

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
APRIL 22, 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, April 22, 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
Finance Director Julia Edwards

Chairman Ernest Lankford called the meeting to order and welcomed those in attendance.

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

"The end of a matter is better than the beginning and patience is better than pride"

Commissioner Walker delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

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

GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA

Chairman Lankford entertained a motion to approve or amend the April 22, 2013 Agenda.

Vice Chairman Booth moved to approve the April 22nd Agenda as presented.

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

COMMENTS

Manager/Commissioners

Chairman Lankford opened the floor for comments.

Manager Rick Morris commented:

- Provided the Board with a copy of the required monthly performance report (March 2013) regarding the CDBG Housing Rehabilitation Program prepared by Benchmark
- Measles update submitted by Health Department Scott Lenhart:
 - Small outbreak of measles in the County
 - Seven (7) confirmed cases in Stokes County
 - One (1) confirmed case in Orange County
 - Measles are under control and well contained
 - Health Department was recognized by the State for their quick reaction to the situation
 - Should no longer be an issue

Chairman Lankford commended the Health Department for their prompt response to the measles outbreak.

Chairman Lankford reminded the Board of the upcoming Volunteer Reception scheduled for Tuesday, April 23rd at South Stokes High School - 5:30 pm.

Vice Chairman Booth commented:

- Farmer Appreciation Day was held on Thursday, April 18th at South Stokes High School
- Very successful event

Commissioner Inman had no comments.

Commissioner Walker commented:

- Commended Vice Chairman Booth and all involved for a very successful Farmer Appreciation Day that was well attended
- Very positive event for Stokes County
- Looking forward to attending the Volunteer Reception on Tuesday; very blessed to have so many wonderful volunteers in Stokes County, working hard to make things better for our County
- Things seem to be going well in the county
- Lot of opportunities and positive things happening in the County

Commissioner Jones commented:

- Apologized for being late tonight
- Meteor showers are scheduled for later tonight

PUBLIC HEARING – ACQUISITION OF REAL AND PERSONAL PROPERTY

Chairman Lankford called the Public Hearing for the Acquisition of Real and Personal Property located at 3169 NC 8 Highway South, Walnut Cove, NC to order.

There were no public comments.

Chairman Lankford closed the Public Hearing.

PUBLIC COMMENTS

Chairman Lankford opened the floor for Public Comments.

The following spoke during Public Comments:

Linda Hicks

1130 Rock Road
Madison, NC 27025

Re: Public Meeting

Ms. Hicks presented the following comments:

- Wished everyone a “Happy Earth Day”
- Speaking tonight on behalf of “No Fracking in Stokes” in collaboration with Stokes County Extension and North Carolina State Extension Services
- Would like to invite everyone to a countywide meeting which will give landowners and county residents unbiased, vital information about the leasing of mineral rights to energy companies
- The meeting is scheduled for May 16, 2013 at 7:00 pm in large courtroom of the Governmental Center
- Ted Feitshans of the North Carolina Agricultural Extension Service, Attorney and Associate Professor at NC State University and James Robinson, Research and Policy Associate of the Rural Advance Foundation in Pittsboro will be the guest speakers
- Mr. Feitshans is considered a real authority on mineral rights issues
- Speakers will be providing expert information including legal information regarding the leasing of mineral rights for fracking along with important information everyone should know before leasing mineral rights
- There will be a question and answer period following the speakers
- Hope everyone will be able to attend the meeting on May 16th
- Some people may think that they will not be affected, but the impact from fracking will be felt countywide
- The Board of Commissioners represents those individuals who will be affected by fracking

- Feel like it would be a good idea for the Board of Commissioners to be well informed about the subject

CONSENT AGENDA

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

Minutes

- Minutes of March 4, 2013 – Water and Sewer Project Update
- Minutes of March 5, 2013 – Goals/Budget Guidance Work Session
- Minutes of April 8, 2013 – Regular Meeting

Senior Services - Budget Amendment #84

Finance Director Julia Edwards submitted Budget Amendment #84.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	Senior Services			
100.5860.263	SHIP Grant (SMP)	<u>\$4,815.00</u>	<u>\$1,000.00</u>	<u>\$5,815.00</u>
	Totals	\$4,815.00	\$1,000.00	\$5,815.00

This budget amendment is justified as follows:

To appropriate grant funding for the Senior Medicare Patrol events.

This will result in a net increase of \$1,000.00 in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.366	Department of Insurance	<u>\$4,815.00</u>	<u>\$1,000.00</u>	<u>\$5,815.00</u>
	Totals	\$4,815.00	\$1,000.00	\$5,815.00

Sheriff's Department - Budget Amendment #85

Finance Director Julia Edwards submitted Budget Amendment #85.

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

April 22, 2013

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	Sheriff's Department			
100.4310.311	Training	<u>\$4,704.00</u>	<u>\$1,383.00</u>	<u>\$6,087.00</u>
	Totals	\$4,704.00	\$1,383.00	\$6,087.00

This budget amendment is justified as follows:

To appropriate funding for narcotics officers to attend the NCNEOA Conference to obtain information and updates on illegal narcotics and dangerous drugs.

This will result in a net increase of \$1,383.00 in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.413	State Fines/Forfeitures	<u>\$16,134.00</u>	<u>\$1,383.00</u>	<u>\$17,517.00</u>
	Totals	\$16,134.00	\$1,383.00	\$17,517.00

Animal Control - Budget Amendment #86

Finance Director Julia Edwards submitted Budget Amendment #86.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	Animal Control			
100.4380.511	Equipment –Non Capitalized	<u>\$00.00</u>	<u>\$3,500.00</u>	<u>\$3,500.00</u>
	Totals	\$00.00	\$3,500.00	\$3,500.00
	Capital Reserve Fund			
201.4380.002	Animal Control	\$23,000.00	\$(3,500.00)	\$19,500.00
201.9810.000	Transfer to General Fund	<u>\$521,703.00</u>	<u>\$3,500.00</u>	<u>\$525,203.00</u>
	Totals	\$544,703.00	\$00.00	\$544,703.00

This budget amendment is justified as follows:

To transfer funding from Capital Reserve Fund to purchase a replacement truck for Animal Control.

This will result in a net increase of \$3,500.00 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
General Fund				
100.3982.960	Transfer from Capital Reserve Fund	<u>\$521,703.00</u>	<u>\$3,500.00</u>	<u>\$525,203.00</u>
	Totals	\$521,703.00	\$3,500.00	\$525,203.00

Sheriff's Department - Budget Amendment #87

Finance Director Julia Edwards submitted Budget Amendment #87.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
Sheriff's Department				
100.4310.260	Departmental Supplies	<u>\$38,104.00</u>	<u>\$655.00</u>	<u>\$38,759.00</u>
	Totals	\$38,104.00	\$655.00	\$38,759.00

This budget amendment is justified as follows:

To appropriate funding to purchase DARE t-shirts, certificates, medallions, and tumblers for King Elementary School – no county funding.

