

STATE OF NORTH CAROLINA)
)
COUNTY OF STOKES)
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OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
APRIL 23, 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, April 23, 2012 at 6:00 pm with the following members present:

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

County Personnel in Attendance:
County Manager Richard D. Morris
Clerk to the Board Darlene Bullins
Finance Director Julia Edwards

Chairman Ernest Lankford called the meeting to order.

Chairman Lankford presented the following "Thought for the Day":

- "Walk in wisdom, continue in prayer and watch in the same with thanksgiving"

Commissioner Booth delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

Chairman Lankford 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

Chairman Lankford entertained a motion to approve or amend the April 23, 2012 Agenda.

Commissioner Booth moved to approve the April 23rd Agenda as submitted.

Commissioner Walker seconded and the motion carried unanimously.

PUBLIC COMMENTS

Chairman Lankford noted the following:

- Speakers will be allowed three (3) minutes
- There will be no responses from the Board of Commissioners

The following spoke during Public Comments:

Jayson Duncan

3196 US 311

Pine Hall, NC 27042

Re: **Fracking**

Mr. Duncan presented the following comments:

- Being proactive tonight regarding fracking which may be coming to Stokes County
- Dan River is sitting on a fault site; Pine Hall is located on the Dan River fault
- The fault is the reason the Triassic soil is pushed to the top which makes people think there may be some oil or gas under it
- The Triassic soil causes several problems:
 - Land doesn't perk well
 - Settling problems
 - Homes on the Triassic Basin settle causing cracks in the foundation
- Very concerned about blasting on the fault line
- Was in Ohio recently and found out the following regarding fracking:
 - Ohio has had more earthquakes during the past three years since fracking was started than the century before fracking
- Concerned about the water supply in the county
- Concerned where the water (takes a large amount) will come from that is needed to perform fracking
- Stokes County does not have a lot of water, unless they suck the Dan River dry
- Can't get it from Belews Lake because it is a cooling pond
- If wells are dug, could affect private citizens' water supply
- If fracking is approved, hope the Board will take a serious look at how this is going to affect us economically
- Immediately going to get my water tested by the State and also by an independent authority
- There is a problem with one of the lawsuits currently going on in Ohio because water was not tested before the fracking started
- Would suggest other citizens in the fracking area have their water tested
- Hope the Board would say "no" if this comes as a question for Stokes County
- That little bit of natural gas will not be worth the water supply that will be lost

Kris Dearmin

715 Summit Street
Walnut Cove, NC 27052

Re: **Resolution**

Ms. Dearmin presented the following comments:

- Stand before you tonight and ask that you to vote no on tonight's Resolution to support Amendment One
- Regardless of your personal feelings on Amendment One, your job as elected officials is to support the best interests of the citizens of Stokes County
- I am a Stokes County citizen, a taxpayer, and never miss an opportunity to vote in local elections; this last point should be of particular interest to those who are up for re-election
- Do not support this amendment
- Your job, as elected officials, is to represent the entire county, not just the wealthy citizens, not just the white citizens, not just the heterosexual citizens, and not just the fundamental Christians
- As long as one person in the County is against this Amendment, for whatever reason, your obligation is to support that
- You should not pretend that you speak for him or her by passing a Resolution that indicates otherwise
- By passing this Resolution, you communicate to the world that the entire County supports this amendment; we do not
- If you were to pass this Resolution, you would be in effect, telling a falsehood, that should ring unethical for you, if it does not, then there are larger problems at play than the passage of this Resolution
- Please understand, am not trying to dissuade your personal beliefs about this amendment, although, would welcome an opportunity to discuss the perceived benefits and the unintended consequences of its passage
- Support your right to your personal beliefs on the matter even if we disagree; however, your personal beliefs are not at issue here
- There is no conflict in holding strong to your personal beliefs while recognizing that they do reflect that of all Stokes County citizens
- You may vote what is right for you in your personal heart on May 8th
- Tonight, however, you must vote to represent the entire county, every single person who resides within its boundaries
- If any one of those individuals does not support the amendment, then you cannot in good conscience pass this Resolution
- Please don't assume that the whole of Stokes County is one monolithic homologous block of drones, we are a deeply diverse and richly varied group, from farmers to businessmen and everything between and beyond
- By positioning us as a standardized consensus, you denied us of the richness of who we are
- You discount the multiplicity of our life's experiences and our journeys thru this world
- Citizens of Stokes County deserve better, they deserve to be counted on equal terms and not lumped into some blob of sameness
- As our elected officials, it is your job to make sure that everyone's voice is heard and represented; passing this Resolution is perpendicular to that

- You are charged with representing the entire county, not just a certain demographic and not your personal beliefs
- If you do ultimately pass this Resolution and thereby choose to represent only a specific group of Stokes County citizens; please note that you will not be representing me and you will be effectively silencing and ignoring the voices of the very citizen you were elected to represent
- Rest assured, we will remember this during election time

Patti Dunlap

3270 Dodgetown Road
Walnut Cove, NC 27052

Re: **Fracking**

Ms. Dunlap presented the following comments:

- Appreciate the Board allowing citizens to speak on hydraulic fracturing that may be looming in the future for Stokes county
- Requested those in the audience who depended, including Commissioners, on well water to please stand up
- 2.7 million people in North Carolina are dependent on well water; prefer my well water to be clean and not contaminated as may be the case if fracking is allowed in NC
- Currently, the counties of Stokes, Rockingham, Lee, Moore, and Chatham are potential candidates for fracking
- Stokes and Rockingham are part of the Triassic Basin, known as the Dan River Basin
- Geologists think that deposits of natural gas may lie beneath our feet
- Getting the natural gas out from beneath our feet requires an invasive and unhealthy approach, currently being used in other regions of the country with great controversy, spoiled or depleted water supply and often dangerous health and environmental issues
- Several of the Stokes County residents present tonight attended an open forum on fracking at Rockingham Community College last Tuesday
- Forum was led by Hope Taylor, Research Scientist and Biochemist, who is the Executive Director of Clean Water for North Carolina Organization
- There were some disturbing facts brought to our attention at the forum
- North Carolina is the most densely populated state to be considered for possible fracking
- A fracking well can be placed every 160 acres using three to seven million gallons of water per frack
- One well can be fracked up to twenty times
- In our county and state that has been subject to serious drought in the past 5-6 years, where will the three to seven million gallons of water per frack come from?
- It will come from our drinking water aquifers
- Fracking could conceivably deplete our clean drinking water
- If it doesn't deplete the drinking water, fracking procedures could contaminate our water supply as it has done in other parts of the United States forcing people to no longer drink their own water and have to purchase water outside of the region
- Economic benefits are few
- Signing bonuses to property owners for leasing mineral rights in North Carolina are low

- Royalties, approximately 12.5%, are not paid until the gas is sold which could be years from now
- Most of the workers who are hired come from out of state for this skilled work with an estimated peak number of 800 workers hired in the state
- There number of jobs would dramatically decrease after the first year
- There would be damage to our road system from the 24/7 constant flow of heavy equipment and serious air quality issues
- First 1,000 feet or so of subsoil contains our public and private drinking water aquifers
- Fracking rigs or derricks are installed and drill vertically down to the layer of shale and in other parts of the United States, this shale can be 3,000 to 8,000 feet below the surface
- Have a lot more information to provide to the Board regarding fracking

Mary Kerley

1150 NC 772 HWY

Pine Hal, NC 27042

Re: **Fracking**

Ms. Kerley presented the following comments:

- Thank you for the opportunity to speak
- Have another concern regarding fracking that is unique to Stokes County
- In December 2008, at a coal fired steam station in Kingston, Tennessee, the retention dam of an 86 acre ash lake ruptured with devastating results
- Over 300 acres flooded, houses destroyed, ground water and rivers polluted
- Estimated cleanup cost for the spill is \$1 billion and will not be completed until 2014
- After the spill in Tennessee, the Environmental Protection Agency in 2009 mandated an assessment of dam safety at the Belews Creek Steam Station Ash Retaining Lake in Stokes County
- The dam at Belews Creek Steam Station forms an impoundment of 350 acres with a dam that is 2,000 feet long and 130 feet high
- Presented each Board member a copy of the report entitled: "Assessment of Dam Safety Coal Combustion Surface Impoundments (Task 3) Final Report – Duke Energy Corporation, Belews Creek Steam Station, Walnut Cove, NC
- My areas of concerns:
 - At the time of this report, which was done in September 2009, earthquake resistance had not been done on the dam; have no way of knowing what size earthquake (small or large) would rupture the dam
 - The report gives the Ash Lake Retaining Dam a classification of high hazard potential; this classification means failure or mis-operation will probably cause loss of human life
 - The reason for the hazard rating chosen is that in the event of a failure under full load, the waste would affect Pine Hall, Route #1990, Middleton Loop Road, and spill into the Dan River with potential loss of human life due to location of nearby roadways and the Village of Pine Hall and probably high environmental impact due to material volume, dam height, and pollution hazard

- There is increasing evidence that hydraulic fracking causes earthquakes; if fracking is allowed in Stokes County, especially in the Walnut Cove, Germanton, and Pine Hall areas, we are playing Russian Roulette with our future
- We can't prevent a natural occurring earthquake, but we can prevent fracking which is linked to earthquakes
- Do not mortgage the future of our children
- Do not allow fracking in Stokes County which could cause a catastrophe event from which our county would never recover

Michael Hartley
 1100 Buck Meadow Lane
 King, NC 27021
 Re: **Fracking**

Mr. Hartley presented the following comments:

- Speaking today of concern and opposition to fracking which has been proposed in NC
- One concern – who is going to monitor this, who is going to regulate this, who is going to ensure that the procedures are done with appropriateness?
- In a State study entitled a Review of Oil and Natural Gas Environmental Regulations done in February 2012, NCDNER was evaluated.
 - NCDNER was found to have reduced staff at present because of budgetary concerns in the state
 - They don't have enough staff to do what is currently needed
 - They have no one on staff that has direct responsibility for monitoring this type of wells
 - They have no procedures in place
 - They have no formal standards
 - They have no full time staff working on regulations for fracking
- Even if DEHNR was up to speed, which they are absolutely not, fracking has too many dangers associated with it
- Very pleased to live in Stokes County
- Family depends on a well for water supply, so do our neighbors
- There are dangers to well water which have been demonstrated where fracking takes place in other places
- Request the people in attendance for tonight's meeting that are in opposition to fracking in this County to please stand
- There is a substantial body of opposition to this procedure in Stokes County
- Request the Board of Commissioners formulate an ordinance that will ban fracking in Stokes County

Tony Craig
8849 HWY 89
Westfield, NC 27053
Re: **Marriage Amendment**

Mr. Craig presented the following comments:

- Wanted to go on record tonight to state that I am against the marriage amendment mostly because it is discriminatory, it is intolerant and it is wrong
- Not asking anybody to like the underlying reason for the support of this, but am asking the Board to not set a precedent making sure that all North Carolinians are not going to be given the same rights as you, yourselves enjoy
- We said the Pledge of Allegiance tonight with the ending – Liberty and Justice for All - the most basic right being the right to pursuit of happiness
- It is not up to the government to legislate and regulate lifestyle choices
- It is up to the government to serve the interests of all the citizens of the state and country and that is why I am against the marriage amendment

