

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
APRIL 23, 2007

The Board of Commissioners of the County of Stokes, State of North Carolina, met for regular session in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administrative Building) located in Danbury, North Carolina on Monday, April 23, 2007 at 6:00 pm with the following members present:

Chairman Leon Inman
Vice-Chairman Jimmy Walker
Commissioner Ron Carroll
Commissioner Ernest Lankford
Commissioner Stanley Smith

County Personnel in Attendance:
County Manager K. Bryan Steen
Clerk to the Board Darlene Bullins
County Attorney Edward Powell
Finance Director Julia Edwards
Support Services Supervisor Danny Stovall
Planning Director David Sudderth
Senior Services Program Director Lynn Martens
PHN Supervisor Rebecca Warren- Home Health

Chairman Leon Inman called the meeting to order.

Chairman Inman 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.

GENERAL GOVERNMENT – ADMINISTRATION – INTRODUCTION OF COUNTY MANAGER BRYAN STEEN

Chairman Inman introduced and welcomed new County Manager Bryan Steen.

GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA

Chairman Inman entertained a motion to approve or amend the agenda for the April 23rd meeting.

Clerk to Board Darlene Bullins stated Vice Chairman Walker had requested to add the engineer appointment for the Board of Health to the Action Agenda. Clerk Bullins noted that no information had been received by the County Attorney regarding an interpretation from the Attorney General’s Office regarding the active/inactive status that had been requested by the Board.

Commissioner Lankford requested if any other information was available that the Board had not already received. Clerk Bullins stated that no further information was available other than the information from Mr. Chris Hoke – Chief Regulatory and Legal Affairs –NC Division of Public Health regarding the active/inactive status, which the Board had received last week.

Vice Chairman Walker stated with the new information received from Mr. Hoke, it was worth further discussion.

The Board discussed adding the item to the agenda for further discussion.

Chairman Inman entertained a motion to add the item to the agenda or approve the agenda as submitted

Vice Chairman Walker moved to add the engineer appointment for the Board of Health to the Action Agenda. Commissioner Smith seconded and the motion carried (4-1) with Commissioner Lankford voting against the motion.

County Manager Bryan Steen requested to add the “Land of Tomorrow Request” to the Discussion Agenda.

Chairman Inman entertained a motion for approval of the agenda as amended.

Commissioner Smith moved to approve the agenda with the following additions:

Discussion Agenda – “Land for Tomorrow Request” and Action Agenda – “Board of Health-Engineer Appointment”. Commissioner Carroll seconded and the motion carried unanimously.

PUBLIC HEARING – PROPOSED STOKES COUNTY FLOOD DAMAGE PREVENTION ORDINANCE

Chairman Inman opened the Public Hearing for the proposed Stokes County Flood Damage Prevention Ordinance to order. There were no public comments.

Chairman Inman closed the Public Hearing.

PUBLIC COMMENTS

Lonnie P Bowman

1145 Power House Road
Walnut Cove, NC 27052

Re: 10 Year/10 month old Ambulance Bill and a Suggestion or Two

Mr. Bowman spoke to the Board regarding the 10-year/10 month old ambulance bill, which he stated he did not owe. Mr. Bowman presented information received from the county last week regarding the bill which was in a foreign language. Mr. Bowman suggested that the County go back no more than 3 years in trying to collect unpaid EMS Bills and that the County should consider contracting out the EMS services. Mr. Bowman spoke regarding the following other issues: Stokes Reynolds Memorial Hospital, Burning Solid Waste for electricity, Fair Labor Standard Act, Freedom Information Act, and Sunshine Act. Mr. Bowman concluded that he had received over 100 calls regarding the collection of old EMS bills.

CONSENT AGENDA

Chairman Inman entertained a motion to approve or amend Consent Agenda:

- Minutes of April 5, 2007
- Minutes of April 9, 2007
- Minutes of April 16, 2007

Commissioner Carroll noted the following corrections:

April 5, 2007 – Page #2 - change the following: Commissioner Carroll stated pursuant to General Statute 105-294, I moved that the Tax Administrator... to Commissioner Carroll moved pursuant to General Statute 105-294, that the Tax Administrator...

