

STATE OF NORTH CAROLINA )  
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COUNTY OF STOKES       )  
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**OFFICE OF THE COMMISSIONERS  
STOKES COUNTY GOVERNMENT  
DANBURY, NORTH CAROLINA  
JUNE 6, 2006**

The Board of Commissioners of the County of Stokes, State of North Carolina, met for regular session (Planning) in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administrative Building) located in Danbury, North Carolina on Tuesday, June 6, 2006 at 7:00 pm with the following members present:

- Chairman Leon Inman
- Vice-Chairman Joe Turpin
- Commissioner Sandy McHugh
- Commissioner John Turpin
- Commissioner Jimmy Walker

County Personnel in Attendance:  
Clerk to the Board/Interim County Manager Darlene Bullins  
Planning Director David Sudderth

Chairman Leon Inman called the meeting to order.

Planning Director David Sudderth delivered the invocation.

**GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE**

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

**PUBLIC HEARING – STOKES COUNTY (CTP) COMPREHENSIVE TRANSPORTATION PLAN**

Chairman Inman opened the Public Hearing for the Stokes County (CTP) Comprehensive Transportation Plan. There were no public comments.

Chairman Inman closed the Public Hearing.

**PUBLIC HEARING – REZONING REQUEST #180 – NELLO T. MARTIN  
(RA TO M-1-CU FOR AIR CONDITIONING & HEATING MANUFACTURING)**

Chairman Inman opened the Public Hearing for the Rezoning Request #180- Nello  
T. Martin.

The following spoke during the Public Hearing:

**James Flippin**  
1065 NorthForty Drive  
Westfield, NC 27053

Mr. Flippin spoke in favor of the rezoning request. Mr. Flippin stated there are other small businesses in the area and with a business such as the Air Conditioning and Heating Manufacturing would be an asset to the community.

**Phillip Flippin**  
1083 Highland Farm Road  
Westfield, NC 27053

Mr. Flippin spoke in favor of the rezoning request. Mr. Flippin is the owner of the proposed business and explained the operation of the business.

**Nello Martin**  
1178 NC 770 HWY  
Sandy Ridge, NC 27046

Mr. Martin spoke in favor of the rezoning request.

Chairman Inman closed the Public Hearing.

**PUBLIC HEARING – REZONING REQUEST #181 – STANLEY SQUIRES  
(H-B TO RA)**

Chairman Inman opened the Public Hearing for the Rezoning Request #181 –  
Stanley C. Squires. There were no public comments.

Chairman Inman closed the Public Hearing

**GOVERNING BODY – PLANNING – STOKES COUNTY (CTP)  
COMPREHENSIVE TRANSPORTATION PLAN**

Planning Director David Sudderth introduced the following individuals in attendance for the agenda item:

**Dr. Wayne C Davis**  
Triad Group Supervision  
NCDOT  
Raleigh, NC

**Mr. Andy Bailey**  
Transportation Planner  
NCDOT  
Raleigh, NC

**Mr. Mark Allred**  
NWPCOG  
RPO (Rural Planning Organization)  
Winston Salem, NC

Director Sudderth explained the process and purpose of (CTP) Comprehensive Transportation Plan. At the completion of the process, the Board of Commissioners will consider the proposed final product for adoption. Director Sudderth stated the following regarding the CTPlan:

The North Carolina Department of Transportation will present information concerning the effort by NCDOT, the Northwest Piedmont Council of Government (RPO) Rural Planning Organization and Stokes County to complete a Comprehensive Transportation Plan for the county. The plan when finished will give Stokes County equal footing with other counties in our engineering district for road projects and improvements. Mr. Andy Bailey, a Transportation Planner with NCDOT will give a presentation on the CTP and will request from the Board a recommendation of the boundary of Stokes CTP plan and to decide on list of network roads. Mr. Bailey will hand out information and maps at the meeting.

Dr. Davis and Mr. Bailey presented a slide presentation, which detailed the plan, process, and purpose of a CTPlan for Stokes County.  
(a copy of the presentation and the working copy of the Stokes County Comprehensive Transportation Plan Map will be retained by the Clerk to the Board)

Director Sudderth presented the following information from the Planning Board meeting regarding the CTPlan:

PLANNING BOARD RECOMMENDATION: The Planning Board recommended by a vote of 8 to 0 the boundaries of the CTP (Comprehensive Transportation Plan) and the following additions to the map showing proposed network roads.

