

**YADKIN COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION MINUTES  
Monday, March 19, 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, March 19, 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 7:00pm.

**PLEDGE OF ALLEGIANCE** led by Zola Sheek and McKenzie Warden, 3rd graders at Yadkinville Elementary School.

**ADJUSTMENTS TO/ADOPTION OF THE AGENDA**

A budget amendment for the jail was added as Board Action item #5. The March 5, 2012 Closed Session Minutes were moved to Closed Session for discussion. **Commissioner Welborn made a motion to adopt the Agenda with noted changes. Commissioner Hemric second.**

**Vote: 5/0.**

**PUBLIC COMMENTS**

There were none.

Chairman Austin closed the Public Comments portion at 7:06pm.

**APPROVAL OF MINUTES**

The March 5, 2012 Regular Session minutes were reviewed for Board approval. **Vice Chairman Zachary made a motion to approve the minutes. Commissioner Moxley second.**

**Vote: 5/0.**

**REPORTS/REQUESTS OF THE BOARD**

**Enterprise Business Solution Presentation**

Michael Goliber, of Davis-Martin-Powell & Associates, addressed the Board. The project initiation and data collection phases and the research and analysis phases of the Enterprise Business Solution have been completed. A county-wide water model has been created. The existing water lines are incorporated into the model. Jeff Cruickshank, of Hazen & Sawyer, went over various scenarios that had been modeled to get water to Boonville, East Bend, and the Forbush Schools. Cost will be the next factor to look at in evaluating the scenarios. They are currently working on their recommendations and implementation strategies. The draft report should be completed early next week.

**Jonesville Yadkin River Greenway Project Presentation**

Dale Swofford, of the Jonesville Tourism Development Authority, presented the Board with information about the Jonesville Yadkin River Greenway project. Grant funding has been secured from the North Carolina Clean Water Management Trust Fund to acquire property along the river for the greenway. Phase 1 of the project is from the old HWY 21 bridge to the interstate 77 bridge. They have been working on that section for approximately 6 months. The next sections will take the greenway to Rockford. Eventually, it will be tied to other trails, such as the Mountains to the Sea Trail. Many activities will be offered, including walking, fishing, canoeing, and camping. There will be handicapped accessible fishing piers. The project should bring in more tourists and increase community activities. This could lead to new businesses coming to the area.

**CONSENT AGENDA**

**Commissioner Hemric made a motion to approve the Consent Agenda. Commissioner Moxley second.**

**Vote: 5/0.**

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

**Non-Departmental/Gov Body/Admin Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Non-Departmental Prof Services	1059000-51500	124,296	(17,510)	106,786
Governing Body Board Member Fees	1054110-51200	31,500	1,375	32,875
Governing Body Social Security	1054110-51300	1,953	500	2,453
Governing Body Medicare	1054110-51310	456	125	581
Governing Body Travel Reim	1054110-54015	5,300	1,500	6,800
Admin Salaries	1054120-51010	166,275	9,700	175,975
Admin Social Security	1054120-51300	10,310	455	10,765
Admin Medicare	1054120-51310	2,415	110	2,525
Admin Retirement	1054120-51330	11,450	1,600	13,050
Admin Travel-Manager	1054120-54014	4,000	2,145	6,145

Adjustments needed due to the County Manager receiving a salary increase after the budget was adopted.  
Adjustments needed for governing body.

**Contract with ePlus**

The IT Department requested the Board approve a contract with ePlus to provide the professional services needed to implement new Cisco equipment.

**Contract with Tritest, Inc**

The Solid Waste Department requested the Board approve a contract with Tritest, Inc to perform leachate water testing at the landfill collection site and document the results.

**Unfreeze Processing Assistant IV Position at Dental Clinic**

The Health Department requested the Board unfreeze the Processing Assistant IV position at the Dental Clinic and authorize it to be filled using the applications they have already received for the Health Department's front desk Processing Assistant IV position. The job duties are the same. The front desk position was filled by the Dental Clinic's Processing Assistant IV, leaving a vacancy there.

**Unfreeze Animal Control Officer Position**

Animal Control requested the Board unfreeze the Animal Control Officer position that has become vacant and authorize it to be filled.

