

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

## **Monday, May 21, 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, May 21, 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 7:00pm.

**PLEDGE OF ALLEGIANCE** led by Lucero Pelagio of Forbush Middle School. She is an accomplished artist who had her work displayed in New York City.

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

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

**Vote: 5/0.**

### **PUBLIC COMMENTS**

Debbie Dennis, from East Bend, addressed the Board. She works for the Yadkin County Health Department as a Nurse Practitioner. She stated that on March 20<sup>th</sup> they received a memo from Mrs. Thomas informing them that a preliminary budget meeting with the County Manager resulted in the lack of funds to maintain 4 key positions within the health department. The positions were a public health nurse, two interpreters, and the health educator. She said this was a shock to the employees of the Health Department, especially to those employees who would lose their jobs. She believes that losing two interpreters will be hard on the Health Department because the majority of their clients are Spanish speaking. They later received a memo directly from County Manager Church. She stated that his memo said he would recommend eliminating several positions, but no currently filled positions. The memo further stated that he would recommend all dental clinic employee hours be reduced to 32 hours a week since there is not a dentist there on Friday. She said the dental clinic staff had no prior knowledge of this. She believes that a lab tech position is needed because a RN currently has to take time away from the clinic to fulfill these duties for which she is overqualified and overpaid. She urged the ones deciding on the budget to speak with the people who are involved in the day-to-day operations of the clinic and to compare notes with other health departments.

Chairman Austin closed the Public Comments portion at 7:09pm.

### **APPROVAL OF MINUTES**

The April 30, 2012 Joint Session Minutes were reviewed for Board approval. The May 7, 2012 Regular and Closed Session minutes were reviewed for Board approval. **Vice Chairman Zachary made a motion to approve all sets of minutes. Commissioner Welborn second.**

**Vote: 5/0.**

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

**Resolution Dedicating Playground In Memory of Lance Corporal Daniel Freeman Swaim**

The new playground at the Yadkin County Park will be dedicated in memory of Lance Corporal Daniel Freeman Swaim. The dedication will be a week from today at the end of the Memorial Day service. Commissioner Moxley had Daniel Swaim in his class at Forbush. He loved the outdoors and would be honored to know that the new playground was dedicated to him. A video was shown of Lance Corporal Daniel Freeman Swaim. Chairman Austin read a couple of letters that spoke of the kind of person and marine Swaim was. The letters were written by Sgt. Sean Selman and Cpl. Scott Williford. Swaim was killed on November 10, 2005 and Chairman Austin asked that everyone remember Lance Corporal Daniel Freeman Swaim on that day. Chairman Austin read the following resolution:

**A RESOLUTION  
DEDICATING THE PLAYGROUND AT THE YADKIN COUNTY PARK  
IN MEMORY OF LANCE CORPORAL DANIEL FREEMAN SWAIM**

**WHEREAS**, Lance Corporal Daniel Swaim was a life-long resident of Yadkin County; and

**WHEREAS**, Lance Corporal Daniel Swaim proudly and humbly served the United States, North Carolina and the people of Yadkin County as a United States Marine; and

**WHEREAS**, Lance Corporal Daniel Swaim was assigned to the United States Marine Corp 3<sup>rd</sup> Battalion, 6<sup>th</sup> Marine Regiment, 2<sup>nd</sup> Division, II Marine Expeditionary Force out of Camp Lejeune, NC; and

**WHEREAS**, Lance Corporal Daniel Swaim made the ultimate sacrifice when he was killed in action at the age of 19, on November 10, 2005 searching for insurgents outside Husayba, an Iraq town near the Syrian border by an explosive device while participating in Operation Steel Curtain; and

**WHEREAS**, Lance Corporal Daniel Swaim, is the only Yadkin County Citizen that was killed in action in the Iraq War; and.

**WHEREAS**, Lance Corporal Daniel Swaim gave his life so that we may all be here today living in a free country with the right to life, liberty and the pursuit of happiness.

