honeycutt, Democratic Chair of the East Bend Precinct, appeared before the Board speaking on behalf of the Democratic Party of Yadkin County. Mr. Honeycutt thanked the members for their personal commitment and sacrifice. Mr. Honeycutt stated that a candidate for commissioner campaigns and runs with a party affiliation, but once elected, serves all of the people of every political party. Mr. Honeycutt recently received information regarding the recall petition including a contact number. Mr. Honeycutt called the number which happened to be the home of former Commissioner, Leon Casstevens. Mr. Casstevens proceeded to inform Mr. Honeycutt of the petition and all the locations available in the County where the petition could be signed. Though a recall may be appropriate in some situations, Mr. Honeycutt does not believe that a recall should be used to secure a desired a vote. Further, Mr. Honeycutt remarked that each Board member represents 1/5 of the vote and that not any one member is the majority. This is the way it should be. Barring criminal offense or gross negligence, the elected Board member should continue until the next election. The Democratic Party of Yadkin County is extremely proud of the lone Democratic representative on the Board. Democrats are no longer in the minority in the North Carolina Legislature and the recall petition will not meet with success.

Peggy Boose of Boonville appeared before the Board. Ms. Boose stated that Commissioner Wooten has been reporting for 3 years that Judge Craig did not order the Board of Commissioners to build a new jail. Ms. Boose reported that Judge Craig confirmed Commissioner Wooten's statements in court today. Judge Craig has ordered that adequate jail facilities be provided, but has not ordered that a new facility is required. Ms. Boose remarked that some believe the jail lawsuit is a manner in which to delay construction. Ms. Boose stated that the jail lawsuit is about doing what is right for the people and nothing to do with delay. Ms. Boose reported that she and Nancy Sapp had been to every

home in the Hoots Road area. There were only 5 residents that expressed no interest in the jail location. Ms. Boose expressed dismay that all Republican members of the Board of Commissioners did not attend the State Republican Convention during the previous weekend. Ms. Boose encouraged the Republican Board members to be proud of their Party and to be proud of its principles.

Public Comments portion of the meeting closed at 7:16pm.

APPROVAL OF MINUTES

Vice Chairman Austin questioned the Board's use of Robert's Rules of Order as referred to on page 13, paragraph 2 of the minutes. After brief discussion, the Board agreed that the word "primary" should be stricken.

Commissioner Wooten made a motion to approve the June 1, 2009 Regular Meeting Minutes; June 1, 2009 Closed Session Minutes; June 1, 2009 Minutes of Public Hearing; June 3, 2009 Minutes of Budget Work Session; and June 8, 2009 Minutes of Budget Work Session with noted adjustment.

Commissioner Moxley second.

Vote: 5/0

PUBLIC HEARING

Planning and Development Director, Christopher Ong, appeared before the Board to request the setting of public hearings as follows:

(1) Monday, July 6, 2009

CDBG – Scattered Site Housing Program

Vice Chairman Austin made a motion to set a public hearing for the CDBG-Scattered Site Housing Program on July 6, 2009. Commissioner Wooten second.

Vote: 5/0

- (2) Monday, July 20, 2009
23.25 acres of Gilbert Hemric
Hemric Mountain Road
RA to HB

Commissioner Wooten made a motion to set a public hearing for the rezoning request of 23.25 acres belonging to Gilbert Hemric from RA to HB. Commissioner Garner second.

Vote: 5/0

- (3) Monday, July 20, 2009
6.42 acres of Gilbert Hemric
Hemric Mountain Road
RA to HB

Commissioner Garner made a motion to set a public hearing for the rezoning request of 6.42 acres belonging to Gilbert Hemric from RA to HB. Commissioner Moxley second.

Vote: 5/0

- (4) Monday, July 20, 2009
11 acres of Gilbert Hemric
Hemric Mountain Road
RA to HB

Commissioner Garner made a motion to set a public hearing for the rezoning request of 11 acres belonging to Gilbert Hemric from RA to HB. Commissioner Moxley second.

Vote: 5/0

BOARD APPOINTMENTS

(1) Planning and Development Director, Christopher Ong, requested the reappointment of Barry Hennings to the Planning Board. Mr. Ong reported that Mr. Hennings has been very active and has had a solid attendance record. It was noted that the reappointment is retroactive and ongoing.

