

STATE OF NORTH CAROLINA )  
 )  
COUNTY OF STOKES )  
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OFFICE OF THE COMMISSIONERS  
STOKES COUNTY GOVERNMENT  
DANBURY, NORTH CAROLINA  
JANUARY 9, 2012

The Board of Commissioners of the County of Stokes, State of North Carolina, met for a regular session in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administration Building) located in Danbury, North Carolina on Monday, January 9, 2012 at 1:30 pm with the following members present:

Vice Chairman J. Leon Inman  
Commissioner Jimmy Walker  
Commissioner Ronda Jones  
Commissioner James D. Booth

Chairman Ernest Lankford - absent

County Personnel in Attendance:  
County Manager Richard D. Morris  
Clerk to the Board Darlene Bullins  
Finance Director Julia Edwards  
Tax Administrator Jake Oakley  
Public Works Director Mark Delehant  
Sheriff Mike Marshall

Vice Chairman Inman called the meeting to order.

Vice Chairman Inman noted that Chairman Lankford was not feeling well and is unable to attend today's meeting.

Commissioner Booth delivered the invocation.

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

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

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

Vice Chairman Inman entertained a motion to approve or amend the January 9, 2012

Agenda.

Commissioner Jones moved to approve the January 9<sup>th</sup> Agenda as presented.

Commissioner Booth seconded and the motion carried (4-0) with Chairman Lankford absent.

## **PUBLIC COMMENTS**

There were no Public Comments.

## **CONSENT AGENDA**

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

### **Minutes**

- Minutes of December 27, 2011

Commissioner Jones noted that if she said Resolutions in the following comment, she meant to say Ordinances and requested it be changed to Ordinances (page 27):

- Don't normally like **Resolutions**, but... change to Don't normally like **Ordinances**, but...

Commissioner Walker requested that **except for the county manager** be added to the following sentence on page 33:

- Commissioner Walker respectfully requested to be excused from reviewing any employee's evaluation **except for the county manager**.

### **Social Services - Budget Amendment #50**

Finance Director Julia Edwards submitted Budget Amendment #50.

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			
100.5480.000	Crisis Intervention	<u>\$71,414.00</u>	<u>\$130,404.00</u>	<u>\$201,818.00</u>
	Total	<u>\$71,414.00</u>	<u>\$130,404.00</u>	<u>\$201,818.00</u>

This budget amendment is justified as follows:

To appropriate additional funding for Crisis Intervention which is 100% Federal Funding. The original amount of \$71,414.00 was from the budget estimates.

This will result in a net increase of \$130,404.00 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 this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.202	Crisis Intervention	<u>\$1,353,520.00</u>	<u>\$130,404.00</u>	<u>\$1,483,924.00</u>
	<b>Totals</b>	<b>\$1,353,520.00</b>	<b>\$130,404.00</b>	<b>\$1,483,924.00</b>

#### **Health Department - Budget Amendment #51**

Finance Director Julia Edwards submitted Budget Amendment #51.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	<b>Health Department</b>			
100.5100.180	Professional Services	\$346,498.00	\$2,018.00	\$348,516.00
100.5100.370	Advertising	<u>\$950.00</u>	<u>\$982.00</u>	<u>\$1,932.00</u>
	<b>Totals</b>	<b>\$347,448.00</b>	<b>\$3,000.00</b>	<b>\$350,448.00</b>

This budget amendment is justified as follows:

To appropriate and transfer funds obtained through a Diabetes Today Mini Grant from Surry County. These funds will be used for a contracted Registered Dietician for Medical Nutrition Therapy Services and to advertise the program.

This will result in a net increase of \$3,000.00 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 this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.2130.053	Health – Diabetes	<u>\$00.00</u>	<u>\$3,000.00</u>	<u>\$3,000.00</u>
	<b>Totals</b>	<b>\$00.00</b>	<b>\$3,000.00</b>	<b>\$3,000.00</b>

### Health Department - Budget Amendment #52

Finance Director Julia Edwards submitted Budget Amendment #52.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
<b>Health Department</b>				
100.5100.260	Office Supplies	\$17,810.00	\$7,822.00	\$25,632.00
100.5100.311	Employee Training	<u>\$12,250.00</u>	<u>\$1,000.00</u>	<u>\$13,250.00</u>
<b>Totals</b>		<b>\$30,060.00</b>	<b>\$8,822.00</b>	<b>\$38,882.00</b>

This budget amendment is justified as follows:

To appropriate and transfer additional WIC-Breastfeeding Promotion State Funds. These funds will be used for training additional staff in this program and for needed supplies.

This will result in a net increase of \$8,822.00 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 this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.226	WIC-Breastfeeding Promotion	<u>\$38,000.00</u>	<u>\$8,822.00</u>	<u>\$46,822.00</u>
<b>Totals</b>		<b>\$38,000.00</b>	<b>\$8,822.00</b>	<b>\$46,822.00</b>

### Sheriff's Department - Budget Amendment #53

Finance Director Julia Edwards submitted Budget Amendment #53.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
<b>Sheriff's Department</b>				
100.4310.511	Equipment – Non-Capital	<u>\$12,376.00</u>	<u>\$3,995.00</u>	<u>\$16,371.00</u>
<b>Totals</b>		<b>\$12,376.00</b>	<b>\$3,995.00</b>	<b>\$16,371.00</b>

This budget amendment is justified as follows:

To appropriate funding to purchase a Scanner/Copier.

This will result in a net increase of \$3,995.00 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 this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.413	State Fines & Forfeitures	<u>\$5,569.00</u>	<u>\$3,995.00</u>	<u>\$9,564.00</u>
	<b>Totals</b>	<b>\$5,569.00</b>	<b>\$3,995.00</b>	<b>\$9,564.00</b>

#### **Sheriff's Department - Budget Amendment #54**

Finance Director Julia Edwards submitted Budget Amendment #54.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	<b>Sheriff's Department</b>			
100.4310.260	Department Supplies	<u>\$28,823.00</u>	<u>\$4,725.00</u>	<u>\$33,548.00</u>
	<b>Totals</b>	<b>\$28,823.00</b>	<b>\$4,725.00</b>	<b>\$33,548.00</b>

This budget amendment is justified as follows:

To appropriate funding to purchase digital filing software and to reimburse Departmental Supplies in reference to Budget Memorandum #8. No county funding.

This will result in a net increase of \$4,725.00 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 this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.413	State Fines and Forfeitures	<u>\$9,564.00</u>	<u>\$4,725.00</u>	<u>\$14,289.00</u>
	<b>Totals</b>	<b>\$9,564.00</b>	<b>\$4,725.00</b>	<b>\$14,289.00</b>

#### **Sheriff's Department - Budget Amendment #55**

Finance Director Julia Edwards submitted Budget Amendment #55.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	<b>Sheriff's Department</b>			
100.4310.511	Equipment – Non-capital	<u>\$16,371.00</u>	<u>\$340.00</u>	<u>\$16,711.00</u>
	<b>Totals</b>	<b>\$16,371.00</b>	<b>\$340.00</b>	<b>\$16,711.00</b>

This budget amendment is justified as follows:

To appropriate funding to purchase the Hard Drive Storage Unit that will operate in unison providing storage with the Scanner/Copier and Digital Filing Software. No county funding.

This will result in a net increase of \$340.00 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 this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.413	State Fine and Forfeitures	\$14,289.00	\$340.00	\$14,629.00
	Totals	\$14,289.00	\$340.00	\$14,629.00

**Proposed Resolution – Retiring of Law Enforcement Officer – Thomas “Kenny” Norman**

Clerk Darlene Bullins submitted the following proposed Resolution to be voided (approved at the December 27<sup>th</sup> meeting) due to the Resolution containing incorrect information from the Sheriff's Department regarding the weapon that was to be sold to Jail Captain Norman:

**Resolution authorizing sale of County issued service side arm:  
(North Carolina General Statute 20-187.2.A)**

**WHEREAS**, Jail Captain, Thomas McKinley Norman is retiring from the Stokes County Sheriff's Department on December 30, 2011; and

**WHEREAS**, Jail Captain, Thomas McKinley Norman has been a dedicated law enforcement officer to the citizens of Stokes County from October 4, 2004 through December 30, 2011; and

**WHEREAS**, North Carolina General Statute 20-187.2 (a), permits Stokes County to donate the badge worn at no cost, and to the sell service issued side arm to retiring law enforcement officers, at a price determined by the Board of Commissioners.

**THEREFORE, THE BOARD OF COMMISSIONERS OF STOKES COUNTY RESOLVES THAT:**

1. The Sheriff of Stokes County is authorized to present to Jail Captain, Thomas McKinley Norman his Stokes County Sheriff's Department issued badge at no cost.
2. The Sheriff of Stokes County is also authorized to sell a Bersa Thunder, 380 caliber pistol, serial number B15324 at a set price of \$1.00 to Jail Captain, Thomas McKinley Norman after securing a permit as required by North Carolina General Statute 14-402 or 14-409.

