COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION MINUTES
Monday, April 18, 2022
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 Resources Building located at 217 East Willow Street, Yadkinville, NC on April 18, 2022 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, Lisa Hughes; Clerk to the Board, Tanya Gentry; Assistant County Manager, Drew Hinkle; Finance Officer, Lindsey Cearlock; and Zoning Officer, Seth Harris.

INVOCATION given by Chairman Austin.

CALL TO ORDER by Chairman Austin at 7:01pm.

PLEDGE OF ALLEGIANCE led by Chairman Austin.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA
Commissioner Hemric made a motion to adopt the Agenda as presented. Commissioner Zachary second.
Vote: 5/0.

PUBLIC COMMENTS
There is a limit of no more than 2 speakers “for” and 2 speakers “against” any particular issue. Chairman Austin asked the Board to consider waiving that rule. Commissioner Zachary made a motion to waive the limit on the number of speakers. Commissioner Welborn second.
Vote: 5/0.

Danny Steelman, of Hamptonville, addressed the Board. He introduced himself. He is here representing the Yadkin County Concerned Citizens Group. They are against the Three Oaks Quarry Project. He said he had some comments from the group to read tonight. He provided the Clerk to the Board with a copy of the comments. They are attached as Appendix A. One of the comments pertains to the Group’s request for the Planning Board meeting Minutes from 11/08/2021. Danny Steelman said he received a copy of those minutes this afternoon. One of the comments pertains to feedback they want from the County and the recommendations they have made. Danny Steelman gave notes dated 1/27/2022 to the Clerk to the Board. The Group requested those notes be added to the minutes for tonight’s meeting because their recommendations seem to have gotten lost.

Pam Fulwider addressed the Board. She lives on Longtown Road, approximately 1,000 feet from the property line of the proposed Three Oaks Quarry. She read the County’s Vision Statement that is on the County website. The Vision Statement is, "Yadkin County is committed to maintaining and promoting our rural heritage, character and values, while being good stewards of our resources and providing excellence in health, safety and service. We embrace growth and innovation while fostering an environment where all may live, work and play." When her family brought their property 10 years ago, it was with the intention of living there until they die. It is their retirement home. Her parents, who had retired to Florida a couple of decades ago, decided to come back to North Carolina. Her dad has passed away and her mom is living with her now. Her mom has health issues and she is certain that adding any more dust into their air and any more noise into their environment is not going to be healthy for her mom or for her. It is not going to be healthy for children who will be in close proximity to it. When you read the specific words in the Vision Statement, she fails to see where we could possibly consider, with any degree of seriousness, allowing a mine in this County.
Gary Groce addressed the Board. He thanked the Commissioners, the County Manager, and County Attorney Powell for allowing him to express some of his opinions on what has transpired in some of the last few weeks. To him, it seems like it comes down to two very valuable resources. The first resource is the children, teachers, and workers at West Yadkin Elementary School. Their safety, and the children's education, is primary. They are the future. The children may not live here after they graduate but they will be the future somewhere. The second resource he sees is water. He has heard several things about water. There has been a lot of money spent on Lake Hampton. It is a future water resource. If something happens to it, there is going to be a whole lot more money to be spent somewhere to find water. The Quarry came in and they had a lot of representatives, qualified people, who said they did a lot of due diligence. He attended the informational meeting over at the Agriculture Building. He asked them if they would send the report of the exploratory minerals to the County. He doesn't know if the County has received that report or not. County Manager Hughes said the County has not received it. Gary Groce said, in one of their meetings, they said they were concerned about giving out some of that information because they didn't want their competitors to see it. The need to protect the children and the water outweighs any competition between them and some other company. He thinks the request for the report should be made again. He is not qualified to understand it but the County has people, or can get people, who are qualified to look at the drilling report and see what is there and what might, or might not, be hazardous. That shows him that the County is doing its due diligence. There will be traffic issues. They are saying that resources will come to the County; most of what he heard might be indirect. They said they would furnish stuff to other places for them to do highways. If some of the County property is being repaved, maybe the County could use some of that stuff. The County might get a cost savings from that. If they have 20 employees coming in to work, the County may make a little more on sales tax. He cannot see where there is going to be a whole lot of financial help for the County from what the Quarry would be doing. He thanked the Board for their time. He knows it is a tough job. He hopes and prays that when they consider this, they keep the two primary resources he spoke about in mind. If there is any reason they think the Quarry might be harmful for either one of those resources, he hopes they vote their conscience and vote it down.

Gary Willard addressed the Board. He wanted to talk about a 1972 will that hasn’t been settled. Lula Vestal’s will pertains to property that Jerry Sherrill has been paying taxes on for several years. The attorney that handled the matter, at that time, passed away. His work was given to the Zachary’s so they could settle the estate. There is a deed in the will that has never been settled. He is very concerned about the drilling and the wells on the property. The property has a lot of special meaning to him. He said there are a lot of title issues on both ends of the property. There are title issues concerning where he has been told Three Oaks Quarry plans to put the mine. His grandfather, and quite a few other heirs, are part of this matter. Approximately 60 acres of the property really haven’t been settled since 1972 and 1978. The County may need to look into that. He thanked the Board.

