

**YADKIN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MINUTES
Tuesday, January 17, 2012**

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 Tuesday, January 17, 2012 at 7:00pm.

Present were:

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

Staff present: 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 6:55pm.

PLEDGE OF ALLEGIANCE led by Jonesville Elementary School's 1st Grade students, Cole Nixon, Olivia Ray, Layken Mathis, Holden Wagoner, Kason Welborn, and Reagann Love.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

Commissioner Hemric made a motion to adopt the Agenda. Commissioner Moxley second.

Vote: 5/0.

PUBLIC COMMENTS

None.

Chairman Austin closed the Public Comments portion at 7:01pm.

APPROVAL OF MINUTES

The January 3, 2012 minutes were up for Board approval. **Vice Chairman Zachary made a motion to approve the minutes. Commissioner Welborn second.**

Vote: 5/0.

REPORTS/REQUESTS OF THE BOARD

Holcomb Creosote Site Report

EPA representatives presented information on the Holcomb Creosote Company site. The company located at 5016 US HWY 601 is a creosote wood treating company that operated from 1951 to 2009. On January 20, 2011, the EPA conducted a Removal Site Evaluation of the location and found contamination. Also, the site did not have any fencing so there was unrestricted access to the grounds. The EPA initiated an emergency response action to mitigate the ongoing release of hazardous substances into the environment. Once the site was stabilized, the removal program began. Further assistance is needed because the removal program was not able to address all of the issues of concern. The human food chain could be at risk due to things like people fishing in possibly contaminated water. Contaminated

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subsurface soils could continue to release hazardous substances into the ground water. Contaminated ground water may be releasing into tributary surface waters, wetlands, and Dobbins Mill Pond. A private well survey will be done to help determine if there are any nearby private wells affected. The Site could be proposed to go on the National Priorities List as early as the spring of 2012. More information can be found at www.epaosc.org/HolcombCreosote and at the library in Yadkinville, NC.

CONSENT AGENDA

Commissioner Moxley made a motion to approve the Consent Agenda. Vice Chairman Zachary second.

Vote: 5/0.

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

Administration Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Travel/Training	1054120-54010	3,500	(1,000)	2,500
Travel-Manager	1054120-54014	3,000	1,000	4,000

To increase Manager's Travel budget.

Health Dept. BCCCP Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
BCCCP	104515144183	10,467	2,550	13,017
BCCCP Contract Serv.	105515151700	6,739	2,000	8,739
BCCCP Supplies	105515152010	1,000	550	978

Additional State BCCCP funds to provide Mammogram services for uninsured/underinsured residents.

Health Dept. Fuel Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Vehicle Maintenance	105511053040	10,200	(4,000)	6,200
Fuel	105511052350	0	4,000	4,000

Funds moved from Vehicle Maintenance to the new Fuel line item to help with the tracking of fuel costs.

Health Dept. WIC Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
WIC Breastfeeding Salary	105516851010	17,901	(12,000)	5,901
WIC Breastfeeding SS	105516851300	1,110	(800)	248
WIC Breastfeeding Medicare	105516851310	270	(200)	70
WIC Breastfeeding Retirement	105516851330	1,232	(1,100)	150

WIC Breastfeeding Insurance	105516851350	3,864	(1,165)	2,699
WIC PC Salary	105517051010	4,497	12,000	16,497
WIC PC SS	105517051300	290	800	1,090
WIC PC Medicare	105517051310	65	200	265
WIC PC Retirement	105517051330	314	1,100	1,414
WIC PC Insurance	105517051350	1,104	1,165	2,269

Funds moved from Breastfeeding Promotion line items to Peer Counselor line items due to accurate time recording of hours worked resulting in more funds being needed for Peer Counselor.

2010 Economic Recovery CDBG Project Budget Ordinance

Yadkin County received a \$100,000.00 grant from the NC Department of Commerce's Division of Community Investment Assistance for emergency repairs to 8 homes. Administration costs of \$10,000.00 are included in the grant amount. The adoption of the project budget ordinance is required before the funds can be obligated.

[The Budget Ordinance is attached as Appendix A.]

Fair Housing Plan Required by CDBG

The Fair Housing Plan sets some activities the Grant Administrator will perform to foster and support fair housing in the County.

Fair Housing Resolution for CDBG

One of the activities in the Fair Housing Plan is the adoption of the Fair Housing Resolution. The resolution states there shall not be discrimination and designates that the County Manager, or his designate, is the person authorized to receive and document complaints regarding housing discrimination.

[The Fair Housing Resolution is attached as Appendix B.]

Subordination Policy Resolution for CDBG

The Subordination Policy Resolution sets acceptable standards for subordination of the CDBG loan should a previous beneficiary want to secure refinancing of an existing or pre-existing non-CDBG loan.

[The Subordination Policy Resolution is attached as Appendix C.]

Certifications Form for 2010 Economic Recovery CDBG Project 10-C-2160

The Certifications Form states that no properties located within the flood plain will be assisted without obtaining flood insurance; an experienced administrator will be used to manage the County's 2010 Scattered Site Emergency Repair Grant; and that Yadkin County will submit quarterly status reports.

