

YADKIN COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MINUTES

Monday, July 18, 2016

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 Resources Building located at 217 East Willow Street, Yadkinville, NC on July 18, 2016 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, Lisa Hughes; Clerk to the Board, Tanya Gentry; and Christopher Ong, Assistant County Manager.

INVOCATION given by Chairman Austin.

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

PLEDGE OF ALLEGIANCE led Chairman Austin.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

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

Vote: 5/0.

PUBLIC COMMENTS

Steve Taylor addressed the Board. He is not against the proposed East Bend waterline; he believes his neighbors in East Bend need it. He has questions about the easement agreement that he has been asked to sign though. He feels that the number of feet is not specific enough. It says 10 feet past the waterline but that waterline could be placed anywhere along the road at the contractors choice. He was a pesticide inspector for 21.5 years. He spoke of an investigation that he worked on against a major corporate farm where the Judge threw out violations they had sited because of some fine wording in the laws. Seeing something like that happen is the reason he would like some of the wording of the waterline easement agreement changed. The easement talks about a permanent structure. What is a permanent structure though? To him a driveway is a permanent structure. He feels that wording excluding driveways should be put in the easement. He said Davie County has amended their water right of way to define permanent structures to exclude driveways. Nowhere in the Yadkin County easement does anybody take responsibility if an accident happens. Is it the landowners, or the construction company's, or the County's responsibility? Since the landowner is giving up the easement to the County accidents shouldn't be their responsibility. There is a statement that he feels is so broad and vague that it will grant access to go anywhere on the landowners property. There should be a not to exceed footage amount. If it becomes necessary to go beyond that footage then someone has to be responsible for paying damages. The easement doesn't say there will be no assessment fees or forced connections; that is mentioned on some separate pages that were given to the property owners along with the easement. Winston-Salem had said there would be no assessment fee but then they came back four years later and started charging \$12.00 whether you used the waterline or not. He would like the assessment fees and forced connections to be more defined. He said that he appreciates the job that the Commissioners do for the County. He wanted to reiterate that he is in no way against the waterline that East Bend needs. He would just like a few changes made to the easement. He thanked the Board. Chairman Austin thanked him for his comments. He is sure the County Manager and/or the County Attorney will be speaking with him about the easement.

Chairman Austin closed the Public Comments at 7:09pm.

APPROVAL OF MINUTES

The July 5, 2016 Regular and Closed Session Minutes were reviewed. **Commissioner Zachary made a motion to approve both sets of minutes as presented. Vice Chairman Moxley second.**

Vote: 5/0.

REPORTS/REQUESTS OF THE BOARD

There were no reports to the Board.

CONSENT AGENDA

Commissioner Welborn made a motion to approve the Consent Agenda items. Commissioner Hemric second.

Vote: 5/0.

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

Non-Departmental/Carry Forward EnerGov Funding Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Non Departmental – Capital Outlay	1059000-56020	150,000	6,432	156,432
Non Classified – App Fund Balance	1044000-49000	1,940,975	6,432	1,947,407

Funds to be carried forward from FY2016 to FY2017 for the EnerGov Project with Tyler Technologies.

Refund of Tax Payment on Rental of a No-Till Drill

Loretta Shore rented a no-till drill from Soil & Water. She did not initially turn in a copy of her farm tax exemption so the tax was included on her June 16, 2016 invoice. She paid the invoice in full, which included \$61.97 in tax. Soil & Water received a letter from her on July 5, 2016 requesting a refund of the tax payment. She had included a copy of her farm tax exemption with the letter. Soil & Water requested approval from the Board of Commissioners to refund the taxes she had paid. The Board approved refunding Ms. Shore the tax amount of \$61.97.

Tax Adjustments & Refunds for June 2016

The Tax Office submitted the tax adjustments and refunds for the month of June 2016. The Board reviewed the information and approved the presented adjustments and refunds as requested.