Commissioner Garner made a motion to reappoint Barry Hennings to the Planning Board for the term of June 1, 2007 through May 31, 2010. Vice Chairman Austin second.

Vote: 5/0

(2) Mr. Ong requested the reappointment of Gray Gentry to the Board of Adjustment. Mr. Ong reported that Mr. Gentry is very active and has not missed a single meeting since originally appointed. This reappointment is also retroactive.

Commissioner Moxley made a motion to reappoint Gray Gentry to the Board of Adjustment for the term May 1, 2009 through April 30, 2012. Commissioner Garner second.

Vote: 5/0

(3) Mr. Ong reported that Lowell Todd did not wish to be reappointed to the Board of Adjustment. Mr. Ong asked the Board for their preference on this appointment. Vice Chairman Austin suggested that each Board member speak to various individuals and be prepared to make recommendations at the next meeting. The Board agreed.

(4) Clerk Brown reported clarification from the Northwest Piedmont Council of Governments concerning Board member assignments. Currently, Chairman Wagoner is assigned to the NWPCOG Board of Delegates. Eddie Wooten and Trent Cockerham are Yadkin County representatives on the Workforce Development Board. County records indicate that Commissioner Moxley is assigned to the Job Training Consortium. However, NWPCOG records indicate that Chairman Wagoner is the Yadkin representative. The Board agreed that Commissioner Moxley is the appropriate appointee. Clerk Brown will notify the NWPCOG accordingly.

BOARD REPORTS/REQUESTS

(1) Stewart Maples, Mayor of East Bend, appeared before the Board. Mr. Maples reported that Yadkin County and the Town of East Bend had entered into an agreement for East Bend to assume the sewer plant in the industrial park with funding of \$50,000 from Yadkin County for start-up costs. This

funding was never received. Since that time, East Bend has incurred a \$45,000 debt to Yadkin County for the extension of sewer lines to Highway 67. Mayor Maples stated that erasing East Bend's \$45,000 debt would be an acceptable measure for bringing this agreement to closure. It was estimated that the original agreement was established in 1998. Clerk Brown will research minutes and any documents relating to this agreement.

Commissioner Moxley made a motion to postpone discussion of this issue until further information is made available and refer the matter to the Utilities Committee for recommendation at the July 20, 2009 meeting of the Board. Commissioner Garner second.

Vote: 5/0

(2) Brandon McCann, Executive Director of the Cascade Highlands, appeared before the Board for a report and PowerPoint presentation. Mr. McCann reported that Dr. Jim Harrell, a Commissioner of Surry County, developed the idea of a tourism authority that began in Surry County and expanded into surrounding counties and into Virginia. A Memorandum of Agreement was established appointing 2 representatives from each of the participating counties. It was determined that the Authority would be supported by public and private funds. A 501-C-6 designation was received in 2008. The Authority, originally named the Northwest North Carolina Southwest Virginia Regional Tourism Initiative, was renamed to the Cascade Highlands and Mr. McCann was appointed as the Director. The Authority encompasses Alleghany, Wilkes, Surry, Stokes, and Yadkin in North Carolina and Carroll, Grayson, Smyth, and the City of Galax in Virginia. The Authority initially received grants from the US Economic Development Administration, the NC Rural Center, and the VA Tobacco Commission.

The pooling of resources, cooperative advertising, and the ability to tap into larger markets are just some advantages of the Authority. Each area or county shares similar features and can share ideas for tourism growth. Current projects include distribution of 80,000 maps in visitor centers and rest areas; launching of the website www.cascadehighlands.com; GPS guided tours of the area; and promotion of the area to travel writers. The area encompassed by the Authority is rich in stories that travel writers are looking for. Eventually, there will be a saturation point, but for now, the travel to this area is new.

Mr. McCann also noted the concentration on the Interstate 77 corridor. Any map search from Ohio to Myrtle Beach or Hilton Head leads to Interstate 77. The Authority is developing a marketing strategy that will promote businesses within a 300 mile radius of the corridor. The Interstate 74, once complete, will also have a large impact on the area.

On a similar note, Attorney Graham remarked that he had met a couple at Shelton Vineyards that were from Prescott, Arizona. The couple had no family or friends in the area, but chose this area for their travel. The couple spent 2 days in Chapel Hill and then visited West Bend Vineyard, Rag Apple Lassie Vineyard, and Shelton Vineyard. It was assumed that the couple discovered the Yadkin Valley by internet search.