This will result in a net increase of \$655.00 in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.413	State Fines/Forfeitures	<u>\$17,517.00</u>	<u>\$655.00</u>	<u>\$18,172.00</u>
	Totals	\$17,517.00	\$655.00	\$18,172.00

Tax Administration Report – March 2013 - Correction

Tax Administrator Jake Oakley provided the Board with the following information regarding a correction to the March 2013 Tax Administration Report that was submitted at the April 8th meeting:

April 22, 2013

- Tax Collection Status Report
 - Under the heading of **County Reg & MV**, the original report listed an amount of \$309,523.90 for the month of March
 - The amount should be increased to \$316,307.27
 - The reason for the change to the original report relates to a timing issue regarding the receipt of lock box deposit information from our bank
- Estimated Increased Revenues Report for the new Motor Vehicle Billings System
 - Under the heading **G01 General County**, the original report listed an amount of \$499,629.65 for the month of October based on a collection rate of 85.5%
 - This amount should have been \$135,716.43 and the \$499,629.65 reflecting the total amount collected for the four months
- Tax Administrator Oakley provided Board members a corrected copy for informational purposes

External Posting – Senior Services and Emergency Communications

County Manager Rick Morris presented the following vacant positions for the Board's consideration and approval to post external:

- Senior Services – King Nutrition Site Manager
- Emergency Communications – Telecommunicator
- Both positions are being advertised internally, as of (04-18-2013), there have been no internal applications
- Both positions close on Monday, April 22nd
- If there are no internal candidates, would like to advertise externally after the closing
- Both positions are very critical positions within their department

Commissioner Inman moved to approve the Consent Agenda as presented. Vice Chairman Booth seconded and the motion carried unanimously.

GENERAL GOVERNMENT – GOVERNING BODY – INFORMATION AGENDA

NCACC

Commissioner Inman presented the following information:

- Recently attended the NCACC Board of Directors' Meeting
- Felt there were a few topics that needed sharing with the Board and the citizens of Stokes County
- Kristen Judge was the guest speaker
- Kristen serves on the (MS-ISAC) which is a voluntary and collaborative effort based on a strong partnership with the office of Cybersecurity and Communications within the US Department of Homeland Security (DHS)

- The MS-ISAC was designed by DHS as the key resource for cyber threat prevention, protection, response, and recovery for the nation's state, local and territorial and tribal (SLTT) governments
- This is about internet security
- Tend to think that things won't happen in Stokes County
- Membership in the MS-ISAC is free
- Would like for the County Manager to have Information Systems Director look into joining the organization
- Through its state-of-the-art 24/7 Security Operations Center, the MS-ISAC serves as a central source for situational awareness and incident response for SLTT governments
- Citizens can go to "Staysafeonline.org" for more information regarding internet safety
- Hacking is not being done only to private citizens; it is being done to government, to private corporations, etc.
- Hackers, in other states, have gotten information regarding tax collections, Sheriff's Department, etc.
- It only takes 3 seconds to hack into a system when the password is only 3 letters
- It takes 4 years to hack into a system when the password is 12 letters with upper and lower case and a character
- Never open an email that you are not familiar with
- Met on NC State Campus at the Institute for Emerging Issue; Director Anita Brown Graham was the speaker
- Center is working to hopefully reshape and rethink manufacturing, better alignment of businesses with NC Educational System, development of a long term infrastructure plan for NC, etc.
- Director Graham will be providing free community forums
- Plan to share this information with EDC and look into the possibility of having Director Graham speak

The Stokes Plane Crash of 1944

County Manager Rick Morris provided the following information regarding the Stokes

Plane Crash of 1944:

- Mr. William Cook sent a request and information to the County regarding the 1944 Plane Crash which took the lives of five WWII army airmen on September 7, 1944 in a fiery crash and explosion of a B-25 bomber
- Mr. Cook has a proposal before Congressman Howard Coble to place an historical marker on Highway #8, approximately five miles south of Danbury, to honor the five WWII army airmen
- Mr. Cook is requesting the County express their support to erect this marker by writing, calling, or faxing Congressman Coble's office
- Request direction from the Board as to how to proceed

Chairman Lankford opened the floor for discussion.

Chairman Lankford commented:

- Received a call from Mr. Cook
- Mr. Cook is requesting the Board, by resolution or letter of support, recommend to Congressman Coble's office that a marker be placed on Highway #8

Vice Chairman Booth commented:

- Also received a call from Mr. Cook
- Feels a letter of support or resolution could serve the request from Mr. Cook
- Would suggest the letter of support or resolution also be sent to all the County's State and Federal representatives

Commissioner Jones commented:

- Have also spoken to Mr. & Mrs. Cook
- Have made an appointment with Congressman Coble's staff to express my personal support for the marker
- Advantage to having the marker on Highway #8 is that the site is actually located on private property which makes it unable to get to the actual site; the marker on Highway #8 would identify the site
- This is a part of Stokes County history that may soon be forgotten, there are only a few WWII veterans left in the County
- Fantastic idea
- Fine with either a letter of support or resolution

Vice Chairman Booth noted that there is only one Stokes County WWII Veteran left in the County.

Chairman Lankford noted that Mr. Cook had also indicated that the goal is to obtain permission from the current landowner to place a marker on the private property where the site is located and provide a path to the site.

Commissioner Inman commented:

- Received a letter from the Mr. Cook
- Fine with either a letter of support or resolution, feels the resolution would be better with the entire Board signing the resolution

Commissioner Walker commented:

- Like the idea
- Always ready to preserve history in Stokes County
- Fine with either a letter of support or resolution

Commissioner Jones confirmed with Chairman Lankford that the idea is to try to get permission from the private landowner so that citizens/visitors can actually visit the original site.

Vice Chairman Booth noted that there is already a marker at the actual site.

The Board unanimously agreed to adopt a resolution to support the placement of a marker on Highway #8 to honor the five WW II army airmen who lost their lives on September 7, 1944.

Chairman Lankford directed the Clerk to place the proposed Resolution on the May 13th Consent Agenda.