Order Tax Collector to Collect Taxes for 2016 & Approve Annual Settlement Report

Per G.S. 105-321(b), the Board of Commissioners is to order the collection of the taxes each year. The Tax Office requested the Board order the collection of taxes and approve the Annual Settlement Report. The Board adopted the Order for the Tax Collector to collect the taxes for 2016 and approved the Annual Settlement Report.

NC Dept. of Agriculture and Consumer Services Contract

Each year, the County enters into a contract with the NC Department of Agriculture and Consumer Services to share the costs for the protection, development, and improvement of forest lands. The State agrees to pay 60% and the County pays the remaining 40%. The County portion of the cost is \$51,225.00. The Board approved the contract.

Advanced Appliance Service Contract

Advanced Appliance Service will provide as needed appliance repair services. The general services contract has a term of five years. The Board approved the contract and authorized the County Manager to sign it.

B&J Farm Supply Contract Amendment

The B & J Farm Supply contract needed to be amended to eliminate the fuel delivery to the sewer generator locations. Nothing changed in the contract other than the removal of “and Sewer Generator locations” from Section A of Exhibit A. The Board approved the contract amendment and authorized the County Manager to sign it.

EMPG Grant Application and MOA

FEMA provides EMPG funding to North Carolina to aid in insuring that the counties meet the Emergency Management, disaster, and preparedness standards set by the State and the Federal Government. EMPG funding is used primarily to offset some of the salaries paid to Emergency Management personnel. Yadkin County has received EMPG funding for more than 11 years. The Board approved the application and EMPG Agreement for FY2017 and authorized the appropriate personnel to sign the documents.

Yadkin County Economic Development Partnership Grant Agreement

The grant agreement between Yadkin County and the Yadkin County Economic Development Partnership (EDP) sets out the requirements for them to receive \$103,000.00 of funding from Yadkin County. They will receive \$44,000.00 for current and future economic development projects. The remaining \$59,000.00 will be used as operational funding and it will be disbursed monthly. The Board approved the grant agreement and authorized the County Manager to sign it.

Highland Mapping Contract

Highland Mapping provides the County with GIS support services. Those services include database maintenance, software upgrade support, either 32 hours of remote work or 3 days of on-site consulting, and emergency support services. The Board approved the contract and authorized the County Manager to sign it.

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

Public Hearing for Economic Development Incentives for Project Gold for B & G Snack Foods, Inc

Bobby Todd addressed the Board. B & G Snack Foods has purchased a pizza product that they are moving the production of here. This will require them to expand their facility and install some new equipment. The estimated capital investment of the project is \$7.6 million with a minimum of 58 new positions being created. B & G Snack Foods will receive up to \$105,000.00 spread over three years, as long as they meet the criteria specified in the Agreement for Economic Development Assistance. Chairman Austin opened the Public Hearing at 7:12pm. No speakers came forward. Chairman Austin closed the Public Hearing at 7:13pm.

Public Hearing to Consider Rezoning of PIN# 582700308206 from RR to RA

Dawn Vallieres addressed the Board. Nick Patella requested his property located at 1032 Hutch Road be rezoned from Residential Restricted (RR) to Rural Agriculture (RA). The parcel is adjacent to land that is zoned as RA. The surrounding land uses are residential and agricultural. The Board reviewed some maps showing the property and the area surrounding it. This property has its own well for water and a septic tank; there is no access to public water and sewer lines. A lot of the RA conditional uses would not be applicable for this property due to limited access to the property. The driveway is 30 feet wide. Chairman Austin opened the Public Hearing at 7:22pm. No speakers came forward. Chairman Austin closed the Public Hearing at 7:23pm.

BOARD ACTION

Rezoning of PIN# 582700308206 from RR to RA

The Planning Board has reviewed the rezoning request and voted to recommend it be done. County Manager Hughes read the Statement of Zoning Consistency. **Commissioner Welborn made a motion to approve the Statement of Zoning Consistency and to rezone PIN# 582700308206, located at 1032 Hutch Road, from Residential Restricted (RR) to Rural Agriculture (RA). Commissioner Zachary second.**

Vote: 5/0.

