

# **YADKIN COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MINUTES**

**Monday, February 20, 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 20, 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; and Deputy Clerk to the Board, Tanya Gentry.

**INVOCATION** led by County Manager Aaron Church.

**CALL TO ORDER** by Chairman Austin at 6:59pm.

**PLEDGE OF ALLEGIANCE** led by kindergarten and 1<sup>st</sup> grade students from East Bend Elementary. The students who led the Pledge were: Riley Campbell, Carter Brown, Joshua Brown, Mackenzie Hicks, Lindsey Hutchens, Laura Matthews, Mattie Plowman, and Zachary Spillman.

## **ADJUSTMENTS TO/ADOPTION OF THE AGENDA**

**Commissioner Welborn made a motion to adopt the Agenda. Vice Chairman Zachary second. Vote: 5/0.**

## **PUBLIC COMMENTS**

Ralph Hutchens of East Bend addressed the Board. He stated he thought the Report to the People was money well spent. He appreciated the information contained in it.

Chairman Austin closed the Public Comments portion at 7:04pm.

## **APPROVAL OF MINUTES**

The January 30, 2012 Joint Meeting with BOE minutes and both sets of February 6, 2012 minutes were reviewed for Board approval. **Commissioner Moxley made a motion to approve all sets of minutes. Commissioner Hemric second. Vote: 5/0.**

## **REPORTS/REQUESTS OF THE BOARD**

None.

## **CONSENT AGENDA**

**Commissioner Moxley made a motion to approve the Consent Agenda. Commissioner Welborn second. Vote: 5/0.**

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

### **DSS Crisis Funding Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Crisis Revenue	1055320-42221	186,324	70,106	256,430
Crisis Expense	1055320-57840	186,324	70,106	256,430

Funds used to assist clients with heating needs.

### **DSS LIEP Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
LIEP Revenue	1045320-42230	41,251	17,116	58,367
LIEP Expense	1055500-57961	41,251	17,116	58,367

Federal Funding provided for the Low Income Energy Assistance Program.

### **Health Nursing Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Nursing/Medical Com. Dis.	104511144178	11,307	538	11,845
Nursing/Medical Travel	105511154010	500	538	1,038

State Infection Control funds provided for infection control training.

### **Health Family Planning Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Family Planning	104516444203	55,813	7,075	62,888
FP Med/Drugs	105516452050	5,000	7,075	12,075

State funds for the family planning program.

### **JCPC Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
JCPC	1045235-42201	4,611	106,542	111,153
SCAN	1045235-42203	15,467	(15,467)	0
Project Challenge	1045235-42205	37,745	(37,745)	0
Psychological Services	1045235-42206	480	(480)	0
Juvenile Mediation	1045235-42209	9,842	(9,842)	0
Surry Children's Center	1045235-42229	43,008	(43,008)	0

Consolidating revenue budgets into one line item.

### **JCPC State Refund Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	1044000-49000	2,307,922	1,140	2,309,062
JCPC Revenue	1045235-42206	1,580	1,140	2,720

Refund to the State \$1,140.00 provided to the County in FY2011 for Psychological Testing that was not spent.

### **Sheriff's Office Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
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Sheriff's Donations	1044310-44139	0	2,000	2,000
Employee Relations	1054310-55600	0	1,000	1,000
Prevention/Education	1054310-52065	0	1,000	1,000

Appropriation of funds donated to Sheriff's Office to be used for employee relations and crime prevention/education.

**Sheriff Salaries Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Jail-Salaries & Wages FT	104320-51010	302,775	(28,000)	274,775
Sheriff-Salaries & Wages PT	1054310-51030	12,000	12,000	24,000
Comm- Salaries & Wages PT	1054311-51030	7,000	7,000	14,000
Jail-Salaries & Wages PT	1054320-51030	9,000	9,000	18,000

Part-time employees are being used more often than anticipated.

**Establishment of Vehicle Replacement Fund**

Revenues from the sale of County surplus vehicles will be placed in the Vehicle Replacement Fund. The money in the fund will be used to purchase replacement vehicles as needed.

