

STATE OF NORTH CAROLINA )  
 )  
COUNTY OF STOKES )  
 )

OFFICE OF THE COMMISSIONERS  
STOKES COUNTY GOVERNMENT  
DANBURY, NORTH CAROLINA  
JUNE 25, 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, June 25, 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  
County Attorney Edward Powell

Chairman Ernest Lankford called the meeting to order.

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

- "Every day, remember that God will sustain us through trying times, he is our Rock and our salvation "

Commissioner Jones 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 June 25, 2012

Agenda.

June 25, 2012

Commissioner Jones moved to approve the June 25<sup>th</sup> Agenda as submitted.

Vice Chairman Inman seconded and the motion carried unanimously.

## **PUBLIC COMMENTS**

The following spoke during Public Comments:

### **Johannah Stern**

1215 Single Tree Road

Westfield, NC 27053

Re: **Land Farming – Bioremediation**

Ms. Stern stated the following comments regarding Land Farming – Bioremediation:

- Came tonight to speak about the economic impact of the toxic waste facility on travel and tourism in Stokes County
- I have personally spent countless hours and invested my family's future and idea that Stokes County could become a premier recreation destination for sportsmen and women
- Others involved in the tourism industry have done the same
- Just as we are turning the corner in making this dream come true, we are now faced with a situation that is at odds with that vision
- Instead of working toward this goal, we are now spending our time, talents, and treasure defending our properties, our businesses, our livelihoods, and the stated vision of the County's encapsulated by the Pure Play campaign
- Here are the statistics from the North Carolina Department of Commerce from 2010:
  - Domestic tourism in Stokes County generated an economic impact of over \$20 million
  - Travel to Stokes County generated over \$2.5 million to payrolls
  - State and local revenues from the travel and tourism to Stokes County amounted to over \$2 million
- I am certain these numbers will be higher for 2011
- From 2009 to 2010, we saw an 8% increase in tourism dollars
- This rate of increase is higher than those rates in Rockingham, Guilford, and Yadkin counties
- These are the highest numbers that have ever been highlighting the hard work of those involved in this industry
- There is real concrete growth across all sectors of travel and tourism in Stokes County
- We are already seeing the negative impact of this issue
- The discussion of toxins being brought into Stokes County has been reported in three (3) newspapers and on two (2) TV stations
- We have already had customers question us on this issue
- When asked why Stokes County would allow this to happen, my only response is that I don't know and frankly I am embarrassed

- The citizens of the greater Piedmont Region love Stokes County, all of us; from Single Tree Gun and Plough, Priddy's General Store, the Dan River Company, Carolina Ziplines, Moores Springs Trails, Danbury General Store, Jessup's Mill and many other businesses and private citizens
- All of us strive to meet and exceed the expectations tourists have when they come to Stokes County
- The Pure Play Campaign created the perception that those who travel to northern Stokes County would be met with a pristine outdoor environment
- That perception has been promoted by all of us who have businesses connected to tourism
- It has taken a lot of work by many different people and a lot of money from all of us involved in this public private partnership to get us where we are
- The Pure Play Campaign is incurring damage daily
- Pure Play was a pure promise
- Commissioners, let's keep our word

**Al Engler**

1984 Horseshoe Road

Westfield, NC 27053

Re: **Land Farming**

Mr. Engler stated the following comments regarding Land Farming:

- My title tonight is "Changes in Agriculture"
- Here today as a member of our Stokes County Community Group addressing the Land Farm pending Special Use Permit on Frye Road
- We are asking the Commissioners to deny issuing this permit
- We don't want this toxic waste soil treatment facility among our beautiful farms, country homes, and recreational facilities in northern Stokes County
- On June 20, 2012, I addressed the Soil and Water Conservation District
- Soil and Water is governed by a Board of Supervisors as follows:
  - James Booth, Chairman (also a County Commissioner)
  - Marvin Cavanaugh
  - Willis Overby
  - Johnnie East
  - Willard Nelson
- This Board administers and supports programs which improve water quality and reduce non-point source pollution on our land
- We asked them for our help
- Would like to read the following paragraph from the Spring 2011 Newsletter:
  - Changes in Agriculture
    - In the last decade, the face of agricultural in Stokes has changed significantly due to the tobacco buyout, retiring farmers and other factors, less tobacco is being grown and farmers are transitioning to other commodities. Some farmers are converting crop lands to pasture for livestock production. Many producers are growing

vegetables and other specialty crops such as blueberries, grapes, garlic, and herbs. Several farmers are practicing organic farming. Sustainable agricultural movement is growing in Stokes County.

- Isn't it pretty clear that a Land Farm, which treats contaminated, toxic soil just doesn't fix with this picture
- There may be a place somewhere in the county for a facility like this, close to a major highway and away from our water ways; a place like an industrial park and not on a hill 100 ft from Big Creek and then the Dan River
- We would welcome an organic farm or blueberry farm this site but not the daily dumping of toxic waste on highly erodible land
- Don't be fooled by the nice sounding name
- Land Farm has nothing to do with agriculture
- We ask the Soil and Water Board to continue to protect our county's water and soil; and we are asking the same of you, the Commissioners
- You have the power to deny this permit
- What if you owned Ed Byers' farm, directly next to, downstream, and downhill from Kent Fulp's Land Farm?
- What do you think his farm would be worth?
- Please don't soil Stokes County

**Bettye Barrett**

1019 George Road  
Westfield, NC 27053

Re: **Environmental Injustice**

Ms. Barrett stated the following comments regarding Environmental Injustice:

- I am here today to speak on the issue of environmental injustice and much of what I am going to say was taken from the Environmental Protection Agency's website which is [www.epa.gov/environmentaljustice](http://www.epa.gov/environmentaljustice)
- In 1994, President Bill Clinton signed into law a bill that focuses federal attention on the environmental and human health conditions of minority and low-income populations with the goal of achieving environmental protection for all communities
- Environmental justice is defined as "the fair treatment and meaningful involvement of all people regardless of race, color, sex, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies"
- One's environment can be defined as "where we live, work, and play"
- Some definitions also include pray and learn
- What is meant by fair treatment?
  - Fair treatment means that no single group of people should be targeted for negative environmental consequences
  - All citizens of the United States of America are entitled to clean air to breathe and clean water to drink
- Meaningful Involvement meant that:

- People of the community have a real opportunity to influence decisions that may affect their community and/or health; and
  - Decisions-makers seek out and facilitate the involvement of the people of the community
- Studies have shown that there is a disproportionate establishment of waste facilities and garbage dumps in minority neighborhoods
- Environmental justice seeks to make right this inequality and the EPA has this as a goal for all communities and persons across the Nation
- This means that everyone has the right to the same degree of protection and a voice in the decision making process
- As we all know, the proposed site of the toxic waste dump is situated near a 100 year old African American Church and a long established African American neighborhood
- Has this community been considered and involved in the decision making process of the rezoning amendment or the special use exception?
- Why should toxic waste be trucked from a distant location and dumped in this minority community?
- An excerpt from an interview with Robert Bullard states that most waste facilities are located in rural areas and the only way these issues can be addressed is through the Board of Commissioners or county managers who often don't know much about the isolated communities they represent
- Too many Americans don't have a clue what happens outside their own neighborhood
- We don't want this land that has been handed down from generation to generation to suffer environmental injustice because county officials have decided that the best place to put a toxic waste dump is in this African American community
- We don't want our Board of Commissioners to break the law
- We want our Board of Commissioners to stand up for environmental justice and take a stand against environmental racism

**Laura Shirley**

1035 France Road

Westfield, NC 20753

Re: **Environmental Justice**

Ms. Shirley stated the following comments regarding Environmental Justice:

- As a member of this community, I feel we all have a stake in doing what is right for all the citizens of Stokes County
- Having done much research on soil remediation and land farming procedures, I am gravely concerned about the harmful effects to our water and air quality of a facility of this sort would have on the health and well being of the people who live in the surrounding area
- For this reason, I have contacted Environmental Justice Coordinator Amy Simms, NC Department of Natural Resources, as well as, Environmental Protection Agency Region 4 Environmental Justice Program Manager Denise Tennessee

