

STATE OF NORTH CAROLINA)
)
COUNTY OF STOKES)
)

OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
APRIL 27, 2009

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 (Administration Building) located in Danbury, North Carolina on Monday, April 27, 2009 at 6:00 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
Finance Director Julia Edwards
Support Services Supervisor Danny Stovall
DSS Director Jan Spencer
Health Director Josh Swift
Public Works Director Mark Delehant
County Attorney Edward Powell

Chairman J. Leon Inman called the meeting to order.

Commissioner Smith 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 – GOVERNING BODY – APPROVAL OF AGENDA

Chairman Inman entertained a motion to approve or amend the April 27, 2009 Agenda.

Commissioner Carroll requested to move Consent Item B- “Capital Budget Ordinance” to the Discussion Agenda following the “Acquisition of Land – Nancy Reynolds Project Approval of Purchase Price”. Commissioner Carroll noted that the Capital Budget Ordinance could not be approved before the purchase price for the land needed for the Nancy Reynolds Project is approved.

County Manager Bryan Steen requested to pull the following item from tonight’s Agenda:

- Discussion Agenda – Item E – “Proposed Memorandum of Understanding Between the Agencies Comprizing the North-Central NG 9-1-1 Regional Compact”

County Manager Steen noted that Communications Director Del Hall had informed him that there needed to be further work on the MOU before presenting the item to the Board.

The Board had no issues with moving Consent Item #B and deleting Discussion Item #-E.

Commissioner Lankford moved to approve the April 27, 2009 Agenda as amended.

Commissioner Smith seconded and the motion carried unanimously.

PUBLIC COMMENTS

The following spoke during public comments.

Ms. Dee Luster

10003 HWY 89 W

Westfield, NC 27053

RE: **Clyde Amos Road**

Ms. Luster stated that she wanted to personally thank the Board, especially Chairman Inman, for their support in making the changes to the Clyde Amos Road.

CONSENT AGENDA

Chairman Inman entertained a motion to approve or amend the following items on the

Consent Agenda:

Minutes

- Minutes of April 7, 2009
- Minutes of April 14, 2009

Social Services – Budget Amendment #66

Finance Director Julia Edwards submitted Budget Ordinance Amendment #66.

To amend the General Fund, the expenditures are to be changed as follows:

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	Social Services			
100.5310.000	Salaries and Wages	\$1,650,144.00	\$29,940.00	\$1,680,084.00
	Totals	\$1,650,144.00	\$29,940.00	\$1,680,084.00

This budget amendment is justified as follows:

The Administrative Funding for Food and Nutrition Services is paid for through the American Recovery Reinvestment Act of 2009.

This will result in a net increase of \$29,940.00 in the expenditures and other financial use to the County’s annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received in this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.202	SS County Federal	\$2,253,574.00	\$29,940.00	\$2,283,514.00
	Totals	\$2,253,574.00	\$29,940.00	\$2,283,514.00

Jail – Budget Amendment #67

Finance Director Julia Edwards submitted Budget Ordinance Amendment #67.

To amend the General Fund, the expenditures are to be changed as follows:

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	Jail			
100.4320.352	M & R –Buildings	\$1,500.00	\$11,656.00	\$13,156.00
	Totals	\$1,500.00	\$11,656.00	\$13,156.00

This budget amendment is justified as follows:

To appropriate SCAAP funding for the painting of Cell Blocks B, C, & D at the Jail.

This will result in a net increase of \$00.00 in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received in this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.418	SCAAP	\$00.00	\$11,656.00	\$11,656.00
	Totals	\$00.00	\$11,656.00	\$11,656.00

Commissioner Carroll noted that the amount of \$11,656.00 should be inserted instead of \$00.00 as follows:

- This will result in a net increase of **\$11,656.00** in the expenditures and other financial use to the County's annual budget.

Housing Grant Fund - Budget Amendment #68

Finance Director Julia Edwards submitted Budget Ordinance Amendment #68.

To amend the General Fund, the expenditures are to be changed as follows:

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
Housing Grant Fund Single Family Rehab.				
205.4970.180	Professional Services	\$00.00	\$79,700.00	\$79,700.00
205.4970.370	Advertising	\$00.00	\$300.00	\$300.00
205.4970.440	Misc. Contractual Services	\$00.00	\$320,000.00	\$320,000.00
	Totals	\$00.00	\$400,000.00	\$400,000.00
CDBG Scattered Site Housing				
205.4971.180	Professional Services	\$00.00	\$43,500.00	\$43,500.00
205.4971.440	Misc. Contractual Services	\$00.00	\$356,500.00	\$356,500.00
	Totals	\$00.00	\$400,000.00	\$400,000.00

This budget amendment is justified as follows:
To re-appropriate Single Family Rehab. and CDBG funding for the completion of projects.

This will result in a net increase of \$800,000.00 in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received in this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
205.3301.000	Single Family Rehab	\$00.00	\$400,000.00	\$400,000.00
205.3301.001	CDBG Scattered Site Housing	\$00.00	\$400,000.00	\$400,000.00
Totals		\$00.00	\$800,000.00	\$800,000.00

Tax Administration Report – March 2009

Tax Administrator Oakley presented the following Real and Personal Property Releases (March 2009), which are more than \$100 at the April 14th meeting, with a request for action by the Board of Commissioners at the April 27th meeting:

Real and Personal Property Releases More than \$100–March 09-Per NCGS 105-381 (b)

Name	Account Number	Amount	Reasons
Jackie Shields	08A155926131.09	\$124.75	Single wide mobile home doubled listed
Tonya Jackson	04A2004013294	\$146.15	Different Owner for 2004
John Key	08A8877.09	\$104.24	Different Owner for 2008
		\$375.14	

Tax Administrator Oakley presented the following EMS Delinquent Release Report (March 2009) at the April 14th meeting with a request for action by the Board of Commissioners at the April 27th meeting:

Amount	Call#	Date of Service	Reason
\$ 40.00	983756A	8/27/1998	DEC 10-12-07 No estate
\$ 110.00	984074A	9/16/1998	DEC 10-12-07 No estate
\$ 125.00	985345A	12/5/1998	DEC 10-12-07 No estate
\$ 40.00	100329	1/12/2001	DEC 10-12-07 No estate
\$ 270.00	100331	1/21/2001	DEC 10-12-07 No estate
\$ 415.64	204665	11/16/2002	DEC 10-12-07 No estate
\$ 928.46	405608	12/8/2004	DEC 02-04-07 No estate
\$ 470.00	504161	8/24/2005	DEC 02-04-07 No estate
\$ 589.00	600742	2/9/2006	DEC 02-04-07 No estate
\$2,988.10			

2008 Annual Report of the Stokes County Community Child Protection Team

DSS Director Jan Spencer submitted the informational 2008 Annual Report of the Stokes

County Community Child Protection Team as required by NCGS 7B-1406. The report noted that the Team recommends the following to the Board of Commissioners:

- Continue to support efforts to make services accessible to Stokes County citizens with mental health needs, substance abuse issues, and/or domestic violence issues

2008 Annual Report of the Stokes County Child Fatality Prevention Team

Health Director Josh Swift submitted the informational 2008 Annual Report of the Stokes County Child Fatality Prevention Team. The reported noted the following:

- With child safety and promotion of child safety education as important elements of preventing child deaths, the Stokes County Department of Social Services along with the Stokes County Sheriff’s Department and Health Department continue to collaborate with other local agencies to increase awareness of the Child Fatality Team as a team that seeks interventions and ways to prevent child deaths.

