

STATE OF NORTH CAROLINA )  
 )  
COUNTY OF STOKES )  
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OFFICE OF THE COMMISSIONERS  
STOKES COUNTY GOVERNMENT  
DANBURY, NORTH CAROLINA  
MAY 11, 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, May 11, 2009 at 1:30 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  
Planning Director David Sudderth  
Economic Development Director Alan Wood  
Public Works Director Mark Delehant  
Chief Animal Control Officer Phil Handy  
Tax Administrator Jake Oakley  
County Attorney Edward Powell

Chairman J. Leon Inman called the meeting to order and delivered the invocation.

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

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

**PUBLIC HEARING – Proposed Minority Outreach Business Plan Pursuant to North Carolina General Statute 143-128.2.**

Chairman Inman called to order the Public Hearing for the proposed Minority Outreach

Business Plan pursuant to North Carolina General Statute 143-128.2.

There were no public comments.

Chairman Inman closed the Public Hearing.

## **GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA**

Chairman Inman entertained a motion to approve or amend the May 11, 2009 Agenda.

Commissioner Lankford moved to approve the May 11, 2009 Agenda as submitted.

Vice Chairman Walker seconded and the motion carried unanimously.

## **PUBLIC COMMENTS**

The following spoke during public comments:

### **Mark Steele**

1090 Walking Horse Lane  
Sandy Ridge, NC 27046

Re: **Leash Law**

Mr. Steele stated that he was not against dogs, but expressed concerns regarding the number of dogs that run loose in Stokes County and having to dodge dogs in the highway. Mr. Steele noted that a friend had recently hit a dog and now is left with a \$500 deductible to pay. Mr. Steele stated that he feels that owners should be liable for their pets and hopes a leash law would be a minimal expense for the County.

### **Ms. Jan Cox**

2263 Brown Mtn. Road  
Pilot Mountain, NC 27041

Re: **Nancy Reynolds Elementary School**

Ms. Cox spoke on behalf of the Nancy Reynolds Historical Committee. Ms. Cox extended the Committee's appreciation to the Stokes County Board of Education and Dr. Stewart Hobbs for the thorough school feasibility study conducted by Mr. David Appleyard. Ms. Cox stated that the Committee supports the Board of Education's recommendation to renovate the existing gym and to reconstruct Nancy Reynolds on its current site with the exterior looking as much as possible like the current school and with an interior of a 21<sup>st</sup> Century state of art facility to include an auditorium and additional square footage for the students and staff. Ms. Cox also expressed the Committee's appreciation to the Board of Commissioners for their support and commitment for the Nancy Reynolds Project.

**Chairman Bill Hart**  
Board of Education

Chairman Hart noted that he would be available for any questions during Dr. Hobbs' presentation during the Discussion Agenda.

**CONSENT AGENDA**

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

**Minutes**

- Minutes of March 5, 2009
- Minutes of March 12, 2009
- Minutes of April 27, 2009

**Social Services – Budget Amendment #69**

Finance Director Julia Edwards submitted Budget Ordinance Amendment #69.

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

<b>Account Number</b>	<b>Account Description</b>	<b>Current Budgeted Amount</b>	<b>Increase (Decrease)</b>	<b>As Amended</b>
	<b>Social Services</b>			
100.5310.000	Salaries and Wages	\$1,650,144.00	\$(29,940.00)	\$1,620,204.00
100.5310.180	Professional Services	\$38,000.00	\$29,940.00	\$67,940.00
	<b>Totals</b>	<u>\$1,688,144.00</u>	<u>\$ 00.00</u>	<u>\$1,688,144.00</u>

This budget amendment is justified as follows:

To transfer the American Recovery and Reinvestment Act of 2009 funds from Salaries and Wages to Professional Services to contract for the Food and Nutrition Service Workers.

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.

**Proposed Proclamation – Stokes County Emergency Medical Services Week 2009**

Emergency Services Director Monty Stevens submitted the following proposed Proclamation – “Emergency Medical Services Week 2009” for the Board's approval:

**STOKES COUNTY  
PROCLAMATION BY THE  
STOKES COUNTY BOARD OF COMMISSIONERS  
“EMERGENCY MEDICAL SERVICES WEEK 2009”**

**WHEREAS**, The State of North Carolina has proclaimed May 17-23, 2009 as "**EMERGENCY MEDICAL SERVICES WEEK**"; and

**WHEREAS**, Stokes County's Emergency Medical Services system is a vital public service; and

**WHEREAS**, the members of the Emergency Medical Services teams are ready to provide life-sustaining care to those in need twenty-four hours a day, seven days a week; and

**WHEREAS**, over the years, the quality of emergency care has dramatically improved the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, the residents and visitors to Stokes County benefit daily from the dedicated efforts, knowledge and skills of the emergency medical teams, career and volunteer; emergency medical technicians; paramedics; emergency nurses; emergency physicians; rescue squad workers; fire fighters; public safety telecommunications personnel; emergency administrators; emergency response educators; disaster response personnel, and others who received specialized training and continuing education to enhance and maintain their lifesaving skills; and

**WHEREAS**, injury prevention, public safety education and the appropriate use of the Emergency Medical Services system will help reduce health care costs; and

**WHEREAS**, to recognize the value and accomplishments of the Emergency Medical Services teams, we set aside a special period to observe the contribution of these men and women to the citizens of Stokes County.

**NOW, THEREFORE, THE STOKES COUNTY BOARD OF COMMISSIONERS** do hereby proclaim **May 17-23, 2009**, as "**EMERGENCY MEDICAL SERVICES WEEK**" in Stokes County, and call upon all citizens to observe this period with appropriate programs and activities.

Adopted this 11<sup>th</sup> day of **May 2009**.

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**J. Leon Inman - Chairman**

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**Jimmy Walker – Vice Chairman**

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**Ron Carroll - Commissioner**

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**Ernest Lankford - Commissioner**

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**Stanley Smith - Commissioner**

Attest:

\_\_\_\_\_  
**Darlene M. Bullins – Clerk to the Board**

Commissioner Carroll noted the following corrections to the Proposed Proclamation –

“Stokes County Emergency Medical Services Week 2009”:

- Last paragraph – **do** should be **does** and **call** should be **calls**

**JCPC – Funding Recommendation for Fiscal Year 2009-10**

JCPC Chairman Jan Spencer presented the following JCPC funding recommendation at the April 27<sup>th</sup> meeting with a request for action at the May 11<sup>th</sup> meeting to submit the application request to the State for funding:

- 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

**Proposed Resolution – CenterPoint Human Services – Merger of Rockingham County**

CEO Betty Taylor, CenterPoint, presented the following proposed Resolution – Merger of Rockingham County at the April 27<sup>th</sup> meeting with a request for action at the May 11<sup>th</sup> meeting:

**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 **11th** day of **May, 2009**.

(SEAL)

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**Chairman J. Leon Inman**

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**Vice Chairman Jimmy Walker**

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**Commissioner Ron Carroll**

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**Commissioner Ernest Lankford**

\_\_\_\_\_  
**Commissioner Stanley Smith**

Attest:

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

Vice Chairman Walker moved to approve the Consent Agenda as amended.

Commissioner Smith seconded and the motion carried unanimously.

## **GENERAL GOVERNMENT – GOVERNING BODY – INFORMATION AGENDA**

### **Proposed Water Shortage Response Plan**

Public Works Director Mark Delehant submitted the following proposed Water Shortage Response Plan for the Danbury Water System:

**Stokes County Public Works  
Town of Danbury, North Carolina  
Water Shortage Response Plan**

**May 2009**

The procedures herein are written to reduce potable water demand and supplement existing drinking water supplies whenever they are in danger of being inadequate to meet customer needs.

#### I. Authorization

The Stokes County Manager is authorized to enact water shortage response provisions whenever the trigger conditions outlined in Section IV are met. In his or her absence, the Public Works Director will assume this role.

May 11, 2009

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Mr. Kenneth B. Steen  
Stokes County Manager  
Phone: (336) 593-2448  
E-mail: [bsteen@co.stokes.nc.us](mailto:bsteen@co.stokes.nc.us)

Mr. Mark Delehant  
Public Works Director  
Phone: (336) 593-2415  
E-mail: [mdelehant@co.stokes.nc.us](mailto:mdelehant@co.stokes.nc.us)

## II. Notification

The following notification methods will be used to inform water system employees and customers of a water shortage declaration: employee e-mail announcements, notices at municipal buildings, notices in water bills and on the Stokes County website homepage. Required water shortage response measures will be communicated through *The Stokes News*, PSA announcements on local radio and cable stations, and on the Stokes County website. Declaration of emergency water restrictions or water rationing will be communicated to all customers by telephone through use of reverse 911.

