

YADKIN COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MINUTES

Monday, February 18, 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 Monday, February 18, 2013 at 7:00pm.

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 7:00pm.

PLEDGE OF ALLEGIANCE led by Chairman Austin.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

Commissioner Hemric made a motion to adopt the Agenda as presented. Vice Chairman Moxley second.

Vote: 5/0.

PUBLIC COMMENTS

No one came forward to speak. Chairman Austin closed the Public Comments portion at 7:02pm.

APPROVAL OF MINUTES

The January 28, 2013 Joint and Closed Session minutes were reviewed. The February 4, 2013 Regular and Closed Session minutes were reviewed. **Commissioner Welborn made a motion to approve all four sets of minutes. Commissioner Zachary second.**

Vote: 5/0.

REPORTS/REQUESTS OF THE BOARD

None.

CONSENT AGENDA

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

Vote: 5/0.

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

Animal Control Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Donations	1044380-44139	0	505	505
Departmental Supply	1054380-52014	6,000	800	6,800
Training/Travel	1054380-54010	1,500	800	2,300
Building & Grounds	1054380-53010	500	505	1,005

Gas/Fuel	1054380-52350	10,500	(1,600)	8,900
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Appropriate donations into Buildings & Grounds to be used for building improvements such as sealing the floors, improving the drain, etc. Move funds from Gas/Fuel to cover the costs of training for the new director, volunteer background checks, drug screenings, and regular departmental supplies.

Animal Control Non-Departmental Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Non-Departmental Prof Svces	1059000-51500	144,050	(2,000)	142,050
Animal Control Care	1054380-52031	0	2,000	2,000

This amendment is to add an Animal Control Care line item to be used to provide medical treatment for animals that are involved in animal cruelty cases.

Environmental Health Dept Budget Amendment

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
EH Travel	1055180-54010	6,000	(3,000)	3,000
EH Supplies	1055180-52010	2,500	3,000	5,500

Transfer of funds from Travel to Supplies to cover the cost of a new laser transit that is required to design septic systems in the field. The funds remaining should cover needed expenditures for the rest of this fiscal year.

Copier/Printer Contracts for DSS with Sharp and De Lage Landen

The Sharp contract will add a Sharp MX-M453N for DSS to the County's Master agreement with them. Sharp equipment is leased through De Lage Landen so a leasing agreement is needed with them for this new equipment. The Board approved the contracts and authorized the County Manager to sign them.

Amend Fair Housing Plan for CDBG 09-C-2012

The Fair Housing Plan for the Scattered Site CDBG project 09-C-2012 includes activities to be completed each quarter. Services and Development staff have been working with the Community Investment Division of the Department of Commerce to close out the grant. It has been discovered that not all of the listed 2012 activities were completed. The County is running another CDBG project, 10-C-2160, concurrently and has been told by the Community Investment Division that activities from this project can be substituted in to the CDBG 09-C-2012 project to cover the 2nd quarter activity requirements. Also, an activity needs to be added for the 1st quarter of 2013 since the grant is still open. The amended listing of activities was reviewed by the Board. The Board approved it and authorized the Chairman to sign the accompanying cover letter that is to be sent asking for the amendment.

Renew Home Energy Loan Pool (HELP) Membership for an Additional 3 Years

The County's current HELP Membership has expired. Services and Development has asked the County to renew the membership for an additional three years so the County can continue to request HELP funds for use in qualified home renovations. The Board approved renewing the HELP Membership and authorized the County Manager, Lisa Hughes, and Michael Poston to sign the application documents.

Change Order for Foster SFR Project

A change order has been requested for the Robert Foster Single Family Rehabilitation (SFR) grant project. The original work write-up did not include sewer system work that has been discovered is needed for this project. The NC Housing Finance Agency has said this is a safety issue and the problem will have to be fixed. Hughes Plumbing can correct the problem by running a new sewer line to the tap and bypassing the pump. The Board approved the change order and authorized the County Manager to sign a contract with Hughes Plumbing in the amount of \$2,075.00.

HAVA Grant Reimbursement Application

This application is to request the North Carolina State Board of Elections reimburse Yadkin County's Elections Department for expenses related to Coding and Layout used for the 2nd Primary and General Elections this year. The Board of Commissioners approved the HAVA Grant Reimbursement application.

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

Public Hearing on the Closeout of the 2009 Scattered Site CDBG Project #09-C-2012

Michael Poston addressed the Board. The Scattered Site CDBG project successfully completed four major rehabilitation projects and seven emergency repair projects at a cost of \$220,352.05. The remaining funds of \$120,647.95 will be de-obligated. All the funds were not spent because some home owners decided to opt out of the program and not have the work done. The Division of Community Assistance conducted their close-out monitoring visit on January 18, 2013. The County is required to hold this public hearing as part of the close-out procedures. Chairman Austin opened the Public Hearing at 7:04pm. No one came forward to speak. Chairman Austin closed the Public Hearing at 7:05pm.