**Pay Lomar Enterprise Invoice**

The Sheriff's Office requested the Board approve paying Lomar invoice #9942. The \$992.42 amount is for \*911 upgrade work that was done prior to the Board's approving the general services contract with Lomar.

**Set Tap Fees for HWY 21 Water Line**

In the past Jonesville has charged tap fees of \$1,500.00 for residential and \$4,500.00 for commercial. The Board was requested to approve using those same tap fees for the HWY 21 water line.

**Annual Distribution of Beer and Wine Excise Taxes**

Each year the Chairman is asked to certify the towns in Yadkin County that are eligible to receive distributions of beer, unfortified wine and fortified wine excise taxes from the NC Department of Revenue.

**Advertisement of Tax Liens on Real Property**

The Commissioners were asked to order the tax collector to advertise all unpaid taxes and fees that are liens on real property.

**Resolution Extending Arlington Fire District**

The Town of Jonesville has agreed to contract with Arlington Fire and Rescue for fire protection services. The Board was asked to adopt a resolution agreeing to extend the Arlington Fire District to include the municipal limits of the Town of Jonesville. The resolution reads:

**RESOLUTION INCREASING ARLINGTON FIRE AND RESCUE FIRE PROTECTION DISTRICT**

**Whereas**, Arlington Fire and Rescue, Inc. has an established fire district, having been properly designated as such by the Yadkin County Board of Commissioners; and

**Whereas**, the Town of Jonesville and Arlington Fire and Rescue, Inc. have entered into a contractual agreement for Arlington Fire and Rescue, Inc. to provide fire protection service within the corporate limits of the Town of Jonesville, and

**Whereas**, Yadkin County agrees to collect fire tax within the Jonesville Fire District, which is the same as the corporate limits of the Town, at a rate equal to the rate being used in the Arlington Fire District and to disperse all such tax receipts directly to Arlington Fire and Rescue, Inc.; and

**Whereas**, North Carolina General Statute § 69-25.11(5) states “The area of any fire protection district may be increased by including within the boundaries of the district any adjoining territory lying within the corporate limits of the city if the territory is not already included within a fire protection district, provided both the city governing body and the county commissioners of the county or counties in which the fire protection district is located all agree by resolution to such inclusion.”

**NOW THEREFORE, BE IT RESOLVED** the Yadkin County Board of Commissioners agrees to the extension of the Arlington Fire District to include the Jonesville Fire District which is the same as the corporate limits of the Town

**Ware Bonsall Contract Amendment**

The amended contract will have Ware Bonsall provide additional design and engineering services for the relocation of the existing stormwater line that passes through the jail site. The amendment is the result of action taken at the joint meeting with the Town of Yadkinville Commissioners.

**School Nurse Funding Agreement with BOE**

The agreement between the Health Department and the Yadkin County School System provides school nursing services to the students through funds received from the State through the School Nurse Funding Initiative.

**Provision of Health Services Agreement with BOE**

The agreement between the Health Department and the Yadkin County Board of Education governs how funds allocated for use in Yadkin County schools may be used and what the various Health Department staff will do to assist the Schools.

**Public Health Emergency Agreement with BOE**

The agreement between the Health Department and the Yadkin County Board of Education provides guidelines for establishing a dispensing site in response to a national emergency related to acts of bioterrorism or other public health emergency.

**Analysis of Impediments to Fair Housing**

While in receipt of CDBG funds, an Analysis of Impediments to Fair Housing has to be done at least every 5 years. The Board was asked to approve the County’s report and authorize its submittal to the Department of Commerce’s Division of Community Investment.

**Compliance Officer/Grievance Procedure**

The County has to designate someone to be responsible for the coordination of Section 504 of the Rehabilitation Act for Yadkin County’s CDBG program. The Board reviewed the Compliance Officer/Grievance Procedure that appoints the County Manager, or his designee, as the Compliance Officer.