Mr. McCann thanked the Board for their attention and announced that he would return periodically for updates.

BOARD ACTION

(1) The Board completed a second review of the Solid Waste Franchise application for Southern Piedmont Recycling and Waste.

Chairman Wagoner made a motion to approve the Solid Waste Franchise application for Southern Piedmont Recycling and Waste. Commissioner Moxley second.

Vote: 5/0

(2) The Board reviewed a budget amendment for the general fund to amend balances for the fiscal year end. County Manager Kiser noted that these adjustments reflect payouts on compensatory time and salary adjustments that occurred throughout the year. The Board briefly discussed salary adjustments in Building Inspections. Vice Chairman Austin suggested that budget amendments be presented each month rather than year-end.

Commissioner Wooten made a motion to approve the budget amendment for the General Fund as presented. Vice Chairman Austin second.

Vote: 4/1 (Garner opposed)

Date: June 8, 2009

General Fund

Dept: Various

Description	Account Number	Original Budget	Increase/ (Decrease)	Amended Budget
Salaries-Veterans Services	1055820-51010	27,417.00	3,452.00	30,869.00
Social Security	1055820-51300	1,701.00	213.00	1,914.00
Medicare	1055820-51310	402.00	46.00	448.00
Salaries-Public Buildings	1054260-51010	32,021.00	961.00	32,982.00
Social Security	1054260-51300	1,986.00	85.00	2,071.00
Medicare	1054260-51310	465.00	20.00	485.00
Salaries-Sheriff	1054310-51010	1,311,414.00	19,775.00	1,331,189.00
Social Security	1054310-51300	83,216.00	1,227.00	84,443.00
Medicare	1054310-51310	19,462.00	287.00	19,749.00
Salaries-Liasion	1054317-51010	59,907.00	2,865.00	62,772.00
Social Security	1054317-51300	3,715.00	178.00	3,893.00
Medicare	1054317-51310	869.00	42.00	911.00
Salaries-Building Code	1054350-51010	177,553.00	4,907.00	182,460.00
Social Security	1054350-51300	11,020.00	302.00	11,322.00
Medicare	1054350-51310	2,577.00	71.00	2,651.00
Salaries-Tax Assessor	1054140-51010	220,550.00	5,136.00	225,686.00
Social Security	1054140-51300	13,797.00	196.00	13,993.00
Medicare	1054140-51310	3,241.00	32.00	3,273.00
Salaries-Reappraisal	1054145-51010	147,852.00	3,228.00	151,080.00
PartTime Salaries-Reappraisal	1054145-51030	14,000.00	(8,668.00)	5,394.00
Longevity-Tax Assessor	1054145-51020	965.00	76.00	1,041.00
Salaries-Jail	1054320-51010	268,596.00	315.00	268,911.00

Longevity-Admin.	1054120-51020	269.00	14.00	283.00
Longevity-Finance	1054130-51020	800.00	81.00	881.00
County Attorney-Social Security	1054150-51300	276.00	50.00	326.00
County Attorney-Medicare	1054150-51310	64.00	13.00	77.00
Longevity-Fire Marshal	1054340-51020	449.00	8.00	457.00
Appropriated Fund Balance	1044000-49000	3,854,117.47	34,912.00	3,890,344.47

To amend balances at fiscal year end June 30, 2009.

MANAGER REPORTS/COMMENTS

County Manager Kiser had the following reports:

(1) The Board was provided with the meeting schedules of the Planning Board and the Board of Adjustment.

(2) The Board was provided with documentation of stimulus funds that have been awarded to Yadkin County. County Manager Kiser reviewed the following funds:

- EECBG – Energy Efficient and Conservation Block Grant.....\$0
- JAG – Edward Byrne Memorial Justice Assistance Grant (JCPC)....\$49,822
- Medicaid.....\$119,198
- Title I. AARA – Yadkin County Schools.....\$638,702
- Title VI. B. AARA – Yadkin County Schools.....\$1,206,583
- Title VI. B. AARA PreSchool – Yadkin County Schools.....\$47,466

The total award to Yadkin County thus far is \$2,061,771 with the majority of these funds designated for the school system.