Ellen Peric
1095 Wheeler Smith Road
Lawsonville, NC 27022
Re: **Marriage Amendment**

Ms. Peric presented the following comments:

- Speaking tonight regarding the marriage amendment
- It is not needed
- It is bad for business
- There is already a law on the books prohibiting gay marriage, so this has been a waste of taxpayer money
- It takes the focus away from our number one priority – jobs
- We are a forward looking state and we should welcome all businesses and all their employees
- As Ronald Reagan once said: “Government's first duty is to protect the people, not run their lives”

Penn Paylev
1095 Evans Road
King, NC 27021
Re: **Fracking**

Ms. Paylev presented the following comments:

- Would like to address the idea of fracking
- These are the things that the people who want to do fracking will bring to our home:
 - Methanol which is antifreeze, paint solvent, and vehicle fuel
 - BTEX – benzene found in gasoline, toluene, ethylbenzene, and xylenes – diesel fuel which also includes kerosene found in jet fuel
 - Lead which is found in paint construction materials and roofing joints

- Hydrogen fluoride which are rust removers and heavy duty cleaners
- Naphthalene which is moth balls
- Sulfuric acid which is lead acid for batteries
- Formaldehyde which is embalming fluid
- 279 products of unknown chemicals which are proprietary or trade secrets which are not exposed to the public
- Husband and I moved to Stokes County because we felt lead by the spirit
- Felt that we had found our paradise, the Kingdom of God on Earth
- Fracking threatens that
- We need to stand up against fracking
- Why are we even entertaining the notion of fracking; our lives are filled with abundance
- The liquid grace we know as water, sustains us
- Can't live for three days without water
- We can go a lifetime without gas
- Our culture is currently filled with the mythos of the vampire, it is appalled, it is romanticized, it is accepted; yet we do not realize that once you open the door and welcome them, they do not leave; they suck the life out of you and you become an empty shell, living, but not alive
- This is what will happen to our land, our home, the Kingdom of God on Earth
- We believe it is wrong to kill, there are many examples of that
- But as Christians, living in the Kingdom of God, believing the Kingdom of God is our home and this earth; why are we doing this to our mother? Sucking the life out of her, killing her in this manner
- When a stranger comes that you do not know and you do not know whether to trust, you must simply ask – Are you from the creator and the answer has to be yes; if the answer is yes and it is a lie, then that demon must leave; if the answer is no, then that demon must leave
- We must not allow anything to threaten our home
- We stand to protect our mother – this earth and our lives
- The solution is always bigger than the problem

Ramona Timm

PO Box 573

Walnut Cove, NC 27052

Re: **Marriage Amendment**

Ms. Timm presented the following comments:

- Here today to state that I support the marriage amendment
- I am not asking you to vote for or against it
- I leave it up to your discretion
- I understand that this resolution does not carry force of law
- I understand that this resolution is just as legally binding as a piece of paper
- I don't want you to think that you are under any duress if you have to vote one way or the other
- I realize that you represent us, but I don't expect you to represent contrary points of view

- I do not expect you to represent contradictory points of view
- In logic, there is one particular item that says: when you have two contradictory points, one is wrong, not both; one is right, not both
- When we speak of marriage, I am speaking of an institution that is older than this country
- It has been set up since the beginning of the dawn of time
- This is an institution that was not set up by man, it was set up by God
- This country's foundations are based on the principles found in God's word
- We have experienced the blessings that are from God because of our foundation
- If you choose to not vote on the resolution, that is your choice
- If you chose to vote on the resolution, that is your choice
- If you vote to approve the resolution, believe that you will be representing the majority of the people

E.A. Timm

PO Box 573

Walnut Cove, NC 27052

Re: **Marriage Amendment**

Mr. Timm presented the following comments:

- Your oath to the Federal and State Constitutions was not made to nothing, but to Almighty God, with the tradition of one hand on the Bible
- Our Declaration of Independence declares that governments are instituted to protect those God given Rights from our Creator
- Our State Constitution states in Article 1 - Section 1: "that they are endowed by their Creator with certain inalienable rights"
- Those rights would be only those that a Righteous God would give
- There are no rights or wrongs, or to change God's given definition of marriage
- The Separation of Church and State phrase, comes from the separation of Federal and State powers principle, as explained by Jefferson, in his Kentucky Resolution of 1798, 3. -
 - Resolved: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press; thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press; insomuch, that whatever violated either, throws down the sanctuary which covers the others, and that libels, falsehoods, and defamation, equally with heresy and false religion, are withheld (separated) from the cognizance of the federal tribunals"
- The federal tribunals would be legislative, executive, and the Supreme Court
- NC had in their Constitution, Christian requirements to hold office, when they wanted and ratified the First to the Tenth Amendments
- Listen to the current NC Constitution Preamble:
 - We, the people of the State of North Carolina, grateful to Almighty God, the Sovereign Ruler of Nations, for the preservation of the American Union and the existence of our civil, political, and religious liberties, and acknowledging our dependence upon Him for the continuance of those blessings to us and our posterity, do, for the more certain security thereof and for the better government of this State, ordain, and establish this constitution

- How absurd it is to be grateful to Almighty God and depend on Him for blessings, security, and better government, when there are those who will not stand up for what He had written in the Bible as right and wrong
- We are looking to you: to remember your oath to God; for leadership to clarify what you believe marriage should be; because our children need your protection, so that they will not be taught in schools, that a homosexual marriage is a legitimate lifestyle for a family
- The outcome of this Amendment will determine where families will have to go

Ken Ilgunas

Wells Creek Road

Madison, NC 27025

Re: **Marriage Amendment**

Mr. Ilgunas presented the following comments:

- Would like to say a few words in opposition of the resolution supporting the marriage amendment
- I am a writer who moved to Stokes County after graduating from Duke University
- Been in Stokes County for approximately two years
- Thinks that Stokes County is one of the most beautiful places on earth
- Was looking for a quiet place to write a book
- First heard about the resolution in the Stokes News; also on the same front page – Retaining Young Professionals is Key to Stokes County
- The article stated that 68% of people from Stokes County work outside the county and 60% of retail purchases are outside of county lines
- If Stokes County cares about retaining young people and attracting new young people to Stokes County, you should think twice about passing this resolution
- Statistics show that young people do not care about this issue (two people of same sex marriage)
- Gallup Poll:
 - In 2010, 54% of 18-34 years old thought that same sex marriage should be legal
 - In 2011, 70% thought it should be legal
 - What will it be like in two years, in five years?
- Stokes County should be an inviting and accepting community
- Do not want to send the message that we are close minded, unopened, and un-accepting
- We all know that this is not an economic issue; it is a civil rights issue
- Do we not see that this makes a minority a second class citizen?
- Do we not see that we are keeping from others the rights that we enjoy?
- How is that fair?
- How is that America?
- I realize that we cannot stop the amendment from passing, but by refusing to pass this resolution, we can send a message that Stokes County does in fact believe in freedom and equality

David Dalton

1220 Wells Creek Road

Madison, NC 27025

Re: **Marriage Amendment**

Mr. Dalton presented the following comments:

- Would first like to thank those who came tonight to speak against fracking
- Would like to talk about the marriage amendment
- Came to Stokes County four years ago to retire after a career in the newspaper business
- Spent 17 years in California, but don't consider myself to be an outsider
- I grew up in Yadkin County and am a descendent from the same Virginia Daltons as the Daltons who settled in Stokes County shortly after the Revolutionary War
- I am a Progressive
- I lived in Nancy Pelosi's Congressional District in San Francisco before moving to Stokes County
- As a Progressive, you can imagine what my views are regarding Amendment One
- I believe it would be harmful to the people of North Carolina and agree with the business people who say the passing of Amendment One would be harmful to the North Carolina economy
- However, how I feel about Amendment One, is not really relevant at the county level of government
- Marriage, of course, is regulated by State law and as far as I know, the County's only involvement with the marriage law is to keep records of marriages and divorces, the same way they do with other vital statistics such as births, deaths, etc.
- Though a County Board of Commissioners is free to express its views on any subject in the form of a resolution or proclamation; however, that resolution/proclamation does not have any force of law
- On the Board's Agenda tonight, the Board has a Proclamation regarding Older Americans Month – a resolution I like
- A Proclamation regarding Older Americans is not divisive, it honors rather than marginalizes an important segment of the population in Stokes County
- Amendment One, on the other hand, is divisive
- It serves only to set neighbor against neighbor and to exaggerate our differences
- It is a wedge issue, the kind of wedge issue that has been so toxic to politics at the State and National level
- As I stated earlier, I am a Progressive
- I can remember voting for a Republican only once in my entire life
- That was two years ago and that Republican is a member of the Board of Commissioners – Ernest Lankford
- When I went to vote, Mr. Lankford was outside the voting place making himself available to talk to people about Stokes County
- Mr. Lankford and I had a very serious talk about Stokes County
- I found his views were very similar to mine, both were very concerned about the economy of Stokes County, schools, budget and the careful and frugal use of the taxpayers' money

- At the county level of government, we are all neighbors, we gain nothing by allowing ourselves to be distracted by wedge issues that divide us as Americans at the State and National level
- One reason I voted for Mr. Lankford was that during our conversation, which lasted almost an hour, Mr. Lankford was focused on Stokes County, no wedge issues that National media makes such a fuss about and need not concern us at the county level of government
- Urge this Board to table the resolution regarding Amendment One
- The Board has no obligation to act on the Resolution

Barbara Lawson
 1190 Watts Road
 Walnut Cove, 27052
 Re: **Marriage Amendment**

Ms. Lawson presented the following comments:

- Did not wish to speak, other than stating that she supported the marriage amendment

Don Lawson
 1190 Watts Road
 Walnut Cove, NC 27052
 Re: **Marriage Amendment**

Mr. Lawson presented the following comments:

- Would like to make my voice known, support the marriage amendment because I believe it is God's way of reproducing
- Feel that men and women are instituted by God's word
- Has been that way for years and years
- Feel it is right morally and have an obligation to go God's way
- This is something that was not instituted yesterday
- Know that by living together not God's place, places have been destroyed
- Don't have to say a whole lot, we know morally what is right
- Must do morally or will have to answer before God

David Simpson
 1185 Styers Road
 Germanton, NC 27052
 Re: **Fracking**

Mr. Simpson presented the following comments:

- Have run two businesses with my wife in Stokes County for over 30 years, one being Germanton Winery
- Depend on clean water in Germanton to make that good wine
- Feel that fracking could destroy the clean water
- Had a visitor in my business two weeks ago that has moved from PA to get away from fracking
- Fracking had destroyed his family's home, well, and what he had worked for his entire life

- If he could have been here, he could not tell you in three minutes what it had done to destroy his life, would take a lot longer than three minutes
- Feels there are better ways to bring economical development to Stokes County instead of fracking
- Once those people are gone; we will be left with the mess