Agreement for Economic Development Assistance for Project Gold for B & G Snack Foods, Inc

The Public Hearing on this was held earlier tonight. The Board reviewed a draft copy of the agreement. It is still in draft form because B & G Snack Foods has not told Bobby Todd yet who will be signing it on their behalf. They have agreed to the terms and conditions of the agreement so the only change from the draft copy will be the addition of the names of the B & G Snack Foods personnel who will sign it. **Commissioner Hemric made a motion to approve the Agreement for Economic Development Assistance contract with Project Gold, B & G Snack Foods, Inc, pending completion of the contract control form.**

Commissioner Welborn second.

Vote: 5/0.

Resolution Honoring Barry Hennings for his Dedicated Service to the Citizens of Yadkin County

County Manager Hughes read the following resolution honoring Barry Hennings:

**A RESOLUTION HONORING BARRY HENNINGS
FOR HIS DEDICATED SERVICE
TO THE CITIZENS OF YADKIN COUNTY**

WHEREAS, Barry Hennings has served the citizens of Yadkin County as a member of the Planning Board since he was appointed as an alternate member on January 22, 2001; and

WHEREAS, on May 3, 2003 he was appointed as a regular member and soon after became Chairman of the Planning Board; and

WHEREAS, the wisdom, experience and good judgment Barry Hennings consistently displayed while serving on the Planning Board and assisting in guiding land use and development regulation within the County was evident to all who participated in the functions of said Board; and

WHEREAS, citizens play an essential role in local governance by volunteering their time to serve on advisory boards and committees that oversee important County functions; and

WHEREAS, Yadkin County is grateful for those citizens who seek greater involvement in public service by giving of themselves to make their community a better place in which to live and work.

NOW THEREFORE, BE IT RESOLVED the Yadkin County Board of Commissioners does hereby honor and thank Barry Hennings for his dedication to the County and commend him for a job well done in service to Yadkin County's citizens.

ADOPTED, this 18th day of July, 2016.

Commissioner Welborn previously served on the Planning Board with Barry Hennings and he said he enjoyed working with him. Barry Hennings was very knowledgeable. Chairman Austin stated that Barry Hennings went on the Planning Board when zoning in Yadkin County started so he knows it inside and out. Barry Hennings had a hand in assisting with the Zoning Ordinance and the development of the two Land Use Plans. Barry Hennings thanked the Board for the opportunity to serve the County. He said it was a privilege for him. He saw a lot of changes in the years he served on the Planning Board. The County is moving in a good direction. He appreciates that there are public servants, like the Commissioners, who are willing to serve the citizens of Yadkin County. **Commissioner Welborn made a motion to adopt the Resolution Honoring Barry Hennings for his Dedicated Service to the Citizens of Yadkin County. Vice Chairman Moxley second.**

Vote: 5/0.

Revised Environmental Health Fee Schedule

Environmental Health requested some changes to their Fee Schedule. They want to change "Regular Permits" to "Repair Permits". They want to only have one fee for residential permits, instead of having two fees that are dependent upon the number of gallons per day. They want to reduce the residential permit fee to \$125.00. They want to reduce the commercial/industrial permit fee to \$250.00. They want to reduce the two fees as a way of helping encourage citizens and businesses to make repairs as soon as possible. They want to eliminate the property certification fee. They do not perform property certification services so this fee is not needed on the Fee Schedule. **Commissioner Zachary made a motion to adopt the revised Fee Schedule for Environmental Health Services. Vice Chairman Moxley second.**

Vote: 5/0.

Designation of Voting Delegate for NCACC Annual Conference

A voting delegate for the NCACC Conference that is being held August 11 – 14, 2016 needs to be chosen. Vice Chairman Moxley volunteered to be the voting delegate. **Commissioner Zachary made a motion to designate Vice Chairman Moxley as the voting delegate for Yadkin County at the NCACC Annual Conference. Commissioner Welborn second.**

Vote: 5/0.