1. Asbury Rd.
2. Collinstown Rd.
3. Dillard Rd.
4. Fagg Rd.
5. Hickory Fork Rd.
6. K-Fork Rd.
7. Madison Rd.

Director Sudderth stated that the Board would need to approve the following:

- Setting the boundaries of the CTPlan
- The listed network road except for Dillard Road

Following the presentation, the Board of Commissioners discussed the following regarding the plan:

- The Stokes County Comprehensive Transportation Plan Working copy map
- Network Roads
- The need of the CTPlan
- Friendship Road to be included to the CTPlan-map-Network Roads
- Need of bike paths in the County
- Working population who live in Stokes but work in surrounding counties
- Tourism in Stokes County
- 1997 Comprehensive Transportation Plan
- Safety being a major issue

Vice Chairman Joe Turpin moved to approve the Stokes County Comprehensive Transportation Plan boundaries as presented. Commissioner McHugh seconded and the motion carried unanimously.

Commissioner McHugh moved to approve the Network Roads of the Stokes County Comprehensive Transportation Plan with the addition of Friendship Road. Vice Chairman

Joe Turpin seconded the motion. The Board discussed the list of network road: Asbury Rd; Collinstown Rd; Fagg Rd; Hickory Fork Rd; K-Fork Rd; Madison Rd; and the addition of Friendship Rd. Mr. Bailey noted that NCDOT would be back in Stokes County several times for reviews and obtaining additional information before the plan is presented to the Board for adoption (the process is anticipated to take from 18 to 24 months). The motion carried unanimously.

### **GENERAL GOVERNMENT - PLANNING – NEW REQUIREMENTS CONCERNING REZONING DECISIONS**

Planning Director David Sudderth explained the following new requirements concerning rezoning decisions:

The following information is a newly mandated requirement by the North Carolina General Assembly concerning recommendations and decisions made by Planning Boards and County Commissioners. The law requires that a written statement be prepared stating whether the action taken is consistent with an adopted comprehensive plan and is reasonable and in the public interest. Stokes County does not have an adopted comprehensive plan. The County has a Land Development Guide and this has been utilized in the past for consideration of zoning map and text amendments. Since the County does not have an adopted comprehensive plan, it will be sufficient to state so in the adopted written statement completed for each zoning map or text amendment. Even though the respective Boards will not be required to provide a written statement determining consistency, I would recommend that each recommendation and legislative decision be accompanied by statement of reasoning in determination of that decision. As described in the third paragraph below in the statute, zoning regulations shall be designed to promote the public health, safety, and general welfare. This is the same language that is required and currently used by the Boards in consideration of Conditional and Special Use Permits.

#### § 153A-341. PURPOSES IN VIEW.

Zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review.

The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the board of county commissioners that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a

proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration as to, among other things, the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the county. In addition, the regulations shall be made with reasonable consideration to expansion and development of any cities within the county, so as to provide for their orderly growth and development. (1959, c. 1006, s. 1; 1973, c. 822, s. 1; 2005-426, s. 7(b).)

Planning Director Sudderth concluded that the information had been sent to County

Attorney Jonathan Jordan for his review.

## **GENERAL GOVERNMENT – PLANNING – REZONING REQUEST #180**

**Nello T. Martin –  
RA to M-1-CU # 180**

Planning Director David Sudderth presented Rezoning Request #180 to rezone approximately 2.661 acres from RA (Residential Agricultural) to M-1 (Light Manufacturing – Conditional Use) for “Air Conditioning & Heating Manufacturing, site owner and applicant Nello T. Martin.

REQUEST: Rezone approximately 2.661 acres from RA (Residential Agricultural) to M-1 (Light Manufacturing – Conditional Use) for “Air Conditioning & Heating Manufacturing”.

SITE OWNER: Nello T. Martin

APPLICANT: Nello T. Martin

SITE LOCATION: The property is located on the north side Collinstown Rd. (SR# 1432) near where Collinstown Rd. and Doc Hundley Rd. (SR# 1429) intersect.