Dirk Ehrhardt, of Hamptonville, addressed the Board. He said if he doesn’t speak his mind, he can’t sleep well at night and he is not getting much sleep these days. The world is run by business and we all need jobs. We need aggregate, we need concrete, we need asphalt, and we need everything that is at Dollar General. He thinks thirty years ago if something like this were to come up with the Quarry it would have been a no brainer. His dad, who was born in 1920, would have looked him square in the eye and said this isn’t going to happen and his dad would have gone to the local coffee shop and spoken with the local County Commissioners and they would tell him not to worry about it because they would put it to bed. The world has changed; it’s all about money. Everything is about money. It is the only driving force left in the world. There is no more honor or integrity. He said he tends to spittle a bit so if he is acting like a rubber ball bouncing around the room with his discussion, bear with him. He moved here eight years ago for a lot of reasons. One of them was water. That was a big reason he moved here. Another reason he moved here was for the quiet. He comes from a town of 250 people. He loved that town. There was nothing but farms and quiet. He went to work in Tucson, Arizona after he got out of the Air Force. There was 1.2 million people there. A country boy never gets used to that. He gave up that lifestyle eight years ago to move here. Everyone told him how wonderful and nice the people are in North Carolina. His family made three trips to North Carolina in eighteen months. They spent a week here each time so they could take a look at the whole state. They found what they wanted in Hamptonville. It is a nice rural agricultural area. His wife loves to look at rolls of hay out in the field. Now that the Quarry might be a possibility, it might make him want to pick up roots and leave or run for public office. He has lost all his voices of authority, his father and
grandfather, so maybe it is time for him to step up and try to shake this world back into what he thinks it should be again. Lawyers have done what they do. They are a like a dentist, they are a necessary evil. God love them. We have to put up with them. He knows the County has legal battles, depending on what decisions are made. There will probably be legal battles in this matter, either way the decision goes. This is how the world operates now, like it or not. The other night the Quarry representative was talking about decibels. He understands that some of the sounds won’t be really loud. If you are talking to someone when they occur, you won’t be able to hear them. The beeping sound of a back-up alarm reaches far and wide. He plans on retiring in two years. He wants to be able to work out in his shop and in the garden and not have to hear the beeping of the trucks backing up all day long and it will be going on all day long. They brought up good points the other night. He thinks the Quarry people have good intentions. They paint a pretty picture. He hopes they stick with what they say if the Quarry comes into operation. He would hold their feet to the fire. They are saying they will do this and that and are assuring people that everything will be peachy keen. There is the EPA and all kinds of different environmental agencies to help out if things do go south. He needs better assurances that they will do exactly as they say and that is hard to get out of companies like this. He needs assurances that if they run out of rock in thirty years they won’t do like the companies in Arizona does with the copper mines. They don’t close down the mines because it costs way more money to reclaim the land and put it back the way they would have to. They keep a guard at the shack. They pay one employee and the mine stays open. Trucks don’t have to go in or out and they don’t have to conduct business but it is open so it can be used anytime they want. There are business factors and money and legal factors and there is the human factor. We are all humans. There are citizens living in the area and they love it. He knows the County needs to grow. If you don’t want the children to graduate and move away, you have to have a reason for them to stay here. The way to get that is through growth. He understands that but this Quarry is not the way, not for twenty to thirty jobs. He hopes the Commissioners vote their conscience. He hopes they consider the human factor when they make their decision, even though legally they don’t have to. This is his home. He doesn’t want to pack up and move again but he will. That is not a threat. He has to be happy and he can’t be happy with the sound of beeping all day long. The Board is in a bad spot but it is the Commissioners job to make a decision. We need to be more professional than Tom Terrell and his people were the other night. We are better than that. There are good, smart people here. He thanked the Board.