**NOW, THEREFORE, BE IS RESOLVED** by the Yadkin County Board of Commissioners in the State of North Carolina in the United States of America the following:

1. That, in recognition of Lance Corporal Daniel Swaim’s sacrifice of giving his life, the Governing Body hereby dedicates the new playground at the Yadkin County Park in memory of Daniel Swaim.
2. That a certified copy of this Resolution be presented to the Swaim Family.
3. The name of the playground shall be “Daniel’s Playground” so that all children and parents that will enjoy the facility for years to come will know that some gave all so they may be free.
4. That a granite monument with a bronze plaque be erected on Memorial Day, the 28<sup>th</sup> Day of May, 2012 that reads:

**DANIEL’S PLAYGROUND**

*Dedicated May 28<sup>th</sup>, 2012*

In Memory Of  
Lance Corporal Daniel Freeman Swaim  
United States Marine Corps  
Killed in action on November 10, 2005  
In Iraq during Operation Steel Curtain

*Daniel loved Yadkin County and loved the outdoors. He was a proud graduate of Forbush High School and wanted nothing*

*More than to serve his country as a  
US Marine.*

5. That a sign be erected over the entrance of the playground displaying the words “Daniel’s Playground”.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Yadkin County Board of Commissioners at a regular meeting on the 21<sup>st</sup> day of May in the year 2012.

**Commissioner Moxley made a motion to adopt the Resolution dedicating the playground in Memory of Lance Corporal Daniel Freeman Swaim as presented. Commissioner Welborn second. Vote: 5/0.**

**CONSENT AGENDA**

**Commissioner Welborn made a motion to approve the Consent Agenda. 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
Title XIX Transportation	1045320-42285	600,000	85,000	685,000
Title XIX Transportation	1055320-57580	600,000	85,000	685,000
Assisted Living for the Aged	1055400-57920	137,984	35,000	172,984
Assisted Living for the Disabled	1055400-57930	135,000	(20,000)	115,000
Adoption Vendor	1055320-57810	57,753	(15,000)	42,753
Verification Fees	1055320-57550	500	200	700
Adoption Vendor	1055320-57810	42,753	(200)	42,553

Title XIX Transportation is 100% federal funds; the revenue and expenditure lines need to be increased by \$85,000.00. Additional funds are needed for Assisted Living for the Aged and for Verification Fees.

**DSS Contracted Services Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Salaries	1055300-51010	2,266,597	(14,000)	2,252,597
Contracted Services	1055300-51700	87,000	14,000	101,000

Transfer of funds from Salaries to Contracted Services to cover costs associated with the Harry Maney contract.

**Elections Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Non-Dept Professional Svcs	1059000-51500	86,786	(2,200)	84,586
Elections Group Insurance	1054170-51350	5,520	2,200	7,720

Additional funds are needed for group insurance due to an additional employee being added to insurance.

**Public Buildings Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Insurance & Bonding	1054260-55150	30,000	(3,200)	26,800
Vehicle Maintenance	1054260-53040	750	1,200	1,950

Contract Services	1054260-55030	10,450	2,000	12,450
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Additional funds are needed for tires, vehicle maintenance, and contracted services.

**Services & Development Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Postage	1054910-54250	1,350	(1,000)	350
Advertising	1054910-54400	1,250	350	1,600
Lease Agreements	1054910-51750	3,445	650	4,095

Funds needed to cover additional advertising costs and copier lease costs.

**Animal Control Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Donation	1044380-44139	0	365	365
Building & Grounds	1054380-53010	4,500	365	4,865
Animal Control Fees	1044380-44112	13,630	5,874	19,504
Building & Grounds	1054380-53010	4,865	5,874	10,739

Funds needed for one-time expenditures such as adding of electrical outlets, drains, etc.

**Solid Waste/Recycling Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Vehicle Maintenance	6054710-53040	9,000	2,000	11,000
Service & Maintenance Agree	6054710-55030	2,000	750	2,750
Assessment Fees	6054710-54316	25,000	(2,750)	22,250
Scrap Tire Disposition	6054760-54318	40,000	11,500	51,500
Group Insurance	6054760-51350	30,360	(11,500)	18,860

Funds were needed for vehicle repairs and tires. Additional service agreement funds and scrap tire funds were needed to cover the costs for this year.