Olivia Shelton

602 N Main Street
Danbury, NC 27016

Re: **Amendment One**

Ms. Shelton presented the following comments:

- Speaking to you today not as an elected official, speaking to you primarily as a person who just visited three sons (the lawyer, the grad student, the son who sells shoes) this week who do not want to come back to live in Stokes County
- It is because they are young
- Requesting the Board oppose the Proclamation, you do not need to make it
- Personally opposed to the marriage amendment (known as Amendment One)
- It writes discrimination into our Constitution and all other amendments are giving you liberty and freedom
- Makes me feel like a Libertarian and those who know me, know that is probably not true in many cases
- Richard Vinroot and John Hood and other conservative intellectuals and legal scholars are all saying this is "bad law"
- It is intended to distract the legislators from more important stuff because it will probably be overturned; you have heard this from legislative leaders yourself
- I concur with young new recruits that it will hurt tourism, it will hurt other businesses, it will hurt real estate, it will hurt recruitment into Stokes County
- Our voters will be deciding, it is not up to the Board of Commissioners
- You represent everyone in Stokes County and there is not a consensus
- Feels that we all are not aware fully that there are a lot families that practice domestic unions that are not sexual, that are not homosexual; they are like a grandson taking care of a grandparent which get some benefits from state programs
- Many students, who have been discriminated against for many years, have contacted me personally and thanked me for the sign in my yard
- Believe that God creates everyone of us and don't think this is a legislation or religious order; it is a civil legislation attaching itself to religious thoughts

Steven Shelton

602 N Main Street
Danbury, NC 27016

Re: **Amendment One**

Mr. Shelton presented the following comments:

- Support the anti-fracking people that spoke tonight, but am here tonight to speak on Amendment One

- Brought with me a copy of one of the greatest documents ever written, the Constitution of the United States which has had several amendments with the vast majority of the amendments there to guarantee the rights of the citizens of the United States
- To guarantee rights, not take them away
- The only amendment that I know that passed that took rights away that were already there – prohibition and we all know how that turned out
- North Carolina Constitution amendments are harder to tract down
- Don't believe they are tacked on at the end; believe they are written in the body of the Constitution and harder to find
- This is an amendment that denies rights to taxpaying citizens and that is the bottom line to me; it takes current rights away in domestic union situations from taxpaying citizens
- Most of you know me and know my politics and there is an old saying "there is a cold day in you know where when certain things happen or when a certain hot place freezes over"; that is true when I agree with the President of the John Locke Foundation
- Would like to quote the President of perhaps one of the most conservative groups in North Carolina- John Hood: "I think amending North Carolina's constitution to forbid gay and lesbian couples from receiving any future legal recognition, including civil unions, is unwise and unfair" "In my opinion the real threat to marriage is not the prospect of gay people getting hitched. It is the reality of straight people too quickly resorting to divorce, or never getting hitched in the first place."
- Little surprised to the Board's reaction to jump on the bandwagon after only one person spoke

Tim Nelson

1035 Shady Hollow Drive
Walnut Cove, NC 27052

Re: **Amendment One**

Mr. Nelson presented the following comments:

- Standing here tonight in support of Amendment One and asking the Board to listen to the voices of the residents here in Stokes County and obviously you have or you would have not put this Resolution on the Agenda to be considered
- So obviously, someone has said that we need to consider this
- Asking the Board to support the Resolution which supports Amendment One to allow the citizens of North Carolina to decide whether this should be an amendment
- As previously stated, this Resolution does not pass any laws here tonight, it simply says to let North Carolina speak
- Asking the Board to support the Resolution that will let North Carolina either vote it in or out, whichever way they want to go
- Could address this from a conviction standpoint, from a belief standpoint
- Approve this proposed Resolution and let North Carolina say whether we want this amendment or we don't want this amendment
- Give the citizens a chance to voice themselves

Ron Carroll
PO Box 588
King, NC 27021
Re: **Agenda Item VI-D**

Mr. Carroll presented the following comments:

- When I retired from politics, I thought I was retired from politics, but when I saw tonight's Agenda, it hit me the wrong way, in fact, I was downright offended, so here I am
- Refer specifically to the Resolution in Support of the proposed Constitution Amendment
- Commissioners, the purpose of the referendum is to allow the voters to tell the government what the state's public policy will be on a matter of importance
- Now, if each one of you as a private citizen wants to take a public position on that amendment, I have no problem with that, it is certainly your prerogative
- But sitting here as a body, collectively, you are the government and as the government, it is no more appropriate to pass a resolution advising your constituents how to vote on a constitutional amendment than it is for you to pass a resolution advising your constituents how to vote in the presidential primary
- Adoption of such a resolution would be a slap in the face, it is an insult to the intelligence of the voters, and it is an affront to the sanctity of the right to vote unfettered by governmental influence
- My fellow citizens and I are quite capable of evaluating the merits of the amendment on our own, arriving at our own conclusions, deciding how to vote, and voting without any coaching from the government
- Commissioners, when we get to the point where the government starts advising, suggesting, and encouraging the citizens to vote a certain way, then that is government over stepping its bounds
- That is government grown so ignorant that it has forgotten that it is the servant of the people and not the other way around
- So tonight, I am here asking you to be the conservatives you say you are and exercise some government restraint
- I am asking you to respect the right and intelligence of the voters to decide this issue for themselves and that you as the government butt out

Kay Richey
1065 E Nelson Road
Danbury, NC 27016
Re: **Amendment One**

Ms. Richey presented the following comments:

- Come tonight to ask you to seriously consider the wisdom of endorsing an amendment
- I have noticed those who support the amendment have a sign that says let the people vote
- Do believe as Dr. Carroll so well spoke, it is something to let the people vote about
- Feel it is overstepping for the County Commissioners to endorse
- There are different views in this county; we have different theologies
- There are churches who recognize and support the marriage of gay people; there are those who would not

- I don't think that any of us speak for God
- While I recognize and study the Bible, I know that there are very many different marriages endorsed in the Old Testament that I would not consider appropriate; the marriage of a man who has raped a woman and then required to marry her
- So these are social issues, theological issues that I don't think we at the county level need to speak on
- We will all vote our beliefs on May 8th and urge everyone to do that
- Also, urge everyone to seriously look at the amendment, study it, and consider both the civil rights it will restrict and the religious freedom that it will restrict if passed

John Hartman

1065 E Nelson Road

Danbury, NC 27016

Re: **Amendment One**

Mr. Hartman presented the following comments:

- Legislation does one of two things, it either expands or limits rights or protections, specifically, it expands or restricts the ability of groups or individuals to act in certain ways
- When legislation limits or restricts action, it is to keep one individual or group from harming another
- Amendment One restricts action, specifically, in primary by gay and lesbian, but the action it restricts is not harmful to others
- In fact, it is an action in and of itself that society generally endorses, but what we would have is the majority, the heterosexual population, dictating the actions of the minority
- This is not legal treatment under the law
- We hear a lot of talk about liberty these days; what is liberty, if not for one to act as he or she sees fit as long as it does not harm or exploit another
- Please do not support Amendment One
- There are people in this room whom I like and respect and will continue to do so

Steven Hewett

141 Willowbend Drive

King, NC 27021

Re: **Amendment**

Mr. Hewitt presented the following comments:

- Would like to give citizens and commissioners of Stokes County a brief history of reasons against interracial marriage:
 - Mixing of the races is a threat to society and social order
 - It is an affront, insult, and outrage to the institution and the sanctity of marriage and family
 - Children of interracial marriages will be intellectually inferior to those of the white race
 - Children of these unions will suffer extreme prejudices, will be emotionally and mentally inept at being able to deal with society as a whole

- They will be ostracized by both their parents, races, and society, being unable to support themselves
- The Bible, the Holy Word of God, strictly forbids marriages between races
- God separated the races to all four corners of the earth and forbid marriage covenants for those who were not of the same race and language
- However, these biases were no more than ignorance, bigotry, prejudice, and racism
- In 1967, (Loving vs Virginia) miscegenation (the marriage of races) was finally deemed unconstitutional by the Supreme Court of the United States
- US Supreme Court Justice Earl Warren wrote freedom to marry has long been recognized as one of the vital and personal rights essential to the orderly pursuit of happiness by free men and women
- If you are going to make a resolution, should you not then make a resolution against divorce, adultery, child bearing out of wedlock, cohabitation or fornication, all of which are examples to be found in religious text in many of our major religions today and all which are perpetrated by many of the very people who oppose same sex marriages
- Are these not justifiable reasons for the breakdown of family, society and most of all marriage?
- As a society, we must evolve on how we rationalize relationships and realize the reasons against same sex marriage are no more valid than the archaic laws of miscegenation
- The homophobic and religious specifications used against same sex marriages are merely fear based reactions and fears associated with miscegenation subsided; so to with the fears of same sex marriages
- All individuals have the right to pursue their life, liberty, pursuit of happiness and be free to marry whomever they wish
- Who are you to tell another person who they will love or live for the rest of their lives with and pursue their happiness especially when it harms no one
- Are you going to make resolutions telling us what religions we will follow or the correct church to attend?
- You do not speak for me nor the entire county
- Your job as commissioners is to oversee the operations of agencies and budgets, not telling us what to believe in, or who to vote, or what we as the people should endorse

CONSENT AGENDA

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

Consent Agenda:

Minutes

- Minutes of April 3, 2012
- Minutes of April 10, 2012

Commissioner Jones noted the following correction:

Minutes of April 3rd – page 1:

– **Chairman** Jones delivered... should be **Commissioner** Jones delivered...

Solid Waste- Budget Amendment #93

Finance Director Julia Edwards submitted Budget Amendment #93.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
Solid Waste				
	Misc. Contractual Services/			
100.4720.442	E-Waste	\$6,850.00	\$(3,845.00)	\$3,005.00
100.9820.960	Transfer to Capital Reserve	<u>\$162,123.00</u>	<u>\$4,148.00</u>	<u>\$166,271.00</u>
	Totals	\$168,973.00	\$303.00	\$169,276.00
Capital Reserve Fund				
201.4720.018	Solid Waste	<u>\$00.00</u>	<u>\$4,148.00</u>	<u>\$4,148.00</u>
	Totals	\$00.00	\$4,148.00	\$4,148.00

This budget amendment is justified as follows:

To transfer Electronic Management Program Funds to Capital Reserve for future projects.

This will result in a net increase of \$4,451.00 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
100.3329.333	Electronic Mngment Program	<u>\$3,425.00</u>	<u>\$00.00</u>	<u>\$3,728.00</u>
	Totals	\$3,425.00	\$00.00	\$3,728.00
Capital Reserve Fund				
201.3981.000	Transfer from General Fund	<u>\$162,123.00</u>	<u>\$4,148.00</u>	<u>\$166,271.00</u>
	Totals	\$162,123.00	\$4,148.00	\$166,271.00

Sheriff's Department - Budget Amendment #94

Finance Director Julia Edwards submitted Budget Amendment #94.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	Sheriff's Department			
100.4310.250	Auto Fuel	\$160,000.00	\$45,000.00	\$205,000.00
	Contingency			
100.9910.500	Fuel Contingency	<u>\$45,000.00</u>	<u>\$(45,000.00)</u>	<u>\$00.00</u>
	Totals	\$205,000.00	\$00.00	\$205,000.00

This budget amendment is justified as follows:

To funds from Contingency for Sheriff's Department fuel cost. This is due to the increase call volume for the fiscal year.