April 9, 2007 - Page #9 change the following: Setting a precedence... to Setting a precedent...

Page # 9 - change the following: document is revised to confront... to document is revised to conform...

Page #12 - change the following: two deaths involving the river was reviewed... to two deaths involving the river were reviewed...

County Manager Steen noted the following corrections:

April 9, 2007 – page #13 - change the following: Town of Walnut... to Town of Walnut Cove and page #14 – spelling of Stanley County to Stanly County

Social Services - Budget Ordinance Amendment # 70

Finance Director Julia Edwards requested the approval of Budget Ordinance Amendment #70, which is necessary to amend the General Fund to transfer funds for the matching of HCCBG Funding. The appropriations are to be as follows:

Account Number	EXPENDITURES	Decrease	Increase
	Social Services Department		
100.5310.184	Prof. Serv. HCCBG-InHome		\$818.00
	Contingency		
100.9910.000	Contingency	\$818.00	
		<u>\$818.00</u>	<u>\$818.00</u>

This will result in a net increase of \$00.00 in the appropriations of the General Fund.

Finance Director Edwards noted that the following justification of the budget ordinance amendment for fiscal year 2006-07:

- Additional HCCBG funding for In Home Services BA#23- (09-25-06) and BA#40 (11-27-06) matching funding was not included in these amendments

Proposed Proclamation – Mental Health Month

Clerk to the Board Darlene Bullins submitted the following proposed Proclamation for

Mental Health Month – May 2007:

***Mental Health Month
PROCLAMATION***

WHEREAS, mental health is a critical issue which affects all individuals, families and communities in Stokes County; and

WHEREAS, mental health disorders and problems affect persons regardless of background, lifestyle, or age, and no one is immune; and

WHEREAS, the National Institute of Mental Health lists mental disorders as the leading cause of disability in the United States; and

WHEREAS, depression, bipolar disorder, schizophrenia, anxiety and other mental illnesses are real and treatable; and

WHEREAS, Mental Health America (formerly National Mental Health Association), and the United States Congress have observed each May since 1949 as Mental Health Month, in order to increase awareness and understanding of mental health and mental illness;

NOW, THEREFORE, we, the County Commissioners of Stokes, do hereby recognize and proclaim May 2007 as

Mental Health Month

in Stokes County. We ask all residents to join us in *increasing awareness and understanding of mental health/mental illness, and of treatment needs and opportunities* in Stokes County, for our children and adults with mental illness.

Leon Inman, Chairman

Jimmy Walker, Vice-Chairman

Ron Carroll, Member

Ernest Lankford, Member

Stanley Smith, Member

Darlene Bullins, Clerk to the Board

Policy Documents for the 2007 NCHFA Single Family Rehabilitation Program

Ms. Alicia Broadway, Benchmark, presented the following proposed policy documents for the Board's review and consideration at the April 9th meeting:

- The Assistance Policy
- Procurement Policy
- A Code of Conduct
- Resolution Authorizing the Manager to award and sign rehabilitation contracts on behalf of the Board

Chairman Inman entertained a motion to approve the Consent Agenda as amended.

Commissioner Lankford moved to approve the Consent Agenda as amended.

Commissioner Smith seconded and the motion carried unanimously.

GENERAL GOVERNMENT – GOVERNING BODY – DISCUSSION AGENDA

Southwestern Service Center - Update

Support Services Supervisor Danny Stovall presented the following updated information regarding the Southwestern Service Center:

- Report from Workplace Group – Spore Trap Air Sampling Results done on April 2, 2007 – Comparison of indoor air versus outdoor air results did appear indicative of fungi amplification or reservoirs within the building
- Samples were collected in the basement and the ground level floor and one outdoors as reference
- Comparisons of outdoor to indoor air sampling results did appear indicative of mold amplification in the building
- Recommendations – carpeting in the building to be removed and replaced which will likely remove or reduce a major sources of fungal spores; HEPA vacuuming and wet wiping all surfaces with a disinfectant; HVAC system should be turned on to filter the air and control humidity levels; if basement is to be reused, it may be necessary to conduct additional investigation into the presence of fungal amplification sites; if basement is not to be used, any return air ducts from it to the upper level HVAC system should be sealed; and all doors or other known openings should be sealed to prevent the transfer of spores from the basement
- Dehumidifiers should also be placed on the upper level to control humidity levels until the HVAC system is operational
- All Kleen Environmental Services – Estimate for cleaning of first floor, removal of carpet, clean HVAC system, etc. = estimate total = \$3800.00
- All Kleen Environmental Services = Estimate for cleaning of basement, remove paneling, clean HVAC system, etc. = Estimate total = \$2200.00
- First air sampling done December 5, 2003 and last air sampling done July 6, 2005
- Second quote for cleaning of the building should be in within the next few days
- Not a major problem regarding the air quality issue

