

Commissioner McHugh moved to approve the following minutes as amended:

- June 3, 2005 - Public Hearing
- June 6, 2005 - Budget Work Session
- June 7, 2005 - Planning
- June 8, 2005 - Budget Work Session
- June 9, 2005 - Budget Work Session
- June 13, 2005 - Regular Meeting
- June 14, 2005 - Recessed Meeting
- June 14, 2005 - Budget Work Session
- June 15, 2005 - Budget Work Session

Commissioner Joe Turpin seconded and the motion carried unanimously.

Public Comments

The following spoke to the Board:

Larry " Handyman" Martin

PO Box 563

King, NC 27021

RE: "Get Sandy McHugh Thrown Out"

Mr. Martin expressed concerns over staff threatening to resign from the Environmental Health Department. Mr. Martin complained that Commissioner McHugh would not listen to his concerns pertaining to the alleged problems in the Environmental Health Department. Commissioner McHugh strongly disagreed with Mr. Martin's accusations of not listening to his complaints.

Ms. Margie C Dunlap

4723 NC 89 HWY East

Walnut Cove, NC 27052

Re: Appeal - Motor Vehicle Value

Chairman John Turpin informed Ms. Dunlap that her item was scheduled as an agenda item and she would be allowed to speak at that time.

GENERAL GOVERNMENT - GOVERNING BODY - PROPOSED RESOLUTION - TIME WARNER CABLE ON PURCHASE OF ADELPHIA COMMUNICATIONS CORPORATION CABLE SYSTEM IN STOKES COUNTY

County Attorney Jonathan Jordan presented the proposed Resolution from Time Warner on the Purchase of Adelphia Communications Corporation Cable System in Stokes County. Attorney Jordan stated that Time Warner NY Cable LLC (TWNY) has entered into an agreement with Adelphia Communications to purchase the cable system serving in Stokes County. Adelphia is currently in federal bankruptcy proceedings. Attorney Jordan also noted that this issue is strictly controlled by federal communications regulations and and federal bankruptcy law.

Mr. Buck Yarborough, Director of Governmental/Public Affairs -Time Warner stated that Time Warner expressly agrees to assume the obligations under the Franchise (as stated in the Resolution) with no request to change anything. Mr. Yarborough noted that with this assignment, there is not a requirement for a Public Hearing.

Chairman John Turpin entertained a motion to approve the following Resolution Providing Approval for an Assignment of the Franchise and the Cable System to Time Warner NY Cable LLC:

A RESOLUTION PROVIDING APPROVAL FOR AN ASSIGNMENT OF THE FRANCHISE AND THE CABLE SYSTEM TO TIME WARNER NY CABLE LLC

WHEREAS, Stokes County, North Carolina ("Franchising Authority") has granted a cable television franchise to an entity (the "Franchisee") presently controlled by Adelphia Communications Corporation ("Adelphia"), as debtor-in-possession; and

WHEREAS, Adelphia and Time Warner NY Cable LLC ("TWNY") have entered into an agreement whereby the cable system serving your community operated by Adelphia will be acquired by TWNY (the "Transaction"); and

WHEREAS, upon closing of the Transaction, TWNY expressly agrees to assume the obligations under the Franchise; and

WHEREAS, Adelphia and TWNY have filed an FCC Form 394 providing details regarding the Transaction and establishing the qualifications of TWNY; and

WHEREAS, the Franchising Authority wishes to grant its approval for the Transaction as described above.

NOW, THEREFORE, BE IT RESOLVED BY FRANCHISING AUTHORITY:

- Section 1. The Franchising Authority hereby approves the Transaction.
- Section 2. Upon the closing of the Transaction, TWNY shall assume the obligations under the Franchise.
- Section 3. This Resolution shall become effective immediately upon passage by the Franchising Authority.

PASSED, ADOPTED AND APPROVED this ___ day of _____, 2005.

By:

ATTEST:

Commissioner Joe Turpin moved to the Resolution Providing Approval for an Assignment of the Franchise and the Cable System to Time Warner NY Cable LLC.

Commissioner McHugh seconded the motion.

The Board discussed the pros and cons of the Adelphia Assignment of Franchise to Time Warner Cable.

The motion carried unanimously.

GENERAL GOVERNMENT - TAX ADMINISTRATION REPORT

Assistant Tax Administrator Cheryl Hill (Tax Administrator Wren Carmichael unable to attend the meeting) presented the following Property Tax Release Request for Motor Vehicle:

- Margie C Dunlap - Amount requested to be released: \$24.48

Assistant Tax Administrator Hill noted that this tax bill is for a 2004 Mercury Grand Marquis LS valued at \$21,840. Ms. Dunlap appealed this value to the tax office based on the bill of sale for \$17,995 and mileage of 25,978. After the Tax Department viewed the vehicle, it was determined that the vehicle is in excellent condition. The motor vehicle appraiser recommends that the value be adjusted to the NADA book value of \$19,075.

