

**YADKIN COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MINUTES**  
**Monday, December 1, 2008**

*A reception honoring the outgoing and newly elected Board members was held from 8:15am to 9:00am in the Commissioners' Meeting Room of the Yadkin County Human Resources Building on Monday, December 1, 2008. Board members, family, friends, and County officials were in attendance.*

The Yadkin County Board of Commissioners met in Regular Session on Monday, December 1, 2008, in the Yadkin County Human Resources Building (Commissioners' Meeting Room), 217 East Willow Street, Yadkinville, NC.

**Present were:**

Chair Kim Clark Phillips	Commissioner Kevin Austin (new)
Vice Chair Joel Cornelius	Commissioner David Moxley (new)
Commissioner Tommy Garner	
Commissioner Chad Wagoner	
Commissioner Brady Wooten	

**Staff present:** County Attorney, James Graham; County Manager, Stan Kiser; and Clerk to the Board, Gina Brown.

**CALL TO ORDER** by Chair Phillips at 9:00am.

**INVOCATION** led by James Graham.

**PLEDGE OF ALLEGIANCE** led by Chair Phillips.

**ADJUSTMENTS TO/ADOPTION OF THE AGENDA**

**Commissioner Wagoner made a motion to approve the agenda as presented. Commissioner Garner second.** Commissioner Wooten stated Commissioner terms expired at midnight and suggested the agenda be reordered as follows:

- Approval of Minutes
- Swearing In
- Continue as presented.

**Commissioner Wooten made a motion to amend the original motion reordering the agenda as noted. This motion died for a lack of second.** Attorney Graham pointed out that terms of Commissioners do not expire until the new members are sworn.

**[motion restated: Commissioner Wagoner made a motion to approve the agenda as presented. Commissioner Garner second.]**

**Vote: 5/0**

### **PUBLIC COMMENTS**

Public Comments portion of the meeting opened at 9:04am. There were no speakers. The Public Comments portion closed at 9:04am.

### **APPROVAL OF MINUTES**

Commissioner Wagoner requested the following adjustment:

Pg. 6, 1st paragraph – change “the LME” to “other LMEs”

**Commissioner Garner made a motion to approve the November 17, 2008 Regular Meeting Minutes and the November 25, 2008 Recessed Meeting Minutes with noted adjustment. Commissioner Wooten second.**

**Vote: 5/0**

### **OLD BUSINESS**

(1) Closed Session:

**Vice Chair Cornelius made a motion to enter a Closed Session per NCGS 143-318.11(a)(4) and NCGS 143-318.11(a)(5). Commissioner Wooten second.**

**Vote: 5/0**

**Vice Chair Cornelius made a motion to end the Closed Session. Commissioner Wagoner second.**

**Vote: 5/0**

Closed Session ended at 9:25am.

(2) Contract with Haymes Brothers for the Deep Creek 5D Reservoir:

Attorney Graham had reviewed the contract and has no concerns for its legal form. Attorney Graham suggested that the motion of approval include the authority of the County Manager to sign the required documents.

**Vice Chair Cornelius made a motion to approve the Contract with Haymes Brothers for the Deep Creek 5D Reservoir and authorizing County Manager, Stan Kiser, to sign any required documents. Commissioner Garner second.**

**Vote: 5/0**

*[Notice to Proceed – Deep Creek Watershed Dam 5D is attached as Addendum A]*

(3) Budget Amendments:

County Manager Kiser explained that the 2008-2009 budget contained shortfalls in certain line items that had contracted obligations. The travel budget for Administration and postage requirements for Animal Control were 2 of those shortfalls brought forth at today's meeting.

**Commissioner Wooten made a motion to approve the budget amendments for Administration and Animal Control. Vice Chair Cornelius second.**

**Vote: 5/0**

*[Budget Amendments are attached as Addendum B]*

(4) RESOLUTION: Secondary Road Improvement Plan:

The Board reviewed a resolution presented by the North Carolina Department of Transportation acknowledging the County's consensus on the Secondary Road Improvement Plan.