- Today, I spoke with Mr. Elvie Barlow, an Environmental Scientist with the Region 4 Environmental Protection Agency to file an official complaint with the Region 4 Environmental Protection Agency
- In contacting them, we are seeking guidance from the EPA Environmental Justice Office to help oversee the process to insure that no laws, policies, and procedures are or will be violated regarding this proposed facility
- We do not want this facility here and we think this type of facility would not be allowed in a more affluent community
- Do the right thing and vote no to this Special Use Permit
- Thank you for your time

**Jesse Moore**

1473 Ellis Lawson Road

Danbury, NC 27013

**Re: Toxic Waste Dump**

- I am not a newcomer, I am not a Yankee, and I am not here to flog the Fulps
- I would like to make two points:
  - Zoning is a sacred promise
  - It is a promise that the government will protect my property from harmful things my neighbor might do on his property and vice-versa
  - About 30 years ago, this county passed a zoning ordinance – a promise to protect our lands and our home
  - On February 7<sup>th</sup> of this year, this Board, over the objection of its own Planning Board, unanimously approved a radical change to those zoning rules
  - It said that with a few permits, anyone with a farm zoned residential-agricultural could start something called “Land Farming”
  - That is a Spin Doctor’s term for what any reasonable person would call a toxic waste dump
  - Unless I read English language poorly, I don’t believe that changes about 19 acres owned by a single family
  - It applies to 190,000 acres
  - A hundred times larger and home to 80% of our people and voters
  - I don’t think you intended this, but that change also sends a message to the entire world: “Beautiful Stokes County is now Toxic Waste-Friendly”
  - It says to those powerful corporations who deal in toxic waste: “Buy yourself some land in Stokes County and bring it on. We have created a 300-square mile Special Use Zone for you”
  - Those companies, I submit, have the funds, the lawyers, and a pressing need, to find poor folks’ land where they can dump toxic spills that the rich folks over yonder don’t want
  - I fear that the promising of zoning, to protect our homes and land, has been broken

- My second point:
  - I don't think you intended this, either, but the February 7<sup>th</sup> amendment seems to fly in the face of the explicitly stated intent of the very zoning ordinance you seek to revise
  - Section 31 says clearly:
    - Stokes County does not intend to regulate farming activities, cropland and so forth, are excluded from the regulations
  - When 38,000 of your rural constituents find out what has been done to them and they will find out soon; I predict they will burn up your phone lines
  - They will demand that you stand by those promises that were made to protect their lands and protect their homes
- I would be remiss to complain without offering a solution:
  - Before this outcry explodes, I implore you, please undo this
  - Void that vote
  - Undo that February 7<sup>th</sup> vote and get this toxic mess off your plate and off our land
- Please void that vote
- Thank you

## CONSENT AGENDA

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

### Minutes

- Minutes of June 5, 2012 – Planning Meeting
- Minutes of June 7, 2012 – Public Hearing
- Minutes of June 11, 2012 - Regular Meeting

### Finance - Budget Amendment #109

Finance Director Julia Edwards submitted Budget Amendment #109.

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			
	General Fund			
	See below	\$6,711,140.00	\$69,410.00	\$6,780,550.00
	Totals	\$6,711,140.00	\$69,410.00	\$6,780,550.00

	<b>E911</b>			
2004325.440	Misc. Contractual Services	<u>\$00.00</u>	<u>\$80,000.00</u>	<u>\$80,000.00</u>
	<b>Totals</b>	<b>\$00.00</b>	<b>\$80,000.00</b>	<b>\$80,000.00</b>
	<b>Capital Projects Fund</b>			
	See below	<u>\$20,812,844.00</u>	<u>\$00.00</u>	<u>\$20,812,844.00</u>
	<b>Totals</b>	<b>\$20,812,844.00</b>	<b>\$00.00</b>	<b>\$20,812,844.00</b>
	<b>Stokes Rey. Hospital Fund</b>			
500.570.003	SRMH Inc.	<u>\$1,273,266.00</u>	<u>\$100,000.00</u>	<u>\$1,373,266.00</u>
	<b>Totals</b>	<b>\$1,273,266.00</b>	<b>\$100,000.00</b>	<b>\$1,373,266.00</b>
	<b>Danbury Water Fund</b>			
	See below	<u>\$25,434.00</u>	<u>\$00.00</u>	<u>\$25,434.00</u>
	<b>Totals</b>	<b>\$25,434.00</b>	<b>\$00.00</b>	<b>\$25,434.00</b>

This budget amendment is justified as follows:

To appropriate and transfer funds for the remainder of the fiscal year.

This will result in a net increase of \$249,410.00 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.

<b>Account Number</b>	<b>Account Description</b>	<b>Current Budgeted Amount</b>	<b>Increase (Decrease)</b>	<b>As Amended</b>
	<b>General Fund</b>			
100.3301.202	DSS-Federal	\$2,293,153.00	\$10,000.00	\$2,303,153.00
100.3301.223	Medicaid Transportation	\$450,000.00	\$25,000.00	\$475,000.00
100.3323.400	Court Cost and Fees – Jail	\$25,000.00	\$5,500.00	\$30,500.00
100.3431.410	Sheriff's Dept-Gun Permits	\$3,500.00	\$2,000.00	\$5,500.00
100.3431.411	Sheriff's Dept-Officers Fees	\$32,000.00	\$2,900.00	\$34,900.00
	Sheriffs' Dept-Concealed			
100.3431.414	Weapons	\$14,000.00	\$10,000.00	\$24,000.00
100.3540.420	DSS Medicaid Clms CPA/DA	\$212,080.00	\$10,010.00	\$222,090.00
100.3714.450	Election Revenue	\$7,600.00	\$1,000.00	\$8,600.00
100.3472.000	Solid Waste Fees	<u>\$80,000.00</u>	<u>\$3,000.00</u>	<u>\$83,000.00</u>
	<b>Totals</b>	<b>\$3,117,333.00</b>	<b>\$69,410.00</b>	<b>\$3,186,743.00</b>
	<b>E911 Fund</b>			
200.3255.420	E911 Charges	<u>\$173,783.00</u>	<u>\$80,000.00</u>	<u>\$253,783.00</u>
	<b>Totals</b>	<b>\$173,783.00</b>	<b>\$80,000.00</b>	<b>\$253,783.00</b>
	<b>Stokes Reynolds Hospital Fnd</b>			
500.3839.001	SRMH, Inc	<u>\$100,000.00</u>	<u>\$100,000.00</u>	<u>\$200,000.00</u>
	<b>Totals</b>	<b>\$100,000.00</b>	<b>\$100,000.00</b>	<b>\$200,000.00</b>