Adopted this the 27<sup>th</sup> day of December 2011.

**Ernest Lankford - Chairman**

**J. Leon Inman – Vice Chairman**

**Jimmy Walker - Commissioner**

**Ronda Jones - Commissioner**

**James D. Booth – Commissioner**

Attest

**Darlene Bullins**  
**Clerk to the Board**

Clerk Bullins submitted the following proposed Resolution with the correct information from Sheriff Mike Marshall for the Board's review and approval:

**Resolution authorizing sale of County issued service side arm:  
(North Carolina General Statute 20-187.2.A)**

**WHEREAS**, Jail Captain, Thomas McKinley Norman is retiring from the Stokes County Sheriff's Department on December 30, 2011; and

**WHEREAS**, Jail Captain, Thomas McKinley Norman has been a dedicated law enforcement officer to the citizens of Stokes County from October 4, 2004 through December 30, 2011; and

**WHEREAS**, North Carolina General Statute 20-187.2 (a), permits Stokes County to donate the badge worn at no cost, and to the sell service issued side arm to retiring law enforcement officers, at a price determined by the Board of Commissioners.

**THEREFORE, THE BOARD OF COMMISSIONERS OF STOKES COUNTY RESOLVES THAT:**

1. The Sheriff of Stokes County is authorized to present to Jail Captain, Thomas McKinley Norman his Stokes County Sheriff's Department issued badge at no cost.
2. The Sheriff of Stokes County is also authorized to sell a Smith and Wesson M&P, 40 caliber pistol, serial number DWJ3203 at a set price of \$1.00 to Jail Captain, Thomas McKinley Norman after securing a permit as required by North Carolina General Statute 14-402 or 14-409.

Adopted this the 9<sup>th</sup> day of January 2012.

**Ernest Lankford - Chairman**

**J. Leon Inman – Vice Chairman**

**Jimmy Walker - Commissioner**

**Ronda Jones - Commissioner**

**James D. Booth – Commissioner**

Attest

**Darlene Bullins**  
**Clerk to the Board**

Commissioner Booth moved to approve the Consent Agenda as amended. Commissioner Jones seconded and the motion carried (4-0) with Chairman Lankford absent.

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

### **Comments – Board of Commissioners**

Vice Chairman Inman opened the floor for comments from the Board of Commissioners and County Manager Rick Morris:

County Manager Rick Morris - no comments.

Commissioners Jones - no comments.

Commissioner Walker noted the following:

- Reference the letter the Board received from District Attorney Tom Langan regarding the presence of Forsyth Tech in the Government Center
- Have made the same observation for years and for the same reasons
- Would like for the County Manager to work with Forsyth Tech to resolve this issue in a favorable manner

County Manager Morris responded that he had already contacted Stokes Director Ann Watts and requested Forsyth Tech start planning.

Commissioner Walker requested Manager Morris to keep the Board apprised of the status of the situation.

Vice Chairman Inman questioned Sheriff Mike Marshall who was in attendance for the meeting for any comments.

Sheriff Mike Marshall responded:

- The District and Superior Court Judges have both expressed the same feelings as District Attorney Langan
- Sheriff's Department and Probation/Parole both feel it is a very high liability issue that needs to be addressed as quickly as possible

Commissioner Walker noted that with the addition of the second POD on the Early College Site, there should be options available that have not previously been available.

Vice Chairman Inman noted that there was a Forsyth Tech Advisory Council meeting this



month and the need to make sure this is put on the table for discussion.

Commissioner Booth noted the following:

- Attending the Soil and Water Conference in Greensboro this week

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

### **Tax Administration Report – December 2011**

Tax Administrator Jake Oakley presented the following informational data for the

December report:

<b>Fiscal Year 2011-12</b>	<b>Budget Amt</b>	<b>Collected Amt</b>	<b>Over Budget</b>	<b>Under Budget</b>
<b>County Regular &amp; Motor Vehicles</b>	\$(20,825,493.00)	\$14,945,251.61		\$5,880,241.39
<b>New Schools F-Tech Fund</b>	\$479,154.00	\$960,304.39	\$481,150.39	
<b>Prior Taxes</b>				
<b>1993-2010 Tax Years</b>				
County Regular & Motor Vehicles	\$600,000.00	\$448,248.68		\$151,751.32
<b>EMS Collections</b>				
Total Collected				
(12-01-11/12-31-11)	\$12,440.64			
Total Collected				
(07-01-11/06-30-12)	\$61,986.18			
Delinquent accounts received from EMS (216 accounts-\$109,960.99 received on 12-21-11)				
<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>
12-01-11/12-31-11		12	\$120,170.00	\$1,095.70
07-01-11/06-30-12		307	\$2,736,537.00	\$24,445.37
<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>
12-01-11/12-31-11		0	\$00.00	\$00.00
07-01-11/06-30-12		7	\$117,192.00	\$1,323.42
<b>Motor Vehicle Release Report</b>	<b>Accounts</b>	<b>Total Value</b>		
<b>Audit Dates</b>				
12-01-11/12-31-11	62	\$1,867.68		

**Motor Vehicle Refund  
Report**

	<b>Accounts</b>	<b>Total Value</b>
<b>Audit Dates</b>		
12-01-11/12-31-11	7	\$317.55
<b>Number billed for December 2011</b>	4138	

**Garnishment Totals**

<b>Month</b>	<b>Total Accounts</b>	<b>Original Levy Amt</b>	<b>Collected Amt</b>
12-01-11/12-31-11	129	\$18,293.70	\$31,816.31
<b>F/Year 2011-12</b>			
(07-1-11/6-30-12)	955	\$287,198.37	\$199,485.87

**Interstate Credit Collection Report**

	<b>Collection</b>	<b>Total Collected</b>
Total Collected for December 2011		
Cumulative Total Collected	NC Debt Setoff	\$74,031.57
Cumulative Total Collected (to date)	Motor Vehicles	\$68,865.58
Cumulative Total Collected (to date)	Property Taxes	\$16,484.57
Cumulative Total Collected (to date)	EMS	<u>\$68,193.14</u>
Cumulative Total Collected (to date)	All Categories	<b>\$153,543.29</b>

Tax Administrator Jake Oakley presented the following Real and Personal Property Releases

(December 2011) which are less than \$100 for the Board's review:

**Releases (Real and Personal Property)**

**Less than \$100--December 2011-Per NCGS 105-381 (b)**

Theodore Mitchell	11A148390.09	\$38.82
Fabric Center Inc	11A10467.01	\$6.34
Rebecca Hill	11A6861.04	<u>\$36.28</u>
<b>Total Amount</b>		<b>\$81.44</b>

Tax Administrator Jake Oakley presented the following Real and Personal Property Refunds

(December 2011) which are less than \$100 for the Board's review:

**Refunds (Real and Personal Property)**

**Less than \$100--December 2011-Per NCGS 105-381 (b)**

Nathan Carmichael	11A694203114186	<u>\$28.98</u>
Christine Carmichael		
<b>Total Amount</b>		<b>\$28.98</b>

Tax Administrator Jake Oakley presented the following Real and Personal Property Releases

(December 2011) which are more than \$100 for the Board's consideration:

**Releases (Real and Personal Property)**

**More than \$100–December 2011–Per NCGS 105-381 (b)**

Pipemasters Inc.	08A155923849.07	\$342.60	Equip. moved to Forsyth Co.
	09A155923849.07	\$311.71	
Tonya Reece	11A23648.07.1	\$176.74	Boat in Rockingham Co.
Tex Henley	11A607004913762	\$115.62	Corrected % of Completion
Hattie Burton	11A156036566.09.1	<u>\$909.41</u>	SWMH listed/billed in error
<b>Total Amount</b>		<b>\$1,856.08</b>	

Tax Administrator Jake Oakley presented the following Real and Personal Property Refunds (December 2011) which are more than \$100 for the Board's consideration:

**Refunds (Real and Personal Property)**

**More than \$100–December 2011–Per NCGS 105-381 (b)**

Karen Hicks	11A598417028327	<u>\$449.09</u>
<b>Total Amount</b>		<b>\$449.09</b>

Tax Administrator Jake Oakley presented the following proposed hearing dates for the 2012 Equalization and Review for the Board's consideration

- April 2, 2012 – Monday – 2:00-5:00 pm
- April 30, 2012 – Monday – 5:00-8:00 pm

Commissioner Walker confirmed with Tax Administrator Oakley that more meetings could be added if needed this spring and could be reopened in the fall if necessary.

