

STATE OF NORTH CAROLINA )  
 )  
COUNTY OF STOKES )  
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OFFICE OF THE COMMISSIONERS  
STOKES COUNTY GOVERNMENT  
DANBURY, NORTH CAROLINA  
JUNE 24, 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, June 24, 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  
DSS Director Kristy Preston  
Health Director Scott Lenhart  
Jail Captain Eric Cone, Sheriff's Department

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

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

- "Even when it seems the Lord is absent, he is with us all the time, upholding and keeping and loving us"

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 June 24, 2013 Agenda.

Commissioner Jones moved to approve the June 24<sup>th</sup> Agenda as presented. Vice Chairman

Booth seconded and the motion carried unanimously.

### **COMMENTS**

#### **Manager/Commissioners**

Chairman Lankford opened the floor for comments.

Manager Rick Morris commented:

- SpyGlass
  - Has all the information they need to do the analysis and will notify the County when the results are ready
- Water and Sewer Project
  - All the grants have been submitted
  - Should start hearing the grant results around the end of August
- Venable Building (Autumn Square)
  - Closing is scheduled for June 27, 2013
  - Mr. Venable has an auction scheduled for June 29<sup>th</sup> in order to clean out the facility
  - Will be doing a transition plan for the move
- Edward Byrne Memorial Justice Assistance Grant
  - Read following regarding information about the grant  
The Stokes County Sheriff's Office is applying for a grant from the Edward Byrne Memorial Justice Assistance Program. In this grant the Sheriff's Office will be asking for software and equipment. In this grant we will be asking for additional Spillman modules that will allow officers the ability to complete reports from their in-car computers and input the information directly into the Spillman software. This will allow for real time entry and not require the work to be duplicated by the records clerk (inputting the same information the officer is typing on a Word document and submitting by email). This same software will allow officers to check for wanted persons, property checks, gun checks, and vehicle checks through our RMS.

We are also asking for desktop scanners for the office staff. This will allow immediate ability to scan documents from their desk of gun permits, concealed handgun permit files, and other documents we are storing digitally.

This grant does not require any matching funds from the local government.

In this grant we will be asking for mobile computers, MIFI wireless air cards with service, desktop scanners, and software that works with our current records management system (Spillman).

We are looking at the possibility of asking for 2 patrol vehicles in this grant as this grant allows for the purchase of equipment.

Commissioner Jones commented:

- Fiscal Year 2013-14 budget is going to soon be coming to an end
- Just want everyone know the Board is doing the best they can in very difficult times

Commissioner Inman commented:

- Attended the NCACC Board of Directors conference this weekend in Asheville
- Discussed the virtual standstill between the NC House and Senate
- Talked to Representative Bryan Holloway this afternoon
- Senate refuses to conference – not going to conference on anything – tax reform, budget
- Representative Holloway noted that the Senate may hold out and do a continuation budget, etc.
- Doesn't sound good for Stokes County
- Does not look like there will be a state budget before July 1<sup>st</sup>
- Going to have to approve the County's budget with the assumption there is not going to be any Hold Harmless revenue
- NCACC has \$1 million in the health/dental insurance fund which will be distributed among those who participated in the health/dental program the year it was dissolved

Chairman Lankford commented:

- Also learned about the \$1 million at the recent NCACC Insurance Pool meeting last week
- Very pleased Stokes County will be getting some funding, distribution calculation has not been finalized yet
- County has a scheduled Planning meeting on Tuesday, August 6<sup>th</sup> - 7:00 pm
  - Would like to schedule a joint meeting with the Planning Board for the August 6<sup>th</sup> meeting to discuss the proposed zoning changes
  - This will allow new County Attorney Browder to meet with Director Sudderth about the proposed changes
  - This will also allow time to see if any legislation is changed in Raleigh
  - Just received the request from Director Sudderth last Friday
  - Director Sudderth feels this will be very beneficial for both boards

The Board had no issues with a joint meeting and all felt the joint meeting would be very beneficial.

Chairman Lankford, with full consensus of the Board, directed the Clerk to schedule a joint meeting with the Planning Board for Tuesday, August 6<sup>th</sup> at 7:00 pm.