**Non-Departmental/Coop Ext Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Contracted Services	1054950-51717	167,290	(11,000)	156,290
Non-Dept Professional Services	1059000-51500	86,786	11,000	97,786

Funds needed for the new Cooperative Extension/Ag Center project.

**Sheriff's Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Insurance Payments	1044000-48500	1,000	10,124	11,124
Communications Equipment Maint.	1054311-53020	3,000	10,124	13,124
Surplus Property – guns sold	1044000-48200	1,000	5,575	6,575
Sheriff Guns & Vests	1054310-56105	3,000	5,575	8,575
Communications Salaries	1054311-51010	470,580	(1,000)	469,580
Communications Retirement	1054311-51330	32,000	1,000	33,000
Sheriff Salaries	1054310-51010	1,364,545	(11,000)	1,353,545
Sheriff Retirement	1054310-51330	7,000	1,000	8,000
Sheriff Part-Time Salaries	1054310-51030	24,000	10,000	34,000
Sheriff Ins & Bonding	1054310-55150	75,000	(5,500)	69,500
Jail Utilities	1054320-54300	15,000	(2,500)	12,500
Sheriff Utilities	1054310-54300	22,000	7,500	29,500
Jail Equipment	1054320-53010	500	500	1,000

Sheriff Workers' Comp Insurance	1054310-51380	35,000	(2,000)	33,000
Sheriff Drug buy money	1054310-52042	6,000	2,000	8,000

Lighting strike reimbursement, guns were sold to purchase new ones, and line item adjustments were made to cover the remainder of the fiscal year.

**Contract with Hollar & Associates for Survey Services**

Hollar & Associates will prepare a recordable survey of approximately 198.5 acres of buffer around the Yadkin County 5-D reservoir and its tributaries. This work is required by the 404 permit that was issued to Yadkin County by the US Army Corps of Engineers. The Board was asked to exempt Hollar and Associates from the Mini Brooks Act and approve the contract for them to perform the survey of the conservation easement at the 5-D Dam.

**Contract with Yadkin Vision for Vision Services**

Yadkin Vision will provide vision services to children the Health Department determines is eligible to receive School Health Funds.

**Richmond Hill Law School Hazard Mitigation Plan & Agreement for Forestation Services**

The NC Division of Forest Resources has prepared a Hazard Mitigation Plan for Richmond Hill Law School. This plan also includes an agreement for forestation services.

**State of Emergency Ordinance**

EMS submitted a State of Emergency Ordinance for the Board to review and approve. This ordinance will allow the County to do what needs to be done for a state of emergency.

**Create Office Assistant Position**

The Board was asked to authorize the County Manager to create an Office Assistant position within the County Manager's Office if the need arises. It will be a pay grade 57 with a salary range of \$21,258 to \$31,887.

**Unfreeze, Advertise, & Fill Accounting Technician I Position in Finance Dept**

The Board was requested to unfreeze an Accounting Technician I position in Finance and authorize it to be filled. Finance had a full-time person resign and someone needs to be hired to fill that position.

**Unfreeze, Advertise, & Fill Laboratory Technician Position in Health Dept**

The Board was requested to unfreeze a Laboratory Technician position in the Health Department. This position is currently budgeted at 32 hours per week. The Laboratory Technician hired is not to exceed 32 hours per week.

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

**Set a Public Hearing on the Rural Operating Assistance Grant Application**

Jeff Cockerham from YVEDDI addressed the Board. ROAP is a State funded public transportation grant program that includes 3 programs: the elderly/disabled transportation program, the employment transportation program, and the rural general public transportation program. YVEDDI has completed the necessary documents to apply for the funds that have been allocated to Yadkin County. There is also a Memorandum of Agreement that states what the County's and YVEDDI's responsibilities will be. He asked that a Public Hearing date be set. **Vice Chairman Zachary made a motion to call for a Public Hearing on June 4, 2012 at 9:00am for the Rural Operating Assistance Grant application prepared by YVEDDI, Inc. Commissioner Moxley second.**

**Vote: 5/0.**

**Public Hearing for Jail Refinancing**

The Public Hearing was advertised as required. Chairman Austin opened the Public Hearing at 7:32pm. No speakers came forward. Chairman Austin closed the Public Hearing at 7:32pm.