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

### **Public Hearing on Zoning Map Amendment for PIN# 485800603284 from RA to CB-CD**

Bob Clark addressed the Board. Robert S Keaton has requested that 0.69 acres of a 10.87 acre tract be rezoned from Rural Agriculture to Community Business Parallel Conditional Use District. The property is located on Cheek Road in Hamptonville. The rezoning will limit the use of that piece of the property to an auto sales lot and will require the owner to follow the submitted site plan. This rezoning is consistent with the Land Use Plan because a limited small auto sales lot use will cause minimal disturbance of rural land use patterns; there is limited commercial activity of a similar size present already at three other locations in the general vicinity, two on Rena Rd. and another on Collins Rd.; the property owner is required to plant a minimum 20 foot buffer along the residential sides; this proposed limited CB-CD zone would provide a reasonable transition between the adjacent intensive agricultural use (chicken houses) and residential property to the north. The conditional zoning will be recorded in the Yadkin County Register of Deeds office so if the property is sold the buyer will know what the restrictions are. The Planning Board recommends approving the rezoning. Chairman Austin opened the Public Hearing at 8:07pm.

Robert Keaton, the property owner, addressed the Board. He believes that a good compromise has been reached that will be good for him and the County. He is a retired auto dealer who has maintained his dealer license. He would like to operate a small auto sales business across from his home to subsidize his retirement. He does not want to do anything that would compromise the integrity of the community. He stated the facilities he will have there will be very nice and appropriate.

No one else came forward. Chairman Austin closed the Public Hearing at 8:11pm and read the Statement of Zoning Consistency. **Commissioner Hemric made a motion to adopt the statement of zoning consistency and approve the zoning map amendment request made by Robert S Keaton, 1728 Cheek Road, for the 0.69 acre southern portion of a 10.87 acre tract, PIN# 485800603284, from Rural Agricultural (RA) to Community Business (CD)-CD Parallel Conditional Use District limited to a small auto sales lot and developed according to the presented site plan and incorporating, by reference, the conditions Bob Clark listed.** Bob Clark listed the conditions as: site is limited specifically to a small auto sales lot; site will have a 14 x 16 foot building; the site plan dated 02/24/2012 must be followed; must include a substantial buffer of 20 feet as depicted on the plan, of wax myrtle or leyland cypress or similar, to provide a screen between the site and adjacent residential areas; and the signage is limited to one free-standing sign at the front of the property in accordance with regulations. **Commissioner Moxley second.**

**Vote: 5/0.**

### **Public Hearing to Close-out Courtney-Huntsville CDBG Infrastructure Grant Project 08-C-1858**

Bob Clark addressed the Board. Some engineering and administrative work was completed but the project had to be put on hold before any construction was done. The State has de-obligated the funds so the project needs to be closed out. Mr. Clark summarized the prepared final project budget ordinance. In addition to public notice, the property owners who had granted easements for the project were notified of the close-out. Thus far, some have responded they would like the County to retain their easement in case it is needed in the future. One owner has requested removing an easement. Chairman Austin opened the public hearing at 8:27pm. No one came forward to speak. Chairman Austin closed the public hearing at 8:28pm. **Vice Chairman Zachary made a motion to approve the closeout of the 2008 Courtney-Huntsville Area CDBG Water Infrastructure Project and authorize the Chairman to sign the Certificate of Completion and to adopt the final project budget ordinance amendment.**

**Commissioner Welborn second.**

**Vote: 5/0.**

## **BOARD ACTION**

**Contract with Bryant Media Consulting**

The Bryant Media Consulting contract is for them to produce a video, or videos, about Yadkin County that equals approximately 4 minutes in length. The video(s) would be displayed on the County website. The main focus of the video(s) would be economic development. We want to attract individuals and businesses to come to Yadkin County by showing them what we have to offer. **Commissioner Welborn made a motion to approve the contract with Bryant Media Consulting and authorize the County Manager to sign. Vice Chairman Zachary second.**