Donita Gilbert addressed the Board. She works in town and has been talking to her peers. She keeps hearing that this is bringing jobs. She and her son spoke with Jack Mitchell. Her son asked him if he was guaranteeing the twenty jobs would be for Yadkin County citizens. Jack Mitchell said he could not guarantee that; whoever is the most qualified will be hired for the positions. She understands that but she thinks the people who are not attending these meetings think that the Quarry is going to be offering citizens so many jobs. She lives approximately 800 feet from the property line of the proposed Three Oaks Quarry. She has lived here all her life. Her daughter is getting ready to build a house behind her. Her daughter has been in tears when she thinks about building her house because of the Quarry that may be coming. They don’t know what they will be breathing from the Quarry. It was brought up the other night that there are chicken houses in Yadkin County and tobacco farmers in Yadkin County are spreading things on their plants. She said there probably is some stuff that they don’t know they are breathing but the people who own the chicken houses and the farms live here. That is their livelihood. The Quarry people don’t have a stake in Yadkin County like the residents do. They are not from here; they haven’t grown up here. Most of the people here are happy to see a tobacco farmer or the owner of a chicken house thrive. They can live with the smells from the chicken house that they get once or twice a year. The proposed Quarry is upsetting for the people who live in that area. There is a lot of traffic on that road already. She knows that drivers can wreck anytime but the chances are higher with the Quarry trucks on the road. The rumors going around are about how many jobs there is going to be and about how much Jack Mitchell is going to put into the community. She assumes the money from his paycheck won’t go into Yadkin County because he is not from Yadkin County. She thanked the Board. They have a hard job.

Dirk Ehrhardt, of Hamptonville, addressed the Board. They were talking about due diligence the other night. He lives right next to the property and he has still not received the official notice that the others received from Three Oaks Quarry. He reiterated that to Mr. Mitchell when they had their informational meeting and he still hasn’t received anything. They have not done their due diligence.

Public Comments closed at 7:35 PM.
APPROVAL OF MINUTES
The Board of Commissioners reviewed the April 4, 2022 Regular and Closed Session Minutes. Commissioner Welborn made a motion to approve both sets of minutes as presented. Vice Chairman Moxley second.
Vote: 5/0.

REPORTS/REQUESTS OF THE BOARD
Sheriff’s Office Achievement Presentations
Sheriff Oliver addressed the Board. The North Carolina Sheriff’s Training & Standards Commission issues certificates to Officers who have achieved various levels of training. It takes several years of in-service training and other educational achievements to earn a certificate. The Certificates being presented tonight are for Telecommunicators. The people who do that work are very special. Sometimes they don’t get all the recognition that they deserve. This past year approximately 50,000 calls came in to the Communications Center. Telecommunicators have to speak with people who are very emotional because they just had a car accident or their house is on fire or someone they love has been injured or someone has overdosed or they feel threatened or for some other reason. The Telecommunicators are expected to get all the information that is needed, to dispatch the appropriate help, from that caller in about two minutes. The Yadkin County Telecommunicators do a great job. Margaret White has earned an Advanced Law Enforcement Certificate. Sheriff Oliver presented her with her Certificate and pin. Sheila Ridings has earned an Advanced Law Enforcement Certificate. Sheriff Oliver presented her with her Certificate and pin.

CONSENT AGENDA
Vice Chairman Moxley made a motion to approve the Consent Agenda items as presented. Commissioner Hemric second.
Vote: 5/0.

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

Finance/Insurance Payments Budget Amendment

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<tr>
<th>Line Item</th>
<th>Account</th>
<th>Current Budget</th>
<th>Increase/ (Decrease)</th>
<th>New Budget</th>
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<tr>
<td>Insurance Payments</td>
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<td>Sheriff - Vehicle Maintenance</td>
<td>1054310-53040</td>
<td>56,760.00</td>
<td>8,581.00</td>
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County received insurance payments for damages to a 2017 Ford and a 2018 Dodge Charger.

Finance/ Fines & Forfeitures Budget Amendment

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<th>Account</th>
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<td>7955912-51810</td>
<td>150,000</td>
<td>60,000</td>
<td>210,000</td>
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The Fines & Forfeitures amount needs to be increased to cover the remainder of the fiscal year.

Human Services/Foster Care Budget Amendment

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<tr>
<th>Line Item</th>
<th>Account</th>
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<th>Increase/ (Decrease)</th>
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<tr>
<td>Assistant Disabled</td>
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<td>Assistant Aging</td>
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<td>Foster Care Boarding Homes (Revenue)</td>
<td>1045320-42259</td>
<td>170,000</td>
<td>32,000</td>
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<tr>
<td>Foster Care Boarding Homes (Expense)</td>
<td>1055320-57640</td>
<td>340,000</td>
<td>64,000</td>
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</table>

Transfer of funds needed for increased foster care home expenses.

Emergency Services Budget Amendment

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<tr>
<td>Salaries</td>
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<td>Gasoline/Fuel</td>
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<td>Uniforms</td>
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<td>20,000</td>
<td>1,000</td>
<td>21,000</td>
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<tr>
<td>Departmental Supplies</td>
<td>1054330-52014</td>
<td>117,372</td>
<td>15,000</td>
<td>132,372</td>
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</table>

April 18, 2022 Regular Session
Transfer of funds needed to cover expenses for the remainder of the fiscal year.

**Tax Adjustments & Refunds for March 2022**
The Tax Office submitted the tax adjustments and refunds for the month of March 2022. The Board reviewed the information and approved the presented adjustments and refunds as requested.