(3) County Manager Kiser presented audit contracts for Yadkin County, the Tourism Development Authority, and Hoots Memorial Hospital. The Yadkin County proposal is \$72,000-\$78,000 compared to \$78,000 of the prior fiscal year. There were some questions regarding the requirement to complete a separate and individual audit for the Tourism Development Authority. Yusadora Gaye of the LGC confirmed with Johnny Lancaster that a separate

audit is required. The proposal is \$3,500-\$5,000. Total revenues thus far for the Authority are \$11,000-\$12,000. The audit alone will consume the majority of the revenues. Yadkin County must have an audit of Hoots Memorial Hospital for April-June 2009, representing the County's 3 months of ownership. Dixon Hughes is the current auditor and willing to complete the 3-month audit and submit this to the Daniel Professional Group. This proposal is \$12,000-\$15,000.

Commissioner Wooten made a motion to approve the contract with Dixon Hughes for the 4th quarter audit of Hoots Memorial Hospital not to exceed \$15,000. Commissioner Moxley second.

Vote: 4/1 (Garner opposed)

Commissioner Wooten made a motion to approve the contract with Daniel Professional Group for the audit of the Tourism Development Authority not to exceed \$5000; conditional upon the need for an individual audit.

Commissioner Moxley second.

Vote: 4/1 (Garner opposed)

Vice Chairman Austin made a motion to approve the contract with Daniel Professional Group for the audit of Yadkin County not to exceed \$78,000.

Commissioner Wooten second.

Vote: 4/1 (Garner opposed)

(4) The Board was provided quotes on the replacement of a heating and cooling unit for the Human Resources Building. Clerk Brown reported that the compressor is failing on the 20-year unit and it has been recommended that the unit be replaced. The Board wished to postpone action on this matter until further information could be obtained. Chairman Wagoner requested the tonnage of the current unit and tonnage of the replacement unit.

Commissioner Wooten requested that a budget amendment for this item be brought forth as well. Additional information will be provided at the June 17, 2009 budget work session.

CALENDAR NOTES

Chairman Wagoner briefly reviewed the calendar items.

Chairman Wagoner called for a recess at 8:15pm. Meeting resumed at 8:30pm.

COMMISSIONER COMMENTS

Commissioner Wooten had these additional comments:

(1) Regarding the proposed budget, Commissioner Wooten remarked that increased spending would result in higher taxes. The Federal, State, and Local governments are all experiencing budget restraints. In hard economic times, inflation will rise and interest rates will be uncertain. Yadkin County can anticipate even more budget pressure in the next fiscal year. Yadkin County should lower spending, lower the tax rate, and be in a better position for the future. Commissioner Wooten stated that he is looking forward to a good resolution on the budget and good things for the citizens of Yadkin County.

(2) PART recently adopted an \$18 million budget for the upcoming fiscal year. There was great debate for the administrative salary increases. A compromise was not reached and the salary increases were defeated in a vote of 2-for and 14-against.

There are plans for expansion of routes and the use of additional buses. Park and Ride lots have been established in Rockingham and Alamance counties. The Park and Ride lot for Yadkin County will be available once all permits are approved.

Commissioner Moxley had these additional comments:

Commissioner Moxley suggested that Josh Arnder, IT Director, explore the possibility of permanently adding PowerPoint equipment to the Commissioners' Meeting Room. Commissioner Moxley felt that as more and more presentations are being made with PowerPoint, a permanent system will allow a more efficient process. Commissioner Wooten suggested that often the problem is with the software and not the equipment. No action was taken on this matter.

Commissioner Garner had these additional comments:

(1) Commissioner Garner presented a RESOLUTION APPROVING YADKIN SENIOR SERVICES. The resolution acknowledges the conclusion of the Council on Aging and the support of the newly formed Yadkin Senior Services. Chairman Wagoner noted that Yadkin Senior Services receives a small amount of funding from the County but it is not a County department or unit of County government. Commissioner Garner reported that this resolution was suggested by Mark Ingersoll, the attorney for the Council on Aging. Further, Commissioner Garner reported that the judge ruled in favor of the Council on Aging in the recent legal action. Commissioner Wooten did not feel that this was an issue for the Board of Commissioners. Chairman Wagoner suggested that Attorney Graham review the resolution and be prepared for recommendations at the July 6, 2009 meeting.

