

February 7, 2005  
Regular Session

### Minutes

#### Members present

D.C. Swaim- Chairman  
Brady Wooten- Vice- Chairman  
Leon Casstevens- Commissioner  
Kim Clark Phillips- Commissioner  
Allen Sneed- Commissioner

#### Others Present

Cecil E. Wood- County Manager  
James Graham- County Attorney  
Melinda Vestal- Clerk to the Board

Wayne Dixon, Clerk of Court, administered the commissioners' oath of office to Leon Casstevens.

Chairman Swaim called the meeting to order. Attorney Graham had the invocation. The Board had the pledge of allegiance.

### **Public comments**

Grady Draughn, Yadkinville, presented another offer to the Board concerning the purchase of his property involved in the 5-D Project.

Dianne Doub, East Bend, apologized for speaking out at the last commissioners' meeting.

### **Minutes**

**\*Commissioner Phillips made the motion to approve the minutes. Commissioner Casstevens seconded. The Board voted 5-0.**

### **Commissioners- reorganization**

**\*Commissioner Casstevens nominated Commissioner Wooten for vice-chairman. Commissioner Sneed seconded. The Board voted 5-0.**

### **Schools- Starmount and Forbush High School**

The Board presented sports certificates to the Forbush Softball Team and the Starmount Volleyball Team congratulating them on winning state titles.

### **Crossroads Mental Health- mid year report**

David Swann, Director, presented the mid-year report for Crossroads Mental Health.

Commissioner Phillips commended Mr. Swann on presenting such detailed demographics.

There was discussion on the changes within the state about mental health.

**\* Commissioner Wooten made the motion to approve the sub-lease for the Lee Avenue facility. Commissioner Phillips seconded. The Board voted 5-0.**

### **Animal Control- Humane Society**

Alice Singh, Humane Society President, discussed an email she received about the animal shelter. She informed the Board that she had received a check for \$200 to purchase blankets for the animal shelter. She requested the Board to consider the establishment of an Animal Shelter Board. She suggested the board consist of an animal shelter employee, a commissioner, two Humane Society members, two citizens, a veterinarian, Mr. Adams and Mr. Reavis. She discussed the responsibilities of the board. She inquired if the county would be ready to do euthanasia when the shelter opens.

Commissioner Sneed reported on the conditions at the animal shelter and the changes made by the employees. He thanked the animal shelter employees for a job well done.

Commissioner Phillips asked Ms. Singh to check with other counties to see how many have an Animal Shelter Board. She also requested that the website about the shelter be updated.

**Chairman Swaim called for a break.**

### **Personnel-service awards**

The Board presented service awards to county employees for their years of employment with the county.

Name	Years of Service
Diann Cooksey	5 years
Marie Lynch	5 years
Sandy Trivette	5 years
Hazelene Hutchens	5 years
Nancy Lefler	5 years
Jennie King	5 years
Cathy Gentry-Walker	5 years
Pat Davis	5 years
Jerrie Bates	5 years

Catherine Pegram	5 years
Lisa Reece	5 years
Jon Spillman	5 years
Melissa Staebner	5 years
Judy Knight	5 years
Carolyn Antone	10 years
Monica Cravers	10 years
Kathy Spillman	10 years
Teresa Pardue	10 years
Mary Mitchell	10 years
Frances Howell	15 years
Renee Hunter	15 years
Monta Davis-Oliver	15 years
James Collins	15 years
Sherri Crutchley	20 years
Jerry Motsinger	25 years
Phyllis Adams	25 years
Becky Reavis	25 years
Donna Cranfill	34 years

#### **Economic Development- update/report**

Bobby Todd, Economic Development Director, gave an update on economic development in the county.

#### **Sheriff-personnel, ordinance and purchase of weapon**

Captain Widener presented a county ordinance regarding contra band at the jail.