**Ratify NC Office of State Budget & Management Agreement**
The State Budget included $1.5 million for the construction of a sally port at the Yadkin County Courthouse. The Board has authorized the County Manager to sign contracts/agreements from the State that do not require an expenditure of County funds that are executed through DocuSign. The County Manager signed the North Carolina Office of State Budget and Management agreement for the funding for the sally port. She asked the Board to ratify it. The Board ratified the agreement as requested.

**State of North Carolina Lease Agreement**
The State of North Carolina leases space in the Yadkin County Agricultural & Educational Building. The space is used by the NC Forest Service. The current lease expires at the end of this month. The lease before the Board tonight is a 3-year lease for them to continue using the space. The Board approved the lease agreement and authorized the County Manager to sign it.

**Carson-Newman University Affiliation Agreement**
The Carson-Newman University Affiliation Agreement will allow their students to participate in training and educational experiences at the Yadkin County Medical Clinic. The Board approved the agreement and authorized the County Manager to sign it.

**W Brown Construction Contract Amendment and Budget Amendment**
The former Cooperative Extension building is being renovated. The contract amendment allows W Brown Construction to perform some additional work on the walls, doors, kitchen cabinets, and the reception desk. They will also do additional block work at some of the windows and behind the old radiator heaters. The contract amendment increases their contract amount by $19,000.00. The following budget amendment appropriates the additional funding that is needed:
The contract amendment is

<table>
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<tr>
<th>Line Item</th>
<th>Account</th>
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<td>Non-Department Professional Services</td>
<td>1059000-51500</td>
<td>172,000</td>
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<td>Non-Departmental Building Improvmts</td>
<td>1059000-56552</td>
<td>625,739</td>
<td>14,100</td>
<td>639,839</td>
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The Board approved the contract amendment and authorized the County Manager to sign it and they also approved the budget amendment.

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

**Public Hearing on Rezoning PIN# 5868848176 from CB to RA**
Seth Harris addressed the Board. Chad Wagoner submitted an application to have a portion of PIN# 5868848176 rezoned from Community Business (CB) to Rural Agricultural (RA). The parcel is located on Speas Ferry Road. The surrounding land uses are mostly agricultural or vacant. There is a telecommunications tower to the west of the property. He acquired the property in 2013 and he would like to build a house on it. The Planning Board has heard the request. They found the request to be compatible with the surrounding land uses and consistent with the Land Use Plan. They voted to recommend the proposed rezoning. Chairman Austin opened the Public Hearing at 7:43pm. No one came forward. Chairman Austin closed the Public Hearing at 7:44pm.

**BOARD ACTION**

**Rezoning PIN# 5868848176 from CB to RA**
County Manager Hughes read the Statement of Zoning Consistency and Reasonableness. Commissioner Zachary made a motion to adopt the Statements of Zoning Consistency and Reasonableness and approve Rezoning Case 22-01, PIN# 5868848176, based on the above statements. Vice Chairman Moxley second. 
Vote: 5/0.

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Resolution for GREAT Grant
County Manager Hughes addressed the Board. The GREAT Grant is a State grant that provides funding to expand broadband throughout the State. They have found out the importance of broadband when it comes to education and economic development and working from home during a pandemic. The State has appropriated additional ARPA funds to aid in the expansion effort. Yadkin Valley Telephone/YadTel/Zirrus has asked the County to provide some matching funds for the GREAT Grant. They are submitting an application for a project that will expand broadband in Yadkin County and a little bit of Wilkes County. The total project cost is $3,790,150.00. The portion of the project that is for Yadkin County is $3,437,510.00. The grant requires up to a 50% match. The required match percentage will be based on the number of points the project earns, as set forth in the grant application. If Yadkin County provides some of the matching funds, the project will earn additional points. County Manager Hughes proposed that the County provide a 10% match, or up to $343,751.00. The Board was asked to approve a Resolution to Partner with Yadkin Valley Telephone Membership Corporation to Provide Certain County Funds to Fund the Construction of Broadband Infrastructure in Certain Areas of Yadkin County. Since any broadband provider in Yadkin County can submit a grant application, there is a sentence in the Resolution that states, “Yadkin County has authorized a total appropriation of $343,751 for promotion of broadband services for any and all broadband partnerships.” Yadkin Valley Telephone Membership Corporation will receive up to $343,751.00 if they are the only broadband provider who is awarded GREAT Grant funding for a Yadkin County project. If more than one provider is awarded GREAT Grant funding for a Yadkin County project, the $343,751.00 will be split among those providers. As mentioned earlier, the State will determine how much matching funding is required so the $343,751.00 is the maximum amount that Yadkin Valley Telephone Membership Corporation could receive. They could receive less than that, depending on the number of points that they receive for their project and what the State says the required match is. County Manager Hughes read the Resolution. She said that Yadkin Valley Telephone Membership Corporation told her that this project will allow every home that is in their Yadkin County service area to have fiber access. The County cannot use property tax funds for the match for the GREAT Grant so the County will use sales tax funding. The County will not use ARPA funding for the match. The use of ARPA funds would mean that Yadkin Valley Telephone Membership Corporation would have to provide Yadkin County with a lot of records and the County would have to continue to conduct audits of their records for ten years. That is a lot of extra work for the County. It is better for the County to provide the funds from sales tax so we don’t have to demand that Yadkin Valley Telephone Membership Corporation provide their company records. If Yadkin Valley Telephone Membership Corporation is awarded GREAT Grant funding, a contract will come before the Board for approval. Danny Steelman addressed the Board from the audience. He knows the County is looking to be progressive and attract businesses. He is one of the first recipients of fiber through YadTel. He got it ten years ago. He has an office at home and an office in Winston-Salem. The office in Winston-Salem is run on Spectrum. There is absolutely no comparison between the fiber and what cable provides. Fiber is so much better. It would be great to attract more businesses, especially in the I-77 corridor. Someone else started to address the Board from the audience. The public is not supposed to address the Board except during the Public Comment period or during a Public Hearing so Chairman Austin interrupted the speaker. He said that he appreciates the public’s input and he loves sharing information with the public but he wanted to let those present know that they couldn’t continue to address the Board at this time. Commissioner Welborn made a motion to partner with Yadkin Valley Telephone Membership Corporation on a GREAT Grant to expand broadband in Yadkin County in an amount up to $343,751.00 and to approve the Resolution. Commissioner Zachary second.