CALENDAR NOTES

- 1) August 11-14, 2016 – NCACC Annual Conference in Forsyth County.
- 2) August 29, 2016 – Joint Board of Commissioners/Board of Education Meeting at the Yadkin County Agricultural and Educational Building. We will eat at 6:00pm and the meeting will start at 6:30pm.

MANAGER’S REPORTS/BOARD ACTION

East Bend Waterline Easements

We have 33 easements still to go and 10 easements have been signed and are on their way back to the County.

NCDOT Ranking Process

County Manager Hughes gave the Board a copy of the Guidelines for NCDOT Standard Division Project Solicitation and Ranking Process Prioritization that she had pulled from their website. She went over some of the guidelines that determine project rankings for Division 11 and discussed them with the Board. Yadkin County is in Division 11. The Division Engineer is responsible for assigning local input points to regional impact and division needs projects for their area. The Division Engineer uses various criteria to rank the projects. Division 11 puts the most weight, 35% for regional impact highway projects and 40% for division needs highway projects, on cost effectiveness. None of the other divisions’ weights cost effectiveness as high as Division 11 does. The other criteria that are used to weight Division 11 projects is existing congestion, safety score, corridor continuity, shoulder width and lane width. Two criteria that some divisions use that Division 11 does not give any weight to are local support and transportation plan consistency. The Yadkin County Board of Commissioners is asked by the NCDOT to adopt a Comprehensive Transportation Plan. The Commissioners, County staff, and the citizens who come to public meetings to give input on the Comprehensive Transportation Plan, spend time reviewing it, finalizing it, and getting it adopted when transportation plan consistency and local input are not criteria that is being used by our Division to rank our projects. According to the NCDOT’s website each Division Engineer will publish the local input methodology that will be used to assign points to projects and announce a 30 day comment period for the public to provide input on that methodology. The comment period for Division 11 began June 21, 2016 so the public has until July 20, 2016 to comment on the methodology. County Manager Hughes encouraged anyone who would like to make comments to please go to the NCDOT’s website where the guidelines can be reviewed and public input provided.

MANAGER’S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED

Funds Transfers

Department	Purpose
Information Technology Non Dept-Technology Capital (600) Non Dept-Software Contracts 600	Transfer of funds to cover Farragut support costs.
Non-Departmental Non Dept- Prof Svcs Cty Attorney (100) Non Dept-Vehicle Maintenance 100	Transfer of funds to cover additional costs for vehicle maintenance.

ePlus Contract

ePlus will provide Cisco Smartnet support services.

Hugh Chatham Memorial Hospital Contract

Hugh Chatham will provide Yadkin County Medical Clinic clients/patients with chest and spinal x-rays that meet the standards of the State TB Program.

Lyndhurst Contract

Lyndhurst will provide gynecological services for Yadkin County Medical Clinic clients/patients.

Property Maintenance Specialty Contract

Property Maintenance Specialty will provide some flooring services for the Yadkin County Agricultural and Educational Building.

BOARD VACANCIES/APPOINTMENTS

Reappointments to Richmond Hill Law School Commission

The Richmond Hill Law School Commission requested that Eugene Brown, Danny Royall, and Barry Crissman be reappointed to serve another term. **Vice Chairman Moxley made a motion to reappoint Eugene Brown, Danny Royall, and Barry Crissman to the Richmond Hill Law School Commission. Commissioner Zachary second.**

Vote: 5/0.

Appointments to JCPC Board

The JCPC has asked that Jeffery Eads, of Partners Behavioral Health, be appointed to replace Stephanie Funderburk, of Partners Behavioral Health. Monta Davis Oliver is now serving as the Chairman of the Yadkin County United Fund so the JCPC requested that she be appointed to replace Dottie Jackson, who has moved into a part-time position with the United Fund. **Commissioner Zachary made a motion to appoint Jeffery Eads and Monta Davis-Oliver to the JCPC Board. Commissioner Hemric second.**

Vote: 5/0.