**Vice Chair Cornelius made a motion to approve A RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS CONCURRING IN THE PROPOSED SECONDARY ROAD CONSTRUCTION PROGRAM FOR THE COUNTY IN ACCORDANCE WITH GS 136-44-8. Commissioner Wooten second.**

**Vote: 5/0**

*[A RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS CONCURRING IN THE PROPOSED SECONDARY ROAD CONSTRUCTION PROGRAM FOR THE COUNTY IN ACCORDANCE WITH GS 136-44-8  
is attached as Addendum C]*

(5) RESOLUTION: Establishing a Public Hearing for the Financing of a County Jail Facility:

**Vice Chair Cornelius made a motion to approve the RESOLUTION CALLING A PUBLIC HEARING ON WHETHER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF YADKIN, NORTH CAROLINA SHOULD APPROVE A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF A NEW COUNTY JAIL, MAKING CERTAIN RELATED FINDINGS AND PROVIDING FOR CERTAIN RELATED MATTERS and to set a Public Hearing for Monday, December 15, 2008 at 7:00pm. Commissioner Garner second.**

**Vote: 4/1 (Wooten against)**

*[RESOLUTION CALLING A PUBLIC HEARING ON WHETHER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF YADKIN, NORTH CAROLINA SHOULD APPROVE A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF A NEW COUNTY JAIL, MAKING CERTAIN RELATED FINDINGS AND PROVIDING FOR CERTAIN RELATED MATTERS  
is attached as Addendum D]*

(6) Presentation to Commissioners:

County Manager Kiser presented framed pictures of the 2006-2008 Yadkin County Board of Commissioners to Commissioner Garner, Commissioner Wagoner, and Commissioner Wooten. County Manager Kiser thanked these

members for their willingness to serve Yadkin County and wished them well as they continue to serve on this Board.

County Manager Kiser presented a plaque to exiting members, Dr. Kim Clark Phillips and Joel Cornelius, which read:

“In recognition of your dedication and service to Yadkin County and its citizens.”

County Manager Kiser thanked Dr. Phillips and Mr. Cornelius for their hard work and dedication and wished them much success in future endeavors.

Dr. Phillips had these remarks before her departure from the Board:

(1) The County received a letter in August from North Carolina Baptist Hospital regarding the lease agreement of Hoots Memorial Hospital. The lease ends in April 2009 and NC Baptist Hospital does not intend to renew certain terms of the contract. NC Baptist Hospital is working very hard to maintain Hoots Hospital as a viable facility. In addition to the Yadkin Health Alliance, Baptist Hospital has established an additional Board to review and discuss options for Hoots Memorial. Dr. Phillips asked the new Board to appoint her as the liaison for Yadkin County on this newly established Board.

(2) Dr. Phillips announced that the Yadkin Dental Clinic opened on November 13, 2008 and was off to a successful start. Dr. Phillips thanked all of the parties involved in establishing this clinic and remarked that it would be a tremendous benefit to Yadkin County serving self-pay clients, Medicare patients, and Medicaid patients.

## **NEW BUSINESS**

(1) Swearing In:

Wayne Dixon, Yadkin County Clerk of Court, was in attendance to deliver oaths to the incoming Board members. Mr. David Moxley and Mr. Kevin Austin were sworn as new members. Mr. Brady Wooten was sworn as a re-elected member.

(2) Reorganization:

Attorney Graham presided over this portion of the meeting. Attorney Graham asked for nominations for Board Chairman. Attorney Graham reminded the Board that a second was not required on a nomination.

**Commissioner Garner made a motion to nominate Chad Wagoner as the Chairman of the Yadkin County Board of Commissioners.**

**Commissioner Wooten made a motion to close the nominations.**

**Commissioner Austin second.**

**Vote: 5/0**

**Commissioner Garner made a motion to accept Chad Wagoner as Chairman by acclamation.**

**Vote 5/0**

**Chairman Wagoner made a motion to nominate Kevin Austin as the Vice Chairman of the Yadkin County Board of Commissioners.**

**Commissioner Garner made a motion to close nominations. Chairman Wagoner second.**

**Vote: 5/0**

**Chairman Wagoner made a motion to accept Kevin Austin as Vice Chairman by acclamation.**

**Vote: 5/0**

Chairman Wagoner offered his thanks to fellow Board members for their support. Chairman Wagoner commented that it would be difficult to follow in the footsteps of Dr. Phillips.

Commissioner Wooten offered his congratulations to Chairman Wagoner.

Commissioner Garner also offered congratulations to Chairman Wagoner and Vice Chairman Austin. Commissioner Garner commented that he was looking forward to working with this new Board and hoped that the new Board members would not focus on the issues of special interest groups, but would consider what is best for the County as a whole.

Vice Chairman Austin agreed that complying with the wishes of small groups is not always appropriate, but hopes this Board will be open and will listen to the ideas of the public.

Commissioner Moxley offered his congratulations to Chairman Wagoner and Vice Chairman Austin. Commissioner Moxley remarked that he was looking forward to working with this Board.

