

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
FEBRUARY 18, 2008

The Board of Commissioners of the County of Stokes, State of North Carolina, met for a special session in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administrative Building) located in Danbury, North Carolina on Monday, February 18, 2008 at 7:00 pm with the following members present:

Chairman J. 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

Fire Service District Representatives
Dennis Long – Double Creek Fire & Rescue
Stephen Jessup – Francisco Fire & Rescue
Keith Lawson – Lawsonville Fire & Rescue
Joe James - Northeast Stokes Fire & Rescue
Tim Tilley – Pilot Knob Fire Department
Dennis Manuel – Pilot Mtn Rescue & EMS
Jonathan Lane – Pinnacle Fire & Rescue
Wayne Barneycastle – Sauratown Fire & Rescue
Devin Rhodes – Stokes Rockingham Fire & Rescue
Philip Sutphin – Westfield Fire & First Response

Chairman J. Leon Inman called the special meeting to order.

Commissioner Lankford 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.

Special Session – Meeting with the Fire Service District Representatives

Chairman Inman and Board members expressed their appreciation to those attending tonight's meeting and for their dedicated service provided to the citizens of Stokes County.

Chairman Inman opened the floor for discussion.

Commissioner Carroll noted the following:

- This meeting is to identify and clarify issues related to the Fire Service District
- All issues will be forwarded to a committee which will be appointed by the Board of Commissioners
- The Board has not currently designated the specific membership
- The committee will develop a proposed policy to govern the operations of the Stokes County Fire Service District to include the procedures of the Fire Commission and Guidelines for Service District Funds
- The goal of the committee will be to provide a proposed document which will be forwarded to the Board of Commissioners for final adoption
- The 8-page document currently in use can be the starting point for the proposed document as long as certain sections of the document are in compliance with the law
- Goal should be to have the proposed document approved by the Board of Commissioner within the next three months

Commissioner Carroll stated that a motion previously adopted by the Board of Commissioners states that until a new document is developed and approved to replace the current 8-page document, the existing procedures for developing budgets and appointing Fire Commissioners will remain the same with the exception of the open meetings law and proposed Fire Service District Budget being presented to County Manager Bryan Steen instead of the Board of Commissioners.

Dennis Long (Double Creek Fire & Rescue) questioned if the Fire Association was invited to attend tonight's meeting and if the new proposed document would be approved by the Fire Association and the Fire Service District Departments.

Commissioner Lankford noted that the Board invited members from all fire departments within the County and the three Surry County Departments who participate in the Service District.

Commissioner Carroll stated that a document of public policy could only be given legal sanction by the Board of Commissioners: public policy cannot be subject to approval or
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veto by a private organization.

Dennis Long (Double Creek Fire & Rescue) questioned what happened to the trust between the Board of Commissioners and the Service District.

Keith Lawson (Lawsonville Fire & Rescue) noted the following:

- Breakdown of communication
- Information received by Fire Departments was not always accurate
- The need for a meeting last year when fire departments were confused about issues with the budget and the operation of Truck #310
- A document is needed to provide guidelines for everyone
- New document should also address Fire Commissioner appointments detailing specific requirements for that appointment – need for Fire Commissioners to be involved in their respective departments
- General Public is necessary but should not dominate the Fire Commissioners’ appointments
- No fire department should be allowed to bypass the Fire Commissioners in order to get approval for a specific piece of equipment
- A fair workable document for everyone that is fair – everyone plays by the same rules

Commissioner Lankford agreed the lack of communication was the breakdown of the process last year.

Wayne Barneycastle (Sauratown Fire & Rescue) noted that this type of meeting should happen anytime there is an issue to make all the departments aware of the problem.

Barneycastle also noted that it was never the intention of any department to not follow the open meetings law and to hide anything from the Board of the Commissioners; the departments were unaware of that requirement.