**\*Commissioner Phillips made the motion to approve the ordinance. Commissioner Wooten seconded. The Board voted 5-0.**

#### **Furnishing contraband to inmates of Yadkin County Jail.**

If any person shall give or sale, or attempt to give or sale, to any inmate of the Yadkin County Jail, or if any person shall conspire, aid, abet, solicit, advise, encourage, attempt to procure, or procure another to give or sell to any inmate of the Yadkin County Jail any contraband that would be against the Yadkin County Jail rules and regulations to possess shall be guilty of a misdemeanor and shall be fined not more than five hundred dollars (\$500.00), or imprisoned for not more than 30 days.

**\*Commissioner Wooten made the motion to go in closed session per G.S 143-318.11 (a)(6). Commissioner Sneed seconded. The Board voted 5-0.**

**\*Commissioner Wooten made the motion to come out of closed session. Commissioner Phillips seconded. The Board voted 5-0.**

Sheriff Cain presented a request from Lieutenant Comer to purchase his service weapon.

**\*Commissioner Wooten made the motion to sell Lt. Comer his service weapon for \$250. Commissioner Sneed seconded. The Board voted 5-0.**

**Health Department- budget amendment**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
<b>Family Planning</b>				
<b>Revenue</b>				
DHHS	3516.3211	44,160	8,603	52,763
<b>Expenditure</b>				
Clinician Fees	5164.1993	5,500	4,103	9,603
Supplies-Drugs	5164.2603	2,875	4,500	7,375

**SUMMARY:**

Additional state funds to support the purchase of long-acting contraceptives for low-income women.

**RECOMMENDATION:** Health Director recommends approval of the budget amendments. Board of Health approved January 18, 2005.

**\*Commissioner Wooten made the motion to approve the budget amendment. Commissioner Phillips seconded. The Board voted 5-0.**

**NWPCOG-board appointment**

The Board discussed the recommendation of Ed Lakey to serve on the YC Nursing – Adult Care Homes Community Advisory Board. The Board discussed he is the brother-in-law of Nolan Brown who owns Yadkin Nursing Center. The Board requested verification if this would be a conflict of interest.

**Tax Administration- resolution and E&R members**

**RESOLUTION**

**WHEREAS,** The North Carolina General Statutes 105-322 authorizes the Board of Commissioners to appoint a special Board of Equalization and Review to carry out the duties imposed under this section.

**WHEREAS**, The North Carolina General Statutes directs the governing body to set up membership, qualifications, terms of office and the filling of vacancies on the board. The governing board shall also designate the chairman of the special board. The governing body shall fix the compensation and allowances to be paid members of the board of equalization and review for their services and expenses.

**THEREFORE, BE IT RESOLVED:** by the Board of Yadkin County Commissioners that we do hereby agree to appoint a special Board of Equalization and Review to carry out the duties imposed under GS 105-322.

That this Resolution will become effective as of day of adoption and shall remain in effect until revised or rescinded.

Adopted this the day 7<sup>th</sup> of February, 2005.

**COUNTY OF YADKIN**

BY:s/ \_\_\_\_\_  
D. C. Swaim, Chairman  
Board of Yadkin County Commissioners

**ATTEST:**

S/ \_\_\_\_\_  
Clerk to the Board of Commissioners  
Of Yadkin County

**\*Commissioner Wooten made the motion to approve the resolution with five regular members and three alternate members. Commissioner Phillips seconded. The Board voted 5-0.**

**\*Commissioner Wooten made the motion to approve the advertising of tax liens on real property for failure to pay taxes. Commissioner Sneed seconded. The Board voted 5-0.**

**Agriculture Extension-lunch and overview**

**\*Commissioner Wooten made the motion to recess the meeting to the Agriculture Building. Commissioner Casstevens seconded. The Board voted 5-0.**

The staff reviewed their areas of expertise; Marilyn Wells, Family & Consumer Sciences, Melissa Staebner, 4H & Youth Development, Nancy Keith, Dairy Agent, and Phil Rucker, Livestock & Poultry.

Jack Loudermilk, Director, reviewed the agriculture interest for the county. He discussed the growth in the vineyards. He introduced his administration staff: Ginger McGhee and Kathy Jo Sprinkle.