Disposal of County Property -1260 Burton Loop Road- Walnut Cove – Proposed Resolution

County Manager Bryan Steen submitted the following proposed Resolution at the April 14th meeting with a request for action by the Board of Commissioners at the April 27th meeting:

RESOLUTION

State of North Carolina

COUNTY OF STOKES

WHEREAS, NCGS 153A-176 authorizes the County to dispose of real property in accordance with procedures prescribed in Chapter 160A, Article 12;

WHEREAS, NCGS 160A-265 gives the Board of Commissioners the authority to dispose of real or personal property;

WHEREAS, NCGS 160A-266(d) (III) authorizes the County of Stokes to discard, dispose of any real property that (i) is determined to have no value, (iii) poses a potential threat to the public health or safety:

WHEREAS, located at East Walnut Cove Park, 1260 Burton Loop Road is an old building that has been determined to have no value, is no longer useful for storage, is a danger to park participants and is in the County’s best interest to dispose of said building;

NOW, THEREFORE BE IT RESOLVED that the Stokes County Board of Commissioners declares this building as surplus and approves for this building to be burnt by the Walnut Cove Volunteer Fire Department as requested by Mr. James Dalton, East Walnut Cove Community Park Chairman;

Adopted this the 27th day of April 2009.

J. Leon Inman- Chairman

Jimmy Walker – Vice Chairman

Ron Carroll - Commissioner

Ernest Lankford- Commissioner

Stanley Smith – Commissioner

Attest:

Darlene M. Bullins – Clerk to the Board

Proposed Resolution – Danbury Wastewater Treatment Plant Improvements

Public Works Director Mark Delehant submitted the following proposed Resolution at the April 14th meeting with a request for action by the Board of Commissioners at the April 27th meeting:

RESOLUTION BY THE COUNTY OF STOKES BOARD OF COMMISSIONERS

WHEREAS, The Federal Clean Water Act Amendments of 1987 and Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater or drinking water system improvements, and

WHEREAS, The County of Stokes has need for and intends to construct a wastewater or drinking water system project(s) described as:

- Danbury Wastewater Treatment Plant Improvements

WHEREAS, The County of Stokes intends to request state loan assistance for the project(s),

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF STOKES:

That the County of Stokes, the **Applicant**, will arrange financing for all remaining costs of the project(s), if approved for a State loan award.

That the **Applicant** will adopt and place into effect on or before completion of the project(s) a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the County of Stokes to make scheduled repayment of the loan, to withhold from the County of Stokes any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project(s). on completion of construction thereof.

That Kenneth B. Steen, the County Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan to aid in the construction of the project(s) described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project(s): to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project(s) and to Federal and State grants and loans pertaining thereto.

Adopted this the 27th day of April, 2009 at Danbury, North Carolina.

(Signature of Chief Executive Officer)

(Title)

Appointment of Economic Development Director – County Representative for the Workforce Development Board

County Manager Bryan Steen requested the Board’s approval to appoint Economic Development Director Alan Wood to serve on the Workforce Development Board. Director Wood will replace Manager Steen who has been serving on the Board since the retirement of Ron Morgan.

Proposed Resolution – House Bill #103

County Manager Bryan Steen presented the following proposed Resolution which will authorize Stokes County to deny issuance of a building permit if the applicant is delinquent in payment of their property taxes for the Board’s approval:

RESOLUTION FOR HOUSE BILL 103

Whereas, Stokes County desires all citizens to promptly pay their duly established property taxes; and

Whereas, Delinquent taxes have an adverse impact on the provision of services and require higher taxes on those citizens that pay their taxes; and

Whereas, Inclusion as listed county on House Bill 103 will provide Stokes County an additional means of prompting citizens to pay their taxes.

NOW THEREFORE BE IT RESOLVED, THAT:

The Stokes County Board of Commissioners request our State Senator Don East and House Representative Bryan Holloway to request that Stokes County also be listed as a county authorized to be able to deny a building permit request if the requester is delinquent in payment of property taxes.

Adopted by the Stokes County Board of Commissioners this 27th day **April, 2009**.

Chairman J. Leon Inman

Vice Chairman Jimmy Walker

Commissioner Ron Carroll

Commissioner Ernest Lankford

Commissioner Stanley Smith

Attest:

Darlene M. Bullins
Clerk to the Board

Commissioner Lankford moved to approve the Consent Agenda as amended.

Vice Chairman Walker seconded and the motion carried unanimously.

GENERAL GOVERNMENT – GOVERNING BODY – INFORMATION AGENDA

Update – Manager and Board of Commissioners

County Manager Bryan Steen noted the following:

- Most of the renovations at the Stokes Opportunity Center will be finished by next Wednesday with a formal opening in early June

GENERAL GOVERNMENT – GOVERNING BODY – DISCUSSION AGENDA

Juvenile Crime Prevention Council (JCPC) – Funding Recommendation for Fiscal Year 2009-10

JCPC Chairman Jan Spencer noted the following regarding JCPC funding recommendation for the upcoming Fiscal Year 2009-10:

- JCPC has completed the RFP process for FY 09/10
- Proposals were considered for the following areas
 - Restitution-Community Service
 - Family Counseling with Parent/Family Skills Classes
 - Psychological Assessments/Testing

- Substance Abuse Assessment and Treatment
 - Emergency Shelter Services
- Proposed Program Services were expected to target the following risk factors for Delinquency or Repeated Delinquency:
 - Adjudicated youth with:
 - Peer relationship issues or who associate with delinquent youth
 - Have moderate to serious school behavior problems
 - Some substance use or abuse
 - Are in need of further assessment or treatment
 - Have had prior adjudications
 - Exhibit runaway behaviors
 - Have parents who have problems with providing adequate levels of supervision
- Following requests were considered and approved by JCPC on April 14th:
 - Insight = \$27,465
 - Stokes Friends of Youth = \$82,559
 - Emergency Shelter Program = \$7,746
 - Psychological Testing = \$2,031
 - SCAN = \$23,367
 - Total recommendation = \$143,168
 - Total county match request = \$34,079
- Request is the same as fiscal year 2008-09
- Others in attendance:
 - Clyde Stewart – Stokes Friends of Youth
 - Rusty Slate – Emergency Shelter/Psychological Testing
 - Tammy Slater – SCAN

JCPC Chairman Spencer concluded the JCPC programs provide quality services to Stokes County youth and requested approval to submit the JCPC recommendation for state funding.

The Board discussed the JCPC recommendation with Chairman Spencer.

Chairman Inman, with full consent of the Board, directed the Clerk to place the item on the May 11th Action Agenda.