The Board discussed air sampling results, need to determine that the building would be occupied before allocating any more money for cleanup and renovation, recommendations from All Kleen Environmental Services, and the need to continue with the process to clean up the facility in order to be able to provide services to the citizens of the County.

County Manager Steen noted the need to pipe the dehumidifiers to the outside in order for them to run constantly and also place fans in the building to help circulate the air until the HVAC is cleaned.

The Board directed Mr. Stovall to return to the Board on May 14th with a second quote, talk with Mr. David Burge-Stokes School regarding other vendors, and start to move forward with the painting which has already been approved.

Proposed County Surplus Sale

Support Services Supervisor Danny Stovall stated a tentatively date had been scheduled with Mr. Frank Plunkett for Stokes Realty and Auction to conduct a public auction on the County's behalf –Saturday, June 30, 2007 at 10:00 am in the parking lot of the Ronald W. Reagan Memorial Building. Majority of items to be sold will be vehicles and a complete list will be presented to the Board at a later date for approval. Mr. Stovall requested the Board's approval to move forward with planning of the public auction on June 30, 2007 and contracting with Stokes Realty and Auction to conduct the sale. Mr. Stovall presented N.C.G.S. #14-234 – Public Officers or Employees Benefiting from Public Contracts; exceptions.

Chairman Inman stated that he would have to excuse himself from voting or taking part in the sale.

Commissioner Carroll requested that Mr. Stovall obtain an additional quote for the auctioneering service.

Chairman Inman directed Mr. Stovall to obtain an additional quote for the auctioneering services and return to the May 14th meeting.

Proposed 2007-08 Budget Schedule

County Manager Bryan Steen presented a proposed budget schedule for the Board's consideration. Manager Steen noted the submission of the proposed 2007-08 County Budget would be at the scheduled Tuesday, May 29th meeting (rescheduled from Monday, May 28th due to Memorial Day) and requested dates for the public hearing and budget work sessions.

The Board discussed possible dates for the public hearing and budget work sessions.

The Board unanimously agreed upon the following 2007-08 budget schedule:

- Public Hearing – Monday – June 4, 2007 – 6:00 pm – Courtroom “A”
- Budget Work Session – Thursday – June 7, 2007 – 2:00 pm – Commissioner Chambers
- Budget Work Session – Tuesday – June 12, 2007 – 4:00 pm – Commissioner Chambers
- Budget Work Session – Thursday – June 14, 2007 – 2:00 pm – Commissioner Chambers
- Budget Work Session – Monday – June 18, 2007 – 2:00 pm – Commissioner Chambers

The Board discussed having a separate budget work session for department heads only.

The Board agreed that there would be no separate budget work session for department heads only, but that all department heads and employees have to right to speak regarding proposed budgets at the Public Hearing on June 4th.

Land For Tomorrow - Request for Approval of Resolution

County Manager Bryan Steen stated that the Commissioners in Stanly County had discussed the request from Land for Tomorrow for \$1.2 billion over the next 5 years

and regarded that this is taking tax dollars to buy land to permanently take out of the county's tax base. Counties are not like cities that can annex additional land to offset the land lost. In speaking with the NC County Commissioners Association, this topic was discussed as one of the Legislative Goals, but was not adopted and was not supporting the request as an entity. The League of Municipalities and Cities did not support this particular bond issue, did endorse an issue with land preservation and their priorities are with water/sewer and transportation.

The Board discussed the information presented by the Manager Steen and the proposed Resolution recently requested by the Board regarding the Land for Tomorrow Request.