Vote: 5/0.

[The Resolution is attached as Appendix C.]

Negotiate Contract with Crecch & Associates
The County received a $1.5 million SCIF Grant to put in a sally port and an elevator at the Courthouse. The sally port and elevator will be used to safely transport inmates to the holding cell so the inmates won’t be using the same entrance that the attorneys, citizens, witnesses, and others use. Some of the Departments that are in the Courthouse will have to be relocated so a new building will need to be constructed. On January 26, 2022 the County issued a Request for Qualifications (RFQ) for Architectural Services. The services included designing the new building, assisting with the sally port and elevator in the Courthouse, and replacing two EMS outposts. The County received seven letters of intent and six responses to the RFQ were submitted. After careful review of the responses, four firms were interviewed. The staff recommends negotiating a
contract with Creech & Associates. They were well prepared for the interview and brought a great team of people with them. When the County scored the proposals, Creech & Associates’ proposal scored the highest. Vice Chairman Moxley made a motion to authorize the County Manager to negotiate a contract with Creech & Associates for architectural services. Commissioner Hemric second. Vote: 5/0.

Reclassify Sheriff’s Office Administrative Support Specialist I Position
Sheriff Oliver addressed the Board. He requested that a Support Specialist I position be reclassified to a Support Specialist II position. The employee in the Support Specialist I position has been in that position for approximately ten years. The employee’s workload has increased and the employee has been cross-trained to assist with other functions in the Sheriff’s Office. The pay grade would go from a 61 to a 63. There are sufficient funds in the current year’s budget to cover the salary increase. Commissioner Welborn made a motion to reclassify Administrative Support Specialist I Position # 510040, Pay Grade: 61, with a Salary range of $27,708 - $41,562 to an Administrative Support Specialist II, Pay Grade: 63, with a Salary range of $30,548 - $45,822. Commissioner Zachary second. Vote: 5/0.

CALENDAR NOTES
1) May 30, 2022 – The County offices will be closed for Memorial Day.

MANAGER’S REPORTS/BOARD ACTION
State Children and Families Specialty Plan
There has been a push from the State, with Medicaid Transformation, to have a Plan for children in foster care. There is a Standard Plan and a Tailored Plan and now the State would like to have a Plan that is for children in foster care and their families. That way if a foster child moves from one location in North Carolina to another location in North Carolina they would still have the same Care Manager. Forsyth County has said they are opposed to having a Plan for foster children. The North Carolina Association of County Commissioners has asked that counties hold off on making a decision about that. It is in the early stages so there are still things to learn about the Plan.

MANAGER’S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED
Funds Transfers

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<thead>
<tr>
<th>Department</th>
<th>Purpose</th>
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<tr>
<td>Elections</td>
<td>Transfer of funds needed to cover the cost of legal ads.</td>
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<td>Travel/Training</td>
<td>(797)</td>
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<td>Advertising</td>
<td>797</td>
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<tr>
<td>Non-Departmental</td>
<td>Transfer of funds needed to cover the cost of the Annual Report.</td>
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<td>Performance</td>
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<td>Public Relations</td>
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<td>Solid Waste</td>
<td>Transfer of funds needed to cover the cost of gas.</td>
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<td>Professional Services</td>
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<td>Gasoline/Diesel Fuel</td>
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<tr>
<td>Water</td>
<td>Transfer of funds needed to cover the cost of water taps and utilities.</td>
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<td>East Bend Contracted Services</td>
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<td>HWY 21 Contracted Services</td>
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<tr>
<td>HWY 21 Utilities</td>
<td>1,400</td>
</tr>
</tbody>
</table>

Roberts Rid-A-Bug Contract
Roberts Rid-A-Bug will treat a termite infestation at the County Park.