**Vote: 5/0.**

**Budget Amendment for E-911 Fund**

E-911 Funds can only be used for specific purposes that are defined by the NC E-911 Board. The E-911 Board has approved Yadkin County using some of the funds to purchase five patrol cars, an ambulance, and miscellaneous Public Safety equipment. The funds have to be spent by June 30, 2012. **Vice Chairman Zachary made a motion to approve the budget amendment to purchase five patrol cars, one EMS ambulance, and miscellaneous Public Safety equipment. Commissioner Moxley second.**

**Vote: 5/0.**

**E-911 Fund Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	2744312-49000	276,618	292,728.11	569,346
Vehicles	2754312-56100	15,200	292,728.11	307,928

**Bid Proposal for Two New Type III Class One Ambulances**

Northwestern Emergency Vehicles submitted a proposal to supply one or more New Type III Class One ambulances at a cost of \$119,998.00 each. The Board was requested to accept their bid proposal and allow the purchase of two ambulances. One ambulance was already included in the budget and the second ambulance will be purchased from E-911 funds. **Commissioner Hemric made a motion to accept the bid proposal from Northwestern Emergency Vehicles for the amount of \$119,998.00 for each ambulance for a total of two (2) ambulances. Vice Chairman Zachary second.**

**Vote: 5/0.**

**Energy Conservation Policy**

The Energy Sustainability Committee has prepared an Energy Conservation Policy. They are requesting the Board of Commissioners adopt this Policy with an effective date of April 1, 2012. The purpose of the policy is to reduce energy consumption and improve energy efficiency. Improvements in energy consumption have already been made. Motion sensor lights have been installed in some of the restrooms to prevent the lights from remaining on all the time. **Commissioner Welborn made a motion to approve the Yadkin County Energy Conservation Policy as recommended by the Energy Sustainability Committee with an effective date of April 1, 2012 and authorize the County Manager to implement the policy. Commissioner Moxley second.**

**Vote: 5/0.**

**Jail Budget Amendment**

A transfer to the jail food & provisions line item is needed due to Yadkin County having an increased number of inmates. A transfer to the professional services/medical line item is needed to cover inmate medical bills. **Vice Chairman Zachary made a motion to approve the budget amendment as presented. Commissioner Welborn second.**

**Vote: 5/0.**

**Budget Amendment for Jail**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Sheriff Group Insurance	1054310-51350	215,280	(5,000)	210,280

Water/Sewer Contracted Exp	1054714-51700	240,000	(50,000)	190,000
Water/Sewer Equipment Maint	1054714-53020	30,000	(10,000)	20,000
Water/Sewer Telephone	1054714-54200	5,000	(2,000)	3,000
Healthy Carolinians Rent & Utilities	1055190-54300	6,500	(5,000)	1,500
Healthy Carolinians Salary	1055190-51010	49,200	(5,000)	44,200
Non-Departmental Prof Svcs	1059000-51500	124,296	(20,000)	104,296
Non-Departmental Contract Svce	1059000-51700	34,945	(20,000)	14,945
Non-Departmental Svce Contracts	1059000-51701	40,000	(6,000)	34,000
Non-Departmental Tech Cap Outlay	1059000-56020	126,138	(5,000)	121,138
Non-Departmental Contingency	1059000-585000	6,000	(6,000)	0
Health-Dental Contracted Svces	1055185-51700	234,359	(10,000)	224,359
Jail_Professional Svcs/Medical	1054320-51520	80,000	34,000	114,000
Jail_Food & Provisions	1054320-52200	285,000	110,000	395,000

### **CALENDAR NOTES**

- 1) March 27, 2012 – Budget Workshop.
- 2) April 3, 2012 – Mandatory pre-bid conference for Jail Food Services RFP.
- 3) April 6, 2012 – County offices closed for Good Friday.
- 4) April 17, 2012 – Bid Opening for Jail Food Services.

### **MANAGER’S REPORTS/BOARD ACTION**

#### **Jail Bid Report**

The jail bid opening was last week. The bids came in higher than was estimated. That was due in part to higher fuel costs.

#### **RFQ for Ag Building**

The RFQ’s came in for the Ag Building. A copy of them is available for review in the Clerk’s office. The Commissioners and the County Manager are reviewing them now.

