

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

**Monday, March 04, 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, March 04, 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; Deputy 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 9:00am.

**PLEDGE OF ALLEGIANCE** led by Chairman Austin.

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

**Commissioner Zachary 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 9:02am.

## **APPROVAL OF MINUTES**

The February 18, 2013 Regular and Closed Session minutes were reviewed. **Commissioner Welborn made a motion to approve both sets of minutes. Commissioner Hemric second.**

**Vote: 5/0.**

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

None.

## **CONSENT AGENDA**

**Vice Chairman Moxley made a motion to approve the Consent Agenda items as presented.**

**Commissioner Welborn second.**

**Vote: 5/0.**

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

### **Revised EMS Fee Schedule**

EMS requested the Board of Commissioners adopt a new fee schedule for their treatment and transports. Medicare has recently adjusted its allowable charges and the billing company EMS uses has recommended Yadkin County adjust its charges accordingly. The Board adopted the new fee schedule for Emergency Medical Services.

### **Mobile Container Services Contract for Dumpsters**

Mobile Container Services will repair and/or replace bottoms of existing garbage collection containers. They will also sand and paint the entire container. The Board approved the contract and authorized the County Manager to sign it.

**MOA with NC Wildlife Resources Commission for Shores River Access**

This agreement will authorize the NC Wildlife Resources Commission to patrol the property at the Yadkin Shores River Access that Yadkin County has a perpetual easement for. They will post signage that clearly explains what is allowed on the property. The Board approved the Memorandum of Agreement.

**Stoms Delivery & Transportation Contract for Eligible DSS Medicaid Clients**

Stoms provides medical related transportation services to eligible DSS Medicaid clients. The Board approved the contract and authorized the County Manager to sign it.

**Security Storage Contract for Storage Units used by DSS**

Security Storage provides DSS with 3 storage units to house their records and files. The Board approved the contract and authorized the County Manager to sign it.

**EMS Management & Consultants, Inc Business Associate Agreement**

EMS Management & Consultants handles the billing services for Yadkin County EMS. The patient information is collected and transferred electronically. There were some changes to HIPAA and HITECH regulations and this new Business Associate Agreement allows for those changes and keeps Yadkin County in compliance. The Board approved the agreement.

**Yadkin Valley Community Hospital Contract for Exams and Workers Comp Services**

Yadkin Valley Community Hospital's Occupational Medicine Division will provide various pre-employment exams, workers compensation evaluation and treatment, DOT/Commercial Driver's License exams, and Law Enforcement/EMS/Firefighter exams. The Board approved the contract with CAH Acquisition Company d/b/a Yadkin Valley Community Hospital's Occupational Medicine Division and authorized the County Manager to sign it.

**Adopt Revised Personnel Policy**

A Committee made up of Lisa Hughes, Phyllis Adams, Jason Walker, Michael Poston, Kim Harrell, Keith Vestal, Daniel Settle, James Collins, and Sheriff Oliver reviewed the current Personnel Policy. The Committee discussed the Policy, revised it, and submitted it to the Board of Commissioners for approval. The Board adopted the new Personnel Policy.

**Adopt Fair Housing Plan for All Open CBDG Grants**

The Fair Housing Plan the Board previously adopted has expired and the Department of Commerce requested the Board adopt a new Plan that is not grant specific. The Board approved the new Fair Housing Plan to be used for all open CDBG grants and authorized the Chairman to sign it.

**Letter Stating County is Operating under Language Access Plan for CDBG Program**

Having an approved Language Access Plan (LAP) is required to participate in the CDBG program. It is used to ensure the County's policies and procedures will not deny, or have the effect of denying, limited English proficiency individuals equal access to benefits and services for which they qualify. A LAP was previously adopted by the Board of Commissioners and no changes are needed to it. The Board authorized the Chairman to sign a letter to be sent to the Department of Commerce stating that the County is still operating under the Plan adopted on September 30, 2010.

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

None.

**BOARD ACTION**

**Swear in Human Services Director**

Chairman Austin swore in Kim Harrell as the Human Services Director. Trish Belton observed and signed as the notary witness.

**Swear in Assistant to the Human Services Director**

Chairman Austin swore in Jessica Wall as the Assistant to the Human Services Director. Trish Belton observed and signed as the notary witness.

**Resolution Declaring March Abandoned Cemeteries Awareness Month**

Andrew Mackie, a member of the Historical Society, addressed the Board. Abandoned cemeteries are important to our cultural heritage. The Historical Society is working with property owners and other citizens to try and save them. Abandoned cemeteries are ones that have not had a burial in over 50 years. Andrew Mackie is working with Matthew Hamby to identify these cemeteries on County maps and currently over 200 of them have been identified. Andrew Mackie went over some of the approximately 20 cemeteries that were studied in 2012. He asked the Board of Commissioners to declare March as Abandoned Cemeteries Awareness Month. March was chosen because it is right before Easter and Easter is a time when people often put flowers on graves and fix them up. County Manager Church read the following resolution:

**A RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS  
TO DECLARE MARCH 2013  
ABANDONED CEMETERIES AWARENESS MONTH**

**WHEREAS**, the abandoned cemeteries of Yadkin County constitute a valuable part of the County's cultural heritage; and

**WHEREAS**, an abandoned cemetery is defined as not having had a burial in over 50 years, and there are approximately 600 abandoned cemeteries in Yadkin County; and

**WHEREAS**, the NC General Assembly has directed every county in North Carolina to assume responsibility for the protection of its abandoned cemeteries and to establish a record of said cemeteries in the Office of the Register of Deeds, which has been established in the Yadkin County Register of Deeds, and that each county should establish a cemetery maintenance fund in the Office of the Clerk of Court, which has been established in Yadkin County; and

**WHEREAS**, while some of these cemeteries in Yadkin County and surrounding counties are maintained by citizens, most of them are not maintained and are subject to desecration and destruction; and

**WHEREAS**, Carl C. Hoots made an initial survey of cemeteries in Yadkin County and published a record of the same in 1987, and the Yadkin County Historical Society, Inc. is now updating that work,

**NOW, THEREFORE, BE IT RESOLVED** that the abandoned cemeteries of Yadkin County constitute a valuable part of Yadkin County's cultural heritage; the maintenance of these cemeteries by citizens in and out of the County is appreciated, and the desecration and destruction of said cemeteries are deplorable and illegal; the efforts of Carl C. Hoots and the Yadkin County Historical Society, Inc. to locate these cemeteries and record them is appreciated, and property owners in the County are encouraged to record these cemeteries on the deeds of their properties.

**BE IT FURTHER RESOLVED** that March 2013 be declared Abandoned Cemetery Awareness Month in Yadkin County.

**Adopted by the Yadkin County Board of Commissioners on the 4<sup>th</sup> day of March, 2013.**

**Commissioner Zachary made a motion to adopt the Resolution to Declare March 2013 Abandoned Cemeteries Awareness Month. Commissioner Hemric second.**

**Vote: 5/0.**

**EMS Management & Consultants, Inc Billing Services Agreement**

Keith Vestal addressed the Board. EMS Management & Consultants provides billing services for EMS. They are experienced with filing claims with Medicare, Medicaid, and insurance companies. The current contract calls for them to be paid 8% of the Net Collections. Keith Vestal was able to negotiate a lower fee. This contract calls for them to be paid 7% of the Net Collections. **Vice Chairman Moxley made a motion to approve the contract with EMS Management & Consultants which will result in a savings to Yadkin County for its Emergency Medical Services billing. Commissioner Welborn second.**

**Vote: 5/0.**

**Capital Improvement Plan**

Lisa Hughes went over the proposed five year Capital Improvement Plan with the Board. The big ticket items are the Eastern Waterline project, the sewer project, the new Ag Building, Narrowbanding, and

replacing two garbage trucks. It also includes renovations to the Courthouse and the Community Services Building. The building renovations could lower energy costs. Having the Capital Improvement Plan in place will help guide the County in preparing the proposed FY13-14 Budget and help plan for the future. It will also increase the County's transparency. The Board approving the Plan does not obligate any funds to the proposed projects. To obligate funds to a project it will need to either be included in an annual budget the Board adopts or the project would have to be brought before the Board as a separate item for approval. **Vice Chairman Moxley made a motion to adopt the Capital Improvement Plan as presented.**

**Commissioner Zachary second.**

**Vote: 5/0.**

#### **Commit Unassigned Fund Balance to Ag Building, East Bend Waterline, and Reappraisal**

Lisa Hughes addressed the Board. When funds are committed, they are set aside to be used only for the purpose specified. She requested the Board set aside funds for the Ag Building, the East Bend Waterline and the FY2017 Reappraisal. As the projects move forward, the funds will be moved to a Project Ordinance, except for the reappraisal funds which will go into the operating budget for the Tax Office. **Commissioner Hemric made a motion to commit \$3,500,000.00 of unassigned fund balance for construction of the Agricultural/Educational Building; \$1,000,000.00 for the East Bend Waterline Project and \$200,000.00 for the FY2017 Reappraisal. Commissioner Zachary second.**

**Vote: 5/0**

#### **Deep Creek Watershed Dam and Reservoir Loan**

Lisa Hughes addressed the Board. BB&T has offered to lower the interest rate from 3.59% to 2.39% for the remainder of the loan that will mature November 29, 2023. The fee to lower the interest rate is ½ percent of the loan amount, which is approximately \$30,000.00. The savings to the County will more than make up for the cost of the fee. **Commissioner Welborn made a motion to approve the modification of the existing Deep Creek Watershed Dam and Reservoir loan from 3.59% to 2.39% and authorize the County Manager to sign all required documents. Vice Chairman Moxley second.**

