

YADKIN COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MINUTES

Tuesday, January 22, 2013

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 Tuesday, January 22, 2013 at 9:00am.

Present were:

Chairman Kevin Austin
Vice Chairman David Moxley
Commissioner Gilbert Hemric
Commissioner Marion Welborn
Commissioner Frank Zachary

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 9:01am.

PLEDGE OF ALLEGIANCE led by Chairman Austin.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

Commissioner Zachary made a motion to adopt the Agenda as presented. Commissioner Hemric second.

Vote: 5/0.

PUBLIC COMMENTS

No speakers came forward. Chairman Austin closed the Public Comments portion at 9:03am.

APPROVAL OF MINUTES

The January 7, 2013 Regular and Closed Session minutes were reviewed. **Vice Chairman Moxley made a motion to approve both sets of minutes as presented. Commissioner Welborn second.**

Vote: 5/0.

REPORTS/REQUESTS OF THE BOARD

VOIP Phone System Report

Daniel Settle, IT Director, addressed the Board to go over concerns about the voice over internet protocol (VOIP) phone system. The County's current 3Com phone system was purchased in 2008. The five year lease agreement, including maintenance and support services, ends in May 2013. The County will own all the equipment when that final payment is made in May. In 2010 HP purchased 3Com and has been transitioning the 3Com products to "end of life" and is in the process of stopping support of them. Daniel Settle has not been able to reach an agreement to continue all the maintenance and support services we currently have. As the 3Com products continue to be transitioned out and the software and hardware manufacturing, support and updates stop, the County could become more vulnerable to a system crash. The speed of the phone system we have is 100 MB and network speeds are trending towards 1024 Mb (1 GB) now so our bandwidth speed will be limited while remaining on this system. The County has three options as he sees it.

Option 1 is to do nothing. The County will own the equipment and can continue to use it as it is without any upgrades. At this time, the County does have a primary and a secondary server for the system. The secondary server acts as a backup.

Option 2 is to replace the phones and phone servers only. The County would still be limited to 100 MB in speed but this option would be cheaper than replacing the entire phone system network.

Option 3 is to replace the entire system, including the equipment. This would cost the most but the County would have all new equipment with the latest technologies. The equipment would be under warranty and there would be support agreements in place for all of it. The network speed would increase to 1 GB to the desktops.

The Board discussed it. Daniel Settle will look into services that YadTel is developing to see if those services would work well for us when YadTel has them ready to market. He will also check to see how readily available used/refurbished equipment and compatible equipment is and what the costs are.

CONSENT AGENDA

Commissioner Welborn made a motion to approve the Consent Agenda items as presented.

Commissioner Zachary second.

Vote: 5/0.

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

Pay Gene Grange for Rental Property on Carolina Avenue and Approve Budget Amendment

Counties are required by General Statute to provide space for Probation staff. The County currently has some Probation staff located in a building on Carolina Avenue that is owned by Gene and Marie Grange. The County is looking into moving them out of the building but until the space issue can be resolved the County Manager would like to be able to continue making the rental payments and leave them there. Since there is no current lease agreement with Grange, the Board would need to authorize the payments. The budget amendment below would be needed to cover the costs for the remainder of this fiscal year.

| Line Item | Account | Current Budget | Increase/(Decrease) | New Budget |
|------------------------|---------------|----------------|---------------------|------------|
| Contingency | 1059000-58500 | 25,992 | (4,120) | 21,872 |
| Courts Facilities Rent | 1054160-55020 | 14,008 | 4,120 | 18,128 |

The Board authorized the County Manager to continue making rental payments on the Grange property on Carolina Avenue, without a contract being in place, until the space issue can be resolved and the Board also approved the Budget Amendment.

Refund of Farm Use Value Recapture on Parcel #135620

The Tax Office requested the Board approve a refund of Farm Use Value Recapture in the amount of \$5,014.29 on Parcel #135620. H. Smith Williams Jr. sold the property to Todd A. Harden in March of 2012. An affidavit to continue the farm program should have been submitted then but it was not submitted to the tax office until November 2, 2012. By that time, recapture bills had been generated for 2009 – 2012 and the mortgage company paid them along with the 2012 tax bill. The affidavit and application have been completed and the property qualifies for the farm program now. The Board approved the refund of recapture taxes due to an affidavit being signed and the application being completed and returned to the tax office within the fiscal year.