## III. Levels of Response

Five levels of water shortage response are outlined in the table below. The five levels of water shortage response are: voluntary reductions, mandatory reductions I and II, emergency reductions and water rationing. A detailed description of each response level and corresponding water reduction measures follow below.

Stage	Response	Description
1	Voluntary Reductions	Water users are encouraged to reduce their water use and improve water use efficiency; however, no penalties apply for noncompliance. Water supply conditions indicate a potential for shortage.
2	Mandatory Reductions I	Water users must comply with required water use reduction and efficiency measures; penalties apply for noncompliance. Water supply conditions are significantly lower than the seasonal norm and water shortage conditions are expected to persist.
3	Mandatory Reductions II	Same as in Stage 2
4	Emergency Reductions	Water supply conditions are substantially diminished and pose an imminent threat to human health or environmental integrity.
5	Water Rationing	Water supply conditions are substantially diminished and remaining supplies must be allocated to preserve human health and environmental integrity.

In Stage 1, Voluntary Reductions, all water users will be asked to reduce their normal water use by 5%. Customer education and outreach programs will encourage water conservation and efficiency measures including: irrigating landscapes a maximum of one inch per week; preventing water waste, runoff and watering impervious surfaces; watering plants deeply to encourage root growth; washing only full loads in clothes and dishwashers; using spring-loaded nozzles on garden hoses; and identifying and repairing all water leaks.

In Stage 2, Mandatory Reductions I, all customers are expected to reduce their water use by 10% in comparison to their previous month's water bill. In addition to continuing to encourage all voluntary reduction actions, the following restrictions apply: irrigation is limited to a half inch per week between 8PM and 8AM; outdoor use of drinking water for washing impervious surfaces is prohibited; and all testing and training purposes requiring drinking water (e.g. fire protection) will be limited.

In Stage 3, Mandatory Reductions II, customers must continue actions from all previous stages and further reduce water use by 20% compared to their previous month's water bill. All non-essential uses of drinking water are banned and garden and landscape irrigation must be reduced to the minimum amount necessary for survival. Additionally, in Stage 3, a drought surcharge of 1.5 times the normal water rate applies.

In Stage 4, Emergency Reductions, customers must continue all actions from previous stages and further reduce their water use by 25% compared to their previous month's water bill. A ban on all use of drinking water except to protect public health and safety is implemented and drought surcharges increase to 2 times the normal water rate.

The goal of Stage 5, Water Rationing, is to provide drinking water to protect public health (i.e. residences, residential health care facilities and correctional facilities). In Stage 5, all customers are only permitted to use water at the minimum

required for public health protection. Firefighting is the only allowable outdoor water use and pickup locations for distributing potable water will be announced according to Stokes County's Emergency Response Plan. Drought surcharges increase to 5 times the normal water rate.

IV. Triggers

Stage	Well Operating Conditions
1	Pumping Time >10 hrs 20% reduction in seasonal normal distance from static water level and pump intake 20% increase pumping time for same output
2	Pumping Time >12 hrs 40% reduction in distance from static water level and pump intake 40% increase pumping time for same output
3	Pumping Time >14 hrs 60% reduction in distance from static water level and pump intake 60% increase pumping time for same output
4	Pumping Time >20 hrs 80% reduction in distance from static water level and pump intake
5	Water level at pump intake elevation

V. Enforcement

The provisions of the water shortage response plan will be enforced by the County of Stokes Public Works Department and Sheriff Office personnel. Violators may be reported to the County's Public Works Department or the Public Works Director via

E-mail listed on the County's website (<http://www.co.stokes.nc.us/>). Citations are assessed according to the following schedule depending on the number of prior violations and current level of water shortage.

Water Shortage Level	First Violation	Second Violation	Third Violation
None	Warning	\$100	\$250
Voluntary Reductions	Warning	\$250	\$500
Mandatory Reductions (Stages 2 and 3)	Warning	\$250	Discontinuation of Service
Emergency Reductions	\$250	Discontinuation of Service	Discontinuation of Service
Water Rationing	\$500	Discontinuation of Service	Discontinuation of Service

Drought surcharge rates are effective in Stages 3, 4 and 5.

VI. Public Comment

Customers will have multiple opportunities to comment on the provisions of the water shortage response plan. First, a draft plan will be posted on the Stokes County website. A public hearing will be scheduled with notice printed on all customer water bills to collect comments on the draft. All subsequent revisions to the draft plan will be posted at least 30 days prior to an adoption vote by the Stokes County Commissioners.

VII. Variance Protocols

Applications for water use variance requests are available from the Stokes County Public Works Office. All applications must be submitted to the Public Works Office for review by the Public Works Director or his or her designee. A decision to approve or deny individual variance requests will be determined within two weeks of submittal after careful consideration of the following criteria: impact on water demand, expected duration, alternative source options, social and economic importance, purpose (i.e. necessary use of drinking water) and the prevention of structural damage.

VIII. Effectiveness

The effectiveness of the Stokes County Public Works, Town of Danbury



water shortage response plan will be determined by comparing the stated water conservation goals with observed water use reduction data. Other factors to be considered include frequency of plan activation, any problem periods without activation, total number of violation citations, desired reductions attained and evaluation of demand reductions compared to the previous year's seasonal data.

#### IX. Revision

The water shortage response plan will be reviewed and revised as needed to adapt to new circumstances affecting water supply and demand, following implementation of emergency restrictions, and at a minimum of every five years, as required by the provisions of G.S. 143-355 (l). Further, a water shortage response planning work group will review procedures following each emergency or rationing stage to recommend any necessary improvements to the plan to The Stokes County Commissioners. The Stokes County Public Works Director is responsible for initiating all subsequent revisions.

Public Works Director Delehant discussed the following:

- The State mandates each water provider to have a Water Shortage Response Plan in place, in the event of a drought or other catastrophic event that hampers the provider's ability to maintain an adequate supply of potable water
- The plan must be implemented and be enforceable
- Stage One – Voluntary Reductions
- Stage Two – Mandatory Reductions I
- State Three – Mandatory Reductions II
- Stage Four – Emergency Reductions
- Stage Five – Water Rationing
- Provisions of the Water Shortage Response Plan will be enforced by the Stokes County Public Works Department and the Sheriff's Department
- Citations will be assessed depending on the number of prior violations and current level of water shortage

The Board discussed the proposed plan with Director Delehant.

Vice Chairman Walker noted the plan guidelines need to be restrictive enough to do what it needs to do, but not unnecessarily restrictive.

Director Delehant requested the Board schedule a Public Hearing for citizen comments.

Chairman Inman, with full consent of the Board, directed the Clerk to schedule a Public Hearing for the May 26<sup>th</sup> meeting.

#### **Water Intake from the Dan River – Discussion**

County Manager Bryan Steen discussed the following:

- Recent discussion at the Board's Goal Planning Session regarding Water Intake from the Dan River

- Initial inquiries have been made at the State level regarding obtaining a permit, with uncertainty about building a facility at the present time
- State officials noted that the Board could not just obtain the permit without following through with the entire process
- Estimates for a private consultant to provide a letter of intent to obtain a permit would be approximately \$5,000 with a full comprehensive study estimated at an additional \$40,000+

Planning Director David Sudderth, who is the County's Watershed Administrator, discussed the following:

- No current drinking supply Watershed Intakes in Stokes County
- The Intake in Rockingham County (Madison) covers a large portion of Stokes County, it is a WS#4 Watershed which is the least restrictive regarding land use controls upstream
- When you add an Intake within your boundaries, you are required to classify the Intake
- WS#1 Classification is the most restrictive which is property entirely owned by the government itself
- If the County decides to continue to pursue an Intake from the Dan River, it will change some of the land use patterns, densities can increase with the development of a water system
- The County should plan ahead and look at the land use pattern to make sure there are no adverse situations created for future land use
- County should know their potential customer base which will provide information needed to determine cost involved with the project

The Board discussed the Agenda item with Director Sudderth.

Vice Chairman Walker noted that if the County does not take a proactive approach and act on this now, there might be a possibility of other governmental units downstream obtaining permits which might make it difficult for the County to obtain a permit at a later time.