Commissioner Walker commended the Tax Administrator and his department for continuing to be "user friendly".

Vice Chairman Inman, with full consensus of the Board, directed the Clerk to place the following on the January 23, 2012 Consent Agenda:

- Real and Personal Releases more than \$100.00
- Real and Personal Refunds more than \$100.00
- 2012 Board of Equalization and Review Dates

Tax Administrator Oakley noted the following:

- 72% of the budget amount has been collected
- Department has collected approximately \$700,000 more than at this same time last year, but should even itself out

- Feels the Department will have no issues meeting budget
- All utilities came in by January 5<sup>th</sup>

### **Personal Property Schedule of Values and Depreciation Schedules – 2012 Pricing Guide**

Tax Administrator Jake Oakley presented the following for the Board's consideration:

- 2012 Department of Revenue Cost Index and Depreciation Schedules (Business Personal Property)
- 2012 Pricing Guidelines for Personal Property
- 2012 Single Wide Mobile Home Pricing Guidelines (Schedules Developed from Marshall and Swift)

Tax Administrator Oakley noted the following:

- Must be approved by the Board of Commissioners during the listing period
- Same type of guidelines that have been used by the County for several years
- Requested approval at the January 23<sup>rd</sup> meeting – Consent Agenda

Vice Chairman Inman confirmed with Tax Administrator Oakley that the Board of Commissioners has been very consistent in supporting the Schedule of Values.

Tax Administrator Oakley provided the following update regarding the transfer of motor vehicle taxes to Department of Motor Vehicles (DMV) for collection:

- As of July 2013, DMV will be collecting motor vehicle taxes
- Tax Department will still be assessing the motor vehicles, will continue to place all tax codes and jurisdiction that apply to each individual on the State System, set the rate, logon to the State site and transfer the information
- State of North Carolina will utilize one individual company to value the vehicles which will now be uniform across the State
- Currently trying to get all delinquent motor vehicles taxes cleaned up
- Currently motor vehicles are billed four months after the renewal date
- County will probably see an increase in revenue in the 2013-14 budget year, but should even back out in the 2014-15 budget year, this is due to catching up the four months delayed billing of motor vehicles taxes which is state mandated
- When the State starts billing in July 2013, taxes will be due when an individual renews his tags
- If the individual can't pay the taxes, the individual will not be allowed to renew his tags
- Revenues should not be impacted unless the State decides to keep the revenue
- Legislation should be in place to prevent this type of action, but would be a good idea to check with state representatives to make sure Legislation prevents the State from attaching these funds
- Some counties are being asked to have a DMV office to issue licenses if one is not already located in the county

- County does have a DMV office in Walnut Cove, but there might be a possibility of locating a satellite office in the King area at a later date – could be revenue for the County
- Tax Office will no longer budget for motor vehicle revenue starting with the 2013-14 budget year
- Employee who currently does all the work on motor vehicles will continue to do the same work, except it will be on the State system
- Revenue will come directly into the Finance Department
- Tax Department can assist the Finance Department in making sure the amount of vehicles billed are running about the same as when the Tax Department billed the taxes

Commissioner Jones noted:

- Very appreciative of the Schedule of Values and Depreciation which makes everything consistent

Commissioner Walker briefly discussed the Depreciation Schedule (Four Wheelers, Boats, Untagged Vehicles, etc.) with Tax Administrator Oakley.

Vice Chairman Inman, with full consensus of the Board, directed the Clerk to place the item on the January 23, 2012 Consent Agenda:

### **Revaluation 2013 -Update**

Tax Administrator Jake Oakley presented the following comments regarding the upcoming

2013 Revaluation:

- At this time last year, values in the County were holding flat
- As 2011 progressed into December, values decreased 4.49% overall average county wide due to the Arms' Length Transactions that took place in 2011
- Arms' Length Transactions do not include foreclosures, auctions, family sales, or short sales
- Hopefully 2012 will pick up to offset the 4.49% overall average decrease in value
- If there is a decrease in value, it only decreases real property (land and structures attached to the property)
- Does not affect personal property, utilities or motor vehicles
- Current trend is not effecting Stokes County as the larger counties that have hundreds and hundreds of subdivisions
- If the current trend (4.49% overall average decrease in property values) holds true for the 2013-14 budget year, the County could see approximately \$700,000 (based on the 95.5% collection rate) decrease in revenue along with approximately \$50,000 decrease revenue in the education fund

- Some areas will maintain their values, some areas will see more of a decrease than others, some of the vacant property may see a small increase, these factors together equate to the 4.49% overage estimated decrease
- City of King could see a 10% decrease in value due to having more subdivisions – an estimated \$180,000 decrease in revenue
- Town of Walnut Cove could remain flat – no loss in revenue
- Town of Danbury could possibly lose approximately \$1,000 decrease in revenue
- Fire Service District could possibly lose approximately \$40,000 decrease in revenue
- County doesn't have a lot of sales that can be tracked
- Discussed the Sales Ratio Historical Graphic Chart representing the last 11 years of data with the Board:
  - January 1, 2001 = 99.5 % - Revaluation Year
  - January 1, 2002 = 92.5%
  - January 1, 2003 = 93.02%
  - January 1, 2004 = 91.04%
  - January 1, 2005 = 99.84% - Revaluation Year
  - January 1, 2006 = 95.74%
  - January 1, 2007 = 91.83%
  - January 1, 2008 = 89.47%
  - January 1, 2009 = 99.87% - Revaluation Year
  - January 1, 2010 = 99.35%
  - January 1, 2011 = 100%
  - January 1, 2012 = 104.49%
- The Sales Ratio Historical Graph showed the past yearly trend patterns in comparison to the current trend
- Tax Department will start running two data bases in April 2012 which actually starts the Revaluation process
- County could have a lot of appeals in 2013
- Feels some citizens will have concerns with their property losing value
- County has a 4 year revaluation cycle
- County normally has approximately 2,000 deeds to conduct the revaluation study, County currently has approximately 800 deeds
- Stokes County has been holding its own until 2011
- The lower the sales ratio the better which indicates a growth in real value
- If the sales ratio goes over 100%, values must be adjusted downward per state mandates
- If the sales ratio is not adjusted, Duke Power can step in the first and fifth year of a revaluation year and request the Utilities Commission to make the County make an adjustment to the amount of taxes owed if the sales ratio is over 100%
- County will use sales data from 2009, 2010, 2011 and 2012, with the most emphasis being placed on the 2012 sales
- Could be calling for assistance from local realtors and appraisers due to the lack of sales
- Biggest concern is not having enough sales data to compare

Manager Morris confirmed with Tax Administrator Oakley that the estimated \$700,000 loss in revenue for budget year 2013-14 is a moderate estimate, could possibly be more than \$700,000 if the market continues to fall in 2012.

Vice Chairman Inman noted that it is very hard for appraisers in the current trend.

Commissioner Walker noted the following:

- Very appreciative for the information
- Confirmed that the 4.49% estimated decrease is an overall average with some land sales holding their own and others increasing a little
- Probably the first decrease in value since the late 70's/early 80's
- Concerned that the current trend will not turn around in 2012
- Board should possibly look at tightening things up, information presented is a message to the County
- Good thing – County is currently financially sound
- Believe the citizens have accepted the school construction/community college tax very well – very glad the funding was set aside in a separate account

Commissioner Jones noted:

- Agreed with Commissioner Walker that the current trend could not turn around in 2012
- Need to start planning now

Tax Administrator Oakley noted that even though the recession was slow coming to Stokes County, he feels the County will rebound along with everyone else if the economy picks up.

Commissioner Booth noted:

- Very glad the information has been presented to the Board
- BOCC needs to know what is in store for the future
- Agrees with Commissioner Jones that the County should start planning for the projected loss in revenue along with the \$900,000 shortfall projected by the Manager for the 2012-13 budget year
- Glad the County Manager and the Conservative BOCC had foresight to set aside the funding for the school construction and construction of a community college
- Appreciate the Tax Administrator bringing this valuable information to the BOCC

Vice Chairman Inman noted:

- Feels the Tax Department does a really good job establishing a fair market value by comparing comps
- Agrees that land values have not decreased
- Very glad that the County does an in-house revaluation
- If the market picks up with more sales, this could help to offset the 4.49% overall average decrease

Vice Chairman Inman expressed the Board's appreciation to Tax Administrator Oakley for keeping the Board informed.

