

YADKIN COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MINUTES

Monday, December 3, 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, December 3, 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; Assistant County Manager/Finance Officer, Lisa Hughes; and Deputy Clerk to the Board, Tanya Gentry.

INVOCATION led by County Manager Aaron Church.

CALL TO ORDER by Chairman Austin at 9:02am.

PLEDGE OF ALLEGIANCE led by Chairman Austin.

OATH OF OFFICE/ORGANIZATION OF THE BOARD

Oath of Office

Wayne Dixon, the Clerk of Court for Yadkin County, administered the Oath of Office to the re-elected Commissioners, Kevin Austin, David Moxley, and Marion Welborn.

Turn Gavel over to County Attorney

Chairman Austin turned the gavel over to County Attorney Powell.

Organization of the Board

Each year, the Board of Commissioners elects a Chair and Vice Chair.

County Attorney Powell opened the floor for nominations for Chair of the Board of Commissioners.

Commissioner Hemric nominated Kevin Austin for Chairman. Commissioner Welborn second.

There were no further nominations. **Commissioner Zachary made a motion to close nominations.**

Commissioner Moxley second. Vote: 5/0. County Attorney Powell called for a vote for Commissioner Austin as Chair. **Commissioner Austin was made Chair of the Commission with a 5/0 vote.**

The gavel was turned over to Chairman Austin.

Chairman Austin opened the floor for nominations for Vice Chair of the Board of Commissioners.

Commissioner Zachary nominated David Moxley for Vice Chairman. Commissioner Welborn

second. There were no further nominations. **Commissioner Zachary made a motion to close nominations. Commissioner Hemric second. Vote: 5/0.** Chairman Austin called for a vote for Commissioner Moxley as Vice Chair. **Commissioner Moxley was made Vice Chair of the Commission with a 5/0 vote.**

Agenda Procedures

The Board reviewed the Agenda procedures that were adopted in 2010 and discussed extending the meeting times by one (1) hour. The proposed revisions to paragraphs H and I are as follows:

- H. Night meetings that begin at 7pm shall end no later than midnight, unless extended by majority vote to 1am. An extension of the meeting beyond 1am shall require a unanimous vote of the Board. If

the Board votes to extend the meeting beyond midnight, then the Board shall also vote to determine those items remaining on the agenda on which a vote will be taken.

- I. Morning meetings that begin at 9am shall end no later than noon, unless extended by majority vote to 1pm. An extension of the meeting beyond 1pm shall require a unanimous vote of the Board. If the Board votes to extend the meeting beyond noon, then the Board shall also vote to determine those items remaining on the agenda on which a vote will be taken.

The rest of the agenda procedures would remain the same. **Commissioner Welborn made a motion to adopt the revised Agenda Procedures. Commissioner Zachary second.**

Vote: 5/0.

Regularly Scheduled Meeting Times

The Board discussed dates for the regularly scheduled Board of Commissioners Meetings. The proposed meeting schedule is as follows:

Day of Week	Date	Time
Monday	January 7, 2013	9:00am
*Tuesday	January 22, 2013	9:00am
Monday	February 4, 2013	9:00am
Monday	February 18, 2013	7:00pm
Monday	March 4, 2013	9:00am
Monday	March 18, 2013	7:00pm
Monday	April 1, 2013	9:00am
Monday	April 15, 2013	7:00pm
Monday	May 6, 2013	9:00am
Monday	May 20, 2013	7:00pm
Monday	June 3, 2013	9:00am
Monday	June 17, 2013	7:00pm
Monday	July 1, 2013	9:00am
Monday	July 15, 2013	7:00pm
Monday	August 5, 2013	9:00am
Monday	August 19, 2013	7:00pm
*Tuesday	September 3, 2013	9:00am
Monday	September 16, 2013	7:00pm
Monday	October 7, 2013	9:00am
Monday	October 21, 2013	7:00pm
Monday	November 4, 2013	9:00am
Monday	November 18, 2013	7:00pm
Monday	December 2, 2013	9:00am
Monday	December 16, 2013	7:00pm

Commissioner Hemric made a motion to adopt the schedule of meetings for 2013. Commissioner Welborn second.

Vote: 5/0.

New Seating Arrangements

The Board discussed the seating arrangements and did not make any changes to them.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

Commissioner Zachary made a motion to adopt the Agenda. Vice Chairman Moxley second.