Ms. Dunlap is not satisfied with the decision and would like to appeal to the Board of Commissioners. Ms. Dunlap request that the value of this vehicle be reduced to \$17,995 based on her bill of sale and mileage of 25,978.

The Tax Administrator recommends that this request for Release be denied.

Assistant Tax Administrator Hill stated the precedence being set if reducing the value of this vehicle due to the Bill of Sale and recommended that the value of the vehicle be adjusted to \$19,075 according to NADA book value.

Ms. Dunlap presented the cancelled check to the Board to verified the amount paid for the vehicle. Ms. Dunlap also questioned the sales tax being charged and being taxed by the Tax Department.

Chairman John Turpin explained that this is a procedure that is governed by the Machinery Act and advised Ms. Dunlap to contact her State Legislature.

Commissioner Joe Turpin moved to Release the amount of \$24.48 - Tax Bill 2004-553537 (reducing the value of the vehicle to \$17,995).

Chairman John Turpin seconded the motion.

The Board discussed the receipts presented by Ms. Dunlap.

The motion to release \$24.48 (reducing the value of the vehicle to \$17,995) carried unanimously.

GENERAL GOVERNMENT - GOVERNING BODY - TOWN OF RURAL HALL FIRE AND RESCUE PROTECTION SERVICES AGREEMENT

County Manager Rick Morris presented the proposed Fire & Rescue Protection Services Agreement with the Town of Rural Hall submitted by Town Manager Frank James.

Manager Morris noted that the following wording on page 1-Item #3 had been changed by the County and verbally agreed by The Town of Rural Hall.

Original wording (**approved** budget on or before June 1 of said year)
Changed wording (**recommended** budget on or before June 1, of said year)

Chairman John Turpin entertained a motion to approve the Fire & Rescue Protection Services Agreement with the Town of Rural Hall.

Commissioner McHugh moved to approve the Fire & Rescue Protection Services Agreement with the Town of Rural Hall. Commissioner Joe Turpin seconded and the motion carried unanimously.

(A copy of the Fire & Rescue Protection Services Agreement will be retained by the Clerk to the Board and the Fire Marshal's office.)

GENERAL GOVERNMENT - FINANCE- BUDGET ORDINANCE AMENDMENT #138

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #138 which is necessary to amend the General Fund to correct Budget Ordinance Amendment #136 dated 06-14-2005. The funds being transferred from each department to Capital Reserve were increased instead of decreased. The appropriations are to be changed as followed:

Account Number	EXPENDITURES	Decrease	Increase
100.4190.510	Public Buildings Equipment (\$6,500)	\$13,000.00	
100.4250.510	Vehicle Maintenance Equipment (\$12,700)	\$25,400.00	
100.4320.510	Jail Equipment (\$13,500)	\$27,000.00	
		<u>\$65,400.00</u>	

This will result in a net increase of \$65,400.00 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
100.3831.450	Investment Earnings	\$65,400.00	
		<u>\$65,400.00</u>	

Chairman John Turpin entertained a motion to approve Budget Ordinance Amendment #138.

Commissioner McHugh moved to approve Budget Ordinance Amendment #138.

Chairman John Turpin seconded the motion.

The Board discussed the correction to the previous Budget Ordinance Amendment #136.

The motion carried unanimously.

GENERAL GOVERNMENT - SENIOR CENTER FUND- BUDGET ORDINANCE AMENDMENT #139

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #139 which is necessary to amend the Senior Center Fund to transfer funds to purchase six (6) computers for senior computer classes, one computer (1) for Senior Center Director, six (6) tables and fifty (50) folding chairs. The appropriations are to be changed as followed:

Account Number	EXPENDITURES	Decrease	Increase
	Senior Center Fund		
204.5861.511	Equipment -Non Capitalized		\$12,300.00
204.5861.180	Professional Services	<u>\$12,300.00</u>	
		\$12,300.00	\$12,300.00

County Manager Rick Morris noted that this funding was allocated in the 2004/05 funding designated to programs for the Senior Center. Manager Morris also noted that the Center had been fortunate to have instructors donating their time, which has produced savings in this line item.

Senior Center Director Vicki East stated that this allocation would allow ongoing computer classes at the Center for the Seniors. Currently, Ms. East has a waiting list to take the computer classes and this will allow Forsyth Tech. to provide additional classes.