Map: 6001 Parcel: portion of 6898

Deed Book: 534 Page: 1474

PIN #: portion of 6001-00-57-6898

Township: Big Creek

SITE INFORMATION:

PARCEL SIZE: Total tract 3.864 acres. Area proposed for rezoning 2.661 acres  
ZONING DISTRICT: RA (Residential Agricultural)  
PROPOSED DISTRICT: M-1 (Light Manufacturing – Conditional Use) Minimum lot size is 43,560 sq. ft. (1.0 acre)  
FLOOD HAZARD AREA: Not located in flood hazard area.  
FIRM MAP #: 370362 0025 B  
FIRM MAP ZONE: Zone X - Area outside 500-year floodplain.  
WATERSHED DISTRICT: No  
SEPTIC/WATER APPROVAL: Stokes County Environmental Health  
SCHOOL DISTRICTS: N/A  
EMERGENCY SERVICES: Francisco VFD, EMS - Station # 2 Lawsonville.  
EROSION CONTROL: When construction begins if necessary.  
ACCESS: The proposed business would have a driveway access off of Collinstown Rd. (NCDOT must approve any new commercial driveway permit).

SURROUNDING LAND USE: The subject property is located near the intersection of Collinstown Rd. and Doc Hundley Rd. in the Collinstown community. The surrounding land use consists of mixed residential uses, agricultural land and commercial Highway Business (H-B) property. Most of the adjacent property is zoned RA (Residential Agricultural). The closest commercial district is located diagonally across the road at the corner of Collinstown Rd. and Doc Hundley Rd. Jonathan Slate owns the old Collinstown Grocery store and has recently built a commercial garage on the property next to the store. Mr. Slate rezoned land in August of 2003 to expand the existing H-B (Highway Business) zoning district. The next closest commercial district is Beasley's garage located approximately .5 mile west of the proposed site on Collinstown Rd.

ISSUES TO CONSIDER:

- Impact on surrounding development.
- Need of service provided
- Impact on community infrastructure, roads, public services etc.
- Increase in commercial tax base.
- Community acceptance

STAFF COMMENTS: The rezoning request comes to the Board as a conditional use-zoning district; you may discuss the development plan of the proposed "Air Conditioning & Heating Manufacturing" operation in detail. The applicant is proposing to construct a 24 ft. by 50 ft. (1200 sq. ft.) building for the proposed use. The Board should take into consideration the future potential of the area for other commercial, agricultural or residential growth. The site of the proposed rezoning is located on property that was owned and subdivided by Marilyn Boles Lambert on June 9, 2005 and identified as tract one (1) on the recorded plat located in book 8, page 57. Tract 2 of this subdivided property owned by Virginia Davis has been developed for residential purposes. The conditional use aspect of the request would allow the Board the opportunity and ability to regulate uses on the property and address any environmental or neighborhood concerns that might arise if approved.

**PLANNING BOARD RECOMMENDATION & STATEMENT:** The Planning Board recommended by a vote of 8 to 0 to recommend approval of the rezoning request by Nello T. Martin # 180 to rezone 2.661 acres from RA to M-1-CU for “Air Conditioning & Heating Manufacturing”. The Board stated that the request was reasonable and consistent with our Land Development Guide and consistent with similar rezoning petitions in the area and throughout the county.

Planning Director David Sudderth stated that there were questions from neighbors regarding what was being proposed for the area. Mr. Bob Lackey, 2582 Collinstown Rd, Westfield and Ms. Tammy Pontzer- Westfield had expressed concerns by telephone opposing the rezoning request.

The Board discussed the advantages and disadvantages of the rezoning request.

Commissioner McHugh moved to approve the Rezoning Request #180 to rezone approximately 2.661 acres from RA (Residential Agricultural) to M-1 (Light Manufacturing -Conditional Use) for “Air Conditioning & Heating Manufacturing because it is reasonable and consistent with our history and goals of plan development in the county and consistent with similar rezoning petitions in that area and through the County. Commissioner John Turpin seconded and the motion carried unanimously.

Director Sudderth presented and read the following proposed recommended conditions for Nello T. Martin Rezoning Request #180 who had agreed to all the recommended conditions:

Proposed Recommended Conditions for Nello T. Martin M-1-CU #180

1. NCDOT must approve a commercial driveway access for the site coming off Collinstown Rd.
2. Applicant shall adhere to all applicable Federal, State, and local laws.
3. If any of these conditions are not met or compiled with or the permit has not been exercised in or before one (1) year from the granting of the permit, the permit shall become void and of no effect. Exercise of permit will require the applicant



to obtain and maintain a valid building permit for the structure from the Stokes County Inspections Department.