Yadkin County NC Economic Recovery Program Housing Grant Resolution

The Yadkin County NC Economic Recovery Program Housing Grant Resolution states the Board of Commissioners adopts the Community Development Program policies, procedures, and plans. The documents it adopts are the Fair Housing Complaint Procedure; the Equal Employment Opportunity and Procurement Plan; the Procurement Policy; the Section 3 Local Economic Benefit for Low and Very Low Income Persons Plan; the Residential Anti-Displacement and Relocation Plan; the Citizens Participation Plan; the Citizens Participation Procedure for Complaints; the Code of Conduct; and the 504 Grievance Procedure.

[The NC Economic Recovery Program Housing Grant Resolution is attached as Appendix D.]

Contract with Clark Planning and Associates

The contract is for Bob Clark, of Clark Planning and Associates, to act as the Interim Director of the Services and Development Department and assist the County as stated in the contract.

Contract with Time Warner

Time Warner provides the County with internet connectivity services and provides public IP addresses that are used for web hosting.

Unfreeze Social Worker II Position

DSS has a Social Worker who is retiring at the end of February. They requested the Board authorize DSS to recruit and hire a Social Worker II to begin work on, or after, February 22, 2012.

Unfreeze Health Dept. Processing Assistant IV Position

The Health Department had a Processing Assistant IV person resign. They requested the Board unfreeze the position and authorize the position to be advertised and filled.

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

Public Hearing for Zoning Map Amendment for PIN 582701179935 from RR to RA District

Bob Clark addressed the Board. The petitioner is Clayton Homes and the owner of the property is Margaret Blake. A doublewide manufactured home was installed on the Blake property to replace her house that was destroyed by fire. After the installation, it was discovered that the doublewide straddled two of her parcels and crossed a dividing line between the Restricted Residential and Rural Agriculture zoning districts. Her two parcels have been combined into one tract of land and the private deed restrictions have been removed from her property. To allow the doublewide to remain where it is according to the zoning ordinance, approximately 0.49 acres will need to be rezoned. If the Board does not approve the rezoning, Clayton Homes will move the doublewide to another part of Ms. Blake's property. All of the required notices have been done. The Planning Board recommends approving the request. Chairman Austin opened the Public Hearing at 7:34pm.

Scott Smith, a site coordinator for Clayton Homes, came forward to speak. He stated the information given to Clayton Homes showed the property as one tract of land and didn't show the dividing line between the zoning districts. They were able to pass inspections and obtain the permits needed to install the doublewide. The issue of zoning was not caught until the final inspection. Ms. Blake was given a limited certificate of occupancy so she could live in the home until the issue was heard and voted on by the Board of Commissioners.

No others came forward to speak. Chairman Austin closed the Public Hearing at 7:37pm. Chairman Austin read the Statement of Zoning Consistency. **Commissioner Welborn made a motion to approve the Statement of Zoning Consistency and to approve the zoning map amendment for PIN # 582701179935 from RR to RA. Commissioner Hemric second.**

Vote: 5/0.

Public Hearing to Amend 09-C-2012 CDBG Scattered Site Project for Capacity Building

Bob Clark and Stacy Smith addressed the Board. The County is eligible for a \$600,000.00 grant for capacity building through a pilot program. The grant funds would come from the NC Department of Commerce. The CDBG Scattered Site project would need to be amended to include the Capacity Building funds and activities. In 2009 the Community Investment and Assistance Division launched Phase 1 of 3 of a state-wide Community Capacity Building Program. This program allowed low-resource communities in Eastern North Carolina access to community development resources. Phase 2 will

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expand Phase 1 by putting a pilot program in place in each region of the State and will offer more resources to more communities, particularly those impacting infrastructure, housing, and job creation. In partnership with the North Carolina Sustainability Center, a nonprofit organization, Phase 2 will work with communities throughout the four lead counties of Yadkin, Buncombe, Orange, and Edgecombe. The program will focus on three primary areas: Education, Technology, and Services. Phase 3 will be opening the Community Capacity Building Program up to the rest of the State. The goal is to make every community across the State, regardless of size, more competitive and more successful. Ideally, the Department of Commerce would like the contract with the NC Sustainability Center to be completed and everything put in place for the grant by mid-February. Chairman Austin opened the Public Hearing at 7:58pm. No one came forward to speak. Chairman Austin closed the Public Hearing at 7:59pm.

BOARD ACTION

Contract with Shumate Services

The three year contract with Dale Shumate is for operating and maintaining the County's HWY 21 Water System. The provider will be paid \$100.00 for each round trip and \$20.00 per hour, regardless of the number of people performing the work. The total labor and travel related costs will not exceed \$79,200.00. Tap installation fees are not included in the \$79,200.00. The termination clause says the County can terminate the contract with 30 days notice. **Vice Chairman Zachary made a motion to approve the contract with Shumate Services and authorize the County Manager to sign. Commissioner Welborn second.**

Vote: 5/0.

First Impressions Invoices

Monecia Thomas addressed the Board. First Impressions makes dentures and partials for the dental clinic. There is not an approved contract in place yet so the Health Department requested the Board approve paying the current invoices for 11/30/2011 and 12/30/2011 that total \$2,766.28. A contract has been completed and reviewed by the County Attorney. First Impressions is reviewing the contract now. **Vice Chairman Zachary made a motion to authorize the County Finance Officer to pay the current First Impressions invoices. Commissioner Moxley second.**

Vote: 5/0.

