

STATE OF NORTH CAROLINA )  
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COUNTY OF STOKES )  
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OFFICE OF THE COMMISSIONERS  
STOKES COUNTY GOVERNMENT  
DANBURY, NORTH CAROLINA  
JANUARY 28, 2013

The Board of Commissioners of the County of Stokes, State of North Carolina, met for a regular session in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administration Building) located in Danbury, North Carolina on Monday, January 28, 2013 at 6:00 pm with the following members present:

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

County Personnel in Attendance:  
County Manager Richard D. Morris  
Clerk to the Board Darlene Bullins  
DSS Director Kristy Preston  
Cooperative Extension Director Debbie Cox

Chairman Ernest Lankford called the meeting to order.

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

- "Strive not with a man without cause, if he has done thee no harm "

Commissioner Inman delivered the invocation.

Chairman Lankford noted Commissioner Walker would be late due to attending a doctor's appointment with his wife.

#### **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 January 28, 2013 Agenda.

Vice Chairman Booth moved to approve the January 28<sup>th</sup> Agenda as presented.

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

## **PUBLIC COMMENTS**

Chairman Lankford noted that Public Comments are for the Board to listen and any topic presented during Public Comments may be placed on a future Agenda.

The following spoke during Public Comments:

**William Roughton**  
2224 Horseshoe Road  
Westfield, NC 27053  
RE: **Special Use Zoning**

Mr. Roughton read the following to the Board of Commissioners:

Good evening and happy New Year. In about one week, the Stokes County Board of County Commissioners will be marking the one year anniversary of its February 7, 2012 decision to ignore the Stokes County Planning Board's 5-2 recommendation and unanimously approve a controversial zoning text amendment that added an industrial waste treatment business as a "special use" in a Residential/Agricultural zoned area under Section 80.3 of Article VIII.

A large number of constituents have loudly, clearly, and repeatedly voiced how unacceptable that February 7, 2012, zoning text decision was. Beginning in June 2012, this Public Comments forum has been used to urge the Board to reconsider and rescind its February 7, 2012 zoning text action, but the Board has to date made no public response. Perhaps the Board members have discussed this problem behind closed doors and have decided to do nothing, but the Board's failure to publicly respond to the community's reasonable request is in fact an action, but not a good one. By not fixing what it did on February 7, 2012, the Board is apparently willing to leave up to 98 percent of rustically beautiful Stokes County available for the development of industrial waste treatment facilities.

The Stokes County Board of County Commissioners was entrusted by the voters with the responsibility fulfilling the members' individual and respective campaign promises regarding facilitating healthy growth and protecting the environment and the recreational tourism industry. Your votes on February 7, 2012 regarding the zoning text amendment in question broke those collective promises, all of which are on record in the archives of the Stokes News. We hope the

County Commissioners will see the light and take the necessary action to rebuild community trust and to close a door that should never have been opened.

Thank you for your attention, once again.

## **CONSENT AGENDA**

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

### **Minutes**

- Minutes of January 14, 2013 – Regular Meeting
- Minutes of January 14, 2013 – Special Called Meeting- Board of Education

### **Sheriff's Department - Budget Amendment #58**

Finance Director Julia Edwards submitted Budget Amendment #58.

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

<b>Account Number</b>	<b>Account Description</b>	<b>Current Budgeted Amount</b>	<b>Increase (Decrease)</b>	<b>As Amended</b>
	<b>Sheriff's Department</b>			
100.4310.260	Departmental Supplies	<u>\$34,642.00</u>	<u>\$2,125.00</u>	<u>\$36,767.00</u>
	<b>Totals</b>	<b>\$34,642.00</b>	<b>\$2,125.00</b>	<b>\$36,767.00</b>

This budget amendment is justified as follows:

To secure and transport the security screening equipment (x-ray machine) from Mecklenburg County to the Stokes County Government Center.

This will result in a net increase of \$2,125.00 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>
100.3301.413	State Fines & Forfeitures	<u>\$11,145.00</u>	<u>\$2,125.00</u>	<u>\$13,270.00</u>
	<b>Totals</b>	<b>\$11,145.00</b>	<b>\$2,125.00</b>	<b>\$13,270.00</b>

### **Sheriff's Department - Budget Amendment #59**

Finance Director Julia Edwards submitted Budget Amendment #59.

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>				
100.4310.020	Salaries & Wages – Part Time	<u>\$139,160.00</u>	<u>\$36,000.00</u>	<u>\$175,160.00</u>
	<b>Totals</b>	<b>\$139,160.00</b>	<b>\$36,000.00</b>	<b>\$175,160.00</b>

This budget amendment is justified as follows:

To appropriate funds from the Stokes County School System for SROfficers.

This will result in a net increase of \$36,000.00 in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
<b>General Fund</b>				
100.3431.421	School Resource Officer	<u>\$192,997.00</u>	<u>\$36,000.00</u>	<u>\$228,997.00</u>
	<b>Totals</b>	<b>\$192,997.00</b>	<b>\$36,000.00</b>	<b>\$228,997.00</b>

### **Tax Administration Report – December 2012**

#### **Real and Personal Releases more than \$100**

Tax Administrator Jake Oakley presented the following Real and Personal Releases more than \$100 (December 2012) at the January 14<sup>th</sup> meeting with a request for approval at the January 28<sup>th</sup> meeting:

Releases more than  
\$100 - Real/Personal  
Property

December, 2012

Name	Bill Number	Amount	Reason
Mickey & Mabel Mitchell	12A695201273431.1	\$244.71	Use value to continue
	12A695201273431.2	\$244.71	Use value to continue

	12A695201273431.3	\$259.77	Use value to continue
	12A695201273431.4	\$259.77	Use value to continue
Robert & Misty Sheppard	12A606100425155	<u>\$103.64</u>	Corrected acreage
	<b>Total Amount</b>	<b>\$1,112.60</b>	

### **Real and Personal Refund more than \$100**

Tax Administrator Jake Oakley presented the following Real and Personal Refund more than \$100 (December 2012) at the January 14<sup>th</sup> meeting with a request for approval at the January 28<sup>th</sup> meeting:

#### **Refund more than \$100 - Real/Personal Property**

**December, 2012**

<b>Name</b>	<b>Bill Number</b>	<b>Amount</b>	<b>Reason</b>
Robert & Misty Sheppard	11A606100425155	<u>\$103.64</u>	Corrected average
	<b>Total Amount</b>	<b>\$103.64</b>	

### **Write Off Request**

Tax Administrator Jake Oakley presented the following Write off Request at the January 14<sup>th</sup> meeting with a request for approval at the January 28<sup>th</sup> meeting:

- Tax Office has determined that there is no further recourse in the collection of the following tax bill:
  - Account = #2938
  - Bill Number = #00V2000554674
  - Amount = \$167.71
  - Reason = Over 10 years old (NCGS 105-378)
- Request this amount be written off

### **EMS Write off Request**

Tax Administrator Jake Oakley presented the following EMS Write-off Requests at the January 14<sup>th</sup> meeting with a request for approval at the January 28<sup>th</sup> meeting:

Call Number	Date of Call	Total Charges	Reason
1203292	6/4/2012	\$ 358.00	Inmate - no insurance
1203529	6/14/2012	\$ 358.80	Inmate - no insurance
1203946	7/1/2012	\$ 486.80	Inmate - no insurance
1203952	7/1/2012	\$ 470.80	Inmate - no insurance
1205741	9/16/2012	\$ 483.00	Inmate - no insurance
1205770	9/17/2012	\$ 731.00	Inmate - no insurance
1205842	9/20/2012	\$ <u>358.80</u>	Inmate - no insurance
<b>Total</b>		<b>\$ 3,247.20</b>	

### **Personal Property Schedule of Values and Depreciation of Schedules for 2013**

Tax Administrator Jake Oakley presented the following Personal Property Schedules of Values and Depreciation of Schedules for 2013 at the January 14<sup>th</sup> meeting with a request for approval at the January 28<sup>th</sup> meeting:

- 2013 Department of Revenue Cost Index and Depreciation Schedules (Business Personal Property)
- 2013 Pricing Guidelines for Personal Property
- 2013 Single Wide Mobile Home Pricing Guidelines (Schedules from Marshall and Swift)

Commissioner Inman moved to approve the Consent Agenda as presented. 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 Morris commented:

- Requested the Board bring their calendars to the February 11<sup>th</sup> meeting in order to schedule Goals/Budget Guidance Sessions
- Interviews were done today for the Senior Services Program Director and the interview team chose Vicki East to fill the position effective February 1<sup>st</sup>
- Emergency Management contacted the County today and offered a grant opportunity to obtain a programmable sign
  - The cost of the sign is approximately \$18,000 which must be paid for by the county upfront; the county will then be reimbursed 100%
  - The sign could be used for any type of emergency

- The County must notify Emergency Management by this Wednesday if interested in participating in the grant program
- Have instructed EMS Director Collins to pursue the grant opportunity
- Several departments had noted that they have had times in the past that they could have used the sign
- Others agencies across the state, who have already obtained this type of sign, have stated that it is heavily used in their county

The Board had no issues with pursuing the grant opportunity.