Vice Chairman Booth commented:

- Glad to hear there will be some health/dental refund coming to the County from the NCACC
- Any amount will help with this year's upcoming budget

Commissioner Walker commented:

- Feels the Fiscal Year 2013-14 budget is on the minds of the entire Board
- Reviewing the budget so far, it appears it is going to take a substantial amount from the County's Fund Balance to make it work unless other revenue is identified such as Hold Harmless
- This is the first budget of what the County will be dealing with for several years to come, progressively more challenging each year
- Must put a lot of thought and work in how the County is going to deal with this, not just for the present, but to put the County where it needs to be as we look down the road
- Very good meeting with the Board of Education last week
- It is always clear that both Boards have their own jobs to do
- Good to try to work together as much as possible – teamwork
- Hope this year will be an example of that good teamwork
- Will be looking at all factors and doing the best we can with whatever resources the County has
- Will try to do as much as we can for the schools and try to be fair to all those involved
- Never have enough money
- From my first budget to the present, there has always been a list longer than there was enough funding available
- Have to choose the priorities as fair as possible
- Board has made a decision recently regarding the DSS and Health Boards
- Board approved a Resolution stating that an Advisory Council would be appointed
- Unsure when this will be completed, want to make sure this Board moves on this item during the transition period
- Appreciate the information provided by Manager Morris regarding the grants for the Water and Sewer Project
- Want to make sure the grants for sewer and water are not to slow down the progress of the community college construction project
- That has been consistently viewed that way and have no reason to suspect it would not be viewed that way
- Construction of the community college, to me, is a promise that has been made to the citizens of Stokes County
- Would be very sad not to fulfill it
- Do remember a completion date per Dr. Greene of the 2015 school year
- Gives the County a realistic and appropriate target to work towards

Chairman Lankford noted that discussion regarding the Advisory Committee would start today.

## **PUBLIC COMMENTS**

Chairman Lankford opened the floor for Public Comments.

There were no Public Comments.

## CONSENT AGENDA

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

### Minutes

- Minutes of May 29, 2013 – Budget Work Session
- Minutes of June 10, 2013 – Regular Meeting

### Educational - Budget Amendment #97

Finance Director Julia Edwards submitted Budget Amendment #97. 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>Capital Projects Fund</b>				
<b>Nancy Reynolds Elem. School</b>				
400.5914.600	General Contract	\$8,349,941.00	\$(81,868.00)	\$8,268,073.00
<b>New Elementary School</b>				
400.5915.600	General Contract	\$10,827,990.00	\$30,000.00	\$10,857,990.00
400.5915.601	Architect Fees	\$1,604,917.00	\$(122,530.00)	\$1,482,387.00
400.5915.750	Financing Fees	\$67,193.00	\$(2,470.00)	\$64,723.00
<b>Southeastern Stokes Middle School</b>				
400.5917.600	General Contract	\$5,674,201.00	\$110,000.00	\$5,784,201.00
400.5917.601	Architect Fees	\$757,530.00	\$(15,000.00)	\$742,530.00
<b>Community College</b>				
400.5916.601	General Contract –Community College	\$579,827.00	\$81,868.00	\$661,695.00
<b>Totals</b>		<b>\$27,861,599.00</b>	<b>\$00.00</b>	<b>\$27,861,599.00</b>

This budget amendment is justified as follows:

To transfer funds for expenditures for the remainder of Fiscal Year 2012-13

This will result in a net increase of \$00.00 in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

### **Health Department - Budget Amendment #98**

Finance Director Julia Edwards submitted Budget Amendment #98.

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>Health Department</b>				
110.5101.180	Professional Services	\$80,000.00	\$58,059.00	\$138,059.00
110.5101.260	Departmental Supplies	\$350.00	\$2,000.00	\$2,350.00
100.5100.180	Professional Services	<u>38,690.00</u>	<u>\$6,219.00</u>	<u>\$44,909.00</u>
<b>Totals</b>		<b>\$119,040.00</b>	<b>\$66,278.00</b>	<b>\$185,318.00</b>

This budget amendment is justified as follows:

To allocate funds from Fiscal Year 2011-12 to Fiscal Year 2012-13. These funds were from other grants to be used in patient care and were not required to be returned but instead to be used until expended.

This will result in a net increase of \$66,277.03 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>
110.3839.000	Miscellaneous Revenue	\$30,000.00	\$2,000.00	\$32,000.00
110.3301.001	NWCCN Diabetes	\$23,250.00	\$1,400.00	\$24,650.00
110.3301.005	Health Healthnet Grant	\$50,000.00	\$56,659.00	\$106,659.00
100.3540.425	Breast Cancer Support	<u>\$13,500.00</u>	<u>\$6,219.00</u>	<u>\$19,719.00</u>
<b>Totals</b>		<b>\$116,750.00</b>	<b>\$66,278.00</b>	<b>\$183,028.00</b>

### **Finance - Budget Amendment #99**

Finance Director Julia Edwards submitted Budget Amendment #99.