Forsyth Medical Center Invoices

Monecia Thomas addressed the Board. Forsyth Medical Center provides mammogram services. The invoices are paid by State BCCCP funds and money received from the Komen grant. There is currently not a contract but one is being developed. The Health Department requested the Board approve paying the current invoices that total \$2,555.78. **Vice Chairman Zachary made a motion to authorize the County Finance Officer to pay the current Forsyth Medical Center invoices. Commissioner Moxley second.**

Vote: 5/0.

Get Alarmed, North Carolina! Grant

Monecia Thomas addressed the Board. This grant provides funding to install smoke alarms and carbon monoxide detectors in homes and provide fire safety education to residents. Monecia Thomas spoke with the Fire Marshall and also presented the information to the Fire Chiefs at their quarterly meeting. They were willing to partner with the Health Department to provide this service if the grant is applied for and received. Letters of support were provided for the Board to review. A Health Educator will assist with coordinating and marketing to help get the word out to the community. The fire departments will have 9 months to install the smoke alarms and carbon monoxide detectors.

Chief Bryan Southard, of the Yadkinville Fire Department, addressed the Board. He stated the smoke alarm grant was not new to them. They have been installing smoke alarms for several years. This just

may be a larger scale than they have done in the past. He spoke about the importance of smoke detectors when there is a fire and how they can save lives. He stated each fire department will have different smoke detector needs. He feels it is a real good program and he hopes the Board supports the grant.

Gene Brannon addressed the Board. He stated he has served the County for 45 years. He has been the Assistant Fire Marshall, the Fire Marshall, and the Fire Chief for the Town of Yadkinville. He said back in the '80's they began installing smoke detectors that were given to them by an insurance company. The County then became involved, through the Fire Marshall's office, and all the fire departments started putting up smoke detectors. The installation of smoke detectors has been going on for 25 to 30 years now. He believes this is something that should continue to be done. A fire alarm going off has saved many, many lives. This is an excellent program and he hopes the County will support it.

Commissioner Welborn made a motion to authorize the Yadkin County Health Department to collaborate with the Yadkin County Fire and Rescue Association and to apply for the grant. Commissioner Hemric second.

Vote: 5/0.

CDC Community Transformation Grant

Monecia Thomas addressed the Board. The Health Department is just starting to work on this grant; the draft of the grant application has not been completed. The NC Division of Public Health will fund approximately \$400,000.00 a year for a 5 year period. If the grant is awarded, the funds will go to a region made up of the ten counties of Yadkin, Ashe, Alleghany, Davidson, Davie, Forsyth, Stokes, Surry, Watauga, and Wilkes. The Appalachian District Health Department will serve as the lead fiscal agent. This grant is to support public health efforts to reduce chronic diseases, promote healthier lifestyles, reduce health disparities, and control health care spending. **Vice Chairman Zachary made a motion for the Health Department to proceed with the collaboration with the 10 Region 3 counties to apply for the CDC Community Transformation Grant. Commissioner Moxley second.**

Vote: 5/0.

Parks and Recreation Trust Fund (PARTF) Grant Application

Bob Clark addressed the Board. He recommended the grant application not be approved tonight. He would like to have one more public meeting on January 23, 2012 at 6:00pm before the grant package is completed. The additional meeting gives the public a chance to view the information and make comments. The PARTF grant, if awarded to the County, would provide \$500,000.00 to be used for phase 1 development of the 5-D Reservoir Park. The County would have to, at a minimum, match those funds dollar for dollar. The proposed project cost is estimated to be \$1,177,025.00. The County's contribution would be budgeted over 2 or 3 fiscal years depending on when the grant is awarded. Bob Clark reviewed the 5-D Reservoir Park phase 1 plan with the Board of Commissioners. This initial phase will include a large and small picnic shelter, a playground, approximately one mile of trails, fishing piers, a small boat launch, and park maintenance shed. Companies, organizations, and individuals can sponsor something for the park if they want. **Commissioner Welborn made a motion to set a public forum on the PARTF Grant proposed project for January 23, 2012 at 6:00pm in the Board of Commissioners room. Commissioner Moxley second.**

Vote: 5/0.

[The Phase 1 Cost Estimate is attached as Appendix E.]

CALENDAR NOTES

- 1) January 30, 2012 – Joint Meeting between the Board of Commissioners and the Board of Education at 6:30pm in the Board of Commissioners Room.

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MANAGER'S REPORTS/BOARD ACTION

Jail Update

Last week the Sheriff and the County Manager met with JS Clark to discuss the project. Ware Bonsall believes the project will be ready to go out to bid by mid February.

Report to the People Update

Approximately 18,000 copies were printed and mailed. People are starting to get them in their mailboxes.

Hennings Construction Change Directive/Change Order

The cost of the change directive/change order for the screenings went over the \$13,000.00 amount reported to the Board previously by \$760.00. The total cost of \$13,760.00 is still within the contingency amount. Their work has been completed. The site only needs to be monitored now.