Commissioner Jones commented:

- Attended the NCACC Legislative Goals Conference in Raleigh last week, quite beneficial and quite obvious that NCACC is doing their best to help the counties with legislation to possibly move the counties forward
- Unfunded mandates, one of the county's top goals, made the top five

Commissioner Inman commented:

- Was an honor to serve as the county's voting delegate at the Legislative Goals Conference last week in Raleigh
- The following are the top five goals for 2013-2014
  1. Oppose shift of state transportation responsibilities to counties
  2. Reinstate ADM and lottery funds for school construction
  3. Oppose unfunded mandates and shifts of state responsibilities to counties
  4. Ensure adequate mental health funding
  5. Preserve the existing local revenue base
- Voted for the #1-4 and replaced #5 with TF-10 Extend Article 44 Hold Harmless
- My top goal was #3 – Oppose unfunded mandates and shifts of state responsibilities to counties
- My #2 goal was Extend Article 44 Hold Harmless
- Feel good about the goals that were adopted
- Heard Governor McCrory speak on Friday, very impressed with what he had to said
- Some of the highlights of Governor McCrory's speech:
  - Not going to play the "name game" or the "blame game"
  - We have hit the road "running"
  - Talked about Health and Human Services (DHHS), have inherited a system that is completely broken
  - Agree with Governor McCrory's comments regarding DHHS, the system is definitely broken
  - Governor McCrory named Dr. Aldona Vos, who is highly qualified, as the Secretary of DHHS
  - Dr. Vos declined her \$135,000 annual salary and will be paid \$1 per year
  - Dr. Vos hit the job "running", working around the clock with emergency situations
  - Spoke on Commerce, will start to rewrite everything dealing with Commerce which is outdated and will include a "Business Friendly Environment"
  - Legislature will take on overhauling the tax code this year
- Very impressed with Governor McCrory's speech, who spoke with no notes

Chairman Lankford commented:

- Appreciate Commissioner Inman representing Stokes County as the voting delegate

Vice Chairman Booth commented:

- Echoed Chairman Lankford's comments regarding Commissioner Inman representing Stokes County at the Legislative Goals Conference

Commissioner Walker commented:

- Appreciate Commissioner Inman and Commissioner Jones representing Stokes County at the Legislative Goals Conference
- Attended the recent League of Governments meeting in Walnut Cove last week, very good discussion
- Senator Shirley Randleman attended the League of Governments meeting and shared a lot of very good information
- Senator Randleman spoke about a movement that is underway in Raleigh to review a lot of the existing laws and regulations, particularly those in DENR's area, to try to see if there can be a little bit more common sense and reasonableness
- Plans are to look closely at existing laws that maybe do not need to be on the books, possibly modify or get rid of them and any new laws cannot be enacted unless they come before the General Assembly
- Very nice to have Senator Randleman at the League of Governments meeting

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

### **DSS – Request for Additional Child Care Subsidy Funds**

County Manager Rick Morris presented the following information which was requested at the January 14<sup>th</sup> meeting:

On January 14, 2013 I approached the Board of County Commissioners to request additional funding for our agency's Child Care Subsidy program. It was requested that I provide additional information for review. Below are the specific questions I was asked to address.

#### **Questions from the January 14, 2012 Board of County Commissioners Meeting**

1. What is the response from the Stokes Partnership for Children regarding additional funds?  
*We are still awaiting a response from the Stokes Partnership for Children. I have been in communication with their Executive Director, Cindy Tuttle, and they have not been notified that any additional funds have been allocated to Stokes County.*
2. STAR Program – Is the program still being implemented with four and five star centers receiving additional funding?  
*Yes. The Stability in Stars – Star Quality Enhancement Program is still in place. Child Care centers who work towards, and actually achieve, advanced ratings, receive enhancement payments for Smart Start eligible children. These enhanced payments are used by the centers to offset some of the cost of keeping and maintaining four and five*



*star ratings. At this point, we anticipate money available for enhancements will run out in February 2013. Eligible centers have been notified by the Stokes Partnership for Children that unless additional funds are allocated by the Partnership, their enhancements will be cut for March, April and May. I would also note that I have discussed this program with Ms. Tuttle and the Partnership has agreed to a discussion regarding revising the STARS program.*

3. How many working mothers are receiving subsidy?

*The following is a breakdown of the Child Care Subsidy caseload:*

One parent households	112 cases
Two parent households	15 cases
Grandparents/Other relatives	20 cases
Child Welfare (CPS and Foster Care)	18 cases
Work First – one parent household	5 cases
Work First – two parent household	1 case
<b>Total</b>	<b>171 cases</b>

*Of these 171 cases, child care services are used to support the following:*

Full-time employment	159 cases
$\frac{3}{4}$ time work, $\frac{1}{4}$ time school	3 cases
$\frac{3}{4}$ time school, $\frac{1}{4}$ time work	6 cases
Full-time school	3 cases

4. How many Work First participants does the county have?

*The agency currently has 62 active Work First cases. Of these cases, 46 recipients are Child Only cases. In these cases, caretakers, typically grandparents, receive a check because they are the custodian for a child that is not their own. Six recipients are in the process of filing for disability. Ten recipients are considered employable and are actively engaged with our caseworkers on meeting educational and work experience goals to assist them in transitioning off of public assistance. Of these ten employable families, six are receiving Child Care Subsidy.*

5. How much Work First money was received?

*The agency had only allocated \$4,000 of our Work First funding for Child Care Services for Work First recipients, as we have traditionally been able to serve all Work First recipients through our regular Child Care Subsidy program. When we realized our budget situation, we shifted an additional \$23,000 in Work First dollars to cover the child care costs of Work First recipients for the year.*

6. Has the county received a response from the state?

*We have received notice from the state that we did not receive any additional funds in the first round of reversions. Stokes County is still on the list to receive additional funds should they become available through another round of reversion later in the budget year.*

7. How many people are on the waiting list?

*As of January 22, 2013, there are 133 children on the waiting list for Child Care Subsidy.*

8. What is the comparison to last year's appropriation?

Initial Allocation for Fiscal Year	State – Purchase of Care	Stokes Partnership for Children	Total
July 1, 2008	\$1,373,053	\$237,055	\$1,610,108
July 1, 2009	\$1,195,610	\$259,069	\$1,454,679
July 1, 2010	\$1,125,669	\$245,000	\$1,370,669
July 1, 2011	\$1,132,238	\$245,000	\$1,377,238
July 1, 2012	\$1,002,506	\$245,000	\$1,247,506

I would also note that my original request was for \$50,000 in additional funding and at the meeting on January 14, 2013; I revised that request down to \$35,000 as we had recently closed out our December payments and we were able to realize a significant savings from November to December. Also, shortly after the meeting on January 14<sup>th</sup>, I received an update from the North Carolina Division of Child Development and Early Education regarding funds that will be available to pay for child care expenses for children in foster care. These funds are actually more than I had anticipated.

Based on current information, I would recommend that you table our request for additional funds until a later date. Once we have fully realized our savings from the items mentioned in the above paragraph, along with the termination of ten, eleven and twelve year olds, I will be in better position to gauge what our short-fall will actually be. I plan to review this information with the DSS Board at their next meeting on January 30, 2013 and will communicate with you further at that time.

I do plan to attend your meeting on January 28<sup>th</sup> and will be available to answer any additional questions you may have. As always, thank you for your thoughtful consideration of my request.

County Manager Morris agreed with DSS Director Preston's recommendation to table the request for additional funds until a later date to see if additional funds are received from the State and/or Stokes Partnership for Children.

Chairman Lankford opened the floor for discussion.

Vice Chairman Booth questioned Director Preston if she had gotten any clarification from the State regarding an across the board cut.