BOARD VACANCIES/APPOINTMENTS
Joint Nursing Home Adult Care Home Community Advisory Committee
There are three vacancies on the Joint Nursing Home Adult Care Home Community Advisory Committee.
**Juvenile Crime Prevention Council**
The nominating committee of the Yadkin County Juvenile Crime Prevention Council (JCPC) has recommended that the reappointment of the following members: Tina Love, Leigh Bricker, Scott Perry, Marcy Mays, Suzanne Kelly, Bobby Todd, Phillip Scott, Jeff Eads, Jessica Wall, Tracy Milholand, Amie Rose and Amber Waddell. They will serve two-year terms. **Vice Chairman Moxley made a motion to re-appoint Tina Love, Leigh Bricker, Scott Perry, Marcy Mays, Suzanne Kelly, Bobby Todd, Phillip Scott, Jeff Eads, Jessica Wall, Tracy Milholand, Amie Rose and Amber Waddell for two-year terms to the Yadkin County Juvenile Crime Prevention Council. Commissioner Welborn second.**
Vote: 5/0.

**COMMISSIONER COMMENTS**
**Commissioner Zachary** thanked everyone for being here tonight. He thanked Danny Steelman, Pam Fulwider, Gary Groce, Gary Willard, Dirk Ehrhardt, and Donita Gilbert for their comments. The Board will review all the information they have before a decision is made. The Board appreciates hearing from the citizens. He congratulated Margaret White and Sheila Ridings and thanked them for their service. Yadkin County has great employees.

**Vice Chairman Moxley** thanked everyone for coming out tonight. He thanked Danny Steelman, Pam Fulwider, Gary Groce, Gary Willard, Dirk Ehrhardt, and Donita Gilbert for their comments. The Board will weigh everything they have heard carefully. He congratulated Margaret White and Sheila Ridings. They have worked in the Communications Center for several years. He thanked them for their work. He thanked Seth Harris for his work on the rezoning. He thanked Sheriff Oliver for the programs he has implemented for his staff. Having the staff earn these certifications is a great benefit to the employee and to the County.

**Commissioner Hemric** thanked everyone for coming out tonight. He thanked Danny Steelman, Pam Fulwider, Gary Groce, Gary Willard, Dirk Ehrhardt, and Donita Gilbert for their comments. He thanked the Sheriff for his presentations. He congratulated Margaret White and Sheila Ridings. He thanked Seth Harris for his work on the rezoning. He thanked Lindsey Cearlock for being here.

**Commissioner Welborn** thanked everyone for coming. He thanked Danny Steelman, Pam Fulwider, Gary Groce, Gary Willard, Dirk Ehrhardt, and Donita Gilbert for their comments. He thanked the Sheriff for his presentations. Having his employees get the training needed to earn their certifications is good for the employee and the County. He congratulated Margaret White and Sheila Ridings. He thanked the staff for their work.

**Chairman Austin** congratulated Margaret White and Sheila Ridings. The County’s Telecommunicators are very professional and they do a good job for the citizens. He thanked Sheriff Oliver for recognizing them. He thanked Seth Harris for his work on the rezoning. He thanked the citizens for coming. He is glad the Board provided them all the time they need to speak. It is important to the Board to hear what the citizens have to say. This issue is worth all the time and effort and patience that everyone has shown. Dirk Ehrhardt mentioned that things have changed and it’s all about money. Chairman Austin said it is really about legal matters. It is about courtrooms, lawyers, judges, etc. That is what the world seems to revolve around these days. His pledge to the County is to make sure that this process goes right and if that means it takes a little extra time then it will take a little extra time. He asked everyone to please understand that this is not something that can be a slam dunk for either side. It has to be done correctly and the Board has pledged to do it correctly and protect the people of the County. He is hopeful that the end of it will be here soon. He thanked everyone for hanging in there.

**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 and Pursuant to NCGS 131E-97.3 to discuss Confidential Competitive Health Care Information. Commissioner Hemric second.**
Vote: 5/0.

April 18, 2022

Regular Session
After a motion to come out of Closed Session was made and the Board was in Open Session, Commissioner Zachary made a motion to authorize the County Manager to execute an agreement with N-Focus for planning services not to exceed $10,000.00. Vice Chairman Moxley second. Vote: 5/0.

Commissioner Hemric made a motion to reclassify the Assistant County Manager position from a pay grade 77 to a pay grade 79 and to re-advertise the position. Commissioner Welborn second. Vote: 5/0.