Commissioner Lankford noted that planning is always needed, but not sure this is the right time with other infrastructure needs more vital than this particular issue.

Commissioner Carroll noted the need to see where this fits into long range planning for Stokes County and would like for the County Manager, Planning Director, Economic Development Director, and EDC to see how it fits with the total economic development picture

and also determine what kind of time frame the County has and what steps should the County be pursuing.

Chairman Inman noted that this could possibly be placed on the EDC Agenda with a report back to the Board of Commissioners.

### **Economic Development - Update**

Economic Development Director Alan Wood presented a power point presentation regarding Google Analytics:

- Provides valuable information regarding our tourism website
- Goggle Analytics is absolutely free
- Learn how many visitors have contacted our tourism website
- Learn where visitors come from and how they interact with our tourism website
- Learn how long they stay on our tourism website
- Learn what pages they are visiting and how long
- Learn how they found our tourism website
- Google Analytics strengthens your marketing initiatives
- Learn what areas are best to market
- Great marketing tool
- Tourism Website has had 911 visitors within the first 3 weeks of tracking the information
- Tracking information shows that visitors from New York are in the top ten

Director Wood discussed the following information regarding the County's new "Facebook" page for Tourism and Economic Development:

- Approximately 160 million people are on "Facebook" which is currently growing by 100,000 a day
- Trying to build a tool for marketing
- No charge, can develop the page yourself, not very difficult to develop
- Page has been active for about a week and already has 108 fans
- Will be providing pictures of pets that can be adopted from the Animal Shelter
- Will reach out to citizens who have left the county
- Will become a marketing tool for Stokes County
- Can promote small businesses in the County
- Will be promoting the Farmer's market
- Will be meeting with EDC members to further develop the "Facebook" page as a marketing tool
- Will help to market Stokes County to the citizens of the County and also open a window to the rest of the world

- The County will be one of three Economic Development “Facebook” pages in North Carolina
- Will go hand in hand with the Cascade Highlands (RTI) website that is scheduled to be released within the next few weeks

The Board discussed the “Facebook” page with Director Wood.

**Update – Manager and Board of Commissioners**

Commissioner Carroll noted that he had received information from the Stokes County Fire and Rescue Association that the Association had endorsed the proposed modifications to the Policy for Fire Service District and Fire Commission and Use of Service District Funds. Commissioner Carroll requested the proposed modifications to the policy be placed on the May 26<sup>th</sup> Agenda.

Chairman Inman directed the Clerk to place the item on the May 26<sup>th</sup> Agenda.

**GENERAL GOVERNMENT – GOVERNING BODY – DISCUSSION AGENDA**

**Stokes County School Construction Funding**

Dr. Stewart Hobbs, Superintendent, discussed the following information regarding school construction funding:

- Stokes County Board of Education is committed to the top three school construction projects identified previously as Nancy Reynolds Elementary School; New Elementary School (Yadkin Township); and Southeastern Middle School renovations/new construction  
**Nancy Reynolds Elementary School Project**
- Board of Education has approved Option #5 for Nancy Reynolds Elementary School from the Facility and Site Assessment conducted by Ersoy, Brake, Appleyard Architects, PA
- Option #5 consists of 20% renovation and 80% new construction, the gym will be saved and renovated while the remaining buildings will be demolished and replaced with a new facility in the footprint of the old school to closely resemble the existing Nancy Reynolds Elementary School
- Total estimated cost for completion is \$9,402,952.00 with the estimated construction cost being \$6,678,554.00 (based on 49,999 total square feet at \$135.57 per square ft)
- Significant savings if funding is made available as soon as possible due to current construction costs
- Would like for students to be back at Nancy Reynolds by January 2011 or sooner if possible

- The estimated cost of \$9,402,952.00 includes cost of land, site preparation including demolition, construction, equipment, bonding, contingency, professional fees, everything but PODS

**New Yadkin Township Elementary School**

- Board of Education has identified a possible modified prototype for the New Yadkin Township Elementary School
- Once funding is approved, construction on the new school could begin within six to eight months due to the use of a prototype school
- With this modified time schedule, there could be a significant savings of this project due to current construction cost
- Project could be completed as early as December 2010 if funding becomes available immediately
- Total estimated cost for completion is \$14,838,500.00 with estimated construction cost being \$9,040,625.00 (based on 72,325 total square feet at \$125.00 per square ft)

**Southeastern Middle School**

- Board of Education has selected a combination of renovation and new construction
- Renovation of the facility could be completed in phases if necessary
- Total estimated cost for completion is \$9,251,016.00 with estimated construction cost being \$6,004,250.00 (renovation and site improvements estimated at \$1,122,424.00)

**Other Comments**

- Stokes County Schools Top Three Priorities Total Estimated Cost - \$33,492,468.00
- The Board of Education would respectfully request the Stokes County Board of Commissioners authorize funding immediately in order that the construction process may proceed promptly within the funding allocated
- The Board of Education would request that the Stokes County of Commissioners authorize funding for Nancy Reynolds Elementary School, and possible funding for the New Yadkin Township Elementary School and/or Southeastern Middle School
- Reiterated the significant savings if project/projects could be started as soon as possible

The Board discussed school construction needs with Dr. Hobbs.

Commissioner Carroll reiterated that he would be ready to vote for a Nancy Reynolds Project once a project was endorsed by the Board of Education and he is ready to vote.

Commissioner Lankford noted he was very supportive of the recommended project.

Commissioner Smith noted he was also ready to go forward with the Nancy Reynolds Project endorsed by the Board of Education and ready to move on the other projects as soon as possible.

Dr. Hobbs noted that if funding could be made possible for schematic, pre-design work for the other projects, this would help to keep the process moving and be ready when funding

was available. (Permitting is a very drawn out process)

Chairman Inman expressed the Board of Commissioners' appreciation to the Board of Education for their commitment to finding the best solution for the Nancy Reynolds School and its community.

Chairman Hart, Board of Education, reiterated Dr. Hobbs' comments regarding the need for additional funding for pre-design work for the other projects in order to have the projects ready if funding were to come available and the urgent need to move forward with the Nancy Reynolds Project which is disrupting two schools.

Chairman Inman requested additional information regarding planning costs.

Dr. Hobbs noted the following:

- Currently owes Ersoy, Brake, Appleyard and their consultants approximately \$31,400
- Currently owes SFL+a approximately \$130,000+
- Some planning costs could be negotiated if awarded the particular project
- Estimated total planning costs = \$200,000

Vice Chairman Walker requested if additional information could be provided pertaining to the estimated planning costs.

Dr. Hobbs noted he would forward the requested information regarding the planning costs.

County Manager Bryan Steen noted that the information provided today has already been forwarded to the County's financial advisor.

Chairman Inman directed the County Manager to proceed with the next steps for financing the Nancy Reynolds Project and have Financial Advisor Doug Carter at the May 26<sup>th</sup> meeting.

Manager Steen noted that several documents pertaining to the Nancy Reynolds Project would need to be approved at the May 26<sup>th</sup> meeting.

Dr. Hobbs spoke briefly regarding proposed cuts from the State which would increase each class size by two students, which would result in 48 teaching positions lost in Stokes County.

Stimulus funding would only fund 26 of the 48 teaching positions and only for one year.

### **Proposed Stokes County Animal Control Ordinance – Amendments**

Chairman Mona Singleton, Stokes County Animal Control Advisory Council, discussed the following information regarding the proposed amendments to the Stokes County Animal Control Ordinance: (Chief Animal Control Officer Phil Handy, Animal Control Advisory Members Ted Kitzmiller and Leslie Staples were also in attendance for the meeting)

- Current Animal Control Ordinance has been revised and updated
- Proposed amendments will provide up-to-date rules and regulations pertaining to various areas of pet ownership and responsibility, as well as the consequences when those laws are violated
- Revised amendments will make stronger cases in the event the case ends up in court
- Provides Animal Control Officers with ordinances needed to enforce the laws that protect our citizens and animals – no personal interpretation
- Proposed Ordinance is very detailed
- More detailed information regarding “dangerous dogs”
- More detailed information regarding how to “tethering an animal”
- Housing requirements for an animal have been addressed
- A separate voucher program for spay/neutering and an adoption contract are also being proposed separate from the ordinance
- The voucher would allow the new pet owner to take their pet to a participating vet who has agreed to alter the animal for \$60.00 or less
- The adoption contract will provide better document regarding those who adopt animals from the shelter
- Advisory Council would like to increase the adoption rate from \$26.00 to \$100.00
- The increase includes the cost of spaying/neutering the adopted pet via a voucher
- County does not have the staff nor space to have the pets spayed/neutered before they are adopted
- County’s adoption rate is considerably lower than the surrounding counties
- Council feels the new adoption policy will help to address the long term spay/neuter issues in the county
- Animal Control Office stands behind the new proposed amendments to the Ordinance and feels the new amendments will assist them in their day to day operation
- Feels the voucher program would encourage individuals to have their pet spayed/neutered; therefore, reducing the number of unwanted animals in the County

The Board discussed the amendments to the current Ordinance, proposed voucher program along with the proposed increase in the adoption rate. Board members expressed concerns regarding

the proposed increased adoption rate to \$100.00, which will probably decrease the number of pets being adoption from the Shelter.