Director Preston responded:

- In talking to the State, the State did not say no, but strongly discourages an across the board cut
- If an across the Board cut is done, all the providers would have to agree to the reduction; there would have to be negotiations with the providers, not the parents

- There would be no way to hold the parents accountable to pay the providers the amount of the reduction, that is why the State discourages those types of negotiations

Commissioner Walker questioned Director Preston when the County would know if additional funding would be needed?

Director Preston responded:

- Stokes Partnership for Children should know within the next two weeks
- State has found funding through the first reversion to add back all children ages 5-8
- State hopes a second reversion in about six weeks will prevent additional terminations, plus add back 9-year olds
- County has only terminated 10-12 year olds, not sure the State will get enough funding to allow the county to put back 10-12 year olds
- Have received notification of additional 4-E funding which can be used for child care
- Will probably know in about six weeks the amount of additional funding needed
- Right now the shortfall is approximately \$25,000 (does not include the January billing) (10-12 year olds were terminated on January 11, 2013)
- Not sure how much will be saved from the termination of the 10-12 year olds which would offset the \$25,000 estimated shortfall
- With not adding back the 10-12 year olds, additional funding from the State and Stokes Partnership, there could be a possibility (a lot depends on what happens with foster children between now and May 31<sup>st</sup>) that no additional funding will be needed

Commissioner Walker questioned Director Preston what kind, if any, feedback had she received from terminating the 10-12 year olds?

Director Preston responded:

- Have had only one complaint – a parent of a child, who has a medical issue, wants the child at a day care

Vice Chairman Booth reiterated this is just another funding cut from the State being passed down to the County.

Director Preston responded:

- Appropriation for Fiscal Year 2008/09 was \$1,610,108
- Appropriation for Fiscal Year 2012/13 was \$1,247,506
- DSS was told by the State in February 2012 that the appropriation for Fiscal Year 2012/13 would probably be \$1.4 million, actual appropriation in July 2013 was \$1.2 million
- Day care funding is a “moving target “

Commissioner Inman commented:

- One of the NCACC goals was HHS-7 which was to “Increase childcare subsidies to reduce waiting lists and support funding for Smart Start and NC Pre-K”

- This is a State issue, cutting another funding source and passing it down to the counties
- As a former day care provider, agree with Director Preston that day care funding is a “moving target”
- Very difficult to understand that there was a waiting list with over 100 names and available slots for children, but couldn’t fill the empty slots due to a lack of funding
- Working parents who can’t afford to pay childcare, end up having to quit their jobs and return to welfare assistance – reiterated it is a State issue, not a county issue
- This issue was a definite factor in my decision to close my day care business
- Very concerned about this issue
- Going to continue to lobby legislators in Raleigh
- Reiterated Governor McCrory’s comments speaking out very strongly about DHHS
- County can’t make up all the lost dollars

Chairman Lankford directed Director Preston to keep the manager informed regarding the issue.

Chairman Lankford, with full consensus of the Board, noted the item has been tabled until further notice.

#### **Cooperative Extension – Livestock Agent**

County Manager Rick Morris noted the following regarding a request from Cooperative Extension Director Debbie Cox to hire a Livestock Agent:

- Fiscal Year 2012-13 Budget included the hiring of a Livestock Agent to work with area cattlemen, sheep, and goat producers for which there is a continued need to meet the needs of new and existing farmers in the area
- County has been without a Livestock Agent for two years
- Stokes County agricultural economics continue to contribute to the local economy
- Department is being very creative in trying to find the best solution to the issue
- A few months ago, the department was considering sharing the position with three other counties which didn’t pan out
- The department has developed another approach which is a much better solution for the county to share the position with Forsyth County (25% of the salary plus benefits) with State providing 50% of the salary
- In order to make this happen, the County, which already shares the Crops Agent with Forsyth County, will also share the Crops Agent with Davie County which will provide a savings of approximately \$5,630 for Stokes County
- County has a little over \$8,000 budgeted this fiscal year for the position
- Director Cox and the Crops Agent see no issues with also sharing the position with Davie County

- Department has calculated a salary of approximately \$42,000 for a new Livestock Agent which would include the candidate having a Master's Degree; cost would be less for the county if the candidate hired does not possess a Master's Degree
- If Stokes and Forsyth Counties are paying 50% of half of the salary, each would pay \$10,500 in salary plus fringes which would equal \$13,650 each
- If you take the saving from the Crops Agent position, it would be approximately \$8,020 annually
- Livestock Agent would be housed in Stokes County
- Livestock Agent often travels from farm to farm, a cell phone and service for approximately \$80 a month is also projected
- Agree with Director Cox, this is the best solution for Stokes County
- Would request the item be moved to tonight's Action Agenda due to the time it takes for the State to advertise and hire an individual for a position
- Director Cox is in attendance for the meeting tonight and available for questions

Chairman Lankford questioned Director Cox if an analysis had been done regarding the difference between Forsyth and Stokes Counties as far as the volume for the Livestock Agent?

Director Cox responded:

- Forsyth County Cooperative Extension Director Mark Tucker has stated there is one dairy, one goat creamery, and approximately 12 people that contact their agency very frequently, not sure of the number of cattle

Chairman Lankford commented:

- There seems to be a trend with the State trying to increase the amount the County pays for a position

Director Cox responded that it does seem to be a trend with the State to increase the amount each county pays; District Director Jim Cowden now has 20 counties which he is responsible for and he is trying to do more with less.

Chairman Lankford responded that he appreciated the department and the manager working out what appears to be the best arrangement for the County, but hate to see the State continually trying to get the counties to pay more.

Chairman Lankford confirmed with Director Cox that the County will be getting their fair share in both positions.

Director Cox continued:

- In the ten months that I have been here, I have citizens coming in all the time expressing how valuable the Crops Agent is to the county; he knows all the farmers personally and does an exceptional job
- There is enough work for a Livestock Agent in Stokes County

Vice Chairman Booth confirmed the following with Director Cox:

- Crops Agent will be shared with Forsyth and Davie Counties and should be no issues; may be a little tricky if there was a flood or drought situation
- County has not had a Livestock Agent during the past two years
- Cattlemen's Association in Stokes County has a membership of 34 who attend their meetings regularly
- The largest concentration is in the northern part of the county
- Comparing the salary of the Livestock Agent two years ago, the County was paying \$8,611; the recent Livestock Agent did not have a Master's Degree
- The previous Livestock Agent was only shared with Forsyth County
- County's share will be less if the candidate does not have a Master's Degree

Commissioner Walker confirmed with Manager Morris that the County budgeted \$8,000 in the Fiscal Year 2012-13 Budget.

Commissioner Walker confirmed with Director Cox that the situation had been discussed with the Crops Agent and he had no issues taking on Davie County.

Commissioner Jones commented:

- Department has to cover a broad scope of things
- Positions in the department are specialties, Livestock Agent, Crops Agent, Horticulture Agent, etc.
- Continue to dislike the fact the State continues to encroach on the county's budget
- County needs a Livestock Agent

Commissioner Inman commented:

- Confirmed with Manager Morris that there were lapsed salaries in the department's budget due to the Livestock Agent not being hired for this fiscal year
- Agree with Commissioner Jones that the positions are specialties
- Support the program and am on board to move the item to tonight's Action Agenda

Vice Chairman Booth confirmed that the Stokes and Forsyth Counties' share on the previous Livestock Agent was 50%.

Manager Morris commented:

- Feels the State wants all the positions to be 50% County

- If the State gets a COLA and the county does not support the COLA on the County's 50%, that decreases the percentage the county pays

Director Cox expressed appreciation to the Board for their consideration of the request.

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

#### **DSS- External Posting – Income Maintenance Caseworker**

County Manager Rick Morris presented the following information regarding a request from DSS Director Kristy Preston to post externally a vacant Income Maintenance Caseworker position:

- Income Maintenance Caseworker II position is vacant in the Family and Children's Medicaid unit
- Position has been posted internally and have not been able to fill the position
- Position has been vacant since December 28, 2012
- Department is currently in the middle of major programmatic changes in the Income Maintenance programs due to the implementations of NC FAST and it is imperative that the position be filled as quickly as possible
- Request to move to tonight's Action Agenda due to NC FAST being implemented in the Income Maintenance programs

The Board had no issues with the request and moving the item to tonight's Action Agenda.

