

STATE OF NORTH CAROLINA)
)
COUNTY OF STOKES)
)

OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
DECEMBER 22, 2003

The Board of Commissioners of the County of Stokes, State of North Carolina, met in regular session in the Council Chambers of the Administrative Building, located in Danbury, North Carolina, on Monday, December 22, 2003, at 7:00 pm with the following members present:

Chairman Sandy McHugh
Vice-Chairman John Turpin
Commissioner Howard Mabe
Commissioner Leon Inman
Commissioner Joe Turpin

County Manager Richard D. Morris
Darlene Bullins, Clerk to the Board

Chairman McHugh called the meeting to order.

County Manager Rick Morris delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

Chairman McHugh opened the meeting by inviting the citizens in attendance to join the Board with the Pledge of Allegiance.

GENERAL GOVERNMENT-GOVERNING BODY-APPROVAL OF MINUTES

Chairman McHugh entertained a motion to approve or amend the minutes of the December 2nd and the December 8th meetings.

Commissioner Mabe moved to approve the minutes of the December 2nd and the December 8th meetings.

Commissioner Inman seconded and the motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

GENERAL GOVERNMENT-PROPOSED FIRE/RESCUE AND MUTUAL AID AGREEMENT

Fire Marshal Brad Cheek presented the proposed Fire/Rescue Mutual Aid Agreement that had been mutually agreement upon by the Stokes County Fire and Rescue Association and the Vol. Fire Departments/Rescue Squads that serve Stokes County residents.

Fire Marshal Cheek noted that items #9 and #10 were the new items that had been added to the previous contracts used by the County. Item #9 relates to a new ruling by the Insurance Commission that allows fire departments to included a six-mile district instead of a five-mile district which allows areas not previously covered by an insurance district to be in an insurance district which would lower homeowners' insurance premiums.

Fire Marshal Cheek concluded that these contracts had been approved as to Form and Legal Sufficiency per County/Staff Attorney Jonathan C. Jordan.

Fire Marshal Cheek requested the approval for Fire/Rescue Protection and Mutual Aid Agreement for the following departments:

Danbury Volunteer Fire Department and Rescue Squad, Inc.
Lawsonville Volunteer Fire Department, Inc.
Sauratown Volunteer Fire Department, Inc.
South Stokes Volunteer Fire Department, Inc.
Stokes Rockingham Volunteer Fire Department and Rescue Squad Inc.
Northeast Stokes Volunteer Fire Department and Rescue Squad, Inc.

Chairman McHugh entertained a motion to approved the submitted Fire/Rescue Protection and Mutual Aid Agreement for the following departments:

Danbury Volunteer Fire Department and Rescue Squad, Inc.
Lawsonville Volunteer Fire Department, Inc.
Sauratown Volunteer Fire Department, Inc.
South Stokes Volunteer Fire Department, Inc.
Stokes Rockingham Volunteer Fire Department and Rescue Squad Inc.
Northeast Stokes Volunteer Fire Department and Rescue Squad, Inc.

Commissioner Inman moved to approve the submitted Fire/Rescue Protection and Mutual Aid Agreement for the following departments:

Danbury Volunteer Fire Department and Rescue Squad, Inc.
Lawsonville Volunteer Fire Department, Inc.
Sauratown Volunteer Fire Department, Inc.
South Stokes Volunteer Fire Department, Inc.
Stokes Rockingham Volunteer Fire Department and Rescue Squad Inc.
Northeast Stokes Volunteer Fire Department and Rescue Squad, Inc.

Commissioner Mabe seconded and the motion carried unanimously.

(A copy of the original signed contract will be attached to the December 22, 2003 minutes).

GENERAL GOVERNMENT–YVEDDI- PROPOSED 2004/05 COMMUNITY TRANSPORTATION GRANT APPLICATION AND PROPOSED LOCAL GRANT MATCH

Mr. Charlie Walker, YVEDDI, requested the Board's approval to allow Yadkin Valley Economic Development District, Inc. to submit for the Fiscal Year 2004/05 Community Transportation Program (CTP) Grant Application.