Account Number	ACCOUNT DESCRIPTION	CURRENT BUDGETED AMOUNT	INCREASE (DECREASE)	AS AMENDED
GENERAL FUND				
Board of Elections				
100.4170.000	Salaries & Wages	\$ 65,233.00	\$ 1,800.00	\$ 67,033.00
100.4170.020	Salaries & Wages Part Time	\$ 2,300.00	\$ (850.00)	\$ 1,450.00
100.4170.190	Board Reimbursement	\$ 4,190.00	\$ (750.00)	\$ 3,440.00
100.4170.260	Departmental Supplies	\$ 4,200.00	\$ 100.00	\$ 4,300.00
100.4170.310	Travel	\$ 1,140.00	\$ (500.00)	\$ 640.00
100.4170.311	Training	\$ 5,100.00	\$ (2,600.00)	\$ 2,500.00
100.4170.320	Telephone	\$ 1,600.00	\$ 300.00	\$ 1,900.00
100.4170.340	Printing	\$ 6,600.00	\$ 5,500.00	\$ 12,100.00
100.4170.350	Maint. & Repairs Equipment	\$ 10,000.00	\$ (3,900.00)	\$ 6,100.00
100.4170.370	Advertising	\$ 2,400.00	\$ 1,600.00	\$ 4,000.00
100.4170.390	Precinct Officials	\$ 20,800.00	\$ 1,100.00	\$ 21,900.00
			\$ 1,800.00	
Public Buildings				
100.4190.590	Improvements	\$ 84,943.00	\$ 6,000.00	\$ 90,943.00
100.4190.440	Misc. Contractual Services	\$ 67,492.00	\$ (6,000.00)	\$ 61,492.00
			\$ -	
Vehicle Maintenance				
100.4250.000	Salaries & Wages	\$ 97,982.00	\$ 800.00	\$ 98,782.00
100.4250.090	Social Security	\$ 6,162.00	\$ 100.00	\$ 6,262.00
100.4250.091	Medicare Tax	\$ 1,448.00	\$ 25.00	\$ 1,473.00
100.4250.430	Rental of Equipment	\$ 200.00	\$ 50.00	\$ 250.00
			\$ 975.00	
Sheriff's Department				
100.4310.000	Salaries & Wages	\$ 1,376,836.00	\$ (10,000.00)	\$ 1,366,836.00
100.4310.020	Salaries & Wages-Part Time	\$ 169,160.00	\$ 15,000.00	\$ 184,160.00
100.4310.040	Separation Allowance	\$ 52,031.00	\$ 3,500.00	\$ 55,531.00
100.4310.090	Social Security	\$ 105,734.00	\$ (1,000.00)	\$ 104,734.00
100.4310.100	Retirement	\$ 107,049.00	\$ (1,000.00)	\$ 106,049.00
100.4310.101	401K 1%	\$ 1,295.00	\$ (150.00)	\$ 1,145.00
100.4310.110	Group Insurance	\$ 188,672.00	\$ (400.00)	\$ 188,272.00
100.4310.111	Dental Insurance	\$ 14,669.00	\$ (50.00)	\$ 14,619.00
100.4310.250	Auto Supplies	\$ 220,000.00	\$ 9,000.00	\$ 229,000.00
			\$ 14,900.00	
Jail				
100.4320.000	Salaries & Wages	\$ 548,991.00	\$ 5,100.00	\$ 554,091.00
100.4320.020	Salaries & Wages-Part Time	\$ 149,200.00	\$ (2,000.00)	\$ 147,200.00
100.4320.090	Social Security	\$ 44,689.00	\$ 200.00	\$ 44,889.00
100.4320.091	Medicare Tax	\$ 10,393.00	\$ 100.00	\$ 10,493.00
100.4320.100	Retirement	\$ 39,891.00	\$ 400.00	\$ 40,291.00
100.4320.101	401K 1%	\$ 1,195.00	\$ (100.00)	\$ 1,095.00
100.4320.110	Group Insurance	\$ 87,801.00	\$ (500.00)	\$ 87,301.00
100.4320.390	Misc. Expense-Board of Prisoners	\$ 45,000.00	\$ 60,000.00	\$ 105,000.00
			\$ 63,200.00	
Medical Examiner				
100.4360.000	Medical Examiner	\$ 25,000.00	\$ 2,000.00	\$ 27,000.00

Solid Waste				
100.4720.000	Salaries & Wages	\$ 150,930.00	\$ 400.00	\$ 151,330.00
100.4720.020	Salaries & Wages-Part Time	\$ 160,404.00	\$ 300.00	\$ 160,704.00
100.4720.090	Social Security	\$ 20,472.00	\$ 100.00	\$ 20,572.00
100.4720.091	Medicare Tax	\$ 4,807.00	\$ 25.00	\$ 4,832.00
100.4720.320	Telephone	\$ 7,000.00	\$ 500.00	\$ 7,500.00
100.4720.350	Maint. & Repairs Equipment	\$ 5,800.00	\$ 2,500.00	\$ 8,300.00
100.4720.351	Maint. & Repairs Auto	\$ 80,000.00	\$ 7,000.00	\$ 87,000.00
100.4720.352	Maint. & Repairs Buildings	\$ 1,600.00	\$ 200.00	\$ 1,800.00
100.4720.491	Uniform Rental	\$ 2,800.00	\$ 200.00	\$ 3,000.00
			\$ 11,225.00	
Health				
100.5100.261	Departmental Supplies	\$ 9,822.00	\$ 4,000.00	\$ 13,822.00
100.5100.311	Training	\$ 11,885.00	\$ 4,000.00	\$ 15,885.00
100.5100.321	Telephone	\$ 25,000.00	\$ 4,000.00	\$ 29,000.00
100.5100.000	Salaries & Wages	\$ 976,807.00	\$ 12,000.00)	\$ 964,807.00
			\$ -	
Home Health				
100.5190.000	Salaries & Wages	\$ 242,010.00	\$ (7,000.00)	\$ 235,010.00
100.5190.020	Salaries & Wages-Part Time	\$ 56,625.00	\$ (3,000.00)	\$ 53,625.00
100.5190.230	Medical Supplies	\$ 45,000.00	\$ 10,000.00	\$ 55,000.00
			\$ -	
Public Assistance				
100.5420.000	State/County Special Assistance	\$ 500,000.00	\$ 8,000.00	\$ 508,000.00
100.5480.001	LIEAP	\$ 63,390.00	\$ 5,000.00	\$ 68,390.00
			\$ 13,000.00	
Social Services				
100.5310.315	Title XIX Travel	\$ 580,000.00	\$ 25,000.00	\$ 605,000.00
100.5310.182	Professional Serv-CAP/DA	\$ 65,000.00	\$ 10,010.00	\$ 75,010.00
			\$ 35,010.00	
Mental Health				
100.5200.681	SOC Transportation	\$ 10,000.00	\$ 5,000.00	\$ 15,000.00
Veterans Service				
100.5820.000	Salaries & Wages	\$ 13,886.00	\$ 25.00	\$ 13,911.00
100.5820.091	Departmental Supplies	\$ 280.00	\$ 50.00	\$ 330.00
100.5820.310	Travel	\$ 40.00	\$ (40.00)	\$ -
100.5820.311	Training	\$ 20.00	\$ (20.00)	\$ -
100.5820.320	Telephone	\$ 289.00	\$ 25.00	\$ 314.00
			\$ 40.00	
Arts Council				
100.6150.091	Retirement	\$ 4,333.00	\$ 350.00	\$ 4,683.00
			\$ 350.00	
Contingency				
100.9910.000	Contingency	\$ 103,544.00	\$ (78,090.00)	\$ 25,454.00
Total General Fund		<u>\$ 711,140.00</u>	<u>\$ 69,410.00</u>	<u>\$ 6,780,550.00</u>
CAPITAL PROJECTS FUND				
Poplar Spring Elementary School				
400.5915.600	General Contract	\$ 1,640,000.00	\$(562,110.00)	\$ 11,077,890.00

400.5915.601	Architect Fees	\$ 1,360,000.00	\$ 500,000.00	\$ 1,860,000.00
400.5915.750	Financing Fees	\$ -	\$ 62,110.00	\$ 62,110.00
Total Poplar Spring Elementary School		\$ 13,000,000.00	\$ -	\$ 3,000,000.00
Community College				
400.5916.600	General Contract	\$ 1,585,000.00	\$ 100,000.00	\$ 1,685,000.00
400.5916.852	Financing Fees	\$ 9,532.00	\$ (7,900.00)	\$ 1,632.00
400.5916.970	Contingency	\$ 218,312.00	\$ (92,100.00)	\$ 126,212.00
Total Community College		\$ 1,812,844.00	\$ -	\$ 1,812,844.00
Southeastern Stokes Middle School				
400.5917.600	General Contract	\$ 5,400,000.00	\$(232,095.00)	\$ 5,167,905.00
400.5917.601	Architect Fees	\$ 600,000.00	\$ 200,000.00	\$ 800,000.00
400.5917.690	Financing Fees	\$ -	\$ 32,095.00	\$ 32,095.00
Total Southeastern Stokes Middle School		\$ 6,000,000.00	\$ -	\$ 6,000,000.00
Total Capital Projects Fund		\$ 20,812,844.00	\$ -	\$ 20,812,844.00
Danbury Water Fund				
502.7140.000	Salaries & Wages	\$ 16,000.00	\$ 700.00	\$ 16,700.00
502.7140.090	Social Security	\$ 992.00	\$ 150.00	\$ 1,142.00
502.7140.091	Medicare Tax	\$ 232.00	\$ 40.00	\$ 272.00
502.7140.100	Retirement	\$ 1,115.00	\$ 150.00	\$ 1,265.00
502.7140.101	401K	\$ 95.00	\$ 45.00	\$ 140.00
502.7140.260	Departmental Supplies	\$ 7,000.00	\$ (1,085.00)	\$ 5,915.00
Total Danbury Water Fund		\$ 25,434.00	\$ -	\$ 25,434.00

### Health Department - Budget Amendment #110

Finance Director Julia Edwards submitted Budget Amendment #110.