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 this fiscal year.

Health Department - Budget Amendment #95

Finance Director Julia Edwards submitted Budget Amendment #95.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	Health Department			
100.5192.261	Office Supplies	<u>\$650.00</u>	<u>\$2,779.00</u>	<u>\$2,779.00</u>
	Totals	\$650.00	\$2,779.00	\$2,779.00

This budget amendment is justified as follows:

Environmental Health Food and Lodging Program have received additional state funds which will be used to purchase digital cameras with cases, additional equipment for soil evaluations and water bottles for well sampling.

This will result in a net increase of \$2,779.00 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
100.3301.234	Food and Lodging	<u>\$750.00</u>	<u>\$2,779.00</u>	<u>\$3,529.00</u>
	Totals	\$750.00	\$2,779.00	\$3,529.00

Tax Administration Report – March 2012

Real and Personal Property Releases more than \$100

Tax Administrator Jake Oakley presented the following Real and Personal Property Releases more than \$100 (March 2012) at the April 10th meeting with a request for approval at the April 23rd meeting:

Releases (Real and Personal Property) More than \$100–March 2012–Per NCGS 105-381 (b)

Catherine Terroni	99A1999000020	\$114.85	REL Per NCGS 105-378A
Rickey Lee Martin	95A1995000112	<u>\$110.55</u>	REL Per NCGS 105-378.A
Total Amount		\$225.40	

Present Use Value Late Applications

Tax Administrator Jake Oakley presented the following Present Use Value Late Applications (March 2012) at the April 10th meeting with a request for approval at the April 23rd meeting:

Taxpayer	Parcels	Acreage	Reason
Jon Lagergren	605100269388	24.55	Sheep Farm – owned the land for 12 years
Rachel Lagergren			
Daniel Barham	698402984884	36.50	Land has been under a Forestry Management Plan since June 2011

Write Off Requests

Tax Administrator Jake Oakley presented the following Write Off Requests (March 2012) at the April 10th meeting with a request for approval at the April 23rd meeting:

Account	Bill #	Amount	Reason
54860	99A1999023903	\$275.12	DWHM (leasehold) no longer
	00A2000025493	\$324.96	owns parcel -ownership transferred
55824	97A1997000883	\$230.66	DWHM (leasehold) no longer
			owns parcel -ownership transferred

15389	07A694700168298	\$7.97	Advertising fee balance
155922483	04A2004054211	\$178.06	SWMH repossessed
14703	96A1996000035	\$38.63	Per Property -Owner deceased
	95A1995000200	\$38.13	
155892912	00A2000034694	\$130.46	SWMH-Ownership transferred
	99A1999055011	\$140.85	
156022601	10A690404908242	\$3.73	Advertising fee balance
54246	97A1997000781	\$4.98	Over 10 yrs old (NCGS 105-378)
8866	96A1996000373	\$3.30	Over 10 yrs old (NCGS 105-378)
156012453	08A607000995012	\$1.96	Advertising fee balance
69864	99A1999029961	\$2.47	Advertising fee balance
73542	10A698900731004	\$2.38	Advertising fee balance
155888656	04A2004001912	\$357.36	DWMH (Leasehold) Repossessed
	03A2003031038	\$357.36	
	02A2002001879	\$327.87	
	01A2001001792	\$326.86	
155892585	10A697500639443	\$1.89	Advertising fee balance
155928848	10A695600828945	\$4.64	Fee balance
1916	94A1994000920	\$246.10	Over 10 yrs old (NCGS 105-378)
30742	95A1995000462	\$86.73	Over 10 yrs old (NCGS 105-378)
15589707	02A2002025446	\$122.90	SWMH-Ownership transferred
	01A2001024274	\$133.00	
	00A5000035364	\$139.86	

Proposed Proclamation – Older Americans Month – May 2012

Clerk Darlene Bullins presented the following proposed Proclamation – Older Americans Month – May 2012 (a request from DSS Director Kristy Preston) for the Board's

consideration and approval:

Older Americans Month Proclamation

WHEREAS, Stokes County has over 7,300 citizens aged 60 and older; and

WHEREAS, Stokes County is committed to helping all individuals maintain their health and independence in later life; and

WHEREAS, the older adults in Stokes County have an important role in sharing knowledge, wisdom, and understanding of the history of our community through interactions with children, youth, and adults from other generations; and

WHEREAS; the fruits of knowledge and experience can be effectively transferred from generation to generation through meaningful social interactions; and

WHEREAS, their interactions with family, friends, and neighbors across generations enrich the lives of everyone involved; and

WHEREAS, Stokes County can provide opportunities to enrich citizens young and old by:

- Emphasizing the value of including elders in public and family life
- Creating opportunities for older Americans to interact with people of different generations
- Providing services, technologies, and support systems that allow older adults to participate in social activities in the community

THEREFORE, we, the **Stokes County Commissioners** do hereby proclaim May 2012 to be Older Americans Month. We urge every citizen to take time this month to honor our older adults through enjoyable social interactions.

Adopted this 23rd day of April 2012

Chairman Ernest Lankford

Vice-Chairman J. Leon Inman

Commissioner Jimmy Walker

Commissioner Ronda Jones

Commissioner James D. Booth

Clerk to the Board Darlene M. Bullins

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

Commissioner Jones seconded and the motion carried unanimously.

GENERAL GOVERNMENT – GOVERNING BODY – INFORMATION AGENDA

Update – Manager and Board of Commissioners

Chairman Lankford opened the floor for comments:

Proposed Amendment-Pioneer Health Services of Stokes Co. Inc. - Lease and Transfer Agreement

County Manager Rick Morris presented the following information:

- Pioneer Health Services of Stokes (PHS) has requested that Stokes County approve a minor modification to the hospital lease to streamline the lease payment process currently included in the lease
- The current lease language requires PHS to submit monthly lease payments to the County in the amount of \$500,000 per year and the County in turn pays a quarterly payment back to PHS except for the amount of \$10,000 annually, which is retained by the County in a capital fund for the hospital
- The modification would change the monthly payments to PHS to quarterly, which would mirror the County's payment, which is already on a quarterly basis in the current lease
- Finance Director Edwards and I have no issue with the request and recommend the modification to relieve the unnecessary accounting burden on both PHS and Stokes County's Finance Department
- Payments on a quarterly basis will meet all the PHS requirements just as the monthly payment did
- County Attorney Ed Powell has approved the amendment as to Form and Legal Sufficiency
- As lessors, Stokes County's Board of Commissioners and Stokes Reynolds Hospital's Board of Trustees along with Pioneer Health Services of Stokes County must approve any amendments to the lease
- Would like direction as to who should approve the amendment first, Stokes County's Board of Commissioners or Stokes Reynolds Hospital's Board of Trustees

Manager Morris presented the following proposed amendment:

AMENDMENT TO THE LEASE AND TRANSFER AGREEMENT

THIS AMENDMENT MADE AND ENTERED INTO ON THIS _____ DAY OF _____, 2012, effective January 1, 2012, to the LEASE AND TRANSFER AGREEMENT ("Agreement"), made and entered into as of the 1st day of July, 2011, by and between **STOKES COUNTY, NORTH CAROLINA, STOKES-REYNOLDS MEMORIAL HOSPITAL, INC.** a body corporate and politic and an instrumentality of the State of North Carolina (the "Lessor") and **PIONEER HEALTH SERVICES OF STOKES COUNTY, INC.**, (the "Lessee").

WITNESSETH:

WHEREAS, the parties hereto having entered into the above-referenced Lease and Transfer Agreement, (Agreement), hereby wish to amend the obligation of payment for rent from Lessee to Lessor, and hereby enter into this Amendment for such purpose;

WHEREAS, the parties hereto are specifically authorized and entered into this Amendment pursuant to the appropriate authority vested in them;

NOW THEREFORE, in consideration of the premises and the undertakings set forth in this Amendment, the parties hereto agree to amend the Agreement as follows:

Section 1. Amendment

Be deleting Article III, Paragraph 3.1 in its entirety and inserting in lieu thereof the following to wit:

**ARTICLE III
PAYMENTS**

3.1 Rental Payments.

In consideration of the leasing of the Lease Facilities to Lessee, the transfer of the Operating Assets and Existing Operations and performance and discharge of all other obligations hereunder, Lessee shall make the following rental payments, effective as of the Commencement Date. Lessee shall pay to the Lessor an aggregate annual rent of Five Hundred Thousand Dollars and No/100 (\$500,000.00), payable in equal quarterly installments of One Hundred and Twenty-Five Thousand Dollars and No/100 (\$125,000.00). Rent is due on the fifteenth (15th) day of each calendar quarterly month thereafter through the duration of this Agreement; said calendar quarterly months are January, April, July, and October.

Section 2. Effect of Amendment

Except as otherwise provided herein, nothing in this Amendment shall be deemed to affect the existing obligations of the Lessee to the Lessor, or of the Lessor to the Lessee, under the Lease and Transfer Agreement, which obligations shall continue and be in full force and effect.

Section 3. Miscellaneous.

- (a) This Amendment shall inure and be binding on the parties hereto and their successive successors and assigns, and may not be modified or amended unless done so in writing, executed by each of the parties hereto.
- (b) This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but together shall be one and the same instrument.
- (c) This Amendment shall be governed by and construed under the laws of the State of North Carolina.

IN WITNESS WHEREOF, the parties hereto, acting by and through their duly authorized officers, have cause this Amendment to be executed as of the day and year first above written.

Lessor:

(Seal)

CHAIRMAN ERNEST LANKFORD
STOKES COUNTY BOARD OF COMMISSIONERS

BY: _____

NAME: _____

TITLE: _____

Attest:

April 23, 2012

[24]

Clerk to the Board of Commissioners

State of _____
County of _____

I, the undersigned Notary, certify that the following person(s) appeared personally before me this date, and acknowledged to me that he/she signed the foregoing document.

Chairman of the Stokes County Board of Commissioners

Clerk to the Board

This is the _____ day of _____, 2012 (Seal)

Notary Signature _____ Printed Name of Notary _____

My Commission Expires: _____

(Seal)

Lessor:

CHAIRMAN JIMMY WALKER
STOKES-REYNOLDS MEMORIAL HOSPITAL, INC.
BOARD OF TRUSTEES

BY: _____

NAME: _____

TITLE: _____

State of _____
County of _____

I, the undersigned Notary, certify that the following person(s) appeared personally before me this date, and acknowledged to me that he/she signed the foregoing document.

Chairman of the Stokes-Reynolds Memorial Hospital, Inc. Board of Trustees

Secretary

This is the _____ day of _____, 2012 (Seal)

Notary Signature _____ Printed Name of Notary _____

My Commission Expires: _____

(SEAL)

Lessee:

JOSEPH S. McNULTY, III

April 23, 2012

[25]

PRESIDENT and CHIEF EXECUTIVE OFFICER
PIONEER HEALTH SERVICES OF STOKES COUNTY, INC.