Mr. Walker presented the Board with a review of the history and current update of the YVEDDI Transportation Program which provides daily transportation to and from Dialysis, Radiation, Chemotherapy, and various other medical/general appointments for Stokes County residents.

Mr. Walker included the following data from July 2002 thru June 2003:

YVEDDI vehicles traveled 420,416 miles for Stokes County residents
YVEDDI provided 26,328 passenger trips for Stokes County residents
YVEDDI paid \$210,000 in wages to employees in Stokes County
YVEDDI spent \$23,000 in maintenance in Stokes County
YVEDDI spent \$45,000 in fuel in Stokes County
YVEDDI spent \$12,000 for parts in Stokes County
YVEDDI spent \$7,000 for tires in Stokes County
YVEDDI spent \$6,000 miscellaneous in Stokes County

A complete report will be submitted January 2004.

Mr. Walker noted that the Community Transportation Grant from NCDOT requires a local match of 15% for Administration (\$4,363) and 35% Coordinator salary (\$11,201). A total of \$15,564 for the upcoming proposed fiscal year 2004/05 budget.

Mr. Walker also noted that in 2006, no school age children will be allowed to be transported on a vehicle that is does not meet FTA standards. All school age children will have to be transported on a bus that meets federal guidelines.

Chairman McHugh entertained a motion to approve the YVEDDI Fiscal Year 2004/05 Community Transportation Program (CTP) Grant Application.

Commissioner Mabe moved to approve the YVEDDI Fiscal Year 2004/05 Community Transportation Program (CTP) Grant Application.

Commissioner Inman seconded and the motion carried unanimously.

NCDOT – Capital Grant \$300,000

Mr. Walker spoke to the Board concerning the \$300,000 NCDOT Grant for a maintenance facility in Stokes County . County Manager Rick Morris provided the Board with an aerial photo of the NCDOT approved site located on the Governmental Center

Complex along with another possible site that had not been approved by NCDOT.

NCDOT had chosen the old prison camp as the #1 location for a new maintenance facility due to site preparation and available storage already on the premises.

Mr. Walker concluded that the County must designate a location that is approved by NCDOT, the location be surveyed, prepare a plat, deed the property to YVEDDI with a disclaimer that if the property is no longer used for a transportation maintenance facility- the land reverts back to the County, hire an architect, complete the final drawings, and bid the project to evaluate available \$300,000 funding before June 30, 2004.

The Board discussed the possible governmental complex locations along with the old prison camp location that was dedicated in 2002 for a future satellite community college site.

Commissioner Joe Turpin noted the need for a new public building maintenance shop that might possibly be included in this proposed new facility.

Chairman McHugh moved to task the County Manager to check with everyone that might be effected by the proposed location sites and submit a recommended location to the Board.

Commissioner Mabe seconded and the motion carried unanimously.

GENERAL GOVERNMENT-TAX ADMINISTRATION REPORT

Tax Administrator Wren Carmichael requested the Board's approval for November 2003 Itemized Releases (real and personal) in the amount of \$5,627.62.

Chairman McHugh entertained a motion to approve the November 2003 Itemized Releases (real and personal) in the amount of \$5,627.62.

Commissioner Joe Turpin moved to approve the November 2003 Itemized Releases (real and personal) in the amount of \$5,627.62.

Vice Chairman John Turpin seconded and the motion carried unanimously.

Tax Administrator Wren Carmichael requested the Board's approval for the November 2003 Motor Vehicle Releases in the amount of \$1,514.68.

Chairman McHugh entertained a motion to approve the November 2003 Motor Vehicle Releases in the amount of \$1,514.68.

Vice Chairman John Turpin moved to approve the November 2003 Motor Vehicle Releases in the amount of \$1,514.68.

Commissioner Joe Turpin seconded and the motion carried unanimously.

Tax Administrator Wren Carmichael requested the Board's approval to Release from Taxation (\$1,123.56) Parcel #5972-02-99-3783 which is a 12 acre plot used as a cemetery (taxpayer- Ms. E. J. Apperson). A Family Trust Agreement was made on November 16, 1986 but not recorded in the Stokes County Register of Deeds until June 6, 2003. Property taxes had been paid up until 1999 by the family's attorney.