GENERAL GOVERNMENT – GOVERNING BODY – DISCUSSION AGENDA

Proposed Contract – Telecommunication Cost Analysis

County Manager Rick Morris presented the following information regarding the proposed contract for a telecommunication cost analysis:

- Item has been on two previous Agendas
- Wanted the Board to have a chance to meet Regional Sales Director Martin Fitz, SpyGlass, to answer any questions the Board might have before voting on the issue
- Reiterated what services would be provided:
 - SpyGlass will be conducting a telecommunication cost analysis for local voice, long distance voice, data and internet to seek recovery, service elimination, and cost reduction recommendations
 - SpyGlass will make recommendations to the County, implement recommendations that the County elects, and deliver a complete telecommunications inventory to the County
- Reiterated the fee schedule:
 - 50% of any “Cost Recovery” which is any refund, credit or compensation received by the County relating to past services or charges
 - 12 times any “Service Elimination Savings” which is any monthly cost reduction received by the County relating to cancellation of any service, including monthly usage cost reduction
 - 12 times any “Cost Reduction Savings” which is any monthly cost reduction received by the County relating to the modification, consolidation or negotiation of any service, account or contract including post discount usage rate
- Recommend the county enter into a contract with SpyGlass for a telecommunication cost analysis
- Don’t think there is any way the County will lose; will hopefully save tax dollars

Director Martin Fitz presented the following information:

- Have worked with Cabarrus, Swain, Rowan, and Duplin Counties
- Telecommunication costs are usually very confusing to most folks
- Have a group in Ohio that specializes in Telecommunications Expense Management
- The entire process should take approximately 4 weeks for the analysis; at that time, will return to the county with the results, if any
- The county will have the option to pick and choose which services found will be implemented by SpyGlass; the County is in full control of the audit
- Feels there is some potential for savings

Chairman Lankford opened the floor for discussion.

Commissioner Inman requested Director Fitz to provide the Board with an example of what kind of savings might be found.

Director Fitz responded:

- Over 90% of the time, there are services found that are dormant or underused, lines that were hooked up to fax machines that are no longer in service, taxes and tariffs are often incorrect, application and/or service charge fees can be incorrect

Commissioner Jones commented:

- Feels this could be a good program for the County
- Have no issues with proceeding with the analysis
- Wish there could be something like this for private citizens
- Confirmed with Director Fitz that if there wasn't anything found, there would be no cost to the County

Vice Chairman Booth commented:

- Confirmed with Director Fitz that there could possibly be a 10% cost savings which would amount to approximately \$700 per month
- All other questions have already been answered
- Have no other issues

Commissioner Walker commented:

- Confirmed with Director Fitz that the company has a past history of approximately 90% success rate with other companies
- Confirmed with Director Fitz that the only involvement that County staff will have is to provide two (2) months of past bills and authorization from the County to communicate with providers on behalf of the county
- See no downside
- Confirmed with Director Fitz that there were no risk or downside for the County

Chairman Lankford confirmed with Director Fitz that the entire process will only take approximately 4-5 weeks.

County Manager Morris commented:

- Will bring recommendations back to the Board for consideration

Chairman Lankford expressed the Board's appreciation for being at tonight's meeting.

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the item on May 13th Action Agenda.

Project Agreement Between Pilot View RC&D and the County of Stokes – Phase II

County Manager Rick Morris noted that Charles Anderson, Pilot View RC&D was in attendance at tonight's meeting to answer any questions regarding the Phase II of the Project Agreement for the Water and Sewer Project.

County Manager Morris noted:

- At this point in the project, it is time to start with Phase II which will be paid for by grant funding
- Working diligently on the EDA \$3 million grant
- Continue to work with Golden LEAF on implementation of the \$2 million grant
- There will be no changes to the project agreement; this meeting is only to review Phase II of the project

Mr. Anderson commented:

- Have made a lot of headway in the grant applications in the past few months
- Four grants have been filed
- \$2 million awarded from Golden LEAF
- Clean Water Management Trust Grant for \$600,000 has been filed
- EDA Grant for \$3 million has been filed (federal grant); will be going to Washington, DC with county officials/staff in early June to speak with representatives regarding the EDA Grant
- ARC Grant for \$300,000 was filed last week
- Had a very productive meeting with a representative from Golden LEAF regarding the implementation of the grant
- In the process of filing the Rural Center Grant, this grant will probably have to be filed by the Stokes Water and Sewer Authority due to Stokes County has already received a Rural Center Grant
 - The Authority will relinquish ownership of the water/sewer lines to the county after one year – only a formality
- Hope to stay on schedule with bid proposals for sewer in December 2013
- Project bid openings in January 2014
- Project sewer construction to start March/April 2014

- Looking at a two stage system which is different from the original plans with water coming from Highway #8 instead of Danbury; this will provide a lot more service for the County

Chairman Lankford opened the floor for discussion.

Commissioner Walker commented:

- Confirmed with Mr. Anderson that Phase I was funded by the County with Phase II being funded by grants

Mr. Anderson responded:

- Now all grants are reimbursable with the County paying for the services and then getting reimbursement from the grants

Commissioner Walker continued:

- Confirmed with Mr. Anderson that the total grant funding being requested is approximately \$6.4 million which would cover the entire water and sewer project
- Confirmed with Mr. Anderson that he felt comfortable with the possibility of getting \$2 million from the EDA grant
- Confirmed with Mr. Anderson that the additional \$1 million may require the County to provide other data/information
- Confirmed with Mr. Anderson that he felt comfortable with the grants that have been filed

Mr. Anderson continued:

- There has been \$500,000 set aside for Stokes County at the Rural Center, but the County must apply and meet all the Rural Center requirements
- Working daily on this project
- There is approximately \$915,000 projected for contingency
- If all grant funding is received, there should be adequate funding for the entire project
- During sewer construction, one lane of Highway #8/89 will be closed
- Feels costs may come in lower than current estimated costs
- Parts of the Phase II must be completed before EDA will approve grant funding, this is the reason why Phase II is being started

Vice Chairman Booth commented:

- Confirmed with Mr. Anderson that grant funding should cover the entire project cost
- Confirmed with Mr. Anderson that approximately 75% of the engineering design has been completed and that during construction, if issues arise, engineering design may have to be altered
- Confirmed that the \$2 million from Golden LEAF is strictly for sewer

Commissioner Inman commented:

- No questions, have been involved with Pilot View RC&D since they came on board
- Feels the County has the right group of people heading up this project when it comes to obtaining grant funding
- Very exciting time for Stokes County
- Feels the County is finally on the way to seeing the community college project become a reality
- Like the fact that Pilot View is always looking for more funding than needed

Mr. Anderson responded:

- Very progressive in grant funding, have to, everyone is after the same thing – dollars
- Community college could possibly be a reality in 2015/2016
- Feels the county is on the right path

Commissioner Jones commented:

- Have no questions
- Glad to know that we are getting closer to having a community college in Stokes County

Chairman Lankford expressed the Board's appreciation to Mr. Anderson and staff for being at tonight's meeting.