MANAGER'S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED

Contract with High Country Springs Bottled Water

High Country Springs, LLC provides bottled water and water dispensers to some of the County departments.

Contract with Cintas Document Managing

Cintas Document Management provides shredding services for some of the County departments.

BOARD VACANCIES/APPOINTMENTS

Nursing Home - Adult Care Home Community Advisory Committee

There are 2 Vacancies.

COMMISSIONER COMMENTS

Commissioner Hemric thanked everyone for coming. He appreciated the students who came to lead the Pledge of Allegiance. He appreciated all of the work that has been done for the parks. He appreciated Bryan Southard and Gene Brannon coming to speak on the Get Alarmed Grant.

Commissioner Welborn stated it was good to see the large crowd. He was glad to see the number of children who came to lead the Pledge. It was nice to see Gene Brannon here and all his volunteer work is appreciated. Everyone appreciates the great job the fire departments do. It was good to see Rex Baity in attendance. He stated it was a good turnout and a good meeting.

Vice Chairman Zachary appreciated the citizens who came tonight. It is always nice to see the young people come and get some exposure to their County government. He appreciates the work that Bob Clark has done. This is a very, very, significant project. We hope we get that grant. This will be something the County can be proud of. He was interested in the EPA presentation because he had wondered what was going on at Holcomb Creosote. The EPA seems to be on top of the contamination there. It is good to see the grants we are talking about applying for. He appreciated Ms. Thomas and the fire departments getting together to help provide smoke detectors. They do save lives and that is what the folks in the fire departments are all about. The fire departments are appreciated for what they do. He appreciated Bryan Southard and Gene Brannon being here tonight to speak for this program. He welcomed the Steelmans back; they were missed at the last meeting.

Commissioner Moxley thanked everyone for coming. He commended Bob Clark for his work on the PARTF grant application. That is a great thing for the County. He hopes we can continue with the other phases later and really make the 5-D Park a showpiece. He looks forward to seeing that. He stated the

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economy is catching up to some things and one of those things is the Cascade Highlands Tourism Board. It has been difficult for them to get the funding they need from either the public or private sectors. They decided while they were still in the black to shut down operations. The prepaid services will continue. The website will remain up for a while. The maps that have been printed are still available. The office will close. He hates to see that go. It was a benefit to the County, especially the wineries. Maybe in a couple of years it can be picked back up.

Chairman Austin stated Brandon McCann, with Cascade Highlands, has done a lot of work getting press coverage for the area. Cascade Highlands did some great work for the County. He thanked the staff for all of their hard work. The County has some really good things going on here. The capacity building program has the potential to have a real impact on the County and he hope it lives up to expectations, having \$600,000.00 coming to our area is pretty significant. He thanked Monecia Thomas for the grants she is working on. He thanked her for her hard work and for bringing the fire departments on board with the Get Alarmed grant. He thanked the fire departments for taking this on; it is not an easy task. He loves having the fire departments committed to this; it is definitely worthwhile. He is mostly excited about the plans for the parks and the PARTF application. The Winston-Salem Journal had an article about the 5-D park and how it would be a regional park. It is going to put us on the map. He thanked everyone for coming out and said he appreciated the support.

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 Personnel Matters and to Protect Personnel Information that is Confidential under NCGS 153A-98, 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 including about two lawsuits: Jerry Hutchins vs. Yadkin County and Yadkin County vs. Yadkin County Board of Adjustment, James Davis Arnold, Eddie Dean Arnold, and William Turner Arnold. 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 Zachary made a motion to extend the meeting. Commissioner Hemric second.**

Vote: 5/0.

Chairman Austin made a motion to return to Closed Session for all the reasons previously stated. Vice Chairman Zachary second.

Vote: 5/0.

After a motion to come out of Closed Session was made and the Board was in **Open Session, Commissioner Welborn made a motion to approve the forestry lease and budget amendment of \$2,954.00 from General Fund to Forestry. Commissioner Hemric second.**

Vote: 5/0.

Community Action Programs

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	1044000-49000	2,222,968	2,954	2,225,922
Forestry	1055800-57160	46,400	2,954	49,354

**Vice Chairman Zachary made a motion to authorize the County Manager to reclassify the Accounting Technician II position at a pay grade of 63 to a Business Officer position at a pay grade of 67 and to unfreeze the position and authorize hiring from the last two Accounting position applicant pools and waive the 15 day waiting period. Commissioner Moxley second.
Vote: 5/0.**

**Commissioner Welborn made a motion to amend the fiscal year 11-12 budget ordinance fee schedule to allow a refund of the \$200.00 weekend fee if a tournament is cancelled due to inclement weather. Commissioner Hemric second.
Vote: 5/0.**

**Vice Chairman Zachary made a motion to recess until 7:00pm on January 23, 2012 here in the Board of Commissioners room. Commissioner Welborn second.
Vote: 5/0.**

Tanya Gentry

Prepared by Tanya Gentry
Deputy Clerk to the Board



Kevin Austin, Chairman
Yadkin County Board of
Commissioners

2/6/2012

Date approved by the
Yadkin County Board of Commissioners

**YADKIN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
2010 ECONOMIC RECOVERY CDBG PROJECT BUDGET ORDINANCE**

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

Section 1. The project authorized is the Community Development Block Grant Program described in the work statement contained in the Grant Agreement between this unit and the North Carolina Department of Commerce, Division of Community Investment Assistance. This project is more familiarly known as the 2010 Economic Recovery Housing Project.