Tax Administrator Carmichael submitted a legal opinion from previous County Attorney Tyrone Browder (dated November 26, 2003) which states that the parcel should have been exempt from taxation since that date.

Chairman McHugh entertained a motion to Release from Taxation (\$1,123.56) Parcel # 5972-02-99-3783, which is a family cemetery.

Commissioner Inman moved to Release from Taxation (\$1,123.56) Parcel # 5972-02-99-3783 which is a family cemetery.

Commissioner Mabe seconded and the motion carried unanimously.

Tax Administrator Carmichael requested the Board's approval to be allowed to transfer his unused vacation leave (in excess of 180 hours that can be carried over and 96 hours that can be transferred to sick leave) for calendar year 2003 due to his appointment of Tax Administrator in March 2003.

Chairman McHugh moved to allow Tax Administrator Wren Carmichael to be able transfer his unused vacation leave (in excess of 180 hours that can be carried over and 96 hours that can be transferred to sick leave) for calendar year 2003.

Vice Chairman John Turpin moved to allow Tax Administrator Wren Carmichael to be able to transfer his unused vacation leave (in excess of 180 hours that can be carried over and 96 hours that can be transferred to sick leave) for calendar year 2003.

Commissioner Joe Turpin seconded and the motion carried unanimously.

Tax Administrator Carmichael concluded with a submission of a comparison report detailing the Fiscal Year 2002/03 and Fiscal Year 2003/04 revenue collected by the Tax Department.

GENERAL GOVERNMENT-GOVERNING BODY-STOKES VOLUNTARY AGRICULTURAL DISTRICT ANNUAL REPORT

District Soil Conservationist Tom Smith and Agricultural Advisory Board President Manley Stovall submitted the Voluntary Agricultural District Annual Report. Mr. Smith presented the Board with a copy of the Voluntary Farmland Preservation Program Ordinance adopted the 14th day of April 2003.

President Stovall updated the Board concerning the Vol. Agricultural District Advisory Board and presented a pamphlet with Voluntary Agricultural Districts information which also details a sign design for farmers to display on their farms.

President Stovall concluded to date, the Advisory Board has approved 4 applications totaling 346 acres with additional applications pending.

GENERAL GOVERNMENT–SAURATOWN VOL. FIRE/RESCUE DEPARTMENT PROPOSED PURCHASE FIRE TRUCK/APPROVAL OF LOAN AGREEMENT.

County Manager Rick Morris (Support Services Supervisor Danny Stovall absent due to sickness) requested the Board's approval for the Certificate of Clerk Re-approval of Tax-Exempt Loan to a Volunteer Fire Department by Board of Commissioners.

Manager Morris noted that Sauratown Volunteer Fire Department has a pending loan in the amount of \$125,000.00, with an interest rate of 3.75% with First Citizens for the purchase of a fire truck. In order for the fire department to be eligible for a tax-exempt loan, the County must approve the Certificate of Clerk Re-approval of Tax-Exempt Loan to a Volunteer Fire Department by Board of Commissioners. The approval of this document does not obligate the County in any way regarding repayment of the debt.

Fire Chief Randall Patterson was present for the meeting and discussed the proposed 2003 pumper tanker truck purchase.

Chairman McHugh entertained a motion to approve the Certificate of Clerk Re-approval of Tax-Exempt Loan to a Volunteer Fire Department by Board of Commissioners for the purchase of a fire truck for Sauratown Vol. Fire Department.

NC VFD16B

COUNTY APPROVAL

**STATE OF NORTH CAROLINA
COUNTY OF STOKES**

CERTIFICATE OF CLERK RE-APPROVAL OF TAX-EXEMPT LOAN TO VOLUNTEER FIRE DEPARTMENT BY BOARD OF COMMISSIONERS

The undersigned, being the duly qualified Clerk of **Stokes County**, North Carolina, does hereby certify that the following is a true and accurate copy of a Resolution passed by the Board of Commissioners of **Stokes County**, North Carolina, at its regular meeting on the 22nd day of December, 2003, which Resolution was duly introduced, seconded, and approved, and that said Resolution remains in full force and effect:

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Commissioners of **Stokes County**, North Carolina does hereby approve (within the scope of the qualifying language set forth below) a tax-exempt loan to the Sauratown Volunteer Fire District Inc. (the "VFD") from First Citizens Bank & Trust Company in the principal amount of \$125,000.00, which loan is for the following purpose:

For the purchase of a fire truck for the VFD, which will be owned and operated by the VFD at the following address:

Sauratown Volunteer Fire Department
4475 NC 66 HWY, South
King, North Carolina 27021

RESOLVED, FURTHER, that the approval of the loan to the VFD set forth above is given solely for purposes of the public approval requirements for tax-exempt financing applicable to the VFD because of Section 150 (e) (3) and Section 147 (f) of the Internal Revenue Code of 1986, as amended, and such approval does not obligate the **County of Stokes** or its Board of Commissioners in any way regarding repayment of the debt.

Duly certified by the execution hereof and the placing hereon of the seal of said **County**, this the 22nd day of December 2003.

(SEAL)

Clerk
Stokes County, North Carolina

Commissioner Mabe moved to approve the Certificate of Clerk Re-approval of Tax-Exempt Loan to a Volunteer Fire Department by Board of Commissioners for the purchase of a fire truck for Sauratown Vol. Fire Department.

Commissioner Inman seconded and the motion carried unanimously.

GENERAL GOVERNMENT–JAIL- STOKES COUNTY JAIL INSPECTION

Jail Captain Craig Carico submitted the 10-22-03, jail inspection report performed by Mr. Ernest T. Dixon, Area Jail Consultant-North Carolina Department of Health and Human Services.

Captain Carico noted that this was one of best reports ever received by the County. Only one item (#9- written fire plan for evacuation of inmates developed and properly posted) was noted in the corrective action plan, but no response was required. The corrective action was the installation of fencing connected to the jail which was being installed the day of the inspection.

The Board commended Captain Carico and his staff for the excellent job being done at the jail.

Special Note: Budget Ordinance Amendment

Finance Director Julia Edwards noted the new format submitted for budget amendments.

GENERAL GOVERNMENT-JUVENILE JUSTICE AND DELINQUENCY PREVENTION – BUDGET ORDINANCE AMENDMENT #51

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #51 which is necessary to amend the General Fund for expansion funds from Juvenile Justice & Delinquency Prevention for Stokes Friends of Youth and Juvenile Services. The appropriations are to be changed as follows:

Account Number	Expenditures	Decrease	Increase
100.5830.690	Stokes Friends of Youth		\$2,171.00
100.5830.692	Juvenile Services		\$2,824.00
100.9910.000	Contingency	\$652.00	
		\$652.00	\$4,995.00

The amendment will result in a net increase of \$4,343.00 in the appropriations of the General Fund which will provide the additional revenue for the above, and the following revenues will be increased:

Account Number	Revenues	Decrease	Increase
100.3301.361	Juvenile Justice & Delinquency Prevention		\$4,343.00
			\$4,343.00

Chairman McHugh entertained a motion to approve the Budget Ordinance Amendment #51.

Vice Chairman John Turpin moved to approve Budget Ordinance Amendment #51.

Commissioner Joe Turpin seconded and the motion carried unanimously.

GENERAL GOVERNMENT–DSS –BUDGET ORDINANCE AMENDMENT #52

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #52 which is necessary to amend the General Fund for additional funds for Crisis intervention (federal) to assist clients with power bills, fuel for heat, etc. The appropriations are to be changed as follows:

Account Number	Expenditures	Decrease	Increase
Public Assistance			
100.5480.000	Crisis Intervention		\$3,090.00
			\$3,090.00

This will result in a net increase of \$3,090.00 in the appropriations of the General Fund to provide the additional revenue for the above, the following revenues will be increased:

Account Number	Revenues	Decrease	Increase
100.3301.202	Welfare-Federal		\$3,090.00
			\$3,090.00

Chairman McHugh entertained a motion to approve Budget Ordinance Amendment #52.

Commissioner Mabe moved to approve Budget Ordinance Amendment #52.

Commissioner Joe Turpin seconded and the motion carried unanimously.