(3) Legislative Goals Conference/Essentials of County Government:

Chairman Wagoner announced the opportunity for new and seasoned Board members to attend *Essentials of County Government* offered by the UNC School of Government. Chairman Wagoner plans to attend the Winston Salem session in February 2009 and encouraged all members to attend a session of their choosing.

Chairman Wagoner announced that he had cleared his schedule in order to attend the Legislative Goals Conference January 15-16, 2009. The Chairman is typically selected as the voting delegate and Chairman Wagoner is willing upon the Board's approval.

**Vice Chairman Austin made a motion to appoint Chairman Wagoner as the Voting Delegate at the Legislative Goals Conference January 15-16, 2009. Commissioner Garner second.**

**Vote: 5/0**

Chairman Wagoner announced that he would also attend the Orientation for New County Board Chairs that will take place on January 14, 2009 in conjunction with the Legislative Goals Conference.

## **MANAGER REPORTS/COMMENTS**

(1) County Manager Kiser had met recently with Clerk of Court Wayne Dixon regarding courthouse needs and repairs. Likewise, County Manger Kiser met with Walter Smith of the Farm Service Agency to discuss building needs, maintenance, and repairs. County Manager Kiser will examine the budget to determine what needs can be met with this year's budget.

(2) Considering the Board has 2 new members, County Manager Kiser suggested a meeting with Janice Burke of First Southwest for updates on the County's financial standings. Ms. Burke will not be available for the December meeting, but can attend the January 5, 2009 meeting of the Board. Vice Chairman Austin asked that the financial data be available prior to the meeting.

(3) County Manager Kiser will begin the budgeting process this month.

### **CALENDAR NOTES**

In addition to those events posted on the agenda, Chairman Wagoner announced that the Red Cross would be sponsoring a blood drive at the Yadkin Family YMCA on December 10. Chairman Wagoner encouraged all to donate blood as there is a dire need, especially at the holidays.

### **COMMISSIONER COMMENTS**

Commissioner Wooten welcomed new Board members, Kevin Austin and David Moxley. Commissioner Wooten offered thanks to Chairman Wagoner for taking on the leadership responsibility. Commissioner Wooten also thanked Dr. Phillips and Mr. Cornelius for their service.

Commissioner Moxley stated he was looking forward to serving Yadkin County and working with this Board. Commissioner Moxley also offered appreciation to Dr. Phillips and Mr. Cornelius for their hard work and service as a Yadkin County Commissioner. Commissioner Moxley reported that the wife of Sergeant Jason Vestal of the Sheriff's Office had been in a bad accident over the weekend and was paralyzed from the waist down. Commissioner Moxley asked that this family be remembered in prayers.

Commissioner Garner referenced Dr. Phillips' earlier comments regarding an assignment as liaison to the newly formed hospital alliance. Commissioner Garner spoke of the hospital's value to Yadkin County and stated that he did not want to see Hoots Hospital closed.

**Commissioner Garner made a motion to appoint Dr. Kim Clark Phillips as the County Liaison to the hospital alliance. Chairman Wagoner second.**

**Vote: 5/0**

Commissioner Garner stated he was looking forward to working with the new Board members and offered that serving on the Board of Commissioners would be an experience of a lifetime.

Vice Chairman Austin offered thanks to Dr. Phillips and Mr. Cornelius for their service on the Board. Vice Chairman Austin remarked that both Dr. Phillips and Mr. Cornelius are committed to public service and hopes that they continue in other capacities. The appointment of Dr. Phillips to the hospital alliance is a great start. Vice Chairman Austin thanked the citizens of Yadkin County for their trust and stated he was looking forward to serving them. Vice Chairman Austin commented that he hoped the election results indicated that the people of Yadkin County felt he could represent their ideas well. On issues such as economic development, jail location, and the future of Yadkin County, Vice Chairman Austin hopes this Board can work together to meet the needs of the citizens and looks forward to working with this Board.

Commissioner Wagoner had one additional calendar note. An Open House for the Dental Clinic will be held on Sunday, December 7, 2008 from 2-3:30pm.

Attorney Graham offered his thanks to Dr. Phillips and Mr. Cornelius for their dedicated service. Attorney Graham agreed that Dr. Phillips established a great precedent as Chairman and congratulated Chairman Wagoner on his selection to the chairmanship.

**Commissioner Wooten made a motion to adjourn. Commissioner Garner second.**

**Vote: 5/0**

Meeting adjourned at 10:03am.

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Prepared by Clerk to the Board

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Date Approved by the Yadkin County Board of Commissioners