DSS Stimulus Funding

DSS Director Jan Spencer presented the following DSS Stimulus Funding recommendation information:

- Researched several possibilities for using the Food Nutrition Services (Food Stamps) Stimulus funding of \$29,940
- Talked with staff regarding the possibilities
- Recommend contracting with Vanguard Professional Staffing

- Have used Vanguard in the past with no issues
- Vanguard will train the new workers on site, thus freeing up the DSS lead worker to continue to managing their current caseload
- Funding will be used to hire two workers through the end of September 09 with hopes of hiring two Stokes County citizens
- Additional stimulus funds are expected before the end of September, which should provide funding for these two positions until 2010
- Contract workers – no benefits
- Feels this is the best use of the funding
- Funding will be a great benefit for the Food Stamps Department
- Need to move forward as soon as possible

DSS Director Spencer noted that the department's Foster Care has a record number of foster care children at the present time – 76.

The Board discussed the agenda item with Director Spencer.

Chairman Inman, with full consent of the Board, directed the Clerk to place the item on tonight's Action Agenda.

Proposed Bids – Construction of New Well for Danbury Water System

Public Works Director Mark Delehant presented the following regarding the proposed bids for the construction of a new well for the Danbury Water System:

- Bid opening for the new well construction was held on April 7th
- Following bids were received:
 - Gopher Utility Services, Inc. = \$17,338.75
 - McCall Brothers, Inc. = \$14,520.00
 - Raymond Brown Well Company = \$10,640.00
- Lowest bid contained mathematical errors in the unit cost column of the bid
- The low bid was protested by one of the other bidding companies
- Request the Board reject all bids and authorize re-advertisement of the project

The Board discussed the proposed bids with Director Delehant.

Chairman Inman, with full consent of the Board, directed the Clerk to place the item on tonight's Action Agenda.

County Job Vacancies

County Manager Bryan Steen presented the following vacant positions for the Board's

consideration:

- EMS- ambulance crew position
- Public Building, seasonal part-time park position
- Health Department – Processing Assistant IV
- Home Health – Public Health Nurse II

Health Director Josh Swift noted the following regarding the Health Department's vacancies:

- Processing Assistant IV position is responsible for processing all bills for the adult health, women's health, and child health (Medicare, Medicaid, private insurances, etc.)
- Very necessary position
- Have been working with the position vacant, but another staff member in the same area has given notice of her leaving in June 09 – thus creating a hardship on the clerical staff
- Home Health Public Health Nurse will allow Home Health to see more patients, increase revenue, and provide more services to the citizens of Stokes County
- With the current economy, patient load has increased
- Board of Health endorsed filling the two vacant positions and directed Director Swift to proceed to the next step which is to request approval from the Board of Commissioners

The Board discussed the two vacancies with Director Swift and the Health Department's current billing procedures.

Director Swift noted that the department is having state consultants review the department's current billing procedures for accuracy and efficiency.

Chairman Inman, with full consent of the Board, directed the Clerk to place the Health Department vacant positions on tonight's Action Agenda.

County Manager Steen noted the following regarding the EMS and Public Building vacancies:

- Emergency Medical Services Director Monty Stevens noted the following to Manager Steen regarding the vacant position:
 - Possibility that another staff member may take maternity leave before the vacant position is filled which will rapidly deplete the part time roster
 - Vacation leave requested by employees will also deplete the part time roster
 - Currently have part timers who are interested in a full time position
- Public Buildings – Part time seasonal park position

- Two employees are currently out on worker's compensation at the landfill
- Custodian from Public Buildings is currently working at the landfill
- Part time position at the park will work on Saturdays, Sundays, and Mondays
- Hope summer youth can assist the Public Buildings staff
- Part time position will decrease the accrual of comp. time for full time staff

Vice Chairman Walker expressed concerns with the selective hiring procedures currently in place. Vice Chairman Walker noted that the department head should know best if the position should be filled.

Commissioners Carroll and Smith had no issues with all vacancies being presented to the Board for consideration during the current economic status.

Commissioner Lankford expressed concerns with hiring a part time position at the park before the County receives information about the number of summer youth the county will be receiving especially in the current economic crisis. Commissioner Lankford feels the County should be very cautious in filling vacant positions.

Chairman Inman noted the need to be very cautious with full time employees earning comp. time which could possibility cost the County more than a part time position and reiterated that the vacant positions are not new positions. Chairman Inman stated that he would like to see a comparison cost between paying off comp. time versus hiring a temporary part time position.

The Board discussed moving the item to tonight's Action Agenda.

Chairman Inman, with a consent from the majority of the Board, directed the Clerk to place the item on tonight's Action Agenda.

Proposed EMS Final Plan Specifications

Support Services Supervisor Danny Stovall presented the final plans/specifications for the new Pinnacle EMS Station for the Board's review. Mr. Stovall noted the following:

- Building plans/specifications are 95% complete
- EMS Director has reviewed the plans and suggested some minor changes
- Planning Department and Fire Marshal are currently reviewing the plans

- Trying to make sure the plans are right in order to eliminate change orders which increase cost
- Would be willing to meet with Commissioners individually to discuss the plans
- Bids will hopefully be released within the next two weeks
- Project will be bid per NCGS 143-129 for formal bids
- \$100.00 plan deposit fee will be charged to all bidders that pick up plans, full plan deposit will be returned only to contractors that submit bids provided all documents are returned in good condition within (10) days after bid date
- Contractors, subcontractors or vendors can purchase additional sets directly from Sharp Images
- Bids will be requested as single prime and multi prime
- With the proposed project projected to be over \$300,000, a Resolution for Stokes County To Adopt Outreach Plan and to Establish Verifiable Percentage Goal for Participation by Minority Businesses in the Awarding of Business Construction Contracts Pursuant NCGS 143-128.2 should be adopted after a public hearing by the Board of Commissioners
 - Stokes County has a current verifiable goal of 10 percent for minority participation for building construction or repair projects
 - Goal will be reviewed every 3 years
 - Outreach Plan and Guidelines for Recruitment and Selection of Minority Businesses for Participation in Stokes County's Building Construction or Repair Contracts, which was obtained from the North Carolina School of Government, was presented for the Board's review
 - Proposed Resolution for Stokes County to Adopt Outreach Plan and to Establish Verifiable Percentage Goal for Participation by Minority Businesses in the Awarding of Business Construction Contracts Pursuant NCGS 143-128.2, which was also obtained from the North Carolina School of Government, was presented for the Board's review

The Board discussed the building plans/specifications and the proposed Outreach Plan and Guidelines for Recruitment and Selection of Minority Businesses for Participation in Stokes County's Building Construction or Repair Contracts.

Chairman Inman directed Board members to meet with Mr. Stovall individually to further review the plans/specifications if desired.