**Environmental Review Record for 2010 Economic Recovery CDBG Emergency Repair Grant**

The County has to evaluate the impact of its CDBG project in relation to a number of Federal and State environmental laws before funds will be released. This Environmental Review Record shows that the County’s project is in compliance with these laws or has no impact on them.

**Contract with Roy Consulting Group**

The SFR10 Grant requires that funds be expended for Risk Assessment, Inspection of Lead, Reports and Clearance Testing, Asbestos Testing, and Radon Testing. Benchmark sent out bid requests and based on

the bids received, they suggest the County award the contract to Roy Consulting Group Corporation.

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

None.

**BOARD ACTION**

**Resolution Declaring March Abandoned Cemeteries Awareness Month**

Andrew Mackie, Chair of the Cemetery Committee, addressed the Board. Approximately 200 abandoned cemeteries have been identified in Yadkin County. Matthew Hamby and Andrew Mackie are locating the known cemeteries on a Yadkin County GIS map. Jason Walker is working with Andrew Mackie to preserve the graves at the Yadkin County Park and 5-D property. He will speak with the Sheriff about using inmates to help maintain cemeteries. He requested the Board approve a resolution declaring March 2012 as Abandoned Cemeteries Awareness Month. The resolution reads as follows:

**A RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS  
TO DECLARE MARCH 2012 ABANDONED CEMETERIES AWARENESS MONTH**

**WHEREAS**, the abandoned cemeteries of Yadkin County constitute a valuable part of the County's cultural heritage; and

**WHEREAS**, an abandoned cemetery is defined as not having had a burial in over 50 years, and there are approximately 600 abandoned cemeteries in Yadkin County; and

**WHEREAS**, the NC General Assembly has directed every county in North Carolina to assume responsibility for the protection of its abandoned cemeteries and to establish a record of said cemeteries in the Office of the Register of Deeds, which has been established in the Yadkin County Register of Deeds, and that each county should establish a cemetery maintenance fund in the Office of the Clerk of Court, which has been established in Yadkin County; and

**WHEREAS**, while some of these cemeteries are maintained by the citizens of Yadkin County and other surrounding counties, most are not maintained and are subject to desecration and destruction; and

**WHEREAS**, Carl C. Hoots made an initial survey of cemeteries in Yadkin County and published a record of the same in 1987, and the Yadkin County Historical Society, Inc. is now updating that work,

**NOW, THEREFORE, BE IT RESOLVED** that the abandoned cemeteries of Yadkin County constitute a valuable part of Yadkin County's cultural heritage. The maintenance of these cemeteries by citizens in and out of the County is appreciated, and the desecration and destruction of said cemeteries is deplorable and illegal. The efforts of Carl C. Hoots and the Yadkin County Historical Society, Inc. to locate these cemeteries and record them is appreciated, and the property owners in the County are encouraged to record these cemeteries on the deeds of their properties.

**BE IT FURTHER RESOLVED** that March 2012 be declared Abandoned Cemetery Awareness Month in Yadkin County.

**Commissioner Hemric made a motion to adopt the Resolution to Declare March 2012 Abandoned Cemeteries Awareness Month. Vice Chairman Zachary second.**

**Vote: 5/0.**

**Administrative Secretary Position in Cooperative Extension**

The Administrative Secretary position has been vacant since October 1, 2011. The County's portion of the cost is 59.57% and is anticipated to be \$21,981.00 with benefits. This position will have the duty of reaching out to assist the 1,300 tobacco quota recipients whose payments will terminate in 2014.

**Commissioner Welborn made a motion to unfreeze the Administrative Secretary position in Cooperative Extension with the sole intent for this position being to focus on working with all**

tobacco quota recipients to prepare for the 2014 termination of payments totaling approximately \$4.65 million annually. Commissioner Hemric second.

Vote: 5/0.