Chemical Immobilization Policy for Animal Control

The policy establishes procedures for the inventory, control, use, and documentation of using controlled substances to capture animals through chemical immobilization. The guidelines included in the policy provide for a safe, humane capture. Animal Control already has the equipment and one trained officer but a policy was needed to implement it. The Board approved the Chemical Immobilization Policy.

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

Set a Public Hearing on the Close-out of the 2009 Scattered Site CDBG Project #09-C-2012

Michael Poston addressed the Board. A public hearing is required to be held to close-out the 2009 Scattered Site Housing CDBG project. **Vice Chairman Moxley made a motion to set a Public Hearing for 7:00pm**

on February 18, 2013 in the Board of Commissioners Room to close-out the 2009 Scattered Site Housing CDBG grant project No 09-C-2012. Commissioner Hemric second.

Vote: 5/0.

BOARD ACTION

Ordinance and Site Plan for 5-D Deep Creek Reservoir Park

Michael Poston addressed the Board. The State has to approve the recreational activities that will occur at 5-D due to the lake being designated as a water supply source. The water quality has to be protected. The ordinance includes civil penalties that will be imposed for violations. The Park will only be open during daylight hours as posted and any time the park is open the County will have to have a staff person present. This ordinance includes duck hunting. As a safety precaution, no other activities will be allowed while duck hunting is occurring. **Vice Chairman Moxley made a motion to approve the proposed ordinance and site plan for the operation of the 5-D Deep Creek Reservoir Park and for staff to submit it to NCDENR for inclusion on the February 2013 agenda of the North Carolina Emergency Management Commission. Commissioner Welborn second.**

Vote: 5/0.

[The Ordinance is attached as Appendix A.]

Resolution Supporting North Carolina Wildlife Resource Commission's Recreational Trails

The Board was asked to adopt a resolution supporting the NC Wildlife Resources Commission's application for the Recreational Trails Program grant. If they receive the grant, the \$75,000.00 will be used to renovate the Yadkin Shores River Access area located in Boonville, NC. The resolution reads as follows:

RESOLUTION

IN SUPPORT OF NORTH CAROLIA WILDLIFE RESOURCES COMMISSION'S RECREATIONNAL TRAILS PROGRAM Grant

WHEREAS, Yadkin County has a perpetual easement on the Yadkin Shore river access on the Yadkin River in Boonville, NC.

WHEREAS, the Yadkin County Commissioners wish to provide adequate access to the Yadkin River for the citizens of Yadkin County.

WHEREAS, the North Carolina Wildlife Resources Commission has applied for grant funding through the Recreational Trails Program of the N.C. Division of Parks and Recreation's State Trails Program for the renovation and construction of the facilities at the Yadkin Shore river access.

WHEREAS, the North Carolina Wildlife Resources Commission will be responsible for the renovation and construction of the facilities at the Yadkin Shore river access.

WHEREAS, Yadkin County will clean and maintain the appearance of the Yadkin Shore river access as deemed appropriate by Yadkin County in its sole discretion,

NOW, THEREFORE, BE IT RESOLVED that the Yadkin County Board of Commissioners adopts this resolution in support of the North Carolina Wildlife Resources Commission's application for the Recreational Trails Program grant for the purpose of renovating the Yadkin Shore river access, located in Boonville, NC.

Adopted this the 22nd day of January, 2013.

Commissioner Zachary made a motion to approve the resolution in support of the grant in which the NC Wildlife Resources Commission has applied for funds for the renovation of the Yadkin Shores River Access area. Commissioner Welborn second.

Vote: 5/0.