Proposed Resolution – CenterPoint Human Services – Merger of Rockingham County

CEO Betty Taylor, CenterPoint, presented the following proposed Resolution for the Board's consideration regarding the merger of Rockingham County into the CenterPoint

catchment area:

**Resolution of Approval by the Stokes County Board of Commissioners
For the Addition of Rockingham County to the
CenterPoint Human Services Local Management Entity**

WHEREAS, CenterPoint Human Services is the Local Management Entity (CenterPoint LME) for Davie, Forsyth and Stokes Counties (Catchment Area) as provided in NCGS §122C-115 with a combined population of approximately 431,687;

WHEREAS, the Alamance-Caswell-Rockingham LME (ACR LME) includes the counties of Alamance, Caswell and Rockingham with a combined population of approximately 258,686;

WHEREAS, the Rockingham County Board of Commissioners on February 23, 2009, unanimously approved its resolution of intent to change its LME from ACR LME to CenterPoint LME as authorized by NCGS §122C- 115.3(a);

WHEREAS, Rockingham County with a population of approximately 91,928 seeks to join the CenterPoint LME on July 1, 2009 in compliance with NCGS §122C-115.3(a) forming a four-county Local Management Entity with a combined population of approximately 523,615;

WHEREAS, the final Resolution of the Rockingham County Board of Commissioners was approved on May 11, 2009; and

WHEREAS, the Resolution of Intent by the Board of Directors of CenterPoint Human Services to Expand the Local Management Entity through the Addition of Rockingham County was approved on March 26, 2009 and the final Resolution of Approval by the Board of Directors of CenterPoint Human Services to Expand the Local Management Entity through the Addition of Rockingham County will be approved on May 28, 2009;

WHEREAS, all requirements under NCGS 122C including continuity of care for consumers will be met and approval of the Secretary of the Department of Health and Human Services shall be obtained prior to July 1, 2009 as required by NCGS 122C-115.(c); and

WHEREAS, CenterPoint Human Services seeks to formalize the approvals of Davie, Forsyth and Stokes Counties for the addition of Rockingham County;

NOW THEREFORE BE IT RESOLVED THAT THE

Stokes County Board of Commissioners approves the addition of Rockingham County to the Catchment Area served by CenterPoint Human Services on July 1, 2009 to serve the mental health, developmental disability and substance abuse needs for the four counties of Davie, Forsyth, Rockingham and Stokes.

Approved and adopted the ____ day of _____, 2009.

(SEAL)

Chairman J. Leon Inman

Vice Chairman Jimmy Walker

April 27, 2009

[15]

Commissioner Ron Carroll

Commissioner Ernest Lankford

Commissioner Stanley Smith

Attest:

Darlene M. Bullins
Clerk to the Board

CEO Taylor noted the following regarding the proposed resolution:

- Rockingham County seeks to join the CenterPoint LME on July 1, 2009 forming a four-county Local Management Entity
- Merger will be a positive for Stokes County
 - Residents of Stokes will be able to receive services in Rockingham County, which will be closer than traveling to Winston Salem (especially for those citizens in the northern part of the County)
 - Allocation for services is based on population, increased funding is expected to increase services in the four county area
 - Addition of Rockingham's 91,928 population will place CenterPoint over the 500,000 threshold which is a crucial minimum benchmark to apply for Medicaid waiver – this waiver will be presented to the Board during fiscal year 2009-10
 - Merger will be positive not only for Stokes County, but for all four counties in the catchment areas
- Request approval at the May 11th meeting

The Board discussed the proposed Resolution with CEO Taylor.

Chairman Inman, with full consent of the Board, directed the Clerk to place the item on the May 11th Action Agenda.

Proposed Resolution – Opposing the Proposed State Tobacco Tax Increase

County Manager Bryan Steen presented the following proposed Resolution as requested by the Board of Commissioners at the April 14th meeting regarding Opposing the Proposed State Tobacco Tax Increase:

**A RESOLUTION OPPOSING THE PROPOSED
STATE TOBACCO-TAX INCREASE**

WHEREAS, Governor Beverly Perdue has proposed to balance the shortfall in the State's budget in part by increasing the tax on tobacco;

WHEREAS, the Governor’s proposal would increase the State tax on Cigarettes by \$1.00, in addition to a 62 cents increase in the federal tax on cigarettes, which will become effective April 1, 2009;

WHEREAS, the proposed State tobacco-tax increase combined with the federal increase in the tobacco-tax would result in an average retail price for cigarettes in North Carolina of approximately \$5.50 per pack;

WHEREAS, the proposed tobacco-tax increase could be destructive to the tobacco industry, including Reynolds American, Inc. and R. J. Reynolds Tobacco Company, major tobacco manufacturing companies based in Winston-Salem, Forsyth County, N.C.;

WHEREAS, Reynolds American and R. J. Reynolds Tobacco Company employs a number of Stokes County residents and pays approximately \$123,595.84 yearly in real and personal property taxes to the Stokes County.

NOW, THEREFORE, BE IT RESOLVED that the Stokes County Board of Commissioners hereby expresses its opposition to the above-described, proposed State tobacco-tax increase and encourages other municipalities and counties to also express their opposition to this tax increase.

Adopted this ___ day of April 2009.

Chairman J. Leon Inman

Vice Chairman Jimmy Walker

Commissioner Ron Carroll

Commissioner Ernest Lankford

Commissioner Stanley Smith

Attest:

Darlene M. Bullins
Clerk to the Board

The Board discussed the proposed Resolution.

Chairman Inman, with full consent of the Board, directed the Clerk to place the item on tonight’s Action Agenda.

**Acquisition of Land – Nancy Reynolds Project – Approval of Purchase Price
Capital Budget Ordinance**

County Manager Bryan Steen presented the following information regarding the acquisition of land for the Nancy Reynolds Project – approval of purchase price:

- Information has been received from Stokes County School System Attorney Fred Johnson and Superintendent Stuart Hobbs related to the purchase price for land for the Nancy Reynolds Project
 - Boles Property which includes 2.33 acres along with a residential dwelling on the parcel = \$81,000.00 (current tax value)
 - George Property which includes 8.32 acres @\$4,000 per acre = \$33,280.00

Commissioner Carroll requested to discuss the proposed Capital Budget Ordinance which was transferred from the Consent Agenda with the purchase price of the land for the Nancy Reynolds Project.

Chairman Inman requested to be recused from any discussion or action regarding the proposed Capital Budget Ordinance due to a potential financial conflict.

Chairman Inman turned the meeting over to Vice Chairman Walker.

Vice Chairman Walker entertained a motion to allow Chairman Inman to be recused from any discussion or action regarding the proposed Capital Budget Ordinance.

Commissioner Smith moved to recuse Chairman Inman from any discussion or action regarding the Capital Budget Ordinance. Commissioner Lankford seconded and the motion carried unanimously.

Chairman Inman excused himself from the meeting.

The Board discussed the following proposed Capital Budget Ordinance presented by Finance Director Julia Edwards:

Capital Project Ordinance

BE IT ORDAINED by the Governing Body of the County of Stokes, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is the purchase of land, mobile classroom and other related expenditures financed by a private placement.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the budget contained herein.

Section 3. The following amounts are appropriated for the project:

Nancy Reynolds School Project		
Land	400.5914.660	\$ 144,170.00
PODS w/related costs	400.5914.690	\$ 18,502.00

Financing Fees	400.5914.750	\$ 13,125.00
Contingency	400.5914.970	<u>\$ 21,808.00</u>
Total		\$ 197,605.00

New Elementary School

Land	400.5915.660	\$1,307,086.00
Financing Fees	400.5915.750	\$ 13,125.00
Contingency	400.5915.970	<u>\$ 21,808.00</u>
Total		\$1,342,019.00

Section 4. The following revenues are anticipated to be available to complete this project:

Proceeds from financing	400.3831.002	\$1,539,624.00
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Section 5. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due.