Seven Island Bridge – Ownership – Continued Discussion

County Manager Rick Morris presented the following additional information regarding the ownership of the Seven Island Bridge:

- There were several unanswered questions from the last meeting
- Ms. Priddy-Charleville has the answers to most of the questions
- Commissioner Inman requested a legal opinion from County Attorney Ed Powell

Manager Morris read the following legal opinion letter from County Attorney Powell:

"The concern would be whether the old bridge located on some land that is not owned by the County could be considered an "attractive nuisance" in legal terms as it applies to children. Pursuant to this rule, if the landowner anticipates that minors will come to its property, then he has a duty to take reasonable care to prevent injury to the minors. At the heart of landowner liability under the doctrine of attractive nuisance is the duty to protect children of tender years who "because of their youth do not discover the condition or realize the risk." The attractive nuisance doctrine is designed to protect 'small children' or 'children of tender age'. The fact that no harm has come to anyone to date does not relieve a person from liability. Also, the attractive nuisance doctrine is an exception to the trespassers rule. As I understand, the bridge is an old steel truss type bridge that has high rails on the sides to

protect automobiles from going off the bridge into the water and to give the bridge stability. Children might find the rails fun to climb all the way up and then fall off injuring themselves. If the landowner had such injuries occur on their property, they might ask the County to provide funds for any such damages.

Ordinarily, a local government has governmental immunity in claims brought against it for negligence actions. However, there are instances where governmental immunity may not apply. This depends on whether the government is performing a governmental function or a proprietary function. There is governmental immunity for the performance of governmental functions. Proprietary functions are those that are not traditionally performed by government. When the government is engaged in such proprietary functions, there is a waiver of governmental immunity, subjecting the government to liability for negligent acts. This type of situation could possibly be considered to be a proprietary function.

Additionally, a local government can waive governmental immunity to the extent of the coverage of liability insurance it has purchased. If the County is interested in covering any and all concerns you may have concerning the said bridge, you should secure from the insurance company a written statement that all such possible claims against the County would be covered to the extent of the monetary limits of the insurance policy.”

Ms. Priddy-Charleville commented:

- Question- formal committee
 - At this time there are nine formal committee members
 - Kate Dixon, Executive Director, Friends of the Mountain to Sea Trail
 - Jay Young, Board Member, Friends of the Mountain to Sea Trail; Member of the Friends of Sauratown Mountain
 - Tiffany Haworth, Executive Director, Dan River Basin Association (DRBA)
 - Eddy McGee, Director of the Arts, Stokes County Arts Council and Stokes Tourism Marketing Committee
 - Patti Dunalp, President, Stokes County Historical Society
 - Johanna Stern, Owner, Singletree Gun & Plough, Stokes County Tourism Marketing Committee
 - David Mabe, Landowner, representative for the Mabe Family
 - Jane Priddy-Charleville, Stokes County Tourism Marketing Committee, Economic Development Commission
 - Buddy Dunlap, Former County Commissioner, interested citizen
 - Have some pending members
 - Committee met at Priddy’s General Store last Wednesday
 - NC State Parks will be a member of the committee if the bridge is used across the river
 - Patti Dunlap has spoken to the regional director of Preservation North Carolina who is very interested
 - Health Director Scott Lenhart has indicated that there might be some grant funding because of the health benefits that might come along with the bridge and walking trails

- Pending member – Civil War Trail
- Spoke with Ann Mabe, landowner where the bridge is currently housed, Ann is agreeable to an extension after two (2) years as long as progress is being made
- Spoke about the letter of support from the Economic Development Commission that was provided to the BOCC recommending the BOCC consider taking ownership of the Seven Island Bridge for two (2) years while the group explores possibilities and determines if there could be a worthwhile project

Director Kate Dixon commented:

- Have talked with a firm that does a lot of greenway and trail development and permitting to try to get a sense of what would have to be done if the bridge was placed across the river
- The firm provided the committee a step by step guide of everything that must be done which will be very helpful
- Would like to sit down with county staff and go over this information
- First thing is to do a survey to see if the bridge will fit
- State park officials have begun to talk to landowners regarding the goal to connect Hanging Rock State Park to the Town of Danbury which would allow individuals to walk from the park to the Town of Danbury
- State Park officials and the Dan River Basin Association both have agreed to work with the Town of Danbury so that people could walk directly from Hanging Rock State Park through the Town of Danbury to Moratock Park in a safe way
- Believe it will be a great asset for the county
- Should attract people to Stokes County
- Exciting opportunity
- Tiffany Haworth, Dan River Basin Association, came to the committee meeting on Wednesday and was very eager to offer grant writing skills and planning skills, very excited about the project

Chairman Lankford opened the floor for discussion.

Commissioner Inman commented:

- Seven Island Bridge has tremendous amount of historical significance for Stokes County
- Very familiar with the bridge, not many of those bridges left
- Could be a real asset to tourism in Stokes County
- My understanding is that the County is being asked to take ownership of the bridge for two (2) years, essentially would hold the bridge in receivership
- Manager Morris has already stated the county's insurance would incur any liability if someone were to get hurt on the bridge
- Mountains to Sea Trail and others will take ownership of the project
- Confirmed with Ms. Priddy-Charleville that the request is for Stokes County to take ownership of the bridge, but not ownership of the project
- Ms. Priddy-Charleville noted that the County would have to appoint a project manager

Chairman Lankford questioned Ms. Priddy-Charleville why the County would have to appoint a project manager?

Ms. Priddy-Charleville responded:

- Feels the County would need to appoint a project manager for the record, would be left up to the County

Commissioner Inman continued:

- Want to make sure it is very clear who is in charge of the project, who is taking ownership of the project to push it forward and make it happen
- Reiterated the need to make sure everyone knows who is in control of the project
- Feel that plans can be put together to make the project a reality
- Feel we have people who are willing to take ownership of the project that can make it happen
- Strong supporter of the Friends of the Mountain to Sea Trail
- Friends of the Sauratown Trail has been a strong asset for Stokes County
- If it can be an asset to Stokes County, without involving Stokes County tax dollars, I am on board at this point in time

Ms. Priddy-Charleville responded:

- No problem with taking ownership of the project

Vice Chairman Booth commented:

- Want to know who will take the ownership of the bridge after the two (2) years

Ms. Kate Dixon responded:

- It would be a resource of Moratock Park which is owned by Stokes County

Vice Chairman Booth continued:

- Only one side of the bridge would be on County property if the project was successful
- Want to make sure it is understood who would own the bridge once the project is completed
- Need to also know where does the liability lie after the two (2) years?

