

YADKIN COUNTY BOARD OF COMMISSIONERS

REGULAR SESSION MINUTES

Tuesday, September 03, 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, September 03, 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

There were no public comments. Chairman Austin closed the Public Comments portion at 9:02am.

APPROVAL OF MINUTES

The August 19, 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

There were no reports to the Board.

CONSENT AGENDA

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

Vote: 5/0.

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

\$50.00 Refund of NC Health Choice Fee for a Human Services Client

A Social Services client's income was calculated incorrectly resulting in the client paying a \$50.00 NC Health Choice Fee that should not have been paid. The Human Services Social Services Division requested the Board's approval to refund the client. The Board approved refunding the \$50.00 NC Health Choice Fee.

Consider Referendum for Local Sales Tax

The General Assembly authorized counties, in Article 46 of Chapter 105, to levy a quarter cent sales tax in addition to all other State and local sales and use taxes, upon approval by county voters in an advisory

referendum. Yadkin County's current tax levy is 2 percent. If the voters approve the levy and the Board properly adopts a resolution to implement it, the additional ¼ cent levy would not be assessed on food sales and would not be shared with the towns. The County would retain all the revenues generated from the ¼ cent levy and could commit those funds to a specific purpose. It is estimated the ¼ cent sales tax levy, if implemented, would generate approximately \$400,000.00 a year. To place the sales tax referendum on the November 5, 2013 ballot, the Board of Commissioners would adopt the following resolution:

**RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS
PLACING A SALES TAX REFERENDUM ON THE BALLOT**

WHEREAS, in 2007, legislation passed by the N.C. General Assembly (Session Law 2007-323) gave counties a local-option one-quarter percent (0.25%) county sales and use tax (N.C.G.S. 105-535); in addition to all other State and local sales and use taxes; and

WHEREAS, the local-option one-quarter percent (0.25%) county sales and use tax is contingent on an advisory referendum being placed on a ballot and receiving approval from the voters of Yadkin County; and

WHEREAS, the Yadkin County Board of Commissioners is hereby requesting the Yadkin County Board of Elections to conduct the required advisory referendum on the question of whether to levy such a local sales and use tax in Yadkin County.

NOW, THEREFORE, BE IT RESOLVED by the Yadkin County Board of Commissioners that:

- (1) A copy of the signed Resolution shall be promptly delivered to the Yadkin County Board of Elections.
- (2) The Yadkin County Board of Elections is requested to publish legal notice of a Tuesday, November 5, 2013 countywide special election not less than 45 days prior to the Municipal elections on November 5, 2013 in accordance with NC General Statute 163-287 and NC General Statute 105-537.
- (3) The following ballot question shall be placed on the ballot for the Tuesday, November 5, 2013 Municipal Elections and the November 5, 2013 countywide special election in accordance with NC General Statute 163-287:

" [] FOR [] AGAINST

Local sales and use tax at the rate of one-quarter percent (0.25%) in addition to all other State and local sales and use taxes."

Adopted this 3rd day of September, 2013.

The Board adopted the Resolution Placing a Sales Tax Referendum on the Ballot.

Cintas Agreement for Rental Services at the Courthouse

The Cintas rental agreement is for them to provide the Courthouse with clean mats and mops each month. The Board approved the agreement and authorized the County Manager to sign it.

Pace Analytical Agreement for Water Sample Analysis and Reporting

Pace Analytical will be provided with County water samples to analyze. After their analysis, they will supply the County with a written report. The Board approved the agreement and authorized the County Manager to sign it.

Yadkin Valley Community Hospital Agreement for Medical Services

The Human Services Health Department has an agreement with Yadkin Valley Community Hospital to provide needed medical services such as chest x-rays, labs, mammograms, drug screens, biohazard waste disposal, etc. The Board approved the agreement and authorized the County Manager to sign it.

Cox & Company Contract & Exhibit

The Tax Office has a software agreement with Cox & Company that was entered into in 2003. Each year, the company sends a renewal agreement page and Exhibit I to be signed. The Board approved the Cox & Company software agreement and Exhibit I and authorized the County Manager to sign them for the current fiscal year.

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

There were no public hearings or actions to set a public hearing.

BOARD ACTION

Budget Amendment to Carry Forward Unspent EMS EMPG Grant Funds

Lisa Hughes addressed the Board. EMS received EMPG grant funds in FY2013. All of the funds were not spent so the remaining funds rolled into fund balance at the end of FY2013. The EMPG funds can only be used for purposes specified in the grant so EMS requested the remaining funds from last fiscal year be carried forward into the current fiscal year, FY2014. The following budget amendment would be needed to re-appropriate the funds:

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	1044000-49000	1,638,155	1,062	1,639,217
Buildings/Grounds Maint	1054330-53010	20,000	1,062	21,062

Vice Chairman Moxley made a motion to approve the budget amendment to carry forward unspent EMPG Grant funds. Commissioner Welborn second.

Vote: 5/0.