BY: _____

NAME: _____

TITLE: _____

State of _____
County of _____

I, the undersigned Notary, certify that the following person(s) appeared personally before me this date, and acknowledged to me that he/she signed the foregoing document.

President and Chief Executive Officer of Pioneer Health Services of Stokes County, Inc.

Secretary

This is the _____ day of _____, 2012 (Seal)

Notary Signature _____ Printed Name of Notary _____

My Commission Expires: _____

The Board discussed who should review the modifications first.

Commissioner Walker confirmed with Manager Morris that Attorney Powell agreed that both the Board of Commissioners and the Board of Trustees must approve all amendments to the current lease.

The Board unanimously agreed that the Board of Trustees should review the proposed amendment first.

Chairman Lankford, with full consensus, directed staff to contact hospital administration to schedule a special meeting for the Board of Trustees.

Commissioner Booth noted:

- Expressed appreciation to those who attended the Farmer's Appreciation Dinner
- It was a very successful event with over 600 attending
- Environmental Awareness Days at Hanging Rock State Park, which has been sponsored by Soil and Water the past 28 years, went very well; all fifth graders in Stokes County were invited and all schools were represented

Commissioner Walker noted:

- Enjoyed the Farmer's Appreciation Dinner which was very upbeat and positive event
- Attended the dedication of a new Veteran's Memorial in Sandy Ridge
- Attended a fundraiser at Davis Chapel
- Lot of good positive events in Stokes County this past weekend
- Was recently notified by YVEDDI that a letter was sent to the County requesting Commissioner re-appointment for Commissioner Walker and Victoria Jessup as an alternate

Chairman Lankford noted:

- Little Folks Festival was great success
- Directed the Clerk to contact YVEDDI regarding the reappointments for the next Agenda; Chairman Lankford noted that a letter had not been received by the County nor the Chairman

Vice Chairman Inman noted:

- Update from the NCACC Board of Directors' Meeting held this past Wednesday
 - Commissioners on the Board of Directors are trying to keep unfunded mandates from being passed down from the state level to the counties
 - Trying to keep the lottery appropriation at \$100 million statewide this year
 - Trying to ensure there are no further cuts to mental health
 - Understand the Human Services Bill, which would allow counties to consolidate the services of Social Services and Health Department under the control of the County or a consolidated Human Services Board, will hopefully be in the first part of the early session
 - Discussing private partnership regarding broadband hoping to bring broadband to un-served and underserved areas in counties
 - Fracking was mentioned very briefly, (issues and impacts to counties), most of the commissioners are concerned about regulations at the state level that may seriously limit local controls
 - Most likely the issue of fracking will be put off for at least a year or two (2013 or 2014) before the legislation makes a decision
 - Shared with those in attendance during the recent break the possibility of the state adopting a statute that could trump an ordinance adopted by a county
- Encouraged those concerned about fracking to keep in touch with state legislators
- State will be offering license tags for county commissioners

Commissioner Jones noted:

- Stokes Future had a booth at the Farmer's Appreciation Dinner, making good strides
- Volunteer Reception was recently held and well attended
- Want to apologize in advance, have family obligations out of state around Memorial Day and Fourth of July that will prevent attending county functions
- Glad to see people here tonight expressing their freedom of speech

GENERAL GOVERNMENT – GOVERNING BODY – DISCUSSION AGENDA

Juvenile Crime Prevention Council Funding (JCPC)– Recommendation for F/Y 2012-13

County Manager Rick Morris introduced JCPC Chairman Ed Eklund who presented the following recommendation from JCPC regarding F/Y 2012-13 Funding Allocation:

- JCPC anticipates the F/Y 2012-13 state allocation will be \$136,010 same as last fiscal year
 - Others in attendance:
 - Clyde Stewart – Stokes Friends of Youth
 - Melissa Hiatt – Stokes Scan
 - Hope Sprinkler – Children’s Center
 - Jeff Matkins – Insight Human Services
 - Rusty Slate – Chief Court Counselor – Division of Juvenile Justice
 - Amanda Dollinger – Juvenile Justice
- Request for proposals were sent out on 02-15-2012
- Proposals were reviewed and approved by JCPC on April 10, 2012
- JCPC recommendation:

	JCPC Legislative	County	JCPC Legislative Allocation Request	County
	Allocation for F/Y 2011-12	Match	for F/Y 2012-13	Match Request
Stokes Friends of Youth	\$78,431	\$24,768	\$78,431	\$24,768
Stokes SCAN	\$22,199	\$6,870	\$22,199	\$6,870
Children's Center	\$9,288	\$3,187	\$9,288	\$3,187
Insight	\$26,092	\$7,801	\$26,092	\$7,801

The Board discussed the JCPC recommendation.

Vice Chairman Inman noted the great things accomplished by the providers with very little state funding.

Chairman Lankford noted that this approval would be only for application submission to the state with Manager Morris incorporating the county match request into the upcoming Fiscal Year 2012-13 budget process.

Commissioner Walker agreed with Vice Chairman Inman regarding the accomplishments made by the providers and noted the amount of funding saved by helping kids on the front end to stay out of trouble, out of juvenile homes, detention centers, jail, etc. (money well spent).

Commissioner Booth noted:

- Being a member of the JCPC, expressed appreciation to providers along with JCPC members for the work being done to help the County's youth

Commissioner Jones questioned if there was anything else that could enhance the programs' objectives to increase the number of participants who complete the program.

JCPC Chairman Eklund noted that all measures are being taken to provide the needed services and providers continue to assess the child's needs for any additional services that can be provided.

Court Counselor Rusty Slate commented:

- The programs with small number of participants can easily be distorted when only one child fails
- Working with providers to enhance program services
- One problem – state has been closing several level 3 & 4 mental health placement centers across the state, so there are not a lot of options for kids that need services

Commissioner Walker commented on the counseling and community services that are being provided, for example, by Stokes Friends of Youth and that positive intervention can possibly help to keep kids out of detention centers which is a very costly expenditure for the County.

The Board had no issues with the request and unanimously agreed to place the item on the May 14th Action Agenda.

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the item on the May 14th Action Agenda.

Proposed Memorandum of Understanding-Northwest Piedmont Rural Planning Organization

County Manager Rick Morris presented the following proposed Amended Memorandum of Understanding (MOU) for the Board's consideration:

AMENDED
MEMORANDUM OF UNDERSTANDING
FOR
COOPERATIVE, COMPREHENSIVE AND CONTINUING
TRANSPORTATION PLANNING
AND THE ESTABLISHMENT
OF THE NORTHWEST PIEDMONT RURAL PLANNING ORGANIZATION
FOR

The **County of Davie** and the participating municipalities therein; The **County of Stokes** and the participating municipalities therein; the **County of Surry** and the participating municipality therein; the **County of Yadkin** and the participating municipalities therein; and the North Carolina Department of Transportation (NCDOT) (hereinafter collectively, "the Parties").

WITNESSETH

Whereas, on August 20, 2002, the Parties entered into a Memorandum of Understanding which created the Northwest Piedmont Rural Planning Organization (hereinafter, "RPO"); and,

Whereas, the RPO provides rural areas the opportunity to work in partnership with the NCDOT toward development of sound, short and long-range transportation planning for rural areas; and,

Whereas, the Parties have agreed to amend the original Memorandum of Understanding.

Now, therefore, the following Amended Memorandum of Understanding is made on this the 7th day of December, 2011.

Section 1. It is hereby agreed, that the **County of Davie** and the participating municipalities therein; the **County of Stokes** and the participating municipality therein; the **County of Surry** and the participating municipality therein; the **County of Yadkin** and the participating municipalities therein; and the NCDOT intend to establish and participate in a RPO created for the general purposes and responsibilities outlined in the following:

1. Develop long-range local and regional multi-modal transportation plans in cooperation with the area Metropolitan Planning Organizations (MPOs) and the NCDOT.
2. Provide a forum for public participation in the rural transportation planning process.
3. Develop and prioritize suggestions for transportation projects that the RPO believes should be included in the State Transportation Improvement Program (STIP).
4. Provide transportation-related information to local governments and other interested organizations and persons.

Section 2. It is hereby further agreed that transportation plans and programs and land use policies and programs for the RPO will be coordinated by the Piedmont Triad Regional Council, an agency selected on behalf of participating local governments and the NCDOT, to be the administrative entity and to serve as the lead local planning agency for coordinating transportation planning in the four county planning area. The RPO hereby authorizes the Piedmont Triad Regional Council to be the recipient of any funds appropriated to the RPO by NCDOT pursuant to North Carolina General Statute 136-213(c).

Section 3. Establishment of Transportation Advisory Committee (TAC). A TAC is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the RPO. The TAC shall have the responsibility for keeping the local elected governing boards informed of the status and requirements of the transportation planning process; to assist in the dissemination and clarification of the decisions, inclinations, and policies of the local elected governing boards and the NCDOT; and to help ensure meaningful public participation in the rural transportation planning process.

1. The TAC will be responsible for carrying out the following:
 - A. Establishment of goals, priorities, and objectives for the rural transportation planning process.
 - B. Endorsement and review of changes to adopted transportation plans within the RPO.

C. Endorsement, review, and approval of a Planning Work Program (PWP) for transportation planning which defines work tasks and responsibilities for the various agencies participating in the RPO.

D. Endorsement, review, and approval of transportation improvement projects that support and enhance both regional and local transportation in the four county RPO.

2. The membership of the TAC shall consist of the following:

A. One Commissioner representing the Davie and one elected official from each RPO member municipality therein.

B. One Commissioner representing the Stokes and one elected official from each RPO member municipality therein.

C. One Commissioner representing the Surry and one elected official from each RPO member municipality therein.

D. One Commissioner representing the Yadkin and one elected official from each RPO member municipality therein.

E. One member from the North Carolina Board of Transportation representing Division 9 or Division 11.

3. The Commissioner representing each county on the TAC shall be elected every one years by the Board of County Commissioners of each County in regular session. The municipal member representing each municipality on the TAC shall be elected every one years by the governing body of the municipality in regular session. All terms of appointment to the TAC shall be for one years. Reappointment is possible. One alternate may be designated for each member providing they meet the same criteria as the original appointee.

4. An RPO TAC membership roster will be compiled and updated at least annually, listing each attendee and alternate, if applicable, for each member county or municipality. The membership of a county or municipality member who fails to send the appointee or alternate to two consecutive RPO meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member.

5. A quorum is required for the transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting the public business. A quorum consists of 51% of the members of the TAC, plus as many additional members as may be required to ensure that 51% of possible votes are present. The TAC will meet as often as it is deemed necessary, appropriate and advisable. On the basis of majority vote of its membership, the TAC may elect a member of the committee to act as chairperson with the responsibility for coordination of the committee's activities.

6. The Executive Director of the Piedmont Triad Regional Council will provide staff to the TAC.

Section 4. Establishment of Technical Coordinating Committee (TCC). A TCC shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the RPO and the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the TAC regarding any necessary actions relating to the continuing transportation process.