Commissioner Zachary made a motion to adjourn. Commissioner Welborn second. Vote: 5/0.

 Prepared by Tanya Gentry  
Clerk to the Board

Kevin Austin, Chairman  
Yadkin County Board of Commissioners

5/2/2022
Date approved by the  
Yadkin County Board of Commissioners
Yadkin Concerned Citizens Comments to Commissioners 4/18/22

R: Three Oaks Quarry application for Rezoning

- Introduce myself (Represent the Yadkin County Concerned Citizens Group against the Three Oaks Quarry Project

- I would like to share a few comments from our group regarding the planning Board meeting last Monday on 4/11/22.

- We hope our group was received as respectful and our speakers provided meaningful information to the Planning Board that will be instrumental in an eventual vote against the proposed Three Oaks Quarry Project.

- However, we do feel it is necessary to share some deep-seated concerns as a result of the meeting on 4/11/22.

- There was a lot of miscommunications from the county staff to the public as to the format of the meeting. Different information as to the format of the meeting was given to the public 5 mins before the meeting than was conveyed the weeks prior to the meeting.

- The county had reserved seating for all Quarry representatives but no reserved seating for our tax paying speakers. County staff had been told our group would have at least 4-6 speakers.

- The public was not allowed into the building until 10 min before the meeting and there was trouble again with the microphones.

- When our Legal council spoke, he was only allowed to speak for 3 min compared to the Quarry’s owner, Jack Mitchell and legal council Tom Terrell were allowed to speak 10-15 min each. As the meeting went on, many of our group members visibly observed Tom Terrell giving Yadkin County staff members the “Knife across the throat signal” to cut our speakers off. To the best of my knowledge Tom Terrell is neither Chairman of the planning board or county staff member.

- Over the past four months our group has been nothing but respectful, professional, and open with our research and information when communicating with all county staff and elected officials. Moving forward with any additional board meetings and hearings we expect our county staff and elected officials to stand up for our group as tax paying citizens making sure we are treated with the same respect, professionalism, and equal time to be heard.

- For your information, our legal council advised us that our elected officials and county staff are not supposed to be declining to communicate or share any information with our group.
Questions that our group would like to have answers on:

- Why did county staff ask for the planning board to address the Major Subdivision 22-1 rezoning request for access road 80’ wide into the property First? A board member asked, Why are we voting on this first if we haven’t even decided on the other request? Created lots of confusion why this would be voted on prior to no closing on land purchase, no decision on the rezoning for the mine and no mining permits even filed with the state? What was the urgency? The board proceeded to vote in favor. By voting for an 80’ right of way, it created public perception that county staff assumes the mining project will be approved.

- The Planning Board itself did a great job listening and asked the Quarry representatives many great specific questions that no one gave answers on. Have those questions been answered? If so, they should be made public record and shared with our group.

- When County Staff member, Seth Harris interrupted Chairman Swaim’s request for a motion to vote because county staff does not have additional documentation they needed, Is this the Scientific studies and data that our group requested they pursue a month ago? If so, our group’s legal counsel requested copies of any and all documents the county receives.

- We would also like clarification on the correct format of the next planning Board Meeting when the board will vote on the rezoning of the Sherrrell property.

- On 11/8/21, some of us attended a planning board meeting where the board declined a rezoning request of PIN#584700125622 from RA to MI-1. The location was beside of Forbush HS on Falcon Rd. where are the minutes for that planning board meeting. They have never been posted on the county’s website? We request a copy of the minutes.

- We have waited 4 mos for county staff to provide feedback to group regarding recommendations for mining ordinance changes to protect our county. We have asked multiple times over the past 4 months that changes be made before getting to this point. We are very upset that no feedback has been provided. This creates the perception that you are not willing take extra efforts to protect your tax payers. We are now demanding an explanation why our mining ordinances have not been strengthened before getting to this point. Since all of our recommendations seem to have gotten lost we wish the attached notes dated 1/27/22 to be added to the minutes for tonight’s meeting.

- If for any reason, the County Commissioners are set on approving this mine. The vote needs to be tabled until all ordinance changes, logical compliance, monetary compensation, etc requests are presented to the Commissioners and to the Mining Company. These negotiations HAVE to be in writing, presented to the County for approval before approval of the rezoning. If not, we are at the will of the State Mining Office, and little negotiation can or will occur after the fact.
Hamptonville Concerned Citizens (Potential open-pit Mining Project)

The following recommendations are in lieu of YC not having a county ordinance against all mines except mines/quarries for crushed granite stone use only.