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

#### **E911 Governance Board**

County Manager Rick Morris presented the following information regarding a proposed E911 Governance Board which was previously discussed with the Board:

- Would like to name the Board, the E911 Advisory Council based on the Board's comments the last time it was discussed
- Since the last meeting, have spoken to the potential candidates except the City of King's Fire Chief
- Would like the following members on the Council:
  - Fire Chief – King Fire Department
  - Sheriff
  - Chief of Police from the City of King
  - Chief of Police from the Town of Walnut Cove

- EMS Director
- Fire Marshal
- Medical Director for the County
- Keith Lawson, at-large member, affiliated Pioneer Hospital and Lawsonville Fire Department
- Jim Hicks, at-large member, affiliated with Danbury Fire Department whose department actively engages with the E911 Center
- E911 Communications Director (ex officio)
- Information Technology System Director (ex officio)
- Will be using the expertise of each member, whose organization is a user of the E911 Center
- Would like for the Board to endorse a meeting with the members within the next month to discuss the following:
  - Make sure no one is left out that should be on the council, for example, a member of the State Highway Patrol
  - Put together standard operating procedures or bylaws on how this group would operate which would be presented to the Board of Commissioners for approval
  - Meeting quarterly
- Council members, by consensus, would give the manager ideas, concepts, etc. that could make the E911 Center operate more efficiently
- Will be trying to switch the E911 Center over on March 15<sup>th</sup>
- Would like to get the council together at least one time before the move
- Making very good progress with the relocation project with only one exception, the ID numbers from the State
- Would like consensus from the Board to move forward with development of the council

Chairman Lankford confirmed the following with Manager Morris:

- Council would be together indefinitely to continually review what is going on at the Center and to continually improve its operation
- Will probably meet once a quarter with no compensation to members

Commissioner Inman stated he thought it was an excellent idea and no issues with the establishment of a council.

Vice Chairman Booth confirmed with Manager Morris that this council would report directly to the manager and not the Board of Commissioners and also had no problems with the establishment of a council.

Vice Chairman Booth stated that he had no issues with anything that could make our E911 Center better.



Manager Morris commented:

- Bylaws or operating procedures will include specific membership
- There could be other members appointed, by the manager, to the council if needed; amendments would be made to the bylaws/operating procedures
- Would like to make sure representation is on the council from all the users who rely on the Center
- If the members of the council provide the manager with suggestions that need to come to the Board, the suggestions will be presented to the Board of Commissioners

Chairman Lankford agreed that this council will be a council established by the manager and not by the Board of Commissioners.

Manager Morris commented:

- Want to make sure the County has the best E911 Center it can have
- Must remember that controversial issues can happen in any county at any time
- What is taped from the radio communication is public information, unless an investigation is ongoing; the information can be requested once a case is tried
- Anytime something goes wrong, it is always on the news, with the recording being aired
- Want to make sure Stokes County has a top-notch center
- So many of our other departments depend on this department to do their jobs

Commissioner Walker commented:

- Like the idea
- Have no issue with the manager setting up as many councils as he feels he needs
- Don't feel I need to have any input in the council
- Better not to operate in a vacuum and assume everyone knows all the answers
- Like the idea of getting people who are the users involved who can provide input and fine tune the operation
- Confirmed with Manager Morris that the council could review recordings if needed and that currently review is done on a daily basis at the Center
- Like the selection of the membership that the manager has indicated
- Hit on something that will most likely become more prominent, especially after the Sandy Hook incident, citizen seeking information

Commissioner Jones commented:

- Agree that the users need to be the ones on the council
- Anything that can be kept simpler seems to work better
- Support moving forward

Commissioner Inman agreed with Commissioner Jones' comments.

Chairman Lankford, with full consensus of the Board, directed Manager Morris to go

forward with the establishment of the council and return the bylaws or operating procedures to the Board for approval.

**Appointments – Firemen’s Relief Fund**

County Manager Rick Morris presented the following recommendations submitted by individual fire departments for appointment to the Firemen’s Relief Fund: (term will be 2013-2015)

<b>Fireman's Relief Fund</b>	
<b>Department</b>	<b>Recommendation</b>
Station #39 - Danbury	Norman Scott
Station #41 - Double Creek	Tom Tilley
Station #34 - Francisco	Atherton Jessup
Station #32 - Lawsonville	Ronnie Mabe
Station #36 - Northeast Stokes	Gary Wilkins
Station #31 - Pinnacle	Travis Sink
Station #38 - Sauratown	Randall Smith
Station #40 - South Stokes	Bobby Boles
Station #37 - Stokes Rockingham	Libby Paris
Station #35 - Walnut Cove	James Teague

Chairman Lankford opened the floor for nominations.

Commissioner Inman nominated the following:

<b>Fireman's Relief Fund</b>	
<b>Department</b>	<b>Recommendation</b>
Station #39 - Danbury	Norman Scott
Station #41 - Double Creek	Tom Tilley
Station #34 - Francisco	Atherton Jessup
Station #32 - Lawsonville	Ronnie Mabe
Station #36 - Northeast Stokes	Gary Wilkins
Station #31 - Pinnacle	Travis Sink
Station #38 - Sauratown	Randall Smith
Station #40 - South Stokes	Bobby Boles
Station #37 - Stokes Rockingham	Libby Paris
Station #35 - Walnut Cove	James Teague

Chairman Lankford confirmed with Manager Morris that all members are being recommended for re-appointment, no new members.

Chairman Lankford entertained a motion to close the nominations.

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

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the item on the February 11<sup>th</sup> Action Agenda.

### **BOCC – Rules of Procedure**

Chairman Lankford noted the Rules of Procedure had been placed on the Agenda for the Board of Commissioners (BOCC) to review.

Chairman Lankford noted that the current Rules of Procedure had not been reviewed since the last two new members were elected – Commissioner Jones and Vice Chairman Booth.

Chairman Lankford opened the floor for discussion.

The Board discussed the Rules of Procedure with each member having the following comments during the lengthy discussion:

Commissioner Walker:

- Have reviewed the Agenda item
- The BOCC does not always follow the rules exactly, but feels the BOCC sticks fairly close to them
- They do seem to be working
- Have actually looked the rules over on previous occasions
- Agree with Chairman Lankford that there have been no changes since January 2010
- Have no real problems with the current rules, may be too much on some incidents if I wrote them, as well as, too little on other incidents; but generally speaking, feel they are working

Commissioner Jones:

- Know there has been discussion on how the BOCC wants to deal with Public Comments, allowed to respond versus consensus not to respond during Public Comments
- May want to address that since the Rules of Procedure do not clearly state the position of the BOCC as to or not to respond to Public Comments
- My main concern, not sure where it would be addressed in the Rules of Procedure, is regarding resolutions that the BOCC votes on and adopts while the topic is on a ballot for the public to vote on and it has not been voted on yet

- Rule #24 is too vague to place that particular topic there
- It would be a safeguard for the BOCC and the citizens if resolutions were not made before the citizens had a chance to vote on something that is on any ballot
- Need to determine how the BOCC conducts themselves during Information Agenda

Commissioner Inman:

- Feels overall the BOCC follows the Rules of Procedure pretty good
- Would like for the BOCC to continue to follow the Agenda as the BOCC as set forth in Rule #11 or amend the rule if necessary
- There is nothing wrong being informal, but do expect the Chair to follow Robert's Rules of Order and recognize a member to be heard
- The member has the floor until the member yields the floor unless the Chair calls the member out of order
- Chair is in charge of the meeting according to Robert's Rules of Order
- Rules of Procedure could possibly use some fine tuning

Vice Chairman Booth:

- Feels the Board has followed the Rules of Procedure pretty close during the last two years
- Would like to see Public Comments clarified
- Need to clarify as to whether a member can or cannot make a comment regarding an item mentioned in Public Comments anytime during the meeting after Public Comments is closed
- Need to also clarify that a member can or cannot respond to someone who is making Public Comments
- Need to clarify whether a member can or cannot say anything about an item that was mentioned in Public Comments unless it is placed on a future Agenda by a member of the BOCC
- My understanding is that no member can speak about Public Comments unless it is placed on a future Agenda by a member who wishes to discuss an item
- Don't see anywhere in the Rules of Procedure that states whether a member can or cannot speak about an item that was mentioned in Public Comments

Commissioner Jones and Chairman Lankford agreed with Vice Chairman Booth that it was not clear in the Rules of Procedure whether a member can or cannot speak about an item that was mentioned in Public Comments.