1. The TCC shall be responsible for development, review, and recommendation for approval of the PWP for the RPO, the STIP requests, and revisions to the STIP.

2. Membership of the TCC shall include technical representatives from all local and state governmental agencies directly related to and concerned with the transportation planning process for the RPO planning area. Initially, the membership shall include, but may not be limited to, the following:

A. The Manager, Assistant Manager, Planner, Clerk, or Engineer from each of the four counties of the RPO planning area, or his/her designated staff representative.

- B. The Chief Administrative Official, City Planner, City Engineer, or City Clerk from each member municipality in the RPO planning area, or his/her designated staff representative.
 - C. Division Engineer serving Highway Division 9, NCDOT, or his/her designated staff representative.
 - D. Division Engineer serving Highway Division 11, NCDOT, or his/her designated staff representative.
 - E. Transit representative from Yadkin Valley Economic Development District Inc. or YVEDDI.
 - F. Transit representative from Piedmont Regional Transit Authority or PART.
 - G. Winston-Salem MPO designated staff representative.
 - H. Manager, Transportation Planning Branch, NCDOT, or his/her designated staff representative.
 - I. Piedmont Triad Regional Council designated staff representative.
3. Membership of the TCC may be altered on the basis of a majority vote of its membership and approval of the TAC of the RPO. One alternate may be designated for each member providing they meet the same criteria as the original appointee. Membership may be further defined in the duly adopted bylaws. An RPO TCC membership roster will be compiled, and updated at least annually, listing each attendee and alternate, if applicable, for each member county or municipality. The membership of a county or municipality member who fails to send the appointee or alternate to two consecutive RPO meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member.
 4. A quorum is required for the transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting the public business. A quorum consists of 51% of the members of the TCC, plus as many additional members as required to ensure that 51% of possible votes are present. The TCC shall meet when it is deemed necessary, appropriate and advisable. The TCC will be staffed by the Piedmont Triad Regional Council or his/her designated staff representative. The TCC shall by majority vote of the membership elect one member to serve as a Chairman with the responsibility for coordinating the committee's activities. Membership of the TCC may be altered on the basis of a majority vote of its membership and approval of the TAC of the RPO.

Section 5. It is further agreed that all participating agencies will assist in the rural transportation planning process by providing planning assistance (where possible), data, and inventories in accordance with the approved PWP.

Section 6. Each county and its RPO member jurisdictions shall have the support of the RPO staff in developing local transportation projects and priorities. Each member agrees to coordinate its transportation plans with those of other RPO members. Additionally, by consensus, the RPO may identify projects of a regional nature for development and presentation to NCDOT for consideration.

Section 7. Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 90 days written notice to the other parties to the date of termination.

Section 8. Municipalities desiring to join the RPO following the signing of this Memorandum of Understanding must do so no later than 90 days after the date given below in Section 10, by submitting a fully-executed Municipal Statement of Adoption. Any municipality desiring to join the RPO after the initial 90-day period must notify the lead planning agency and the other members of the RPO in writing of its intent to join, and provide each with a copy of a fully-executed Municipal Statement of Adoption. New memberships will become effective on July 1st of each year.

Section 9. This Amended Memorandum of Understanding supersedes and replaces any prior memorandum(s) of understanding between the Parties regarding the RPO.

Section 10. In witness whereof, the Parties have been authorized by appropriate and proper resolutions, and/or legislative authority to sign this Amended Memorandum of Understanding, this the 7th day of December, 2011.

BY:

COUNTY OF Davie

Chairman Clerk to the Board _____

COUNTY OF Stokes

Chairman Clerk to the Board _____

COUNTY OF Surry

Chairman Clerk to the Board _____

COUNTY OF Yadkin

Chairman Clerk to the Board _____

Piedmont Triad Regional Council (LPA)

Chairman Executive Director _____

NCDOT Approved as execution

Secretary Assistant Attorney General _____

DAVIE COUNTY

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE PIEDMONT TRIAD RPO," is hereby adopted by the Davie County Board of Commissioners, this the day of month, 2011.

Davie County

By: _____
, Chairman

, Clerk to Board

STOKES COUNTY

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE PIEDMONT TRIAD RPO," is hereby adopted by the Stokes County Board of Commissioners, this the day of month, 2011.

April 23, 2012

Stokes County

By: _____
, Chairman

, Clerk to Board

SURRY COUNTY

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE PIEDMONT TRIAD RPO," is hereby adopted by the Surry County Board of Commissioners, this the day of month, 2011.

Surry County

By: _____
, Chairman

, Clerk to Board

YADKIN COUNTY

This "THE MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION IN THE PIEDMONT TRIAD RPO," is hereby adopted by the Yadkin County Board of Commissioners, this the day of month, 2011.

Yadkin County

By: _____
, Chairman

, Clerk to Board

MUNICIPAL STATEMENT OF ADOPTION

**OF THE
AMENDED MEMORANDUM OF UNDERSTANDING REGARDING
THE RURAL PLANNING ORGANIZATION
FOR _____, _____, AND _____ COUNTIES**

The Amended Memorandum of Understanding for cooperative comprehensive, and continuing transportation planning and the establishment of a Rural Planning Organization for the Counties of _____, _____, and _____ and the participating municipalities in each county is hereby adopted by the _____, _____ day of _____, _____.

April 23, 2012

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Mayor,

Clerk to the Board

Manager Morris noted the following:

- The amended MOU gives authority to the Piedmont Triad Regional Council, the recent merger of the Northwest Piedmont Council of Government and the Piedmont Triad Council of Government

Commissioner Walker confirmed with Chairman Lankford, who recently attended a TAC meeting, to his understanding there were no other changes other than the authorization aspect.

Manager Morris noted that there were no other changes to his understanding from Mark Allred –Piedmont Triad Regional Council.

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the item on the May 14th Action Agenda.

Waste Water Treatment Plant Rehab Engineering Fees

Manager Rick Morris presented the following information regarding the Waste Water Treatment Plan Rehab Engineering Fees:

- NCDENR Compliance Evaluation Inspection Report dated March 30, 2012 contains concerns from Regional Supervisor Corey Basinger pertaining to rust and corrosion throughout the treatment plant
- Public Works Director Mark Delehant secured the following quote from West Consultants for engineered drawings for painting, replacement of deteriorated air piping and diffusers:
 - Proposed fee = \$6,500
- Funding will be allocated from the Regional Sewer Fund
- Will need to adopt the proposed Resolution for exemption for engineer services
- Need to remember that plans are to extend the sewer connection to the Meadows area which will increase the capacity
- Need to keep the facility in good shape
- Request approval at the May 14th meeting

Proposed Resolution-Exemption from NCGS 143.64.31 – Provisions for Engineering Services

**RESOLUTION
FOR EXEMPTION
FROM NCGS 143.64.31 PROVISIONS
FOR ENGINEERING SERVICES**

WHEREAS, NCGS 143-64.31 requires the initial selection of firms to perform architectural, engineering and survey services without regard to fee; and

WHEREAS, Stokes County proposes to enter into a contract for engineering services with West Consultants for engineered drawings pertaining to painting, replacement of air piping and diffusers at the Waste Water Treatment Plant; and

WHEREAS, NCGS 143-64.32 allows Stokes County to exempt projects with professional fees of less than \$30,000;

NOW THEREFORE, BE IT RESOLVED THAT Stokes County be exempt from the provisions of NCGS 143.64.31 per NCGS 143-64.32 with the regard to the selection of a firm to complete engineered drawings for rehab improvements to the Waste Water Treatment Plant.

Adopted this the ____ day of _____ 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

The Board had no issues with the manager's request.

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the item on the May 14th Action Agenda.

Proposed Contract – Inmates Meals – ABL Management

County Manager Rick Morris presented the following information regarding the proposed contract for Jail inmate meals with ABL Management:

- Current contract for inmate meals with ABL Management expires June 30, 2012
- Staff has been negotiating pricing with ABL
- ABL Management has presented a three (3) contract with guaranteed meal costs for the next three years with no increase in Fiscal Year 2012-13 meals
- ABL guaranteed rates:

Meals Per	07/01/12	07/01/13	07/01/14
Serving Time	06/30/13	06/30/14	06/30/15
0-50	3.0826	3.1751	3.283
51-60	2.651	2.7305	2.8234
61-70	2.4018	2.4739	2.558
71-80	2.1203	2.1839	2.2582
81-90	1.9622	2.0211	2.0898
91-100	1.8295	1.8844	1.9485

- Jail Captain Eric Cone and Support Services Supervisor Danny Stovall recommend signing a new three (3) year contract with ABL Management to provide inmate meals based on ABL's meal cost and past performance
- Agree with Eric and Danny's recommendation
- Lease has a 90 day termination clause in case of issues within the three year contract period

The Board had no issues with the proposed contract.

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the item on the May 14th Action Agenda.

Fiscal Year 2012-13 Health and Dental Insurance Information

County Manager Rick Morris presented the following presentation regarding the upcoming Fiscal Year Health renewal with United Health Care:

- **Premiums verses Claims**
 - July 1, 2011 thru February 29, 2012
 - Premiums paid to United = \$1,021,432
 - Total Claims Paid by United = \$1,113,874
 - United Health Care loss = \$92,442
 - Claims to Premium Ratio = 109.1%
- **Option One**
 - Current plan with no changes/35.7% Increase
 - Annual Cost for employee coverage = \$1,815,428
 - F/Y increase =\$477,396
 - Annual Cost for spouse coverage = \$7,310
 - F/Y increase =\$1,922

- Annual Cost for children coverage = \$5,136
 - F/Y increase = \$1,351
- Annual Cost for family coverage = \$14,147
 - F/Y increase = \$3,720
- Fiscal Year 2011-12 claims experience and the loss of several participants (younger population) during open enrollment last year (July 2012) along with the increasing cost of health care and health care reform contribute to the rate increase
- With this 35.7% increase, the County had no option, but to look into a Health Reimbursement Account (HRA)
- **HRA**
 - What is an HRA?
 - HRA = Health Reimbursement Account
 - An account to which the employer can make contributions that are not taxable to the member and the member can use to pay for certain medical care expenses
 - Only the employer can contribute to an HRA
 - Federal law does not limit the dollar amount that the employer can contribute to the HRA
 - Employers usually contribute a percentage (but not all) of the deductible that applies under the plan (normally 50% of the deductible)
 - Unused HRA funds do not have to roll over to the next fiscal year
 - County does not have to budget for the entire amount for the HRA, could set up an HRA account for projected costs
 - If the County spends all of the HRA account, the County would then have to transfer from other accounts or Fund Balance to replenish the account
 - HRA Split Deduction = Member and county will share the deductible
- **Option Two – Split Deductible – HRA**
 - Current plan with deductible increasing from \$1,500 to \$3,000/ 22.5% Increase
 - County's HRA will pay the amount after the member has paid the first \$1,500 deductible up to \$3,000
 - HRA can only be used toward the deductible – can't be used for co-pays or prescriptions
 - Employee would still have the \$1,000 out-of-pocket expense (same as current plan) to pay after the \$3,000 deductible has been met.
 - Annual Cost for employee coverage = \$1,639,203 - F/Y increase = \$301,171
 - Annual Cost for spouse coverage = \$6,601 - F/Y increase = \$1,213
 - Annual Cost for children coverage = \$4,637 - F/Y increase = \$852
 - Annual Cost for family coverage = \$12,774 - F/Y increase = \$2,347
 - If the County pays the complete additional \$1,500 deductible for:
 - 50 members = additional \$75,000
 - 75 members = additional \$112,500
 - 100 members = additional \$150,000
- **Option Three – Split Deductible – HRA**
 - Current plan with deductible increasing from \$1,500 to \$5,000/ 12.8% Increase