4. All required permits must be obtained from the County Inspections Department prior to placing structures on the property, as well as any signage that may accompany the project.
5. Any structure shall post a visible lot number in a numbering scheme approved by the County to facilitate rapid emergency response (E- 911).
6. If conflict arises between any conditions or the developer's proposed site plan or written text, the most stringent conditions or requirements shall be considered the governing requirement.
7. All costs and expenses associated with complying with these conditions shall be borne by the landowner/developer, with no expense being borne by the County.
8. Upon written request by the County, evidence of compliance with any of these conditions shall be provided to the County within ten (10) days after each request.
9. If any of the conditions shall be found to be unreasonable, invalid or otherwise impermissible by a court of competent jurisdiction then the County may impose such alternative reasonable conditions as it finds to be necessary and appropriate.
10. If any of these conditions once met are not continuously maintained, the permit may be revoked by the County upon the failure of the owner/developer to cure the deficiency in any specific condition within thirty (30) days after written notice to the owner/developer of the specific failed condition.
11. Plant and maintain a natural buffer area of trees or shrubs sufficient in height to shield the building and storage area from the surrounding properties to the north and west.
12. Provide lighting for the site that will not project onto surrounding properties.
13. A paved driveway apron shall be provided for the entrance located on Collinstown Rd.
14. Or any other condition that the Boards may deem necessary at the time the project is approved.

PLANNING BOARD RECOMMENDATION CONDITIONAL USE PERMIT

The Planning Board recommended by a vote of 8 to 0 to recommend approval of the Conditional Use permit with the recommended stated conditions.

## Section 133. Conditions and Guarantees

Prior to the granting of any conditional use, the Planning Board may recommend, and the responsible body (either the Governing Body or the Board of Adjustment) may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the conditional use as it deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in Subsection 132.5 above. In all cases in which conditional uses are granted, the responsible body shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated are being met. Conditions may include, but not limited to, the following:

- (a) Conditions may be imposed to abate or restrict noise, smoke, dust, or other elements that may affect surrounding properties.
- (b) Establish setback, side, front, and rear yard requirements necessary for orderly expansion and to prevent traffic congestion.
- (c) Provide adjoining property with a buffer or shield from view of the proposed use if necessary.
- (d) Establish a time limit at expiration of which the permit or approval shall no longer be valid, or shall require renewal.

## Section 134. General Provisions in Granting Conditional Use

### 134.1 Compliance with Other Codes

Granting a conditional use does not exempt applicant from complying with all of the requirements of other ordinances.

### 134.2 Revocation

In any case where the conditions of a conditional use have not been or are not being met, the Enforcement Officer shall give the grantee notice of intention to revoke approval. Said notice shall be at least ten (10) days prior to action by the responsible body considering conditional uses.

### 134.3 Expiration

In any case where a conditional use has not been exercised within the time limit set by the responsible body, or within one (1) year if no specific time limit has been set, then without further action, the approval shall be null and void. "Exercised" as set forth in this Section shall mean that binding contracts for the construction of the main building have been let; or in the absence of contracts that the main building is under construction to a

substantial degree; or that prerequisite conditions involving substantial investment are constructed in a substantial stage of development, or completed (sewage, drainage, etc.). When construction is not a part of the use, “exercised” shall mean that the use in operation is in compliance with the conditions which are set forth in the approval.

The Board discussed the recommended conditions with Chairman Inman reiterating Item #10.

Ms. Tammy Pontzer (who did not sign up for public comments) expressed the following concerns opposing the rezoning request and conditional use permit:

- Future impacts on the area
- Road issues
- Proposed entrance – visual problems
- Surrounding business who has been given permit, but have not completed their building
- Noise in the area

**COUNTY COMMISSIONERS ACTION:**

Requirements for Issuance or Change of Conditional Use Permit

The Board must respond and vote on each of the following items.

Planning Director Sudderth requested the Board’s approval for the following:

The responsible body shall approve, modify, or deny the application for use following the public hearing. In granting a conditional use, the responsible body shall insure:

- (a) The requested use is listed among the conditional uses in the district for which application is made. Yes (5-0)
- (b) The requested use is essential or desirable to the public convenience or welfare. Yes (5-0)
- (c) The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. Yes (5-0)

- (d) Due consideration has been given to the suitability of the property for the use applied for with respect to trends of growth or change; the effect of the proposed use upon the community; requirements for transportation, schools, parks, playgrounds, recreational area, conservation of natural resources, preservation of floodplains, and encouraging the most appropriate use of the land. Yes (5-0)
- (e) Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided. Yes (5-0)
- (f) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Yes (5-0)

Commissioner McHugh moved to approve the Conditional Use Permit with the stated Recommended Conditions for Nello T. Martin. Commissioner John Turpin seconded and the motion carried unanimously.