Chairman Inman directed Clerk to the Board Bullins to not place the proposed Resolution on the agenda unless directed by the Board.

GENERAL GOVERNMENT – GOVERNING BODY – ACTION AGENDA

Proposed Stokes County Flood Damage Prevention Ordinance

Planning Director David Sudderth presented the final draft of the proposed Stokes County Flood Damage Prevention Ordinance for the Board's consideration which includes the incorporated areas within the county, City of King, Town of Walnut Cove, and Town of Danbury.

Director Sudderth reiterated that the original Flood Damage Prevention Ordinance and Associated FIRM Maps were effective on September 30, 1988 and the adoption of the revised ordinance must take place before May 16, 2007. Failure for the county to amend and adopt the new requirements will cause the county to be suspended from the National Flood Insurance Program and be subject to the prohibitions contained in Section 202(a) of the 1973 Flood Disaster Protection Act as amended.

Chairman Inman entertained a motion to approve the proposed Stokes County Flood Damage Prevention Ordinance.

Commissioner Lankford moved to approve the revised Flood Damage Prevention Ordinance. Commissioner Carroll seconded and the motion carried unanimously.

Home Health Point of Care Software – Bid proposal – Fiscal Year 2006-07

Support Services Supervisor Danny Stovall reiterated the recommendation given to the Board at the April 9th meeting for Home Health Software from Care Anyware:

Care Anyware – Cary, NC

Total up front investment – due 7 days after contract signing \$30,000.00
Implementation, training for office and clinical staff, setup clinical
Templates, payors, load and configure, clinical tablets

Database will be hosted off site at their location -

Yearly maintenance fee due July 1 - \$28,500.00

County references: McDowell, Catawba County, Home Health, Robeson County Home Health
Cabarrus Health Alliance Home Health, and Columbus County Home Health

The Board discussed the yearly maintenance fee and available funding which was allocated in the fiscal year 2006-07 budget. Finance Director Julia Edwards noted that Home Health Fees would cover the expenses of the software program.

Commissioner Lankford moved to approve Care Anyware for the Home Health Software as recommended by Health Department. Commissioner Smith seconded and the motion carried unanimously.

Senior Services Meal Program – Bid Proposal – Fiscal year 2007-08

Support Services Supervisor Danny Stovall and Senior Services Program Director Lynn Martens reiterated the following bids received by Stokes County to provide meals to the Stokes County Senior Service nutrition program:

Bateman Senior Meals – Lafayette Louisiana

Congregate \$2.99 per meal x 60 meals x 250 serving days = \$44,850.00
Home Delivered \$2.99 per meal x 150 meals x 250 serving days = \$112,125.00
Total yearly cost = **\$156,975.00**

Shelf stable \$2.99 per meal
Frozen \$2.99 per meal

Option #1 entrée upgrade once per week – cost \$.45 x 210 x 52 = \$4,914.00
Option #2 total meal upgrade once per week – cost \$1.00 x 210 x 52 = \$10,920.00

References: Stokes County, Yadkin County, Surry County, and Chatham County

Golden Corral – Winston Salem, NC

Congregate \$3.35 per meal x 60 meals x 250 serving days = \$50,250.00
Home Delivered \$2.99 per meal x 150 meals x 250 serving days = \$125,625.00
Total yearly cost = **\$175,875.00**

Shelf stable \$3.35 per meal
Frozen \$3.35 per meal

References: Craven County, Arts Based Elementary – Winston Salem, and River Mill Academy - Graham

Director Martens present the following information obtained during site visits to both locations:

- Golden Corral will provide a quality product similar to what is served in their restaurants whenever possible according to guideline specifications
- Golden Corral does grind their own meat, chicken is not a frozen patty, potatoes are made from scratch and whenever possible, items will be similar to what is being served at the restaurant
- Bateman will offer what they current offer at \$2.99 per meal, but will have options this year to upgrade entrée once per week or total meal upgrades once per week at an added cost – an example of the upgrade would be a cube steak instead of a hamburger patty
- Important criteria – cost of the meal and proximity to the site
- Bateman has the lower cost, but Golden Corral would be closer to the sites in the County and quote a higher quality meal
- Cost for Golden Corral = \$175,875/county 18% cost
- Cost for Bateman with current program = \$156,975.00
- Cost for Bateman with entrée upgrade once a week = \$161,889

- Cost for Bateman with total meal upgrade once a week = \$167,895
- Contract being proposed for three years – current contract ends June 30, 2007 with a 30 day termination clause

Director Martens noted this year's survey (conducted in November/December 2006) which indicates satisfaction is down regarding the quality of the meals being provided from Bateman.