Section 2. The officers of the County are hereby directed to proceed with the Grant Project within the terms of the Grant document(s), the rules and regulations of the Department of Commerce, Division of Community Investment Assistance and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

Community Development Block Grant:	<u>\$100,000.00</u>
TOTAL	\$100,000.00

Section 4. The following amounts are appropriated for the project:

C-1 Portion of Grant	
Rehabilitation	\$90,000.00
Administration	<u>\$ 10,000.00</u>
TOTAL	\$ 100,000.00

Section 5. The Finance Officer is hereby directed to maintain within the grant project Fund sufficient detailed accounting records to provide the accounting to the grantor agency required by the Grant Agreement(s) and federal and state regulations.

Section 6. Requests for funds should be made to the grantor agency in an orderly and timely manner as funds are obligated and expenses incurred.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Board of Commissioners.

Section 9. Copies of this Grant Project Budget Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

Section 10. The County's Finance Officer is hereby authorized to transfer funds from one line item to another line item without further approval by the Board of Commissioners, subject to the regulations of the North Carolina Department of Commerce, Division of Community Investment Assistance.

Adopted this the 17 day of January, 2012.



Chairman



Clerk to Board

FAIR HOUSING RESOLUTION

YADKIN COUNTY, NORTH CAROLINA

WHEREAS, Yadkin County seeks to protect the health, safety and welfare of its residents; and

WHEREAS, citizens seek safe, sanitary, and habitable dwellings in all areas of the Town; and

WHEREAS, Yadkin County finds the denial of equal housing opportunities because of religion, race, color, sex, familial or handicap status, or national origin legally wrong and socially unjust; and

WHEREAS, the denial of equal housing opportunities in housing accommodations is detrimental to public welfare and public order; and

WHEREAS, Yadkin County finds the practice of discrimination against a citizen in housing a denial of his equal rights and his equal opportunity to seek a better living and develop community pride;

NOW THEREFORE, BE IT RESOLVED, by the County Board of Commissioners of Yadkin County

- Section 1. Yadkin County has declared it an official policy that there shall not be discrimination in the terms or conditions for buying or renting housing within the Town.
- Section 2. All business groups and individual citizens of the County are urged to respect and implement this policy.
- Section 3. The County Manager or his designate, of Yadkin County is the official authorized by the County to (1) receive and document complaints regarding housing discrimination in the Town; and (2) refer such complaints to the North Carolina Human Relations Commission for investigation, conciliation and resolution.

Adopted this the 17 day of January, 2012, by the Yadkin County Board of Commissioners.



Chairman



Clerk to Board

**SCATTERED SITE HOUSING REHABILITATION
LOAN SUBORDINATION RESOLUTION
YADKIN COUNTY, NORTH CAROLINA**

WHEREAS, Yadkin County is implementing a housing rehabilitation program under the State's Community Development Block Grant Program; and

WHEREAS, Yadkin County supports the pursuit of affordable housing solutions for low and moderate income persons by providing housing rehabilitation loans under the this program; and

WHEREAS, recipients of housing rehabilitation loans not exceeding DCA substantial rehabilitation limits(\$40,000 total CDBG expenditure or \$38 per square foot) may request subordination of said loans when consistent with the goals and objectives of the CDBG Program; and

WHEREAS, Yadkin County supports the subordination of rehabilitation loans when consistent with the goals and objectives of the Community Development Block Grant program; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Yadkin County, North Carolina, that:

- Section 1. The County Manager or his designee shall investigate and evaluate subordination requests and prepare a brief report with appropriate recommendation. The report shall be forwarded to the County Attorney for comment.
- Section 2. Subordination requests shall be resolved in accordance with applicable program regulations, if any.
- Section 3. The CDBG deferred loan may not be subordinated to any other loan other than the first mortgage that existed prior to rehabilitation.
- Section 4. Subordination requests not governed by program regulations shall be approved if the following conditions are met.
- A. The sum of the outstanding principal balance of the new loan, the County's lien, and all other liens does not exceed 100% of the value of the property as determined by a formal appraisal provided by the property owner. In the absence of a formal appraisal the tax value of the property shall be used in this calculation.
 - B. The purpose of the new loan is to pay expenses related to one of the following uses:

1. Refinancing for the purpose of obtaining more favorable loan terms. This request must be accompanied by a statement from the lending institution indicating a reduced interest rate and a reduced monthly payment for the retirement of the debt.
2. Refinancing for the purpose of real property improvements. This request must be accompanied by a letter signed by property owner (Grantee) indicating the nature and scope of real property improvements to be performed on the subject property.

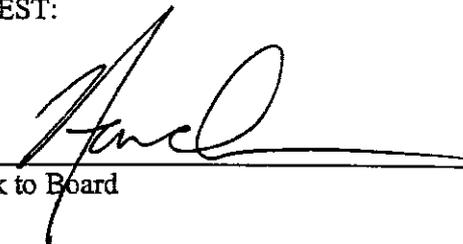
Section 5. The County Manager is hereby authorized to approve or deny subordination requests meeting the conditions and limitations of Section 4 without further action by the Board of Commissioners.