Commissioner Garner made a motion to approve the RESOLUTION APPROVING YADKIN SENIOR SEVICES, INC. Motion died for a lack of a second.

Chairman Wagoner asked that this item be placed on the July 6, 2009 meeting agenda.

(2) Concerning the proposed budget, Commissioner Garner reiterated his earlier statements that he would be willing to cut the tax rate *if the County could afford it*. Unforeseen expenditures such as 5D, Hoots Hospital, and State cuts may not allow a decrease in the tax rate. Funding for 5D was received and the project had to be completed or forfeit those funds completely. In addition, Yadkin County would have to repay State and Federal funds already applied to the project. It is too early to determine if the hospital will be self-sufficient. State funds have been withheld and additional funds may be withheld through time. Commissioner Garner stated that he tried to cut spending during today's meeting by voting against the budget amendments and the auditing contracts while Commissioner Wooten and Vice Chairman Austin voted for them. The Board voted *for* these things because they are necessary and cannot be cut from the budget. Commissioner Garner suggested that this Board keep the tax rate the same for the upcoming year and perhaps be in a better position to cut the rate in the next budget cycle. Further, Commissioner

Garner pointed out that the same 5 will be on the Board during next year's deliberations.

Vice Chairman Austin had these additional comments:

(1) Vice Chairman Austin apologized for his attire. Vice Chairman Austin had a hectic day at work and had not been able to go home for a change of clothes.

(2) Vice Chairman Austin is expecting a package from the office of Congresswoman Virginia Foxx regarding potential funding for the schools. Vice Chairman Austin did receive an email regarding stimulus funds for fire station construction. County Manager Kiser was asked to forward this information to the appropriate officials and follow up for any needed assistance.

(3) Regarding the budget, Vice Chairman Austin believes the budget is very well constructed and commended County Manager Kiser for his budget preparation. Vice Chairman Austin stated that there remain 3 issues to address:

1. Middle schools will soon be complete and there will be additional operating costs in the next fiscal year.
2. With the current economic turndown, a large number of citizens cannot afford a substantial increase in their property taxes. The Board must address the possibility of reducing the tax rate.
3. The jail continues to be an ongoing issue with no conclusion in the foreseeable future.

Vice Chairman Austin believes that these 3 issues can be resolved by shelving the jail project at this time. Yadkin County could continue to properly house the prisoners at the current level of \$171,000 plus transportation costs. There is \$512,000 in the proposed budget for debt service and \$871,000 in capital reserve for a total of \$1,383,000 that could be made available to the budget by postponing the jail project. Of these funds, \$650,000 could fund operations and capital expenditures for the middle schools. The remaining \$733,000 would accommodate a reduction of \$0.03 on the tax rate. Vice Chairman Austin would like the Board to seriously consider this matter at the next budget meeting in order to properly open and operate the middle schools and provide tax relief for their constituents.

Commissioner Moxley had one other item for discussion. The Hoots Hospital Board of Trustees meeting for July 16 must be rescheduled. After discussion, the Board agreed to hold the meeting of the Trustees on Thursday, July 30, 2009 at 6:30pm. The Board requested that all reports be provided prior to the meeting.

Chairman Wagoner had these additional comments:

(1) As Commissioner Garner had recently brought a copperhead snake to the meeting, Chairman Wagoner, likewise, wanted to warn the public of the increased number of ticks this season. Vice Chairman Wagoner warned that there are typical dog ticks and there are deer ticks. Deer ticks are smaller and carry more dangerous diseases.

(2) Chairman Wagoner had recently visited the 5D site. This was Chairman Wagoner's first visit since the groundbreaking in October 2008. Chairman Wagoner commented that the scale of this project is incredible. Quoting Lenuel Chamberlain, Chairman Wagoner stated, "The reservoir may be a pool of water today, but 40 years from now, it will be a pool of gold." It was noted that the 5D Use Committee will be touring the site at 6:30am on July 14, 2009. Further, Chairman Wagoner reported that even though Haymes Brothers did not need local labor, the local economy was affected none-the-less by fuel purchases, lodging costs, the costs of auto and mechanical parts, and so much more.