The Board discussed the quality of the current meal program, cost of the each program, and current contact terms.

The Board unanimously directed Mr. Stovall to further negotiate cost of each proposal for best possible cost and return to the May 14th meeting.

Appointments

Board of Adjustment – Appointments

Chairman Inman presented the following individual who were nominated at the March 12th meeting for the Board's consideration to serve on the Board of Adjustments:
(Term to expire March 1, 2010)

- Mr. Don Lester
- Mr. Larry Boles

Chairman Inman also noted Matthew Tilley has agreed to re-appointment as an alternate member.

Commissioner Lankford moved to appoint Mr. Don Lester and Mr. Larry Boles to serve on the Board of Adjustments. Commissioner Smith seconded and the motion carried unanimously.

Vice Chairman Walker nominated Matthew Tilley for consideration as an alternate member on the Board of Adjustments. Commissioner Lankford requested to have the opportunity for nominations at the next meeting.

Stokes Adult Care Home Advisory Committee- Appointment

There were no nominations for the Stokes Adult Care Home Advisory Committee.

Board of Health – Engineer Appointment

Vice Chairman Walker reiterated the information received at the April 9th meeting from David Lawrence – Institute of Government who confirmed that Mr. Jerry Mitchell who was a licensed engineer was eligible to serve on the Board of Health and information from Mr. Chris Hoke – Chief Regulatory and Legal Affairs – NC Division of Public Health who indicated that licenses must be current and inactive licensure does not qualify for Health Board appointment. Mr. Jerry Mitchell currently has an inactive status. After receiving further information from Mr. Hoke during the past week, which confirms with Mr. Lawrence’s opinion that currently licensed in an inactive status can serve on the Board of Health.

Chairman Inman requested a legal opinion from County Attorney Edward Powell. Attorney Powell noted that the Attorney General’s office had been contacted, but will take some time to get a written opinion on the matter.

The Board discussed issue of inactive/active status, opinions received from David Lawrence and Chris Hoke, and the request made for an opinion from the Attorney General’s office.

Commissioner Smith moved to appoint Mr. Jerry Mitchell to serve on the Stokes County Board of Health. Vice Chairman Walker seconded and the motion failed (2-3) with Chairman Inman, Commissioner Lankford, and Commissioner Carroll voting against the motion.

Health and Dental Insurance – Bid Proposal – Fiscal year 2007-08

Personnel Officer Darlene Bullins presented additional information (as requested by the Board) regarding bids received by the County regarding Dental benefits for fiscal year 2007-08:

- Other bids did not have carryover benefits and some did not include Orthodontics
- Ameritas (monthly premium)
 - Employee only = \$21.96
 - Employee/spouse premium = \$26.08
 - Employee/one dependent child premium = \$27.52
 - Employee/family premium = \$63.54

Chairman Inman entertained a motion regarding dental benefits for fiscal year 2007-08.

Commissioner Lankford moved to approve Ameritas (current carrier) for dental benefits for fiscal year 2007-08. Vice Chairman Walker seconded and the motion carried unanimously.