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				
100.5100.260	Departmental Supplies	\$9,822.00	\$493.00	\$10,315.00
Totals		\$9,822.00	\$493.00	\$10,315.00

This budget amendment is justified as follows:

The Health Department has received funds from the Physical Activity and Nutrition Branch which will be used to purchase educational brochures on healthy eating and exercise.

This will result in a net increase of \$493.00 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
100.3301.237	Health Promotion	<u>\$20,546.00</u>	<u>\$493.00</u>	<u>\$21,039.00</u>
	<b>Totals</b>	<b>\$20,546.00</b>	<b>\$493.00</b>	<b>\$21,039.00</b>

#### **Social Services - Budget Amendment #111**

Finance Director Julia Edwards submitted Budget Amendment #111.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	<b>Social Services</b>			
100.5470.003	Special Adoption Assistance	<u>\$41,000.00</u>	<u>\$26,400.00</u>	<u>\$67,400.00</u>
	<b>Totals</b>	<b>\$41,000.00</b>	<b>\$26,400.00</b>	<b>\$67,400.00</b>

This budget amendment is justified as follows:

To appropriate additional funding for Special Adoption Assistance that is 100% Federal Funding.

This will result in a net increase of \$26,400.00 in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.202	Adoption Assistance	<u>\$41,000.00</u>	<u>\$26,400.00</u>	<u>\$67,400.00</u>
	<b>Totals</b>	<b>\$41,000.00</b>	<b>\$26,400.00</b>	<b>\$67,400.00</b>

#### **Sheriff's Department - Budget Amendment #112**

Finance Director Julia Edwards submitted Budget Amendment #112.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	<b>Sheriff's Department</b>			
100.4310.511	Equipment-Non Capitalized	\$27,868.00	\$2,800.00	\$30,668.00
	<b>Totals</b>	<b>\$27,868.00</b>	<b>\$2,800.00</b>	<b>\$30,668.00</b>

This budget amendment is justified as follows:

To appropriate State Fines & Forfeiture Funds to purchase an undercover operations vehicle

This will result in a net increase of \$2,800.00 in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.413	State Fines & Forfeitures	\$25,521.00	\$2,800.00	\$28,321.00
	<b>Totals</b>	<b>\$25,521.00</b>	<b>\$2,800.00</b>	<b>\$28,321.00</b>

### **Tax Administration Report – May 2012**

#### **Present Use Value Late Applications**

Tax Administrator Jake Oakley presented the following Present Use Value Late Applications (May 2012) at the June 11<sup>th</sup> meeting with a request for approval at the June 25<sup>th</sup> meeting:

Taxpayer	Parcels	Acreage	Reason
Earline Miller & Mozelle Smith	692100473280	170.93	Had a forestry plan since 2010- Been in family for many years
Jeffrey & Brandy Carroll	690500631125 690500632698	5.4 2.68	Has other land under the program
Sprinkle Family Farm LLC	699800695118	42.07	Land has been in family for many years
Lucille Covington	691500634905	34.00	Land has been in family for many years

### **Write Off Requests**

Tax Administrator Jake Oakley presented the following Write Off Requests (May 2012) at the June 11<sup>th</sup> meeting with a request for approval at the June 25<sup>th</sup> meeting:

Account	Bill #	Amount	Reason
58481	10A695503214934	\$1.77	Balance of advertising fee
18368	10A694109175232	\$3.50	Balance of advertising fee
12988	93A1993300043	\$233.11	Over 10 yrs old (NCGS 105-378)
	93A1993300042	\$135.17	Over 10 yrs old (NCGS 105-378)
	93A1993300041	\$135.17	Over 10 yrs old (NCGS 105-378)
15594035	10A697203047845	\$1.17	Balance of advertising fee
15840	95A1995000266	\$185.00	Over 10 yrs old (NCGS 105-378)
	95A1994000219	210.00	Over 10 yrs old (NCGS 105-378)
15591855	10A155918855.09.2	\$3.66	Balance of per. prop.—no longer owned
	09A155918855.09.2	\$3.66	Balance of per. prop.—no longer owned
72144	02A2002027326	\$340.68	Personal Property no longer owned

### **Timetable Request for Approval of the 2013 Proposed Schedule of Values**

Tax Administrator Jake Oakley presented the following Timetable Request for Approval of the 2013 Proposed Schedule of Values at the June 11<sup>th</sup> meeting with a request for approval at the June 25<sup>th</sup> meeting:

- 8/13/2012** Schedules of Values submitted to the BOCC
- 8/14/2012** Schedule is available for public inspection
- 8/16/2012** Advertise date of a Public Hearing for the proposed 2013 Schedule of Values in the Stokes News
- 08/27/2012** Public Hearing is held for proposed 2013 Schedules of Values  
BOCC must set a date that is at least seven days prior to the adoption of the Schedule of Values
- 9/10/2012** Adoption of Schedules of Values by the BOCC
- 09/13/2012** Publication of the first of (4) weekly public notices stating that the 2013 Schedules of Values has been adopted and that a taxpayer appeal may be filed with the Property Tax Commission "... within 30 days of the date when the notice of

the order adopting the schedules, standards, and rules  
was first published”.

### **Proposed Fire Code Ordinance**

Manager Rick Morris presented the following proposed Fire Code Ordinance  
at the June 11<sup>th</sup> meeting with a request for approval at the June 25<sup>th</sup> meeting:

#### **ORDINANCE FOR ADOPTION OF THE INTERNATIONAL FIRE CODE**

An Ordinance of Stokes County adopting 2012 edition of the International Fire Code, regulating and governing the safe-guarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in Stokes County; providing for the issuance of permits and collection of fees.

The Board of Commissioners of Stokes County does ordain as follows:

**Section 1:** That a certain document, three (3) copies of which are on file in the office of the Stokes County Fire Marshal, being marked and designated as the International Fire Code, 2012 edition, including Appendix Chapters, as published by the International Code Council be and is hereby adopted as the Fire Code of Stokes County, in the State of North Carolina regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Stokes County Fire Marshal are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes.

**Section 2:** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Stokes County Board of Commissioners hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 3:** That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any causes of action acquired or existing, under any act, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

**Section 4:** That the Clerk to the Stokes County Board of Commissioners is hereby ordered and directed to cause this ordinance to be published.

**Section 5:** That this ordinance and the rules, regulations, provisions, requirements, orders,

and matters established and adopted hereby shall take effect and be in full force and in effect the 25th of June, 2012.