Suggestions for YC Board of Adjustment Mining Regulations/Special Use permits

- All recommendations are based on the last 90 days of research by a core group of 30 Citizens to protect our Environment, Air quality, Health and Safety, WY school, Rivers and streams, Wetlands, Wildlife, Lake Hampton, Water Tables, Property Values, County Taxes and Resources and Way of life

- Require mine to annually fund a Sinking Fund (backed by Surety Bond) to fund 100% of all the following expenses and liabilities incurred by any Yadkin County citizen, business, municipality, churches, schools or governing body due to negligence or failure by the said Mine to meet the listed regulations set forth by special use regulations listed. Sinking fund to be funded based on % of mine’s annual revenues (audited by YC CPA firm) This is intended to prevent the county and community from incurring new or additional expenses (tax increases) due to additional personal, facilities or equipment that will be needed related to the mining operation.

- An independent County Mining Commission is to be established to Audit the mine’s compliance with all regulations and funded by the mine’s sinking fund. Enforcement of mining violations will be instituted by County Commissioners

- Extended mine buffers (Set backs) for property lines to min 1000 feet from adjacent properties
- Appropriate Secure metal fencing around complete property lines. NCDEQ mine requirements
- Appropriate Noise Mitigation around property lines meeting county regulations including earth mounds and highway style barriers a min of 20 feet high located between the mining operation and adjacent property owners a min of 1000 ft from property lines
- Dust suppression and mitigation to limit any airborne dust from leaving the property
- No accessory uses on mining site for asphalt plants, concrete production, or chemical processing facilities including and not limited to ore processing facilities.
- Sufficient ground water monitoring wells for (water levels/contamination) Ind Hydro Geologist specs
- Regular ground water testing wells, water levels & contamination (independent Hydro Geologist specs)
- Paying for all improvements to local water wells including/not limited to new or deepening of personal wells. Mine will pay all costs of running county water to all residents/businesses/schools/churches resulting from Mine water use if deemed necessary by the county.
- Monitoring of all business and residential/business/schools/churches/public building foundations, pay to fix within certain distances of mine property – funded 100% by mine
Pay 100% for any relocation of any public bldg. including schools/churches deemed by YC within dangerous proximity to mining operation.

Pay 100% for increased needs of local Fire Dept protection against potential mine fires associated with the mine.

Environmental and wildlife relocation and disasters linked to mine

Expenses incurred by county for increased garbage services

Regulations/ordinances against Blasting i.e. certain hours of the day. No blasting within 1,500 ft of land boundary

Regulations/ordinances against the amount of trucks/equipment on highways daily/time

Ordinances against relocations of significant bodies of water

Regular Monitor air quality and samples of soil tested within one mile by independent labs and overseen by public mining commission

Local land owners/residents up to 1 mile from mining property lines reimbursed (value formula) by mine for lost property values if do not sale

Minimum purchase offers by mining company to buy properties using a value formula

Mining company must reimburse all medical, rehabilitation, lost earnings for human/animal health issues directly related to mining operation whether water/air/psychological or other related

Mining company must meet/exceed land reclamation plan in X amount of time and be overseen by public to expectations

All expenses, damages, loss of public usage incurred from mining operations related to YC future county water reservoir Lake Hampton
A RESOLUTION TO PARTNER WITH YADKIN VALLEY TELEPHONE MEMBERSHIP CORPORATION ("YADKIN VALLEY") TO PROVIDE CERTAIN COUNTY FUNDS TO FUND THE CONSTRUCTION OF BROADBAND INFRASTRUCTURE IN CERTAIN AREAS OF YADKIN COUNTY.

WHEREAS, Broadband service is vital to the economic development of Yadkin County; and,

WHEREAS, Yadkin County has authorized a total appropriation of $343,751 for promotion of broadband services for any and all broadband partnerships; and,

WHEREAS, Yadkin Valley is a retail provider of communications services including the provision of broadband services to portions of Yadkin County; and,

WHEREAS, Yadkin Valley intends to apply for a grant under the North Carolina Growing Rural Economies with Access to Technology Act ("GREAT Act") to provide broadband services to identified unserved areas of Yadkin County; and,

WHEREAS, Yadkin County strongly supports the grant application of Yadkin Valley; and,

WHEREAS, if Yadkin Valley is selected by the North Carolina Broadband Infrastructure Office to receive State Fiscal Recovery Funds for the Yadkin County project, then Yadkin County will contribute non-property tax funds, up to $343,751 to support the project based on the total amount awarded by the state; and,

WHEREAS, the infrastructure to be completed shall be owned and operated by Yadkin Valley.

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

1. Yadkin County offers a partnership agreement to Yadkin Valley for the expressed purpose of supporting Yadkin Valley's GREAT Act application to construct fiber to the home broadband services for specified unserved areas of Yadkin County as agreed upon by the County and Yadkin Valley.

2. Should the GREAT grant application be successfully awarded to Yadkin Valley, Yadkin County shall contribute, up to $343,751 for the project.

3. The broadband services and infrastructure related thereto shall be owned and operated by Yadkin Valley.

Adopted this 18th day of April 2022.

Yadkin County Board of Commissioners

Kevin Austin, Chairman

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Appendix C