Manager Morris concluded that the purchase of the chairs and the table are a possible safety issue and critical issues with Ms. East's computer.

The Board discussed the use of funding being allocated so close to the end of the year versus being requested in the proposed 2005/06 budget, Senior Center Fund Balance, and the programs being provided to the Seniors in the County.

Chairman John Turpin entertained a motion to approve Budget Ordinance Amendment #139.

Vice Chairman Inman moved to approve Budget Ordinance Amendment #139.

Commissioner McHugh seconded the motion and the motion carried unanimously.

GENERAL GOVERNMENT - ELECTIONS - BUDGET ORDINANCE AMENDMENT #140

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #140 which is necessary to amend the General Fund to appropriate technology grant funds from the State to purchase scanner, paper shredder, and two (2) date disks. The appropriations are to be changed as followed:

Account Number	EXPENDITURES	Decrease	Increase
	Elections		
100.4170.511	Equipment Non- Capitalized	<u> </u>	\$7,260.00
			\$7,260.00

This will result in a net increase of \$7,260.00 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
100.3301.419	HAVA Grant	<u> </u>	\$7,260.00
			\$7,260.00

Chairman John Turpin entertained a motion to approve Budget Ordinance Amendment #140.

Commissioner McHugh moved to approve Budget Ordinance Amendment #140.

Commissioner Joe Turpin seconded and the motion carried unanimously.

GENERAL GOVERNMENT - FINANCE - BUDGET ORDINANCE AMENDMENT #141

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #141 which is necessary to amend the General Fund to transfer funds for Home Health telephone, Social Services utilities, and Vehicle Maintenance for price increase on the OBII machine for inspections. To appropriate grant received for Economic Development for website. The appropriations are to be changed as followed:

Account Number	EXPENDITURES	Decrease	Increase
	Economic Development		
100.4920.180	Professional Services		\$3,400.00
	Vehicle Maintenance		
100.4250.000	Salaries and Wages	\$600.00	
100.4250.510	Equipment		\$600.00
	Home Health		
100.5190.320	Telephone		\$2,000.00
100.5190.090	Social Security	\$2,000.00	
	Social Services		
100.5310.330	Utilities		\$12,000.00
		<u>\$2,600.00</u>	<u>\$18,000.00</u>

This will result in a net increase of \$15,400.00 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		\$12,000.00
100.3839.000	Miscellaneous Revenue		\$3,400.00
			<u>\$15,400.00</u>

Chairman John Turpin entertained a motion to approve Budget Ordinance Amendment #141.

Commissioner McHugh moved to approve Budget Ordinance Amendment #141.

Commissioner Joe Turpin seconded the motion.

The Board discussed the additional funding needed for these line items. The motion carried unanimously.

GENERAL GOVERNMENT - SENIOR SERVICES - BUDGET ORDINANCE AMENDMENT #142

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #142 which is necessary to amend the General Fund to appropriate for elderly and disabled transportation. The appropriations are to be changed as followed:

Account Number	EXPENDITURES	Decrease	Increase
	Senior Services		
100.5860.441	Misc. Contractual Servs- EDTAP		\$482.00
			<u>\$482.00</u>

This will result in a net increase of \$482.00 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
100.3586.454	Elderly & Disabled Client Donations		\$482.00
			<u>\$482.00</u>

Chairman John Turpin entertained a motion to approve Budget Ordinance Amendment #142.

Commissioner McHugh moved to approve Budget Ordinance Amendment #142.

Commissioner Joe Turpin seconded and the motion carried unanimously.

GENERAL GOVERNMENT - JAIL - BUDGET ORDINANCE AMENDMENT #143

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #143 which is necessary to amend the General Fund to appropriate evidence room fees to purchase shelving for evidence room. The appropriations are to be changed as followed:

Account Number	EXPENDITURES	Decrease	Increase
	Jail		
100.4320.260	Departmental Supplies		\$400.00
			<u>\$400.00</u>

This will result in a net increase of \$400.00 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
100.3432.411	Evidence Room Fees		\$400.00
			<u>\$400.00</u>

Chairman John Turpin entertained a motion to approve Budget Ordinance Amendment #143.

Commissioner McHugh moved to approve Budget Ordinance Amendment #143.

Commissioner Walker seconded the motion.

Finance Director Julia Edwards noted to the Board that (by General Statutes) Evidence Room fees collected by the County must be allocated to be used for items needed in the Evidence Room.

Commissioner Joe Turpin requested a legal interpretation from County Attorney Jonathan Jordan concerning a personal conflict of interest pertaining to this Budget Amendment due to his company's involvement in the purchasing of this shelving.