Chairman Lankford:

- One of things that this Board has been practicing or should have been practicing was that the BOCC does not make any response to an item that was mentioned in Public Comments until the BOCC deems it necessary to place the item on a Discussion Agenda
- Feels the BOCC should follow not responding to an item that was mentioned in Public Comments until the item has been placed on a Discussion Agenda

Vice Chairman Booth:

- I do not comment on Public Comments, but if a member commented on a particular item that was mentioned in Public Comments outside of a regular meeting, feel that would be the member's opinion on the item

Chairman Lankford:

- If the BOCC is going to continue to have an Information Agenda for making general statements, would like to see clarification in the Rules of Procedure
- If the BOCC is going to use the Information Agenda for anything other than making general statements, would like to recommend the Information Agenda be eliminated because it takes time if members speak on more than general information
- Meetings should be conducted to do the people's business; members should be prepared and ready to do the people's business at each meeting
- Feel the BOCC has tried to follow the Rules of Procedure with three members being here the longest
- Another point to discuss is items being requested to be moved to the Action Agenda the same meeting day/night
- Amendment was made to the Rule #11 that "Items of Time Sensitive Nature on the Discussion Agenda may be moved to the Action Agenda upon approval of the Board"
- Feels that almost everything that is coming before the BOCC is being requested to be moved to the Action Agenda the same meeting day/night (example – requesting to advertise vacant positions externally); personally have a problem with moving items to the Action Agenda on the same meeting day/night that are not time sensitive
- Feels the BOCC should have time to gather additional information if needed between the two meetings
- Feels if you move an item on a quick basis, you can second guess yourself if you don't have all the information needed to make an informed decision
- Really feel this has become a problem, have no issues if it is truly a time sensitive item such as a deadline for a grant
- Even if it is advertising externally, it is only two weeks
- If bad decisions are made, it is a reflection of this Board
- Really need to look at moving items from the Discussion Agenda to the Action Agenda on the same meeting day/night
- Reiterated only keeping the Information Agenda if it is used for general information
- Members can call the Clerk or Chairman five days ahead of time to place an item on the Agenda for discussion
- Feels the BOCC needs to be consistent

Commissioner Walker:

- Agree with the comments Chairman Lankford stated about moving items to the Action Agenda on the same meeting day/night
- Will agree to take away the Information Agenda
- Will not agree to censor, inhibit or restrict what any commissioner feels like they need to say as far as information communicating to the media or the public
- Part of what I consider my job as a commissioner is to keep the public informed

- I have no problem having the public know my position on any issue at any time
- Never sat on a Board where there was an attempt made to censor, inhibit, or restrict open communication
- Have served on several boards many, many years where there has never been an attempt made to censor, inhibit or restrict what I consider free speech
- Prefer not to sit here and deem what is appropriate for Vice Chairman Booth to say during his time; it is up to him to judge what he thinks he needs to say at that particular time
- Not going to sit here and censor, inhibit, or restrict what Chairman Lankford, Commissioner Jones, or Commissioner Inman feel like they need to say
- If we have an issue, agree with the Chairman, take the Information Agenda off the Board's format, in a sense of fairness, that is the fairest thing to do
- Don't know where you would draw the line on what is appropriate and what is not
- Think the BOCC has been doing very well during the past several meetings to not directly respond to Public Comments which was the intent all along of what was in the Rules of Procedure; the BOCC does not get in a dialog with someone during Public Comments
- Think the BOCC has been doing very well with this issue
- Place an extremely high value on openness to the public and communication on whatever form that it needs to be

Chairman Lankford:

- Feels this Board is very transparent and don't feel like any member of this Board would try to prohibit anyone from speaking to the topic of discussion
- When there is an item like the manager's E911 Advisory Council that was on the Discussion Agenda, any member of the Board can say exactly what they wish
- We are all elected officials, no one can prohibit anyone from speaking
- Feels it is good to have discussion, have comments made and to communicate to the Public
- The Public is who this Board is working for
- Feels the BOCC should stay with the protocol adopted by the Board as close as possible

Commissioner Walker:

- Is there any incident you can think, where things could have or should have been done different, can you give me a specific example?

Chairman Lankford:

- The only example that I might would have would be someone coming and speaking at Public Comments and no commissioner responded during that time, but did respond to the item and/or person who made the Public Comments during the Information Agenda; don't think that is fair
- Don't think it is fair for any one member to do that, it leaves the other members who are following the rules by not making comments

Commissioner Walker:

- Can you show me in the Rules of Procedure where it states not to do that?

Chairman Lankford:

- That is why I am saying that it needs to be clarified

Commissioner Walker:

- If that is not stated in the Rules of Procedure, then there has been no violation of the Rules of Procedure
- I will not support anything that takes away your right to say what you feel like you need to say to best serve the public at any time; I will not support it and will be very vigorous in my position
- As far as fairness, you as the Chair, have been very fair to allow members of the Board to speak their comments,
- Feel it is totally fair if one commissioner makes a comment and then another member is allowed to respond or make a comment
- It is a totally fair process

Chairman Lankford:

- Agreed that it is fair to allow members to make comments during the Information Agenda, but we need our Rules of Procedure to state what determines information
- If we can determine that, feel we can clear up everything

Commissioner Walker:

- Think it will be hard pressed to come up with “you can say this, but you can’t say this, you can only say this, but you can’t if this condition exists”

Commissioner Jones:

- For me, it is a very simple thing, the BOCC inserts, by consensus or vote, that we choose not to respond to Public Comments, then it is taken care of
- If it is on the Agenda later, there is no issue
- You simply don’t respond to Public Comments
- Information Agenda is for what has happened and current events for the Commissioners to share to the other members of the Board
- Information Agenda should have nothing to do with Public Comments, it is very distinct
- If it comes down to it and we have to get rid of all of it, hate to be that absolute, but there is a time and a place for everything, meetings do run too long sometimes
- It opens up a can of worms sometimes that none of us are prepared for when members start commenting on Public Comments before members have had a chance to look at information and think about the issue
- Really, it is no advantage to the citizens, could possibly cause citizens to get more upset when comments are made before members have had time to consider an issue

Commissioner Inman:

- Certainly, do not think this Board would ever want to do anything that would inhibit comments from any Commissioner
- My understanding of the Information Agenda, using tonight's Information Agenda, is to provide the BOCC, as their voting delegate, what happened at the Legislative Goals Conference in Raleigh last week
- To me, that is providing Board members with information that they did not have, it was not brought up for discussion, merely to inform you
- Have always seen the Information Agenda as an opportunity to inform others members of the Board; the Information Agenda has never been a place for discussion
- Have always seen the Information Agenda as an opportunity for Commissioners to educate each other
- It is not fair to the Public if there is discussion during the Information Agenda because they have no idea it is on the Agenda
- We are not being as open as we need to be if we discuss items that are not advertised under the Discussion Agenda; the public would not have a chance to hear the discussion
- The Agenda is published on the county website with each topic outlined that is to be discussed and to be possibly acted on
- Information Agenda started when I was chair, was introduced to the Board of Commissioners by former Commissioner Carroll
- The Board of Education had been using the format adopted by the Board to eliminate the topics being discussed without the Public knowing ahead of time what was on the Agenda
- Certainly want consistency, if the Information Agenda is going to be used to respond to Public Comments, would prefer it not be on the Board's format

Commissioner Walker:

- Feel it is good to have discussion like we are having, as usual, support everyone's right to their views and certainly don't propose my views as the right ones
- Feel there are certain things that I would like to offer that the Board should consider
- Point of clarification to Commissioner Inman's comments: little confused whether you are referring to our procedure – Information, Discussion, Action, or whether you are referring to the section where commissioners and manager are allowed to share information; were you referring to both or just one

Commissioner Inman:

- Referring specifically to the part under the Information Agenda where the manager and commissioners make comments
- For example, the manager always uses his time to update the Board on some piece of information he has gotten that is important to share with the BOCC and is not on the Agenda
- Talking especially about the part where information is shared by commissioners and manager



- However, if there is another Information Agenda item, I don't think it is necessarily open for discussion, I see it an opportunity for information to be brought to the Board
- Occasionally, members of the Board do ask questions, but if it is something that is worthy of discussion, it should be brought back on the Discussion Agenda for further discussion

Commissioner Walker:

- Are you saying that if the manager has come prepared to share information with the Board on a specific item and the item was referenced in some fashion during Public Comments, then he can't say what he came prepared to share with this Board?

Commissioner Inman:

- He will share the information, but he won't bring forth discussion, he can always bring forth the information to the Board

Commissioner Walker:

- According to some of the other members' comments, I was hearing that if the manager came prepared to discuss a certain topic and that coincidentally, by sheer coincidence was mentioned in Public Comments, would he then have to refrain from sharing the information that he had prepared to share with the BOCC?

