

**YADKIN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MINUTES
Monday, June 6, 2011**

The Yadkin County Board of Commissioners met in Regular Session on Monday, June 6, 2011, in the Yadkin County Human Services Building (Commissioners' Meeting Room), 217 East Willow Street, Yadkinville, NC.

Present were:

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

Staff present: Interim County Attorney, Bobby Sullivan; County Manager, Aaron Church; Assistant 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 9:03am.

PLEDGE OF ALLEGIANCE led by Chairman Austin.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

Consent Agenda Items 12, 13, 14, and 15 were removed from the Agenda. **Commissioner Hemric made a motion to adopt the agenda with the noted changes. Commissioner Welborn second.**

Vote: 5/0.

PUBLIC COMMENTS

- 1) None.

Chairman Austin closed the Public Comments portion at 9:06pm.

APPROVAL OF MINUTES

On page 4, in item number 2, the "Old Americans Act" should be the "Older Americans Act". On page 3, in the third line from the bottom, "highly off" should be "highly of". **Vice Chairman Zachary made a motion to approve the minutes with the noted changes. Commissioner Welborn second.**

Vote: 5/0.

REPORTS/REQUESTS OF THE BOARD

- 1) Parks and Recreation Proposals.
 - a. WK Dickson. Joel Moulin addressed the Board. A critical issue for Yadkin County to consider while selecting a firm is to choose the firm that will position the County to secure grant funding from multiple sources, not just PARTF. WK Dickson has successfully obtained non-traditional recreation grant money in addition to PARTF money. They understand the importance of public participation. They will take into consideration the size and complexity of the County. They use surveys, focus groups, and map workshops to solicit public opinion. They like to do map workshops in conjunction with a public event that draws people. He stated the quality of the Parks

Master Plan is directly proportional to the County's ability to secure funding. The fees were provided as if they were three separate projects. If the County chooses them to perform one of the projects, then the fee quoted for that single project is good. If the County chooses them to perform more than one of the projects then economy of scale can be discussed and the cost of the bundled projects could be less than if they were done separately. He stated they are currently working with the County on the 5-D access road project so they are familiar with Yadkin County and with the 5-D site in particular. They would love the opportunity to move forward with these park sites. He said that Yadkin County has some outstanding natural resources.

- b. Site Solutions. Derek Williams addressed the Board. They are a 23 member firm out of Charlotte, NC. They won the NCASLA Firm Award in 2009. They have worked all over North Carolina. They have a team that is dedicated to parks and recreation projects. They have done work in areas that have small populations and in areas that have large populations so they have experience with creating plans that fit the needs of any size area. They have created plans with active recreation, passive recreation, and civic activities. Derek Williams would be the project manager and he has 35 years of experience with parks and landscape architecture. The planning approach they have setup is geared toward the PARTF application; it is designed to maximize the point system used in the PARTF grant. They will conduct public workshops in 4 parts of the County to get public input. They can also do surveys and focus interviews. They can utilize social media, such as websites, to send and receive information. Once the needed information has been collected, they can form a plan of action to address all of the things asked for in the RFP/RFQ. It will look at park operations, program assessments, and possible joint use agreements and partnerships. It will take approximately 6 to 8 months to complete the plan. They will work with the County to shorten the timeframe if necessary to apply for a 2012 PARTF grant.
 - c. HadenStanziale. Jon Wood addressed the Board. He would be the project manager. They have experience working with local governments who are doing their first System-wide Master Parks Plan. They will inventory all of the forms of recreation that are currently available. They will meet with Yadkin County citizens and the citizens of neighboring counties to get their opinions. They will look at what kind of role the County will play in recreation. Will the County be a sole provider or will it enter into any joint use agreements or partnerships? When they have gathered the necessary information to recommend locations and programs, they will also recommend how to get them going, how to staff them, how to operate them, and how to fund them. They have experience doing parks and recreation plans alongside major bodies of water. For the 5-D site specific plan, they will do a site analysis and look at the existing land features and access points. Sites like the 5-D one tend to be more for passive recreation like trails and picnic areas. There could potentially be camping and water based activities such as canoeing, kayaking, and fishing. Educational trails can be created. The current Yadkin County Park provides both active and passive types of recreation. The Park would need to be assessed to see what needs to be improved on. All of their recommendations for the projects will be in a phased format, listed from top priority to low priority, and they will be categorized into immediate, near, and long term needs. Their plan will allow implementation to be done over time so the cost can be spread out over 10 to 15 years. They have experience with PARTF but other sources of funding can be pursued. They listen to their clients and the public. They remain in contact with their clients.
- 2) Ware Bonsall Final Report on the Jail Study. Glenn Ware addressed the Board. The process began approximately 3 months ago. Ware Bonsall held two public workshops in the course of their study. One workshop focused on the impacts of the court system and the other focused on the site selection process. They found there was a significant increase in the average length of stay in jail due to backups in the Court System. The Pre-trial Release Program works very well for Yadkin County and should be maintained; it has saved the County approximately \$3 million.