COMMISSIONER COMMENTS

Commissioner Welborn said it was good to see everybody who came. He thanked all those who spoke tonight. He thanked Barry Hennings for all that he did for the County. He appreciated getting to work with Barry Hennings on the Planning Board. He attended a Farm Bureau event on Saturday. He enjoyed it. The meal was good.

Commissioner Zachary thanked everybody for being here tonight. He thanked Steve Taylor for coming and for his comments. He has known Steve Taylor for a long time. He thanked Bobby Todd and Dawn Vallieres for their presentations. He expressed his gratitude to Barry Hennings for the years of service he has given to Yadkin County. He is glad that Barry Hennings was recognized tonight.

Vice Chairman Moxley thanked everyone for coming out tonight. He went on a tour of the O2 EMC solar farm. The company who owns it is unique. They purchased the property instead of leasing it so it is a long term investment for them. They are real conscientious about using North Carolina contractors, banks, etc. They want to use as many local vendors as possible. They are partnering with a farmer to use his sheep to eat the grass instead of having to mow around the solar panels. He enjoyed going on the tour and learning about the solar farm. He appreciated Steve Taylor coming in. He knows he and his family have properties along the waterline route. He believes the County can work with him on the easements. He congratulated Barry Hennings on his award. The County really appreciates all the years of service and help that Barry Hennings has provided. Barry Hennings has been a great help as a consultant on some of the County's construction projects. He thanked Dawn Vallieres for her presentation. He mentioned that his wife brought to his attention some comments being made on FaceBook about the painting of the Courthouse. Most of the comments are positive but there were a few complaints about painting the brick. They are saying that painted brick will need more maintenance from now on to keep it looking nice, compared to the relatively no maintenance that is needed for unpainted brick. The Board carefully considered all the options before choosing to paint the Courthouse and painting the bricks was the best option. He thinks once all the painting is finished the public will be pleased with the look of the Courthouse.

Commissioner Hemric thanked everyone for coming out. He thanked Dawn Vallieres and Bobby Todd for their presentations. He thanked Barry Hennings for his years of service for the County. He really appreciates all that Barry Hennings has done for the County. He has had a few people make comments to him about the painting of the Courthouse. He thinks when the painting is finished the public will like it.

Chairman Austin said he echoed the comments made by the other Commissioners. He thanked the staff for all their work. He is hearing more positive comments about the painting of the Courthouse than negative ones. People are starting to see enough to understand what it will look like when it is finished. He looks forward to doing other things in the future that will help to beautify that area. He, Commissioner Hemric, and Commissioner Welborn attended the Farm Bureau event that was held in the new space. It was a really nice event. The equipment worked well. The sound system needs to be turned up a little bit but it won't be too hard to get that dialed in. He thanked Barry Hennings and the whole Hennings family for all that they have done for Yadkin County through the years.

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 and Pursuant to NCGS 131E-97.3 to discuss Confidential Competitive Health Care Information. Commissioner Welborn 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 increase Clerk to the Board Tanya Gentry's annual salary to \$47,577.00, effective July 1, 2016. Commissioner Zachary second.**

Vote: 5/0.

Commissioner Welborn made a motion to increase County Attorney Ed Powell's rate of pay to \$115,000.00 per year, effective July 1, 2016, and to pay him a \$5,000.00 bonus at the next check cutting. Commissioner Hemric second.

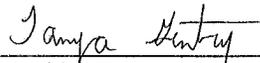
Vote: 5/0.

Commissioner Zachary made a motion to increase County Manager Lisa Hughes' pay to \$96,000.00 per year plus \$6,000.00 travel, effective July 1, 2016, and to pay her a \$2,500.00 bonus at the next check cutting. Commissioner Welborn second.

Vote: 5/0.

Commissioner Zachary made a motion to adjourn. Vice Chairman Moxley second.

Vote: 5/0.



Prepared by Tanya Gentry
Clerk to the Board



David Moxley, Vice Chairman
Yadkin County Board of Commissioners

8 / 1 / 1 / 6

Date approved by the
Yadkin County Board of Commissioners