**GENERAL GOVERNMENT – PLANNING – REZONING REQUEST #181**

**Stanley C. Squires –  
H-B to RA #181**

Planning Director David Sudderth presented the Rezoning Request #181 to rezone approximately 3.03 acres from H-B (Highway Business) to RA (Residential Agricultural) – site owner and applicant Stanley C Squires.

REQUEST: Rezone approximately 3.03 acres from H-B (Highway Business) to RA (Residential Agricultural)

SITE OWNER: Stanley C. Squires

APPLICANT: Stanley C. Squires

SITE LOCATION: The property is located at 2795 NC 89 Hwy W, Danbury, NC.

Map: 6928 Parcel: 8156 PIN #: 6928-04-90-8156

Deed Book: 339 Page: 1647 Township: Peters Creek

SITE INFORMATION:

PARCEL SIZE: Total tract 3.03 acres.

ZONING DISTRICT: H-B (Highway Business)

PROPOSED DISTRICT: RA (Residential Agricultural)

Minimum lot size is 43,560 sq. ft. (1.0 acre)

FLOOD HAZARD AREA: Not located in flood hazard area.

FIRM MAP #: 370362 0060 B

FIRM MAP ZONE: Zone X - Area outside 500-year floodplain.  
WATERSHED DISTRICT: No  
SEPTIC/WATER APPROVAL: Stokes County Environmental Health  
SCHOOL DISTRICTS: N/A  
EMERGENCY SERVICES: Danbury VFD, EMS - Station # 2 Lawsonville.  
EROSION CONTROL: N/A  
ACCESS: The current site has a driveway access off of NC Hwy 89 W.  
SURROUNDING LAND USE: All of the adjacent surrounding property is zoned RA (Residential Agricultural).

ISSUES TO CONSIDER: This rezoning request should not have an adverse affect on the surrounding property.

STAFF COMMENTS: The Planning staff does not see a problem with the request. Mr. Squires had this property zoned to H-B (Highway Business) on September 8, 1992. Mr. Squires built a garage on the property but never utilized it for commercial purposes. He stored his antique car and truck inside the building. The applicant is moving away from the area and wishes to convert the commercial property back to a residential zoning district.

PLANNING BOARD RECOMMENDATION & STATEMENT: The Planning Board recommended by a vote of 8 to 0 to recommend approval of the rezoning request by Stanley C. Squires # 181 to rezone 3.03 acres from H-B to RA. The Board stated that the request was reasonable and consistent with the surrounding property and the Land Development Guide.

Director Sudderth stated that there had been no opposition to the Rezoning Request.

The Board discussed the Rezoning Request #181.

Commissioner McHugh moved to approve the Rezoning Request #181

approximately 3.03 acres from H-B (Highway Business) to RA (Residential Agricultural).

Commissioner Walker seconded and the motion carried unanimously.

## **PUBLIC COMMENTS**

There were no public comments.

## **GENERAL GOVERNMENTS – GOVERNING BODY – REQUEST FOR PUBLIC INFORMATION FROM THE STOKES COUNTY BOARD OF EDUCATION**

Commissioner McHugh moved to approve the following motion:

I move that we request our county attorney to send a letter to the Board of Ed's attorney stating that we did NOT ask for public information. We asked for financial information that we need in order to make budget decisions and that we want copies of the information we

requested given to the Clerk to the Board of Commissioners no later that Monday, June 12 at 5 pm.

GS 115C-320 states that the Board of Education must maintain one of the records we have asked for.

GS 115C-429 (c) states that the Board of County Commissioners has the authority to call for and the Board of Education has the duty to make available all of the information we have asked for. We are asking for copies of information to be made available to us.

If delivering that information to the Clerk to the Board of Commissioners proves to be a hardship for the Board of Education, they should inform the Clerk to the Board of Commissioners no later than 5 pm on June 9<sup>th</sup> that copies of the information we have requested are in a packet and ready to be picked up and the Clerk to the Board of Commissioners shall send a courier to the Board of Education to pick up the copies on Monday June 12.

Furthermore, in passing the 2003-2004 and 2004-2005 budgets, the Board of County Commissioners called for the Board of Education to get permission from the Board of County Commissioners when moving 10% or more from one purpose and function to another and to inform the Board of Commissioners whenever moving less than 10% from one purpose and function to another. Although the Superintendent has stated that less than 10% was moved from one purpose and function to another on several occasions, the Board of Education has yet to inform the Board of Commissioners about these moves.