The Board thanked Mr.Loudermilk and his staff for a wonderful lunch.

**Chairman Swaim called the meeting back to order.**

Chairman Swaim presented Commissioner Casstevens his list of committee appointments. Chairman Swaim stated he would serve on the Yadkin Health Alliance Committee, if the Board so wishes. The Board agreed to the appointments for Commissioner Casstevens and Chairman Swaim.

**Planning and Zoning- board appointments**

**\*Commissioner Wooten made the motion to reappoint Richard Foster and Davis Wooten and to appoint Peggy Boose to the Watershed Review Board for a three-year term. Commissioner Casstevens seconded. The Board voted 5-0.**

**\*Commissioner Phillips made the motion to appoint Chad Wagoner to the Board of Adjustments. Chairman Swaim seconded. The Board voted 2-3. Commissioners Sneed, Wooten and Casstevens opposed.**

**\*Commissioner Wooten made the motion to appoint Charles Robert Wooten to the Board of Adjustment. Commissioner Casstevens seconded. The Board voted 3-2. Commissioners Phillips and Swaim opposed. The term will expire July 2006.**

**\*Commissioner Phillips made the motion to appoint Brent Hunter to the Planning Board. Chairman Swaim seconded. The Board voted 2-3. Commissioners Wooten, Sneed and Casstevens opposed.**

**\*Commissioner Wooten made the motion to appoint Marion Welborn to the Planning Board. Commissioner Casstevens seconded. The Board voted 5-0. The term will expire May 2007.**

**Tax Administration-E&R appointments**

The Board presented the following names for Ms. Adams to contact concerning serving on the E&R Board: Roy Douglas, Janice Wagoner, Chris Brown, Darrell McCormick, Lenuel Chamberlain, Charles Robert Wooten, Mike Norman, Delos Martin, Terry Titus, Marion Welborn, Greg Matthews, Frank Zachary, Billy Williams, Ronald Eaton, Jack Henderson and Lou Hutchens. The Board will consist of 5 regular members and 3 alternates.

**EMS-buildings**

Brent Hawks, Operations Director, presented additional information about the outpost station at Reavis Road.

Commissioner Wooten presented an alternate site for the outpost station.

Mr. Hawks stated a site plan is needed before they can continue. They are currently working with Hollar & Associates.

Attorney Graham stated the deed to Reavis Road is clear. He is waiting for the survey to be completed for the Hwy 421 site.

The Board directed to get the site plans and perk test for Hwy 421 with minimal clearing.

### **Finance- resolution**

Mr. Wood reviewed the declaration to reimburse expenditures.

#### Declaration of Official Intent to Reimburse Expenditures

I, Sheron Church, Finance Officer of the County of Yakin, North Carolina (the "County"), having been designated by the Board of Commissioners for the County (the "Board"), for such purposes pursuant to a resolution duly adopted February 7, 2005, and on behalf of the County, DO HEREBY DECLARE as follows:

1. This declaration of official intent is made pursuant to Section 1.250-2 of the Treasury Regulations to expressly declare the official intent of the County to reimburse itself from the proceeds of debt to hereinafter incurred by the County for certain expenditures paid by the County on or after the date which is sixty (60) days prior to the date hereof.
2. The County desires to expend its own funds for the purpose of paying certain costs of various essential use equipment (the "Project"), for which expenditures the County reasonably expects to reimburse itself from the proceeds of debt to be incurred by the County.
3. \$200,000 is the maximum principal amount of debt expected to be incurred for the purpose of paying the costs of the Project.

Witness my hand this seventh day of February 2005.

S/ \_\_\_\_\_  
 Sheron Church, Finance Officer

Commissioner Casstevens inquired about the overruns for the new animal shelter. He stated he wanted it to go on record that he did not have anything to do with the animal shelter.