GENERAL GOVERNMENT–SHERIFF’S DEPT- BUDGET ORDINANCE AMENDMENT #53

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #53 which is necessary to amend the General Fund for Calendar funds to purchase Stokes County Sheriff Department’s pens. The appropriations are to be changed as follows:

Account Number	Expenditures	Decrease	Increase
Sheriff’s Dept			
100.4310.290	Miscellaneous		\$600.00
			\$600.00

This will result in a net increase of \$600.00 in the appropriations of the General Fund to provide the additional revenue for the above, the following revenues will be increased:

Account Number	Revenues	Decrease	Increase
100.3839.001	Sheriff’s Department-Miscellaneous		\$600.00
			\$600.00

Chairman McHugh entertained a motion to approve Budget Ordinance Amendment #53.

Commissioner Joe Turpin moved to approve Budget Ordinance Amendment #53.

Vice Chairman John Turpin seconded and the motion carried unanimously.

GENERAL GOVERNMENT–PLANNING BOARD - APPOINTMENT

Commissioner Joe Turpin nominated Patrick Flinchum from the Meadows Township to serve on the Planning Board. Mr. Flinchum’s nomination can be considered at the January 12th meeting.

GENERAL GOVERNMENT–CENTERPOINT HUMAN SERVICES BOARD – APPOINTMENTS

Chairman Sandy McHugh nominated Earl Carter, Eric Cone, and Mike Beasley to serve on the Centerpoint Human Services Board. The nominations of Mr. Carter, Mr. Cone and Mr. Beasley can be considered at the January 12th meeting.

GENERAL GOVERNMENT–COMMUNITY CHILD PROTECTION TEAM (CCPT) - APPOINTMENT

Commissioner Mabe nominated Bradley Lankford to serve on the Community Child Protection Team. Mr. Bradley’s nomination can be considered at the January 12th meeting.

GENERAL GOVERNMENT–GERMANTON PARK-BOARD OF DIRECTORS- APPOINTMENT

Chairman Sandy McHugh nominated Arzell Montgomery to serve on the Germanton Park – Board of Directors. Mr. Montgomery’s nomination can be considered at the January 12th meeting.

GENERAL GOVERNMENT–GOVERNING BODY-PROPOSED SENIOR CENTER AT KING RECREATION ACRES

Chairman McHugh informed the Board that the City of King was currently investigating the possibility of placing a Senior Center at King Recreation Acres. The City of King would match a \$10,000 donation from the County for the proposed Senior Center.

Chairman McHugh noted that the City of King had been informed that this would have to be included in the next two fiscal year’s budget.

GENERAL GOVERNMENT–EMERGENCY MANAGEMENT DIRECTOR –INTERIM APPOINTMENT

County Manager Rick Morris informed the Board that Monty Stevens had been named as EMS Director effective Friday, December 19th at 5:00 pm due to items needing to be taken care of before Ricky Tuttle’s departure. (transferring authority for drugs, transferring authority of data files, etc.)

County Manager Rick Morris also requested the interim appointment of Monty Stevens to serve as Emergency Management Director until the selection of a new EMS irector to be effective December 23rd at 8:30 am.

Commissioner Joe Turpin moved to appoint Monty Stevens as Emergency Management Director.

Commissioner Mabe seconded and the motion carried unanimously.

GENERAL GOVERNMENT–LEGAL- COUNTY OF CABARRUS et al. v TOLSON- LAWSUIT ON WITHHOLDING OF LOCAL REIMBURSEMENTS

County Attorney Jonathan Jordan updated the Board concerning the recent hearing concerning the local reimbursement lawsuit by Judge Joe John. (Stokes County is a plaintiff in the case- being presented by Counsel Gene Boyce and Philip Isley)

Attorney Jordan noted that Judge John had indicated at the hearing that he would not likely rule on the case prior to Christmas. Attorney Philip Isley stated that it is extremely probable that the decision will be appealed to the NC Court of Appeals or the NC Supreme Court. Judge Joe John is also reviewing actions taken by the Governor concerning the Highway Trust Fund, and the State Employees Retirement Funds.