Ms. Priddy-Charleville responded:

- It would be a part of Moratock Park which is owned by the County, just like the Iron Furnace
- The Town of Danbury owns the property where the other side would be, but there is a private landowner that an easement would probably have to be worked out with
- Feels this is all a fixable and doable part of the project between the County and the Town of Danbury

Vice Chairman Booth continued:

- Confirmed with Ms. Priddy-Charleville that no one has made any attempt to speak to the private landowner

Director Kate Dixon responded:

- Right now, hoping the County will take ownership of the bridge to give the committee time to do the needed investigation

Vice Chairman Booth continued:

- Just want it clear, as Commissioner Inman stated, there will be no cost to Stokes County taxpayers
- Not exactly clear on the liability, feels like the manager needs to forward the legal opinion to the County's insurance carrier to make sure there are no issues

County Manager Morris responded:

- County staff has spoken to the insurance company
- Insurance company stated that it would be covered if the County took ownership for the two (2) years, don't have anything in writing
- Feels like the county attorney is saying that if someone got hurt and sued the county, they would try to say that the county was doing a proprietary function instead of a governmental function
- Don't know if that could be proven or not

Vice Chairman Booth continued:

- Just want to make sure of the liability, Sauratown Trails has been in operation for over 25 years with insurance coverage, nothing has happened during that time, but it was brought to the attention of the BOCC of what could happen and what it could cost the County
- That is why things were changed per the recommendation of the County Attorney, but one difference, the County is covered by trespassing laws when it pertains to the Sauratown Trails
- Feels the legal opinion needs to be reviewed by the County's insurance carrier

Commissioner Inman commented:

- County Attorney Powell's last paragraph states that the County should secure from the county's insurance carrier, in writing, that all possible claims against the county will be covered to the extent of the monetary limits of the insurance policy

Vice Chairman Booth continued:

- Reiterated that this needs to be covered with the insurance company

Ms. Priddy-Charleville responded:

- The Town of Danbury has had the bridge covered for the past seven (7) years at no extra cost
- Feels it would be the same with the County's insurance

Vice Chairman Booth continued:

- Very concerned about the liability, especially since the County changed things regarding the Sauratown Trails
- Reiterated that for twenty-five (25) years nothing happened, but that doesn't guarantee that something will not happen
- At the end of the two (2) year period and say there has been only \$50,000 raised, who is the owner?
- Just concerned, since it has been seven (7) years and no funding has been raised

Ms. Priddy-Charleville responded:

- At the end of two (2) years and only \$50,000 has been raised, guess the County could sell the bridge for scrap metal; personally don't think that will happen
- The reason there is no funding, the project got stalled
- At our meeting on Wednesday, it was discussed what would happen if there were not enough funds for project
- Feels the Friends to the Mountain to Sea Trail are very interested in using the bridge somewhere on the trail, possibly across a stream

Commissioner Walker commented:

- As far as the insurance and liability, only have one question, the County has a lot of attractive hazards already, the parks for example, and the County is currently considering purchasing property that has a couple of attractive hazards
- My question would be if it makes a difference since the bridge is not located on county property?
- As far as governmental function, the County is looking at this bridge to make Moratock Park (a county park) better
- This would improve a county park and would be an asset to the park along with an asset to the Mountain to Sea Trail
- Do not think the County is nowhere near tapping the potential of Moratock Park, there is a lot more that can be done and hope will be done in the future to expand what is there and to improve what is there,
- Have already seen plans of what could be done with Moratock Park
- If some of these plans come into play in the future and hope they do, the bridge would be even a better asset
- Good step in the right direction
- Kind of step that will improve things in Stokes County
- Heard me say many times, want to see things happen that make Stokes County better, improve recreational opportunities and tourism
- Don't really see a downside in trying to complete this type of project regarding the bridge
- Be a plus for Moratock Park, the Town of Danbury, Stokes County, Hanging Rock State Park, Mountain to Sea Trail, etc.
- Lot of potential with this project
- My position is that we need to find a way to make this work
- Too much potential to lose, must find a way to make it work

- Insurance issue is a small matter, it is only a telephone call or a letter, pretty easy to take of care
- Glad to have those involved in this group
- Very glad this group has started taking steps to make this project happen
- Very encouraged
- That bridge and the County have had a strong connection over the years
- It would really mean a lot to a lot of people in the County
- Hope this can happen

Commissioner Jones commented:

- Very impressed with the lineup of the committee, these are some movers and shakers
- Very excited about the project, have no doubt, this can work
- Not concerned about the insurance, can be dealt with, a very small detail
- Have momentum going, excitement going, potential going, ready to move forward with this project
- Can see this happening
- Can't think of anything bad
- Feels the County is holding the committee up in getting some of the research done
- Reiterated that she is ready to move forward
- Feels fear sometimes keeps decisions from being made
- Good with the project, ready to go

Chairman Lankford commented:

- Agree the committee members involved can make this happen
- Only concern, voiced at the last meeting, historical events in Stokes County such as the Fulton House, The Rock House, along with others, has been completed with private funding, grants, etc.
- Feel it is only fair to keep the same pattern
- Would not support any county funds being applied to this project
- Would personally support the project, but not with county funds
- The question on the table is whether the County will take ownership of the Seven Island Bridge for two (2) years, the other question is who would be the owner after the two (2) year period?
- There are several issues that must be resolved such as the easement across private property
- Feels this would be a very good project and supportive of the project
- Most have some guidelines, one of which to me would be no use of county funding
- Would need to be clear and in writing before I could support the project as a member of this Board

Commissioner Jones responded:

- Agree with Chairman Lankford's comments
- My impression is that would be a contract that details those things such as timeframe, expectations, etc.
- Agree everything should be clear between all parties involved

Chairman Lankford responded:

- Reiterated there must be clear understanding from the start of the project
- Can't appropriate county funds on this project and not others
- Just want to be fair with the taxpayers' dollars

Commissioner Walker responded:

- Appreciate the tone of the discussion
- Don't remember anyone asking for county funding, committee is currently only asking to proceed and raising the funds will be in the area that this committee is working on
- They have a lot of support
- Very impressed of how much they have accomplished in so short of time
- Far as county funding, I remember, another Board of Commissioners allocated \$100,000 for Sheppard's Mill
- Only reason the county funding was not used was that the project could not be worked out for the additional needed funding from the Historical Society and other sources
- The County has actually participated or at least showed a willingness before, but understand it is a step at a time and funding is not even on the table

Chairman Lankford responded:

- At the last meeting, there was some mention of county funding, just want to make sure there is a clear understanding, no county funding

Ms. Priddy-Charleville responded:

- Wanted to make sure everyone knew that the Sheppard's Mill Project did not fail because of lack of funding; it was sold right out from under the Historical Society
- It is actually going to be auctioned on May 18th

Commissioner Walker responded:

- Even though there were commitments from the County and Historical Society, there was not enough time to raise the additional funding

Vice Chairman Booth responded:

- The facility was actually sold cheaper than the price being offered by the Historical Society

Chairman Lankford stated that the question before the Board is whether the County will take ownership of the bridge for a two (2) period.

Commissioner Walker questioned those in attendance what kind of timeframe did the committee have in receiving an answer from the Board of Commissioners?

Ms. Priddy-Charleville responded:

- Need to know tonight in order to meet the Town of Danbury's proposal extension which is Wednesday, April 24th
- Hoping for a decision from the Board of Commissioners tonight

Mr. Jay Young responded:

- The Town of Danbury must receive a written proposal by the April 24th Town Council meeting
- Must have a decision regarding the ownership of the bridge tonight in order to go forward

Commissioner Walker noted that the Board needs to place this item on tonight's

Action Agenda.

Vice Chairman Booth questioned why the Town of Danbury would not extend their contract to cover the next two (2) years?