**BOARD ACTION**

**Contract with YVEDDI Head Start**

The Yadkin County Health Department provides some health services to children participating in the Head Start program. The Health Department is reimbursed for these services, usually by Medicaid. **Vice Chairman Zachary made a motion to approve the Yadkin County Health Department contract with YVEDDI Head Start. Commissioner Moxley second.**  
**Vote: 5/0.**

**Contract with Thomas H. Hughes Architecture, P.C.**

Thomas H. Hughes Architecture will provide preliminary design services for the Yadkin Valley Ag Center project. **Commissioner Welborn made a motion to approve the Thomas H. Hughes Architecture, P.C. contract and authorize the County Manager to sign it. Commissioner Hemric second.**  
**Vote: 5/0.**

**Award Services Contract to New Horizons to Provide In-Home Services through HCCBG**

Eddie Wooten addressed the Board. All of the required advertising was done and four proposals were received by the deadline. The Aging Planning Committee's Funding Sub-committee met, reviewed the proposals, and made a recommendation to the full Aging Planning Committee. The full Committee approved the Sub-Committee's recommendation of awarding New Horizons the contract. The Yadkin County Board of Commissioners was asked to award the service contract to New Horizons. Commissioner Welborn serves on one of the Boards that submitted a proposal so he asked to be recused from the vote. **Vice Chairman Zachary made a motion to recuse Commissioner Welborn from the vote. Commissioner Moxley second. Vote: 4/0. Vice Chairman Zachary made a motion to award the services contract to New Horizons to provide the In-Home Services authorized through the Home and Community Care Block Grant. Commissioner Moxley second.**  
**Vote: 4/0.**

**Municipal Engineering Invoice #0101088**

A Municipal Engineering invoice has not been paid. There was no contract at the time the service was provided. **Commissioner Moxley made a motion to approve payment of invoice #0101088 to Municipal Engineering Services for services rendered. Commissioner Hemric second.**  
**Vote: 5/0.**

**MPA Intern Position**

The Master of Public Administration Intern position would be an unpaid position. The person hired would be gaining knowledge and experience while assisting the County with various projects assigned to them by the County Manager. **Vice Chairman Zachary made a motion to create and fill the MPA Intern position as presented. Commissioner Welborn second.**  
**Vote: 5/0.**

**Resolution in Support of Senate Bill 433**

Senate Bill 433 will allow all counties the flexibility to organize their local human services however would work best. Chairman Austin read the following resolution:

**RESOLUTION  
IN SUPPORT OF SENATE BILL 433**

**WHEREAS**, the membership of the North Carolina Association of County Commissioners adopted a legislative goal to "allow county flexibility to organize local human services" so counties can offer a more streamlined and efficient government to minimize administrative costs and maximize services for citizens; and

**WHEREAS**, North Carolina county governments are responsible for administering social services and community health programs with county employees; and

**WHEREAS**, counties cover more than \$500 million per year on DSS administrative costs. while

state dollars cover less than 3 percent of these costs; and

**WHEREAS**, a study commissioned by the General Assembly recommended that counties be given flexibility in determining how to organize their local human services delivery programs; and

**WHEREAS**, Senate Bill 433 would provide all counties with the option to determine locally how they can best provide human services to their citizens; and

**WHEREAS**, Senate Bill 433 overwhelmingly passed the Senate in 2011 with a majority of Senators in both parties in support;

**NOW, THEREFORE, BE IT RESOLVED** that the Yadkin County Board of Commissioners adopts this resolution in support of S433 to “**allow county flexibility to organize local human services**”;

**FURTHER BE IT RESOLVED** that copies of this resolution be transmitted to the members of the General Assembly representing Yadkin County to let them know of our support for this issue.

Adopted this the 21<sup>st</sup> day of May, 2012.