Adopted this 25<sup>th</sup> day of June, 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

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

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:

County Manager Rick Morris noted the following:

- Would like to recognize, Christine Tuttle, Health Department, who started her position (PHN II) only a few months ago,
  - Christine visits Medicaid patients to try to make sure their needs are met to keep them from re-entering the hospital or visiting the emergency room – trying to help the patient while saving Medicaid dollars
  - Christine received an award from Northwest Community Care Network at a recent luncheon for seeing 71 patients during a two- month period (normally only 36 visits are expected to be done during the two-month period)
- Cooperative Extension Director Debbie Cox requested that the Public Works Department be recognized for the excellent work done assisting the Cooperative Extension staff reorganize and clean the department's office
- The first open concert, since amending the Mass Gathering Ordinance, was held at Jomeokee Park in Pinnacle – Willie Nelson performed this past weekend
  - Several county departments were involved before and during the concert
  - Event went very smooth with no issues



Commissioner Walker noted the following:

- Appreciate the citizens in attendance for tonight's meeting expressing their thoughts, ideas, and concerns

Vice Chairman Inman noted the following:

- Echo Commissioner Walker's comments
- Although this Board doesn't response to Public Comments, would say to those in attendance that their voices are being heard

Commissioner Jones noted the following:

- Echo Vice Chairman Inman's comments

Chairman Lankford noted the following:

- Attended the NCACC- Insurance Pool last week
- The Liability and Property Pool has a Fund Balance of \$70 million and is in very good condition
- Workers' Compensation Pool has \$1.2 million in the black; six years ago the Workers Comp. Pool was \$15 million in the red, pool has made very good progress during the last six years
- Group Benefits Pool (Medical and Dental Insurance) has one more year left for any claims payout, currently has \$375,000 remaining funding
- County properties are being evaluated by the Pool and rates are estimated to increase approximately 10% over the next five years

### **Disposition of Environmental Health Settlement**

County Attorney Edward Powell presented the following information regarding the disposition of an environmental health settlement as required by NCGS 143-318.11:

Board of Commissioners of Stokes County  
Ronald Reagan Administration Building  
1014 Main Street  
Danbury, North Carolina 27016

Dear Commissioners:

The Settlement Agreement and Mutual Release with Mr. Jeff Conry and wife, Sherianne Conry, 9486 Mt. Carmel Road in Stokesdale, NC 27357 in Stokes County has been fully executed. This letter shall serve to meet the requirements of N. C. General Statute 143-318.11, which states in part, "If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded."

The Settlement Agreement and Mutual Release with Mr. and Mrs. Conry has been signed by Mr. and Mrs. Conry, the North Carolina Department of Environment and Natural Resources (NCDENR), and within NCDENR, the Division of Environmental Health, and by Stokes County. I hereby report the terms of the settlement to the public body to be entered into the minutes:

1. Jeff and Sherianne Conry have expressly effectuated the extinguishment of any and all rights, claims and demands, or obligations they may have against Stokes County or NCDENR arising from the situation whereby an improvement permit to install an onsite wastewater system on the property located at 9846 Mt. Carmel Road, Stokesdale, NC was issued to Mr. and Mrs. Conry by a Stokes County Health Department employee, who was also an authorized agent of NC DENR. The Conrys and the Health Department later determined that the property did not in fact percolate and could not be used for an onsite wastewater system. Following investigations by the Health Department and NCDENR, the determination was made that an easement on nearby land was necessary to be acquired to allow for the construction of a wastewater system for the Conrys.

2. The authorization was for acquisition of an easement for the sewage treatment field, land surveys, a pump system and construction of sewage lines to the sewer field, and costs incurred in relocating a new well, changes associated with the site plan and site preparation, and expenses related to professional services on the project.

3. Estimates for all these costs were submitted to the Office of the Attorney General, and after analysis by that office in coordination with Stokes County and Mr. and Mrs. Conry, the following amounts are paid to and in behalf of Mr. and Mrs. Conry in settlement of any and all damages that may have occurred:

a. NCDENR will pay \$15,010.63, and Stokes County will pay \$15,010.62 in behalf of and to Mr. and Mrs. Conry.

b. Mr. and Mrs. Conry in signing the Settlement Agreement and Mutual Release acknowledge that this is a general release of all claims on their behalf arising from the above situation and that this compromise is made to avoid expense and to terminate all controversy in this matter.

4. Mr. and Mrs. Conry understand and agree that the sums paid by the County and by NCDENR are solely by way of compromise of any claims and are not to be construed as an admission of liability. The County and NCDENR expressly deny liability.

5. The parties to this Settlement Agreement and Mutual Release understand and agree that this executed instrument constitutes the entire agreement and that the sums paid and listed within are the total amounts owed in this matter.

6. The Board of Commissioners were informed of this Settlement Agreement and Release and approved it in closed session in accordance with N. C. General Statute 143-318.11 at their regular meeting on October 24, 2011, and a Budget Ordinance Amendment was adopted to approve the payment of \$30,021.25 to and in behalf of Mr. and Mrs. Conry.

Chairman Lankford expressed the Board's appreciation to County Attorney Powell and staff for the hard work done on this issue for the taxpayers' benefit.

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

### **Poplar Springs Elementary School Property - Encroachment Issue**

County Manager Rick Morris presented the following information regarding encroachment issues at Poplar Springs Elementary School:

- Two landowners, Donald Love and Michael Welch, have approached the county with a request to purchase small parcels of land from the County at the Poplar Springs Elementary School location
- The reason for requesting purchase of the land is that both of the parties own buildings that are encroaching on the land purchased by the County for construction of the Poplar Springs Elementary School
- The parties are only requesting the purchase of sufficient land, which adjoins their residential property, to take care of the encroachment issues and keep them from having to remove the buildings
- Donald and Marie Love would like to purchase .38 acres estimated tax value = \$2,500
- Michael and Kathy Welch would like to purchase .26 acres estimated tax value = \$1,700
- Recently met with Operations Director David Burge and requested him to take this request to the Board of Education for their review and recommendation due to this issue involving a school
- The Board of Education discussed the issue at their recent Board of Education Meeting and voted against selling any of the property
- If the Board decides to sell the properties, approval would have to be given by the Bank (county financed the purchase of the property)
- Tax Administrator Jake Oakley confirmed today by visiting the site that all the buildings encroaching on the county's land can be moved fairly easily
- There is a garden on the county's property that may also have to be removed

Chairman Lankford opened the floor for discussion.

Commissioner Walker noted the following:

- Did the Board of Education offer any reason for not wanting to sell the property?
- Thought there was a good bit of land bought and this is only approximately ½ acre

County Manager Morris noted that the school staff is getting ready to construct a ball field in the corner of the property (near Mr. Welch's property) and may need the other area for expansion of recreation activities.

Vice Chairman Inman noted that approximately 60 acres was bought with 30 being on the side where the school is being built.

Commissioner Walker noted that he would like to work with the property owners if possible.

Vice Chairman Inman noted the following:

- View this as an unfortunate situation, but that key word “encroachment”
- Title of land is held by the county, but the use of the land is given to the Board of Education, who is also an elected body whose duty is to make decisions on behalf of the school system
- I would defer to the Board of Education at this point in time if there is no other information
- Would also question the tax value, since the County paid \$1.2 million for the 60 acres (approximately \$20,000 per acre)

Commissioner Jones noted the following:

- Wonder how this happened with one of the buildings being clearly on the county’s property
- Very unfortunate as noted by Vice Chairman Inman
- Feels this is the Board of Education’s decision and the County should go along with whatever the decision made by the Board of Education

Commissioner Booth noted the following:

- Can see how a neighbor could get on the other person’s property
- Very interested in Vice Chairman Inman’s comments about the cost of the property
- Would like to see a win/win situation
- If the price of the property were comparable to what the County gave for the property, the owners may want to move the buildings instead of purchasing the land
- Agree with Vice Chairman Inman comments – Board of Education is an elected body who makes decision for the school system
- Would like for the manager to speak to Superintendent Mendenhall to see if the Board of Education might reconsider their decision

Commissioner Walker noted the following:

- When everyone works together, we all gain
- Agree with Commissioner Booth – win/win for everyone
- Would like to see the Board of Education’s plans for this property
- Would like to see how this would impact current and future plans for the property
- Would also like to know how this happened

County Manager Morris stated that he thought that the current property owners had an agreement with the previous landowners, probably a long time ago, and unsure why this was not addressed during the land sale.

Commissioner Walker reiterated that he would like to know the answers to his questions before making any decision.

Chairman Lankford noted the following:

- Feels it is the decision of the Board of Education
- When closing the sale of the property, the landowner who received the funds had to know about the encroachment issues
- Wonder why this was not brought up during the closing?
- Can support the decision of Board of Education

County Attorney Powell noted that the attorney who did the title search did do an exception to what an accurate survey would show and that the County actually paid for the land that the buildings are on.

Manager Morris confirmed that the Board would not consider selling the property for anything less than what was given for the property.

Chairman Lankford stated that normally when purchasing small amounts, the price is usually higher.

Manager Morris confirmed with the Board of Commissioners that staff did not have to contact the bank for approval unless something changes.

Commissioner Walker questioned why this issue went to the Board of Education first considering the county was the one that purchased the property.