The projected number of beds that will be needed in 10 years is 96. They looked at the existing jail and determined it is in relatively good condition for its age. Ware Bonsall recommended development Option 2, adding a 72 bed expansion on to the existing jail. The construction would be done on Site 1, the County owned property that is adjacent to the existing jail. The next steps are to approve a development option and site, approve a contract to begin the design phase, obtain the necessary permits and approvals from local and State agencies, bid and award a construction contract, do the construction, and transition into the new building.

- 3) WN Ireland Quarterly Report. Mark Brandon addressed the Board. He has been having monthly meetings with Lisa Hughes. One area of focus for them is the 5-D Project. Mark Brandon is not sure the \$3 million umbrella policy for 5-D is enough. The current policy costs \$11,526.00. If the policy is increased to \$5 million the cost would be \$20,281.00 and if the policy is increased to \$10 million the cost would be \$24,144.00. He is currently auditing the Certificate of Liability's that are required for our contracts. An inventory has been done for County property and vehicles. WN Ireland's contract is up for renewal July 1, 2011 and their new premium is slightly less than this year's. Mark Brandon was asked to check with FEMA on what they would do if something catastrophic happened on the 5-D site.
- 4) Atlas Engineering Report. Kelli Wilcox addressed the Board. Owens Roofing is the company that is replacing the Courthouse roof. If the weather permits, the Courthouse roof membrane will be completed on all four areas of the roof this week. Three of the areas are already completed. Detail work still has to be done. Atlas Engineering is pleased with the work Owens Roofing is doing. There have been a few minor leaks during the replacement process. The unit rates have not had to be used and any money left for that will be returned to the County at the end of the project. After the roof drains had been snaked and vacuumed there were still some reports of backup issues with the last heavy rains that came through the area. Atlas Engineering will ask Owens Roofing to contact a plumbing company to get a cost estimate on investigating the cause of the roof drain backup issue. The County Manager will be kept updated on what is happening with that.

CONSENT AGENDA

Items 12, 13, 14, and 15 were removed from the Consent Agenda. **Commissioner Welborn made a motion to approve the consent agenda with noted changes. Commissioner Hemric second.**

Chairman Austin stated the items were removed from the Consent Agenda for further review due to some issues with the CDBG Administrative Services. **Vote: 5/0.**

- 1) Budget Amendments for DSS Client Services.
- 2) Budget Amendment for Tax Administration Advertising.
- 3) Budget Amendment to Reconcile E-911 Fund.
- 4) Budget Amendment for Retiree Insurance.
- 5) Budget Amendment for Dental Clinic.
- 6) Approve Yadkinville Downtown Business Association Fireworks Display Permit.
- 7) Approve Payment of Invoices for LifeGas, the Oxygen Supplier for EMS.
- 8) Reappoint Deborah Pilson to the Yadkin County Nursing Home-Adult Care Home Community Advisory Committee.
- 9) Approve Recommendations for Allocating Home and Community Care Block Grant Funds.
- 10) Approve Yadkin County JCPC Funding Plan.
- 11) Authorize Transition of Fuel Card Program to Wright Express.
- 12) Removed from Agenda.
- 13) Removed from Agenda.
- 14) Removed from Agenda.
- 15) Removed from Agenda.
- 16) Approve Contract with Triangle Fence Co. for Tennis Court Repairs.
- 17) Approve Contract with Todd Brothers Plumbing for Backflow Testing.
- 18) Approve Contract with CivicPlus for County Website.