Copies of Board of Education action and/or written verification of these moves giving dates, amounts, which purpose and function the amount was moved from and which purpose and function the amount was moved to and the purpose for the move shall be included in the packet of information given to the Clerk to the Board of Commissioners.

Vice Chairman Joe Turpin seconded the motion. The Board discussed the motion presented by Commissioner McHugh. Commissioner McHugh expressed issues with the letter from Stokes County School Attorney Fredrick Johnson to County Attorney Jonathan Jordan regarding the information is available upon inspection at the administrative offices of the Stokes County Schools and this is being very disrespectful of this Board. Commissioner John Turpin expressed concerns having to pursue this request through attorneys. Vice Chairman Joe Turpin noted the request was made for information for budgetary considerations. Commissioner Walker expressed concerns relating to items of a non-urgent matter being added to the agenda of the Planning Meeting and not having time to adequate

review the information. Chairman Inman noted that this Board has the responsibility for appropriating taxpayers' dollars and that every department and/or agency must be accountable.

The motion carried (4-1) with Commissioner Walker voting against the motion.

### **GENERAL GOVERNMENT – ADMINISTRATION – POSSIBLE BUDGET AMENDMENT**

Interim County Manager Darlene Bullins presented the following information from Budget Director Dennis Thompson to consider a budget ordinance amendment to correct the overestimation of the FY 2005-06 property tax valuation and the resulting overstatement in current year property tax revenues. Current tax revenues have been evaluated for the past several months and it now appears that collections will not be sufficient to cover the revenue overstatement. The audited collection rate will drop with a negative impact on the FY 2007-08 budget, since we will have to use the lower rate in estimating the collection rate for that year. The correction will eliminate the County having incorrect property valuations and tax collections will contain incorrect data. Interim Manager Bullins presented data, which indicates a possible estimated shortfall of \$357,000 revenue for 2006-07. With the correction, estimated revenue could possibly be over budget by \$31,117

Attorney David Lawrence, tax advisor with the UNC School of Government, has stated that this is legal and procedurally in order to make such a correction.

Interim Manager Bullins requested the direction from the Board so that a budget amendment can be ready for consideration at the last regular meeting of the fiscal year.

The Board discussed the pros and cons of the request presented by Interim Manager

Bullins.

Commissioner McHugh moved to approve the motion to direct the Interim County Manager and the Budget Director to follow this situation and if it comes necessary to present a budget amendment to the Board for consideration. Vice Chairman Joe Turpin seconded and the motion carried unanimously.

**GENERAL GOVERNMENT – PLANNING – PROPOSED FISCAL YEAR 2006-07**

Planning Director Sudderth informed the Board that permits were drastically down in the month of May 2006. Director Sudderth expressed concerns with projected revenues proposed in the fiscal year 2006-07 county budget.

**GENERAL GOVERNMENT – PLANNING BOARD VACANCY**

Planning Director David Sudderth presented the information regarding upcoming vacancies on the Planning Board from the following townships:

- Peter's Creek
- Big Creek
- Quaker Gap

Chairman Inman directed Planning Director Sudderth to place the vacancies on June 26<sup>th</sup> agenda.

**GENERAL GOVERNMENT – GOVERNING BODY – RESIGNATION OF COUNTY ATTORNEY**

Commissioner John Turpin noted the recent resignation from County Attorney Jonathan Jordan which will be effective June 30, 2006 and the urgent need to began to consider his replacement. Chairman Inman noted a closed session will be scheduled to discuss this personnel issue at the Monday, June 12<sup>th</sup>'s regular meeting.

**GENERAL GOVERNMENT – GOVERNING BODY – PUBLIC HEARING**

Clerk to the Board Darlene Bullins reminded the Board of the Public Hearing



regarding the proposed fiscal year 2006-07 county budget scheduled for Wednesday, June 7, 2006 at 6:30 pm in Courthouse “A”.

**GENERAL GOVERNMENT – GOVERNING BODY – COLLINSTOWN BOARD MEETING**

Clerk to the Board Darlene Bullins reminded the Board of the regular meeting on June 12<sup>th</sup> to be held at the Collinstown Community Center

There being no further business to come before the Board, Chairman Inman entertained a motion to adjourn the meeting. Commissioner John Turpin moved to adjourn the meeting. Vice Chairman Joe Turpin seconded and the motion carried unanimously.

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**Darlene M. Bullins**  
Clerk to the Board

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**J. Leon Inman**  
Chairman