

**YADKIN COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION MINUTES  
Monday, February 6, 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 Monday, February 6, 2012 at 9:00am.

**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 9:00am.

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

**ADJUSTMENTS TO/ADOPTION OF THE AGENDA**

There was a typo on page 268 of the Agenda packet. The Commissioners were given a replacement copy of the page. The County Manager requested that a budget amendment of \$20,000.00 for Jail medical services be added to the agenda. The jail budget amendment was added to the Consent Agenda as item #13. **Commissioner Hemric made a motion to adopt the Agenda with the noted changes.**

**Commissioner Welborn second.**

**Vote: 5/0.**

**PUBLIC COMMENTS**

None.

Chairman Austin closed the Public Comments portion at 9:03am.

**APPROVAL OF MINUTES**

The January 3, 2012 closed session minutes, both sets of January 17<sup>th</sup> minutes, and the January 23<sup>rd</sup> minutes were up for Board approval. **Vice Chairman Zachary made a motion to approve all sets of minutes. Commissioner Moxley second.**

**Vote: 5/0.**

**REPORTS/REQUESTS OF THE BOARD**

**Employees Recognized for Retirement**

There were two employees who retired at the end of January. Robin Moxley, from the Sheriff's office, worked for the County for 23.5 years. Sue North, of Elections, worked for the County for 20.5 years. Chairman Austin, County Manager Church, and Lisa Hughes presented a plaque to Robin Moxley. They presented Sue North's plaque to Janet Choplin since Mrs. North could not attend today's meeting.

### **Annual Financial Audit Report**

Amber McGinnis, of Martin-Starnes, presented the 2011 annual financial audit report to the Board. The County received an unqualified (clean) opinion. The General Fund revenues were greater than expenses by approximately \$1.1 million. The Total Fund Balance increased approximately \$2.4 million from 2010 to 2011. The Available Fund Balance increased approximately \$1.9 million. The top three revenues for the County were property taxes, restricted intergovernmental funds, and sales tax with property taxes making up 58% of the total revenues. Property tax increased approximately 1.3% from 2010 to 2011 so it remained fairly flat. Sales tax decreased approximately 9%. The top three expenditures were Health & Human Services at 31%, Public Safety at 22%, and Education at 22%.

### **New Horizons Report**

Marti Driver, from New Horizons Adult Day Services, addressed the Board. The program was started in 1971 thru grant funding. She stated it is the only program of its kind in Yadkin County that serves special needs adults who are 18 and older. Their mission and vision is to empower others to be as independent as possible and be recognized for their abilities rather than their disabilities. It operates Monday through Friday from 8:00am to 2:00pm. They are a licensed mental health facility that has CARF accreditation. They make crafts, exercise, and take trips to the library and the YMCA. They help deliver Meals on Wheels twice a month in the Yadkinville area. They have an Adult Developmental Vocational Program and they assist their clients in developing work skills and finding jobs. They have a mobile crew that goes out and cleans churches and local businesses. They have a thrift store they accept donations for. The money made from the thrift store goes back into New Horizons to help support its activities. They have been given tickets to go to the Circus in Greensboro this week and they are excited about that.

### **Jail Presentation**

Barry Hennings, of JS Clark, presented a report on the jail to the Board. The schedule for the jail project has been firmed up. The State has finished its review of the documents. Ware Bonsall is making the final changes to the drawings based on the pre-bid review done by JS Clark. The construction documents are being printed at Ware Bonsall's office. The bid advertisement will be in Sunday's paper on the 12<sup>th</sup>. The bid opening date will be March 8<sup>th</sup>. An award of contract and notice to proceed could be made on April 2, 2012. If everything goes according to schedule, the construction of the new jail building should be completed by April 1, 2013 with a move in date of May 1, 2013. The renovation of the existing jail would begin then with a completion date of May 30, 2013. The final closeout would be July 1, 2013. Alton Simmons, of JS Clark, addressed the Board. He stated they reviewed the plans, specs, bid documents, and contract documents looking for any discrepancies, conflicts, or omissions. They did find a few conflicts that might have resulted in change orders. Most of their comments were minor; some of them only asked for clarification on something. Barry Hennings stated they wanted to get as much as possible in the initial bid documents in order to minimize the need for change orders. Overall, Ware Bonsall has done a great job on the drawings and he believes it will be an excellent facility.