#### **Park Update**

The playground structure is complete. The cost of the consultant who supervised the installation of the playground equipment was approximately 50% less than was expected. The playground installation did not take as long. A lot of employees assisted with the installation and they did a good job. The landscaping needs to be completed. Fencing may also be added if the budget allows.

#### **New Website**

The new website is up. Daniel Settle, the IT Director, has done a great job with that. The departments who have written their own webpage content have also done a great job. Daniel Settle is working on getting the County setup to send out news and information on twitter and facebook.

#### **Munis Update**

The Munis purchase order system is up and running. The County generated its first two purchase orders from it today. At the next Board Meeting, the Board will be shown the process the departments go through to expend funds.

#### **New Generations Grant**

This is a grant from the Rural Center. The funds are for a rural county to use to keep young adults between the ages of 18 and 30 in the county and gainfully employed. A letter of intent to apply was submitted to them and the County has received back an application. This grant will require a 5% local match from the County. The grant application will be submitted to the Board for review.

### GovDeals Update

GovDeals is doing very well. The County has several vehicles that are closing tonight. The funds from the sale of those vehicles will go into the vehicle replacement fund. Lisa Hughes has done a great job with this.

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

### Parks and Recreation Funds Transfer

The Parks and Recreation Department transferred \$1,000.00 from Countywide Activities to Gas/Diesel to cover the costs of gas and diesel fuel.

### Gentry Family Funeral Services Contract

The DSS Department has a contract with Gentry Family Funeral Services to cremate unclaimed bodies in compliance with NCGS 130A-415.

### Tyler Technologies Contract

The IT Department has a contract with Tyler Technologies for operating system and database administration support.

### VISIX Televere System Software Contract

The Health Department has a license agreement with Televere Systems Software.

## **BOARD VACANCIES/APPOINTMENTS**

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

There is one vacancy on the Committee.

### Aging Planning Committee

There is one vacancy to be filled by someone from the Fall Creek area.

### Surry County Housing Consortium

There are two vacancies and three possible reappointments for this Council. The three people that are up for reappointment are: Wayne Matthews, Andy Anderson, and Scott Buffkin.

### Partners Behavioral Health Management Board

There are two vacancies: one to be filled by a Commissioner and one to be filled by a citizen. Vice Chairman Zachary and David Buie were considered for the appointments. They both currently serve on the Crossroads Mental Health Board. **Vice Chairman Zachary made a motion to appoint David Buie to the Partners Behavioral Health Management Board, pending his acceptance of the position. Commissioner Hemric second. Vote: 5/0. Commissioner Moxley made a motion to appoint Frank Zachary as the Commissioner member of the Partners Behavioral Health Management Board. Commissioner Welborn second. Vote: 5/0.**

### Tourism Development Authority

Brenda Doub of Flint Hill Vineyards and Mark Berry of Bloom Town Acres & Lama Trekking are up for reappointment to the Yadkin County Tourism Development Authority. **Vice Chairman Zachary made a motion to reappoint Brenda Doub and Mark Berry to the Yadkin County Tourism Development Authority for a three year term from February 28, 2012 to February 28, 2015. Commissioner Moxley second. Vote: 5/0.**

## COMMISSIONER COMMENTS

**Commissioner Hemric** thanked everyone for coming out tonight. He thanked the children from Yadkinville Elementary School for leading the Pledge. He appreciated the presentation on the water Enterprise Business Solution. He believes that will be a real good thing for the County to look into. He enjoyed the Greenway Trail presentation. He thanked Daniel Settle for the work he did on the new website.

**Commissioner Welborn** thanked everyone for coming. He thanked the children for leading the Pledge of Allegiance. Over the weekend he attended the play that the Boonville fifth and sixth graders put on. He stated it was unreal how good the play was.