Public Hearing on Board of Commissioners Assuming Direct Control of the Activities of the Board of Health and the Social Services Board

Chairman Austin stated the speakers will not be limited in the amount of time they may address the Board on this matter. All comments must be directed only to the Board and remain civil. Chairman Austin opened the Public Hearing at 7:06pm. The following speakers addressed the Board:

Gayle Brown, of Hamptonville, addressed the Board. She is a former Yadkin County Health Director who has concerns about the resolution the Board is considering adopting. She stated that usually organizational changes are made for either money issues or control issues. There are only a few counties who have implemented this change and her understanding is that there is little evidence that combining DSS and Health will result in any real cost savings. By law, the County has to maintain someone who has the proper credentials in the Health Department. That someone is usually the Health Director. There is quite a bit of difference between the functions performed by DSS and the Health Department. She is concerned about the personnel in those departments no longer being under the protection of the State Personnel Act. She feels that protection is needed. Another concern is in regards to the make-up of the new Advisory Board. Currently, the Health Board is required to have a member from certain professions serve on the Board and the mission of the Health Board is to promote and protect public health. What will the make-up of the new Human Services Advisory Board be? From what she has read, she doesn't see where the Board of Commissioners spoke with the Board of Health and the DSS Board about consolidation. She believes both of those Boards should have been consulted. She wanted to go on record saying she does not support the resolution and hopes the Board would take the time to study the matter further before making a decision.

Peggy Boose, of Boonville, addressed the Board. She stated she has not heard a lot about this matter and it makes her wonder how much research the County has done on it. What proof is there that consolidation works? What other counties have done this and how long has it been in place? How much money will it save the County? If it won't save the County money, what is the purpose of doing this? Were the people working in DSS and Health asked what they think about it? How many employees will lose their job? Since there is a department head for each of the two departments, which one will lose their job or have to step down to a lower position? What will happen to the two Boards for these departments? What is the plan for housing the Human Services department? Will any of the Human Services staff move into the Hospital? If so, where will the Hospital patients be housed? EMS has already moved into the Hospital. Is consolidation what is best for the County and the two departments or is this just about control?

Patti Steelman, of Hamptonville, addressed the Board. She stated she has some of the same concerns about consolidation that the others have mentioned. She thinks the word control sums up the purpose for this decision. A person would have to be blind not to see that this action is all about control. If something is not broken should it be fixed to give the Board of Commissioners more control? She stated she doesn't think so.

Dr. Alex Snyder, a member of the Health Department Board who lives in Hamptonville, addressed the Board of Commissioners. He stated he has read some things and spoken with a few of the Commissioners and his impression is it will be more expensive to combine the two departments. He would like to save money but isn't sure this is the way to try and do it. The problem he sees with consolidating is that the people in DSS

do not have the same background and knowledge that the people in the Health Department has. The County is not going to be able to recruit nursing personnel, or other medical personnel, into a department that is not run by medical personnel. Combing the two departments will be tough and the County could lose people.

Chairman Austin closed the Public Hearing at 7:19pm.

BOARD ACTION

Consider Consolidation of the Board of Health and the Social Services Board

County Manager Church addressed those present. Consolidation is not something new. It took place in Wake and Mecklenburg approximately 10 to 15 years ago and it has been extremely successful for them. They are models other counties can use. The North Carolina Association of County Commissioners has lobbied for the last few years to get the smaller counties the same right to consolidate that the larger counties have. Yadkin County has researched this. There have been countless hours of discussion between the Board members, the County Manager, the County Attorney, and the School of Government. The County Manager has spoken with the Wake County Director of Human Services and has been able to review documentation from them. Open discussions have been had with DSS and Health Department staff. Anonymous surveys have been filled out. The concerns that came up have been addressed with the employees. There will be an immediate savings of approximately \$65,000.00 annually if this is passed. There will be a capital savings of approximately \$130,000.00. This issue has been studied and nothing will be passed tonight that has not been adopted in some other North Carolina counties. Yadkin County staff has put in a lot of work to get a plan together that will benefit the citizens and the County. Chairman Austin wanted to address the concern citizens had expressed about staff losing their jobs. He informed those present that the cost savings would not come from anyone losing their job. Several months ago the previous Health Director resigned to take another position and a new one has not been hired. There are no drastic changes expected to occur. Vice Chairman Moxley pointed out that the make-up of the Human Services Advisory Board is virtually identical to the makeup of the Board of Health. Chairman Austin read the following resolution:

RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS EXERCISING ITS POWERS TO ASSUME CONTROL OF THE ACTIVITIES OF A CONSOLIDATED HUMAN SERVICES BOARD

WHEREAS, a major legislative goal of the North Carolina Association of County Commissioners has been to obtain legislation that would give all counties in North Carolina the flexibility to organize human services in such a way as to promote efficiency and effectiveness in their administration by removing the population threshold of 425,000 which rendered only three counties in the state eligible; and

WHEREAS, during the legislative session of 2012 the North Carolina General Assembly adopted House Bill 438 which amended G.S. 153A-77 and G.S. 153A-76 which gives all county board of commissioners the option to exercise its authority or jurisdiction over certain boards, commissions and agencies, including the Board of Health and the Social Services Board; and

WHEREAS, before the Board of Commissioners may exercise the power and authority contained in G.S. 153A-77 to assume the power, responsibilities and duties of the consolidated human services board, it must hold a public hearing pursuant to 30 days notice given in a newspaper of general circulation, which public hearing has been held at this meeting upon notice duly given.

NOW, THEREFORE, BE IT RESOLVED by the Yadkin County Board of Commissioners that pursuant to G.S. 153A-77;

1. It creates a consolidated county human services agency having the authority to carry out the functions of the local health department and the county department of social services; and
2. It creates a consolidated human services board having the powers conferred by subsection (c) of G.S. 153A-77 and further assumes all power, responsibilities and duties of said consolidated humans services board pursuant to G.S. 153A-77(a) upon notice duly given of a public hearing conducted this day, and the Board of County Commissioners creates an advisory committee consistent with the membership described in G.S. 130A-35.

3. It consolidates the provisions of human services in Yadkin County under the direct control of the Humans Services Director appointed and supervised by the County Manager in accordance with G.S. 153A-77(b)

Adopted this the 18th day of February, 2013.

Commissioner Zachary made a motion to adopt the Resolution of the Yadkin County Board of Commissioners Exercising its Powers to Assume Control of the Activities of a Consolidated Human Service Board. Vice Chairman Moxley second.

Vote: 5/0.

Survey Map for 5-D Project

Jason Walker addressed the Board. Several permits had to be secured for the 5-D construction and one of the required permits was from the US Army Corps of Engineers. One of the conditions of the Army Corps permit was the County had to survey and record a permanent conservation easement around the lake and its tributaries. The survey map has been completed by Hollar and Associates. Jason Walker showed the Board the conservation easement survey map and went over it with them. The County will not record the easement until after the Army Corps of Engineers has approved it. **Vice Chairman Moxley made a motion to approve the map prepared by Hollar and Associates detailing the conservation easement at the 5-D Reservoir. Commissioner Hemric second.**

Vote: 5/0.

CALENDAR NOTES

- 1) March 18, 2013 – Cooperative Extension’s Report to the People will be held at the Senior Center from 5:15pm to 6:30pm.

MANAGER’S REPORTS/BOARD ACTION

None.

MANAGER’S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED

Duncan-Parnell Services Agreement

The agreement is for Duncan-Parnell to replace a belt on an HP DesignJet 4000ps plotter at a cost not to exceed \$392.00.

PLM Equipment Services Agreement

The Bronze Maintenance Agreement is for PLM to provide Yadkin County EMS with comprehensive preventive maintenance and repair services for their equipment.

Surry & Mabry Fencing Agreement

This agreement is for Ronnie Mabry, of Surry & Mabry Fencing, to oversee and assist Yadkin County Park staff with the installation of new chain link fencing at the two Yadkin County Park baseball fields at a cost not to exceed \$2,800.00. This agreement does not include materials.

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.

Appointment to Juvenile Crime Prevention Council (JCPC)

The Yadkin JCPC recommended the Board of Commissioners appoint Libby Snow to serve on the Juvenile Crime Prevention Council. **Commissioner Welborn made a motion to appoint Libby Snow to the Juvenile Crime Prevention Council. Commissioner Zachary second.**

Vote: 5/0.

COMMISSIONER COMMENTS

Commissioner Welborn thanked everyone for coming out tonight. He appreciated the people who spoke at tonight’s public hearing on consolidation. He thanked Jason Walker for his presentation. He believes that

people will see that the Board of Commissioners did the right thing by consolidating human services. The Board has to consider what is best for the County as a whole in the long run.