- 19) Approve Contract with Robert Segal, CPA PA for Consulting Services.
- 20) Renew Contract with Brad Goodman Solutions LLC for EMS Scheduling Software.
- 21) Review Contract for Workers Compensation for FY2012.
- 22) Review Agreements for Insurance Providers for FY2012.
- 23) Authorize County Manager to Sign Water System Management Plan for Courtney-Huntsville Water System.
- 24) Approve Contract with ADC for Construction of the Courtney-Huntsville Area Water Infrastructure Improvements Project.
- 25) Authorize County Manager to Approve Individual Vanguard Temporary Staff Contracts and Approve Temporary Social Worker Contract.

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

- 1) Set a Public Hearing on June 20, 2011 at 7:00pm to Hear Comments Regarding the Proposed Adoption of the Updated Yadkin County Land Use Plan. Christopher Ong stated that a Public Hearing was not required by Statute but it would be good practice to hear public input on the matter. The plan could potentially be adopted that night after the Public Hearing. **Commissioner Moxley made a motion to set a Public Hearing for June 20, 2011 at 7pm to hear comments regarding the proposed adoption of the updated Yadkin County Land Use Plan. Vice Chairman Zachary second.**
Vote: 5/0.

BOARD ACTION

- 1) Resolution for the Sergeant Mickey Gray Hutchens Memorial Bridge. A Public Hearing was held at the last Board meeting to allow for public input. Chairman Austin read the resolution. The resolution reads as follows:

A RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS FOR THE SERGEANT MICKEY GRAY HUTCHENS MEMORIAL BRIDGE

WHEREAS, the Winston-Salem Police Department is charged with protecting the rights and lives of the public; and

WHEREAS, in fulfilling the numerous services and responsibilities of the Winston-Salem Police Department, many courageous and noble Police Officers have made the ultimate sacrifice in giving their lives while in the line of duty; and

WHEREAS, the North Carolina Board of Transportation has allowed bridges throughout North Carolina to be named after fallen law enforcement officers as a fitting and proper way to honor them; and

WHEREAS, Sergeant Mickey Hutchens was raised in Yadkin County; was a graduate of Forbush High School; was a deacon at Forbush Baptist Church in Yadkinville, NC; and was an outstanding citizen of Yadkin County; and

WHEREAS, on October 7, 2009, Sergeant Mickey Hutchens was fatally wounded in the line of duty while protecting the citizens of Forsyth County; and

WHEREAS, after 27 years of dedicated service to the Winston-Salem Police Department, on October 12, 2009, Sergeant Mickey Hutchens passed away from his injuries; and

WHEREAS, the Yadkin County Board of Commissioners desires to dedicate the bridge located over the Yadkin River on U.S. 421 in honor of Sergeant Mickey Hutchens; and

WHEREAS, Beth Hutchens, the wife of Sergeant Mickey Hutchens, stated in her request to the Yadkin County Board of Commissioners the reason that this bridge was chosen by the family was because “it links the counties that were most important for him during his life”.

NOW THEREFORE, BE IT RESOLVED, that the Yadkin County Board of Commissioners respectfully asks the North Carolina Board of Transportation to name the bridge after Sergeant Mickey Hutchens as a way to signify and memorialize his contributions to Yadkin County and the State of North Carolina.

BE IT FURTHER RESOLVED that upon said designation, the North Carolina Department of Transportation erect the proper signage to read as the “Sergeant Mickey Gray Hutchens Memorial Bridge” to notify the general public about this important dedication.

Adopted on this the 6th day of June, 2011.

Vice Chairman Zachary stated it was his honor and privilege to make a motion to adopt the resolution to name the Yadkin River Bridge the Sergeant Mickey Gray Hutchens Memorial Bridge. Commissioner Moxley second.

Vote: 5/0.

- 2) Budget Amendment to Appropriate E-911 Funds for Expenditure. Counties may currently use up to 50% of the E-911 Fund for Public Safety purchases. The Sheriff’s Office has one vehicle in the FY11-12 budget the Board adopted but using the E-911 money will allow them to purchase more vehicles. This budget amendment also includes approximately \$45,000.00 to be used to upgrade the Carolina Recording system that is used to record 911 calls. **Commissioner Moxley made a motion to approve the budget amendment to use E-911 money to purchase 5 vehicles for the Sheriff’s Office and upgrade the Carolina Recording system. Vice Chairman Zachary second.**

Vote: 5/0. Assistant County Manager/Finance Officer Hughes requested the vehicles be purchased off of a State contract. The consensus of the Board was to purchase the vehicles through the State contract. The vehicles are 2011 Ford Crown Vic’s.