Chief Officer Handy expressed concerns that the increase in the adoption rate would decrease adoptions from the Shelter.

Chairman Singleton also noted that a Stokes County Humane Society has recently been created and working very hard to get up and running. The Society is working very hard to raise funding to provide assistance for spay/neutering and provide pet food for the Animal Shelter. Chief Officer Handy noted that he felt the Stokes County Humane Society would be a great asset to Stokes County.

Commissioner Carroll requested information regarding a citizen who spoke during public comments regarding the need for a Leash Law in Stokes County.

Chief Animal Control Officer Handy responded that it would be impossible to enforce due to lack of staffing, lack of space, and the rural area. Officer Handy referenced information on page 19 of the proposed Stokes County Animal Ordinance which relates to dogs at large.

Chairman Inman, on behalf of the Board, commended the Council on their hard work and expressed appreciation for the proposed amendments to the Animal Control Ordinance.

Chairman Inman directed the Clerk to schedule a Public Hearing regarding the proposed amendments to the Ordinance for the May 26<sup>th</sup> meeting. (a copy of the proposed amendments to the ordinance, proposed voucher program and adoption contract can be obtained from the Clerk to the Board of Commissioners.)

#### **Stokes County Animal Control Advisory Council – Vacancy**

Chairman Mona Singleton noted the resignation of Karen Venable from the Advisory Council and requested the Board consider Candis Loy of Animal Rescue of Stokes County for Ms. Venable's replacement.



Chairman Inman directed the Clerk to follow the County’s appointment policy.

**CenterPoint Human Services–Proposed Use of Stokes County Funding for Fiscal Year 2009-10**

County Manager Bryan Steen noted that information had been received from CenterPoint regarding the upcoming budget allocation. Manager Steen presented the following projected change in the distribution of funding as presented by CenterPoint:

		2008-09		2009-10		
Provider	Service	Allocation	%	Provider	Allocation	%
Monarch (SOC)	DD	166,029.00	42	Monarch (SOC)	166,029.00	42
Triumph	MH	116,000.00	29	Triumph	50,000.00	13
Daymark	MH	86,500.00	22	Daymark	42,000.00	11
Old Vineyard	Crisis	25,291.00	6	Old Vineyard	100,000.00	25
Transportation	Transport.	5,000.00	1	Transportation	10,000.00	2
Develop SA Svcs				Develop SA Svcs	30,791.00	7
		<b>398,820.00</b>				<b>398,820.00</b>

Manager Steen noted that Centerpoint requested the Board’s input regarding the restructure of funding allocations for the upcoming fiscal year.

CEO Betty Taylor, CenterPoint, noted the following:

- Mental health allocation has been decreased with Crisis allocation increasing
- As of April 30<sup>th</sup>, 51 individuals from Stokes have received services at Old Vineyard which is 51 admissions
- Currently, the Central Regional State Hospital which individuals from Stokes are assigned to use is closed to new admissions almost every day
- Old Vineyard is crucial to serve individuals in a crisis situation and also puts patrol officers back on the road faster
- Confirmed that there will be no funding available for the mental health coordinator position for the upcoming 2009-10 fiscal year
- **Monarch**, which oversees the Stokes Opportunity Center, remains the same
- **Triumph**, which primarily serving the Medicaid population, allocation better reflects consumer ratio
- **Daymark**, withdrew from Stokes County this year, allocation pays for Daymark services delivered in Jail for county and supports delivery of psychiatric services
- **Old Vineyard** – based on year to date utilization thru Feb. 2009, annual utilization for the fiscal year is projected to be 65 consumers at a cost of \$219,687

- **Transportation** – allocation increased due to historical history – a need to provide transportation to consumers who need assistance in getting to their appointments
- **Develop Substance Abuse Services** – use allocation with Rockingham County funding to establish the delivery of substance abuse services for consumers located in Stokes and Rockingham counties
- Rockingham County will have a needs assessment during the first quarter of the upcoming fiscal next year
- Key goal for the upcoming year – “Increase the level of choice and services for Stokes County”
- Projection of a 10% cut from the State, being very conservative this year
- On July 1, 2009, CenterPoint’s screening triage and referral will be staffed by CenterPoint employees 24/7 instead of after hours and weekends coverage being contracted out
- There are still needs in the County
  - Need for prevention and early intervention with children and adolescents regarding substance abuse
  - Need to assist the school system in doing more screenings for early detection of mental health issues
  - Need to quantify and understand the need for services for the geriatric population

The Board discussed the recommended allocations submitted by CenterPoint with Ms. Taylor.

Chairman Inman, with full consensus of the Board, directed Ms. Taylor to continue with the recommended allocation distribution percentages for discretionary funding for the upcoming 09/10 fiscal year with a funding appropriation to be approved in the county’s 2009-10 fiscal year budget.

Ms. Taylor noted that if funding were cut from the requested allocation, CenterPoint would then revisit the allocation distribution percentages and recommend a new allocation distribution to the Board.

**Tax Administration Report – April 2009**

Tax Administrator Jake Oakley presented the following informational data:

<b>Fiscal Year 2008-09</b>	<b>Budget Amt</b>	<b>Collected Amt</b>	<b>Over Budget</b>	<b>Under Budget</b>
County Regular & Motor Vehicles	\$(19,053,616.00)	\$18,348,955.64		\$704,660.36
<b>Prior Taxes 1991-2007 Tax Years</b>				
County Regular & Motor Vehicles	\$ 700,000.00	\$ 622,196.84		\$ 77,803.16
<b>EMS Collections</b>				

Total Collected (4-1-09/4-30-09) \$ 8,699.80  
 Total Collected (7-01-08/6-30-09) \$ 59,216.14  
 Delinquent accounts received from  
 EMS (Received on 04-16-09) =137  
 in the amount of \$24,837.27

<b>Personal Property Discovery Report</b>	<b># of</b>	<b>Total</b>	<b>Taxes</b>
<b>Audit Dates</b>	<b>Accts</b>	<b>Value</b>	<b>Due</b>
04-01-09/04-30-09	8	\$119,646	\$951.48

<b>Business Personal Property Discovery Report</b>	<b># of</b>	<b>Total</b>	<b>Taxes</b>
<b>Audit Dates</b>	<b>Accts</b>	<b>Value</b>	<b>Due</b>
04-01-09/04-30-09	0	\$00.00	\$00.00

<b>Motor Vehicle Release Report</b>	<b>Accounts</b>	<b>Total Value</b>
<b>Audit Dates</b>		
04-01-09/04-30-09	39	\$1,009.14

<b>Motor Vehicle Refund Report</b>	<b>Accounts</b>	<b>Total Accounts</b>
<b>Audit Dates</b>		
04-01-09/04-30-09	6	\$88.28

**Number billed for April 2009** 4475

**Garnishment Totals**

	<b>Totals</b>	<b>Original Levy</b>
<b>Month</b>	<b>Accounts</b>	<b>Amount</b>
F/Y 07-08 (July-June)	1547	\$ 585,042.84
F/Y 08-09 (July-Mar. 31 <sup>st</sup> )	1776	\$445,485.92
April 2009	296	\$114,771.83
<b>Totals</b>	<b>3550</b>	<b>\$1,145,300.59</b>

**Real and Personal Property Releases Less  
 than \$100–April 09-Per NCGS 105-381 (b)**

<b>Name</b>	<b>Account Number</b>	<b>Amount</b>
Geraldine & Donald Boyles	09A690403337123.1	\$55.01
	09A690403337123.2	\$55.01
	09A690403337123.3	\$55.01
Geradine Boyles	09A690403327189.1	\$2.63
	09A690403327189.2	\$2.38
	09a690403327189.3	\$2.38
Carol West	08A75069.09	\$40.24
	07A75069.09	\$35.36
		<b>\$248.02</b>

Tax Administrator Oakley presented the following Real and Personal Property Refunds (April 2009) which are more than \$100 for the Board's consideration:

**Real and Personal Property Refunds More than \$100–April 09-Per NCGS 105-381 (b)**

Name	Account Number	Amount	Reasons
Brant Mickel	08A155928303.07	\$119.08	
	07A155928303.07	\$123.83	
	06A155928303.07	\$121.00	
Ronda Melvin	08a63652.07	\$124.04	
	<b>Totals</b>	<b>\$497.95</b>	

Tax Administrator Oakley noted a current collection rate of 95.76% as of May 1, 2009.