Resolution Setting Reappraisal Date and Reappraisal Schedule

Phyllis Adams addressed the Board. Each county is required to do a reappraisal at least once every 8 years. Yadkin County's next reappraisal is scheduled for January 1, 2015. It takes over a year for the reappraisals to be done so the Tax Office will have to start soon if the reappraisal is not postponed. The cost of doing reappraisals is estimated to be approximately \$540,740.00 and the resulting values are expected to remain the same for most properties. The properties that do increase or decrease in value are expected to only experience a slight change. At this time the Tax Office does not see that doing reappraisals will result in enough change in property values to justify the expense of doing it. Another issue facing the Tax Office if the reappraisal is not postponed is a staff shortage. They have a vacant position that has not been filled and an appraiser will be retiring in June so there will be a second vacant position. It takes three staff members and a consultant for the reappraisals to be done in house so staff needs to be hired and a consultant found before reappraisals can be done. If the staff hired does not have the needed certification, it will take 2 years for them to become certified. The Tax Office requested postponing the reappraisal date to January 1, 2017. The reappraisal will have to be done at that time because it will have been 8 years since the last one was done in 2009. The Board discussed setting the reappraisal date and how often reappraisals should be done. **Commissioner Welborn made a motion to adopt the Resolution Establishing the Return to the Scheduled Octennial Reappraisal Cycle with the next general reappraisal date being from January 1, 2015 to January 1, 2017 and setting the Reappraisal Schedule for every 8 years. Commissioner Zachary second. Vote: 5/0.**

The resolution the Board adopted is as follows:

RESOLUTION ESTABLISHING THE RETURN TO THE SCHEDULED OCTENNIAL REAPPRAISAL CYCLE

WHEREAS, the State of North Carolina, Department of Revenue, pursuant to North Carolina General Statutes 105-286, does require a new Resolution in the event of an establishment of new reappraisal cycle. The Yadkin County Board of Commissioners wishes to adopt a Resolution to return to an Octennial Reappraisal schedule, from 2015 to 2017.

WHEREAS, if the scheduled date for reappraisal for Yadkin County is advanced herein, real property in the County shall thereafter be reappraised every eight years following the Octennial Schedule adopted for Yadkin County, in accordance with the provisions of that subdivision subsequent reappraisal are likewise advanced.

NOW, THEREFORE, BE IT RESOLVED, that the Yadkin County Board of Commissioners does hereby establish an Octennial Reappraisal cycle and establishes the next general reappraisal date from January 1, 2015 to January 1, 2017. The resolution having been submitted to vote received a 5 to 0 vote and was adopted this 22nd day of January, 2013.

Authorize Payment of Republic Services Invoice for Solid Waste Department

Republic Services picked up the County's garbage and recyclables, including from the schools, while the County's garbage trucks were not operational. When the last truck went down, there was no time to get a contract in place with them to perform these services before they needed to start making the garbage/recycling runs for Yadkin County. Since there was no contract in place, the Board was asked to authorize the payment of the invoice. The runs were made from 08/29/2012 through 9/14/2012.

Commissioner Zachary made a motion to authorize the County Manager and Finance Officer to pay the Republic Services Invoice presented in the amount of \$8,460.00. Commissioner Hemric second. Vote: 5/0.

Contract with Smith + Gardner Engineers to Conduct a Solid Waste Program Evaluation

The County Manager requested the Board's approval to conduct an evaluation of the County's solid waste program to see if the County is overpaying for solid waste services and what can be done to make the program better. The County wants the solid waste program to run as efficiently and as cost effectively as possible. The County Manager spoke with two engineering firms, HDR Engineering and Smith + Gardner Engineers, about conducting the evaluation and both submitted written proposals. Based on the proposals, the County Manager recommended the Board authorize him to negotiate a contract with Smith + Gardner Engineers. The Board discussed it. **Vice Chairman Moxley made a motion to exempt this agreement from the Mini Brooks Act whereas the contract price will be below the \$30,000.00 threshold in**

accordance with NC GS 143-64.32 and to authorize the County Manager to negotiate a contract with Smith + Gardner not to exceed \$18,175.00 and execute the agreement, pending the County Attorney's approval. Commissioner Welborn second.

Vote: 5/0.

CALENDAR NOTES

- 1) January 23, 2013 – Training Seminar for Board Chairs in Durham, NC.
- 2) January 24 -25, 2013 – Legislative Goals Conference in Durham, NC.
- 3) January 28, 2013 – Joint Meeting with Board of Education at 7:00pm in the Board of Commissioners Room. Food will be served at 6:30pm.

MANAGER'S REPORTS/BOARD ACTION

E911 Radio Consultant

The consultant firm is coming to meet with the County Manager, the Sheriff, and Ellis Frazier on Thursday morning. A timeline will be developed then and the cost of the narrowbanding project can be determined soon.