Adopted this the 17 day of January, 2012.



Chairman

ATTEST:



Clerk to Board

RESOLUTION

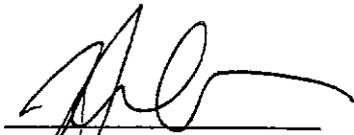
YADKIN COUNTY NC ECONOMIC RECOVERY PROGRAM HOUSING GRANT

WHEREAS, Yadkin County has been awarded a 2010 NC Economic Recovery Program Housing Grant funds from the North Carolina Department of Commerce, Community Investment & Assistance; and

WHEREAS, Yadkin County desires to adopt and maintain current Community Development Program Policies, Procedures, and Plans as listed in Attachment A and individually attached to this Resolution; and

NOW, THEREFORE, BE IT RESOLVED, the Yadkin Board of Commissioners hereby adopts Community Development Program Policies, Procedures, and Plans as herein contained.

Adopted this the 17 day of January, 2012.



ATTEST



Clerk to the Board



Chairman

ATTACHMENT A
Policies, Procedures, Plans, etc. for the
Yadkin County NC Recovery Program Housing Grant

1. Fair Housing Complaint Procedure - This procedure states how the County will handle complaints of housing discrimination and what steps will be undertaken to resolve these complaints.
2. Equal Employment Opportunity and Procurement Plan - This plan certifies that the County will comply with all nondiscrimination laws and regulations in employment, and will take action in the areas of enforcement, education and removal of barriers and impediments that affirmatively further equal access in procurement.
3. Procurement Policy – This policy outlines the three methods of procurement to be used within this project for the award of contracts and for purchases made.
4. Section 3-Local Economic Benefit for Low and Very Low Income Persons Plan - This plan explains the County's strategy for identifying opportunities in employment arising out of a CDBG assisted project and for making these jobs available for low-income residents in the project area. It also states that the project activities will try to utilize local suppliers.
5. Residential Anti-Displacement and Relocation Plan - This plan states how the County will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than low/moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974.
6. Citizens Participation Plan - This plan states that the County will provide for and encourage citizen participation and will provide technical assistance to groups and representatives of persons of low and moderate income who request such assistance.
7. Citizens Participation Procedure for Complaints - This plan states the procedures developed by the County to handle complaints received involving the Community Development Block Grant or any HUD-funded programs.
8. Code of Conduct - This policy states that no public official, employee, officer or agent of the County shall participate in the selection, the award or the administration of a contract supported by federal funds if a conflict of interest, real or apparent, is involved.
9. 504 Grievance Procedure – This procedure allows for a process for which citizens can file a grievance concerning 504. Section 504 preceded the American's with Disabilities Act (ADA) and deals with handicapped access to public facilities. It mirrors the more recent requirements adopted under ADA regulations, but is applicable only to public facilities.

YADKIN COUNTY

FAIR HOUSING COMPLAINT PROCEDURE

Housing discrimination is prohibited by Title VIII of the Civil Rights Act of 1968 and by the North Carolina State Fair Housing Act. In an effort to promote fair housing and to ensure that the rights of housing discrimination victims are protected, Yadkin County has developed the following procedures for receiving and resolving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in the Yadkin County may do so by informing the County Manager , or his designee, of the facts and circumstances of the alleged discriminatory acts or practice.
2. Upon receiving a housing discrimination complaint, the County Manager , or his designee, shall acknowledge the complaint within 10 days in writing and inform the North Carolina Human Relation Commission about the complaint.
3. When a housing complaint cannot be resolved at the local level, the County Manager , or his designee, shall offer assistance to the North Carolina Human Relations Commission in the investigation and reconciliation of all housing discrimination complaints, which are based on events occurring in the Yadkin County.
4. The County shall publicize in the local paper and on the Town's website that the County Manager , or his designee, is the local official to contact with housing discrimination complaints.

**YADKIN COUNTY
EQUAL EMPLOYMENT OPPORTUNITY and PROCUREMENT PLAN**

Yadkin County maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.

In furtherance of this policy the County prohibits any retaliatory action of any kind taken by any employee of the County against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The County shall strive for greater utilization of all persons by identifying previously under utilized groups in the work force, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development, and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and Affirmative Action measures is hereby assigned to the County's Human Resource Director and/or other persons designated by the Manager or the County Board to assist in the implementation of this policy statement.

The County shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Reports as requested on the progress of Equal Opportunity shall periodically be submitted to the Board of Aldermen.

The County is committed to this policy and is aware that with its implementation, the County will receive positive benefits through the greater utilization and development of all its human resources.