**Danbury Water System – Proposed Bids - Improvements**

Public Works Director Mark Delehant presented the following bids for the new tank and water system upgrades for the Danbury Water System which were opened on January 5<sup>th</sup> at 2:00 pm: (Water System Improvements and 100,000 Gallon Ground Storage Water Tank)

- Ramey Inc. = \$578,755.00
- Gilbert Engineering, Inc. = \$579,241.13
- Eberhart Construction, Inc. = \$584,631.00
- Shiloh Utilities, Inc. = \$663,742.00
- PF Plumbing Contractors, Inc. = \$665,585.00
- Carolina Environmental Specialists = \$695,620

Director Delehant noted the following:

- Recommendation: Ramey, Inc. of Bethania, NC in the amount of \$578,755 contingent upon approval by USDA-Rural Development
- David W. Poore, P.E. CPESC, West Consultants, PLLC, agreed with Director Delehant's recommendation
- Storage tank will provide more than adequate pressure for those on Hanging Rock Forest Road
- Total grant = \$986,000

County Manager Rick Morris agreed with Director Delehant's recommendation – Ramey, Inc. – low bid in the amount of \$578,755. Manager Morris noted that the project should be completed around August 2012.

Commissioner Booth confirmed with Director Delehant that the quality of water will be better once the project is completed.

Director Delehant responded:

- Some of the interior lining has some iron which causes discolored water when hydrants are flushed

Commissioner Walker confirmed that there is a challenge in operating a small water system due to the cost of chemicals, repairs, etc. and has similar issues with the discolored water with the



King Water System.

Commissioner Walker confirmed with Director Delehant that there will be approximately \$159,000 grant dollars remaining which he hopes to be able to use on other issues.

Commissioner Jones expressed concerns with future maintenance costs. Commissioner Jones confirmed with Director Delehant that replacement of the main line is not included in the project and can continue to possibly produce issues when the lines are flushed.

Commissioner Jones confirmed with Director Delehant that the new improvements could possibly last up to 30 years.

Vice Chairman Inman confirmed with Director Delehant that after the completion of the project, the system's storage capacity will be 100,000 gallons with another 100,000 gallon tank for reserve if needed.

Commissioner Booth confirmed with Director Delehant that the County is only using approximately 25% of the system's water capacity.

Manager Morris noted that the increased pressure could possibly reduce the cost of the installation of the mandatory sprinkler system at Stokes Reynolds Memorial Hospital.

Vice Chairman Inman, with consensus of the Board, directed the Clerk to place the item on the January 23<sup>rd</sup> Action Agenda.

**Proposed Resolution to Support Legislation Governing the Use of All Terrain Vehicles and Motorcycles**

County Manager Rick Morris presented the following amended proposed Resolution to Support Legislation Governing the Use of All Terrain Vehicles and Motorcycles as directed by the Board at the January 9<sup>th</sup> meeting: (amendments are underlined)

**COUNTY OF STOKES**

**RESOLUTION SUPPORTING LEGISLATION GOVERNING THE USE OF  
ALL TERRAIN VEHICLES AND MOTORCYCLES**

**WHEREAS**, the County of Stokes recognizes the right of its citizens to enjoy peace, tranquility and the reasonable use and enjoyment of home and property; and,

**WHEREAS** citizens of the County of Stokes have complained about excessive noise, trespassing and unsafe operation by riders of All Terrain Vehicles (ATV's) and off road motorcycles, causing damage to residential property and farm land, and detracting from the peace of the citizens of the county and the enjoyment of their property; and,

**WHEREAS**, the safety and security of our citizens is first and foremost the responsibility of our government, in whatever capacity and at all levels, to protect our citizens from trespassers and damage to real and personal property.

**NOW, THEREFORE BE IT RESOLVED**, that the County of Stokes Board of County Commissioners fully supports the enactment of legislation by our representatives in the General Assembly to:

1. Reduce the nuisances associated with the illegal use and trespassing by ATV and off-road motorcycle riders throughout the State of North Carolina, and
2. Authorize local units of government to charge fines and fees to the riders or parents of juvenile riders involved in the illegal use of ATV and off-road motorcycles, and
3. Authorize law enforcement officials in local units of government to confiscate ATV's and off-road motorcycles which are used in violation of state and local ordinances, and
4. Eliminates liability of property owners where ATVs and motorcycles are being operated illegally on their property, and
5. Requires operators of ATVs and motorcycles to have, on their person, written consent from property owners, where the property owner has authorized the operator to use of these vehicles on their property. G.S. 14-159.3 already requires consent by the property owner but does not currently require written consent to be produced by the ATV / motorcycle operator and
6. Require punishment to be a tiered system.

Adopted this the XX day of January 2012.

\_\_\_\_\_  
Ernest Lankford, Chairman

(SEAL)

Attest:

\_\_\_\_\_  
Darlene Bullins, Clerk to the BOCC

Manager Morris noted the underlined items were expressed by Board members at the January 9<sup>th</sup> meeting.

Manager Morris noted that Sheriff Mike Marshall had indicated that he would like to see the word “May “added to Item 3# - May authorize.

Vice Chairman Inman opened the floor for further discussion.

Commissioner Jones noted:

- Feels good with the amendments, but reserves the right to go back and amend if issues arise

Commissioner Walker noted:

- Likes the added wordage to Item #3
- Does not like heavy handed government
- Would like for the wording of Item #3 to be very carefully crafted so that there is no indication to the citizens that the County is just waiting to confiscate the ATV if someone accidentally rides on someone else’s property
- Would like to hear what Sheriff Marshall’s overall review is

Sheriff Marshall responded:

- There are laws already in place that already protect landowners from trespassers
- The proposed Resolution came about due to a situation in the King area which is heavily populated
- The main concern about the whole resolution – 40% of the county is heavily populated and 60% of the county is rural
- In some of the rural areas, it is not uncommon for someone to ride on someone else’s property
- Recommending changes to law is opening the doors for a lot of the citizens in the rural areas
- Believe the situation in the Yadkin Township can be taken care without changing the law
- Should try to take care of the situation before recommending something that could affect the entire population of Stokes County
- It is hard for riders in the rural areas of the County to determine where the property line actually is
- Very concerned about the proposed resolution
- Laws are already in place - G.S. 14-159.3 – Trespass to land on motorized all terrain vehicle – No person shall operate any motorized all terrain vehicle on any private property not owned by the operator, without the consent of the owner

Commissioner Walker confirmed with Sheriff Marshall that item #1 is already covered by the law and that the fines and fees in item #2 are at the discretion of the court system.

Commissioner Walker requested Sheriff Marshall to word Item #3 as he would like to see it in the proposed Resolution.

Sheriff Mike Marshall responded:

- Item # 3 – May authorize law enforcement officials in local units of government to confiscate ATV's and off-road motorcycles which are used in violation of state and local ordinances, and
- If law enforcement arrest someone for riding on a citizen's property, the citizen can have the ATV towed; Sheriff's Department is not allowed to confiscate the ATV unless it is used in a crime or eluding arrest
- The question is – Does the entire County really need this type of Resolution or should the Resolution be specific to the King area?

Commissioner Walker stated that he would like to see a Resolution that would address the problems occurring in the King area and/or other populated areas (40%) in the County.

Vice Chairman Inman noted that the County must be careful not to approve a Resolution or an Ordinance that creates more problems than it is worth and reiterated that there are laws already in place regarding trespassing laws.

Commissioner Walker noted that he had received comments from a farmer in King that stated there was a problem and there needs to be something done.

Commissioner Walker noted the need to help resolve the issues in the King area without imposing laws on the areas in the County where there are no issues.

Sheriff Marshall noted that the King City Police can't enforce any civil ordinances outside the city limits and or inside the ETJ.

Sheriff Marshall noted that if someone commits a crime in the city limits and goes outside the city limits, King PD still has the authority to continue the pursuit to wherever the pursuit goes. Sheriff Marshall noted that the person is also eluding arrest and at that time the four wheeler can be confiscated if caught.

Commissioner Booth noted that he was not ready to commit to a resolution at this time.

Vice Chairman Inman agreed that there needed to be further thought and discussion before adopting a resolution.

Sheriff Marshall stated personally he felt that the situation could be dealt with in a different way without changing anything that can affect the entire county.

Sheriff Marshall reiterated the Sheriff's Department could assist the King City Police Department with this situation and also assist any citizen in Stokes County who requests help.

The Board discussed the Sheriff offering assistance to towns/municipalities.

Commissioner Walker suggested the Sheriff put something in writing to let the towns/municipalities know that the Sheriff's Department has equipment and manpower to help.

Commissioner Jones reiterated the need to make sure citizens know that the Sheriff's Department is available to help in these types of situations, possibly making the resolution more positive.

Sheriff Marshall reiterated the Department is always ready to assist any area or citizen that requests help.

Sheriff Marshall suggested that if a resolution was approved, it contain the areas that are being effected and not the entire county.

Sheriff Marshall suggested that he be allowed to draft a letter to the towns/municipalities to inform them of the services that the Sheriff's Department can offer.