Chairman John Turpin requested if the Budget Ordinance Amendment could be separated and the fees and department supplies voted on separately.

In order to vote separately on the items of the Budget Ordinance Amendment, Commissioner Walker withdrew his second with Commissioner McHugh withdrawing her motion.

Commissioner McHugh moved to divide the question and vote on increasing the line item for departmental supplies separately from the evidence room fees in order to excuse Commissioner Joe Turpin from voting on the departmental supplies.

Motion died for lack of a second.

Attorney Jordan read the following insert from the Board's Code of Ethics:

6.01 Prohibition of Doing Business with the County.

- a. No County Commissioner acting in his or her official capacity may, either directly or indirectly, purchase, rent or lease any realty, goods or services for the County, from any person in which the County Commissioner, or his or her relative, is an officer, partner, director or proprietor, or in which he or she or any relative (or any combination of them) has a material interest. For purposes of this Section, ownership of five (5) or more percent of the total assets of a business entity shall constitute a material interest.

Attorney Jordan stated that in his opinion, after reviewing the definitions in the Code of Ethics, Commissioner Joe Turpin had publicly stated his nature in the matter and it would be appropriate to abstain from voting on this matter.

Chairman John Turpin stated that this personal conflict of interest pertaining to this Budget Amendment would also apply to himself.

Chairman John Turpin turned the Chair over to Vice Chairman Inman.

Chairman John Turpin and Commissioner Joe Turpin requested to abstain from voting on Budget Amendment #143.

Vice Chairman Inman entertained a motion to excuse Chairman John Turpin and Commissioner Joe Turpin from the vote on Budget Ordinance Amendment #143.

Commissioner McHugh moved to excuse Chairman John Turpin and Commissioner Joe Turpin from the vote on Budget Ordinance Amendment #143.

Commissioner Walker seconded and the motion carried (3-0) with Chairman John Turpin and Commissioner Joe Turpin properly abstaining from the vote.


Commissioner McHugh moved to approve Budget Ordinance Amendment #143.

Commissioner Walker seconded and the motion carried (3-0) with Chairman John Turpin and Commissioner Joe Turpin properly abstaining from the vote.

Vice Chairman Inman turned the Chair back over to Chairman John Turpin.

**To: Darlene Bullins,
Clerk to the Board of County Commissioners**

**From: Chairman John Turpin
Commissioner Joe Turpin**



Date: July 1, 2005

RF: Request to Abstain from Vote on June 29, 2005

We, Chairman John Turpin and Commissioner Joe Turpin, request permission from the Stokes County Board of Commissioners to refrain from voting on Budget Ordinance Amendment #143, regarding purchase of evidence room shelving by the Stokes County Jail as a relative of ours was involved in helping the Stokes County Jail acquire this shelving material.

GENERAL GOVERNMENT - GOVERNING BODY - BUDGET ORDINANCE AMENDMENT #144

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #144 which is necessary to amend the General Fund to appropriate additional Juvenile Justice Delinquency Prevention (JJDP) funds for Step One/Stokes Partnership for Children. The appropriations are to be changed as followed:

Account Number	EXPENDITURES	Decrease	Increase
100.5860.691	Special Appropriations Step One		\$2,500.00
			<u>\$2,500.00</u>

This will result in a net increase of \$.00 in the appropriations of the General Fund.

Chairman John Turpin entertained a motion to approve Budget Ordinance Amendment #144.

Commissioner McHugh moved to approve Budget Ordinance Amendment #144.

Commissioner Joe Turpin seconded and the motion carried unanimously.

GENERAL GOVERNMENT - AGING ADVISORY COUNCIL- APPOINTMENT

Vice Chairman Inman nominated Ms. Louise Squires to serve on the Region I Aging Advisory Council. Ms. Squires can be considered for appointment at the July 11th meeting.

GENERAL GOVERNMENT - JUVENILE CRIME PREVENTION COUNCIL - APPOINTMENTS AND RE-APPOINTMENTS

Chairman John Turpin presented the following list that had been nominated at the June 13th meeting:

RE-APPOINTEES:

Danny Bottoms	Sheriff s Dept., Designee	06-30-07
Tom Langan	DA'S, Designee	06-30-07
Jack Moore	Chief Court Counselor	06-30-07
Jan Spencer	Social Services,	06-30-07
Darlene Bullins	County Manager Designee	06-30-07
Kathy Ford	Judge's Designee	06-30-06
Tiffany Cone	County Commissioner Appointee	06-30-06
Jane Williams	Substance Abuse Professional	06-30-06
Clyde Stewart	Ex Officio	06-30-06
Sharon Conrad	Ex Officio	06-30-06

We respectfully recommend that the following new members be appointed to the board:

NEW APPOINTEES:

Larry Thornton	Ex Officio	06-30-07
Don Moore	Health Dept, Director	06-30-07
Jeff Eads	Director, AMH/DD/SA	06-30-07
Malcolm Dixon	County Commissioner Appointee	06-30-07
Kelly Beard	King Police Dept. Designee	06-30-07
Ginny Carpenter	School Superintendent Designee	06-30-07

Commissioner McHugh moved to re-appoint and appoint the recommended list from the JCPC who were nominated at the June 13th meeting.