**YADKIN COUNTY
PROCUREMENT POLICY FOR
2011 NC ECONOMIC RECOVERY PROGRAM HOUSING GRANT**

In the procurement of supplies, equipment or services in the Yadkin County Housing Grant Program, the following policies shall apply:

- 1) Small purchase procedures. These are relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies, or other property, costing in the aggregate not more than \$25,000. Under this procurement method price or rate quotations shall be obtained from an adequate number of qualified sources. Miscellaneous professional services, office supplies and equipment may be secured by this method.
- 2) In competitive sealed bids, sealed bids shall be publicly solicited and a firm, fixed, price contract shall be awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is lowest in price.
- 3) In competitive negotiations proposals shall be requested from a number of sources and the Request for Proposals shall be publicized. All aspects of the competitive negotiations shall be carried out in conformance with 24 CFR Part 85. The general administrative contract, and all other required services related to the program implementation shall be awarded utilizing this method. Under this method special consideration shall be given to experience, technical abilities, and familiarity with the services to be provided. Price shall not be the sole consideration for award of contract.

On all procurements, efforts shall be made to solicit bids from qualified small, female, and minority business firms.

In all cases procurements under this Policy must conform to the requirements for procurement set forth in 24 CFR Part 85.

An adequate record of procurements must be maintained to insure that these policies and the requirements of 24 CFR Part 85 have been followed in their entirety.

**SECTION 3 PLAN FOR EMPLOYMENT OPPORTUNITIES
FOR BUSINESSES AND LOWER INCOME PERSONS
YADKIN COUNTY
2010 NC RECOVERY PROGRAM HOUSING GRANT**

To insure that to the greatest extent possible contracts for work are awarded to business concerns located in or owned in substantial part by persons residing in the Section 3 covered area, as required by Section 3 of the Housing and Urban Development Act of 1968, Yadkin County has developed and hereby adopts the following Plan:

1. This Section 3 Plan shall apply to services needed in connection with the grant including, but not limited to, businesses in the fields of planning, consulting, design, building construction/renovation, maintenance and repair, etc.
2. This Section 3 covered project area for the purpose of this grant program shall include all of the Yadkin County.
3. When in need of a service, the County will identify suppliers, contractors or subcontractors located in the Section 3 area. Resources for this identification shall include the Minority Business Directory published through the North Carolina Department of Commerce, local directories and the Small Business Administration local offices. Word of mouth recommendations shall also be used as a source.
4. The County will include this Section 3 clause in all contracts executed under this CDBG Program. Where necessary, any listing from any agency noted in No. 3 above shall be made available to contractors as well as sources of subcontractors and suppliers.
5. The prime contractor selected for major public facility or building construction work will be required to submit a Section 3 Plan which will outline his/her work needs in connection with the project. Should a need exist to hire any additional personnel, the Employment Security Commission shall be notified and referred to the contractor.
6. Each contractor for housing rehabilitation under the program, as applicable, for jobs having contracts in excess of \$100,000 shall be required to submit a Section 3 Plan. This Plan will be maintained on file in the grant office and shall be updated from time to time or as the grant staff may deem necessary.

**YADKIN COUNTY
RESIDENTIAL ANTI-DISPLACEMENT
AND RELOCATION ASSISTANCE PLAN**

In order to comply with the requirements of Section 104(d) of the Housing and Community Development Act of 1974, Yadkin County adopts the following plan:

Yadkin County will replace all occupied and vacant occupiable very-low or low-income dwellings units demolished or converted to a use other than low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606 (b)(1).

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the County will make public and submit to the Community Investment & Assistance the following information in writing:

1. A description of the proposed assisted activity;
2. A general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units; and
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy.

The County will provide relocation assistance, as described in 570.606 (b)(2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

YADKIN COUNTY CITIZENS PARTICIPATION PLAN

Yadkin County provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income that are residents of low and moderate-income neighborhoods and/or slum and blight areas. The County provides citizens with reasonable and timely access to local information and records relating to the grantee's proposed use of funds. This is done through County Board of Commissioner meetings, which are announced in the local newspaper.

The County provides for public hearings to obtain citizens views and to respond to proposals and questions at all stages of the community development program, including one hearing to receive citizen input as to the housing, community and economic development needs of its citizens, one hearing prior to the submission of any application for CDBG funding from the North Carolina Division of Community Investment and Assistance, and one hearing at the close-out of the grant program. Adequate notice is given for these meetings at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped. Any published advertisement issued by the Yadkin County Planning Office includes the State TDD telephone number (1-800-735-2962).

Yadkin County provides for timely written answers to written complaints and grievances. A response will be made within 10 calendar days. (See attached Complaint Procedure)

Yadkin County will provide a translator for non-English speaking residents for public hearings when the County is notified that any non-English speaking resident will attend the public hearing. An interpreter will be provided for hearing impaired residents. A minimum of 48 hours notice to the Clerk to the Board is required for interpretation services which may be needed for all County public hearings.

CITIZEN PARTICIPATION

PROCEDURE FOR COMPLAINTS

Yadkin County has developed a procedure to process complaints, which may be received involving the 2011 NC Recovery Program Housing Project or any other HUD-funded program. There are two basic forms of complaint procedures: 1) verbal complaints which will be dealt with informally by the Planning Office, and 2) written complaints which will be dealt with formally with a set of procedures including appeals.

All written complaints received by Congressional staff, local elected officials, the Clerk to the Board, and the Planning Office will be logged in as received by the Planning Office. Within a ten-day period following the receipt of this complaint, a response will be developed by the Planning Office, and mailed to the party who wrote the complaint. This response will include property documentation and background of the case in question, the proposed action, and the time frame in which the complaint will be addressed.