Chairman Inman directed the Clerk to place the Real/Personal Property Refunds on the May 26<sup>th</sup> Consent 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:

Raymond Brown Well Company, Danbury, NC	= \$10,640.00
McCall Brothers Inc, Charlotte, NC	= \$14,420.00
Gopher Utility Services, Kannapolis, NC	= \$17,338.75

Director Delehant noted the following:

- Proposal to construct a new well for the Danbury Water System was re-advertised and bids received on Friday, May 8<sup>th</sup>
- Low bid was received from Raymond Brown Well Company
- All bids have been reviewed
- Recommendation from David W Poore, West Consultants, PLLC to award the contract to construct a new well for the Danbury Water System to Raymond Brown Well Company
- Requested to move the item to today’s Action Agenda
- A site for a new well has been located
- Grant funds will provide funding for the construction of the new well

The Board discussed two other pieces of property, one of which Mr. Delehant had already reviewed and the water found to have excessive amounts of iron in the water.

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

**NCDOT – Request to Abandon SR#1506 – Raymond Jessup Road from the Secondary Road System**

County Manager Bryan Steen noted that the County has received a request from NCDOT Assistant District Engineer Jeff Turner requesting the Board of Commissioners abandon State Road #1506 – Raymond Jessup Road from the Secondary Road System.

Ms. Ruth Jessup, the sole property owner, has requested that NCDOT abandon the road from the Secondary Road System.

Ms. Jessup has requested that the County proceed to also abandon the right of way.

Tax Administrator Jake Oakley has reviewed the request for the abandonment/closure of the Raymond Jessup Rd and found no issues with proceeding with the requests. Administrator Oakley noted that SR #1506 is a former road bed that is no longer used by the State, as the intersection with Asbury Road has been reconfigured.

The Board discussed the request from NCDOT.

Chairman Inman, with full consent of the Board, directed the Manager and Clerk to proceed with abandonment of SR#1506 from the Secondary Road System and abandonment of the right of way.

**Feasibility Study – Meadows Property**

Manager Bryan Steen noted the recent discussion at the Goals Planning Session regarding a feasibility study to determine if the Meadows site could be used for a community college location.

Support Services Supervisor Danny Stovall presented the following information regarding a feasibility study relating to the conversion of the old Department of Corrections/Department of Transportation facility/property into a Community College campus:

- Ten firms were sent information regarding the desired feasibility study
- Five firms submitted packets for consideration:
  - Peterson/Gordon Architects

- Gupton & Associates, PA
- Efrid Sutphin Pearce
- Ramsay, Burgin, Smith, Architects, Inc
- ArcVision Studios PC
- Feasibility goals that were included in the RFQ:
  - 20,000 square foot facility that could handle up to 600 students per day
  - New and renovations costs for the building construction
  - Cost for reactivation of the former wastewater system, along with the cost of a new wastewater system that could handle 6,000 gallons a day
  - Architect fees
  - Building site demolition cost
  - Water well system upgrade or a new system
  - Parking lot cost
  - Site diagrams
  - Written plan of action that contain a timeframe
- Estimated cost for a feasibility study – between \$9,000 and \$10,000

Manager Steen noted that the County would be sitting down with each firm to discuss their RFQ.

The Board discussed the agenda item.

Commissioner Smith noted:

- Would like to wait for discussion until the bid information is presented

Commissioner Lankford noted:

- Agrees with Commissioner Smith regarding the need to wait until the bid information is presented before discussing the item
- Timing is off with the current economy situation
- Does not feel another study is needed until after the environmental study is completed

Commissioner Carroll noted:

- Need to know the ramifications of the environmental issue, particularly possible timeframe from the State and what happens if the County decides to assume the responsibility of the clean up
- No interest in converting the existing prison building into a community college

Vice Chairman Walker noted:

- Very critical in the County's planning process
- Community College is very significant to the citizens
- Very much on board to receive the information from a feasibility study
- Need for the County to know the potential of the Meadows site
- Funding is available in Capital Reserve for the feasibility study

Chairman Inman noted:

- Need to start thinking if the site is not going to be an option for placement of a POD for Early College High School or for a location of a community college, then the Board needs to be considering alternate sites

Manager Steen reiterated the feasibility study would provide the County with answers to determine if the Meadows site can be used for Early College High School as well as a community college location and if there is any growth potential for the future.

Chairman Inman, with full consent of the Board, directed the Clerk to place the item on the May 26<sup>th</sup> Action Agenda.

### **Proposed Resolution – Installment Financing and Deed of Trust**

Chairman Inman requested to be recused from any discussion or action regarding the proposed Resolution – Installment Financing and Deed of Trust and Proposed Financial Institutional Bids 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 – Installment Financing and Deed of Trust and Proposed Financial Institutional Bids for School Projects.

Commissioner Smith moved to recuse Chairman Inman from any discussion or action regarding the proposed Resolution – Installment Financing and Deed of Trust and Proposed Financial Institutional Bids for School Projects. Commissioner Lankford seconded and the motion carried unanimously.

Chairman Inman excused himself from the meeting.

Finance Director Julia Edwards presented the following proposed Resolution approving an Installment Financing contract and a Deed of Trust with respect to the financing of purchase of land and mobile classrooms for a new elementary school project and the Nancy Reynolds project:

A regular meeting held on May 26, 2009 at 6:00 p.m. in the Commissioner's Chambers on the 2<sup>nd</sup> Floor of the Administration Building located at 1014 Main Street, Danbury, North Carolina. Chairman Leon Inman presiding.

Commissioners Present:

Commissioners Absent:

\* \* \* \* \*

Commissioner \_\_\_\_\_ introduced the following resolution, a summary of which had been provided to each Commissioner, a copy of which was available with the Clerk to the Board and which was read by title:

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF STOKES, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND A DEED OF TRUST WITH RESPECT THERETO AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**

*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") has determined that it is in the best interest of the County to (a) enter into an installment financing contract (the "Contract") with Branch Banking and Trust Company (the "Bank") in order to provide for the acquisition of land to be used for school purposes and the acquisition and installation of portable classroom units (collectively, the "Project"), (b) create a security interest in the land acquired to be used for school purposes (the "Mortgaged Property") through a deed of trust, security agreement and fixture filing (the "Deed of Trust"), (c) create a security interest in the portable classroom units (the "Equipment") through a financing statement (the "Financing Statement") and (d) enter into a lease agreement (the "Lease") with the Stokes County Board of Education (the "Board of Education") authorizing the use of the Equipment and the Mortgaged Property and any improvements thereon by the Board of Education;

*WHEREAS*, the Project will be owned and operated by the County;

*WHEREAS*, the Board adopted a resolution on April 27, 2009 making certain findings with respect to the Project and the proposed financing therefor;

*WHEREAS*, the Board conducted a public hearing with respect to the Project on April 14, 2009 to receive public comments on the Project, the proposed financing, the Contract, the Deed of Trust, the Financing Statement and the Lease;

*WHEREAS*, the County has filed an application with the LGC for approval of the LGC with respect to the County entering into the Contract in an aggregate principal amount of not to exceed \$2,600,000;

*WHEREAS*, there has been presented to the Board the forms of the Contract, the Deed of Trust and the Lease (collectively, the "Instruments"), copies of which are attached hereto, which the County proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing at an interest rate as specified in the Instruments; and

*WHEREAS*, it appears that each of the Instruments is in appropriate form and is an appropriate instrument for the purposes intended;



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

Section 1. ***Ratification of Prior Actions.*** All actions of the County, the County Manager, the Finance Director of the County and the Clerk to the Board and their respective designees in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. ***Approval, Authorization and Execution of Contract.*** The County hereby approves the Project in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the County in accordance with its terms. The County hereby approves the amount advanced by the Bank to the County pursuant to the Contract in an aggregate principal amount not to exceed \$2,600,000, such amount to be repaid by the County to the Bank as provided in the Contract. The form, terms and content of the Contract are in all respects authorized, approved and confirmed, and the Chairman, the County Manager, the Finance Director of the County and the Clerk to the Board or their respective designees are authorized, empowered and directed to execute and deliver the Contract for and on behalf of the County, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Contract, the Chairman, the County Manager, the Finance Director of the County and the Clerk to the Board or their respective designees are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract as executed.