Commissioner Zachary thanked everyone for coming tonight. He appreciated Jason Walker's continued work on the 5-D project. The Board believes the consolidation of Health and DSS will improve efficiency and save the County money. This was done in Wake and Mecklenburg counties about 10 to 15 years ago. There are some other counties in North Carolina who have also adopted a similar consolidation resolution. He is not sure if they have implemented it but Yadkin County has not implemented it yet either. There are some decisions the Board needs to make about how Yadkin County is going to implement this plan. There has been a lot of discussion with the staff. As the Chairman mentioned earlier, Yadkin County does not have a Health Director at this time. There is an Interim Health Director who has been filling in. This is a good time to consolidate. He believes that other counties will be consolidating human services in the future. He appreciated the comments made tonight at the public hearing. He assured those present, the Board had taken the concerns they mentioned into consideration.

Vice Chairman Moxley thanked all the people who came out tonight. He thanked Jason Walker for his presentation. He thanked Michael Poston, who has been working with Jason Walker on the 5-D Park project. Jason Walker and Michael Poston went to present the County's plan for Phase 1 to DENR for approval. The approval was granted. If we can get the federal 404 permit we will be well on our way to getting started on the construction of the activities at 5-D. He thanked the people who spoke at the public hearing. Their words did not fall on deaf ears. The Board has been considering this for a good while. It has been talked about and studied. One of the big concerns was cost savings and the Board does see an immediate cost savings of approximately \$200,000.00. That may not seem like a lot to the larger counties but it is pretty significant to Yadkin County. The new Advisory Board will be made up almost identical to the way the Health Board is now. There are specifications for the types of professionals, such as doctor, engineer, etc, who needs to serve on the new Advisory Board. At no time has it been discussed that anyone would lose their job from this. The Board sees this as a positive move. Consolidation is the model that many counties will probably be going to in the future.

Commissioner Hemric thanked everyone for coming out tonight. He appreciated the people who spoke at the public hearing. On the merger, it is not the intention of the Board to cut services to anyone. To save money, this is a good move to make. He commended Jason Walker for the good job he does and he appreciates Michael Poston for helping Jason Walker.

Chairman Austin thanked everyone who came tonight, particularly the speakers. The concerns the speakers shared did not fall on deaf ears. The Board shares those same concerns. The Board serves the public's best interest and wants to be able to provide services to the citizens of Yadkin County in the most efficient way possible. He believes this consolidation will give the Board, over time, the ability to greatly improve those services. This has been a long and well thought out endeavor. Time will tell how well this works. He has had the privilege of serving on the DSS Board for over 4 years. It has been an honor. They were a great group of people to work with. They did a good job of looking after the citizen's well being. Hopefully some of them will continue to participate as members of the new Advisory Board. The Advisory Board will not be taken lightly. By statute is has the exact same make-up as the Board of Health so the same level of professional input the County has been receiving will remain available to the Board of Commissioners. The Board will listen to that input. The Board of Commissioners will take this new responsibility very seriously.

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. Commissioner Hemric second.

Vote: 5/0.

After a motion to come out of Closed Session was made and the Board was in **Open Session, Commissioner Hemric made a motion to approve the 8 reclassifications as recommended, as will be available in the**
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County Manager's office, and eliminate the position of Health Director saving approximately \$65,324.00 annually. Commissioner Welborn second.

Vote: 5/0.

[The Reclassification of Personnel is attached as Appendix A.]

Vice Chairman Moxley made a motion to adopt Organizational Chart B with noted change. Commissioner Zachary second.

Vote: 5/0.

Commissioner Zachary made a motion to approve the delegation of authority agreement to authorize Health Inspectors to report organizationally to the Director of Environmental Services. Commissioner Hemric second.

Vote: 5/0.

Vice Chairman Moxley made a motion to appoint the 11 members recommended to serve on the Human Services Advisory Committee for the positions and terms as listed, including the citizen/optometrist position. Commissioner Welborn second.

Vote: 5/0.

[The Appointment Listing is attached as Appendix B.]

Vice Chairman Moxley made a motion to instruct the Tax Collector to advertise unpaid taxes that are liens on real property. Commissioner Zachary second.

Vote: 5/0.

Vice Chairman Moxley made a motion to adopt the recommended changes to the County Personnel Policy to be compliant with the Standards for a Merit System of Personnel Administration described in federal regulations and incorporate the Hiring Policy and Performance Evaluation Policy by reference. Commissioner Hemric second.

Vote: 5/0.

Vice Chairman Moxley 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 Human Service Advisory Committee Members

NAME	Term	Profession/Position
Brett Abernathy	3 year	Engineer
Dr. Lynn Allred	2 year	Veterinarian
Calvin Bryant	3 year	Citizen
Kay Davis	1 year	Registered Nurse
Dr. Edward Geisel	1 year	Dentist
Jerry Ireland	2 year	Citizen
Larry Moxley	3 year	Citizen
Dr. Alexander Snyder	2 year	Physician
Joan Swaim	1 year	Citizen/Optometrlist
Ronnie Swaim	3 year	Pharmacist
Frank Zachary		Commissioner