- 3) Approve Capital Projects Ordinance for Asbury Church Road Water System Improvements. These water system improvements should correct the water issue that Billy Waddel, of Boonville, spoke about in the Public Comments section of the May 16, 2011 Board of Commissioners Meeting. The County is waiting on the State to go out to bid. The Capital Projects Ordinance amount would be \$380,000.00. The money would come from the General Fund. **Commissioner Welborn made a motion to adopt the Asbury Church Road Water System Improvements’ Capital Project Ordinance and approve the budget amendment transferring the funding from the General Fund to the Capital Projects Fund. Commissioner Hemric second.**

Vote: 5/0.

CALENDAR NOTES

- 1) June 16, 2011 - Performance Appraisal Training from 10:00am to 12:00pm in the Board of Commissioners Room.
- 2) June 23, 2011 - Performance Appraisal Training from 10:00am to 12:00pm in the Board of Commissioners Room.
- 3) July 21, 2011 - Performance Appraisal Training from 10:00am to 12:00pm in the Board of Commissioners Room.
- 4) August 4, 2011 - Performance Appraisal Training from 10:00am to 12:00pm in the Board of Commissioners Room.
- 5) August 11, 2011 - Performance Appraisal Training from 10:00am to 12:00pm in the Board of Commissioners Room.
- 6) August 18, 2011 - Performance Appraisal Training from 10:00am to 12:00pm in the Board of Commissioners Room.

Vice Chairman Zachary made a motion to extend the meeting to 12:00pm. Commissioner Moxley second.

Vote: 5/0.

RECESS

10:45am to 11:00am.

MANAGER'S REPORTS/BOARD ACTION

- 1) Ware Bonsall Contract. The total proposed cost of development option 2 is approximately \$5,840,000.00. A part of that cost is for design services. If the construction documents are not ready for bid by December 1, 2011 Ware Bonsall's fee for design services will be \$400,000.00 but if they are ready by then the fee will be \$443,000.00. These are flat fees. The contract can be terminated for any reason with 7 days notice. The County Manager needs to send Ware Bonsall a letter stating why they are exempt from the Mini Brooks Act. Ware Bonsall should be exempt from the RFP/RFQ process because they have already been through the RFP/RFQ process when they were chosen to perform the Jail Needs Assessment Study; their work was efficient and diligent on the study and it gave them knowledge of our existing jail and the site the addition will be built on; and they have the required qualifications and licenses needed to move forward with the jail project. **Vice Chairman Zachary made a motion to designate Site 1, the property adjacent to the current jail, as the site for this project and proceed with development Option 2, the 72 bed addition. Commissioner Welborn second.**

Vote: 5/0.

Vice Chairman Zachary made a motion to exempt this jail project from the Mini Brooks Act because Ware Bonsall has already been through the RFP/RFQ process and was selected to perform the Jail Assessment Study; based on their efficient and diligent work on the Assessment Study, their qualifications, and their licenses the Board made the determination that they are qualified to move forward on this project; and for other reasons set forth by the County Manager which Vice Chairman Zachary would like incorporated by reference. Commissioner Hemric second.

Vote: 5/0.

Commissioner Welborn made a motion to authorize the County Manager to sign the Ware Bonsall Contract with the noted fee changes pending County Attorney approval. Commissioner Hemric second.

Vote: 5/0.

- 2) Consolidating Physical Space. The plan to consolidate physical space will move the departments closer together, reduce individual office space, and provide more conference/meeting space. There will be a person at each entrance to welcome citizens. It will make Yadkin County offices more customer service oriented and business like. The County will not have to pay rent for Healthy Carolinians when they move into the Planning Building. The cost of consolidating the space is estimated to be less than \$5,000.00. Currently, Gary Hayes estimates the cost at approximately \$1,500.00. Community Service Workers will assist in the moving process.

MANAGER'S BUDGET AMENDMENTS / NO ACTION REQUIRED

- 1) Elder Services (\$317.00).
- 2) Register of Deeds (\$600.00).
- 3) Fire Marshal (\$11.00).
- 4) Administration (\$700.00).
- 5) Finance (\$200.00).

BOARD VACANCIES:

- 1) Department of Social Services has 1 Vacancy. (Romie Flynn's Term is ending and he cannot serve again.)
- 2) Nursing Home - Adult Care Home Community Advisory Committee has 2 Vacancies.