**Reclassify PHN III Position to Processing Assistant V Position and Fill It**

The Health Department requested the PHN III position be reclassified to a Processing Assistant V position and authorize it to be filled. The Office of State Personnel has approved the reclassification and altered responsibilities. **Vice Chairman Zachary made a motion to reclassify the PHN III position to a Processing Assistant V position and authorize the filling of the position. Commissioner Welborn second. Vote: 5/0.**

**Budget Amendment for MUNIS Financial System**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	1044000-49000	2,309,062	26,138	2,335,200
Technology Capital Outlay	1059000-56020	100,000	26,138	126,138

The Board of Commissioners approved an appropriation of \$40,800.00 of fund balance for the Munis Financial System in FY2011. Only \$14,662.00 was used so the remainder of the funds went back into the fund balance at the end of the fiscal year. This budget amendment will re-appropriate the \$26,138.00 that remained. The funds will be used to continue the training and implementation of new Munis modules in this fiscal year. **Vice Chairman Zachary made a motion to approve the budget amendment for the Munis Financial System. Commissioner Moxley second.**

Vote: 5/0.

**North Carolina Tobacco Trust Fund Commission Application**

The County Manager requested permission to submit a grant application to the North Carolina Tobacco Trust Fund Commission. Applying for the grant does not commit the County to building the Yadkin Valley Agricultural Center. If awarded the funds, they would be used to build the YVAC if the County decided to move forward with the project. The grant requires an endorsement letter. County Manager Church read the letter. The Board approved applying for this grant and approved the County Manager starting the application process for any other grants he finds. **Commissioner Hemric made a motion to authorize the County Manager to submit the North Carolina Tobacco Trust Fund Commission application to build the “Yadkin Valley Agricultural Center” (YVAC) and authorize the Chairman of the Board of Commissioners to sign the Assurance Letter. Commissioner Welborn second.**

Vote: 5/0.

**RFQ for Architect Services for Agriculture/Conference Center/Education Building**

The County Manager requested approval to send out an RFQ for architect services for an Agriculture/Conference Center/Education Building. The services would consist of a needs and space assessment, site selection, site assessment master plan, budget development, and a schematic or conceptual design of the resulting building. This building would be used for office space for FSA, Cooperative Extension, Soil & Water, and Forestry. There would also be a conference room. The cost of these services is estimated to be \$30,000.00. **Commissioner Moxley made a motion to authorize the County Manager to send out an RFQ for architect services for the Agriculture/Conference Center/Education Building. Vice Chairman Zachary second.**

Vote: 5/0.

**CALENDAR NOTES**

- 1) None.

**MANAGER’S REPORTS/BOARD ACTION**

### **Mandatory Meeting for Jail Construction Bidders**

The mandatory pre-bid conference will be held this Thursday in the Board of Commissioners room for the companies that are interested in bidding on the jail construction project.

### **PARTF Grant**

Bob Clark submitted the PARTF grant application. PARTF contacted the County and arrangements were made for them to be here on Thursday to look at the 5-D site.

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

### **Health Funds Transfer**

The Health Department transferred \$500.00 to Admin Dues/Subscription to cover increases in subscription fees and dues for NCALHD, NACCHO, and NCPHA.

### **JCPC Funds Transfer**

The State's Department of Public Safety requested that JCPC transfer \$442.00 to Project Challenge.

### **EMS Funds Transfer**

EMS transferred \$463.00 to Travel/Training to cover required training costs.

### **Netmotion Wireless Contract**

This contract sets the terms for the NetMotion wireless software maintenance agreement.

### **Piedmont Triad Computer Consulting Contract**

This contract is to maintain software updates on the AS400 system for One/Tax and IBM; to assist with queries, and to handle any issues and/or questions on the AS400 system.

### **Voice Data Solutions Contract**

This contract provides for the collection of taxes with credit cards and eChecks.

### **Steve Dowell Roofing Contract**

This contract is for roofing repair work done on the Adult Services DSS building.

## **BOARD VACANCIES/APPOINTMENTS**

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

There is one vacancy on the Committee.

### **Community Child Protection Team**

There is a vacancy to be filled by a parent of a child who has died.