Health Insurance

Personnel Officer Darlene Bullins presented additional information as requested by the Board regarding health benefits with NCACC-CIGNA:

- **Alternative #1** (8% increase) (\$750.00)
- **Alternative #2** (4% Increase) (\$1000 deductible)
- **Alternative #7** (2% Increase) (90/10) (\$2000 Co-insurance) (\$750 deductible)
- **Alternative #3** (1.6% Increase) (90/10) (\$3000 Co-insurance) (\$750 deductible)
- **Alternative #8** (2.5% decrease) (80/20) (\$2000 Co-insurance) (\$750 deductible)
- **Alternative #4** (3.6% Decrease) (80/20) (\$3000 Co-insurance) (\$750 deductible)
- **Alternative #9** (1.7% Decrease) (90/10) (\$2000 Co-insurance) (\$1000 deductible)
- **Alternative #5** (2.2% Decrease) (90/10) (\$3000 Co-insurance) (\$1000 deductible)
- **Alternative #10** (6.1% Decrease) (80/20) (\$2000 Co-insurance) (\$1000 deductible)
- **Alternative #6** (7.2% Decrease) (80/20) (\$3000 Co-insurance) (\$1000 deductible)

Personnel Officer Bullins noted to keep the current coverage; there would be an 8% premium increase and explained alternatives which provide 90/10 or 80/20 coverage after the \$750 or \$1000 deductible. Personnel Officer Bullins also provided statistical information regarding the number of individuals on the plan who exceeded their deductible.

The Board discussed the Alternatives and requested the item be placed on the May 14th Action Agenda.

Tax Administrator Position

Vice Chairman Walker moved that pursuant to General Statute 105-294, that the Board of Commissioners having previously at a public meeting determined good cause existed for the removal and termination of Wren Carmichael as Tax Administrator, Tax Assessor, and Tax Collector of Stokes County and the Board of Commissioners having given personal notice to Mr. Carmichael of his right under the statute to appear and be heard at public session of the Board of Commissioners on Monday, April 23, 2007 at their regular meeting beginning at 6:00 pm and Mr. Carmichael having failed to appear; that the Board of Commissioners remove and terminate Wren Carmichael as Tax Administrator, Tax Assessor, and Tax Collector of Stokes County effective immediately. Commissioner Lankford seconded and the motion carried unanimously.

Stokes Opportunity Center – Renovation Request

Clerk to the Board Darlene Bullins presented the renovation request from Stokes Opportunity Center submitted to the Board at the April 9th meeting.

Commissioner Carroll moved to approve the request to allow the Stokes Opportunity Center to apply for the Extreme Makeover “Home Edition”. Vice Chairman Walker seconded and the motion carried unanimously.

CLOSED SESSION

Chairman Inman entertained a motion to enter into Closed Session for the following:

To consult with an Attorney employed or retained by the Public Body in Order to preserve the attorney-client privilege between the Attorney and the Public Body, which privilege is hereby acknowledged, and to consider and give instructions to an attorney concerning the handling or settlement of a claim judicial action, mediation, arbitration, or administrative procedure G.S. 143-318.11(3).

To consider the initial employment or appointment of an individual to any office or position, other than a vacancy in the Board of County Commissioners or any other public body, or to consider the qualifications, competence, performance, character, and fitness of any public officer or employee, other than a member of the Board of Commissioners or of some other public body pursuant to G.S. 143-318.11(6)

To consider and take action with respect to the position to be taken by the county in negotiating the price or other materials terms of an agreement for the acquisition or lease of real property pursuant to G.S. 143-318.11(a)(5)

Commissioner Lankford moved to enter into Closed Session for the following:

To consult with an Attorney employed or retained by the Public Body in Order to preserve the attorney-client privilege between the Attorney and the Public Body, which privilege is hereby acknowledged, and to consider and give instructions to an attorney concerning the handling or settlement of a claim judicial action, mediation, arbitration, or administrative procedure G.S. 143-318.11(3).

To consider the initial employment or appointment of an individual to any office or position, other than a vacancy in the Board of County Commissioners or any other public body, or to consider the qualifications, competence, performance, character, and fitness of any public officer or employee, other than a member of the Board of Commissioners or of some other public body pursuant to G.S. 143-318.11(6)

To consider and take action with respect to the position to be taken by the county in negotiating the price or other materials terms of an agreement for the acquisition or lease of real property pursuant to G.S. 143-318.11(a)(5)

Commissioner Smith seconded and the motion carried unanimously.

The Board returned to the regular session of the April 23rd meeting.

Adjournment

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

Commissioner Lankford moved to adjourn the meeting. Vice Chairman Walker seconded and the motion carried unanimously.

Darlene M. Bullins
Clerk to the Board

J. Leon Inman
Chairman