Commissioner Inman and Chairman Lankford both agreed that was a very good question.

Chairman Lankford:

- Public Comments come before the Information Agenda, so if an item is mentioned during Public Comments, I will agree the manager should not share the information and put the item on the next Discussion Agenda for discussion by the BOCC

Commissioner Walker:

- The manager can't put items on an Agenda, it would have to be placed on the Agenda by a Board member
- The Board would have to approve for the item to be placed on the same day's Discussion Agenda
- You are opening up an interesting set of options
- Any time you try to censor, or limit, or restrict, or prohibit an exchange of ideas or information, it can take some interesting turns
- I am going to sit here and if I have something that I need to mention, I am probably not going to refrain from mentioning it, each of you will have to do what you need to do
- I am going to go ahead and mention it and each of you can deal in whatever way you choose and I will decide what I need to do
- I will defend the manager's right, if he comes prepared to share information with the Board and simply because it was mentioned coincidentally in Public Comments he is not supposed to share the information

Manager Morris:

- I think the difference would be whether you are responding to Public Comments or whether you are talking on the same subject

Commissioner Walker:

- I feel the manager would have the right to note that this was mentioned in Public Comments but had already prepared the information to be shared with the BOCC
- So many things can turn once you start down this kind of path
- The question becomes how far do you want to go
- Am I going to sit here and try to figure what is right for Commissioner Jones to say or not to say, because her opinion of what is right to say or Commissioner Inman's may be a little different from Vice Chairman Booth's or mine

Chairman Lankford:

- Understand what Commissioner Walker is saying, but if anything is worth talking about, it is worth being placed on the Discussion Agenda and therefore, all five members have the same chance to provide discussion

Commissioner Walker:

- Surprised we are even having this conversation

Manager Morris:

- One of the best points mentioned tonight is the comments from Commissioner Inman regarding the dangers of talking about something that the public is not aware and it is going to be on the Agenda for discussion
- Don't know how to exactly word it, but need to guard against discussing items that the Public is not aware of, not fair to the Public

Chairman Lankford:

- That is exactly right, that is why it needs to be on a Discussion Agenda to allow the Public to be informed that a particular item will be discussed

Commissioner Walker:

- Feel the manager and Commissioner Inman both raised some interesting questions
- However, how are you going to act on something that is just on the Information Agenda; the BOCC's Rules of Procedure prohibits that sort of thing
- Our Rules of Procedure state that the BOCC gets information which can be brought forth by any of the commissioners or manager during the Information Agenda; no action can be taken during the Information Agenda
- The concern about the Public being short changed, where is it?
- It will not be acted on until it has appeared on the Discussion Agenda and forwarded two weeks later to the Action Agenda
- The BOCC designed the format, wasn't a big fan of the particular format, but went along with the format
- The reason it was created was to have a sequence

- By the design, something should appear on the Information Agenda first, two weeks later the Discussion Agenda, and two weeks later the Action Agenda

Chairman Lankford:

- That is why this was placed on the Discussion Agenda
- The BOCC can eliminate or move the Information Agenda, there is nothing that says the Information Agenda can't be before Public Comments

Vice Chairman Booth:

- Agreed, the format of the Agenda could be changed by approval of the BOCC

Commissioner Walker:

- There have been Boards that didn't have Public Comments

Chairman Lankford:

- Feels that Public Comments are very important to have, to hear what the citizens are concerned about
- Just don't want Board members to respond
- Feel we have been doing a pretty good job at that

Vice Chairman Booth:

- Confirmed with Chairman Lankford that a suggestion could be to move the Information Agenda after the approval of the Agenda
- This would allow commissioners to make any comments before any Public Comments were made

Commissioner Walker:

- Then you give the Public a chance to respond to what the Commissioners have shared with other Board members
- Anyone who didn't sign up would be allowed to comment within the 30 minute allotted time
- Just don't see where the problem is

Commissioner Inman:

- First and foremost will vigorously defend the Public Comments section, it is an opportunity for the Public to be heard
- Our procedure has been that the BOCC does not respond during Public Comments
- Don't see any problem with the order of the Agenda, do see a problem if a member uses the Information Agenda to respond to Public Comments, pure and simple
- If no one is going to respond to Public Comments during the Information Agenda, there is no issue

Commissioner Walker:

- Can someone give me an example of where there has been a problem, please?

Commissioner Inman:

- Yes, I can
- A member of the Board of Education came and spoke during Public Comments and then Commissioner Walker when it came for you to speak during the Information Agenda, you responded and make several comments, etc. regarding what the member of the Board of Education had spoken about

Commissioner Walker:

- Classic example, I came prepared that evening to talk about SROs, you had no way of knowing that, you have no window into my mind
- I came specifically prepared to speak to that issue at that time, using my time (I thought appropriately) to address an issue that coincidentally happened to be brought out of blue during Public Comments
- I had no idea they would be attending the meeting and speaking in Public Comments, it was perfectly fine for the Board of Education to speak during Public Comments
- If anything tied in with what I said and what they said, where is the problem?
- What inconvenience or awkwardness did that create for this Board?

Commissioner Inman:

- We only had one member discussing the issue and that was it

Commissioner Walker:

- Why didn't you discuss the issue, you had just as much right as I did
- You could have exercised your right to speak

Commissioner Inman:

- My understanding was that this Board did not respond to Public Comments

Commissioner Walker:

- This Board doesn't respond to Public Comments during the Public Comments time
- What each commissioner and the manager say during the Information Agenda has never been censored, restricted or taken any steps to gag comments from commissioners or the manager

Commissioner Inman:

- That is totally out of context, not trying to gag anyone, just want everyone to play by the same rules
- Whatever the majority of this Board decides, I will have no problem following it
- Will always defend your right to speak

Commissioner Walker:

- I still do not see the problem
- That issue involving the school was a very important issue to our citizens, should be and is a very important issue to this Board

- Very important issue to the Sheriff, very important issue to the school administration, how was I out of order to make comments regarding SROs at a meeting
- As an elected official, people have put their trust in me to be here and hold this office

Commissioner Inman:

- Have put their trust in each member of this Board

Commissioner Walker:

- Saying collectively, all of us, and would defend your rights just as quickly as mine
- Where is the error?
- Was there any harm done?
- Any comments inappropriate?

Commissioner Inman:

- There was no harm done and none of your comments were inappropriate
- My understanding was that this Board would not respond to Public Comments

Commissioner Walker:

- Board members see things in different ways
- My premise was that a member would not respond during the Public Comments time, we don't get into a dialog with the public, it is their time to present information to the BOCC
- Under the Information Agenda, it states commissioners' comments

Commissioner Inman:

- I can see your point, it is just a matter of interpretation, neither one of us is wrong and neither one of us is right

Vice Chairman Booth:

- If the Information Agenda is placed directly after the approval of the Agenda, there will be no Public Comments or Public Hearing Comments before the commissioners share information
- That would take care of the issue
- Commissioners could speak on what they choose to speak about
- That would make it impossible for anyone to say that a commissioner responded to Public Comments

Commissioner Walker:

- That would validate what I said earlier that I came to make comments that night regarding the SROs, would have made them even if there had been no related comments made by a member of the Board of Education

Commissioner Jones:

- Moving the Information Agenda to directly after the Approval of the Agenda would be a very good compromise

Chairman Lankford:

- Agree with Commissioner Jones that would be a very good compromise

Vice Chairman Booth:

- Would like to see the Board keep the Information Agenda, learn a lot from other Board members and updates from the manager

Commissioner Inman:

- Have no issues, would like to hear from Commissioner Walker

Commissioner Walker:

- Have no issues with moving the Comments section for the commissioners and manager directly after the Approval of the Agenda
- One thing that I would like for this Board to know, as I have repeated, that I don't want to restrict any board member or the manager the ability to share any information or comment that they feel they need to make

Vice Chairman Booth:

- My problem in eliminating the Information Agenda is not having a time for the manager to share information to the Board

Clerk Bullins requested clarification regarding the entire Information Agenda being moved directly after the Approval of the Agenda or just the section for comments from the commissioners and manager?

Chairman Lankford noted the entire Information Agenda would be moved directly after the approval of the Agenda.

Commissioner Walker stated that his understanding was that the Comments Section for commissioners and manager would be moved, the Information Agenda for public presentations would remain after the Consent Agenda.

The Board further discussed moving the entire Information Agenda versus adding an additional item just for comments for commissioners and manager.

Chairman Lankford noted there could not be two Information Agendas on the format.