Manager Morris responded:

- Took it to the Board of Education so that Board of Commissioners would know the Board of Education's decision before discussing the item

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the item on the July 9<sup>th</sup> Discussion Agenda.

### **Emergency Communications Radio Upgrade**

Manager Rick Morris presented the following information regarding the mandatory Emergency Communications Radio Upgrade:

#### **INTRODUCTION**

As the BOCC is aware, Stokes County is required to procure new communications equipment to meet the FCC mandate to move to narrow-banding by January of 2013. This document provides information to assist the BOCC in making a decision on the radio equipment that will be procured to meet this unfunded mandate.

#### **PURPOSE**

The purpose of this document is to present the BOCC the required information necessary to make a decision on the brand of radio equipment to support the FCC narrow-banding mandate.

#### **BACKGROUND**

Last year, Stokes County was made aware of the requirement to upgrade all of the County's emergency communications equipment by January 2013 to meet a FCC narrow banding mandate. This mandate requires replacement of Stokes County's emergency communications equipment because it is not narrowband capable. Since there is a significant estimated cost of approximately \$2,000,000 associated with this upgrade for Stokes County, two applications for funding through the Assistance to Firefighters Grant (AFG) were submitted; however, funding was not approved for Stokes County. Though funding was not approved, the notification to Stokes County was not made until the very end of the grant announcement period. This delayed the county moving forward on this action because no funds could be expended until the grant announcements were made because the county would not receive reimbursement grant funds to replace funds that had already been expended.

#### **ACQUISITION STRATEGY**

The original acquisition strategy that was presented to the BOCC for the procurement of new radios was to conduct a best value, full solicitation with a formal request for proposal for the equipment. As the county staff engaged in the procurement process, it was determined that a more efficient and streamlined approach for procurement of this equipment would be to purchase the equipment from State Contract which contains all of the required equipment. This approach was also recommended by the UNC School of Government as a more efficient and timely approach, given the delay encountered by the late notification from AFG grant request. This approach also made sense where a Requirements Working Group (RWG) was established and a determination made on the radio equipment through an analysis of user requirements and a detailed comparison of equipment offered by the only two qualified vendors who could provide the equipment.

The acquisition strategy also had the county making a single purchase of radios for all first responders in the county to include the municipalities to gain the best price, based on a large

economic order quantity. The municipalities will reimburse the county directly for their share of the equipment.

#### **REQUIREMENTS WORKING GROUP (RWG)**

As stated earlier, in order to make a determination on the equipment that should be procured, the county manager formed a Requirements Working Group (RWG) to examine and analyze the equipment options that could meet the county's requirements. The RWG was made up of representatives from county staff, City of King and Town of Walnut Cove. Representatives included Sheriff / police, fire, EMS and E911 Communications personnel. The RWG conducted numerous internal meetings plus meetings with the two interested vendors (Motorola and EF Johnson). It was decided early on by the RWG that the best solution to meet the FCC mandate would be the VIPER System, which is used by the N.C. State Highway Patrol and many other local governments in North Carolina. Motorola and EF Johnson are the only two approved vendors that provide the VIPER equipment in North Carolina and both have their radio equipment on State Contract. Once the decision was made to go with VIPER, the RWG analyzed the capabilities of both vendors' products and also looked at other items such as technical / maintenance support and future growth of the radio lines. Each vendor was also asked to provide equipment demonstrations and both vendors provided two separate on-site demonstrations of their equipment to members of the RWG.

As part of the RWG process, the Stokes County Sheriff surveyed numerous other sheriffs around the state on whether they would recommend the Motorola or EF Johnson radios. The feedback from the sheriffs overwhelmingly recommended Motorola over EF Johnson. Also after participating on the RWG, the City of King and Town of Walnut Cove insisted on the purchase of the Motorola equipment.

#### **PAST PERFORMANCE**

Stokes County and its municipalities use a significant number of Motorola equipment items for emergency communications. The county users of the equipment have experienced very high reliability and excellent performance from this equipment. Stokes County has also experienced very responsive maintenance, repair and equipment installation support for the county's current Motorola equipment. Motorola has a large support staff servicing North Carolina, primarily because of the large number of VIPER and other Motorola communications equipment that has been purchased in North Carolina. The "bottom line" is that Motorola's past performance and large market share reduces risk and increases confidence that Motorola would be the "best value" solution for this procurement.

#### **EQUIPMENT DESCRIPTION**

To meet the FCC mandate the county will be replacing E911 Center consoles, paging equipment and radios / accessories for all of the first responders in the county. This memorandum and request for approval only deals with the portable and mobile radios/accessories equipment that must be procured. The other equipment is being solicited through separate RFPs since that equipment is not available on State Contract. On the radios, the major focus of the evaluation was the portable radios since they have the greatest impact on the operations of the first responders. The brand of mobile

radios should follow that of the portable radios to ensure maximum interoperability and single vendor maintenance and support.

### **PRODUCT COMPARISONS**

Both vendors' equipment will meet the minimum requirement to operate on the VIPER system / network; however, there are significant differences in the capabilities and design of the two offerings. Both vendors' radios are within the same price range and are close enough to each other in price that price would not be a major discriminator in this "best value" solicitation. Both vendors also offer an older generation of radios that would work now; however, the RWG felt it would be short sighted to invest in older technology, when the next generation equipment is already available at only a slightly higher price. The older technology radios are the Motorola XTS 2500 and the EF Johnson 5100 ES. The two radio models that were selected for comparison by the RWG to meet the county's current and future requirements were the APX 4000 from Motorola and the VP 600 Viking from EF Johnson. These are the two latest VIPER offerings from the two vendors.

With regards to the products that will work on the Viper network, there are several significant differences between Motorola's APX 4000 and EF Johnson's Viking 600 unit. The key differences that we believe are most important and most heavily influenced my recommendation are as follows:

- Noise Shield - Noise suppression for analog and digital channels. Motorola offers this in both digital and analog channels. The RWG analysis found the Motorola noise shield capability to be superior to that of EF Johnson. Noise suppression was a critical discriminator based on demonstrations provided by both manufacturers.
- Portable Radio Size, Weight & Ergonomics – The size, weight and "T" shape design of the Motorola APX 4000 heavily influenced the selection of the Motorola product. The Motorola portable radio was determined to be much better ergonomically. The VP 600 radio is larger and weighs several ounces (see comparison table below) more than the APX 4000. Weight and size are significant discriminators when added to the numerous other items of equipment law enforcement officers and other first responders must carry on their belts for 12 hour shifts.
- Channel Announcement. Knowing what channel you are on is critical when you are fighting a fire or engaging in other dangerous activities where the radio knobs or screens cannot be seen clearly. Being on the wrong channel and missing important information could easily jeopardize the mission and the lives of first responders. Motorola offers a channel announcement function and EF Johnson does not.
- IMPRES Battery Technology. This battery technology is unique to Motorola products. It essentially makes the battery and the chargers smarter. It allows the batteries to last longer and saves money for the users. IMPRES technology allows for more efficient use of battery power and according to Motorola it typically drains battery life at about half the rate of Motorola's competitors. Battery life is also a major evaluation factor for this equipment. At



additional cost, Motorola offers a sixteen and twenty hour battery, which exceeds offerings by EF Johnson.

- Warranty – With regards to the warranty coverage Motorola offers a one year standard warranty plus two additional years on VIPER for a total warranty period of three years. EF Johnson offers a standard one year warranty with an additional one year for a total warranty period of two years. Both vendors offer up to five years of warranty coverage at an additional cost.
- Technical / Maintenance Support – The local Motorola representative, Amerizon, has 40 employees and 20 of those are factory trained and certified technicians and installers. Amerizon has deployed numerous VIPER systems representing thousands of radios. In North Carolina Motorola provides 90% of the VIPER radios that have been deployed in the state, which exceeds 50,000 radios. The VIPER network is a Motorola designed network. EF Johnson's maintenance & support capability in North Carolina is much smaller in scope than that of Motorola.