Section 3. ***Approval, Authorization of Deed of Trust.*** The form, terms and content of the Deed of Trust are in all respects authorized, approved and confirmed, and the Chairman, the County Manager, the Finance Director of the County and the Clerk to the Board or their respective designees are authorized, empowered and directed to execute and deliver the Deed of Trust for and on behalf of the County, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Deed of Trust, the Chairman, the County Manager, the Finance Director of the County and the Clerk to the Board or their respective designees are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Deed of Trust as executed.

Section 4. ***Authorization of the Financing Statement.*** The Chairman, the County Manager, the Finance Director of the County and the Clerk to the Board or their respective designees are authorized, empowered and directed to file or have filed the Financing Statement for and on behalf of the County.

Section 5. ***Approval, Authorization and Execution of Lease.*** The form, terms and content of the Lease are in all respects authorized, approved and confirmed, and the Chairman, the County Manager, the Finance Director of the County and the Clerk to the Board or their respective designees are authorized, empowered and directed to execute and deliver the Lease for and on behalf of the County, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as shall to them seem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Lease, the Chairman, the County Manager, the Finance Director of the County and the Clerk to the Board or their respective designees are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Lease as executed.

Section 6. ***Further Actions.*** The County Manager, the Chairman of the Board and the Finance Director of the County are hereby designated as the County's representatives to act on behalf of the County in connection with the transactions contemplated by the Instruments, and the County Manager, the Chairman of the Board and the Finance Director of the County are authorized and directed to proceed with the Project in accordance with the terms of the Instruments, and to seek opinions on matters of law from the County Attorney, which the County Attorney is authorized to furnish on behalf of the County, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The Chairman, the County Manager and the Finance Director of the County are hereby authorized to

designate one or more employees of the County to take all actions which the Chairman, the County Manager and the Finance Director of the County are authorized to perform under this Resolution, and the Chairman, the County Manager, the Finance Director of the County or their designees are in all respects authorized on behalf of the County to supply all information pertaining to the transactions contemplated by the Instruments. The Chairman of the Board, the County Manager, the Finance Director of the County and the Clerk to the Board are authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the Instruments or as they may deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 7. **Repealer.** All motions, orders, resolutions, ordinances and parts thereof in conflict herewith are hereby repealed.

Section 8. **Severability.** If any section, phrase or provision of this Resolution is for any reason declared to be invalid, such declaration does not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 9. **Effective Date.** This Resolution is effective on the date of its adoption.

On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution entitled “**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF STOKES, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND A DEED OF TRUST WITH RESPECT THERETO AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**” was duly adopted by the following vote:

AYES:

NAYS:

The Board discussed the proposed Resolution with Finance Director Edwards.

Vice Chairman Walker, with full consent of the Board, directed the Clerk to place the item on the May 26<sup>th</sup> Action Agenda.

### **Proposed Financial Institutional Bids for School Projects**

Finance Director Julia Edwards presented the following information regarding the proposed financial institutional bids for school projects:

- Only one bid received – Branch Banking & Trust Co (BB&T)
- Financing will be used to purchase land for two elementary schools, acquisition and site work for two mobile classrooms and the cost of issuance
- Due to the current economic climate, it is acceptable to receive only one bank proposal
- Local Government Commission (LGC) has been made aware of the situation and sees no problem with only one proposal
- Amount to be financed not to exceed \$2,600,000
- Financing for PODS - \$1,145,000 (Rate is 4.07% for 15 years)
- Financing for land - \$1,454,000 (Rate is 4.73% for 20 years)
- Request the item be moved to today’s Action Agenda in order to have the proper financing documents prepared for the May 26<sup>th</sup> meeting

The Board discussed the proposed financing rates.

Vice Chairman Walker, with full consent of the Board, requested the Clerk place the item on today's Action Agenda.

Chairman Inman re-entered the meeting.

### **Report on Proposed Fire Service District Budget for Fiscal Year 2009-10**

County Manager Bryan Steen discussed the following information regarding the proposed Fire Service District Budget for Fiscal Year 2009-10:

- During the current budget year, two departments (Sauratown and Double Creek) requested approval to purchase vehicles using debt financing
- The representative from each department was specifically questioned if their department would be able to make the purchase without a budget increase in fiscal year 2009-10 and each representative affirmed no increase would be needed
- Sauratown Vol Fire – received allocation in the amount of \$197,837 for fiscal year 2008-09 and has been recommended by the Fire Association to receive \$199,273 funding in fiscal year 2009-10 budget (a \$1,436 increase)
- Double Creek Fire – received allocation in the amount of \$124,081 for fiscal year 2008-09 and has been recommended by the Fire Association to receive \$127,065 funding in fiscal year 2009-10 budget ( a \$2,984 increase)
- Information recently received from the Tax Administrator notes that the State has reduced utility property values in Stokes County and this appears to reduce the estimated Fire Service District Tax revenues by \$21, 909
- A small tax rate increase would likely be needed to fund the proposed Fire Service District Budget

The Board discussed the agenda item.

Commissioner Carroll noted that any discussion now would be premature and the next step according to the procedures is for the Manager to make a recommendation to the Board of Commissioners. The Board will take the Manager's recommendation into consideration during the budget work sessions.

Chairman Inman, with full consent of the Board, directed Manager Steen to make his recommendation regarding the Fire Service District Budget as part of his total 2009-10 budget recommendation.

## **Fiscal Year 2009-10 Budget Work Session Schedule**

The Board discussed possible dates for Fiscal Year 2009-10 Budget Work Sessions.

The Board unanimously agreed on the following dates:

- Public Hearing, Monday – June 1, 2009 - 7:00 pm Courtroom “A”
- Budget Work Sessions:
  - ❖ Wednesday, June 3, 2009 – 1:00 pm
  - ❖ Tuesday, June 9, 2009 – 2:00 pm
  - ❖ Wednesday, June 10, 2009 – 2:00 pm
  - ❖ Monday, June 15, 2009 – 4:00 pm –Joint Meeting (Board of Education)
  - ❖ Tuesday, June 16, 2009 – 9:00 am
  - ❖ Tuesday, June 23, 2009 – 4:00 pm

The Board discussed the State’s current shortfall – projected to be \$5.6 billion this year, Hold Harmless funding, ADM funding, Lottery funding and sales tax revenue.

## **Appointments – Stokes County Planning Board**

Chairman Inman noted that Steven Spencer was nominated at the April 27<sup>th</sup> for consideration for appointment to the Planning Board representing the Snow Creek Township.

Chairman Inman entertained a motion.

Commissioner Lankford moved to appoint Steven Spencer to serve on the Stokes County Planning Board representing the Snow Creek Township.

Commissioner Carroll seconded and the motion carried unanimously.

## **GENERAL GOVERNMENT – GOVERNING BODY – ACTION AGENDA**

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

Chairman Inman requested to be recused from any discussion or action regarding the Acquisition of Land – Nancy Reynolds Project –Approval of Purchase Price and proposed Capital Project Ordinance along with Proposed Financial Institutional Bids for School Projects due to a potential financial conflict.

The Board had no issues combining the Acquisition of Land for the Nancy Reynolds Project, Capital Project Ordinance and the proposed Financial Institutional Bids for School Projects.

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 Acquisition of Land – Nancy Reynolds Project – Approval of Purchase Price and proposed Capital Project Ordinance along with Proposed Financial Institutional Bids for School Projects

Commissioner Smith moved to recuse Chairman Inman from any discussion or action regarding the Acquisition of Land – Nancy Reynolds Project – Approval of Purchase Price and proposed Capital Project Ordinance along with Proposed Financial Institutional Bids for School Projects. Commissioner Lankford seconded and the motion carried unanimously.