Vote: 5/0.

PUBLIC COMMENTS

None.

Chairman Austin closed the Public Comments portion at 9:20am.

APPROVAL OF MINUTES

The October 29, 2012 Joint, Recessed, and Closed Session minutes were reviewed. The November 5, 2012 Regular Session minutes were reviewed. The November 19, 2012 Regular and Closed Session minutes were reviewed. **Commissioner Welborn made a motion to approve all six sets of minutes. Commissioner Zachary second.**

Vote: 5/0.

REPORTS/REQUESTS OF THE BOARD

Recognize Jerry Wishon for his Retirement

Jerry Wishon, from the Solid Waste Department, worked for the County for a little over 20 years. Chairman Austin and County Manager Church presented him with a plaque and congratulated him for his years of service.

W.N. Ireland Quarterly Report

Mark Brandon addressed the Board. Safety Meetings have been held with Key Risk. Yadkin County employees are doing things that lessen their risks of injury. The daily processes are going well. He is working with Lisa Hughes and Tanya Gentry to use less paper. The County does not have many claims but those claims are going pretty well. He is keeping an eye on the jail addition project and will work with Lisa Hughes and Jason Walker on the park project when it gets up and going.

FY2012 Financial Audit Presentation

Chris Costner, of Martin Starnes & Associates, addressed the Board. Martin Starnes & Associates performed the 2012 fiscal year financial audit for Yadkin County. This is the third year they have conducted the audit. Mr. Costner stated Yadkin County received an unqualified opinion on its FY2012 financial statements, which is the best opinion that can be given in an independent audit. He went over the highlights of the audit with the Board, including information on fund balance, property taxes, and current year revenues and expenditures. There was a slight increase in Available Fund Balance. The restricted intergovernmental and sales tax revenues have increased. The property tax revenues were lower in FY2012 due to the Board reducing the tax rate by \$0.05 in the FY2011-12 Budget. Property tax collections are up though. The expenditures for Human Services, Public Safety, and Education have decreased.

CONSENT AGENDA

Commissioner Zachary made a motion to approve the Consent Agenda. Vice Chairman Moxley second.

Vote: 5/0.

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

Courts Facilities/Non-Departmental Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Contingency	1059000-58500	30,140	(1,648)	28,492
Courts Facilities Rent	1054160-55020	12,360	1,648	14,008

Transfer of funds to pay rent on the Grange property located on Carolina Avenue for two additional months (December & January) for the space Probation uses.

Community Action/Non-Departmental Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Non-Departmental Prof. Services	1059000-51500	165,000	(20,950)	144,050

Comm. Action Unemployment Costs	1055800-51381	38,000	20,950	58,950
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Transfer of funds needed for unemployment insurance benefits to the ESC.

Health Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Immunization	104516244198	13,164	2,891	16,055
Immunization	105516252010	1,500	2,891	4,391

Additional State immunization funds that must be spent by December 31, 2012.

Health Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Child Health Lab	105516052035	3,000	(1,000)	2,000
Child Health Supplies	105516052010	5,200	1,000	6,200
FP Lab	105516452035	5,750	(2,000)	3,750
FP Supplies	105516452010	2,250	2,000	4,250

Transferring funds from lab line items to supplies because more general supplies are needed than lab supplies.

Planning Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Contingency	1059000-58500	30,140	(2,500)	27,640
Transfer to Capital Projects	1054212-57030	0	2,500	2,500

Transfer Non-Departmental contingency funds to Interfund Transfers for the required New Generations Grant match funds.

Solid Waste Enterprise Fund Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	6044000-4900	140,965	22,500	163,465
Vehicle Maintenance	6054710-53040	12,000	14,000	26,000
Services & Maintenance Contracts	6054710-55030	3,000	8,500	11,500

Solid Waste had both garbage trucks out of service. The cost for truck repair was \$14,000.00 and the cost of the contract with Republic to provide trash pickup while the trucks were out of service was \$8,500.00. This amendment appropriates funds from Solid Waste's available fund balance to pay these costs.

NCDA Contract for Technical Assistance Grant Money

This is an agreement with the NC Department of Agriculture for grant funds to be used by the Soil and Water Department for technical assistance. The Board approved the grant agreement.

Amendment #2 to the Northwest Community Care Network Agreement

The amendment to the Northwest Community Care Network agreement includes making the term be 22 months so the agreement will end at the end of this fiscal year. Other adjustments were made to Compliance, Reporting, and Compensation/Expenses. The Board approved amendment #2.

