

YADKIN COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MINUTES

Monday, November 5, 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, November 5, 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, Ed Powell; 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 9:00am.

PLEDGE OF ALLEGIANCE led by Chairman Austin.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

An error was found in the agenda abstract for the Donnaha Park lease agreement so it was requested that item be removed from the Consent Agenda and placed under Board Action as item number 5. **Commissioner Moxley made a motion to adopt the Agenda with the noted change. Commissioner Hemric second. Vote: 5/0.**

PUBLIC COMMENTS

Peggy Boose, of Boonville, addressed the Board. She said she usually speaks from her heart but this time she prepared a statement she could read because she didn't want to leave something out that was important. She made this statement, "There is a history in this County of folks being mistreated if they disagree with the powers that be and stand up for what they believe in. The first encounter I was involved in was the County Commissioners withholding budget money from Jimmy Hutchens of YVEDDI back in '96 or '97 because they were mad at him; with no regard for the dialysis folks riding their van, my father being one of them. But unlike the prior director, Mr. Hutchens had as much clout as the Commissioners and he eventually won that round. The second event was about Josh Baity who was actually forced to resign his Commissioner seat out of fear for himself and the safety of his family; all because he was very outspoken and stood up for what he believes. The third event was about Jeff Royal who was fired from another County because of lies that were told about him in this County and had to spend \$20 grand in attorney fees to prove the lies were lies and to exonerate himself. And because of that he can't even get a job in this County. The fourth event was about Brady Wooten who stood up for conservative fiscal policy, used parliamentary procedure to his advantage, and spoke up for his principles but was thrown under the bus in the last election cycle, as well as many times prior to that. The fifth event is about the current YVEDDI Director who is somewhat of a carbon copy of Mr. Hutchens. This director has been tried, convicted and sentenced without his day in court. Guys, even the worst of the worst, like Charles Manson, gets a defense attorney and an opportunity to tell his side, but not the current YVEDDI Director. The sixth event is about me. I've been thrown under the bus because I have been very vocal and adamantly stood up against the roughshod that is going on and because of that Mr. Austin you took it upon yourself to tell me you were dismissing me as your YVEDDI alternate and all other committees that I serve on in this County. We all know that if you have to be voted in by the Board then you should have to be voted out by the Board, not by one Commissioner. How many more lives have to be turned upside down and are ruined in this County before the citizen's stand up and say enough already. Mr. Austin the way you and the Hoots Road community was treated by the previous Board I cannot believe that you'd be guilty of doing that to someone else. I spent hundreds of hours working against the jail being placed on Hoots Road because it was the right thing to do. It certainly was not because it was going to affect my Mom's property and I certainly did not gain anything from it. As a matter of fact I lost the opportunity to

make money for myself during all those hours I spent working on that issue. I don't know what I was thinking. I must have really bumped my head to think that I could serve on any government committees and still be an independent thinker and speak my mind. But finally, finally, after all these years, I get it. If you mess with the Yadkin County government/Commission/County Manager you will be punished severely by whatever means available. Gentlemen, I have been helping the elderly for a lot more years than all your commissioner years combined and I will continue to do so. I can do a lot more good one-on-one, helping a senior get medical transportation or needed food or a way to the grocery store or help with medicine or heat bills or Medicare or whatever, than I can sitting in a room for a two hour meeting plus an hour of travel and I don't need any of you to give me permission to do that and I will be doing these things for as long as I am able-bodied and able-minded, and at my age that might not be a lot more years. Neither do I need any thanks or accolades. I do it because it has been my mission in life to help the elderly or to help those that are in need or being mistreated. Mr. Austin you do not want YVEDDI to talk about life and death issues but I can tell you that if my parents had not had me and YVEDDI had not been available my father would have died two and a half years sooner because my mother could not drive him to Winston to dialysis and there was no Elkin or Yadkinville dialysis at that time and without dialysis for two and a half years he would have died. I'll leave you with this, you give less than ½ of 1 percent of the County budget to medical transportation and meals yet the one time a group of them were here to speak you were ticked but their voices will still be heard regardless. I will just say that that old pendulum swings 360 degrees and what you sow you also shall reap. May you have a blessed day.”

Chairman Austin closed the Public Comments portion at 9:09am.