Section 7. The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 9. Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Director for direction in carrying out this project

Adopted this __ day of May, 2009

J. Leon Inman-Chairman

Jimmy Walker-Vice Chairman

Ron Carroll-Commissioner

Ernest Lankford-Commissioner

Stanley Smith- Commissioner

Darlene M. Bullins-Clerk to the Board

Commissioner Carroll questioned the amount of funding on the proposed Capital Budget Ordinance regarding the land already approved for the purchase in the Yadkin Township for a new elementary school and the amount being requested for land acquisition for the Nancy Reynolds Project. Commissioner Carroll noted both amounts related to land purchases exceed what was approved for the new elementary school and what is being requested for the Nancy Reynolds Project.

Finance Director Edwards noted that the amounts for both projects included other estimated

costs such as site preparation costs, appraisal costs, deed stamps, etc.

The Board discussed the proposed Capital Budget Ordinance with Director Edwards.

The Board requested the land purchase prices be listed in a separate line item.

Vice Chairman Walker, full consent of the Board, requested Finance Director Edwards to revise the proposed Capital Budget Ordinance and place the Ordinance and the land purchase cost for the Nancy Reynolds Project on the May 11th Action Agenda.

Vice Chairman Walker turned the meeting back over to Chairman Inman.

Appointments – Stokes County Planning Board

Chairman Inman noted the following vacancies which were presented at the April 7th Planning meeting and the April 14th Board of Commissioners' meeting:

- Snow Creek Township
- Beaver Creek Township
- Big Creek Township
- Peters Creek Township

Chairman Inman noted that the following were nominated at the April 14th meeting:

- Beaver Creek Township – Ted Hairston
- Big Creek Township – Ronnie Tilley
- Peters Creek Township – Tommy White

Commissioner Lankford nominated Steven Spencer to serve from the Snow Creek Township.

Commissioner Lankford moved to appoint the following to serve on the Stokes County

Planning Board:

- Beaver Creek Township – Ted Hairston
- Big Creek Township – Ronnie Tilley
- Peters Creek Township – Tommy White

Vice Chairman Walker seconded and the motion carried unanimously.

The Snow Creek Township appointment can be considered at the April 27th meeting.

GENERAL GOVERNMENT – GOVERNING BODY – ACTION AGENDA

County Auction – Declaring Surplus Property – Proposed Resolution

Support Services Supervisor Danny Stovall submitted the revised proposed Resolution regarding the upcoming County Auction:

RESOLUTION

STATE OF NORTH CAROLINA

COUNTY OF STOKES

WHEREAS, GS 153A-176 authorizes the County to dispose of real or personal property in accordance with procedures prescribed in Chapter 160A, Article 12;

WHEREAS, the County of Stokes has accumulated an excessive amount of unusable personal property and vehicles and it is in the best interest of the County to dispose of items listed below by public auction in accordance with GS 160A-270;

Miscellaneous Items:

Tire Changer Wheel Balancer(3) Aluminum Dog Boxes
Minolta Copier Wood Desks Office Chairs

County Vehicles:

1986 Toyota	JT4RN67DOG5016832
1988 Ford	1FABP57U5JA193662
1993 Chevrolet	1GCCS14ZXP8120860
1993 Chevrolet	2FACP71W4PX141013
1993 Ford	2FACP71W4PX141014
1993 Ford Ambulance	1FDKE30MOPHA30413
1994 Ford	2FALP71W4RX143123
1995 Toyota	4TARN93P2SZ321876
1995 Ford	2FALP71W5SX160602
1995 Ford	2FALP71W0SX160605
1995 Ford	2FALP71W6SX160608
1996 Ford	2FALP71W0TX202322
1997 Ford Chassis	1FDKE30F3VHB08990
1998 KIA	KNAFB1214W5710592
2001 Ford Chassis	1FDWE35F51HA74121

Impounded Vehicles:

Suzuki Motorcycle	No Vin/No Title
1998 Honda 4 Wheeler	JH3TE1909WK304340
1966 Chevrolet	C1546B142649
1975 Chevrolet	CC0145B158848
1978 Chevrolet	1N69U8J191528
1979 Dodge	NL41D9F150680

1980 Pontiac	2E7VA7686478
1981 Ford	1FABP35F6BU111348
1982 Buick	1G4AM47A2CH242501
1983 Lincoln	1LNBM81F2JY809173
1987 Datsun	1N6ND06Y6EC350842
1985 QALT	1G1GZ37G9FR134317
1986 Buick	1G4AH19R7GD420731
1986 Chevrolet	1G1AW19R4G6264784
1986 Chevrolet	1G1BN69H7GY181253
1987 Toyota	JT2AE86S7H0281506
1987 Chevrolet	1GNCT18R1H0186955
1987 Ford	1FABP40AXHF122058
1987 Nissan	JN1HT2117HT045947
1988 Mitsubishi	JA7FL24D4JP028559
1988 Mazda	JM1BF2227J0176997
1989 Ford	1FTDE14Y6KHA08679
1989 Pontiac	1G2NE14U9KC699144
1989 Nissan	JN1HS36P0KW030881
1989 Buick	1G4NJ14N5KM011324
1990 Ford	1FTHS34M9LHA40837
1990 Ford	1FTHS34M9LHA40837
1991 Toyota	JT4RN81A1M0060468
1991 Mazda	JM2UF3142M0168291
1991 Ford	2FACP72G3MX166246
1992 Mazda	JM1HD4613N0127685
1992 Cadillac	1G6CB53B1N4276286
1992 Nissan	JN1EJ01F8PT401507
1993 Ford	1FAPP6246PH196833
1993 Nissan	1N4EB32A6PC778664
1994 Pontiac	1G2WJ52M0RF265746
1994 Ford	1FTCR10A2RTA46989
1995 Chevrolet	1G1JC124XS7137077
1995 Chevrolet	1G1LV1540SY268690
1996 Ford	3FASP11J1TR137556
1996 Chevrolet	1G1JC1248T7121851
1997 Ford	1FALP13PLVW162844
2000 Chevrolet	1G1NE52J9Y6162933
2001 Pontiac	1G2JB524117321523
2001 Chevrolet	2C1MR522116709805

NOW, THEREFORE BE IT RESOLVED that the Stokes County Board of Commissioners declares the above personal property as surplus and is to be sold at public auction.

AND, BE IT FURTHER RESOLVED that the Stokes County Board of Commissioners approves May 16, 2009, at 10:00 a.m., at the Stokes County Governmental Complex in Danbury as the time and place of said public auction.

Adopted this the ____ day of _____ 2009.

J. Leon Inman – Chairman

Jimmy Walker – Vice Chairman

April 27, 2009

[22]

Ron Carroll - Commissioner

Ernest Lankford - Commissioner

Stanley Smith - Commissioners

Attest

Darlene Bullins – Clerk to the Board

Chairman Inman entertained a motion.

Commissioner Carroll moved to approve the submitted Resolution declaring Surplus Property. Commissioner Lankford seconded and the motion carried unanimously.

Proposed Resolution – Authorizing the Negotiation of Installment Financing Contract – School Projects

Chairman Inman requested to be recused from any discussion or action regarding the Proposed Resolution – Authorizing the Negotiation of Installment Financing Contract for School Projects due to a potential financial conflict.