Ms. Priddy-Charleville responded:

- The Danbury Town Council does not have the vision or share the passion and sees themselves as a four person board getting nowhere with the bridge
- Need someone to help them with this bridge, can't do it on their own
- The Town of Danbury has a small budget, sees themselves very limited but wants to see something done with the bridge; they need your help
- Feel they would love to see the project become a reality

Vice Chairman Booth responded:

- Still question why they would not want to extend their contract?
- The Town would have the same committee being discussed here tonight, raising funds, no obligation, same as it will be for the County

Chairman Lankford questioned if there was any further information needed by the Board?

Commissioner Jones responded:

- Ready to do something now, but would be nice to have something on paper of the time limit, expectations, who is doing what; feels that is a reasonable request

Commissioner Walker responded:

- Would like to offer a suggestion along with Commissioner Jones' comments
- Move the item to the Action Agenda tonight due to the critical timeframe
- Best the County could do, give it provisional approval based on nothing falling thru the cracks like the insurance

- Basically only saying that the County is on board providing nothing comes apart as far as the insurance or anything connected
- Ready to move it to the Action Agenda

Chairman Lankford questioned if the committee could go back to the Town of Danbury on April 24th and request additional time since the County has a few issues that need to get resolved before voting on the issue?

Chairman Lankford noted that it seems the Board is supportive of the two (2) years, but has some issues that need to be resolved.

Commissioner Jones questioned if the credence of being owned by the County as opposed to the Town of Danbury would help with fundraising, grants, etc.

Ms. Priddy-Charleville responded:

- Feels this going back and forth between the County and Town of Danbury is dragging the committee
- Committee needs to be moving forward with the project, not trying to convince the Town of Danbury or the County what to do about the ownership of the bridge
- Feels the County would trump the Town in applying for grants

Mr. Jay Young responded:

- Get the feeling from the Town of Danbury that the inactivity during the past seven (7) years has possessed the Town to seek other ownership of the bridge
- My request to the Town of Danbury was for a thirty (30) day extension to get a plan together
- The Town of Danbury actually granted a forty-five (45) day extension
- Feels the committee only needs consensus that the County will take ownership of the Seven Island Bridge, only a verbal commitment is needed to keep the Town from accepting a proposal from a private citizen
- Need ownership of the bridge in order to start the process to see if it is a feasible project
- Feels the Town Council of Danbury only needs a verbal commitment of ownership to accept the committee's proposal
- Trying to keep the bridge in public use in this community
- A use that will be available for many aspects such as tourism, recreation, wellness, economic impact, safety of the park, etc.
- Without a verbal commitment from the Board of Commissioners, the committee can't go any further with the Danbury Town Council

Chairman Lankford stated that he felt there could be a verbal commitment for the two (2) year period, but reiterated there are other details that must be worked out and put in writing.

Chairman Lankford noted:

- Need an agreement with the committee, Town of Danbury and Landowner (Mabes)
- There are several very important things (for the County) that must be taken into consideration, liability, insurance, ownership after two (2) years, etc.
- Doesn't feel there is a problem with ownership of the bridge, need put everything in writing to make sure that everyone has a clear understanding
- That would need to happen at the next meeting

Commissioner Walker commented:

- Feel I heard Jay say that if the Board could give a verbal commitment in spirit and the Commissioners are on board, providing nothing is found that is prohibited such as insurance, the committee could continue with their plans
- In favor of putting the item on tonight's Action Agenda

Ms. Priddy-Charleville noted the County would definitely have to have a contract with the Mabe family. Ms. Priddy-Charleville questioned if the County needed the detailed information that has or will be presented to Danbury Town Council?

Chairman Lankford responded:

- Need the detailed information from the committee
- Manager needs to have all this information ready for the Board's review and to make sure everyone involved understands
- Need to make sure everyone knows who and how the project is going to be run, etc

Ms. Priddy-Charleville questioned the Board if a decision could be made tonight with the contingent that all these other things are worked out?

Chairman Lankford questioned if the Board would like to give consensus for the two (2) year ownership or move the item to tonight's Action Agenda?

Commissioner Walker stated that he was willing to go the two (2) years with the details to be worked out later and if there is something compelling that causes the Board to have to reconsider, which would be no fault of the Board such as insurance, that would be considered if necessary.

Chairman Lankford, with full consensus of the Board, stated that the committee has a two (2) year commitment from the County for ownership only of the Seven Island Bridge sitting where it is currently located with all the other details to be worked out.

Chairman Lankford, directed the manager to work with the County Attorney to prepare the necessary paperwork for the Board's review.

Surplus Tax Foreclosed Property – Upset Bid Process

County Manager Rick Morris presented the following information regarding Surplus Tax Foreclosed Property:

- County received a bid from Mr. Raymond Martini on April 9, 2013 to purchase the following tax foreclosed surplus parcels:
 - Parcel 6989-00-42-9877
 - Deed/page = 615/1301
 - 7.82 acres
 - Bid = \$13,573.75
 - Parcel 6989-00-42-5593
 - Deed/Page = 615/1301
 - 5.91 acres
 - Bid = \$2,318.01
- The bid amounts are equal to the total outstanding taxes and legal fees as of April 9, 2013
- Support Services Supervisor Danny Stovall needs for the Board of Commissioners to give consensus to start the upset bid process only as outlined in NCGS 160A-269
- Advertisement will be placed in the Stokes News along with being posted on the county web page
- After the required 10-day window of not receiving any upset bid, the item will be placed on the Agenda for the two step process

Chairman Lankford opened the floor for discussion.

The Board had no issues.

Chairman Lankford, with full consensus of the Board, directed the manager to proceed with the upset bid process regarding the bids submitted by Mr. Raymond Martini.

Budget Work Sessions/Public Hearing for Fiscal Year 2013-14

County Manager Rick Morris requested the Board schedule dates for the upcoming

budget work sessions and public hearing regarding the 2013-14 budget. Manager Morris noted that his recommended budget would be delivered to the Board on Tuesday, May 28th at the regular scheduled meeting.

The Board discussed available dates.

The Board unanimously agreed on the following dates:

- Wednesday, May 29th – 10:00 am – Budget Work Session
- Monday, June 3rd – 1:00 pm – Budget Work Session
- Tuesday, June 11th – 7:00 pm – Public Hearing – Courtroom “A”
- Monday, June 17th – 10:00 am – Budget Work Session
- Tuesday, June 18th – 10:00 am – Budget Work Session
- Tuesday, June 25th – 1:00 pm – Budget Work Session
- Wednesday, June 26th – 10:00 am – Budget Work Session

The Board agreed that all work sessions would be held in the third floor conference of the Administrative Building.

The Board directed the Clerk to schedule a joint meeting with the Board of Education on Monday, June 17th or Tuesday, June 18th at 10:00 am.