The table below provides additional comparison data between the APX 4000 and the VP 600 radios: (Attached to this memorandum, for your review, are brochures from both manufacturers describing their VIPER radio equipment)

<b>Radio Descriptive Data</b>	<b>APX 4000</b>	<b>VP 600</b>
Dimensions (inches)		
<ul style="list-style-type: none"> <li>• Length</li> <li>• Width</li> <li>• Depth</li> </ul>	5.26 2.56 1.69	7.5 2.62 1.75
Radio Weight w/o Battery (oz)	9.17	12.20
Battery Weights (oz)	5.3 or 5.6	8.1
Total Radio Weight (oz)	14.47 or 14.77	20.3
Audio Distortion	1%	3%
Color Display	Yes	No
Intelligent Lighting	Yes	No
Dual-sided Voice Operation	Yes	No
Integrated Man-Down Sensor	Yes	No
Emergency Keep Alive and Voice to Follow	Yes	No
Channel Announcement	Yes	No
Adaptive Dual Mic Noise Suppression for analog and digital channels	Yes	No
Radio Profiles - Customer configurable audio and tone parameters	Yes	No
IMPRES battery technology	Yes	No
Tactical Over-the-Air-Rekeying (OTAR)	Yes	No
Integrated GPS over P25 Trunking	Yes	No
Integrated Bluetooth in the radio	Yes	No
T-Grip	Yes	No
Secondary microphone port for redundancy	Yes	No

## **CONCLUSION**

After the extensive work by the RWG, it was concluded that the Motorola VIPER offering would be the “best value” selection to meet the needs and growth requirements of Stokes County. This conclusion was based on a comparative analysis of the equipment through numerous meetings / discussions by the RWG and the two equipment demonstrations by each of the vendors. In the judgment of the RWG, the APX line of Motorola radios provides a series of radio options that best address different functional needs of the wide range of users in Stokes County.

## **RECOMMENDATION**

It is the recommendation of the RWG, which I strongly support, that Stokes County procure the Motorola APX line of radios for Stokes County Fire, EMS and law enforcement users, with the baseline radio being the APX 4000. It is also recommended that the purchase be made using State Contract to simplify the process and ensure schedule requirements are met. This recommendation takes a long term technology view since the county will be using this equipment for many years after its purchase. The selection of the Motorola APX radio line over the older technology Motorola XTS 2500 radio will ensure future technology growth requirements can be met without having to replace this equipment again as is currently being done under the FCC narrow banding mandate. Though the Motorola APX 4000 radio is recommended for Stokes County Fire, EMS and Law Enforcement, the two municipalities should have the option to buy the APX 5000, 6000 or 7000 radios, which are more capable & more expensive, if their requirements dictate a need for these more capable radios

Manager Morris touched briefly on the following areas:

- Original acquisition strategy for the procurement of new radios was to conduct a “Best Value” full solicitation with a formal request for proposal (RFP) on the equipment
- As the county staff engaged in the procurement process, it was determined that a more efficient and streamlined approach for the procurement of this equipment would be to purchase the equipment off of state contract which contains all the required radio items needed for the upgrade
- This approach was recommended by the UNC School of Government as a more efficient and timely approach, given the delay encountered by the late notification that Stokes County would not be receiving any funding from the Assistance to Firefighters (AFG) Grant applications that were submitted
- This approach also made sense because a Requirements Working Group made up of all key stakeholders was established and a decision was made by that group on the brand and the type of equipment desired
- This decision came after extensive analysis and a detailed comparison of equipment offered by the two qualified vendors who could provide the equipment
- The procurement approach had the county making a single purchase of radios for all first responders in the county, to include the municipalities, to gain the best price based on a large economic order quantity
- Municipalities will reimburse the county directly for their share of the equipment
- Before the radios are purchased, the projected number to purchase will be reconciled and updated once more to make sure the needed equipment is ordered

- The information provided tonight is being provided to the BOCC for their review and consideration
  - Would like to cover a few of the important details provided in the memorandum presented at tonight's meeting:
    - There were two qualified vendors that the VIPER Radio System could be purchased from that were on state contract:
      - Motorola
      - EF Johnson
    - Established a Requirement Working Group (RWG) to make sure the right decision was made since the equipment would be used for several years and this will be a large expenditure for the county
    - RWG, which consisted of representatives from county staff/City of King/Town of Walnut, included the Sheriff and representatives from police, fire, EMS and E911 Communications personnel
    - RWG met several times and did a comparison between the two radios
    - RWG decided VIPER, which is used by the NC State Highway Patrol and many other local governments in NC, was the system needed for Stokes County
    - VIPER System is a Motorola network
    - Sheriff surveyed numerous other sheriffs around the state on whether they would recommend Motorola or EF Johnson
    - Feedback from the sheriffs overwhelmingly recommended Motorola
    - As far as pricing goes, mobile hand held radios from both vendors are in the \$2,500 to \$3,000 range per unit with the mobile units for the vehicles ranging from \$3,500 to \$4,000
    - Motorola has offered a 28% reduction off of their list price under the state contract (24% off the state contract plus an additional 4% large volume discount)
    - This recommendation is only for radios, other equipment that is not state contract will be done through separate RFPs
    - Key differences that the RWG believed were the most important and most heavily influenced the recommendation were as follows (compared the Motorola APX 4000 and EF Johnson VP 600):
      - Noise shield
        - Motorola did a demonstrate where they cranked up a chainsaw and ran the motor wide open while talking on the radio, could not hear the chainsaw
      - Portable radio size, weight, and ergonomics
        - Motorola was determined to be much better ergonomically and weighs several ounces less
        - Weight and size are significant discriminators when added to the numerous other items of equipment that law enforcement officers and other first responders must carry on their belts for 12 hour shifts
      - Channel Announcement
      - IMPRES Battery Technology
        - Battery technology is unique to Motorola products

- It makes the battery and the chargers smarter
- Battery life was also a major evaluation factor for the equipment
- Motorola took a radio and dropped it into water for two hours (submerged completely); took it out and talked on the radio
- Warranty
  - Has one additional year of support more than EJ Johnson
- Technical/Maintenance Support
  - Motorola provides 90% of the VIPER radios that have been deployed in the state, which exceeds 50,000
  - Have had positive experience in the past with Motorola
- After the extensive work by the RWG, it was concluded that the Motorola VIPER offer would be the “best value” selection to meet the needs and growth requirements of Stokes County
- The APX line of Motorola radios provides a series of radio options that best address different functional needs of the wide range of users in Stokes County
- Recommend the Motorola APX line of radios for Stokes County Fire, EMS and law enforcement users, with the baseline radio being the APX 4000 through state contract; APX 4000 can be modified with software very easily
- Recommendation takes a long term technology view since the County will be using the equipment for many years after its purchase
- The selection of the Motorola APX radio line over the older technology Motorola XTS 2500 radio, which would save dollars, will ensure future technology growth requirements can be met without having to replace this equipment again as is currently being done under the FCC narrow banding mandate
- FCC is narrow banding from 24 to 12 MHz with another mandated narrow banding coming in the future from 12 to 6 MHz (possibly within the next 5 to 6 years)
- Though the Motorola APX 4000 radio is recommended for Stokes County Fire, EMS, and Law Enforcement, the two municipalities should have the option to buy the APX 5000, 6000, or 7000 radios, which are more capable and more expensive, if their requirements dictate a need for these radios
- Reiterated that the APX 4000 will allow the County to be ready for the next mandate
- Provided the BOCC with product specification data from Motorola and EF Johnson
- Suggested the BOCC talk to members of the RWG
- Requested the item be placed on the July 9<sup>th</sup> Action Agenda

Chairman Lankford opened the floor for discussion.