APPROVAL OF MINUTES

The October 15, 2012 Regular and Closed Session minutes were reviewed. **Commissioner Welborn made a motion to approve both sets of minutes. Vice Chairman Zachary second. Vote: 5/0.**

REPORTS/REQUESTS OF THE BOARD

5-D Project Presentation

Jason Walker addressed the Board. The 5-D dam is 1500 feet long and 72 feet high. He went over the dam's construction, features within the structure, and the items remaining to complete. The State partnered with the County on this project and gave the County a grant of \$10,154,769.00. The total amount the County has been reimbursed for to date is \$9,732,441.73. A request of \$45,000.00 will be made to the State. The balance remaining of the State grant is approximately \$377,327.27; if this is not used it will have to be returned to the State.

CONSENT AGENDA

The Donaha Park lease agreement was moved to Board Action. **Commissioner Hemric made a motion to approve the Consent Agenda with the noted change. Commissioner Welborn 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
Daycare	1055320-57801	157,500	8,748	166,248
Smart Start	1045320-42288	157,500	8,748	166,248

Increase of funds based on State budget estimates provided by Carolyn Choplin of Smart Start.

Courthouse Capital Project Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Courthouse Capital Renovations	40054160-56552	32,705	(32,705)	0
Transfer to General Fund	40054160-57070	0	32,705	32,705
Transfer from Capital Projects	1044212-42413	0	32,705	32,705
Public Buildings – Bldgs & Grounds	1054260-53010	38,000	32,705	70,705

Transfer of remaining Courthouse Capital Project roof replacement funds to the General Fund to the Public Buildings Department for Buildings and Grounds Maintenance. This completes the Courthouse Project.

5-D Capital Project Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Professional Services	4054925-51500	472,865	(256,477)	216,388
Land Acquisition	4054925-51540	1,392	92,000	93,392
Mitigation	4054925-51541	635,383	(384,609)	250,774
Issuance Cost	4054925-52014	1,884	(1,884)	0
Contingency	4054925-58500	2,666,615	(2,666,615)	0
Site Prep/Construction	4054925-51542	(3,138,977)	3,217,585	78,608

The 5-D Capital Project is nearing completion and the Site/Prep Construction costs were more than originally estimated. This budget amendment increases the Site/Prep line and cleans-up the project's costs.

JCPC Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	1044000-49000	1,453,408	1,751	1,455,159
JCPC Revenue	1045235-42201	111,153	1,751	112,904

In FY2012, the County received \$220.00 for Yadkin SCAN and \$1,531.00 for the Children's Center of Surry that was not spent. The \$1,751.00 reverted to fund balance June 30, 2012. The funds have to be appropriated and returned to the State.

Adopt Water & Sewer Service Policy

The Water & Sewer Service Policy is for HWY 21 and HWY 601 customers and addresses new service, billing & payments, returned checks, cut-off and reconnection of water service, leak adjustments, and fines. The Board adopted the policy.

Adopt Revised Fee Schedule for Water & Sewer Services

A water subcommittee met and reviewed the water & sewer service fees. A revised Fee Schedule was developed. The Board adopted the revised Fee Schedule for Water & Sewer Services.

Hubb Systems LLC Renewal Agreement for Services and Extended Warranty

EMS uses their computers and mobile data terminals in their ambulances. This service agreement will extend the warranty to 1/30/2015. The Board approved the agreement through 1/30/2015 and authorized the County Manager to sign it.

ZOLL Medical Corporation Service Agreement for EMS

ZOLL offers transmission service of 12-Lead data from the ambulances to the receiving hospitals to speed up the diagnosis process and aid in getting definitive treatment faster. ZOLL offers this service free of charge because EMS uses ZOLL units. The Board approved the agreement and authorized the County Manager to sign it.

Don Adams Contract for Road Repair at Landfill/Transfer Station

Don Adams Grading will provide grading services to repair the road at the landfill entrance and extending down to the transfer station. The Board approved the agreement and authorized the County Manager to sign it.

Northwoods Renewal Contract

DSS uses the Northwoods document management system to make their Income Maintenance Unit paperless. The system also manages their appointments and leave. The Board approved the contract and authorized the County Manager to sign it.

One Source Document Solutions Contract Amendment

One Source Document Solutions scans closed records and uploads them to laserfish so the data can be retrieved electronically anytime it is needed. The Board approved the contract and authorized the County

Manager to sign it.

Industrial Solutions Contract for General Roofing Services

This is a general services contract for Industrial Solutions to provide general roofing services to the County when needed. A pre-audited task order is required for work to be done. The Board approved the contract and authorized the County Manager to sign it.