Commissioner Jones expressed concerns with the citizens not knowing what can be done by the Sheriff's Department to assist in these issues.

The Board unanimously agreed to direct the Sheriff to draft a letter to the towns/municipalities to inform them of the services available from the Stokes County Sheriff's Department.

Commissioner Walker noted that the Board can also take another look at this issue if

the situation is not resolved.

Commissioner Jones reiterated the need to continue to try to do something regarding the property owner being liable if a trespasser gets hurt.

### **DSS- Social Worker III – External Posting**

County Manager Rick Morris presented the following requested from DSS Director Kristy Preston:

- Vacant Social Worker III position in Foster Care Unit effective December 29<sup>th</sup>
- Very critical position within the department which manages a full caseload of Foster Children
- A vacancy in the Foster Care Unit could have a serious negative impact on the DSS Budget (revenue)
- DSS is dependent on this position to draw down a significant amount of money from the State and Federal governments
- DSS normally has a difficult time recruiting Social Workers
- It usually takes at least three months to hire a Social Worker
- It takes an additional six months to minimally train a Social Worker to this position
- A large amount of revenue could be lost if this position is not filled timely
- Second vacancy in this unit in the last four months
- Workers in the unit are not yet recovered from the last vacancy in August 2011
- Respectfully request that DSS be allowed to post and fill this vacancy as quickly as possible

The Board discussed the Agenda item with Manager Morris.

The Board had no issues with placing the item on today's Action Agenda due to the this being a very critical position (foster care) in the department and also with budgetary impacts.

Vice Chairman Inman, with consensus of the Board, directed the Clerk to place the item on today's Action Agenda.

### **Appointments – Firemen's Relief Fund – Board of Directors**

County Manager Rick Morris presented the following recommendations for appointments to the following Vol. Fire Departments to serve on the Firemen's Relief Fund (Board of Directors):

- Danbury Vol. Fire Department – Elmer Manuel
- Double Creek Vol. Fire Department – Barbara Coe

- Francisco Vol. Fire Department – Ashley Pack
- Lawsonville Vol. Fire Department – Arthur Glidewell
- Northeast Stokes Vol. Fire Department – Bobby Dunlap
- Pinnacle Vol. Fire Department – Jeremy Bowman
- Sauratown Vol. Fire Department – Wayne Barneycastle
- South Stokes Vol. Fire Department – Jean Young
- Stokes Rockingham Vol. Fire Department – Devin Rhodes
- Walnut Cove Vol. Fire Department - Brad Cheek

Commissioner Booth moved to accept the following nominations to the serve on the Firemen's Relief Fund Board of Directors:

- Danbury Vol. Fire Department – Elmer Manuel
- Double Creek Vol. Fire Department – Barbara Coe
- Francisco Vol. Fire Department – Ashley Pack
- Lawsonville Vol. Fire Department – Arthur Glidewell
- Northeast Stokes Vol. Fire Department – Bobby Dunlap
- Pinnacle Vol. Fire Department – Jeremy Bowman
- Sauratown Vol. Fire Department – Wayne Barneycastle
- South Stokes Vol. Fire Department – Jean Young
- Stokes Rockingham Vol. Fire Department – Devin Rhodes
- Walnut Cove Vol. Fire Department - Brad Cheek

Commissioner Jones seconded and the motion carried (4-0) with Chairman Lankford absent.

Manager Morris noted that the appointments will be advertised on the County website and Stokes News.

Vice Chairman Inman, with consensus of the Board, directed the Clerk to place the item on the January 23<sup>rd</sup> Action Agenda.

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

### **Health Department – Proposed Staff Reorganization/Reclassifications**

Vice Chairman Inman entertained a motion.

Commissioner Booth moved to approve the proposed Staff Reorganizations and Reclassifications submitted by Health Director Scott Lenhart at the January 9<sup>th</sup> meeting.

Commissioner Jones seconded and the motion carried (4-0) with Chairman Lankford absent.

County Manager Morris noted that Director Lenhart had requested at the January 9<sup>th</sup> meeting that he be allowed to post the vacant positions in-house and external as needed.

The Board discussed the request.

Commissioner Booth noted that this is not normal protocol for the Board.

Clerk/Personnel Officer Bullins noted that there would probably not be an internal candidate for the part time position and the Health Education Specialist.

Vice Chairman Inman entertained a motion.

Commissioner Booth moved to allow Health Director Scott Lenhart to post the vacant positions in-house and external as needed. Commissioner Jones seconded and the motion carried (4-0) with Chairman Lankford absent.

Commissioner Walker noted that he didn't have any issues with the Departments going ahead with external posting as long as the position is currently budgeted.

#### **Sheriff's Department – Proposed Reorganization**

Vice Chairman Inman entertained a motion.

Commissioner Jones moved to approve the proposed Reclassification (Records-Clerk) presented by Sheriff Mike Marshall at the January 9<sup>th</sup> meeting. Commissioner Booth seconded and the motion (4-0) with Chairman Lankford absent.

#### **Proposed Amendments to the Ordinance for the Protection of Public Health, Welfare and Safety in Connection with the Holding of Mass Gatherings**

County Manager Rick Morris presented the following proposed Ordinance for the Protection of Public Health, Welfare and Safety in Connection with the Holding of Mass Gatherings with the amendments as requested at the January 9<sup>th</sup> meeting: (changes are underlined)



STATE OF NORTH CAROLINA  
COUNTY OF STOKES

AN ORDINANCE FOR THE PROTECTION OF  
PUBLIC HEALTH, WELFARE, AND SAFETY  
IN CONNECTION WITH THE HOLDING OF  
MASS GATHERINGS

Be it therefore resolved by the Board of Commissioners of Stokes County

**Section 1.** INTENT AND PURPOSE

The intent and purpose of this Ordinance is to provide for the protection of the public health, public welfare, and public safety of those persons in attendance at mass gatherings held in Stokes County and of those persons who reside near or are located in close proximity to the sites of mass gatherings or are directly affected thereby. **This ordinance is not intended to discourage approved legitimate businesses and event promoters from holding events, where proper actions have been taken to protect the public health, safety and welfare of those attending the event and those persons otherwise affected by the event.** Examples of approved businesses and event promoters are local school systems (sports events), church facilities, race track promoters (car racing) and privately owned open air parks, which are properly facilitized and approved for camping, musical concerts or other outdoor activities.

**Section 2.** DEFINITIONS

The following definitions shall apply in the enforcement of this Ordinance

- (1) 'Mass gatherings' means the congregation or assembly of more than 1500 people in an open space: it shall include mass gatherings held for any purpose but shall not include assemblies in permanent buildings or permanent structures designed or intended for use by large numbers of people which meet standards set by local and state building codes.
- (2) "Person" means any person, firm, corporation or other organization of any kind, which holds, sponsors, organizes, conducts, or promotes, jointly or severally, a mass gathering.
- (3) "Health Director" shall mean the Stokes County Health Director or authorized representative.
- (4) "Environmental Health Specialists" shall mean the Environmental Health representative of the Stokes County Health Director.
- (5) "Director of Emergency Services" shall mean the Stokes County Director of Emergency Services or authorized representative.
- (6) "County Manager" means the County Manager of Stokes County.
- (7) Approved and / or Established Business or Activity shall mean it has been approved by Stokes County or can gain approval by demonstrating that it has experience, expertise and a history of promoting problem free mass gathering events. The approved list will be reviewed and re-approved annually by the County Manager.

**Section 3.** PERMIT NOT REQUIRED

- (a) If you are an approved and / or established business or activity with a proven track record of professionally promoting open air mass gathering events then a permit is not required.
  1. A list of approved and grandfathered businesses is available from the Stokes County Planning Dept. at (336) 593-2444 or 2439.
  2. The location of the event must be correctly zoned for mass gathering events.
  3. The attendance must not exceed 5000 or a permit will be required by NC GS 130A-253.
  4. Recognized and approved non-profits located in Stokes County will not normally require a permit. Non-profits located outside of Stokes County will not normally require a permit, but may receive additional scrutiny by the County Manager. Requests from all non-profits will be assigned a risk factor by the County Manager based on the type of activity they are proposing, and where risk is determined to be high, a permit may be required.
  5. To assist county planning in the support of mass gathering events, which do not require a permit, the County Manager should be notified by letter or email a minimum of 30 days prior to start of one-day mass gathering events and a minimum of 45 days prior to the start of

two-day events.

- (b) Businesses and / or promoters will be grandfathered from obtaining a mass gathering permit if they were an established business prior to implementation of the current and previous mass gathering ordinances. This determination on the eligibility for being grandfathered will be made by the Stokes County Planning Director.