LGC Meeting

Friday the County Manager and Lisa Hughes will be going to meet with the LGC in regards to the financing of two or three projects.

MANAGER'S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED

County Manager Fund Transfers

| Solid Waste Department | Purpose |
|------------------------|--|
| Travel (300) | Office Supply line item is exhausted of funds. |
| Supplies 300 | |

Novant Health Contract

This is a no-cost contract that allows the Health Department to send qualified students for clinical educational experiences at Novant Health.

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

Vice Chairman Moxley thanked everyone for coming out on this cold morning. He attended the Yadkin Valley Heritage Corridor meeting this past week and they discussed trying to get more tourism dollars into our region. He believes eventually we may be able to tie in the 5-D recreation with the other recreational activities along the Yadkin River. Surry County, Elkin, and Wilkes County are also working on recreational greenway activities that may be tied in also. Increasing the activities offered should bring in more tourists and be a worthwhile venture. He looks forward to continuing with that.

Commissioner Hemric thanked everyone for coming out this morning. He thanked Daniel Settle, Michael Poston and Phyllis Adams for their presentations. He appreciated the information they gave the Board.

Commissioner Welborn thanked everyone for coming. He thanked Daniel Settle, Phyllis Adams, and Michael Poston for their presentations. Phyllis Adams has worked for the County for a pretty good while and he hopes she stays for a whole lot longer. He thinks she does a really good job in the Tax Office.

Commissioner Zachary thanked everyone for coming. He appreciated the presentations that were given by Daniel Settle, Michael Poston and Phyllis Adams; he learned a lot today. The presentations serve to point out the quality of the staff Yadkin County has. He is confident in, and pleased with, the Department Heads

and their staff. He appreciated them coming and sharing information with the Board. He was on the Board when Phyllis Adams was hired. He is very pleased with her job performance.

Chairman Austin is excited about the upcoming 5-D and Shores River Access projects and the improvements that have been made at the County Park over the last year or two. Public safety and recreation are two things that are important to citizens. People want things to do close to where they live. He thinks Yadkin County will be able to provide them with a lot of recreational activities at a low overall cost in the future. Having these activities should also bring more tourists to the area. He believes the “Race More for Macemore” event this weekend will be huge. When he looked last night the event had 950 entries. It will bring a lot of people to Yadkin County. It is great to see the amount of interest the event has generated.

Chairman Austin made a motion to go into Closed Session pursuant to NCGS 143-318.11(a)(1)(3)(4)(5)(6) to discuss Personnel Matters and to Protect Personnel Information that is Confidential under NCGS 153A-98, and 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. Vice Chairman Moxley 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 adjourn. Commissioner Welborn 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

Yadkin County
Ordinance Governing In-Lake Activities and Uses of Deep Creek 5-D Reservoir

Section 1. Purpose

The purpose of this regulation is to set forth for Yadkin County the conditions necessary to allow recreational use of 5-D Deep Creek Reservoir and surrounding County property by the general public while protecting the water in this reservoir as a high quality drinking water supply. Only those activities specifically approved in the ordinance are permitted on the reservoir.

Section 2. Facility Operating Schedule

- A. Any person using any of the impoundment premises of Yadkin County during the hours in which the premises are officially open to the public is deemed to be a visitor to the premises subject to established regulations and applicable law, and shall in no event be deemed an invitee.
- B. The recreation facilities will be open only during daylight hours as posted at the facility's public entrance off Ladd Road and on the County website <http://www.yadkincountync.gov>.
- C. Public access to the facility will be prevented in off hours or whenever the facility is closed, by a lockable gate(s) located at every public access into the facility.
- D. At the discretion of the Warden, the facilities may be closed for public use during inclement weather, or as otherwise deemed necessary to ensure protection of water quality and/or public safety.

Section 3. Fees and Rates for Use of the Facilities

- A. Rates and Fees for fishing, boating or other activities will be as established by the Yadkin County Commissioners and shall be posted in the Warden's office at the recreational facility and on the County website <http://www.yadkincountync.gov>
- B. Collection of fees will be controlled by the Warden.