Philip Sutphin (Westfield Fire & First Response) noted the following:

- Previous Board members had requested a document (which did take about a year to develop) that would provide guidelines for the Fire Commission and Use of Service District Funds – there was never any intentions “to break the law”
- Members last year felt that the document which had been in effect since 2002 was just thrown out the door and no one actually knew which way to go
- Need for a workable process – some way that fire departments can fairly (especially the small departments) compete for the service funds with the larger departments (this did not occur before the adoption of the 8-page document)
- Need for some type of limits on the way the Board of Commissioners can get funding from the service district within the spirit of the law that is currently written – guidelines to protect our funding
- Need for a legal way to amend the document or renew the document when a new member is elected to the Board of Commissioners
- Current document identifies how funding can and cannot be spent

- Not fair for the funding for the two positions on Truck #310 to be paid only by Service District; Rural Hall, King, and Walnut Cove all use the services – this splits the departments
- Need to fill the Assistant Fire Marshal's position

Joe James (Northeast Stokes Fire & Rescue) noted the following:

- Reiterated the lack of trust
- Missing the liaison of the Fire Marshal with the County Manager, Fire Association, Fire Departments, Board of Commissioners
- Appears the fire departments have lost the connection of the Fire Marshal bringing issues to the Fire Association meetings
- Questioned if the Board could give the Fire Commission the tax rate before the budget process – in order to save time

Commissioner Carroll noted that he could not set a tax rate without evaluating each

entire request from each department.

Devin Rhodes (Stokes Rockingham Fire & Rescue) noted the following:

- Questioned why the Assistant Fire Marshal position which is being funded by the Fire Service District has not been filled
- Where is the lapsed salary for that position? Departments took cuts in order to fund the two positions
- There is still a need for daytime manpower
- What is the status and future of the Haz Mat Team and the Technical Rescue Team which seem to have been put on hold – county has put funding into each team

Commissioner Lankford noted that the funding would be reverted back to the Service

District if not expended on the two Fire Marshal's positions.

Wayne Barneycastle (Sauratown Fire & Rescue) noted the following:

- Fire Departments worked with Fire Commission last year to help fund the two Fire Marshal's position – His department lost \$10,000 from their budget to help fund the two Fire Marshal's positions
- Need to continue to increase the fund balance for emergencies

Tim Tilley (Pilot Knob Fire Department) noted the following:

- Need to identify who can be paid from the Service District
- Need to abide by the open meetings law
- Need to amend or approve the document each time a new member is elected to the Board
- Need for these issues to be presented to the committee

Commissioner Smith noted that the Service District received a ½ cent fire tax increase

to fund the two Fire Marshal's positions to provide daytime manpower to the fire departments.

Dennis Long (Double Creek Fire & Rescue) stated that no one should be able to talk to individual Commissioners to try to get around the Fire Commission in order to be able to get extra funding.

Keith Lawson (Lawsonville Fire & Rescue) spoke about funding that was taken by a previous County Manager from the Service District for collection and distribution of fire tax.

Vice Chairman Walker questioned if the funding that was transferred to the General Fund was given back to the Service District.

Commissioner Lankford requested verification whether funding was transferred back to the Service District.

Clerk to the Board Darlene Bullins noted that at a recent Commissioners' meeting, Finance Director Edwards confirmed that all funding that was taken from the Service District for the collection of fire tax was returned to the Service District.

Keith Lawson and Joe James both noted the need to know exactly what is collected each year for the Service District and that it is very hard to get information from the County regarding Service District funding.

Stephen Jessup (Francisco Fire & Rescue) noted the need to know exactly how much funding each department within the Service District receives.

Commissioner Carroll and Commissioner Lankford both confirmed that information regarding the collection of service district fire taxes and distribution of funding can be obtained from the Administration or Finance Department at any time.

Tim Tilley (Pilot Knob Fire Department) noted the following:

- Document needs to specify whether the Board will charge Fire Departments to collect the fire taxes

Chairman Inman agreed with fire departments that there should have been a meeting a year ago and things were not done right to communicate with the Fire Departments.

Chairman Inman requested if there was any other issues that need to be brought to the

attention of the Board.

Devin Rhodes (Stokes Rockingham Fire & Rescue) noted that several departments were trying to drop their ISO insurance rating in order to help lower homeowners' insurance premiums, but it will take extra funding to achieve this.