Chairman Inman turned the meeting over to Vice Chairman Walker.

Vice Chairman Walker entertained a motion to allow Chairman Inman to be recused from any discussion or action regarding the Proposed Resolution – Authorizing the Negotiation of Installment Financing Contract for School Projects due to a potential financial conflict.

Commissioner Smith moved to recuse Chairman Inman from any discussion or action regarding the Proposed Resolution – Authorizing the Negotiation of Installment Financing Contract for School Projects due to a potential financial conflict. Commissioner Lankford seconded and the motion carried unanimously.

Chairman Inman excused himself from the meeting.

County Manager Bryan Steen noted the information as requested by the Board at the April 14th meeting from Bond Attorney Don Ubell. Attorney Ubell noted that no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and taxing

power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract.

The Board had no further issues.

Vice Chairman Walker entertained a motion regarding the following proposed Resolution regarding the Authorization to Negotiate Installment Financing for School Projects:

A regular meeting of the Board of Commissioners of the County of Stokes, North Carolina, was duly held on April 27, 2009 at 1:30 p.m. in the Commissioner’s Chambers on the 2nd Floor of the Administration Building located at 1014 Main Street, Danbury, North Carolina. Chairman Leon Inman presiding.

The following members were present:

The following members were absent:

-
-
-
-
-

Commissioner _____ moved that the following resolution, copies of which having been made available to the Board of Commissioners, be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF STOKES, NORTH CAROLINA, AUTHORIZING THE NEGOTIATION OF AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO

WHEREAS, the County of Stokes, North Carolina (the “County”) is a validly existing political subdivision of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the “State”);

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment financing contracts in order to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the Board of Commissioners of the County (the “Board of Commissioners”) determines that it is in the best interest of the County to enter into an installment financing contract (the “Contract”) with a financial institution to be determined (the “Bank”) to provide for the acquisition of land to be used for school purposes and the acquisition and installation of portable classroom units (the “Project”) and create a security interest in all or a portion of the property acquired with the proceeds of the Contract;

WHEREAS, the County hereby determines that the Project is essential to the County’s proper, efficient and economic operation and to the general health and welfare of its inhabitants; that the Project will provide an essential use and will permit the County to carry out public functions that it is authorized by law to perform; and that entering into the Contract and Deed of Trust is necessary and expedient for the County by virtue of the findings presented herein;

WHEREAS, the County hereby determines that the Contract allows the County to purchase the Project and finance the acquisition of title thereto at a favorable interest rate currently available in the financial marketplace and on terms advantageous to the County;

WHEREAS, the County hereby determines that the estimated cost of the Project is an amount not to exceed \$2,600,000 and that such cost of the Project exceeds the amount that can be prudently raised from currently available appropriations, unappropriated fund balances and non-voted bonds that could be issued by the County in the current fiscal year pursuant to Article V, Section 4 of the Constitution of the State;

WHEREAS, although the cost of the Project pursuant to the Contract is expected to exceed the cost of the Project pursuant to a bond financing for the same undertaking, the County hereby determines that the cost of the Project pursuant to the Contract and Deed of Trust and the obligations of the County thereunder are preferable to a general obligation bond financing or revenue bond financing for several reasons, including but not limited to the following: (1) the cost of a special election necessary to approve a general obligation bond financing, as required by the laws of the State, would result in the expenditure of significant funds; and (2) the time required for a general obligation bond election would cause an unnecessary delay which would thereby decrease the financial benefits of the Project and (3) no revenues are produced by the Project so as to permit a revenue bond financing;

WHEREAS, the County has determined and hereby determines that the estimated cost of the Project pursuant to the Contract reasonably compares with an estimate of similar costs under a bond financing for the same undertaking as a result of the findings delineated in the above preambles;

WHEREAS, the County does not anticipate a property tax increase to pay installment payments falling due under the Contract;

WHEREAS, the sums to fall due under the Contract will be adequate but not excessive for its proposed purpose;

WHEREAS, Parker Poe Adams & Bernstein LLP, as special counsel ("*Special Counsel*"), will render an opinion to the effect that entering into the Contract and the transactions contemplated thereby are authorized by law;

WHEREAS, no deficiency judgment may be rendered against the County in any action for its breach of the Contract, and the taxing power of the County is not and may not be pledged in any way directly or indirectly or contingently to secure any moneys due under the Contract;

WHEREAS, the County is not in default under any of its debt service obligations;

WHEREAS, the County's budget process and Annual Budget Ordinance are in compliance with the Local Government Budget and Fiscal Control Act, and external auditors have determined that the County has conformed with generally accepted accounting principles as applied to governmental units in preparing its Annual Budget ordinance;

WHEREAS, past audit reports of the County indicate that its debt management and contract obligation payment policies have been carried out in strict compliance with the law, and the County has not been censured by the North Carolina Local Government Commission (the "*LGC*"), external auditors or any other regulatory agencies in connection with such debt management and contract obligation payment policies;

WHEREAS, a public hearing on the Contract after publication of a notice with respect to such public hearing has been held and approval of the LGC with respect to entering the Contract must be received; and

WHEREAS, the County hereby determines that all findings, conclusions and determinations of the County in this Resolution are subject to modification or affirmation after all interested parties have been afforded the opportunity to present their comments at a public hearing regarding the execution and delivery of the Contract and the acquisition of the Project to be financed thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF STOKES, NORTH CAROLINA, AS FOLLOWS:

Proposed Red Flag Identification Theft Policy
Security of Sensitive and Confidential Information and Breach Response Plan

Finance Director Julia Edwards presented the revised proposed Stokes County Security of Sensitive and Confidential Information and Breach Response Plan (Red Flag Rule) for the Board's consideration:

County of Stokes
Administrative Policy

Policy: Security of Sensitive and Confidential Information and Breach Response Plan

Approved By: Stokes County Board of Commissioners

Date Approved:
REMOVE DRFT

Effective Date: 05/01/09

Supersedes:

SECTION 1. Purpose

In accordance with the Federal Trade Commission's Fair and Accurate Credit Transactions Act of 2003, the Identity Protection Act of 2005, North Carolina General Statutes (N.C.G.S) 75-60 of the Identity Theft Protection Act, N.C.G.S 14-113.20 Identity Theft, and N.C.G.S 132-1.10 of the Public Records Act (together, the "Act"), the County is required to safeguard certain information of customers, vendors, employees, and other individuals who provide information to the County that is covered by the Act. The purpose of this policy is to communicate to employees and third parties their responsibility for protecting sensitive and confidential information pursuant to the Act and a response plan in the event that there is a breach of information subject to the Act.