**Vice Chairman Zachary** thanked everyone who was here tonight. He stated there were some interesting presentations tonight. He appreciated Mr. Goliber and Mr. Cruickshank being here to make the water Enterprise Business Solution presentation. The plans offered various options to run water and that is good. It looks like they have been hard at work on that. The presentation about the Greenway Project was interesting. It is an ambitious project that should fit in to the Yadkin Valley brand that we have been talking about. Arthur Winters, a former County Commissioner, passed away. Vice Chairman Zachary stated he would like to remember Arthur Winters and his family. He had served on the Board with Mr. Winters in the past and was proud to have done so.

**Commissioner Moxley** thanked everyone who attended the meeting. He stated we did have some good presentations tonight. Over the weekend he made a trip over to the County Park. There were some games going on and it was a very busy place. The new playground equipment is finished and just about ready for use. The cement around the poles needs to set a little longer. It looks really great. He commended Jason Walker and County Manager Church for all of their hard work. He read part of a 1996 newspaper article called Delinquent Taxes are discussed by Commissioners. The Board had discussed delinquent taxes then because there had been some complaints about how some taxpayers had not paid their taxes in several years and nothing was done about it. The article went on to say they would try to come up with some strategies to collect delinquent taxes. Commissioner Moxley is glad that the County is moving forward with a project that was started so long ago.

**Chairman Austin** stated it was nice to see Principal Sheek here as a dad instead of as a principal. Several of the Commissioners attended the Fire and Rescue Association Banquet last weekend. The guest speaker at the banquet is in charge of recruitment for Guilford County's Fire Departments. He was pretty interesting. Chairman Austin had written an editorial several years ago about what a great place Fire Departments are for gaining experience and for civic involvement. One thing the guest speaker made note of was how nice it was that Commissioners attended the event. Chairman Austin stated we really do support our fire and rescue workers in Yadkin County. The workers do a fantastic job and the County couldn't get by without them. He went to the Park over the weekend with his son and they had a good time. He has learned that our Forbush Cheerleaders have once again won the championship held at Myrtle Beach, bringing further pride to Yadkin County.

**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. Commissioner Hemric 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 payment plan agreement for delinquent**

**taxes and authorize the Tax Administrator to enter into the agreement with taxpayers. Vice Chairman Zachary second.**  
**Vote: 5/0.**

[The Payment Plan Agreement is attached as Appendix A.]

**Vice Chairman Zachary made a motion to eliminate the Planning Technician position effective April 9, 2012 and create the position of Planner at Grade 67 effective immediately and authorize the County Manager to advertise and fill it. Commissioner Hemric second.**  
**Vote: 5/0.**

**Chairman Austin made a motion to unfreeze the Animal Shelter Attendant position at Animal Control and authorize the County Manager to transfer Melanie Yates to this position at her current salary of \$26,000.00 a year, effective April 9, 2012. Commissioner Welborn second.**  
**Vote: 5/0.**

**Commissioner Moxley made a motion to approve the proposed EMS Major salary for James Collins at a 2% increase of his current pay for a salary of approximately \$53,553.00. Vice Chairman Zachary second.**  
**Vote: 5/0.**

**Commissioner Moxley made a motion to approve the March 5, 2012 Closed Session minutes with the noted change. Commissioner Welborn second.**  
**Vote: 5/0.**

**Commissioner Hemric made a motion to recess the meeting to Tuesday, March 27, 2012 at 7:00pm in the Board of Commissioners room. Commissioner Welborn 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

# Appendix A

North Carolina  
Yadkin County

## PAYMENT PLAN AGREEMENT FOR DELINQUENT TAXES

This Agreement is made on \_\_\_\_\_, 20\_\_\_\_ (“Effective Date”), by and between Yadkin County and:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(collectively, the “Taxpayer”).

### WITNESSETH:

WHEREAS, as of the Effective Date, the Taxpayer is indebted to Yadkin County in the amount of \$\_\_\_\_\_ (“Delinquent Amount”) for delinquent property taxes, interest, and penalties on parcels

\_\_\_\_\_  
\_\_\_\_\_  
(the “Parcels”); and

WHEREAS, Yadkin County has agreed to postpone foreclosure and garnishment proceedings to collect the Delinquent Amount in exchange for the Taxpayer complying with all of the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration for the mutual promises in this Agreement, Yadkin County and the Taxpayer agree as follows:

1. Each month during the term of this Agreement, the Taxpayer shall make a payment of at least \$\_\_\_\_\_ to the County no later than 5:00 p.m. on the \_\_\_\_\_ day of the month, including the month of this Agreement’s Effective Date. This is a minimum payment, and the Taxpayer in any month may pay more than this minimum amount.