**Vote: 5/0.**

#### **Proposals for Renovation of Community Service Building**

Omega Construction and Tar Heel Basement Systems have provided proposals to renovate the Community Service Building. Omega Construction provided a quote to do exterior piping and grading, remove existing paneling and put up new drywall, put in new ceiling tiles, paint all the interior walls, and install new flooring. Water has been getting into the building and Tar Heel Basement Systems provided a quote to install a drainage system, discharge lines, guards, and pumps. **Vice Chairman Moxley made a motion to authorize the County Manager to negotiate a contract with Omega Construction and Tar Heel Basement Systems to renovate the building. Commissioner Zachary 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**

##### **Increase of Purchase Order Minimum Threshold**

All purchases over \$500.00 have to be approved by the County Manager. The County Manager also has to approve all the invoices that are over \$500.00 before a check can be cut. Procurement Card purchases can be made for items up to \$500.00. Finance would like to raise the \$500.00 purchase order minimum to \$1,000.00. The Board has adopted a Purchasing Policy that includes policies regarding the use of procurement cards so there are good internal and spending controls. Purchases and invoices up to \$1,000.00 will have to be approved by the Department Head, whether they are paid by check or by procurement card. Employees using the procurement cards have signed agreements restricting their use and accepting full responsibility for any inappropriate expenditures. Raising the purchase order threshold will not increase the employee's monthly spending limit on the cards. The increased threshold will be more efficient and reduce the number of purchase orders and checks that have to be printed. The County receives annual rebates from the procurement card program based on the total amount spent. The more spent on the cards, the more rebate money the County will get back. **Commissioner Zachary made a motion to increase the purchase order minimum threshold to \$1,000.00 and to authorize Lisa Hughes to revise the adopted Purchasing Policy**

to reflect such. Commissioner Welborn second.

Vote: 5/0.

## **MANAGER'S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED**

None.

## **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 18<sup>th</sup> birthday.

## **COMMISSIONER COMMENTS**

**Commissioner Zachary** appreciated everyone coming out on this cold morning. It has been a good meeting so far. He appreciated Lisa Hughes' guidance through several of the agenda items, particularly the refinancing of the debt for the 5-D project. He congratulated the new Human Services Director, Kim Harrell and her able Assistant, Jessica Wall. They have a lot in their hands.

**Vice Chairman Moxley** thanked everyone for coming out this morning. He thanked Lisa Hughes and other County employees who are proactive in finding ways for the County to save money and be more efficient. He thanked David Trivette for his work. Several citizens' have made comments to him on the new Human Services Agency. Some of the comments have been negative but, as things go along and people learn more about it, the comments are becoming more positive. Consolidation will be a positive thing for the County in the future and will save money. A good friend of his, J. C. Elliott, passed away and the funeral is today.

**Commissioner Hemric** thanked everyone for coming out. He appreciates the work that Kim Harrell and Jessica Wall are going to do for the County. He appreciated Keith Vestal and Lisa Hughes saving the County money. It makes the Commissioners jobs easier.

**Commissioner Welborn** thanked everyone for coming out. He congratulated Kim Harrell and Jessica Wall on their new positions. It bothered him at the last meeting when people said that consolidation was just a power grab. It was not done as a power grab; it was done because it is better for the County. Keith Vestal and Lisa Hughes do a really good job for the County. Tanya Gentry does a good job.

**Chairman Austin** stated power does not come without responsibility. The Board of Commissioners has taken on a tremendous responsibility and he really appreciates Kim Harrell, Jessica Wall, and Monta Davis-Oliver for the roles they have accepted. He appreciates the work that has been done and that continues to be done. The County has a very professional staff in Human Services. He is extremely happy with the amount of research and thought that went into the consolidation. The County is already seeing great results. There have been at least \$200,000.00 of savings identified at this point. Those savings will be reflected in next year's budget. One of the things these savings will allow the County to do is rehabilitate the Community Services building. To be able to utilize these savings to give the County more flexibility will be great. He thanked Lisa Hughes and the entire staff for their work. He thanked Keith Vestal for successfully renegotiating the billing services contract. The County's staff continues to find ways to give the citizens more for less money. He is glad the Capital Improvement Plan is done. The only thing needed now to get an A+ transparency rating is a Comprehensive Annual Financial Report. He would like for it to be a goal for Yadkin County to get that A+ rating this year.

**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 Zachary made a motion to deny Chipita's request for a refund of late listing penalties. Commissioner Welborn second.**

**Vote: 5/0.**

**Commissioner Welborn made a motion to approve the Northwest Community Care Network Amendment #3 and the Northwest Community Care Network Attachment B-2 Amendment, pending County Attorney approval. Commissioner Hemric second.**

**Vote: 5/0.**

**Commissioner Hemric made a motion to approve the 2<sup>nd</sup> Amendment to the Hospital Lease Agreement, pending County Attorney approval. Commissioner Welborn second.**

**Vote: 5/0.**

**Commissioner Zachary made a motion to adjourn. Commissioner Welborn second.**

**Vote: 5/0.**

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Prepared by Tanya Gentry  
Deputy Clerk to the Board

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Kevin Austin, Chairman  
Yadkin County Board of Commissioners

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Date approved by the  
Yadkin County Board of Commissioners