GENERAL GOVERNMENT–LEGAL –TRANSITION PERIOD FOR NEW COUNTY ATTORNEY

County Manager Rick Morris noted that the transition period for the new County Attorney Jonathan Jordan with the previous County Attorney Tyrone Browder will be very minimal. Attorney Jordan is already assuming the court schedule for the Department of Social Services and Attorney Browder will only be retained on cases that he is heavily involved with. Attorney Browder also indicated to County Manager Morris that after he finished the current County cases, he would remain available indefinitely if needed in the future.

GENERAL GOVERNMENT– ADMINISTRATION –INCLEMENT WEATHER

County Manager Rick Morris requested the Board guidance on proposals he is considering for a inclement weather policy for Stokes County employees. Manager Morris would like to establish the following three categories:

The Offices will be closed with no employees or customers coming to the County facilities.

This would be in extreme weather conditions with employees not having to use leave.

The Offices will be closed with liberal leave.

The offices will be closed to the public, but employees will be given the option to report to work or use vacation or comp. time leave for their absence.

The offices would have a delayed opening or early closing for the public with liberal leave for employees.

The employees would be given the same option to use vacation or comp. time during these delays or early closings.

County Manager Morris concluded that in the future the greenbox sites/landfill would be listed separately to make sure county residents knew when the greenbox sites would be opened.

GENERAL GOVERNMENT–ADMINISTRATION–ADDENDUM TO AGREEMENT FOR FOOD SERVICES DURING UPCOMING MURDER TRIAL

County Manager Rick Morris requested the Board's approval for an Addendum to the Agreement with Gary Joyce (agreement has been in effective since 1985) which will allow supplementary food vending within the County Buildings during the upcoming murder trial from Surry County that starts January 5th and continues for an indefinite period.

Mr. Joyce had verbally agreed to the Addendum to his contract agreement.

Chairman McHugh entertained a motion to approve the submitted Addendum to the Agreement with Gary Joyce.

Commissioner Joe Turpin moved to approve the submitted Addendum to the Agreement with Gary Joyce.

Commissioner Inman seconded and the motion carried unanimously.

GENERAL GOVERNMENT-ADMINISTRATION- UPCOMING MURDER TRAIL PARKING –GOVERNMENTAL COMPLEX

County Manager Rick Morris informed the Board that an updated plan for parking for the Governmental Complex will be sent to all employees by end of December 2003.

GENERAL GOVERNMENT – GOVERNING BODY-MEETING AT SAURATOWN VOLUNTARY FIRE DEPARTMENT- JANUARY 2004

County Manager Rick Morris extended an invitation from Sauratown Vol. Fire Department to hold the first meeting (January 12th) at their new facility.

Chairman McHugh entertained a motion to schedule the January 12th meeting at the new facility –Sauratown Vol. Fire Department.

Vice Chairman John Turpin moved to schedule the first meeting (January 12th) at the Sauratown Vol. Fire Department at 7:00 pm.

Commissioner Joe Turpin seconded and the motion carried unanimously.

GENERAL GOVERNMENT –ADMINISTRATION-FORSYTH TECH COMMUNITY COLLEGE-INTERNET SERVICES

County Manager Rick Morris informed the Board that an agreement with Forsyth Technical Community College and Time Warner had been reached to supply the classroom with internet services with possible tele-conferencing. Further information will be brought to the Board at a later date. Forsyth Technical Community College will be initially responsible for the monthly fees.

GENERAL GOVERNMENT – GOVERNING BODY – CLOSURE ISSUES

Commissioner Mabe requested closure to the following items:

Quality Life Center – Cash Advance
Compensation for County Employees

In response to the Adult Quality Life Center issue, County Manager Rick Morris stated that one piece of information from an outside agency had not been received by the County and is expected to be received by the end of December. This issue will be an agenda item for the January 12th meeting. The task to provide a current description of the pay system being used and recommendations for the future will also be an agenda item for the January 12th meeting.

There being no further business to come before the Board, Commissioner Inman moved to adjourn meeting.

Commissioner Mabe seconded and the motion carried (4-1) with Commissioner Joe Turpin voting against the motion.

Darlene Bullins
Clerk to the Board

Sandy McHugh
Chairman