Chairman Inman excused himself from the meeting.

County Manager Bryan Steen presented the following final land purchase prices for the Nancy Reynolds Project along with the proposed Capital Project Ordinance:

- Boles Property – to include home on the property = \$81,000.00 (current tax value)
- George Property – revised price to reflect more accurately the property tax revaluation value = \$36,300
- Total = \$117,300

### **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	\$ 117,300.00
Site Development	400.5914.650	\$ 23,170.00
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		\$ 195,755.00

**New Elementary School**

Land	400.5915.660	\$1,298,000.00
Site Development	400.5195.650	\$ 9,086.00
Financing Fees	400.5915.750	\$ 13,125.00
Contingency	400.5915.970	<u>\$ 21,808.00</u>
Total		\$1,343,869.00

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 11<sup>th</sup> 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

Vice Chairman Walker entertained a motion.

Commissioner Carroll moved to approve the purchase price for land at Nancy Reynolds in the amount \$117,300 and the submitted Capital Project Ordinance. Commissioner Lankford seconded and the motion carried (4-0) with Chairman Inman being recused from the vote.

## **Proposed Financial Institutional Bids for School Projects**

Vice Chairman Walker entertained a motion.

Commissioner Carroll moved to award the financing for the purchase of land for two elementary schools and the acquisition and site work for two PODS and cost of issuance to Branch Banking and Trust Company with a 4.07% rate for the PODS and 4.73% for the land and not to exceed \$2.6 million dollars. Commissioner Smith seconded and the motion carried (4-0) with Chairman Inman being recused from the vote.

Chairman Inman re-entered the meeting.

## **Adoption of Proposed Plan and Resolution for Minority Business Outreach Plan Pursuant to North Carolina General Statute 143-128.2**

Chairman Inman entertained a motion regarding the Adoption of proposed Plan and Resolution for Minority Business Outreach Plan Pursuant to NCGS 143-128.2 which was presented at the April 27<sup>th</sup> meeting:

### **OUTREACH PLAN AND GUIDELINES FOR RECRUITMENT AND SELECTION OF MINORITY BUSINESSES FOR PARTICIPATION IN STOKES COUNTY'S BUILDING CONSTRUCTION OR REPAIR CONTRACTS**

In accordance with G.S. 143-128.2, these guidelines establish goals for minority participation in single-prime bidding, separate-prime bidding, dual bidding, construction manager at risk, and alternative contracting methods, on Stokes County's building construction or repair projects in the amount of \$300,000 or more. The outreach plan shall also be applicable to the selection process of architectural, engineering, and Construction Manager-at-Risk services.

Stokes County has a current verifiable goal of **10 percent** for minority participation for building construction or repair projects. This goal will be reviewed **every 3 years**.

#### **SECTION A: INTENT**

It is the intent of these guidelines that Stokes County as awarding authority for building construction or repair projects, and the contractors and subcontractors performing the construction contracts awarded shall cooperate and in good faith do all things legal, proper, and reasonable to achieve the goal of **10 percent** for participation by minority businesses in each building construction or repair project as required by GS 143-128.2.

Nothing in these guidelines shall be construed to require contractors or awarding authorities to award contracts or subcontracts to or to make purchases of materials or equipment from minority-business contractors or minority-business subcontractors who do not submit the lowest responsible, responsive bid or bids.

## **SECTION B: DEFINITIONS**

1. Minority - a person who is a citizen or lawful permanent resident of the United States and who is:
  - a. Black, that is, a person having origins in any of the black racial groups in Africa;
  - b. Hispanic, that is, a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race;
  - c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, the Pacific Islands;
  - d. American Indian, that is, a person having origins in any of the original peoples of North America; or
  - e. Female
  
2. Minority Business (MBE) - means a business:
  - a. In which at least fifty-one percent (51%) is owned by one or more minority persons, or in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons or socially and economically disadvantaged individuals; and
  - b. Of which the management and daily business operations are controlled by one or more of the minority persons or socially and economically disadvantaged individuals who own it.
  
3. Socially and economically disadvantaged individual - means the same as defined in 15 U.S.C. 637: Socially disadvantaged individuals are those who have been subjected to racial or ethnic prejudice or cultural bias because of their identity as a member of a group without regard to their individual qualities. Economically disadvantaged individuals are those socially disadvantaged individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business area who are not socially disadvantaged.
  
4. Owner – Stokes County
  
5. Designer – Any person, firm, partnership, or corporation which has contracted with Stokes County to perform architectural or engineering work.
  
6. Bidder - Any person, firm, partnership, corporation, association, or joint venture seeking to be awarded a public contract or subcontract.
  
7. Contract - A mutually binding legal relationship or any modification thereof obligating the seller to furnish equipment, materials, or services, including construction, and obligating the buyer to pay for them.
  
8. Contractor - Any person, firm, partnership, corporation, association, or joint venture which has contracted with Stokes County to perform building construction or repair work.
  
9. Subcontractor - A firm under contract with the prime contractor or construction manager at risk for supplying materials or labor and materials and/or installation. The subcontractor may or may not provide materials in his subcontract.

## **SECTION C: MINORITY OUTREACH PLAN AND GUIDELINES**

### **Owner**

Stokes County will employ the following strategies to encourage participation from MBEs.

1. Place emphasis on the importance of soliciting certified MBE firms for subcontracting opportunities at pre-bid conferences and in bid documents. Examine specifications to identify special subcontracting opportunities and strongly encourage prime contractors to solicit bids for subcontracts from MBE firms.



2. Provide detailed information to majority contractors concerning the bidding and good faith efforts requirements by holding meetings with the contractors.
3. Assess the effectiveness of the MBE program, and identify opportunities to enhance it by evaluating MBE participation and compliance and reviewing the good faith efforts provided in bid packages.
4. Identify subcontracting opportunities unique to each construction contract and project and concentrate heavily on targeting certified MBE firms that have expressed an interest in Stokes County projects. Identify these opportunities and contact interested businesses no later than 10 days prior to the bid opening and provide a list of prime contractors who plan to participate in the project.
5. Make available to minority-focused agencies a list of subcontracting opportunities when they are identified, no later than 10 days prior to the bid opening, and a list of prime bidders that subcontractors may wish to contact for subcontracting consideration.
6. Maintain or continue to maintain a database specifically for MBE firms and majority contractors to ensure those firms wishing to do business with Stokes County have access to up-to-date information.
7. Advertise bid opportunities in newspaper and County web page.
8. Work with architects and engineers to make subcontracting opportunities more noticeable and more easily understood by potential contractors and subcontractors.

### **Designer**

Under the single-prime bidding, separate prime bidding, dual bidding, construction manager at risk, or alternative contracting method, the designer will:

1. Attend the scheduled pre-bid conference to explain minority business requirements to the prospective bidders.
2. Assist the owner to identify and notify prospective minority business prime and subcontractors of potential contracting opportunities.
3. Maintain documentation of any contacts, correspondence, or conversation with minority business firms made in an attempt to meet the goals.
4. Review jointly with the owner, all requirements of G.S. 143-128.2(c) and G.S.143-128.2(f) – (i.e. bidders’ proposals for identification of the minority businesses that will be utilized with corresponding total dollar value of the bid and affidavit listing good faith efforts, or affidavit of self-performance of work, if the contractor will perform work under contract by its own workforce) - prior to recommendation of award.
5. During construction phase of the project, review documentation for contract payment to MBEs (e.g. state form “Appendix E: MBE Documentation for Contract Payment” <http://interscope2.doa.state.nc.us/Guidelines/MBE/MBGuidelines2002R.pdf>) for compliance with minority business utilization commitments. Submit this form with monthly pay applications to the Owner.

### **Prime Contractor(s), CM at Risk, and Its First-Tier Subcontractors**

Under the single-prime bidding, the separate-prime bidding, dual bidding, construction manager at risk, and alternative contracting methods, contractor(s) will:

1. Attend the scheduled pre-bid conference.
2. Identify or determine those work areas of a subcontract where minority businesses may have an interest in performing subcontract work.
3. During the bidding process, comply with the owner’s requirements listed in the proposal for minority participation.
4. Identify on the bid the minority businesses that will be utilized on the project with corresponding total dollar value of the bid and affidavit listing good faith efforts as required by G.S. 143-128.2(c) and G.S. 143-128.2(f).