- County's HRA will pay the amount after the member has paid the first \$1,500 deductible up to \$5,000
- HRA can only be used toward the deductible – can't be used for co-pays or prescriptions
- Employee would still have the \$1,000 out-of-pocket expense (same as current plan) to pay after the \$5,000 deductible has been met
- Annual Cost for employee coverage = \$1,509,501 - F/Y increase = \$171,469
- Annual Cost for spouse coverage = \$6,078 - F/Y increase = \$690
- Annual Cost for children coverage = \$4,270 - F/Y increase = \$485
- Annual Cost for family coverage = \$11,763 - F/Y increase = \$1,336
- If the County pays the complete additional \$3,500 deductible for:
 - 50 members = additional \$175,000
 - 75 members = additional \$262,500
 - 100 members = additional \$350,000
- **Option Four – Split Deductible – HRA**
 - Current plan (17.5% increase) with the following changes:
 - - Deductible increasing from \$1,500 to \$3,000
 - - Emergency Room co-pay increases from \$250 to \$300
 - - Urgent Care co-pay increases from \$40 to \$75
 - - Pharmacy increases from \$10/\$35/\$60 to \$10/\$45/\$75
 - County's HRA will pay the amount after the member has paid the first \$1,500 deductible
 - HRA can only be used toward the deductible – can't be used for co-pays or prescriptions
 - Employee would still have the \$1,000 out-of-pocket expense (same as current plan) to pay after the \$3,000 deductible has been met
 - Annual Cost for employee coverage = \$1,572,331 - F/Y increase = \$234,300
 - Annual Cost for spouse coverage = \$6,331 - F/Y increase = \$943
 - Annual Cost for children coverage = \$4,448 - F/Y increase = \$663
 - Annual Cost for family coverage = \$12,253 - F/Y increase = \$1,826
 - If the County pays the complete additional \$1,500 deductible for:
 - 50 members = additional \$75,000
 - 75 members = additional \$112,500
 - 100 members = \$150,000
- **Annual Premium Comparisons**
 - **Option One** - \$1,815,428
 - **Option Two** - \$1,639,203 plus \$1,500 HRA (could pay \$1,500 for 117 members before exceeding Option One)
 - **Option Three** - \$1,509,501 plus \$3,500 HRA (could pay \$3,500 for 87 members before exceeding Option One)
 - **Option Four** - \$1,572,331 plus \$1,500 HRA (could pay \$1,500 for 162 members before exceeding Option One)
- **Fiscal Year 2011-12 Deductibles**
 - Currently, 31 members have met their \$1,500 deductible through February 2012 (four months remaining in F/Y)

- Currently, 13 of the 31 members have also met their additional \$1,000 out of pocket
- Currently, 16 additional members have met 50% or more of the deductible
- HRA Estimates
- If the County's HRA had paid the \$1,500 deductible for the 13 who met their deductible and \$1,000 out of pocket expense, the estimated county liability would be \$19,500
- If the County's HRA had to paid the \$1,500 deductible for the 31 who met or are close to meeting their deductible, the estimated county liability would be \$46,500
- **NC State Health Insurance Plan**
 - Bill will be introduced when session reconvenes in May to allow counties to join the NC State Health Insurance Plan; Stokes County will be added to the bill
 - Bill has to pass both the House and Senate
 - Bill most likely be voted on in mid to late June which would not allow the County time to enroll for fiscal year 2012-13
 - County must sign a contract by May 31st to ensure insurance will be effective July 1, 2012 and to budget for the upcoming fiscal year
- **Recommend Option Four – Split Deductible – HRA**
 - Be most favorable to the County
 - Will increase the cost sharing with the employee
 - Continue to pay the entire premium for the employees
 - Evaluate the State Plan for Fiscal Year 2013-14

Chairman Lankford opened the floor for discussion.

The Board discussed the options, the implementation of the HRA, and the unknown cost that could be associated with the HRA.

Commissioner Walker noted the following:

- Appreciate the manager's detailed presentation
- Very hard task to find affordable health insurance
- When seeing costs like this, are there any other options to explore?
- Confirm with Manager Morris that Option Four would be his recommendation
- Confirm with Manager Morris that there is no option for this coming year to join the State Health Care Plan and not to count on a much lower premium with benefits also being changed from the current plan

Commissioner Jones noted the following:

- Knew the shock was coming, not sure how many more financial hits we can handle
- Recognize the cost increase that will be handed down to the employees without having a COLA in several years, not sure if anything can be done about it
- Confirmed with Manager Morris that employees would still have options to pursue such things as mail order prescriptions, generics, etc. in order to lower costs

Manager Morris noted that there is a lot of uncertainty with health care with the upcoming 2014 Health Care Reform changes.

Manager Morris noted that employees would be educated on the HRA process.

Commissioner Booth noted the following:

- Would like for staff to see what the premiums would be with option #3 (\$5,000 deductible) with the changes in Option #4

Commissioner Walker noted that the private sector is also facing the challenges with health care and the number of individuals who do not have any available health care.

County Manager Rick Morris presented the following presentation regarding the upcoming Fiscal Year Health renewal with United Health Care:

- **Dental Insurance**
 - Current plan with no changes/3% Increase
 - Annual Cost for employee coverage = \$106,851
 - F/Y increase = \$3,111
 - Annual Cost for spouse coverage = \$426
 - F/Y increase = \$12
 - Annual Cost for children coverage = \$528
 - F/Y increase = \$15
 - Annual Cost for family coverage = \$1,038
 - F/Y increase = \$31
- Recommend renewing the current plan with the 3% premium increase
 - Continue to pay the entire premium for the employees

The Board had no issues with the dental renewal.

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the health and dental renewals on the May 14th Action Agenda.

GENERAL GOVERNMENT – GOVERNING BODY – ACTION AGENDA

Chairman Lankford entertained a motion regarding the following proposed Order – Abandonment of the Right of Way for a Portion of SR#1915 – Pipe Plant Road which was presented at the April 10th meeting:

Proposed Order – Abandonment of the Right of Way for a Portion of SR#1915

STATE OF NORTH CAROLINA)
COUNTY OF STOKES)

OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA

ORDER

CLOSING A PORTION OF SR #1915 – PIPE PLANT 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 purple on the attached map of SR#1915- Pipe Plant 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#1915 – Pipe Plant Road, the abandoned portion of SR#1915 – Pipe Plant 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 23rd day of **April, 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 23rd day of **April, 2012**.

Ernest Lankford - Chairman

J. Leon Inman - Vice Chairman

Jimmy Walker - Commissioner

Ronda Jones - Commissioner

James D. Booth - Commissioner

Attest:

Darlene M. Bullins – Clerk to the Board

April 23, 2012

[42]

Vice Chairman Inman moved to approve the proposed Order – Abandonment of the Right of Way for a Portion of SR#1915 – Pipe Plant Road. Commissioner Jones seconded and the motion carried unanimously.

Proposed License Agreement with Property Owners Associated with Sauratown Trails

Chairman Lankford entertained a motion regarding the following proposed License Agreement with Property Owners Associated with Sauratown Trails which was presented at the April 10th meeting:

STATE OF NORTH CAROLINA

LICENSE AGREEMENT

COUNTY OF STOKES

THIS LICENSE AGREEMENT ("Agreement"), made and entered into as of the last date set forth in the notary acknowledgments below, by and between _____, hereinafter referred to as "Licensor", and the County of Stokes, a body politic and corporate, hereinafter referred to as "Licensee";

WITNESSETH:

THAT WHEREAS Licensee maintains hiking and horseback riding trails located in Stokes County for the use by the general public;

AND WHEREAS, Licensor is the owner of a tract of land located in Stokes County and identified by the Stokes County Tax Office as PID No. _____;

AND WHEREAS, for many years, the public has used portions of the property of Licensor for hiking and horseback riding purposes, all of which said use has been by and with the permission and consent of Licensor;

AND WHEREAS, Licensor and Licensee desire to enter into an agreement to confirm the consent and permission of the Licensor for the public to continue to use the above-described property of Licensor for hiking and horseback riding purposes and the conditions attached to said use;

NOW, THEREFORE, in consideration of the mutual covenants and premises contained herein, the parties do hereby agree as follows:

1. That Licensor grants to Licensee a license for Licensee, its employees, agents and visitors, to use the property of the Licensor identified as PID No. _____ for hiking and horseback riding purposes along the existing trail located on said property. This license

shall exist and continue beginning with the date of this Agreement from month to month until either party gives the other party thirty (30) days written notice of termination.

2. That Licensee, through a designated agent, shall have the right to maintain and repair said trail and erect informational or safety signs upon the premises which are subject to this Agreement. Licensee currently contracts with Sauratown Trails Association as its designated agent; however, Licensee reserves the right to change its designated agent at any time during the existence of this Agreement.

3. It is specifically understood that Licensor makes no warranty or representation that the premises are safe or otherwise suitable for the purpose for which they are permitted to be used under the terms of this Agreement.

4. The Licensor's liability under this Agreement is limited to that specified in N.C.G.S. 113A-95, which limits liability to the same duty of care owed to a trespasser. Licensee carries insurance that would cover a claim for personal injury on the trail up to the level of care owed to a trespasser. Additionally, should Licensor experience any property damage caused by a user of the trail, Licensee would pay up to \$1,000.00 toward the deductible amount on Licensor's property insurance coverage.

5. This Agreement confirms the use by Licensee, its employees, agents and visitors to the above-described premises of Licensor is by the permission and consent of Licensor; nothing in this Agreement shall be construed or interpreted as the granting of a permanent easement upon the property of Licensor.

IN TESTIMONY WHEREOF, this Agreement has been executed by the parties hereto as of the dates set forth in the notary acknowledgements below:

LICENSOR:

_____(SEAL)

_____(SEAL)

**STATE OF NORTH CAROLINA
COUNTY OF STOKES**

I, _____, a Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing License Agreement.