Sub-BAA Addendum to the Northwest Community Care Network Agreement

The sub-BAA addendum to the Northwest Community Care Network agreement lays out guidelines for handling protected health information according to HIPPA standards. The Board approved the sub-BAA addendum to the agreement.

Resolution Requesting an Addition to the State Maintained Secondary Road System

The Board was asked to adopt a resolution requesting that Hallmark Estates Drive be added to the State maintained Secondary Road System. The Board adopted the following resolution:

RESOLUTION

North Carolina Department of Transportation

**Division of Highways
Request for Addition to State Maintained Secondary Road System**

**North Carolina
County of Yadkin**

Road Description: Hallmark Estates Drive

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Yadkin requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System, and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Yadkin that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Yadkin at a meeting on the 3rd day of December, 2012.

WITNESS my hand and official seal this the _____ day of _____, 2012.

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

None.

BOARD ACTION

North Carolina Parks & Recreation Trust Fund Grant for the 5-D Reservoir Recreation Area Phase 1

Yadkin County was awarded a \$500,000.00 NC Parks and Recreation Trust Fund grant for phase 1 of the 5-D Reservoir Recreation Area. This grant required the County to match those funds but, rather than just match the \$500,000.00, the County agreed to provide \$677,025.00 as our match for the project. The County Manager read the Project Ordinance that provides guidelines on how the money will be spent. An architect and/or engineer will need to be hired for the project. A budget amendment will be needed to appropriate the County match funds. The Project Ordinance is as follows:

**County of Yadkin
Parks and Recreation
5-D Reservoir Recreation Area- Phase 1 Projects Ordinance**

BE IT ORDAINED by the Board of Commissioners, County of Yadkin, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the North Carolina General Statutes, the following Grant Project Ordinance is hereby adopted:

Section 1. The grant authorized is to construct the 5-D Reservoir Recreation Area-Phase 1.

Section 2. The officers of this unit are hereby directed to proceed with the Grant within the terms of any grant documents or the budget contained herein.

Section 3. The following amounts are appropriated for 5-D Reservoir Recreation Area Grant:

Building Cost	
Group Picnic Shelter	\$220,000.00
Small Picnic Shelter	\$32,000.00
Playground	\$35,000.00

Walking Trail	\$191,400.00
Multi-purpose Trail	\$35,300.00
Walkways	\$19,400.00
Floating Fishing Piers	\$8,800.00
Small Boat Launch	\$35,000.00
Parking Lot	\$102,000.00
Site Preparation	\$95,000.00
Park Maintenance Shed	\$51,000.00
Fencing	\$8,800.00
Landscaping	\$11,000.00
Signage and Kiosk	\$13,800.00
Utilities	\$165,000.00
Contingency	\$51,175.00
Professional Services	\$102,350.00
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	\$1,177,025.00

Section 4. The following revenues are anticipated to be available to complete the 5-D Reservoir Recreation Area Project:

Parks and Recreation Trust Fund	\$500,000.00
Transfer from General Fund	\$677,025.00
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	\$1,177,025.00

Section 5. The Finance Officer is hereby directed to maintain with the Grant Project Fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7. The Planning Director is directed to report, on a quarterly basis, on the financial status of each project element listed above and on the total grant revenues received or claimed.

Section 8. Copies of this Grant Project Ordinance shall be furnished to the Clerk to the Board, and to the Finance Officer for direction in carrying out this grant.

Adopted this the 3rd day of December, 2012.

The budget amendment is as follows:

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	1044000-49000	1,455,159	677,025	2,132,184
Transfer to Capital Projects	1054212-57030	2,500	677,025	679,525

Vice Chairman Moxley made a motion to approve the North Carolina Parks and Recreation Trust Fund grant contract with the NC Department of Environment and Natural Resources in the amount of \$500,000.00, the Project Ordinance in the amount of \$1,177,025.00 which includes the County match of \$677,025.00, and a budget amendment transferring \$677,025.00 from the General Fund to Capital Projects. Commissioner Hemric second.

Vote: 5/0.

Piedmont Land Conservancy to Apply for Grant Funding for a Farmland Preservation Plan

Jason Walker addressed the Board. There is a concern that we are losing farmland in North Carolina every year and agriculture is a major industry in Yadkin County. Piedmont Land Conservancy has asked the Board to authorize them to apply for a grant from the Agricultural Development and Farmland Preservation Trust Fund. The funds, if awarded, would be used to prepare a Farmland Preservation Plan for the County.