2. Notwithstanding any other provision in this Agreement, the total Delinquent Amount, including all interest and penalties that accrue on the Delinquent Amount after the Effective Date, must be paid in full no later than \_\_\_\_\_ months after the Effective Date.

3. A particular month’s payment is missed if payment in full is not received by the Tax Office within five (5) business days after the monthly due date specified in Paragraph 1 of this Agreement. A partial payment that is below the monthly minimum will count as a missed payment. If any two (2) monthly payments, whether consecutive or non-consecutive, are missed during this Agreement’s term, this Agreement shall terminate, and Yadkin County shall have the right to pursue any and all collection remedies available to it by law, including foreclosure and garnishment. The Tax Office is under no obligation to notify the Taxpayer when a payment is missed or to remind the Taxpayer that a second missed payment will terminate this Agreement. The Taxpayer acknowledges that, if this Agreement is terminated, the Taxpayer will not be able to enter into any other payment plan for any part of the Delinquent Amount.

4. The Taxpayer understands that the amount owed by the Taxpayer will continue to accrue interest and penalties as provided by North Carolina law until it is paid in full.

5. This Agreement does not excuse the Taxpayer from timely paying any taxes or other amounts that are not included in the Delinquent Amount. For example, the Taxpayer shall timely pay all taxes, interest, and penalties that become due on any of the Parcels after the Effective Date, as well as any amounts that were already due on the Effective Date but not included in the Delinquent Amount. This Agreement only provides a timetable for paying the Delinquent Amount in full and does not waive or forgive any taxes, interest, penalties, or other amounts that the Taxpayer currently owes or will owe in the future.

6. The Taxpayer acknowledges and understands that all payments made under this Agreement shall be applied first to any interest or penalties owed and then applied to taxes owed. Unless the Taxpayer requests otherwise in writing, when payments are applied to taxes owed, they will be applied first to the oldest tax bill for which delinquent amounts are still owed.

7. If any foreclosure proceeding is initiated with respect to any of the Parcels, regardless of who initiates that proceeding and regardless of whether or not it is a tax foreclosure proceeding, then notwithstanding this Agreement Yadkin County may initiate its own foreclosure proceeding with respect to the Parcels and/or take any other action to protect the County's tax lien in the Parcels and to collect the taxes and other amounts owed to the County for the Parcels.

8. This Agreement is an accommodation to the Taxpayer. Upon termination of this Agreement or upon violation of any provision of this Agreement by the Taxpayer, Yadkin County may use all rights and remedies provided by law to collect all or any portion of the Delinquent Amount and any interest and penalties that have accrued on it, including garnishment (N.C.G.S. § 105-368) and foreclosure (N.C.G.S. §§ 105-374 and 375).

9. Taxpayer acknowledges and agrees that this Agreement does not prohibit Yadkin County from collecting any portion of the Delinquent Amount through debt set-off recovery, nor does this Agreement prohibit Yadkin County from advertising any unpaid tax lien on the Parcels as required by N.C.G.S. § 105-369.

10. This Agreement can be modified only by a written amendment signed by the Taxpayer and by the Yadkin County Tax Collector. The Taxpayer acknowledges and agrees that, except for a written amendment signed by the Tax Collector, no Yadkin County employee has authority to waive or modify any aspect of this Agreement or to excuse the Taxpayer from making any monthly payment required by this Agreement.

11. This Agreement is the complete agreement between the County and the Taxpayer concerning the subject matter of this Agreement and supersedes any and all prior agreements, discussions, understandings, or representations concerning the subject matter. This Agreement shall be governed by the laws of North Carolina without regard to North Carolina's choice of law provisions. Any legal proceeding concerning this Agreement must be filed in Yadkin County, North Carolina.

TAXPAYER:

YADKIN COUNTY:

\_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_

Yadkin County Tax Collector

Date: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_