Commissioner Joe Turpin seconded and the motion carried unanimously.

GENERAL GOVERNMENT - AGRICULTURAL ADVISORY BOARD- APPOINTMENTS

Chairman John Turpin presented the names of Michael Joyce - Quaker Gap and Tommy Durham - Beaver Island who were nominated at the June 13th meeting for consideration for appointment for the Agricultural Advisory Board.

Commissioner McHugh moved to appointment Michael Joyce - Quaker Gap and Tommy Durham - Beaver Island to serve on the Agricultural Advisory Board.

Commissioner Joe Turpin seconded and the motion carried unanimously.

GENERAL GOVERNMENT - PLANNING BOARD - RE-APPOINTMENTS

Chairman John Turpin present the following information concerning reappointments for the Planning Board: (information previously given to the Board at the June 13th meeting)

Darrell Lester - Snow Creek Township - Term to Expire June 30, 2005*
Dempsey Lilly - Yadkin Township - Term to Expire June 30, 2005*
Frank Dalton - Sauratown Township - Term to Expire June 30, 2005*
(*All have expressed interest in continuing to serve)

Vacancy (Replacement for Jack Nunn) Quaker Gap Township

Chairman John Turpin nominated Ronnie Morris for the Sauratown Township.

Commissioner McHugh nominated Darrell Lester - Snow Creek Township and Dempsey Lilly - Yadkin Township. Nominations can be considered at the July 11th meeting.

GENERAL GOVERNMENT - ADMINISTRATION -KING CLINIC BUILDING UPDATE

County Manager Rick Morris updated the Board concerning the King Clinic Building cleanup project. Manager Morris noted that the cleanup was completed with air quality testing performed on Friday, June 24th. The results should be returned to the County by midweek.

GENERAL GOVERNMENT - GOVERNING BODY - ABANDON A PORTION OF SR 1702- MISSION ROAD FROM THE SECONDARY ROAD SYSTEM

Chairman John Turpin presented the additional information requested by the Board concerning the Abandonment of a Portion of SR 1702 - Mission Road from the Secondary Road System. Clerk to the Board Darlene Bullins had confirmed from Robert McMath- NCDOT that the property owner owns all the property associated with the portion of the road that is being requested and that the property owner was allowing a turnaround to be placed at the end of the road. Van Holden, representative for Cedar Creek Land Company who was in attendance for the meeting, confirmed this information.

Chairman John Turpin entertained a motion to Request for Abandonment from the State Maintained Secondary Road System.

Commissioner McHugh moved to approve the Resolution for Abandonment from the State Maintained Secondary Road System (a portion of SR 1704 Mission Road).

Vice Chairman Inman seconded and the motion carried unanimously.

GENERAL GOVERNMENT - LEGAL - IMPACT FEES

County Attorney Jonathan Jordan presented a memo to the Board concerning information on Impact Fees on new development to pay for school construction. Attorney Jordan noted that for the General Assembly to authorize an impact fee for school construction requires a local bill submitted by a local legislator.

GENERAL GOVERNMENT - LEGAL- OFFER TO PURCHASE SURPLUS PROPERTY

County Attorney Jonathan Jordan presented an offer to purchase surplus property (Tax Parcel # 6962-10-45-4473- lots 12-14) -Highway 65. (Tax value \$8700 with back taxes owed - appropriately \$2650) Attorney Jordan stated that the offer to purchase is \$2700. The foreclosure notice for the property appeared in the local paper with no response and then placed on the county's website after the foreclosure was completed.

Commissioner McHugh moved to accept the bid offer of \$2700 and advertise in the newspaper for upset bid process.

Chairman John Turpin seconded and the motion carried unanimously.

There being no further business to come before the Board, Chairman John Turpin entertained a motion to adjourn the meeting.

Commissioner McHugh moved to adjourn the meeting.

Commissioner Joe Turpin seconded and the motion carried unanimously.

Darlene M. Bullins
Clerk to the Board

John M. Turpin
Chairman