Commissioner Walker noted his understanding was that only the Comments Section for commissioners and the manager would be the only thing being moved which would eliminate

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citizens having to wait a very long time to speak during a Public Hearing or Public Comments.

Commissioner Walker suggested placing the item on the February 11<sup>th</sup> Action Agenda in order to let Board members consider what would work best.

Commissioner Jones requested that the Board insert wordage under Rule #24 “Introduction of Ordinances, Resolutions, and Orders” that no resolutions will be made on an issue that is on a ballot before the voters have a chance to vote.

Commissioner Jones commented:

- That way it will appear to everyone that the Board is working for every taxpayer instead of maybe representing a potential group that wants something done that is on the ballot
- The perception would be that the Board is being fair and influencing votes would be eliminated
- If the Board approved a Resolution before the vote and the vote came out different, it would not look good
- Feel it is a safety valve for all parties, there is nothing to lose, just postpone the resolution until after the election

Chairman Lankford opened the floor for discussion.

Commissioner Inman:

- Know that Commissioner Jones has wanted to get this item on the Agenda
- I am glad it is being heard
- Feel the discussion tonight has been very good
- Thinks Commissioner Jones makes a very good point
- Resolutions are kind of interesting, they are not an ordinance, they are only a recommendation
- Citizens look for the BOCC to state their views and hope we are always able to do that
- Certainly have no problems stating my point of view to the citizens at any point in time, but I definitely do not want to tell them how to vote
- Bring out a very interesting point

Chairman Lankford:

- Don't have any problems with delaying a resolution on any request that is on a ballot until after the voters have had a chance to vote
- If this was covered in our policy and procedures that the BOCC would not act on a resolution that is on a voting ballot, it could be explained that the BOCC chooses to let the people vote first

Vice Chairman Booth:

- I am one that don't want my hands tied as to whether I can be for or against something
- If you can't do a resolution that the Legislators are considering, what recourse do you have to let them know what the BOCC feels about a certain issue

Commissioner Jones:

- This is not tying your hands to state whether you are against or for an issue that is on the ballot, it is only giving the people we represent a chance to vote first
- You can always do a resolution after the vote

Vice Chairman Booth:

- Not sure there would be a need to do a resolution after something has already been voted on

Commissioner Walker:

- Agree with Vice Chairman Booth
- I don't want to hide behind rules or procedures
- I don't like the form of government where there are all these rules and regulations
- I look for common sense and reasonableness
- This Board was put here to make decisions, not to have rules that restrict when you can do something or restrict you from letting the public know where you stand on an issue through adopting a resolution
- What about those goals the Board adopted and sent to the Legislature, they could end up on a ballot
- Isn't letting the people know where we stand on these goals the same thing?
- There was no problem with this until the First Amendment Resolution

Commissioner Jones:

- Do not feel it is the same as voting on Legislative Goals
- Maybe we should consider controversial issues that are on the ballot to be voted on

Commissioner Walker:

- What is the definition of a controversial issue?

Commissioner Jones:

- Why would we want to take a stand on something that is already on the ballot for the people to decide?

Commissioner Walker:

- I thought I was doing the right thing supporting the resolution and apparently you must have thought you were doing the wrong thing supporting the resolution
- Everyone has one vote on this Board
- Resolution passed three to two, that is not a problem
- Feels the Board's Rules of Procedure are good



- Feels doing what is being suggested caters to a certain segment of people in our county who did not like what happened on a certain resolution
- I would rather not add something that is more restrictive than what it already is
- You have every right, if there is a resolution in the future that you feel is out of order, to vote against the resolution
- There might be an occasion when I need to vote no regarding a resolution
- People have asked me why I supported that resolution
- Here is my answer, "I thought the public desired to know as an elected official where I stood on it" this was information they could use
- This is not a big deal, not going to make much difference one way or the other, can be undone by future board,
- I don't like to feel little by little, based on this conversation and a previous conversation this evening, that I am being chipped away that restricts me as a commissioner to be able to make decisions that I feel I need to make without somebody trying to push me around saying you can't do that, it is not in our Rules of Procedure
- Don't really like rules and procedures
- Like to be able to look at something and see what makes sense
- Don't like to look at some resolutions that might come along that this Board would have to decide if it was controversial, or is it going to be on a ballot
- If you don't like the resolution, simply vote against it and then you can explain why you voted the way you did
- Someone asked me why I voted on that particular resolution that was controversial, I told them because I wanted the citizens to know where I stood

Commissioner Jones:

- Has nothing to do with that particular resolution
- It has everything to do with the fact that the issue is on the ballot for the people to vote
- People desire to have their voices heard first
- It wouldn't make any difference if it waited a couple of weeks after the election
- I know if I were a citizen and an item was on the ballot and I did not have a chance to vote for it before my leaders, which I elected, passed a resolution on it, I would be upset and possibly not even vote
- I am not catering to any segment of the population, I am catering to 47,000 that have an opportunity to vote for anything on the ballot
- It may not happen with this Board or the next Board, but as time goes on and people feel like their voices are not being heard, why should they bother to vote
- Discourages people from voting when they feel like their vote comes in second place
- Don't feel that this nation, this country or this county is supposed to be formulated, don't think that was the intent, that is what this is about
- You can vote on any resolution for or against
- I am just asking to see this as being more fair to the citizenship

Chairman Lankford:

- Just something to consider - most of the resolutions in 2012 have been a specific request by commissioners or a specific group
- This Board has an opportunity whether we do or do not do a specific resolution
- Members have a choice to vote whether a specific resolution is placed on an Agenda

Commissioner Jones:

- For futuristic, if there is any resolution made regarding an issue that is already on a ballot for the people to vote for or against, I have the option to not vote for the resolution, and I will
- That does not mean I am for or against the resolution, what it means to me is that I am not voting before the public has had a chance to vote on the issue
- That will be misinterpreted, but I will continue that trend, I just don't think it is fair to the people to make resolutions before the people's voices have been heard
- That is my stand
- It matters not to me whether you adopt it or not, but I do feel it matters to the citizens
- The main issue is that the issue is already on the ballot and the people have not had a chance to vote before a resolution is adopted

Commissioner Walker:

- I am still right where I was to start with, I will not support any move that doesn't allow me to let the people know where I stand
- I have never had this type of discussion on any board I have ever served on
- This would take away our ability to look at each issue and decide appropriately
- I will not support anything that restricts my ability to use my best judgment and from all I am able to determine to do the best job I can as a Commissioner of Stokes County
- The way I see that is, people are entitled to more information, not less
- If they need to know where Jimmy Walker, Commissioner of Stokes County, stands on any issue, I am willing to support a resolution that shows them even if it is on the ballot
- If you can find me anyone that I influenced by declaring my position on the First Amendment issue, I would like to know who they are
- All the people I heard from was the ones telling me how dumb I was for supporting the resolution
- If you can find anyone whose mind I changed from them knowing where I stood on that issue, please let me know who they are

Commissioner Jones:

- It pointless to continue to discuss it, it is all about being on the ballot
- It is not about showing where you are or hiding from the public, it is about letting the people's voice be heard first on an issue that is on the ballot
- The intent is not to censor anyone, it is simply letting the people's voice be heard first
- It doesn't matter what the issue is

Commissioner Walker:

- Reiterated that Vice Chairman Booth had previously stated this type of action takes away the Board's ability to make decisions when they come along

Commissioner Jones:

- It is all about interpretation

Manager Morris:

- Have some suggestive language the Board might want to consider that expresses what Commissioner Jones wants to do

Commissioner Walker:

- Not interested in Manager Morris' suggestive language

Chairman Lankford directed Manager Morris to proceed.

Manager Morris:

- This is suggestive language as to what Commissioner Jones would like to add
- No resolution will be made by the Board of County Commissioners on an item that is on any ballot before a vote by the public – add to Rule #24
- You can either disagree or agree with the language
- You can think about this before the next meeting
- This is only a starting point

Chairman Lankford questioned the Board regarding their thoughts on placing Manager

Morris' suggestive language on the February 11<sup>th</sup> Action Agenda for consideration?