Commissioner Welborn made a motion to approve the letter of approval for Piedmont Land Conservancy to apply for grant funds for a farmland preservation plan and authorizing the County Manager to sign the letter. Commissioner Hemric second.

Vote: 5/0.

Designate Voting Delegate for Yadkin County at 2013 Legislative Goals Conference

The Board discussed who the voting delegate for the 2013 Legislative Goals Conference should be. The conference will be held in Durham, NC on January 24th and 25th. **Commissioner Zachary made a motion to designate Chairman Austin as Yadkin County's voting delegate for the 2013 Legislative Goals Conference. Vice Chairman Moxley second.**

Vote: 5/0.

CALENDAR NOTES

- 1) December 19, 2012 – Employee Christmas Lunch.
- 2) December 24 - 26, 2012 – County Offices Closed for Christmas.

MANAGER'S REPORTS/BOARD ACTION

LGC Financing Regarding the Ag Building

Lisa Hughes addressed the Board. Financing for the new Ag building will need to be approved by the LGC. She went over what is needed for the County to finance the project. The first step is for the County to acquire the property that is to be used as collateral. The County does not own the property and the LGC requires that it belong to the County, at least during the term of the financing/debt service. The second step is to go to Raleigh and meet with LGC representatives to go over the project, answer any questions they have, and ask them any questions that we have. Also, needed is a better, more detailed design with better cost estimates. The bid documents will have to be prepared and issued. Banks who are interested in financing the project will submit proposals to us and the best option will be chosen. Permits will need to be issued. The County will need to complete the LGC application, submit it, and receive approval. After receiving financing approval from LGC, the construction contract can be awarded.

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.

COMMISSIONER COMMENTS

Commissioner Hemric thanked everyone for coming out. He thanked Jerry Wishon for his years of service to the County and those who gave presentations. He wished everyone a Merry Christmas.

Commissioner Welborn thanked everyone for being here. He congratulated Jerry Wishon on his retirement. He thanked Lisa Hughes and her staff for doing such a good job. He thanked County Manager Church for his leadership and for increasing our net assets this past year. He stated County Manager Church has done a good job.

Commissioner Zachary thanked everyone for coming this morning. He congratulated Jerry Wishon on his retirement. He stated this morning's meeting was informative. He thanked Lisa Hughes and her staff for the work they did on the audit. Today we took a big step on the PARTF grant. A lot of work has been done to get that grant. He thanked Michael Poston and his predecessor, Bob Clark, for their work on the PARTF grant. The financial audit looks good. He congratulated Kevin Austin, David Moxley, and Marion Welborn on their reelection and swearing in today. He congratulated Kevin Austin for being made Chairman and David Moxley for being made Vice Chairman.

Vice Chairman Moxley congratulated Jerry Wishon on his retirement. We have three projects in the works now; the 5-D Park, the jail, and the new Ag building. People have shown interest in the 5-D park. The jail walls are starting to go up. Things have been going slow for some of the projects but things are proceeding

now. He thanked Lisa Hughes and her staff for their hard work. EMS has moved into their new home. The Yadkin Ripple had a good article in the paper about that. Good things are happening for the County.

Chairman Austin stated he feels honored to serve with his fellow Board members. He feels like they have moved the County forward. The results of this audit are beyond pleasing. The staff has done a great job of building budgets and operating within them and communicating them to the Board. The slight increase in fund balance is comfortable and it is reassuring to see the evidence of our increase in tax collections. He is looking forward to the Commissioners next couple of years together. Mr. Haynes is working on the County's Capital Improvement Plan. The Board wants to see the East Bend water line move forward. The projects in the works need to be prioritized and financed properly. He stated we have a great group of people working in this 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 County Staff on that Position, and to have a Privileged Consultation with our County Attorney. Commissioner Welborn second.

Vote: 5/0.

After a motion to come out of Closed Session was made and the Board was in **Open Session**, **Commissioner Hemric made a motion to authorize the County Manager to go 2% above what is provided in the policy in order to pay the Environmental Health Specialist position. Commissioner Welborn second.**

Vote: 5/0.

Commissioner Welborn made a motion to adjourn. Vice Chairman Moxley 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