Dorsett Technologies Contract for New Heat Pump Services

Dorsett will dismantle the heat pump in the ADSS office and replace it with a new 3-ton York 13 SEER heat pump with an indoor air handler. The Board approved the contract and authorized the County Manager to sign it.

Hamptonville Fire Extinguisher Contract

Hamptonville Fire Extinguisher will maintain, repair, and replace the County's fire extinguishers. They will also maintain the emergency and exit lights in the County's buildings. The Board approved the contract and authorized the County Manager to sign it.

Rural Economic Development Center Agreement for New Generations Project

This is an agreement for the Rural Center to grant \$100,000.00 to the Yadkin-Elkin New Generations Manufacturing Careers Initiative Project. The Board approved the agreement and authorized the County Manager to sign it, pending the County Manager's approval.

Adopt Revised Internal Control Policy

The Board adopted the revised Internal Control Policy.

Adopt Revised Grant Management Policy

The Board adopted the revised Grant Management Policy.

Adopt Write-Off Procedures

A Write-Off Procedure will be used to remove old outstanding account receivables that the County cannot collect. The Board adopted the Write-Off Procedures.

Adopt Cash Drawer Balancing Procedures

Cash drawer balancing procedures are needed to ensure the protection of the County's cash. The Board adopted the proposed Cash Drawer Balancing Procedures.

Adopt Identity Theft Prevention (Red Flag) Policy

The Identity Theft Prevention Policy will be used to identify, detect, mitigate and update Red Flags that signal possible identity theft. The Board adopted the Identity Theft Prevention (Red Flag) Policy.

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

None.

BOARD ACTION

Schnabel Engineering Contract for 5-D Inspection Services

Jason Walker addressed the Board. Schnabel Engineering is the engineer of record for the 5-D project. This is a renewal contract with them to provide inspection services as needed. **Vice Chairman Zachary made a motion to approve the contract with Schnabel Engineering for engineering and inspection services at 5-D and to exempt this contract with Schnabel Engineering for engineering and inspection services at the 5-D dam from the Mini Brooks Act. Commissioner Moxley second.**

Vote: 5/0.

Hollar & Associates Contract for Surveying Work at 5-D

Jason Walker addressed the Board. Hollar and Associates will survey the 5-D dam to ensure the structure is not drifting downstream at an abnormal rate. **Commissioner Welborn made a motion to approve the contract with Hollar and Associates for survey monitoring at 5-D and authorize the County Manager to sign it and to exempt this project and contract for survey work at the 5-D dam from the Mini Brooks Act. Commissioner Hemric second.**

Vote: 5/0.

Recommendations for the Public Safety Radio Project

Ellis Frazier addressed the Board. The inventory of County equipment has been completed, studies have been done, and the consultant has recommended a narrowbanding solution. He went over maps that show the areas of coverage and what the percentage of coverage is in those areas. He spoke about what the County currently has in place and what the County will need going forward to meet and maintain the FCC requirements. The County has repeaters that need to be replaced. A waiver for exemption from the narrowbanding requirements can be filed with the FCC. He requested the Board approve a two pronged approach where the Board accepts the recommended narrowbanding plan and authorizes the filing of a waiver for exemption. **Vice Chairman Zachary made a motion to accept the narrowbanding plan as recommended and for Ellis Frazier to file a waiver for exemption. Commissioner Moxley second. Vote: 5/0.**

Duke HELP Budget Amendment

Michael Poston addressed the Board. Benchmark helped the County secure an additional \$30,000.00 from the Duke Home Energy Loan Program (HELP) to assist with the home rehabilitation needs that were identified in the 2010 Single Family Rehabilitation Project. Duke Help money is a secondary source of funds for home improvements that goes along with CDBG or SFR grant funds. In this case, the County is using the HELP funds in conjunction with our SFR grant. The work this money will pay for was included in the work write-ups so no additional work has been added to the projects. The following budget amendment is needed for the Duke HELP funds.

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Duke Help Revenue	44491900-43115	0	30,000	30,000
Duke Help Expense	45491900-51547	0	30,000	30,000

Vice Chairman Zachary made a motion to approve the budget amendment to include line item numbers 44491900-43115 “Duke Help Revenue” and 45491900-51547 “Duke Help Expense” in the amount of \$30,000.00 to the 2010 Single Family Rehabilitation project. Commissioner Welborn second. Vote: 5/0.