Health and Dental Insurance for Fiscal Year 2013-14 - Recommendation

County Manager Rick Morris provided the following information regarding Health and Dental Insurance for Fiscal Year 2013-14:

- This year, the County issued an Invitation for Proposal (IFP) for group health and dental benefits to six carriers/brokers. One carrier responded that they could not provide a competitive bid this year and two others did not respond.
- County Staff met with representatives from United Health Care (UHC), NC League of Municipalities (MIT) Health Benefits Trust of NC and Blue Cross and Blue Shield (BCBS). This is the first year that counties have been allowed to join the League of Municipalities.
- Our existing UHC plan was compared to the proposals submitted by each carrier and each carrier basically matched our existing plan.

Health Insurance

- Listed below is the amount each carrier quoted for the employee cost covered by the county and the increase the county would incur for fiscal year 2013-14:

Same Coverage/HRA	Current UHC	Proposed	Monthly Difference	Annual Difference	Total Ann. Increase
Employee Only (UHC)	\$403.42	\$ 487.25	\$ 83.83	\$1,005.96	\$301,788.00
Employee Only (MIT)	\$403.42	\$ 413.25	\$ 9.83	\$ 117.96	\$ 35,388.00
Employee Only (BCBS)	\$403.42	\$ 444.98	\$ 41.56	\$ 498.72	\$149,616.00

- The County would have the same basic plan as our current UHC which includes the HRA.
- We also gave the carrier an option to quote a plan with no HRA, the annual increase cost for the county would be approximately \$670,788.
- We have spoken to cities that are currently with the MIT Pool and they have no issues with the benefits and network. The County had very good success when coverage was available with the NCACC Insurance Pool. As this point in time, it looks like the Board of Commissioners made a good decision implementing an HRA based on the savings to date.
- First year counties have been allowed to join the League of municipalities
- Currently have spent approximately \$90,000 of the budgeted \$175,000 HRA amount with the last two months most likely to the most spent with employees meeting their deductibles

Our recommendation is to award the bid to the League of Municipalities.

Dental Insurance

- As stated earlier stated, the County issued IFPs for dental coverage. Proposals submitted contained basically the same benefits.
- Listed below is the amount each carrier quoted for the employee cost covered by the county and the decrease the county would incur for fiscal year 2013-14:

Same Coverage	Current UHC	Proposed	Monthly Difference	Annual Difference	Total Ann. Decrease
Employee Only (UHC)	\$ 29.88	\$ 29.88	\$ -	\$ -	\$ -
Employee Only (MIT)	\$ 29.88	\$ 27.50	\$ (2.38)	\$ (28.56)	\$ (8,568.00)
Employee Only (BCBS)	\$ 29.88	\$ 27.39	\$ (2.49)	\$ (29.88)	\$ (8,964.00)

Employee Only (Humana) \$ 29.88 \$ 28.56 \$ (1.32) \$ (15.84) \$(4,752.00)

Employee Only (Ameritas) \$ 29.88 \$ 27.72 \$ (2.16) \$ (25.92) \$(7,776.00)

- Even though, BCBS came in with \$396 greater annual decrease, staff would recommend the County award the bid to MIT to have both health and dental under the same carrier. This makes it easier on the staff and the employees to have both insurances with the same carrier.

Chairman Lankford opened the floor for discussion.

Clerk Bullins noted the following:

- League has approximately 400 members
- Several counties have requested quotes from the League
- Has not been advertised except word of mouth due to the League wanting to make sure it was ready in case a large number of counties decided to come on board
- Health Insurance will be MedCost
- Dental Insurance is self insured by the League (MIT)
- Talked to each health provider at least 3 hours to compare benefits; primary benefits will be the same
- Will need to be approved tonight in order to schedule enrollment meetings for employees
- MedCost has a special vision plan which will allow employees to add dependents without adding them to their health coverage
- MedCost is accepted by all hospitals in North Carolina
- MedCost has an extended provider list in Virginia
- Deductible remains \$1,500 for the employee with an additional \$1,000 out of pocket with the HRA paying \$3,500 to meet the \$5,000 deductible – same as this year's benefits
- Feels prescription benefits will be better
- League will offer a child only tier for both health and dental
- Employees covering dependents will see a decrease in their dental premiums
- Employees covering dependents will see a small increase in health premiums

Commissioner Walker confirmed that the Board will continue to fund an HRA account.

The Board discussed the information with Manager Morris and Clerk Bullins.

Vice Chairman Booth, along with the entire Board, expressed appreciation to staff for working to get the best insurance for employees while working for the best cost for the county to be able to continue to pay the employee's entire health and dental premiums.

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

Appointments – Animal Control Advisory Council

County Manager Rick Morris presented the following information regarding the Animal Control Advisory Council appointments.

- Animal Control Advisory Council recommends the following re-appointments for a two (2) year term:
 - Debbie Cowan – Licensed Veterinarian
 - Ted Kitzmiller – Private Citizen
 - Candis Loy – Animal Advocacy Organization
 - Leslie Staples – Private Citizen
- Sheriff Mike Marshall recommends Shannon Gammons to complete the term previously held by Wilson “Bubby” Blankenship – term is unlimited per guidelines

Chairman Lankford opened the floor for nominations.

Commissioner Inman nominated the following:

- Debbie Cowan – Licensed Veterinarian
- Ted Kitzmiller – Private Citizen
- Candis Loy – Animal Advocacy Organization
- Leslie Staples – Private Citizen
- Shannon Gammons – Representative for the Sheriff’s Department

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 May 13th Action Agenda.

GENERAL GOVERNMENT – GOVERNING BODY – ACTION AGENDA

Juvenile Crime Prevention Council – Application for Funding

Chairman Lankford entertained a motion regarding the following recommendation from Juvenile Crime Prevention Council for application to the state for funding which was presented at the April 8th meeting:

Organization	JCPC Allocation Request	County Match Request
Stokes Friends of Youths	\$ 77,615.00	\$ 23,904.00
Stokes Scan	\$ 21,737.00	\$ 6,521.00
Children's Center	\$ 11,084.00	\$ 3,326.00
Insight	\$ 25,549.00	\$ 7,801.00

Commissioner Inman moved approve the Juvenile Crime Prevention Council's recommendation for application to the state for funding. Vice Chairman Booth seconded and the motion carried unanimously.

Acquisition of Real and Personal Property
Proposed Resolution and Proposed Purchase Contract

Chairman Lankford presented the following proposed Resolution which will need to be approved by the Board for the acquisition of real and personal property located at 3169 NC HWY 8 South, Walnut Cove, NC :

A regular meeting of the Board of Commissioners of the County of Stokes, North Carolina, was duly held on April 22, 2013 at 6:00 p.m. in the Commissioner's Chambers on the 2nd Floor of the Administration Building located at 1014 Main Street, Danbury, North Carolina. Chairman Ernest Lankford presiding.