Budget Amendment to Carry Forward Unspent Sheriff's Office Revenue Funds

Lisa Hughes addressed the Board. Each year the Sheriff's Office generates revenue from calendar sales. They use the funds for employee recognition programs, flowers, appreciation meals, etc. All of the funds from FY2013 were not spent so the remaining funds rolled into fund balance at the end of FY2013. The Sheriff's Office requested the remaining funds from last fiscal year be carried forward into the current fiscal year, FY2014. The following budget amendment would be needed to re-appropriate the funds:

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Appropriated Fund Balance	1044000-49000	1,636,338	1,817	1,638,155
Employee Relations	1054310-55600	500	1,817	2,317

Commissioner Zachary made a motion to approve the budget amendment to carry forward unspent Sheriff's Office Revenue Funds. Commissioner Hemric second.

Vote: 5/0.

Preliminary 5-D Park Site Plan & Grading Plan

Jason Walker addressed the Board. Site Solutions provided the County with a Preliminary Site Plan and Preliminary Grading Plan for the 5-D Park. Jason Walker reviewed the plans with the Board of Commissioners. The Preliminary Site Plan shows the placement of things like the picnic shelters, the playground, the boat dock, fishing piers, a parking lot and a walking trail. A loop of the walking trail will be paved and the other part of the walking trail will be unpaved. The plans will need to be given to the surveyor so that a field topography survey can be completed. The resulting field survey might require some changes to be made to the plans. It is hoped that the survey will be done in the next 3 weeks so the bids can go out in late fall and construction can begin in early spring. The County would like to have the 5-D Park open by July 4, 2014. **Vice Chairman Moxley made a motion to approve the Preliminary 5-D Site Plan and Preliminary Grading Plan. Commissioner Welborn second.**

Vote: 5/0.

CALENDAR NOTES

- 1) September 4, 2013 – Staff Ice Cream Social at 3:00pm in the Commissioner's Room.
- 2) September 30, 2013 – Joint Meeting with the Board of Education. This Joint Meeting may need to be postponed or canceled at the request of the Board of Education.

MANAGER’S REPORTS/BOARD ACTION

Communications Bids

The bids have come in for the Communications RFP and the price ranges vary from approximately \$500,000.00 to \$2.8 million. The consultant the County has under contract for this project is reviewing the bids that came in. A recommendation will be prepared and presented to the Board for approval.

Solid Waste RFP

The County has been given the draft of the Solid Waste RFP to review. By mid-September, the County will notify the firm that completed the draft RFP of any revisions the County would like made to it. The RFP includes alternates to take over various parts of the solid waste process. The consulting firm does not recommend certain processes be privatized. The RFP should be finalized and sent out soon.

MANAGER’S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED

Funds Transfers

Department		Purpose
Human Services/Preparedness		Additional funds to purchase supplies in FY2014.
Preparedness Contract Services	(500)	
Preparedness Supplies	500	
Human Services/Medical Clinic		Additional funds to cover postage for FY2014.
Health Education Supply/Material	(150)	
Health Education Postage	150	

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.

Joint Nursing Home and Adult Care Home Community Advisory Committee

There are two vacancies on the Committee. Ms. Ates needed to resign.

Board of Adjustment

There is a vacancy for an alternate member.

COMMISSIONER COMMENTS

Commissioner Hemric thanked everyone for coming out. He hoped everyone had a good weekend and enjoyed their extra day. He appreciates the work all of the County employees do. They continue to do a good job.

Commissioner Welborn thanked everyone for coming out. He stated it is good to see Brady Wooten and Rex Baity in attendance this morning.

Commissioner Zachary thanked everybody for being here. He stated it is nice to see Brady, Rex, and Tom here. He hoped everybody had a good holiday weekend. He commented on receiving nice thank you notes from a young class of students from Courtney Elementary School. It is nice to know they appreciate what the Board does.

Vice Chairman Moxley thanked the ones who came out today. The meetings must be getting boring since citizen attendance has really dropped over the past few years. He is glad to see the ones who do come out. He also commented on receiving the mailing with the drawings in it from Courtney Elementary School first graders. He really appreciated receiving those. During the NCACC Conference the Commissioners were able to tour the jail in Greensboro. The Greensboro jail has a similar design to what the pods in the new Yadkin County jail will be like. They don’t seem to be having any difficulties with the layout. The person
September 3, 2013 Regular Session

conducting their tour indicated their new jail takes much less work and requires less manpower than their old jail did. He looks forward to having the Yadkin County jail open. An open house date will hopefully be set soon.

Chairman Austin thanked everyone for coming out today and thanked the staff. The County is getting close to opening the new jail. It is exciting to see the new jail coming along and it is exciting to see the 5-D Park progressing as well.

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 Welborn second.

Vote: 5/0.

After a motion to come out of Closed Session was made and the Board was in **Open Session**, **Vice Chairman Moxley made a motion to transfer \$40,000.00 from the Jail Project Ordinance Contingency line item and transfer \$7,000.00 into the Site Prep & Construction line item and \$33,000.00 into the Professional Services line item. Commissioner Zachary second.**

Vote: 5/0.

Commissioner Welborn made a motion to authorize the Chairman to sign the Lease Agreement and the Agreement Concerning the Construction of Additional College Facilities in regard to Surry Community College. Commissioner Hemric second.

Vote: 5/0.

Commissioner Hemric made a motion to agree to award the proportional match of the "Special Leave" provision for North Carolina Cooperative Extension employees. Vice Chairman Moxley 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

9/16/13

Date approved by the
Yadkin County Board of Commissioners