WITNESS my hand and official seal, this _____ day of _____, 2012.
(NOTARY SEAL)

NOTARY PUBLIC

My commission expires: _____

LICENSEE:

(SEAL)

COUNTY OF STOKES

BY: _____

**CHAIRMAN OF THE
BOARD OF COUNTY COMMISSIONERS**

ATTEST:

CLERK

APPROVED AS TO FORM:

COUNTY ATTORNEY

STATE OF NORTH CAROLINA

COUNTY OF STOKES

I, _____, a Notary Public in and for said County and State, do hereby certify that _____ personally came before me this day and acknowledged that he is the Clerk to the Board of County Commissioners of the County of Stokes, a body politic and corporate organized and existing under the laws of the State of North Carolina and acting through its Board of Commissioners, by authority duly given and as the act of said County, the foregoing License Agreement was signed in its name by its Chairman of the Board of County Commissioners, sealed with its seal and attested by himself as its Clerk.

WITNESS my hand and notarial seal, this _____ day of _____, 2012.

NOTARY PUBLIC

My commission expires: _____

Commissioner Booth moved to approve the proposed License Agreement with Property Owners Associated with Sauratown Trails. Commissioner Walker seconded and the motion carried unanimously.

Appointments – Northwestern Regional Library Board – Board of Trustees

Chairman Lankford noted that Robert Allen was nominated at the April 10th meeting to serve on the Northwestern Regional Library Board – Board of Trustees (Walnut Cove Library appointee).

Chairman Lankford entertained a motion to close the nominations.

Commissioner Jones moved to close the nominations. Vice Chairman Inman seconded and the motion carried unanimously.

Chairman Lankford polled the Board:

Commissioner Jones: Robert Allen
Vice Chairman Inman: Robert Allen
Chairman Lankford: Robert Allen
Commissioner Walker: Robert Allen
Commissioner Booth: Robert Allen

Chairman Lankford noted the re-appointment of Robert Allen to serve as the Walnut Cove Library representative for the Northwestern Regional Library Board.

Proposed Resolution – In Support of the NC Marriage Protection Amendment

Chairman Lankford entertained a motion on the following proposed Resolution:

Resolution in Support of the NC Marriage Protection Amendment

WHEREAS, marriage as the union of one man and one woman has served as the foundation of our society since before North Carolina was a state; and

WHEREAS, marriage, is not merely a private contract, but a social institution of great public value and concern, benefitting the married couple, their children, our economy, and the State as a whole; and

WHEREAS, attempts by politicians and a lawsuit to redefine marriage are currently underway in NC which might result in the re-definition of marriage to make it genderless; and

WHEREAS, the NC Marriage Protection Amendment simply allows voters to protect our state's current definition of marriage as the union of one man and one woman by putting it into the Constitution; and

WHEREAS, North Carolina is the only state in the South that has not protected marriage in its constitution, even though every state that has allowed the people to vote, 30 in all, has protected marriage in the state constitutions as the union of one man and one woman; and

WHEREAS, the Marriage Protection Amendment reads, "marriage between one man and one woman is the only domestic legal union that shall be valid or recognized in this State. (This section Does not prohibit a private party from entering onto contract with another private party, nor does his section prohibit courts from adjudicating the rights of private parties pursuant to such contracts"; and

WHEREAS, the **Stokes County Board of Commissioners** encourages the people of Stokes County and North Carolina to voice their opinion by exercising their right to vote to protect marriage on May 8, 2012.

NOW, THEREFORE, BE IT RESOLVED, that the Stokes County Board of Commissioners endorses the Marriage Protection Amendment to the North Carolina Constitution which states that the only domestic legal union that is valid and recognizes in North Carolina is marriage between one man and one woman; and

BE IT FURTHER RESOLVED, that the **Stokes County Board of Commissioners** encourages voter participation on this important issue to be voted upon on May 8, 2012.

Adopted this ____ day of _____ 2012.

Ernest Lankford – Chairman

J. Leon Inman – Vice Chairman

Jimmy Walker – Commissioner

Ronda Jones – Commissioner

James D. Booth – Commissioner

Attest:

Darlene M. Bullins – Clerk of the Board

Commissioner Jones moved to table the item. Vice Chairman Inman seconded the motion for discussion.

Commissioner Jones commended the following:

- Feels this is something that the Board of Commissioners does not need to do
- Thinks it is unethical for the Board of Commissioners to influence the vote which is exactly what is going to happen tonight
- Also feels it is unethical because each member takes an oath to represent all citizens
- This is representing a group whether it is a majority or not which is considered unethical according to our training
- Thinks the Board should be doing what is right and not trying to be right
- People like to pick out certain parts of the North Carolina Constitution and I would like to do the same thing :
 - **Section #19** – No person shall be taken, imprisoned, or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any manner deprived of his life, liberty, or property, but by the law of the land. No person shall be denied the equal protection of the laws; nor shall any person be subjected to discrimination by the State because of race, color, religion, or national origin.

- **Section #2** - All political power is vested in and derived from the people; all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.
- **Section #13** - All persons have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences, and no human authority shall, in any case whatever, control or interfere with the rights of conscience.
- Feel it can't be right for us to vote on this Resolution
- Need to let the people speak first
- This is going to affect a lot of people
- One church just published in the paper that grandparents of children whose parents are unmarried may no longer actually qualify as part of their family; this is far reaching
- According to the School of Government, which the County associates with, states the following two things that are clear:
 1. It will take courts years of litigation to settle the amendment's meaning
 2. When the dust clears, unmarried couples will have fewer rights over their most important life decisions than they would otherwise
- Feels that is saying a lot
- Talking about lawsuits that would not be healthy for this county
- Hot off the press today, Surry County is already being attacked for ethics
- Do not want to see the County more financially stressed defending something that the Board has no business voting on in the first place
- It is on the ballot, let the people speak and let it go at that
- Hope the people come out on May 8th to vote and that they do their research and do not go on face value
- This is important
- The last amendment took nearly one hundred years to change
- Can't participate in something that I think will make more disparity
- Thinks the Board should keep their personal votes to themselves as we see fit and let the people vote
- Feels the Board should stay out of it

Vice Chairman Inman commended the following:

- My comments pertaining to the marriage amendment were my own personal feelings
- There are times when we don't quite think things through the way we should
- I have never had any problem saying that maybe I should have thought a little bit more about that
- My support would have been saying that maybe I am in favor of the marriage amendment, but it has been so elegantly point out tonight that as a commissioner, who has taken a sworn oath, I am part of the government
- Pointed out very clearly that the government does not have the right to tell the people how to vote
- Senate Bill 106 is the marriage amendment, it is on the ballot
- I can't tell people how to vote; I know a lot people have been out and supported the amendment and there are those who are against the amendment

- Everyone has the right to vote their conscience
- Grew up as a Quaker and my grandfather, who was a great influence in my life, is speaking to me tonight
- He was very tolerant of other's people opinions and beliefs
- It may not be my belief, but I am going to be tolerant
- It is on the ballot for the people to decide
- Thinks the Board needs to let the people decide
- Applaud all the groups who have worked so hard for and against the amendment

Commissioner Walker commended the following:

- Some things are simply just not easy to deal with
- Appreciate the comments from both of the other Commissioners
- My view is and has been and will continue to be that each person has a right to have a position on whatever issue is before them
- All are likely to see things differently
- In this room, there are folks who are very passionately choosing to have a position on this issue that is before the Board this evening
- That means that whatever way it is decided, there is going to be some folks that will applaud the decision and some folks that are distraught with it
- The motion before the Board is to table any action on this resolution
- That is an interesting motion because that would put off any action by this Board before the May 8th election (next Commissioner's meeting – May 14th)
- I think, unless I am missing something, that if I voted for a resolution to support the NC Marriage Protection Amendment, I would not be speaking for any certain individual in this room; I would simply say as a sitting commissioner, I choose to express my opinion in a certain way
- There are others who have expressed a different opinion this evening
- Dr. Carroll told me one time something that I believed to be a sincere comment (he and I had a record of not agreeing) that he respected my right to have my opinion and would defend my right to have it and likewise expressed the same sentiment to him
- Thinks that is how things need to be at times; we need to respect a person's right to have whatever view they have
- As far as tabling this issue, I am not sure I would choose to table the issue
- I feel like this has come forth as an issue and I feel that people need to know where I stand on it as a Stokes County Commissioner
- Again, that is just one view of a five person board

Commissioner Booth commended the following:

- Appreciate and agree on the comments made by Commissioner Walker
- Thinks the commissioners have the right as individuals and as a board member to state their position one way or the other
- Thinks that marriage is between a man and a woman and feels that it is biblical, God's ordained marriage between a man and a woman is to multiply
- Am not for tabling this issue at this time

Chairman Lankford commended the following:

- According to the constitutional amendment – amendment will provide that marriage between one man and one woman is the only domestic legal union that shall be valid or recognized in this state and an individual has the option to vote either for or against
- We, as a Board, recognize and make many resolutions for different things
- It is on the Action Agenda tonight because it was brought to our attention and requested to be considered and this Board agreed to put the resolution on tonight's Action Agenda
- Feel that the Board needs to take action – one way or the other
- As stated by Commissioner Walker, regardless of how the Board votes, the Board is not speaking for every person in the county, the Board is not speaking for anyone because they have the right to choose which way to vote
- Feels the Board is just voicing an opinion and that opinion is really not necessarily what an individual is going to choose

Commissioner Jones requested to comment:

- When this issue came before the Board in Public Comments, the usual practice is to go to the Discussion Agenda; because of the May 8th election, it was requested to be put on the Action Agenda which is something that this Board does not typically do unless it is time sensitive
- If it is done before the election, it is going to influence the votes, which is unethical, even if it is only your opinion
- People who do not want to do their own research are going to look to the Board as leaders and the Board should not be influencing the people's vote
- If Board feels it must take action on the resolution, please wait until after the election

Vice Chairman Inman requested to comment:

- My comments and second the motion to table this action does not state how I feel about this issue
- I personally support Amendment One, but I also respect the right of every citizen to make their own decisions
- So however this vote goes tonight, I want the record to reflect that I feel like it is on the ballot for people to make their own decision about it and as Commissioner Jones stated, I don't think myself as a commissioner should be trying to influence someone else's vote
- I wanted it clearly stated how I feel and how I plan to vote, that is my right

Chairman Lankford called the question.

The motion failed (2-3) with Chairman Lankford, Commissioner Walker, and Commissioner Booth voting against the motion.

Chairman Lankford questioned if there was any other motion that anyone would like to place on the floor?

Commissioner Booth moved to approve the Resolution in Support of the North Carolina Marriage Protection Amendment One. Commissioner Walker seconded the motion.

Vice Chairman Inman commented:

- Would like it clearly recorded in the minutes that my vote against the resolution is not a vote against the marriage amendment, that I don't necessarily support or not support the amendment

Commissioner Jones commented:

- Would like it clearly recorded in the minutes that I am keeping my own vote secret so that I don't influence other people in their vote because it is my right to vote in secret
- This here has nothing to do with that issue, whether I vote of it or not, this is about the people's voice and their rights to vote
- The bottom line is that the amendment will be decided on by the people's vote

The motion carried (3-2) with Vice Chairman Inman and Commissioner Jones voting against the motion.

Adjournment

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

Commissioner Booth moved to adjourn the meeting. Commissioner Jones seconded and the motion carried unanimously.

Darlene M. Bullins
Clerk to the Board

Ernest Lankford
Chairman