**\*Commissioner Wooten made the motion to approve the declaration.  
 Commissioner Phillips seconded. The Board voted 5-0.**

**E-911-budget amendment**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended
Revenue:				
Expenses:				
Contingency	27-9910-9910	\$10,500	(\$5,600)	\$4,900
Insta.Purchase \$15,000/E911	27-4312-5101	\$0	\$5,600	\$5,600

To move monies into an account in order to pay the installment payment due for the property purchased for E-911 for the communication project in 2003-2004.

**\*Commissioner Phillips made the motion to approve the budget amendment. Commissioner Wooten seconded. The Board voted 5-0.**

**Commissioner comments**

Commissioner Phillips discussed a recent zoning change for a proposed auto repair shop. She reminded the Board of the pictures brought in showing another site near this proposed shop. She questioned what could be done about the junk on the property and property located on Williams Road.

Mr. Adams stated the county does have an ordinance to address this issue and explained the corrective steps of action.

Attorney Graham stated Mr. Bates is continually checking sites and contacting property owners when they are out of compliance. If they fail to get in compliance, a citation is issued.

Commissioner Wooten inquired about Patterson Mill Road.

Attorney Graham stated they have been in court with this property owner five times.

Commissioner Sneed stated he went out to the property and found there were children living in the house and contacted the health department due to health issues.

Commissioner Wooten stated he would like to schedule a work session to discuss water issues.

Commissioner Casstevens asked about the waterlines running to the Austin Company and if the county could hook on?

The Board set the work session for February 22<sup>nd</sup> at 6:30 p.m.

Commissioner Wooten questioned if the county could withhold issuing permits if taxes are due on the property?

Mr. Wood stated there are requirements to getting a permit and if those requirements are met then a permit is issued.

Commissioner Wooten questioned if there are other county locations that need “No Trespassing” signs?

Mr. Wood stated the Board might want to put a sign at the old landfill located on Sizemore Road.

**\*Commissioner Wooten made the motion to put a “No Trespassing” sign at the old landfill on Sizemore Road. Commissioner Phillips seconded. The Board voted 5-0.**

Commissioner Wooten inquired if the county had an ordinance regarding burned houses?

Mr. Adams stated no.

Commissioner Wooten asked that a budget session be added to the February 22<sup>nd</sup> meeting.

**\*Commissioner Wooten made the motion to send a letter to the Postmaster in Jonesville referencing the moving of mailboxes at an apartment complex that houses elderly and handicap persons. Commissioner Phillips seconded. The Board voted 5-0.**

Commissioner Wooten discussed the on-going communication problems. He asked for direction from the Board. It was the consensus of the Board to proceed.

Commissioner Wooten asked about an update on tax collection?

Commissioner Wooten read a letter from a citizen inquiring about delinquent taxes and why someone can go for years without paying their taxes?

Attorney Graham stated when a person has filed bankruptcy they cannot be contacted, but if their house is sold the back taxes will be paid.

Commissioner Sneed inquired about the bill from the Board of Education?

Chairman Swaim stated the Board has been advised to wait because he is researching the information.

Chairman Swaim read a thank you note from Gayle Brown.

**Manager comments**

Mr. Wood discussed sub-contractors and if the dollar amounts have to be listed on the bid for the sub-contractors.

Mr. Wood discussed a water agreement with the Town of Yadkinville.

**Closed Session**

**\*Commissioner Wooten made the motion to go in closed session per G.S. 143-318.11(a)(3)(6). Commissioner Casstevens seconded. The Board voted 5-0.**

**\*Commissioner Wooten made the motion to come out closed session. Commissioner Phillips seconded. The Board voted 5-0.**

**Commissioner comments**

Commissioner Wooten inquired if the county is liable for the bill submitted by the Board of Education?

Attorney Graham stated he is researching this information.

Commissioner Wooten stated he would like to review the comp time and sick time policies.

**Adjournment**

**\*Commissioner Phillips made the motion to adjourn. Commissioner Casstevens seconded. The Board voted 5-0.**

---

Melinda Vestal, Clerk to the Board