1. To be an approved venue, two consecutive negative water sample results for coliform bacteria (if water supply is non-community or non-public) must be collected, and paid for by the venue owner annually. The owner or agent of the owner of the venue must also submit a site plan, which shows the location of proposed and existing:

- Privies or toilets
- Lavatory and bathing facilities
- Water supply sources including lakes, streams, wells, storage tanks
- Areas of assemblage
- Camping areas
- Food service areas
- Garbage and refuse storage and disposal areas
- Entrances and exits to public highways
- Emergency ingress and egress roads
- Activity area
- Distance to nearest dwelling
- Command post
- Parking facilities ( 100 cars per acre or 30 buses per acre)
- Approved wastewater disposal system

2. The permittee shall also certify that public liability and property damage insurance will be provided in an amount determined by the County Manager that is reasonable in relation to the risks and hazards involved in the proposed mass gathering.

#### **Section 4. PERMIT REQUIRED**

- (a) Unless the requestor meets the requirements of Section 3. Above, a mass gathering permit will be required for any person(s) who shall organize, sponsor or hold any mass gathering unless a permit has been issued to such persons by the County Manager under the provisions of this Ordinance. A permit shall be required for each mass gathering and is not transferable to other persons. Such a permit shall be issued by the County Manager and by an Environmental Health Specialists based on the written report of an Environmental Health Specialists. The inspection and report shall be to determine whether the provisions of this Ordinance have been complied with by the applicant. If the event is conducted within one of the municipalities within the county, then the permitting requirements in that municipality must be complied with in lieu of the county permit.

#### **Section 5. APPLICATION FOR PERMIT**

- (a) Application for a permit for a mass gathering shall be made to the County Manager, on a form available from the Stokes County Planning Dept (see Attachment). The permit application shall be completed by the person who will organize, sponsor or hold the mass gathering. The application shall be filed with the County Manager at least 30 days prior to the commencement of the mass gathering for a one day event and 45 days prior notice for an event for two or more days. A non-refundable fee of two hundred (\$100.00) dollars shall accompany the application.
- (b) The application shall contain the following information: identification of the applicant, identification of any other person(s) responsible for organizing, sponsoring or holding the mass gathering, the location of the proposed mass gathering, the estimated maximum number of persons reasonably expected to be in attendance at any one time, the date or dates and the hours during which the mass gathering is to be conducted, and a statement as to the total time period involved. The application shall further contain the purpose of the mass gathering and a description of the activities that may take place at the gathering.
- (c) The application shall be accompanied by an outline map of the area to be used, to approximate scale, showing the location of all proposed and existing privies or toilets; lavatory and bathing facilities; all water supply sources including lakes, ponds, streams, wells, storage tanks, etc.; all areas of assemblage; all camping areas; all food service areas; all garbage and refuse storage and disposal areas;

all entrances and exits to public Highway; and emergency ingress and egress roads.

- (d) In addition to the requirements provided in subsections (a) through (c) of this section, the application shall be accompanied by a statement that the applicant will use every reasonable means to provide adequate surveillance and security necessary to insure compliance by those in attendance at such mass gathering with all applicable laws which prohibit the unlawful possession, possession for sale, transportation or use of intoxicating beverages or drugs, whether narcotic or not if prohibited by applicable law, and if such permit be granted said applicant shall employ or otherwise provide competent and trained security personnel at a ratio of one for each 300 persons, or fraction thereof, expected to be in attendance at such mass gathering, which security personnel shall be approved in writing by the Sheriff of Stokes County and such approval must be attached to said application. If no intoxicating beverages are available at the mass gathering, then said applicant shall employ or otherwise provide competent and trained security personnel at a ratio of one for each 500 persons expected to be in attendance at such mass gathering.
- (e) In addition to the requirements provided in subsections (a) through (d) of this section, the application shall be accompanied by a statement that the applicant will use every reasonable means to provide adequate surveillance and security to ensure compliance by those in attendance at such mass gathering with applicable laws relating to traffic regulations, trespass and crimes against persons and property in an area with a radius of 2500 feet from the center of the proposed site for such mass gathering, and in the event such permit is granted shall provide competent, trained personnel as provided in Subsection (e).
- (f) In addition to the requirements provided in subsections (a) through (e) of this section, the application shall be accompanied by a statement that the applicant will use every reasonable means to provide adequate emergency medical services. At the site of the mass gathering, the applicant shall employ or otherwise provide emergency medical services, at a ratio not less than two emergency medical technicians for 1,000 people and one certified ALS ambulance per 5000 people. The director of Emergency Services for the county shall determine if emergency medical services are adequate.
- (g) In addition to the requirements specified in sections (a) through (e) of this section the applicant will be required to provide information and references related to other mass gathering events conducted by the applicant during the past five years. This information is required to aid the County Manager in making a determination on whether the applicant has an acceptable track record in conducting similar mass gathering events. If past performance is determined to be problematic, the permit will likely be denied.

#### **Section 6. PROVISIONAL PERMIT, BOND AND INSURANCE REQUIRED.**

- 1. Within 10 days after the receipt of the application, the County Manager and a Sanitarian shall review the application and inspect the proposed site for the mass gathering. If it reasonably appears that the requirements of this Ordinance can be met by the applicant, a provisional permit shall be issued.
- 2. If the County Manager shall deem it necessary to protect the health, welfare and safety of those persons in attendance at mass gatherings and of other persons who may be affected by mass gatherings and to carry out the provisions of this Ordinance, he may require the permittee within 5 days after issuance of the provisional permit to file with the County Manager a performance bond or other surety to be executed to the County in the amount of \$5,000.00. The bond, if required, shall be conditioned on full compliance with this Ordinance and shall be forfeitable upon noncompliance and a showing by the County Manager of any injury, damage or other loss to the State or local governmental agencies caused by the noncompliance. The permittee shall in addition file satisfactory evidence of public liability and property damage insurance in an amount determined by the County Manager to be reasonable (but not to exceed \$1,000,000) in relation to the risks and hazards involved in the proposed mass gathering.

#### **Section 7. ISSUANCE OF PERMIT; REVOCATION; FORFEITURE OF BOND; CANCELLATION**

- (a) If, upon inspection by the County Manager 15 days prior to the starting date of the mass gathering, or earlier upon request of the permittee, the required facilities are found to be in place and satisfactory arrangements are found to have been made of required services, and other applicable provisions of this Ordinance are found to have been met, the County Manager shall issue a permit for the mass gathering. If, upon such inspection, the facilities, arrangements, or other provisions are not satisfactory, the provisional permit shall be revoked and no permit issued.

- (b) Upon revocation of either the provisional permit or the permit, the permittee shall immediately announce cancellation of the mass gathering in as effective a manner as is reasonably possible, including, but not limited to, the use of whatever methods were used for advertising or promoting the mass gathering.
- (c) If the provisional permit or the permit is revoked prior to or during the mass gathering, the County Manager may order the permittee to install such facilities and make such arrangements as may be necessary to accommodate those persons who may nevertheless attend or be present at the mass gathering despite the cancellation and to restore the site to a safe and sanitary condition. In the event the permittee fails to comply with the order of the County Manager, the County Manager may immediately proceed to install such facilities and take such other arrangements and provisions for cleanup as may be minimally required in the interest of public health and safety, utilizing such State and local funds and resources as may be available. Prior to and within 60 days after such action, the County Manager may apply to a court of competent jurisdiction to order forfeiture of the permittee's performance bond or surety for violation of this Ordinance. The court may order that the proceeds shall be applied to the extent necessary to reimburse the State and local governmental agencies for expenditures made pursuant to the action taken by the County Manager upon the permittee's failure to comply with his order. Any excess proceeds shall be returned to the insurer of the bond or to the surety after deducting costs.

#### **Section 8. STANDARDS AND REQUIREMENTS FOR PERMITTED EVENTS**

The following standards and requirements are intended to protect the health, welfare, and safety of those attending mass gatherings and of other persons who may be affected by mass gatherings. In applying these standards and requirements to a particular mass gathering, the County Manager is hereby authorized to apply more or less rigid standards and requirements as called for by the specific characteristics of the gathering based upon generally recognized public health principles and practices. Any such alteration in the prescribed standards and requirements shall be in writing and shall be sent to the applicant. Necessary facilities and services shall be provided, including, but not limited to, the following:

Item 1. Activity area. An activity area shall be provided of sufficient size to accommodate the estimated number of persons reasonably expected to be in attendance at any one time. This activity area is in addition to those areas required for parking in Item 7, for camping in Item 4, and for the command post in Item 5.

Item 2. Distance from dwellings. No part of the perimeter of the activity and camping areas shall be within 1500 feet of any residence unless the occupant or owner has signed a written waiver. Notarized copies of any such waivers shall accompany the application.