Commissioners Present:

Commissioners Absent:

* * * * *

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

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

WHEREAS, the County of Stokes, North Carolina (the "*County*") is a validly existing political subdivision of the State of North Carolina, existing as such under and by virtue of the Constitution, statutes and laws of the State of North Carolina (the "*State*");

WHEREAS, the County has the power, pursuant to the General Statutes of North Carolina to (1) purchase real and personal property, (2) enter into installment financing contracts in order to finance the purchase of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased to secure repayment of the purchase price;

WHEREAS, the Board of Commissioners of the County (the "*Board of Commissioners*") has determined that it is in the best interest of the County to enter into an installment financing contract (the "*Contract*") with the current owner (the "*Lender*") of a building located in Walnut Cove, North Carolina to finance the purchase of the building for use by the County as a garage and office building (the "*Facility*") and to create a security interest in the real property on which the Facility is located and all the improvements thereon through a Deed of Trust, Security Agreement and Fixture Filing (the "*Deed of Trust*");

WHEREAS, the Facility will be owned and operated by the County;

WHEREAS, the Board adopted a resolution on April 8, 2013 making certain findings with respect to the Facility and the proposed financing therefor;

WHEREAS, the Board conducted a public hearing with respect to the Facility on April 22, 2013 to receive public comments on the Facility, the proposed financing, the Contract and the Deed of Trust;

WHEREAS, the County has filed an application with the North Carolina Local Government Commission (the "*LGC*") for approval of the LGC with respect to the County entering into the Contract in an aggregate principal amount of not to exceed \$725,000;

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

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

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

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

Section 2. ***Approval, Authorization and Execution of Contract.*** The County hereby approves the acquisition of the Facility in accordance with the terms of the Contract, which will be a valid, legal and binding obligation of the County in accordance with its terms. The County hereby approves the amount advanced by the Lender to the County pursuant to the Contract in an aggregate principal amount not to exceed \$725,000, such amount to be repaid by the County to the Lender as provided in the Contract. The form, terms and content of the Contract are in all respects authorized, approved and confirmed, and the Chairman, the County Manager, the Finance Director of the County and the Clerk to the Board or their respective designees are authorized, empowered and directed to execute and deliver the Contract for and on behalf of the County, including necessary counterparts, in substantially the form attached hereto, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of their approval of any and all such changes, modifications, additions or deletions, and that from and after the execution and delivery of the Contract, the Chairman, the County Manager, the Finance Director of the County and the Clerk to the Board or their respective designees are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Contract as executed.

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

Section 4. ***Further Actions.*** The County Manager, the Chairman of the Board and the Finance Director of the County are hereby designated as the County's representatives to act on behalf of the County in connection with the transactions contemplated by the Instruments, and the County Manager, the Chairman and the Finance Director of the County are authorized and directed to proceed with the Facility in accordance with the terms of the Instruments, and to seek opinions on matters of law from the County Attorney, which the County Attorney is authorized to furnish on behalf of the County, and opinions of law from such other attorneys for all documents contemplated hereby as required by law. The Chairman, the County Manager and the Finance Director of the County are hereby authorized to designate one or more employees of the County to take all actions which the Chairman, the County Manager and the Finance Director of the County are authorized to perform under this resolution, and the Chairman, the County Manager, the Finance Director of the County or their designees are in all respects authorized on behalf of the County to supply all information pertaining to the transactions contemplated by the Instruments. The Chairman, the County Manager, the Finance Director of the County and the Clerk to the Board are authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents,

opinions or other papers and perform all other acts as may be required by the Instruments or as they may deem necessary or appropriate to implement and carry out the intent and purposes of this resolution.

Section 5. **Repealer.** All motions, orders, resolutions, ordinances and parts thereof in conflict herewith are hereby repealed.

Section 6. **Severability.** If any section, phrase or provision of this resolution is for any reason declared to be invalid, such declaration does not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 7. **Effective Date.** This resolution is effective on the date of its adoption.

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

AYES:

NAYS:

STATE OF NORTH CAROLINA)
)
COUNTY OF STOKES) ss:

I, DARLENE M. BULLINS, Clerk to the Board of Commissioners of the County of Stokes, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true and exact copy of a resolution entitled "A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF STOKES, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT AND A DEED OF TRUST WITH RESPECT THERETO AND DELIVERY THEREOF AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS" adopted by the Board of Commissioners of the County of Stokes, North Carolina at a meeting held on the 22nd day of April, 2013.

WITNESS my hand and the corporate seal of the County of Stokes, North Carolina, this the 22nd day of April, 2013.

DARLENE M. BULLINS
Clerk to the Board
County of Stokes, North Carolina

Manager Morris noted the Agreement for Purchase and Sale of Real Property, Deed of Trust, and the Installment Financing Contract were included in the Board's Agenda package for their review.

Commissioner Jones moved to approve the proposed Resolution for the acquisition of real and personal property located at 3169 NC HWY 8 South, Walnut Cove, NC. Commissioner Walker seconded the motion.

Vice Chairman Booth confirmed with Manager Morris that the Resolution authorizes and empowers Finance Director Julia Edwards, Clerk to the Board Darlene Bullins and County Manager Rick Morris to do the final negotiations of the other documents provided to the Board (Deed of Trust, Purchase Agreement, and Installment Financing Contract) as long as there are no substantive changes made.

Vice Chairman Booth confirmed with Manager Morris that the County Attorney and the Bond Attorney will review and approve the documents.

Manager Morris noted once the resolution is approved, a Phase I Environmental Study and Title Search will be performed along with finalization of the Purchase Contract, Deed of Trust, and Installment Financing Contract. Manager Morris also noted that Mr. Venable's attorney is also reviewing the documents.

Manager Morris noted the following:

- Application must be at the Local Government Commission by May 7th
- Closing costs will be paid by the County
- The installment financing contract may not be prepaid in whole or in part without the bilateral agreement of both parties to the contract

The motion carried unanimously.

Health and Dental Insurance for Fiscal Year 2013-14 - Recommendation

Chairman Lankford entertained a motion regarding Health and Dental Insurance for Fiscal Year 2013-14.

Vice Chairman Booth moved to approve the League of Municipalities for Health and Dental for Fiscal Year 2013-14. Commissioner Inman seconded and the motion carried unanimously.

CLOSED SESSION

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

- 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 G.S. 143-311.11(a)(3)
- To consider and take action with respect to the position to be taken by the county in negotiating the price or other material terms of an agreement for the acquisition of real property pursuant to G.S. 143-318.11(a)(5)

Commissioner Inman moved 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 G.S. 143-311.11(a)(3)
- To consider and take action with respect to the position to be taken by the county in negotiating the price or other material terms of an agreement for the acquisition of real property pursuant to G.S. 143-318.11(a)(5)

Commissioner Jones seconded and the motion carried unanimously.

The Board returned to the regular session of the April 22nd meeting.

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. Vice Chairman Booth seconded and the motion carried unanimously.

Darlene M. Bullins
Clerk to the Board

Ernest Lankford
Chairman