(3) Chairman Wagoner reported that he had spoken with Veterans Services Officer, Chuck Knight, regarding the recent resolution requesting veteran status for merchant marines. Mr. Knight advised that Yadkin County has no former merchant marines that would be affected by this resolution. Chairman Wagoner notified Mr. Horton that Yadkin County would not be adopting the requested resolution. Chairman Wagoner gave the Board the opportunity to readdress the issue if desired. It was the consensus of the Board to stand by their previous decision on this matter and take no action.

(4) Chairman Wagoner offered apologies for his absence from the previous budget meeting. Chairman Wagoner explained that there was a scheduling conflict at his place of business.

Chairman Wagoner suggested a recess until Wednesday, June 17, 2009 for further budget discussion. Vice Chairman Austin replied that financial data from the County and the hospital is not yet available and that a meeting on the following Wednesday may not be productive. Vice Chairman Austin suggested that the next budget meeting be held on Monday, June 22, 2009. Chairman Wagoner responded that he was not in favor of perpetuating the inevitability of adopting the budget. Vice Chairman Austin felt that recessing until June 22 would allow the Board to act on the best available information. Chairman Wagoner stated that any financial data provided at this time would be speculation. Current hospital figures extrapolated over the next 10 months would be conjecture on the part of the Board. Chairman Austin suggested that year-to-date County expenses and revenues should offer a clear picture of what to expect in the coming year. Commissioner Wooten agreed that the next budget session should be postponed until Monday, June 22. Commissioner Wooten stated that there were budget issues that could not be resolved by Wednesday, June 17.

Chairman Wagoner made a motion to hold the next budget meeting on Wednesday, June 17, 2009 at 6:30pm. Commissioner Moxley second. It was noted that the County financial data should be available by that date. Vice Chairman Austin expressed serious concerns for the impact on the fund balance. There may be substantially less or substantially more appropriations from fund balance at year-end.

Commissioner Wooten made a substitute motion to hold the next budget meeting on Monday, June 22, 2009 at 6:30pm. Vice Chairman Austin second. Commissioner Garner asked County Manager Kiser which date would be more appropriate for a budget meeting. County Manager Kiser suggested the Board meet on Wednesday, June 17 initially and meet again on Monday, June 22 if needed. Further, County Manager Kiser explained that expenses drawn from fund balance are recorded and budget amendments are completed accordingly. However, additional revenues that contribute to the fund balance are not adjusted until the year-end audit. The true fund balance for 2008-2009

year-end will not be known until the end of the audit process in October. Vice Chairman Austin and Commissioner Wooten both expressed a need for additional information prior to the next budget meeting.

**To accept the substitute motion – Failed with Vote: 2/3
(Garner, Moxley, and Wagoner against)**

Commissioner Wooten made a substitute motion to hold the next budget meeting on Wednesday, June 24, 2009 at 6:30pm. Vice Chairman Austin second. Vice Chairman Austin believes that the Board would be unprepared by June 17 and does not feel it's in the best interest of the Board to meet on that date. Commissioner Moxley suggested that the budget may not be finalized on June 17, but meeting on that date would allow further discussion. Commissioner Wooten stated the Board could meet at 8:30am on June 24 and continue until the budget is adopted. Further, Commissioner Wooten stated that this is a very important budget for the future of Yadkin County. The Board should carefully consider the impact on the citizens. Commissioner Wooten feels that with even more pressure on future budgets, the Board should seriously look at ways to lower costs and manage county operations more efficiently.

Chairman Wagoner asked Commissioner Wooten to confirm the number of years he has been involved in the budget process. Commissioner Wooten stated that this year made his fifth. Chairman Wagoner remarked that after 4 years, if there was any "fat" in the County budget, Commissioner Wooten should have found it by now. Commissioner Wooten replied that he had made suggestions over time that were ignored or not implemented. Chairman Wagoner noted that Commissioner Wooten had only identified \$100,000 in cuts that he felt was waste. Commissioner Wooten remarked that he did not feel that there was one penny of waste in the departments. Commissioner Wooten agreed that there is a legitimate need for County services, but that the taxes being collected in the County are a burden on the citizens. Chairman Wagoner disagreed.

Chairman Wagoner stated that he does not believe that the revaluation process has placed a burden on the taxpayers. A citizen with a home valued at \$250,000 would see a savings of only \$75 per year if the tax rate was decreased by \$0.03. Likewise, a \$0.03 decrease in the tax rate would result in a savings of

\$37 per year on a home valued at \$125,000. The total revenue decrease resulting from a \$0.03 cut would be far more devastating to the County than the current rate is to each individual. Services would have to be cut if the tax rate is decreased.