Commissioner Jones commented:

- Very impressed with the information provided

- Glad to be getting started on this mandate
- Feels the RWG has done their homework
- Feels the APX 4000 will be what the County needs
- Likes the idea that the other municipalities can purchase what they need

Commissioner Booth commented:

- Reiterated the upgrade must be done by January 1, 2013
- Glad this radio will be in line for the next mandate, hopefully saving the county money
- Agree with Commissioner Jones that the RWG did their homework
- Confirmed with Manager Morris that 90% of the VIPER radios being used in the state have been provided by Motorola
- Expressed appreciation to Manager Morris and the RWG

Commissioner Walker commented:

- Confirmed with Manager Morris that the added features on the APX 5000, 6000, etc. was not worth the extra cost at this time
- Confirmed with Manager Morris that some of the added features can be added to the 4000 series easily
- Feels the RWG did a thorough evaluation
- Impressed with the noise shield, size, weight, and battery technology
- Confirmed with Manager Morris that the cost for both radios is between the \$2,500 to \$3,000 range and that could possibly get EJ Johnson cheaper, but would not get a radio with the capability of the Motorola
- Feels that negotiations can't be as strong when there is a mandate involved, not a good situation for the buyer
- Very awkward situation that has been passed down to the counties
- Agreed with Commissioner Jones, need to get the message to people who make these decisions (Washington) that we don't appreciate these mandates being passed down to the citizens of Stokes County; have cost the citizens of Stokes County lots of extra money and financial concerns
- Agree with Commissioners Jones and Booth, RWG has done their homework and have no issues going with the RWG's recommendation

Vice Chairman Inman commented:

- Appreciate the time spent by Manager Morris and the RWG to determine what was best for Stokes County
- Glad you included the staff that use the equipment on a daily basis

Chairman Lankford commented:

- Agree the RWG has been working diligently on this recommendation
- Wished there had been a little more time for possible further negotiations
- On board with the RWG's recommendation

Manager Morris noted that with the items being on state contract, there has been some negotiations done by the state with both vendors.

Chairman Lankford, with full consensus from the Board, directed the Clerk to place the item on the July 9<sup>th</sup> Action Agenda.

**Appointments – Stokes County Water and Sewer Authority**

County Manager Rick Morris noted the following:

- Stokes County Water & Sewer Authority is currently in need of a new board member
- Mr. Wayne Smart resigned
- Stokes County Water & Sewer Authority approved the recommendation of Ronald Powell of Germanton to fill the vacancy at their June 6<sup>th</sup> meeting

Commissioner Booth nominated Ronald Powell.

Chairman Lankford entertained a motion to close the nominations.

Commissioner Booth moved to close the nominations. Commissioner Jones seconded and the motion carried unanimously.

Chairman Lankford, with full consensus from the Board, directed the Clerk to place the item on the July 9<sup>th</sup> Action Agenda.

**Appointments – Walnut Cove Senior Center Advisory Council**

County Manager Rick Morris noted the following:

- There are two vacancies on the Walnut Cove Senior Center Advisory Council
- Steve Mabe resigned and Jean Eastwood no longer lives in the area
- Will be advertised and placed on the county website

There were no nominations.

Chairman Lankford, with full consensus from the Board, directed the Clerk to place the item on the July 9<sup>th</sup> Action Agenda.

**Appointments - Juvenile Crime Prevention Council**

County Manager Rick Morris noted the following:

- JCPC recommended the following appointments/re-appointments:
  - James Booth - Stokes County Commissioner
  - Amanda Dolinger - BOCC appointee - DJJ

- Ed Eklund - Mental health representative
- Terri Fowler - Substance Abuse Professional
- Melissa Hiatt - BOCC appointee - SCAN
- Pam Hooker - BOCC appointee – Concerned citizen
- Jeff Matkins - BOCC appointee – Insight
- Kim Palmer - Police Chief Designee-KPD
- Rusty Slate - Chief Court Counselor
- Kristy Preston - Director - Stokes DSS
- All terms will expire June 30, 2014
- JCPC is currently recruiting to fill the following:
  - Student representatives
  - Health Department representatives
  - School representative
  - Member of the business community
  - These appointees should be submit in August
- Vacancies will be advertised and placed on the website for those appointees that are not designated from a particular group

Vice Chairman Inman nominated those recommended by JCPC.

Chairman Lankford entertained a motion to close the nominations.

Commissioner Jones moved to close the nominations. Commissioner Booth seconded and the motion carried unanimously.

Chairman Lankford, with full consensus from the Board, directed the Clerk to place the item on the July 9<sup>th</sup> Action Agenda.

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

### **E911- Replacement Call Answering System**

Chairman Lankford entertained a motion regarding the E911 Replacement Call Answering System and the following Resolution - Sentinel Patriot E9111 Answering System Purchase Exemption which were submitted at the June 11<sup>th</sup> meeting.

### **RESOLUTION**

#### **SENTINEL PATRIOT E911 ANSWERING SYSTEM PURCHASE EXEMPTION**

**WHEREAS**, in accordance with NCGS 143-129(g) Waiver of Bidding for Previously Bid Contracts;

**WHEREAS**, the Board of Commissioners is convened in a regular meeting:

June 25, 2012

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

The Sentinel Patriot E911 answering system purchase is exempt from the provisions of North Carolina General Statute bidding requirements per 143-129(g) for the following reasons:

- Stanly County North Carolina held a public and formal bid process.
- Stanly County, North Carolina discussed bids received and formally awarded a contract to Century Link during a regular scheduled meeting on July 11, 2011.
- Century Link has agreed to extend to Stokes County the same cost as set forth in a previous contract with Stanly County.
- As specified in NCGS 143-129(g) a 10 day notice was advertised in the Stokes News on June 14, 2012.

Adopted 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**

Vice Chairman Inman moved to approve the installation of Sentinel Patriot IP Based Answering System by Centurylink and yearly maintenance along with the Sentinel Patriot E911 Answering System Purchase Exemption Resolution. Commissioner Jones seconded and the motion carried unanimously.

**Proposed Transportation Contracts for Fiscal Year 2012-13**

Chairman Lankford entertained a motion regarding the proposed Transportation Contracts with YVEDDI and JD Cruises Transportation Service for Fiscal Year 2012-13 which were submitted at the June 11<sup>th</sup> meeting.

Commissioner Booth moved to approve the Transportation Contracts with YVEDDI and



JD Cruises Transportation Service for Fiscal Year 2012-13. Commissioner Jones seconded and the motion carried unanimously.

**Appointments – Workforce Development Board**

Chairman Lankford noted the following was nominated at the June 11<sup>th</sup> meeting:

- Barbara Stevens

There were no other nominations.

Chairman Lankford entertained a motion to close the nominations.

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

Chairman Lankford polled the Board:

Commissioner Jones - Barbara Stevens  
Vice Chairman Inman - Barbara Stevens  
Chairman Lankford - Barbara Stevens  
Commissioner Walker - Barbara Stevens  
Commissioner Booth – Barbara Stevens

Chairman Lankford noted that Barbara Stevens was unanimously re-appointed to serve on the Workforce Development Board.

**Appointments – Town of Danbury Planning Board – ETJ**

Chairman Lankford noted the following were nominated at the June 11<sup>th</sup> meeting:

- Donnie Mabe
- Melinda Ring

There were no other nominations.

Chairman Lankford entertained a motion to close the nominations.

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

Chairman Lankford polled the Board:

Commissioner Jones - Donnie Mabe and Melinda Ring  
Vice Chairman Inman - Donnie Mabe and Melinda Ring  
Chairman Lankford - Donnie Mabe and Melinda Ring  
Commissioner Walker - Donnie Mabe and Melinda Ring  
Commissioner Booth - Donnie Mabe and Melinda Ring

Chairman Lankford noted that Donnie Mabe and Melinda Ring were unanimously re-appointed to serve on the Town of Danbury Planning Board – ETJ.

Clerk Bullins noted that doing the re-appointments of the ETJ members, it was found the Town of Danbury's alternate ETJ appointment is vacant and will be brought back to the BOCC once a recommendation is made by the Town of Danbury.

### **Closed Session**

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

- To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged pursuant to GS 143-318.11(a)(3).

Vice Chairman Inman moved to enter into Closed Session for the following:

- To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged pursuant to GS 143-318.11(a)(3).

Commissioner Jones seconded and the motion carried unanimously.

The Board returned to the regular session of the June 25<sup>th</sup> meeting.

### **Adjournment**

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

Vice Chairman Inman moved to adjourn the meeting. Commissioner Jones seconded and the motion carried unanimously.

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

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**Ernest Lankford**  
Chairman