### **Crossroads Behavioral Healthcare Mid-Year report**

David Swann presented the Crossroads Behavioral Healthcare mid-year report to the Board. They completed their fiscal year successfully. They have over 100 providers, including New Horizons Adult Day Services. They range from outpatient mental healthcare, outpatient substance abuse care, mobile crisis services, walk-in urgent care, hospital level care, crisis response care, and other types of behavioral healthcare. County funds provided crisis services for citizens and also provided child services for children who were not Medicaid eligible. The merger of Crossroads with two other behavioral healthcare providers will take place on July 1, 2012. That will result in an eight county program instead of a three county program as it is now. They are building their competencies and capacities to launch the Medicaid waiver. Eleven positions have been filled in the new organization so far; five of those positions were filled with Crossroads employees. The new program, Partners Behavioral Health Management, will need to have its 26 member Board set. Yadkin County will have two seats on that Board; one for a Commissioner and one for a citizen. He requested the Board of Commissioners make the Board member appointments by the last meeting in March. Official action will not take place until July 1, 2012 but the

new Board does need to begin meeting prior to then to prepare. The Board can go ahead and be reviewing the governance processes and bylaws so they will be ready to adopt them. They also can be deciding on how often and where they should meet.

**CONSENT AGENDA**

**Commissioner Welborn made a motion to approve the Consent Agenda with noted changes.**

**Commissioner Hemric second.**

**Vote: 5/0.**

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

**DSS Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Crisis Revenue	1045320-42221	82,693	103,631	186,324
Crisis Expense	1055320-57840	82,693	103,631	186,324

To cover funds used to assist clients with heating expenses.

**Soil and Water Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Revenue-Matching Fund Grant	1044960-42120	0	3,600	3,600
Education	1054960-55652	1,500	700	2,200
Supplies and Materials	1054960-52010	500	400	900
Gas Diesel	1054960-52350	4,000	1,000	5,000
Equipment	1054960-56010	0	1,350	1,350
Travel/Training	1054960-54010	919	150	1,069

Funds from a grant the Soil and Water District received from the State Soil and Water Division.

**Central Permitting Permit Fee Refund Policy**

Central Permitting requested the Board of Commissioners approve a Fee Refund Policy that allows up to 50% of Environmental Health Improvement, Authorization to Construct, and Well permit fees to be refunded if the County inspector finds the designated area of the property cannot be approved. All partial refund requests must be made in writing within 30 days of the permit denial.

**Health Dept.’s Revised Patient and Fee Collection Policy**

The Patient and Fee Collection Policy has been changed to reflect the addition of a second petty cash drawer per the request of the auditors.

**Health Dept.’s Patient Identity Policy.**

The Patient Identity Policy will have the Health Department staff request a photo ID and Social Security Number or Tax ID Number from their patients in order to properly identify them.

**Revised Get Alarmed, North Carolina Grant**

The Board reviewed the revised Get Alarmed, North Carolina Grant application. The application requests Yadkin County be awarded \$24,100.00.

**Medicaid Provider Application for EMS**

This is a renewal of an existing application that allows EMS Management and Consultants, Inc to continue to bill Medicaid for services provided to Medicaid patients.

**Contract with Dorsett Technologies for SCADA**

Dorsett will provide and install SCADA systems for the County’s two lift stations on HWY 601.

**Joint Contract with Piedmont Parks & Miracle Recreation Equipment**

The joint contract with these two providers is for playground equipment.

**Contract with Funtechs**

Funtechs, Inc will provide supervision and assistance with the installation of the “Yadkinville Mega Tower Playground”.

**Amendment to Contract with James Williams & Company**

The contract with James Williams & Company needed to be amended because sales tax was not included when the do not exceed amount was calculated in the original contract.

**Contract with Intelligent Information Systems (Farragut)**

This contract is to renew the annual support service fees and licensing for the IIS software used for permitting.

**MOA with the Yadkin County Humane Society**

The Memorandum of Agreement with the Yadkin County Humane Society governs how they will be permitted to make improvements to the Yadkin County Animal Shelter.

**Jail Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Non-Dept Professional	1059000-51500	144,296	(20,000)	124,296
Jail - Medical Services	1054320-51520	60,000	20,000	80,000

To cover increased medical expenses for inmates.

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

None.