**Vice Chairman Zachary made a motion to adopt the Resolution in Support of Senate Bill 433. Commissioner Moxley second. Vote: 5/0.**

**CALENDAR NOTES**

- 1) 05/28/2012 – Memorial Day Holiday – County Offices Closed.
- 2) 05/28/2012 – Memorial Day Service to be held at Yadkin County Park at 11:00am.
- 3) 05/28/2012 – Dedication of the Playground at Yadkin County Park at 11:45am.
- 4) 05/30/2012 –County Assembly Day in Raleigh at 9:30am.

**MANAGER’S REPORTS/BOARD ACTION**

**Budget Update**

All of the departments, except for Elections, have agreed with the manager’s recommendations. The budget packets should be assembled this week. A Public Hearing is required so a date will need to be set to hold it. The Board discussed having the County Manager set the Public Hearing date at his discretion.

**Commissioner Welborn made a motion to authorize the County Manager to set a date for the FY12 -13 Budget Public Hearing. Commissioner Hemric second.**

**Vote: 5/0.**

**Jail Update**

Construction began this morning on the jail addition.

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

**Administration Funds Transfer**

Administration		Additional funds were needed for copier contract.
Supplies/Materials	(500)	
Postage	(500)	
Service & Maintenance Contracts	1,000	

**Finance Funds Transfer**

Finance		Additional funds were needed for postage cost increase and for phone bills.
Travel/Training	(1,000)	
Postage	800	
Telephone	200	

**Health Funds Transfer**

Health		Funds needed for required training for Dental Assistant & Hygeniest.
Dental Equip Maintenance	(100)	
Dental Travel	100	

**Register of Deeds Funds Transfer**

Register of Deeds		Due to insufficient funds to finish FY11-12 budget.
Lease Agreement	(400)	
Travel/Training	(450)	
Service & Maintenance	250	
Postage	200	
Supplemental Retirement	400	

**JCPC Funds Transfer**

Junvenile Crime Prevention Council		State Dept. of Public Safety requested this funds transfer.
Psychological Testing	(38)	
Project Challenge	38	

**Yadkin Concrete Finishing Contract**

This contract provides for a concrete sidewalk into the new playground at the Yadkin County Park. It also provides for level concrete areas for a park bench on each side of the sidewalk.

**BOARD VACANCIES/APPOINTMENTS**

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

There are two vacancies on the Committee.

**COMMISSIONER COMMENTS**

**Commissioner Hemric** thanked everyone for coming out tonight. He is proud to have the new playground named after Lance Corporal Daniel Freeman Swaim after what Swaim has done for the freedom of our Country. He is glad to see construction beginning on the jail addition.

**Commissioner Welborn** thanked everyone for coming. He stated Lucero Pelagio could have a bright future as good as her art work is. He is glad to see construction work starting on the jail addition. It has taken a long time to start.

**Vice Chairman Zachary** stated it was a pleasure to have everybody here tonight. It was a profound thing to see the video that was done for Lance Corporal Swaim. It is nice to have his family here. It is very fitting that Yadkin County is going to honor his memory and his service to this Country. He commended Lucero Pelagio for her representation of Yadkin County through her art. It helped put Yadkin County on the map. He is proud of our young people and their many talents. He is glad to see the jail being constructed where it should have been all along. He thinks the jail addition will provide a needed service to our County for many years to come.

**Commissioner Moxley** thanked everyone for coming and was glad they made it in through the rain. He congratulated Lucero Pelagio on her art being shown in New York. He saw the YouTube video that showed her work displayed on the board in Times Square. That was quite an honor for her and for Yadkin County. She could have a bright future ahead of her. He is really proud that the Board is naming the new playground in honor of Lance Corporal Daniel Swaim. He had the privilege of having Daniel Swaim as a student. Daniel Swaim was a valuable member of the hunter safety team and he really enjoyed the outdoors and outdoor activities. It is very fitting that an outdoor activity area that children will enjoy be named in honor of him.

**Chairman Austin** stated we have some very bright people in Yadkin County. Our schools' scores are among the top in the State and our graduation rate is very good. He attended the Early College graduation ceremony. That was the first graduating class of the Early College. It was real special because these children made the commitment to not go to a regular school, but to go to early college instead. These children did not know what it was going to be like or if the Early College would survive. They really put themselves out on a limb. It was good to see them graduate.

**Commissioner Welborn 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