Section 4. Enforcement of Regulations

- A. In order to protect the water supply of Yadkin County and to safeguard its purity for human use, strict enforcement of the rules and regulations governing the use of the Deep Creek 5-D Reservoir is absolutely necessary. The Deep Creek 5-D Reservoir is a multi-purpose structure, primarily designed for flood control prevention and as a source for municipal /industrial water supply. The Deep Creek 5-D Reservoir and suitable surrounding properties shall also be managed to provide conforming public recreational opportunities while still protecting integrity of the water supply.
- B. A copy of these regulations shall be posted in the Warden's office and other conspicuous places about the lake and County premises, specifically at the boat ramp, designated fishing pier/dock, picnic area and trails. The regulations shall be available for every person to read before using the premises.
- C. The Warden and designated staff will be employed by Yadkin County and shall be the official custodians in charge of the reservoir and surrounding premises. Staff will be on site

during operating hours. The Staff shall maintain and enforce all regulations and policies which have been adopted by the Yadkin County Commissioners.

- D. Appropriate State and local law enforcement authorities will be called upon for assistance as required.
- E. Permission for the use of the premises may be denied or voided for any person, group, or activity which is considered in any way threatening to the security and safety of any person or damaging to the facilities, equipment, or water quality.
- F. The Warden is authorized on behalf of Yadkin County to direct persons whose presence and/or use of the facilities are in violation of law or regulations to leave Yadkin County premises.

Section 5. Activities and Uses

- A. Public boating shall be permitted only for fishing, sailing, and/or rowing. Boating shall be restricted as to locations designated by Yadkin County but in no case within 50 yards of the water supply intake facilities. Buoys will mark the 50-yard perimeter around the intake facilities. (See Section 7 Watercraft Standards)
- B. Persons may not enter or leave a watercraft at any place except from the boat ramp, dock or other designated location controlled by Yadkin County. Each user shall observe safety rules and boating courtesy.
- C. Fishing is allowed on the lake only in approved areas as follows:
 - a. From a watercraft
 - b. Designated area on the fishing pier.
- D. Users shall confine activities to those areas which are designated for public use and shall in no instance enter other County lands surrounding the lake .
- E. Picnicking will be permitted only in designated areas.
- F. Hunting of wildlife will be limited to waterfowl. Season schedule, regulations, and permitting of the North Carolina Wildlife Commission shall apply for hunting, fishing, and boating. (See Section 9 Hunting Regulations)
- G. Domestic animals are permitted to be within 50 feet of the normal pool elevation only along designated trails or in designated recreation areas. Domestic animal owners are responsible for the removal and appropriate disposal of feces. Any domestic animal must be under direct supervision of its owner.
- H. Biking and hiking are permitted along designated trail areas only.
- I. Educational activities (wildlife education, natural resources conservation education, and small school group visits/field trips) are allowed provided there is no swimming or bodily contact with the water. Educational activities will take place in the future nature center, trails and open space areas that are designated for public access.

Section 6. Prohibited Uses

- A. Swimming or any body contact with the water is strictly prohibited. Any user observed swimming, rolling a kayak, or in any other way showing disregard for any of the stated regulations or otherwise contributing to degradation of water quality or abuse of these facilities may be restricted from using the lake for a period of time as designated by the Warden.
- B. Fishing from the bank.
- C. Cleaning of fish on the Deep Creek 5-D Reservoir property.
- D. Acts of degradation to water quality, damage or removal of trees or plant life are prohibited.
- E. Use of alcohol or drugs on Yadkin County premises is prohibited.
- F. Discourteous or abusive language or acts of violence or intimidation are not acceptable.
- G. Horses, cattle, or other domestic animals are not permitted to water, wash or wallow in the reservoir.

Section 7. Watercraft Standards

- A. Private boats, canoes, or kayaks, can be used on the reservoir after inspection to determine if they are free of aquatic weeds. In addition, Yadkin County owned watercraft will be allowed and must be launched from docking facilities provided by Yadkin County.
- B. The total number of boats allowed on the lake should not exceed fourteen (14) at any given time. There is not a limit on kayaks or canoes.
- C. Gasoline engines shall not be allowed for use on the reservoir. Electric trolling motors are allowed provided the motor is inspected by the Staff prior to its use on the lake. Batteries must be housed in battery boxes tightly secured to the boat.
- D. Watercraft should be constructed to United States Coast Guard standards and comply with the following length restrictions:
 - a. Jon-boats and sailboats – not to exceed 14 feet in length
 - b. Canoes and kayaks – not to exceed 17 feet in length
- E. Rental boats are to be returned in clean condition. All trash and debris shall be placed into trash receptacles located at the boat dock.