**BOARD ACTION**

**Aging Planning Committee Bylaws**

Kim Dawkins Berry addressed the Board. The Aging Planning Committee reviewed and modified their bylaws. They looked at their membership to ensure that older adults age 60 and over were properly represented. They requested the Board of Commissioners approve the bylaws. **Vice Chairman Zachary made a motion to approve the Aging Planning Committee bylaws. Commissioner Moxley second. Vote: 5/0.**

**Yadkin Budget Allocation Funds going to Home Delivered Meals Program**

Kim Dawkins Berry addressed the Board. Yadkin was allocated an additional \$9,734.00 in HCCBG funds. A subcommittee of the Aging Planning Committee discussed the funds and recommended they go to the Home Delivered Meals program provided by YVEDDI. **Commissioner Welborn made a motion to approve the Yadkin budget allocation funds going to the Home Delivered Meals program provided by YVEDDI. Commissioner Hemric second. Vote: 5/0.**

**Addition to Classification and Pay Plan & Hiring of Recreation Assistant for Parks & Recreation**

Jason Walker addressed the Board. The current plan does not have a seasonal/temporary classification for parks & recreation. They need seasonal/temporary employees to fill positions such as lifeguards in the summer when the pool is open. Employees hired under this classification could also work the concession stand or do some maintenance work when needed. Jason Walker requested the classification be added to the plan at a pay grade of 50. The plan does include a Recreation Assistant classification at a pay grade of 61. He requested Parks and Recreation be allowed to hire a part-time Recreation Assistant who would serve as the head lifeguard at the pool. **Vice Chairman Zachary made a motion to add the Seasonal/Temporary classification to the Yadkin County Classification and Pay Plan at a pay grade of 50 which has an hourly rate of \$7.37 to \$11.05 and an annual salary of \$15,311.00 to \$22,967.00. Commissioner Moxley second. Vote: 5/0. Commissioner Moxley made a motion to allow the Yadkin County Parks and Recreation Department to hire a part-time Recreation Assistant currently included in the Yadkin County Pay Plan at a grade 61 at an hourly rate of \$12.33 to \$18.49. Commissioner Hemric second. Vote: 5/0.**

**Bid Award for Asbury Church Road Water System**

The project had to be rebid. A total of nine bids came in ranging from \$368,000.00 to \$609,451.00. ARCADIS recommended the bid be awarded to GATC Contracting of Charlotte, the lowest responsive bidder. The Board reviewed the project ordinance budget amendment that would appropriate \$82,000.00 to cover additional project costs. **Commissioner Welborn made a motion to award the Asbury Church Road Water System Improvements contract to GATC Contracting, LLC of Charlotte and authorize the County Manager to execute the contract, pending County Attorney review, and issue a notice to proceed and to also approve the Asbury Church Road Project budget amendment. Vice Chairman Zachary second. Vote: 5/0.**

[The Bid Tabulation sheet is attached as Appendix A.]

**Asbury Church Road Project Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	1044000-49000	2,225,922	82,000	2,307,922
Transfer to Capital Projects	1054212-57030	0	82,000	82,000
Transfer from General Fund	400044942-42410	380,321	82,000	462,321
Professional Services	40054942-51500	5,000	7,000	12,000
Site Prep and Construction	400054942-51542	0	425,767	425,767
Prof Svcs/Asbury Waterline	40054942-51504	168,827	(168,827)	
Catherine Road Pump Station	40054942-57990	171,940	(171,940)	
Rock House Pump St. Demo	40054942-57991	10,000	(10,000)	

**CALENDAR NOTES**

- 1) February 9, 2012 – Joint Meeting with the Town of Yadkinville Board at 11:00am in the Commissioners Chambers of Town Hall.

- 2) February 20, 2012 – Yadkin County Cooperative Extension Annual Presentation of “Report to the People” at 5:15pm at the Yadkinville Senior Center.

## **MANAGER’S REPORTS/BOARD ACTION**

### **Yadkin County’s Vision Statement**

The Total Commitment Leadership Team has adopted a vision statement. The vision statement was given to the Board of Commissioners to review and consider adopting. The County Manager read it. It reads, “Yadkin County is committed to maintaining and promoting our rural heritage, character and values, while being good stewards of our resources and providing excellence in health, safety and service. We embrace growth and innovation while fostering an environment where all may live, work and play.” **Vice Chairman Zachary made a motion to adopt the Yadkin County Vision Statement. Commissioner Hemric second.**

**Vote: 5/0.**

### **Strategic Promises**

Strategic Promises are being developed. These promises will help Yadkin County achieve and maintain the Vision Statement.

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

### **Soil and Water Funds Transfer**

Soil and Water transferred \$750.00 to Travel to send new employees to training.

### **Parks and Recreation Funds Transfers**

Parks and Recreation transferred \$550.00 to Travel/Training to send the pool operator to training.

Parks and Recreation transferred \$890.00 to Service and Maintenance to pay the fees for a copier/printer for the Park Office.

### **Frontier Natural Gas Agreement**

The Frontier Natural Gas agreement is for the use of a natural gas service at the jail.

### **Meritech, Inc Contract**

Meritech will take provided water samples, analyze them, and provide reports to the County.

### **Pace Analytical Inc Contract**

Pace will take provided water samples, analyze them, and provide reports to the County.