5. Make documentation showing evidence of implementation of Prime Contractor, CM-at-Risk and First-Tier Subcontractor responsibilities available for review by Stokes County, upon request.
6. Upon being named the apparent low bidder, the bidder shall provide one of the following: (1) an affidavit that includes a description of the portion of work to be executed by minority businesses, expressed as a percentage of the total contract price, which is equal to or more than the applicable goal; or (2) if the percentage is not equal to the applicable goal, then documentation of all good faith efforts taken to meet the goal. The documentation must include evidence of all good faith efforts that were implemented including any advertisements, solicitations, and evidence of other specific actions demonstrating recruitment and selection of minority businesses for participation in the contract. Failure to comply with these requirements is grounds for rejection of the bid and award to the next lowest responsible and responsive bidder.
7. The contractor(s) shall identify the name(s) of minority business subcontractor(s) and corresponding dollar amount of work on the schedule of values.
8. The contractor(s) shall submit with each monthly pay request(s) and final payment(s) documentation for contract payment to MBEs (e.g. state form "Appendix E: MBE Documentation for Contract Payment" <http://interscope2.doa.state.nc.us/Guidelines/MBE/MBGuidelines2002R.pdf>) for designer's review.
9. During the construction of a project, at any time, if it becomes necessary to replace a minority business subcontractor, immediately advise the owner in writing, of the circumstances involved. The prime contractor shall make a good faith effort to replace a minority business subcontractor with another minority business subcontractor.
10. If during the construction of a project additional subcontracting opportunities become available, the contractor shall make a good faith effort to solicit sub-bids from minority businesses.

## **Minority Business Responsibilities**

### Certification

While minority businesses are not required to become certified in order to participate in Stokes County building construction or repair projects, it is recommended that they become certified and take advantage of appropriate technical assistance that is made available. Certification can be obtained from the following agencies:

North Carolina Department of Administration Historically Underutilized Business (HUB) certification  
 North Carolina Department of Transportation Minority/Disadvantaged/Women-owned Business certification  
 Small Business Administration 8(a) certification

#### **Other cities, local governments, or public agencies in our region that certify MBEs**

Other governmental agencies on a case-by-case basis

### Other Responsibilities

Minority businesses that are contacted by owners or bidders must respond promptly whether or not they wish to submit a bid.

## **SECTION D: MINIMUM COMPLIANCE REQUIREMENTS**

All written statements or affidavits made by the bidder shall become a part of the agreement between the Contractor and Stokes County for performance of the contract. Failure to comply with any of these statements, affidavits, or with the minority business guidelines shall constitute a breach of the contract. A finding by

Stokes County that any information submitted either prior to award of the contract or during the performance of the contract is inaccurate, false, or incomplete shall also constitute a breach of the contract. Any such breach may result in termination of the contract in accordance with the termination provisions contained in the contract. It shall be solely at the option of Stokes County whether to terminate the contract for breach.

In determining whether a contractor has made good faith efforts, Stokes County will evaluate all efforts made by the Contractor and will determine compliance in regard to quantity, diligence, and results of these efforts. Contractors are required to earn at least 50 points for good faith efforts. Failure to file a required affidavit or documentation demonstrating that the contractor made the required good faith effort, is grounds for rejection of the bid. Good faith efforts include:

1. Contacting minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor or available on State or local government maintained lists at least 10 days before the bid or proposal date and notifying them of the nature and scope of the work to be performed. (10 points)
2. Making the construction plans, specifications, and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bid or proposals are due. (10 points)
3. Breaking down or combining elements of work into economically feasible units to facilitate minority participation. (15 points)
4. Working with minority trade, community, or contractor organizations identified by the Office for Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses. (10 points)
5. Attending any pre-bid meetings scheduled by the public owner. (10 points)
6. Providing assistance in getting required bonding or insurance or providing alternatives to bonding or insurance for subcontractors. (20 points)
7. Negotiating in good faith with interested minority businesses and not rejecting them as unqualified without sound reasons based on their capabilities. Reasons for rejection of a minority business based on lack of qualification should be documented in writing. (15 points)
8. Providing assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisting minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit. (25 points)
9. Negotiating joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible. (20 points)
10. Providing quick pay agreements and policies to enable minority contractors and suppliers to meet cash flow demands. (20 points)

## **SECTION E: DISPUTE RESOLUTION PROCEDURES**

Pursuant to G.S. 143-128 (f1), all disputes involving contractors on a building construction or repair project with Stokes County shall be resolved pursuant to **State of North Carolina Policy G.S. 143-135.26(11)**

**RESOLUTION FOR STOKES COUNTY TO ADOPT OUTREACH PLAN AND TO ESTABLISH VERIFIABLE PERCENTAGE GOAL FOR PARTICIPATION BY MINORITY BUSINESSES IN THE AWARDING OF BUILDING CONSTRUCTION CONTRACTS PURSUANT N.C.G.S. 143-128.2**

**WHEREAS**, the North Carolina General Assembly enacted Session Law 2001– 496, Senate Bill 914 to enhance and improve the good faith efforts to recruit and select minority businesses for participation in public building construction or repair contracts by adding N.C.G.S. 143-128.2; and

**WHEREAS**, N.C.G.S. 143-128.2 requires each city, county, or other local public entity to adopt, after notice and a public hearing, an appropriate verifiable percentage goal for participation by minority businesses in the total value of work for building projects costing \$300,000 or more; and

**WHEREAS**, N.C.G.S. 143-128.2(b) requires a public entity awarding a building contract where the total cost equals or exceeds \$300,000 to establish, prior to solicitation of bids, good faith efforts that it will take to make it feasible for minority businesses to submit successful bids or proposals for the contracts for building projects; and

**WHEREAS**, N.C.G.S. 143-128.2(e)(1) requires a public entity awarding a building construction or repair contract where the total cost exceeds \$300,000, prior to awarding a contract, to develop and implement a minority business participation outreach plan; and

**WHEREAS**, notice of the public hearing was duly published in the Stokes News on May 7, 2009, also advertised on the County’s web page and the required public hearing was held on May 11, 2009;

**NOW THEREFORE, BE IT RESOLVED BY STOKES COUNTY BOARD OF COMMISSIONERS;**

1. That Stokes County shall have a **10%** verifiable percentage goal for participation by minority businesses if the total value of work for a building project awarded by Stokes County costing \$300,000 or more.
2. That Stokes County shall follow the guidelines of Stokes County’s Outreach Plan for minority business participation in building construction or repair contracts.
3. That this resolution shall become effective upon its adoption.

**READ, APPROVED, AND ADOPTED**, this \_\_\_\_\_ of \_\_\_\_\_, 2009.

\_\_\_\_\_  
J. Leon Inman – Chairman

\_\_\_\_\_  
Jimmy Walker – Vice Chairman

\_\_\_\_\_  
Ron Carroll – Commissioner

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Ernest Lankford – Commissioner

\_\_\_\_\_  
Stanley Smith – Commissioner

Attest:

Darlene Bullins – Clerk to the Board

Vice Chairman Walker moved to approve the Adoption of proposed Plan and Resolution for Minority Business Outreach Plan Pursuant to NCGS 143-128.2. Commissioner Smith seconded and the motion carried unanimously.

### **Proposed Bids – Construction of A New Well for Danbury Water System**

Chairman Inman entertained a motion.

Commissioner Smith moved to award the contract for the construction of a new well for the Danbury Water System to Raymond Brown Well Company in the amount of \$10,640.00.

Commissioner Lankford seconded and the motion carried unanimously.

### **Closed Session**

Chairman Inman entertained a motion to enter into closed session for the following:

- To consult with the 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 pursuant to 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).

Vice Chairman Walker moved to enter into closed session for the following:

- To consult with the 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 pursuant to 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).

Commissioner Lankford seconded the motion.

Vice Chairman Walker requested to amend his motion to add the following to the closed session motion:

- 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 Lankford amended his second to the motion.

The amended motion carried unanimously.

The Board returned to the open session of the May 11<sup>th</sup> meeting.

Commissioner Lankford requested to have further discussion regarding the new proposed EMS Station in Pinnacle.

Commissioner Carroll noted the item had not been added during the approval of the Agenda.

There was no action taken to discuss the requested item.

### **Adjournment**

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

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

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

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**J. Leon Inman**  
**Chairman**