Section 8. Other Uses- Reserved-

- A. Camping- Reserved
- B. Horseback Riding- Reserved
- C. Disc Golf- Reserved

Section 9. Hunting Regulations

- A. All valid laws of the State of North Carolina, the United States Government and the North Carolina Wildlife Commission relating to hunting shall be in effect at all times on the Deep Creek 5-D Reservoir property.

- B. The park will be closed to all other users during the timeframe designated for hunting purposes.
- C. No hunting shall be permitted on Deep Creek 5-D Reservoir except migratory waterfowl. No hunting of waterfowl may be done from the water of the Deep Creek 5-D Reservoir. All waterfowl hunting must be done from the shoreline in a pre-constructed blind on the Deep Creek 5-D Reservoir.
- D. No duck blinds shall be constructed or used within eight hundred (800') feet of any other duck blind. No privately constructed duck blinds shall be permitted. A maximum of nine temporary duck blinds will be constructed under supervision of the Warden and shall follow all guidelines set forth in this document. Each blind has a maximum capacity of three (3) people.
- E. In order to prevent overhunting of the waterfowl population, the number of hunting days in a given year will not exceed 27 and will coincide with State of North Carolina designated waterfowl hunting season.
- F. No pistol or rifle shall be shot, fired, or discharged in, on, along or across the Deep Creek 5-D Reservoir, except by duly constituted law enforcement officers, in the performance of their official duties.
- G. Hunting of waterfowl is permitted only with a shotgun of no larger than 12 gauge. Buckshot, slugs and shot larger than No.2 shall not be used.
- H. All ammunition used during waterfowl season must be approved by the NC Wildlife commission for use in hunting waterfowl and shall be non-toxic.
- I. Field dressing of waterfowl is prohibited in the Deep Creek 5-D Reservoir and surrounding park property.
- J. Waterfowl shall be retrieved from the reservoir in a timely manner and is limited to boat retrieval. The use of dogs for retrieval of waterfowl in the reservoir is strictly prohibited.
- K. The County will use a lottery system determine the hunters allowed to participate. Hunters will be assigned to blinds at the time of each hunt.
- L. Hunting fees will be set by Yadkin County Budget Ordinance.
- M. Hunters may launch boats from the bank around the temporary duck blinds for retrieval purposes only during hunting activities.

Section 10. User Safety

- A. To ensure safety, each person using the lake must sign their name in the Warden's register. The user responsible for small children shall be required to list the names for each child after his or her name on the register.
- B. Not more than 4 adults, and fewer depending upon the weight rating of the boats, may occupy a boat at any time. Each boat must have an appropriate water safety device for each person in the boats.
- C. Persons under 16 years of age shall be permitted on the lake by permission of an adult who will assume full responsibility. These individuals are required to wear U.S. Coast Guard approved flotation devices.
- D. The County Commissioners and/or their designee is authorized to deny, suspend, or

restrict the use of the 5-D Deep Creek Reservoir premises or parts thereof to persons or groups who fail to comply with applicable laws or any regulations adopted hereunder including those for personal safety.

Section 11. Sanitation

- A. Sanitary sewage/bathroom facilities are available to all park users.
- B. Sufficient containers are provided by Yadkin County at convenient location for deposit of refuse and garbage. In no instance shall trash or refuse of any kind be thrown into the water.
- C. No person shall do any act to impair or degrade the water of the reservoir.
- D. Restroom facilities (porta-johns and/or composting latrines) and trash receptacles will be put in place for the duck hunting activities.

Section 12. Civil Penalties

The first violation of this ordinance shall subject the offender to a civil penalty in the amount of \$100.00. A second violation shall subject the offender to a civil penalty in the amount of \$500.00. A third violation shall subject the offender to a civil penalty in the amount of \$1,000 and a permanent ban from using the Deep Creek 5-D Reservoir.

Section 13. Effective Date

These regulations shall be effective on and after their adoption.

Adopted this the 22 day of January ²⁰¹³ by the Yadkin County Board of Commissioners

Chairman Austin: 

ATTEST: 