## **BOARD VACANCIES/APPOINTMENTS**

### **Nursing Home - Adult Care Home Community Advisory Committee**

The Board reviewed the interest form that Deloris Williams had turned in. **Commissioner Welborn made a motion to appoint Deloris Williams to the Yadkin County Nursing Home – Adult Care Home Community Advisory Committee for a term of one (1) year. Vice Chairman Zachary second.**  
**Vote: 5/0.**

### **Child Fatality Prevention Team**

The Board reviewed the candidates for this team. The candidates are: Carolyn Choplin from Smart Start, Holly Van Roekel from SCAN, Dana Layell from YVEDDI Domestic Violence, Garrett Stephens from Pretrial Release, and Bill Davis from Juvenile Justice. **Vice Chairman Zachary made a motion to appoint Carolyn Choplin, Holly Van Roekel, Dana Layell, Garrett Stephens, and Bill Davis to the Child Fatality Prevention Team. Commissioner Moxley second.**

**Vote: 5/0.**

### **Community Child Protection Team**

The Board reviewed the candidates for this team. The Community Child Protection Team and the Child Fatality Prevention Team work together to protect children and it is the Board's belief that membership is shared between the two teams. The candidates are John Matthews for the EMS representative and Danielle Shore for the Law Enforcement representative. **Commissioner Welborn made a motion to appoint John Matthews and Danielle Shore to the Community Child Protection Team. Commissioner Moxley second.**

**Vote: 5/0.**

### **COMMISSIONER COMMENTS**

**Commissioner Welborn** thanked everyone for coming and congratulated the retirees. He stated we are coming along with the jail project. Maybe in a little over a year, they will be able to move into the new jail.

**Vice Chairman Zachary** appreciated the public's attendance. He also appreciated the County staff that attended the meeting. He recognized Anna Hamby, the new Board of Health Chairperson, and thanked her for her willingness to serve on the Board. He is proud of her and looks forward to her leadership of that Board. He knows she will do a good job. He congratulated the retirees. He said Sue North and Robin Moxley are great examples of the fine people we have working for Yadkin County and we hate to lose them. They did a great job. He thanked County Manager Church, Assistant County Manager / Finance Officer Hughes, and the staff who worked on the financial audit. The audit looks really good. He is on the New Horizons Board and he commends that program. It is a fantastic organization. Marti Driver does a wonderful job. He thinks it was a good move to get a contractor to represent the County in the jail project. They may save us as much money as we pay them. David Swann from Crossroads has done a good job on the merger. The schedule has been brutal and they got everything done on time.

**Commissioner Moxley** thanked everyone for coming. He thanked the County Manager and the Assistant County Manager/Finance Officer for the work done on the audit report. We are in pretty good financial shape for these economic times. He commended them for the hard work they did to get the County in the position of getting a good audit. He is still receiving a lot of good comments from the citizens on the Annual Report to the People. He thanked the County Manager and the staff for working hard and getting that annual report put together. It was very professional looking and gave the citizens good information. A lot of people read it. He looks forward to the County doing that for the citizens next year. The jail project was dragging on so it is nice to see that in 15 months they should be able to move into a new jail.

**Commissioner Hemric** thanked everyone for coming. He is continuing to get good comments on the Annual Report to the People. Everyone is proud of it.

**Chairman Austin** thanked the citizens who are willing to serve on these boards. The duties they perform on the boards are very important and helpful. The people who are willing to step up and serve on the boards are doing a great service for the rest of the County. He enjoyed having Marti Driver from New Horizons here today with some of her group. As she spoke you could tell there is a passion amongst the group; they love each other and work well together. Marti Driver obviously holds a passion for what she does. He felt uplifted seeing them this morning.

**Vice Chairman Zachary made a motion to extend the meeting past 11:00am. Commissioner Moxley second.**

**Vote: 5/0.**

**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.**

**RECESS**

11:00am to 11:10am

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 authorize the County Manager to sign the maintenance agreement with Sharp and the leasing agreement with de lage landen. Commissioner Welborn second.

**Vote: 5/0.**

Commissioner Hemric made a motion accept the settlement agreement on the Arnold lawsuit. Commissioner Moxley second.

**Vote: 5/0.**

Commissioner Moxley made a motion to recess until 11:00am on February 9, 2012 in the Board of Commissioners Chambers at Yadkinville Town Hall. Commissioner Hemric second.

**Vote: 5/0.**

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Prepared by Tanya Gentry  
Deputy Clerk to the Board

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Kevin Austin, Chairman  
Yadkin County Board of  
Commissioners

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Date approved by the  
Yadkin County Board of Commissioners