SECTION 2. Definitions

Sensitive Information – Information that is identifying information according to the Act and through contractual obligations related to merchant services (credit card acceptance). The following are specifically identified as sensitive information:

1. Social security and employer taxpayer identification numbers
2. National and international identification
3. Drivers license, State identification card, or passport numbers
4. Credit card and debit card numbers
5. Savings and checking account numbers
6. Personal Identification (PIN) Code
7. Passwords
8. Electronic identification numbers, electronic mail names or addresses, internet account numbers, or internet identification names
9. Customer credit information (credit history, pay arrangements, and financial transactions)
10. Parent's legal surname prior to marriage
11. Any other numbers or information that can be used to access a person's financial resources.
12. Digital signatures
13. Biometric data

14. Fingerprints
15. A persons first name or first initial and last name in combination with identifying information

Confidential information – Under State statute (N.C.G.S 132-1), the County also has an obligation to secure and limit access to other information involving customers and employees. The following are identified as confidential information, although this is not a complete listing:

1. Communication with legal counsel
2. State and local tax information that contain information about a taxpayer's income or receipts except as provided in G.S. 153A-148.1 and G.S. 160A-208.1.
3. Public enterprise billing information (utility customer data)
4. Records of criminal investigations conducted by public law enforcement agencies
5. Names, addresses, telephone numbers, or email addresses that are contained in the 911 database, emergency notification system, or reverse 911 system.
6. Emergency response plans
7. Economic development incentives

Security Breach – A breach is considered to have taken place if any sensitive or confidential information is suspected to have been stolen, viewed, copied, or otherwise compromised by an unauthorized individual or if it is suspected that information has been lost and could be accessed by unauthorized individual(s). A breach of information can occur physically or virtually via technology. Access and use of sensitive or confidential information by an employee or agent of the County for a legitimate purpose is not a security breach, provided that the sensitive or confidential information is not used for a purpose other than a lawful purpose and is not subject to further unauthorized disclosure.

SECTION 3. Responsibilities of Departments

- 3.1 Each department will develop and maintain a standard procedure to provide staff with specific guidance on the protection of sensitive and confidential information applicable to the department. Departmental procedures will supplement, but not supersede this policy or applicable laws.
- 3.2 Each department will ensure that service providers who are in contact with sensitive or confidential information are aware of security requirements, as well as the need for confidentiality, through proper contractual agreements and arrangements.
- 3.3 Department heads are responsible for determining which employees are authorized to access and handle sensitive and confidential information and the department head must ensure that the authorized employees are trained to handle such information in accordance with this policy.
- 3.4 All employees who manage and work with sensitive and confidential information are required to read and sign the Sensitive Information User Agreement which will be maintained in the employees personnel file.
- 3.5 All third party contractors who may have access to sensitive and confidential information are required to read and sign the Sensitive Information Service Agreement which will be maintained with the contract.

SECTION 4. Managing, maintaining, and storing sensitive and confidential information

- 4.1 Employees who have access to sensitive and confidential information are required to create, handle, maintain, and dispose of such information with prudent care in order to ensure proper security. Access to sensitive and confidential information will be limited and only provided in order for authorized employees and contractual third parties to perform essential tasks for County business.

- 4.2 The following procedures should be followed while creating, handling, maintaining, storing, and disposing of sensitive information.
1. Enter information directly to a final destination (i.e. computer system) and refrain from documenting the information in other areas.
 2. If sensitive information is written on paper for reference, shred immediately upon recording the information in the final destination.
 3. Electronic payment data should be handled by authorized personnel and only the last 4 digits of the customer's credit or debit account number should be visible on reports.
 4. Sensitive information should not be included on e-mails.
 5. Sensitive information should not be included on printed reports except as needed for the performance of essential tasks.
 6. Maintain documents that contain sensitive information in a secured room and limit access to the area.
 7. If possible, utilize encryption to secure information in the database or storage system.
 8. Do not leave a computer unattended if sensitive information could be accessed by unauthorized individuals. While away from the computer, log off or lock the workstation.
 9. Do not store files with sensitive information on laptops or on flash drives unless the information and the device can be secured and not accessible to unauthorized individuals.
 10. Take reasonable measures when destroying sensitive data that will prohibit the information from being read or reconstructed. Documents with sensitive data should be shredded by the individual who has authorized access to the data or by another employee while in the presence of the authorized employee. The County may enter into a written contract with a third party in the business of record destruction to destroy sensitive information in a manner consistent with this policy.
- 4.3 In order to protect sensitive and confidential information, the County will only release sensitive information to the account holder or individual(s) who own the information upon confirmation of personal identifying information or a valid picture ID. The confirmed account holder or individual may authorize the release of sensitive information to a third party. Confidential information will only be released in accordance with state statute. The only exception will be the release of specified information pursuant to a court order, warrant, subpoena or other requirement by law.

SECTION 5. Identify Theft Risk

- 5.1 The County has a responsibility to define high risk areas for identity theft and identify potential threats for identity theft known under the Act as red flags. The red flags are indicators that sensitive information is being fraudulently used. This policy in combination with department specific guidelines should help to detect a potential for identify theft and unauthorized use of information.
- 5.2 The following are red flags that have been identified as indicators that sensitive information is being used fraudulently. Red flags are most commonly associated with activity on customer accounts (utilities, taxes, activity registrations, vendors). Other red flags may exist that are unique to a department and should be included in departmental guidelines.
1. The customer or individual provides notice that they are a victim of identify theft
 2. A consumer reporting agency or service provider has provided an alert, notification, or other warning
 3. Unusual number of recent and significant inquiries
 4. Unusual or significant change in recently established credit or financial relationships
 5. Conflicting names on identification and other documentation
 6. Documents provided appear to have been altered or forged
 7. Picture identification is not consistent with the appearance of the individual presenting the identification or the physical description on the identification does not match
 8. Shortly after establishing an account, there is a request to change a mailing address or to add authorized users to the account
 9. Personal identifying information provided is not consistent with other external information sources

- a. Social security number does not match or is listed on the Social Security Administration's death master file
 - b. Address does not match or is fictitious, a mail drop, or prison
 - c. The phone number is invalid or associated with a pager or answering service
 - d. Authenticating information (i.e. PIN, password) provided is incorrect
 - e. Name on credit card or check does not match name on account or names associated with the account
- a. 5.3 Upon identification of a red flag indicating a potential risk of identify theft; staff should notify their immediate supervisor in person or by telephone to determine the validity of the red flag. Once an identify theft risk is confirmed, staff should respond in accordance with the breach response plan (Section 6).

SECTION 6. Sensitive and Confidential Information Breach Response Plan

6.1 Step 1. Identify that a breach of sensitive or confidential information has occurred.

Physical Breach - The following are indications that there has been unauthorized access to sensitive and confidential information via a physical breach. Other activities may occur that are also physical breaches that are not included in the listing.

- a. Evidence of lock tampering on file cabinets or office doors
- b. Evidence of unauthorized entry in an area where sensitive and confidential information is stored
- c. Missing files or documents that contain sensitive information

Technology Breach - The following are indications that there has been unauthorized access to sensitive and confidential information via a technology breach. Other activities may occur that are also technological breaches that are not included in the listing.

- a. Unknown or unauthorized name in the computer logon window
- b. Disconnected computer cables or power cables
- c. Missing computer equipment (desktop, laptop)
- d. Evidence that electronic files have been accessed by unknown or unauthorized individuals or are missing
- e. Devices or media attached to the computer that are not known or authorized
- f. Unusual programs running, icons, or windows that appear that are not known and are not part of the normal work process
- g. Any other suspicious activity which indicates an attempt to use technology without approval

6.2 Step 2. Notify the appropriate internal and external contacts.

Internal notification – Any County employee who becomes aware of a suspected or actual security breach must notify their immediate supervisor. The immediate supervisor will notify department management who is responsible for further investigation and notification. If the breach involves electronic equipment, the Information Systems Manager should be notified by telephone or in person.