In the event this response is unsatisfactory to the person making the complaint, that party will be referred to the North Carolina Department of Commerce, Community Investment & Assistance (CI), specifically the CI Representative serving the County.

It is the responsibility of the person making the complaint to furnish documents, provide documentation to support allegations, provide counsel if desired, inform in writing to the Planning Office if they are represented by a third party, and attend the meeting involving a review of their complaint.

YADKIN COUNTY

COMMUNITY DEVELOPMENT CODE OF CONDUCT

HATCH ACT

No employee or agent of the County may perform any function during work hours that is considered political activity. This includes: soliciting votes, transporting voters, distributing campaign materials, working on or developing campaign materials, etc.

DISCRIMINATION

No person shall, on the grounds of race, color, religion, national origin, handicap or familial status, Vietnam Era Veteran status or sex be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity funded in whole or in part with federal funds.

ENGAGEMENT IN PROCUREMENT

No employee, officer or agent of the County shall participate in the selection, award or administration of a contract supported by federal funds if a conflict of interest, real or apparent would be involved. Such a conflict would arise when:

- a) The employee, officer, or agent;
- b) Any member of his immediate family;
- c) His or her partner; or
- d) An organization which employs or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

The grantee's officers, employees, or agent shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.

CONFLICT OF INTEREST

No employee or agent shall influence or attempt to influence the outcome of any case or matter in which he has a direct interest either personally or in the person of any relative by blood or marriage. Employees or agents so involved shall abstain from dealing with such matters; they may provide information at the request of the Board but shall not attempt to influence the decisions of the Board.

YADKIN COUNTY
SECTION 504
COMPLIANCE OFFICER/GRIEVANCE PROCEDURE

Yadkin County, North Carolina, hereby designates Aaron Church, County Manager or his designee, to serve as Section 504 Compliance Officer throughout the implementation of the Yadkin County 2011 NC Recovery Program Housing Project.

Citizens may file Section 504 grievances at any point in the program. The County will respond in writing to written citizen grievances. Citizen grievances should be mailed to Aaron Church, County Manager at PO Box 146, Yadkinville, NC 27055.. The County will respond to all written citizen grievances within ten (10) calendar days of receipt of the comments.

Should any individual, family, or entity have a grievance concerning any action prohibited under Section 504, a meeting with the County Manager or his designee to discuss the grievance will be scheduled. The meeting date and time will be established within five (5) calendar days of receipt of the request. Upon meeting and discussing the grievance, a reply will be made, in writing, within five (5) calendar days.

If the citizen is dissatisfied with the local response, they may write to the North Carolina Department of Commerce, Community Investment & Assistance (CI), 4313 Mail Service Center, Raleigh, NC 27699. CI will respond only to written comments within ten (10) calendar days of the receipt of the comments.

**Yadkin County -5-D Reservoir Recreation Area—Phase 1
Cost Estimates—January 2012**

Project Elements (Include specific units, sizes, numbers, lengths, etc. - for each item)	Unit	Unit Cost	Total Item Cost
Building and/or Renovating Costs			
Group Picnic Shelter (30' x 75') (4 grills, 6 tables, and 4 trash receptacles; with restroom (450 sq ft), Warden's Office (500 sq. ft.)	L Sum	\$220,000	\$220,000
Small Picnic Shelter (25' x 25') (2 grills, 2 tables & 2 trash receptacles	L Sum	\$32,000	\$32,000
Playground (jungle gym, swings, slides, accessible surfacing (400 cy) and site prep.)	L Sum	\$35,000	\$35,000
Walking Trail - 10' wide, paved 4 benches/2 trash receptacles	2945 lf	\$65/ lf	\$191,400
Multi-purpose Trail - 8' wide, primitive 2 benches/2 trash receptacles	1410 lf	\$25	\$35,300
Walkways-shelters, piers, parking - 6' paved	646 lf	\$30/lf	\$19,400
2 floating fishing piers-State Fishing Program. (\$32,000 @ 25% local) 2 trash receptacles	L Sum	\$4,400	\$8,800
Small boat launch	L Sum	\$35,000	\$35,000
Parking Lot - 8" rock for 90 cars, 8' trailer landscape timbers/stops, drainage retention	L Sum	\$102,000	\$102,000
Site Preparation (clearing, grading, storm drainage and erosion control)	L Sum	\$95,000	\$95,000
Park Maintenance shed (40' x 60')	L Sum	\$51,000	\$51,000
Fencing, 2 metal service gates, 10 bollards	Sum	\$8,800	\$8,800
Landscaping	L Sum	\$11,000	\$11,000
Signage, & message center kiosk	L Sum	\$13,800	\$13,800
Well/water lines, septic system, electric utilities	L Sum	\$165,000	\$165,000
Costs to Develop the Project			\$1,023,500
Contingency (not to exceed 5% of the cost to develop the project)	5%		\$51,175
Planning and Incidental Costs			
Construction management, site planning, preliminary design, survey, or the cost of preparing the application (not to exceed 20% of the cost of the project)	10%		\$102,350
Total Project Cost			\$1,177,025
Total PARTF Grant Request			\$500,000
Total Local Match			\$677,025