Item 3. Distance from certain public water supply sources. No part of the perimeters of the activity, including camping areas, shall be located within one mile of a Class I or Class II reservoir, as classified by North Carolina Department of Environment and Natural Resources (hereafter NCDENR) or within three miles of a protected watershed which drains into an A—I stream, as classified by the NCDENR, and which stream is used as a source of public water supply.

Item 4. Camping area. An area of adequate size shall be provided and designated for camping. Such area shall be in addition to the areas provided for activities in Item 1 and for parking in Item 7.

Item 5. Command post. An adequate command post at a conveniently accessible location approved the County Manager shall be provided for use by law enforcement, health officials and other governmental agencies. The command post shall consist of at least one building or mobile unit equipped with adequate utilities and an adequate number of parking spaces. The permittee shall insure access to it at all times by government personnel.

Item 6. Ingress and egress roads, entrances and exits. The permittee shall provide personnel and arrangements necessary to keep entrances and exists to public highways open to traffic at all times. Coordination with private parties and/or NCDOT as needed regarding adequate ingress and egress roads.

Item 7. Parking. Parking facilities shall be provided off public roadways sufficient to serve the reasonably expected requirements at a rate of up to 100 passenger cars per acre or 30 buses per acre. One parking space for cars shall be provided for each four people to attend. Camper class vehicles shall park in the camping area provided in Item 4. Parking on shoulders of public highways shall not be permitted and temporary signs shall be erected by applicant to so indicate.

Item 8. Plan for limiting attendance, exclusion of non-ticket holders, crowd control, and security enforcement.

Attendance shall not exceed the number stated in the application. The application for permit shall be accompanied by a written plan for limiting attendance to the number stated in the application for permit, the exclusion of persons not holding tickets, and a written plan for security enforcement, including the number of security guards to be provided for internal and external crowd control and security enforcement. The plan shall be accompanied by a written statement from the Sheriff that the plan is adequate. The permittee shall execute the plan.

Item 9. Dust control. The application shall be accompanied by a written plan for dust control. The permittee shall execute the plan.

Item 10. Fire prevention and control. The application shall be accompanied by a written plan for fire prevention and control. If the event attendance is 1,000 or more, a crowd manager must be designated for every 250 persons in attendance.

Item 11. Plans for emergencies. The application shall be accompanied by written plans for dealing with emergency situations involving the occurrence of incidents requiring rapid evacuation, including arrangements for use of emergency egress roads.

Item 12. Provision of adequate medical care. The application for permit shall be accompanied by a written plan for the provision of adequate medical care, such plan having been approved in writing by the local health director and Director of Emergency Services. At the time of the inspection required by Section 5, the structure and all supplies and equipment provided for in the plan shall be in place; and the agreements and statements provided for in the plan shall be determined to be valid. The plan shall include provisions for:

(a) The name and address of a physician licensed to practice medicine in North Carolina to be responsible for the organization and delivery of emergency medical services. A signed notarized statement by the physician accepting the responsibility shall accompany the plan. He shall determine how many licensed physicians, licensed nurses, and other medical personnel shall be on duty on the premises at any particular time.

(b) At least one enclosed covered Structure to be used as a medical treatment center. The structure or structures shall provide at least a total of 450 square feet and shall have running water under pressure from an approved source.

(c) A list of medical supplies and equipment sufficient to support reasonably anticipated medical care requirements.

(d) Notification of all general public hospitals within 20 miles of the mass gathering location as to scheduled dates and anticipated attendance of the mass gathering.

(e) The name and address of at least one licensed ambulance service agency to be responsible for providing emergency transportation. A signed notarized statement by an official of the agency accepting the responsibility shall accompany the plan.

Item 13. (a) Water supply — general. There shall be provided a water supply from an approved source. An approved emergency source shall be provided in addition where necessary. Approved facilities shall be provided for distributing and dispensing and the supply shall be adequate in quantity and quality. The sponsor shall have in his possession, at the time of the inspection as provided in Section 5, the reports of bacteriological and chemical examinations of water samples by the laboratory section of the NCDENR. The water shall be chlorinated so as to provide a free—chlorine residual of at least 1.0 part per million at all outlets at all times during the gathering. The water supply and the facilities for distribution and dispensing shall be provided with effective safeguards to prevent the introduction of hallucinogenic drugs or other contamination.

(b) Water supply - requirements. If water is to be provided only for drinking and washing, water shall be supplied at a rate of three gallons per person per day and a peak hour demand of one and one—half pints per person. If water is to be provided for drinking, washing, and bathing, water shall be supplied at a rate of 12 gallons per day per person and a peak hour demand of six pints per person.

(c) Water supply — source. Water shall be obtained from a public or community water supply approved by NCDENR. If new source of water supply is to be provided, the application shall be accompanied by the necessary plans, engineer's report, and specifications (in triplicate) as required for review and approval by the Sanitary Engineering Division, North Carolina Division of Health Services, and the application shall include plans, engineer's report, and specifications for the emergency source capable of supplying at least

three gallons per day per person. If water is to be hauled from an off-site source, storage facilities shall be provided in the area sufficient in volume to supply the needs of the gathering for its duration before being filled with water for use during the gathering, all storage tanks shall be cleaned thoroughly, filled with clean water containing a chlorine residual of at least 100 parts per million, and, after a contact time of at least twenty-four hours, all such tanks shall be emptied. Subsequently, and prior to the issuance of a permit, all such tanks shall be filled with water from an approved source and all inlets to such tanks shall be closed and locked so as to give positive protection against the introduction of contamination.

(d) Water supply distribution. Water outlets shall be provided at an adequate number of convenient and readily accessible locations properly distributed throughout the activity and camping areas

- Item 14. Toilet facilities / sewage disposal. Sanitary toilet facilities shall be provided at an adequate number of convenient and readily accessible locations properly distributed throughout the activity and camping areas at a rate of not more than 100 persons per toilet seat. If chemical toilet rental is to be employed, all toilets shall be so located as to be readily accessible by service vehicles and shall be serviced as often as necessary. Material removed from such toilets shall be disposed of in a public or community sewage system

If water-carried sewage facilities are provided, the sewer system shall be connected to a public or community sewage system having waste-water treatment facilities of adequate capacity to treat the flow of waste-water from the mass gathering; and the application shall be accompanied by a signed statement by the North Carolina Department of Natural and Economic Resources attesting to the adequacy of the treatment facilities. A similar statement shall accompany the application if material removed from a chemical toilet is to be disposed of in a public or community sewage system. No sewage shall be discharged to the surface of the ground or into any watercourse.

- Item 15. Solid waste collection and disposal. Facilities shall be provided for all solid wastes to be collected and stored in leak-proof, non-absorbent containers, and all solid wastes shall be removed daily or more often and disposed of in a community solid waste disposal facility or in a sanitary landfill to be constructed in the area. Solid wastes shall be placed in the landfill, compacted as densely as possible, and covered after each day of operation with a compacted layer of at least six inches of dirt. Approved receptacles having a maximum capacity of 55 gallons shall be provided at places conveniently located throughout the activity, camping and parking areas, and at each food service facility for the deposition of solid wastes. If bulk solid waste storage containers are used, at least two four-cubic yard containers shall be provided per 1,000 persons in the case of once-daily removal, or two two-cubic-yard containers per 1,000 persons in the case of once-daily removal, and these containers shall be so located as to be accessible to solid waste service vehicles.

- Item 16. Food dispensing. Sanitary food dispensing facilities shall be provided at accessible and convenient locations, and shall be maintained in a sanitary condition. Perishable food items dispensed from such facilities shall be limited to pre-packaged items, such as wrapped sandwiches, prepared in commercial establishments and under official sanitary supervision, and shall be dispensed in the unbroken packages; provided, that chicken, hamburgers, and frankfurters obtained from approved sources may be cooked and packaged at the site if all operations or preparation, cooking and packaging in unit packages for dispensing to individuals are done inside an approved structure or vehicle, in a sanitary manner, and otherwise in compliance with the "Rules and Regulations Governing the Sanitation of Restaurants and Other Food Handling Establishments" of NCDENR, perishable foods shall be stored at or below 45 degrees F. or in the frozen state, until heated or cooked immediately before serving.

- Item 17. Insect and rodent control. There shall be no fly or mosquito-breeding places, rodent harborages, or undrained areas on the premises. Necessary measures shall be taken to control flies, mosquitoes, rodents, or other vermin.

- Item 18. Post-gathering clean-up. Within one week after the end of the gathering, all sanitary landfills and the areas and immediate surrounding properties shall be cleaned of all litter and solid wastes on roads leading from the areas and within one mile of the areas and which can be attributed to the mass gathering shall be removed. All solid wastes shall be disposed of as provided in Item 15. Unless otherwise directed by the owner of the property, all temporary facilities (such as solid waste receptacles and signs) shall be removed from the areas.