The Board requested additional information regarding the Haz Mat and Technical Teams questioned by Devin Rhodes. Devin reiterated the need for both teams, county funding that has already been invested in both teams, and the need to know where the teams are and where the teams are going.

Fire Marshal Brad Cheek noted the following regarding the Haz Mat and Technical Teams:

- Currently, there is no Haz Mat Team
- Members of the Fire Marshal's office have had training in Haz Mat and do assist fire departments with certain Haz Mat incidents
- Fire Association has been trying to put together a High Rescue Technical Team
- Fire Marshal's office has been assisting with the High Rescue Technical Team, equipment has been purchased with the Fire Association funding for this team

Commissioner Carroll noted that the Committee should possibly look at where funding is actually being expended.

Chairman Inman requested Board members to express concerns with the 8 page document.

Commissioner Carroll noted the following sections that needed to be reviewed and amended:

- **I. Purpose and Objectives of Fire Commission - #3** - gives authority to a private organization to tell the Board of Commissioners whether they can spend public funding— conflicts with the Budget and Fiscal Control Act – legal issue
- **II. Size and Selection of Fire Commission - #3 & #4** -No one can be appointed to the Fire Commission by the Board of Commissioners unless the Fire Association has nominated that particular person – conflicts the law that gives the Board of Commissioners the authority to set up a commission
- **IV. Duties of the Members of the Fire Commission** – states that members not performing their duties as described will be terminated from the Fire Commission by a majority vote of the Fire Association – Board of Commissioner appoints the members, but the Fire Association is the only organization that can terminate the member- conflicts with the Board who actually approved the appointment
- **V. Meetings of the Fire Commission – #4 and #5** – Conflicts with the Open Meetings Law

- **VI -Elimination of Potential Conflicts of Interest** – Any Fire Commissioner who is an active member or board member of the agency being examined shall excuse themselves from the room where the hearing is being held- conflicts with Open Meetings Law
- **VIII -Use of Service District Funds and Improper Use of Service District Funds** – Need to be examined as discussed at tonight’s meeting
- **IX -Amending this Document** – This being a document of public policy, only an elected policy board can adopt or amend; a private organization can’t exercise veto over the document.

Commissioner Lankford agreed with Commissioner Carroll’s comments and also noted the need for everyone to be clear what the purpose of the Fire Commission – (I. Purpose and Objectives of Fire Commission). Commissioner Lankford also noted the need for the Fire Commission to elect its own Chair - (II – President of the Stokes County Fire and Rescue Association).

The Board discussed the appointment of Fire Commissioners. Joe James noted the immediate need for three appointments to the Fire Commission with the upcoming budget process getting ready to be started.

Vice Chairman Walker noted the need to simplify the document, reduce the size of the document, and look for a document that can be fair for everyone.

Commissioner Smith reiterated it was never the intention to do away with the Fire Association, agreed with the items noted by Commissioner Carroll, take the current document as a starting point with recommendations taken from those who know, and most important – continue to provide quality service to the citizens of Stokes County.

Joe James (Northeast Stokes Fire & Rescue) reiterated that everyone needs to listen to each other.

Jonathan Lane (Pinnacle Fire & Rescue) and Dennis Manuel (Pilot Mtn Rescue & EMS) both expressed appreciation for the Board taking the time to hold the meeting and to listen.

Wayne Barneycastle (Sauratown Fire & Rescue) expressed the appreciation to the Board for allowing the departments to bring their issues to the table.

Chairman Inman reiterated that the Board must look at the whole picture of the County

and look at all the needs – not just the wants.

Vice Chairman Walker extended an open door policy to any department who wished to speak to him.

Chairman Inman expressed the Board's appreciation to each volunteer who attended tonight's meeting and stated that the Board would be discussing the selection process for the Fire Service Study Committee at the next meeting.

Chairman Inman reiterated the need for all departments to let the Board know when there were issues.

Adjournment

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

Commissioner Lankford moved to adjourn the special meeting. Commissioner Smith seconded and the motion carried unanimously.

Darlene M. Bullins
Clerk to the Board

J. Leon Inman
Chairman