Commissioner Walker:

- Do not see putting in any suggestive language, that will be part of the discussion when it is placed on Action Agenda

Commissioner Inman:

- Have heard considerable discussion
- Can see what Commissioner Jones is saying, can see her intent
- But at the same time, I must agree with Commissioner Walker
- Reiterated that resolutions are important and many are adopted by many Boards
- I will have my vote either way
- We might be infringing on each Commissioners' First Amendment rights as an elected official
- Not ready to put on any Agenda
- Whatever is adopted, I feel it is very important to be unanimous
- Would hate to see a 3 to 2 vote on this, what are we saying to the people
- Voted against the last controversial resolution and was told it would hurt me in the primary

- Did not hurt me at all, I explained to people that I supported the amendment, but not the resolution
- I agreed with Commissioner Jones that people should have a chance to vote first on the issue
- I didn't think I needed to tell the people how to vote
- If there is one in the future that is similar, I will vote the same way, my right to vote
- Would not change my vote today

Commissioner Walker:

- Stokes County was one of almost every county in this area that adopted a resolution regarding the controversial issue

Vice Chairman Booth:

- I can't respectfully vote to place this type of language for Rule #24 on the Action Agenda for consideration

Commissioner Walker:

- I will agree with Vice Chairman Booth

Chairman Lankford directed the Clerk to place only the Order of Business – Rule #11 for the Board's consideration on the February 11<sup>th</sup> Action Agenda.

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

### **NCDOT- Proposed Resolution – Secondary Construction Program for Fiscal Year 2012-13**

Chairman Lankford entertained a motion to approve the following Resolution which Approves the Secondary Road Construction Program submitted by NCDOT at the January 14<sup>th</sup> meeting:

### **NCDOT – Proposed Secondary Road Improvement Program – Fiscal Year 2012-13**

#### **RESOLUTION CONCURRING WITH THE SECONDARY ROAD CONSTRUCTION PROGRAM FOR STOKES COUNTY AS PROPOSED BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2012-2013**

**WHEREAS**, pursuant to the provision of N.C.G.S. 136-44.5 through 136-44.7, the North Carolina Department of Transportation/Division of Highways has completed a study of all State maintained unpaved secondary roads to determine the number of miles of unpaved State maintained roads in the State, developed a uniformly applicable formula of the allocation of secondary roads maintenance funds for use in each county, and developed criteria for improvements and maintenance of secondary roads and annual work

programs for construction and maintenance of secondary roads in each county in accordance with those criteria;

**WHEREAS**, pursuant to the provision of N.C.G.S. 136-44.8 the North Carolina Department of Transportation has posted in the Stokes County courthouse a county map showing tentative secondary road paving projects rated according to the priority of each project in accordance with the criteria and standards adopted by the Board of Transportation;

**WHEREAS**, the said map has been posted for at least two weeks prior to the public meeting and discussion of the secondary road construction program for Stokes County by the North Carolina Department of Transportation representatives with the Stokes County Commissioners;

**WHEREAS**, The North Carolina Department of Transportation has provided a notice to the public of the public meeting of the Stokes County Board of Commissioners at which the annual secondary road construction program for Stokes County is to be presented to the said board and other citizens of the county;

**WHEREAS**, the notice was published in a newspaper published in Stokes County or having a general circulation in the county once a week for two weeks succeeding weeks prior to the meeting and advised that a county map is posted in the courthouse showing tentative secondary road paving projects rated according to the priority of each project;

**WHEREAS**, representatives of the North Carolina Department of Transportation have met with the Stokes County Board of County Commissioners at a regular meeting and have made a presentation to and discussed with the said board and other citizens present at the meeting the proposed secondary road construction program, specifically including the priority rating of each tentative secondary road paving project in the program, according to the criteria and standards adopted by the Board of Transportation;

**NOW THEREFORE, BE IT RESOLVED**, that the Stokes County Board of Commissioners, based on the presentation and discussion of the secondary road construction program for Stokes County, hereby concurs with the construction program as proposed by the North Carolina Department of Transportation for fiscal year 2012-2013.

**Adopted this 28<sup>th</sup> day of January 2013.**

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**Ernest Lankford - Chairman**

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**James D. Booth - Vice Chairman**

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**J. Leon Inman - Commissioner**

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**Jimmy Walker - Commissioner**

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

Attest:

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

Commissioner Jones moved to approve the Resolution Concurring with the Secondary Road Construction Program for Stokes County for Fiscal Year 2012-13. Commissioner Walker seconded and the motion carried unanimously.

**Danbury Library Connection Path**  
**Danbury Library Parking Lot Repair Estimate – NCDOT**

Chairman Lankford entertained a motion regarding the Danbury Library Connection Path and the Danbury Library Parking Lot Repair Estimate submitted by NCDOT and presented by Manager Morris at the January 14<sup>th</sup> meeting.

Commissioner Inman moved to approve the Danbury Library Connection Path and the Danbury Library Parking Lot Repair Estimate – Option 2. Commissioner Jones seconded for discussion.

Commissioner Jones confirmed with Manager Morris that the path doesn't directly connect to the upper parking lot due to the Bradford Pear Trees and that there would be some ground lighting along the path.

Commissioner Walker confirmed with Manager Morris that adequate funding was available in Capital Reserve.

The motion carried unanimously.

**Appointment – Economic Development Commission**

Chairman Lankford noted the following were nominated at the January 14<sup>th</sup> to serve on the Stokes County Economic Development Commission:

- Jane Priddy-Charleville
- Bruce Younts
- J. Leon Inman (commissioner appointee)

Chairman Lankford noted there was also one other vacancy.

Chairman Lankford opened the floor for nominations:

Commissioner Inman nominated Michael Hylton.

Commissioner Walker nominated Cindy Tuttle.

Chairman Lankford entertained a motion to close the nominations.

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

Chairman Lankford directed the Clerk to place the appointment on the February 11<sup>th</sup> Action Agenda.

#### **Cooperative Extension – Livestock Agent**

Chairman Lankford entertained a motion regarding the hiring of a Livestock Agent discussed at tonight's meeting.

Commissioner Inman moved to approve the proposal regarding the hiring of a Livestock Agent presented by Cooperative Extension Director Cox at tonight's meeting. Vice Chairman Booth seconded and the motion carried unanimously.

#### **DSS- External Posting – Income Maintenance Caseworker**

Chairman Lankford entertained a motion regarding the request to externally advertise a vacant Income Maintenance Caseworker for Social Services presented at tonight's meeting.

Commissioner Walker moved to approve the request presented by County Manager Morris to post externally a vacant Income Maintenance Caseworker position. Vice Chairman Booth seconded and the motion carried unanimously.

#### **CLOSED SESSION**

Chairman Lankford entertained a motion to enter closed session for the following reason:

- To consider the initial employment or appointment of an individual to any office or position, other than a vacancy in the Board of County Commissioners or any other public body, or to consider the qualifications, competence, performance, character, and fitness of any public officer or employee, other than a member of the Board of Commissioners or of some other public body pursuant to G.S. 143-318.11(6).

Vice Chairman Booth moved to enter closed session for the following:

- To consider the initial employment or appointment of an individual to any office or position, other than a vacancy in the Board of County Commissioners or any other public body, or to consider the qualifications, competence, performance, character,

and fitness of any public officer or employee, other than a member of the Board of Commissioners or of some other public body pursuant to G.S. 143-318.11(6).

Commissioner Inman seconded and the motion carried unanimously.

The Board returned to the regular session of the January 28<sup>th</sup> meeting.

### **Health Department**

Chairman Lankford entertained a motion.

Commissioner Walker moved to approve the request from Health Director Scott Lenhart to hire a PHNII with a starting salary being Grade 70 – Step 21A. Commissioner Jones seconded the motion.

Commissioner Inman commented:

- Realize we must look very closely at all salaries even if there is no county dollars involved
- The Board is facing a situation, if we are not really careful, where we have an income producing department, Home Health, that could go to not being an income producing department
- Nurses are leaving for greater salaries
- Need to look at these issues
- Will have to support the request

Vice Chairman Booth commented:

- Know the Health Department is not the only one having issues with hiring nurses
- Know Pioneer Hospital is also having issues, their salaries are similar to the county

Commissioner Walker responded:

- Fortunately, Pioneer is not the county's problem
- Have some feedback regarding Pioneer that they are establishing themselves and citizens are glad they are here
- But we must remember, they are a private company – for profit company
- Feel they are good at what they do and they know how to make their numbers work

The motion carried unanimously.

### **Legislative Goals – Resolution**

Commissioner Inman requested that the Resolution from NCACC regarding the



Legislative Goals that he presented to the Board during the Information Agenda be placed on the February 11<sup>th</sup> Consent Agenda.

Commissioner Walker confirmed with Commissioner Inman, the county's voting delegate, that it was his recommendation to place this resolution on the Consent Agenda for consideration.

### **Adjournment**

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

Commissioner 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**