- 3) Region 1 Aging Advisory Council has 1 Vacancy.
- 4) Criminal Justice Partnership Advisory Board has 1 Vacancy.

COMMISSIONER COMMENTS

Commissioner Hemric thanked everyone for coming. He thanked the people who gave presentations. He stated he was proud to be a part of making the Sergeant Mickey Gray Hutchens Memorial Bridge a reality.

Commissioner Welborn appreciated everyone coming out today. He stated he was glad to get the jail project started.

Vice Chairman Zachary thanked all of the people for attending this morning. He stated Yadkin County has made progress on some things. The Parks and Recreation proposals were talked about today. We have some real opportunities to improve recreation in Yadkin County. When 5-D gets going it will be really nice and he thinks it will be a benefit to the people of Yadkin County for many years to come. He wants the citizens to know the Board is trying to make decisions on the jail in a deliberate and thoughtful manner.

Commissioner Moxley stated he echoed the other Commissioners comments. He thanked everyone for coming. He commended the County employees who came together and worked on the Consolidation Plan. There is a County-wide Recreation Plan and there is a 5-D Site Specific Plan. He has seen the aerial photos of the 5-D site and there is a lot of space there that can be utilized for campgrounds, fishing areas, and docks for canoeing and kayaking. He believes the 5-D site offers something to look forward to for recreation. We are moving ahead with the jail project. He is looking forward to the completion of some of these projects.

Chairman Austin stated the Park Study will be huge for us. Yadkin County needs direction and guidance on its parks and recreation. This study will help the Board assess what the Yadkin County citizens want for recreation. This Board is committed to this project. In the upcoming fiscal year, \$100,000.00 has been designated for park improvements. We want to keep moving forward and improving the quality of life for the people of Yadkin County.

Interim County Attorney Sullivan had no comment.

Chairman Austin made a motion to go into Closed Session pursuant to (1)(3)(4)(5)(6) NCGS 143-318.11(a) in order to discuss Location or Expansion of Industries or other Businesses in the County, to Establish or Instruct the County Staff on the County's Position Regarding Real Estate Transactions and/or Employment Contracts, to Consider Personnel Matters and to Protect Personnel Information that is Confidential under NCGS 153A-98 and to have a Privileged Consultation with the County Attorney. Commissioner Moxley second.
Vote: 5/0.

After a motion to come out of Closed Session was made, **Commissioner Hemric made a motion to extend the meeting. Commissioner Welborn second.**
Vote: 5/0.

Vice Chairman Zachary made a motion to go into Closed Session pursuant to (1)(3)(4)(5)(6) NCGS 143-318.11(a) in order to discuss Location or Expansion of Industries or other Businesses in the County, to Establish or Instruct the County Staff on the County's Position Regarding Real Estate Transactions and/or Employment Contracts, to Consider Personnel Matters and to Protect Personnel Information that is Confidential under NCGS 153A-98 and to have a Privileged Consultation with the County Attorney. Commissioner Welborn second.
Vote: 5/0.

After a motion to come out of Closed Session was made, **Commissioner Moxley made a motion to authorize the County Manager to pay a stipend of \$417.00 a month to the Soil and Water Director to help the County Manager, Manager of the Park, out of the Parks and Recreation Salary line item. Commissioner Hemric second.**

Vote: 5/0.

Commissioner Moxley made a motion to reclassify the Parks Superintendent position to a Recreation Assistant position and to reduce the pay of the employee currently in the position to be similar to what the other Recreation Assistants are paid. Vice Chairman Zachary second.

Vote: 5/0.

Commissioner Welborn made a motion to authorize the County Manager to enter into a contract with Dixon Hughes, with County Attorney approval, not to exceed \$5,000.00. Vice Chairman Zachary second.

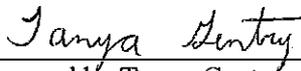
Vote: 5/0.

Commissioner Welborn made a motion to authorize the County Manager to purchase the Janice Post property located near 5-D for \$28,000.00 plus Closing Costs and authorized a budget amendment transferring \$30,000.00 from Mitigation to Land Purchase within the 5-D Capital Projects Fund. Commissioner Moxley second.

Vote: 5/0.

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

Vote: 5/0.



Prepared by Tanya Gentry
Deputy Clerk to the Board



Kevin Austin, Chairman
Yadkin County Board of
Commissioners

6/20/2011

Date approved by the Yadkin County Board of Commissioners