Chairman Wagoner does not want this Board to lose its vision for Yadkin County. Chairman Wagoner stated that he surely wants Yadkin County to prosper. There are plans for a new water plant in Jonesville. Chairman Wagoner asked how the Board would allocate \$500,000 to that project if the budget is cut. Lowering the tax rate with the 2009-2010 budget would result in additional pressure for the next year's budget. Yadkin County has 2 new middle schools to fund. Chairman Wagoner commended Vice Chairman Austin for his willingness to allocate an additional \$650,000. However, Chairman Wagoner believes that \$895,000 is more appropriate with \$600,000 to replace the general fund and \$295,000 for start-up costs.

Chairman Wagoner noted Vice Chairman Austin's previous comments that the jail project should be postponed until the County could better afford it.

Chairman Wagoner asked at what point would building a jail be any more affordable than now. Chairman Wagoner noted the incredible interest rate. Chairman Wagoner noted that bids from all the contractors were less than projected and that the contractor had graciously extended its bid 4 times.

Chairman Wagoner stated the vision for Yadkin County is prosperity for the County as a whole and not an individual taxpayer and not the vocal minority. Commissioner Wooten remarked that revaluation does not just solely affect a small group, but rather every property owner in Yadkin County.

Commissioner Wooten further added that Yadkin County should postpone the expensive jail project and use these funds to offset budget issues.

Commissioner Wooten remarked that he does not want to cut services.

Commissioner Moxley agreed with Commissioner Wooten that the budget is an important issue that requires serious review. Commissioner Moxley stated he had no problem with meeting on June 17 for further discussion regardless if the budget could be finalized at that time.

**To accept the substitute motion – Failed with Vote: 2/3
(Garner, Moxley, and Wagoner against)**

Clerk Brown read the original motion which remained on the floor:

Chairman Wagoner made a motion to hold the next budget meeting on Wednesday, June 17, 2009 at 6:30pm. Commissioner Moxley second.

Vote: 3/2 (Austin and Wooten against)

Vice Chairman Austin drew attention to page 26 of the agenda packet, the Minutes of June 3, 2009. Vice Chairman Austin asked Attorney Graham if the Chairman's failure to call for the 'no' vote was out of order. Attorney Graham responded that, in this case, the vote was 3/2, constituting a majority of the vote. Failure to vote 'yes' is recorded as a 'no' vote unless otherwise excused.

Attorney Graham had these additional items for discussion.

Attorney Graham reported that the plaintiffs in the jail lawsuit had filed a motion asking Judge Craig to recuse himself from the case. Judge Craig ruled against that motion and did not recuse himself. Judge Craig heard arguments from both sides and took these matters under advisement. The parties will be notified when Judge Craig is ready to announce his ruling.

There have been varying opinions on Judge Craig's earlier order regarding the jail. County Attorney Graham explained that Judge Craig did not order the Board to build a new jail. The seated Board voted, by majority, on a proper motion and second to build a new jail. Judge Craig ordered the Board to fulfill their constitutional duty by complying with the Board's majority vote. Commissioner Wooten remarked that Boards are not held to the decisions of prior Boards. Attorney Graham agreed. Attorney Graham responded that the current Board only has to vote to overturn the previous action. Commissioner Garner suggested that any further jail discussion be postponed until Judge Craig's ruling is received.

Commissioner Wooten made a motion to enter a Closed Session for consultation with attorney per NCGS 143-318.11 (a) (3) and the discussion of a personnel matter per NCGS 143-318.11 (a) (6). Commissioner Garner second.

Vote: 5/0

Commissioner Wooten made a motion to end the Closed Session.

Commissioner Moxley second.

Vote: 5/0

Commissioner Wooten made a motion to recess until Wednesday, June 17, 2009 at 6:30pm in the Commissioners' Meeting Room of the Human Resources Building at 217 East Willow Street in Yadkinville, North Carolina.

Commissioner Moxley second.

Vote: 5/0

Meeting recessed at 10:20pm.

Prepared by Clerk to the Board

Date Approved by the
Yadkin County Board of Commissioners