Donnaha Park Lease Agreement

Jason Walker is requesting approval for a long term lease agreement for the Donnaha Park property. It was moved from consent because of an error in the abstract that said the cost was \$1.00 a year. The entire cost of the 10 year lease is actually a \$1.00 instead of the \$10.00 that the agenda abstract indicated. **Commissioner Moxley made a motion to approve the amended Donnaha Park lease agreement. Commissioner Hemric second. Vote: 5/0.**

CALENDAR NOTES

- 1) November 12, 2012 – County Offices Closed for Veterans Day.
- 2) November 22 & 23, 2012 – County Offices Closed for Thanksgiving.

MANAGER’S REPORTS/BOARD ACTION

New Cooperative Extension Director

The County Manager introduced Colleen Church, the new Cooperative Extension Director, to those present.

MANAGER’S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED

Fund Transfers of:

Department	Purpose
Health Dept Admin Scanning (740)	Transfer of funds to cover the cost of the Credit/Debit card machine.

Admin Equipment	740	Transfer of funds to cover training costs and costs associated with meetings.
Soil & Water		
Watershed Maintenance	(1,000)	
Travel	1,000	

Cross Central Software Contract

This is a renewal licensing and support agreement for software used by the Fire Marshall’s Office.

James Williams & Company, Inc Contract

The Health Department has a contract with James Williams & Company to print Encounter Forms and appointment cards.

West Yadkin Fire Dept Contract

The West Yadkin Fire Department will provide inspection services for the house and structures located on the 5-D property.

Wilkes Connections Contract

Wilkes Connections will install a new aerial fiber line to connect the Jail and the Sheriff’s Office.

BOARD VACANCIES/APPOINTMENTS

Community Child Protection Team/Child Fatality Team

There is one vacancy that needs to be filled by a parent of a child who died before their 18th birthday.

Planning Board

There is a vacancy for an alternate member.

COMMISSIONER COMMENTS

Vice Chairman Zachary thanked everyone for coming this morning. He thought it was a very informative meeting. He thanked Jason Walker for his presentation and the IT Department for being here to make sure everything ran smoothly. We have gained some approval from PARTF so hopefully some things will be happening up at our parks. Good things are continuing to happen. We have had some decent weather and things are drying out at the jail site. Yadkin County and this part of the country is very fortunate to have been spared the wrath of hurricane Sandy. We have a lot to be thankful for. Please remember our neighbors to the north and send them our thoughts and prayers. He welcomed our new County Attorney, Ed Powell.

Commissioner Moxley thanked everyone who came for today’s meeting. He thanked Jason Walker for his presentation on the 5-D dam. He thanked Ellis Frazier for the information he gave on the radio system; it was very informative. He thanked Michael Poston for the information he gave on the grant. He thanked Keith Vestal for hosting a meeting he recently attended. The meeting was held at EMS’ new facilities. It is a really nice facility they are in now. EMS did a lot of the work themselves and saved the County a lot of money. At the recent employee chicken stew and chili cook-off, EMS won for both their chicken stew and their chili. Everyone had a good time at the cook-off.

Commissioner Hemric thanked everyone for coming. He thanked Mr. Powell and Colleen Church for being here. He thanked all the people who made presentations to the Board. He said it is important that everyone vote tomorrow.

Commissioner Welborn thanked everyone for coming out. He said he echoed what the other Commissioners have said. The Empty Bowls event raised \$26,000.00.

Chairman Austin welcomed Colleen Church. He is glad to have someone from nearby who understands the area. Farming and agriculture are important to our County. He introduced Ed Powell and said it was an honor to welcome him as our new County Attorney. He thinks the quality of Attorney we had prior to Mr. Powell speaks volumes of what this Board thinks of Mr. Powell because Mr. Sullivan was an outstanding County Attorney. It was an honor to work with Mr. Sullivan. Ed Powell has served as the Stokes County Attorney for the last 6 years and will continue to be their County Attorney as well as ours.

County Attorney Powell thanked the Board for the trust and confidence they placed in him. He looks forward to serving the citizens of Yadkin County.

There was no Closed Session.

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

Prepared by Tanya Gentry
Deputy Clerk to the Board

Kevin Austin, Chairman
Yadkin County Board of Commissioners

Date approved by the
Yadkin County Board of Commissioners