- Item 19. Noise level at perimeter. The application shall be accompanied by detailed plans for amplifying equipment, which shall be so located and operated as to limit the noise level at the perimeter of the site to no more than

70 decibels on the A scale of a sound level meter which meets the specifications of the American National Standards Institute. The applicant shall include a signed statement certifying that the noise level limit as herein specified will not be exceeded.

Item 20. Lighting. The application shall be accompanied by detailed plans for lighting designed to illuminate the site.

Item 21. Signs. Signs shall be posted throughout the area showing the locations of toilet facilities, water supply outlets, solid waste receptacles, food stands, first aid facilities, and the command post.

#### **Section 9. PENALTIES**

- (a) Any person who willfully holds a mass gathering as herein defined without first securing a permit to do so as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars (\$500.00), or imprisonment for a period not to exceed thirty days.
- (b) Any person who willfully fails to perform any other act required by this Ordinance, or who willfully does any act prohibited by this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars (\$500.00), or by imprisonment for a period not to exceed thirty days.

#### **Section 10. INJUNCTION**

If any person shall violate or threaten to violate the provisions of this chapter or any rules and regulations adopted pursuant thereto and such violation, if continued, or such threatened violation, if committed, is or may be dangerous to the public health, safety, or welfare, or if any person shall hinder or interfere with the proper performance of duty of the County Manager or his representative and such hindrance or interference is or may be dangerous to the public health, the County Manager may institute an action in the superior court of the county in which such violation, threatened violation, hindrance, or interference occurred for injunctive relief against such continued violation, hindrance or interference, irrespective of all other remedies at law, and upon the institution of such an action, the procedure shall be in accordance with the provisions of article 37 of Chapter 1 of the General Statutes.

#### **Section 11. RIGHT OF ENTRY**

Authorized representatives of the County Manager shall have at all times the right of proper entry upon any and all parts of the premises of any place in which such entry is necessary to carry out the provisions of this chapter, or the rules and regulations adopted under the authority of this chapter; and it shall be unlawful for any person to resist a proper entry by such authorized representatives of the County Manager.

#### **Section 12. REPEALER CLAUSE**

All rules and regulations heretofore adopted by the Stokes County Board of Commissioners which are in conflict with the provisions hereof are hereby repealed. This Ordinance shall be enforceable regardless of the applicability of other rules and regulations of other governmental bodies.

#### **Section 13. SEVERABILITY**

If any provisions of this Ordinance, or the application hereof to any person or circumstances is held invalid, the remainder hereof or the application of such provisions to other persons or circumstances, shall not be affected thereby.

#### **Section 14. EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after the \_\_\_\_\_, 2012.

#### **Section 15. APPEAL CLAUSE**

Any person, firm, corporation or other organization of any kind adversely affected by the decision of the County Manager and administration of this Ordinance would have the right of appeal to the Stokes County Board of County Commissioners, such appeal to be heard within twenty days of the written notification of adverse decision by the county manager.

COUNTY OF STOKES

Ernest Lankford, Chairman  
Stokes County Board of Commissioners

ATTEST

Darlene Bullins  
Clerk to the Board

Amended ADD New DATE

Vice Chairman Inman entertained motion regarding the proposed Ordinance for the Protection of Public Health, Welfare and Safety in Connection with the Holding of Mass Gatherings.

Commissioner Booth moved to approve the Protection of Public Health, Welfare and Safety in Connection with the Holding of Mass Gatherings as submitted by Manager Morris.  
Commissioner Jones seconded the motion.

Commissioner Walker reviewed the changes with Manager Morris.

The motion carried (4-0) with Chairman Lankford absent.

**NCDOT- Proposed Order to Abandon a Portion of the Right of Way on McAnally Road – SR#1703**

Vice Chairman Inman entertained a motion regarding the following proposed Order:

STATE OF NORTH CAROLINA )	OFFICE OF THE COMMISSIONERS
)	STOKES COUNTY GOVERNMENT
COUNTY OF STOKES )	DANBURY, NORTH CAROLINA

**ORDER**

**CLOSING A PORTION OF SR #1703 – MCANALLY ROAD**

The Stokes County Board of County Commissioners, after notice and public hearing pursuant to N.C.G.S. 153A-241, makes the following findings and conclusions:

1. The State of North Carolina abandoned the road outlined in red on the attached map of SR#1703- McAnally Road and will not maintain that portion of the road;
2. The requesting property owner is the sole property owner along the portion of the road to be closed;



3. Closing the public road is not contrary to the public interest and no individual owning property in the vicinity of the road would be deprived of reasonable means of ingress and egress to this property;
4. The Board of County Commissioners concludes that closing of the portion of the road pursuant to N.C.G.S. 153A-241 is in the best interests of the sole property owner and the citizens of the County of Stokes.

**IT IS THEREFORE ORDERED** by the Board of County Commissioners of the County of Stokes that since the State will not maintain the abandoned portion of SR#1703 – McAnally Road, the abandoned portion of SR#1703 – McAnally Road be closed pursuant to N.C.G.S. 153A-241.

#### **CERTIFICATE**

The foregoing **Order** was duly adopted by the Board of Commissioners of the County of Stokes at a meeting on the **9<sup>th</sup> day of January 2012**, and appears on the minutes of the said Commission. A certified copy of the order shall be filed in the office of the Register of Deeds of the County.

**WITNESS**, my hand and official seal this the **9<sup>th</sup> day of January, 2012**.

\_\_\_\_\_  
**Ernest Lankford - Chairman**

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**J. Leon Inman - Vice Chairman**

\_\_\_\_\_  
**Jimmy Walker - Commissioner**

\_\_\_\_\_  
**Ronda Jones - Commissioner**

\_\_\_\_\_  
**James D. Booth - Commissioner**

**Attest:**

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

Commissioner Booth moved to approve the NCDOT – Proposed Order to Abandon a Portion of the Right of Way on McAnally Road – SR #1703. Commissioner Walker seconded the motion.

Vice Chairman Inman confirmed with staff that all statutory requirements had been met. The motion carried (4-0) with Chairman Lankford absent.

#### **Appointment – Stokes Health Services Alliance**

Vice Chairman Inman opened the floor for nominations for the Stokes Health Services Alliance.

There were no nominations.

January 9, 2012

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Vice Chairman Inman, with full consensus of the Board, directed the Clerk to place the item on the January 23<sup>rd</sup> Action Agenda.

**Appointment – Stokes County Nursing Homes Community Advisory Committee**

Vice Chairman Inman opened the floor for nominations for the Stokes County Nursing Homes Community Advisory Committee.

There were no nominations.

Commissioner Walker requested the Clerk to make sure the Board members knew they could make recommendations.

Vice Chairman Inman requested the Clerk to see if members of the Board would be able to serve on the Committee.

Vice Chairman Inman, with full consensus of the Board, directed the Clerk to place the item on the January 23<sup>rd</sup> Action Agenda.

**DSS – Social Worker III – External Posting**

Vice Chairman Inman entertained a motion.

Commissioner Walker moved to allow DSS Director Preston to post the Social Worker III (foster care) position externally. Commissioner Jones seconded and the motion carried (4-0) with Chairman Lankford absent.

**Closed Session:**

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

- To consider and take action with respect to the position to be taken by the county in negotiating the price or other material terms of an agreement for the acquisition or lease of real property pursuant to G.S. 143-318.11(a)(5).
- To consult with an attorney employed or retained by the public body in order to preserve the attorney client privilege between the attorney and the public body, which privilege is hereby acknowledged pursuant to GS 143-318.11(a)(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(a)(6).

Commissioner Jones moved to enter Closed Session for the following:

- To consider and take action with respect to the position to be taken by the county in negotiating the price or other material terms of an agreement for the acquisition or lease of real property pursuant to G.S. 143-318.11(a)(5).
- To consult with an attorney employed or retained by the public body in order to preserve the attorney client privilege between the attorney and the public body, which privilege is hereby acknowledged pursuant to GS 143-318.11(a)(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(a)(6).

Commissioner Booth seconded and the motion carried unanimously.

The Board returned to the open session of the January 9<sup>th</sup> meeting.

#### **Fire Marshal's Office – On Call Compensation**

Vice Chairman Inman entertained a motion.

Commissioner Jones moved to approve on call compensation in the amount of \$200 per week for the Assistant Fire Marshal who will be doing 24/7 on call until the Fire Marshal returns from Family Medical Leave with doctor's approval to return to full activity with no restrictions. Commissioner Walker seconded and the motion carried (4-0) with Chairman Lankford absent.

#### **Adjournment**

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

Commissioner Booth moved to adjourn the meeting. Commissioner Jones seconded and the motion carried (4-0) with Chairman Lankford absent.

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

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**Ernest Lankford**  
**Chairman**