External notification – The County is required to notify affected individuals of actual security breaches. Each suspected breach will be reviewed by the County manager's office, the department where the breach occurred, law enforcement, and Information Systems (if applicable) to determine the appropriate action that will include the following:

- a. Notify the affected individuals without unreasonable delay providing information in general terms about the incident, the type of sensitive information that was subject to the unauthorized access, the actions that the County will take to protect the information from further access, a telephone number that the person may call for further information and assistance, and advice that directs the person to remain vigilant by reviewing account statements and monitoring free credit reports.

- b. Providing affected individuals with information about how to alert credit agencies to potential fraud and identity theft.
- c. Notice to affected individuals may be provided by one or more of the following methods:
 - a. Written notice
 - b. Electronic notice for those individuals for whom the County has a valid email address and who have agreed to receive communications electronically
 - c. Telephonic notice provided the contact is made directly with the affected persons and appropriately documented by the County.
- d. If a security breach involves more than 1,000 persons, the County will provide written notice of the timing, distribution, and content of the notice to the Consumer Protection Division of the North Carolina Attorney General’s Office, as well as to all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined in 15 U.S. C. 1681a(p).
- e. Notice may be delayed if law enforcement informs the County that disclosure of the breach would impede a criminal investigation or jeopardize national security. Such request by law enforcement must be documented in writing.

Step 3. Implement Plan

The County Manager will designate a security breach response team to investigate and handle the breach until such time that the threat has ended and affected individuals and agencies are notified.

Technology Breach Response – The Information Systems division is responsible for the following response upon being notified of a technology security breach by the Finance Director or County Manager.

- a. The Information Systems division will notify computer users that a technology breach has occurred and the breach response plan is being implemented
- b. The Information Systems division will secure the computer infrastructure as deemed appropriate which may include but is not limited to disconnecting network connections to outside locations, disconnecting servers or any other device on the network until the breach is isolated.
- c. Information services will preserve evidence that may be needed by law enforcement for investigative purposes

6.3 Step 4. Review of Plan

At least annually, the County will review all incidents of potential or actual security breaches and report findings and recommendations to the County Board of Commissioners..

SENSITIVE INFORMATION USER AGREEMENT

I have read the Security of Sensitive and Confidential Information and Breach Response Plan policy for the County of Stokes, North Carolina and understand how to properly manage, maintain, store, and dispose of sensitive and confidential information at the County of Stokes, North Carolina. I will abide by the policy and will handle sensitive and confidential information with prudent care in order to ensure proper security of the information.

In the event of a suspected or actual breach of sensitive and confidential information, I will notify my immediate supervisor without delay and follow the breach response plan.

I understand that negligent handling or inappropriate use of the County’s sensitive and confidential information will be subject to disciplinary action up to and including dismissal and may be criminally and civilly prosecuted as allowed by law.

I have read, understand, and agree to the conditions above.

Printed Name of Employee: _____

Department/Division: _____

Signature of Employee: _____

Date Signed: _____

SENSITIVE INFORMATION SERVICE AGREEMENT

I, _____, an authorized representative of _____ (“Company”), hereby acknowledge that I have read and will adhere to the requirements listed below as they apply to the services procured by the County of Stokes, North Carolina (“County”).

1. The appointed representative(s) of the Company have read the County of Stokes, North Carolina administrative policy III.14 Security of Sensitive and Confidential Information and Breach Response Plan.
2. The Company accepts responsibility for the security of sensitive and confidential information in their possession.
3. Data can only be used to complete the service as described by the County for which the Company was engaged to perform.
4. If the Company is providing service that is related to a key function of the County, the Company must assure business continuity in the event of a major disruption, disaster, or failure as provided for by contract.
5. If a security intrusion has been detected, the Company will notify the County immediately. If the Company has placed sensitive data on their system and the system has been breached, the Company will allow their system to be thoroughly reviewed at the Company’s expense. This review may be conducted by the County or an appointed representative. In the event the intrusion is related to credit card numbers, the review may be conducted by a Payment Card Industry representative and will validate compliance with Payment Card Industry Security Standards for protecting cardholder data.

Name of Company: _____

Address: _____

Name of Representative: _____

Title: _____

Signature: _____

Date: _____

Director Edwards noted the following had been deleted from the policy:

- A substitute notice may be given if the cost of providing the notice exceeds \$250,000, the number of affected persons is greater than 500,000, or the County does not have the necessary contact information to notify the individual in any of the aforementioned

matters. A substitute notice will include posting a notice on the County's website and notifying major statewide media.

The Board had no other issues with the revised proposed policy.

Chairman Inman entertained a motion.

Vice Chairman Walker moved to approve the submitted Stokes County Security of Sensitive and Confidential Information and Breach Response Plan (Red Flag Rule). Commissioner Smith seconded and the motion carried unanimously.

DSS Stimulus Funding

Chairman Inman entertained a motion.

Commissioner Lankford moved to approve the recommendation from DSS Director Spencer to contract with Vanguard Professional Staffing regarding the DSS Stimulus Funding for two Food Stamps workers. Vice Chairman Walker seconded and the motion carried unanimously.

Proposed Bids – Construction of New Well for Danbury Water System

Chairman Inman entertained a motion.

Commissioner Lankford moved to reject all proposed bids for the Construction of a New Well for the Danbury Water System and re-advertise. Vice Chairman Walker seconded and the motion carried unanimously.

Job Vacancies – Health Department

Chairman Inman entertained a motion.

Commissioner Smith moved to approve the request from Health Director Josh Swift to fill the Processing Assistant IV and Home Health Public Health Nurse vacancies. Vice Chairman Walker seconded and the motion carried unanimously.

Job Vacancies – EMS and Parks/Public Works

Chairman Inman entertained a motion.

Commissioner Smith moved to approve the request from County Manager Bryan Steen to fill the EMS Ambulance Crew full time vacancy and the Public Buildings Park part time vacancy. Vice Chairman Walker seconded and carried 4-0 with Commissioner Lankford requesting further discussion before the vote.

Commissioner Lankford reiterated the need to wait to fill the Park part time position until after the County receives notification of how many summer youths will be available to work. Manager Steen noted that the summer youth would not be a good fit working at the park. Commissioner Lankford noted that the summer youth included ages 16-24 which could possibly work at the Park.

Chairman Inman recalled the vote.

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

Proposed Resolution – Opposing the Proposed State Tobacco Tax Increase

Chairman Inman entertained a motion.

Commissioner Lankford moved to approve the submitted Proposed Resolution – Opposing the Proposed State Tobacco Tax Increase. 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 discuss matters relating to the location or expansion of industries or other businesses in the County pursuant to G.S. 143-318.11(a)(4).

Commissioner Smith moved to enter into closed session for the following:

- To discuss matters relating to the location or expansion of industries or other businesses in the County pursuant to G.S. 143-318.11(a)(4).

Vice Chairman Walker seconded and the motion carried unanimously.

The Board returned to the open session of the April 27th meeting.

Adjournment

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

Commissioner Smith 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