### **Partners Behavioral Health Management Board**

There are two vacancies: one to be filled by a Commissioner and one to be filled by a citizen.

## **COMMISSIONER COMMENTS**

**Vice Chairman Zachary** thanked everyone for coming tonight. He commented on their being a student from East Bend who remained for the entire meeting. He asked the student, Carter, to tell his classmates that he appreciated them being here tonight to lead the Pledge of Allegiance. It was a pleasure to see everybody. He thanked Andrew Mackie for being here and for all of the work he is doing for the cemeteries. He was glad to see the cooperation Andrew Mackie is getting from the County staff. Hearing that PARTF wants to visit is exciting. It would be great to get that grant. The discussion of the agriculture building is coming about rather quickly. He was glad Commissioner Hemric could be here tonight. He appreciated Ralph Hutchens' comments about the Report to the People. Several people have told him how much they like the report. He thanked the staff for their hard work on the report.

**Commissioner Moxley** thanked everyone who came tonight. There was a big crowd to hear the students lead the Pledge. He thanked the students for coming. He thanked Andrew Mackie for his hard work with the cemeteries. He is glad someone is finding and maintaining those cemeteries. They are a part of our heritage and need to be kept up. He was glad to see Rex Baity here tonight. It is good to hear that PARTF is interested enough to come and look at the 5-D site. It sounds hopeful that we may get the grant we applied for. It is nice to know the County will apply for funds from the Tobacco Trust Fund. The building the funds would be used for would benefit the County and the Yadkin Center campus of Surry Community College. We look forward to maybe hearing good things about that. He was glad to see Brent back. He appreciated Ralph Hutchens' comments on the Annual Report. A lot of good comments have come in about that.

**Commissioner Hemric** thanked everyone for coming out. He was glad he could attend. He thanked the children who came from East Bend to lead the Pledge. He hopes the agriculture building project will be able to come about.

**Commissioner Welborn** thanked everyone for coming out. He was glad to see the students here. He stated he wanted to take a minute to thank the Chairman for the work he has done. Kevin Austin has done a fantastic job as Chairman.

**Chairman Austin** congratulated Jason Walker and anyone else who was involved in the County earning a National Recognition Award in the American Council of Engineering Companies 2012 Engineering Excellence Awards competition for the 5-D project. He thanked the NC Cooperative Extension and the ECA group for the wonderful dinner tonight. Agriculture is our largest industry and this Board cares a great deal about the future of agriculture. There is a new program through the Rural Center called New Generations that focuses on keeping youth in rural counties. More information will be coming on that in the next few months. This is a real problem for Yadkin County because from the year 1990 to 2010 Yadkin County has lost over 16% of its population aged 23 to 30. We need young people building careers here in Yadkin County to sustain the County. He welcomed Lindsay Craven, the new reporter from the Ripple, and thanked her for covering our meetings.

**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 Howard Gene Whitaker vs. Office of Emergency Medical Services. Vice Chairman Zachary second.**

**Vote: 5/0.**

#### **RECESS**

8:10pm to 8:20pm.

After a motion to come out of Closed Session was made and the Board was in **Open Session**, **Commissioner Welborn made a motion to authorize the County Manager to consider the drafted late fees, up to \$2,600.00, as advanced payments to US Bank and to start looking for alternate companies and plans for copiers. Vice Chairman Zachary second.**

**Vote: 5/0.**

**Commissioner Hemric made a motion to reclassify the Elections Assistant position at grade 59 to an Assistant Elections Director position at grade 65 and authorize the Board of Elections to hire someone. Commissioner Moxley second.**

**Vote: 5/0.**

**Commissioner Moxley made a motion to create a temporary part-time Elections Assistant position, at grade 59, to work 32 hours a week with 80% benefits that will last thru December 31, 2012 and authorize the Board of Elections to fill the position. Commissioner Welborn second.  
Vote: 5/0.**

**Vice Chairman Zachary made a motion to adjourn. 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