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>Administration</b>				
100.4120.370	Advertising	\$9,000.00	\$(874.00)	\$8,126.00
<b>Emergency Communications</b>				

100.4325.510	Equipment Transferring Funds to Capital Reserve for expenditures to be purchased for the E911 Project	\$1,923,931.00	\$(291,332.00)	\$1,632,599.00
<b>Superior Court</b>				
100.4160.330	Utilities	\$7,000.00	\$(1,200.00)	\$5,800.00
100.4160.440	Misc. Contractual Services	\$1,550.00	\$(150.00)	\$1,400.00
100.4160.441	Juvenile Detention	\$10,000.00	\$2,800.00	\$12,800.00
<b>Special Appropriation</b>				
100.4520.491	Stokes Co. Fire/Rescue Assoc.	\$16,900.00	\$(4,500.00)	\$12,400.00
100.5830.691	Step One Transferring water points funds to Capital Reserve for payment in next fiscal year and appropriating JCPC Funds for Step One	\$33,893.00	\$18,000.00	\$51,893.00
<b>Public Assistance</b>				
100.5480.001	LIEAP	\$98,911.00	\$5,000.00	\$103,911.00
<b>Transfers</b>				
100.9820.960	Transfer to Capital Reserve Fd	\$2,632.00	\$295,832.00	\$298,464.00
<b>Contingency</b>				
100.9910.000	Contingency	<u>\$576.00</u>	<u>\$6,165.00</u>	<u>\$6,741.00</u>
<b>Totals</b>		<b>\$2,104,393.00</b>	<b>\$29,741.00</b>	<b>\$2,134,134.00</b>
<b>Capital Reserve Fund</b>				
201.4340.000	Fire Marshal	\$5,500.00	\$4,500.00	\$10,000.00
201.4325.002	Emergency Communications	<u>\$53,075.00</u>	<u>\$291,332.00</u>	<u>\$344,407.00</u>
<b>Totals</b>		<b>\$58,575.00</b>	<b>\$295,832.00</b>	<b>\$354,407.00</b>
<b>Health –Title XIX Fund</b>				
<b>Adult Health Program</b>				
100.5101.180	Professional Services	<u>\$100,000.00</u>	<u>\$30,000.00</u>	<u>\$130,000.00</u>
<b>Totals</b>		<b>\$100,000.00</b>	<b>\$30,000.00</b>	<b>\$130,000.00</b>
<b>Revaluation Fund</b>				
202.9820.000	Transfer to General Fund	<u>\$00.00</u>	<u>\$6,741.00</u>	<u>\$6,741.00</u>
<b>Totals</b>		<b>\$00.00</b>	<b>\$6,741.00</b>	<b>\$6,741.00</b>

This budget amendment is justified as follows:

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

This will result in a net increase of \$362,314.00 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>				
100.3301.202	DSS- Federal	\$1,983,168.00	\$5,000.00	\$1,988,165.00
100.3301.361	JCPC	\$1,36,010.00	\$18,000.00	\$154,010.00
100.3982.968	Transfer from Revaluation	<u>\$00.00</u>	<u>\$6,741.00</u>	<u>\$6,741.00</u>
	<b>Totals</b>	<b>\$2,119,175.00</b>	<b>\$29,741.00</b>	<b>\$2,148,916.00</b>
<b>Capital Reserve Fund</b>				
201.3981.000	Transfer from General Fund	<u>\$2,632.00</u>	<u>\$295,832.00</u>	<u>\$298,464.00</u>
	<b>Totals</b>	<b>\$2,632.00</b>	<b>\$295,832.00</b>	<b>\$298,464.00</b>
<b>Health Title XIX Fund</b>				
110.3519.404	Primary Care – Adult	<u>\$36,992.00</u>	<u>\$30,000.00</u>	<u>\$66,992.00</u>
	<b>Totals</b>	<b>\$36,992.00</b>	<b>\$30,000.00</b>	<b>\$66,992.00</b>
<b>Revaluation Fund</b>				
202.3991.000	Fund Balance	<u>\$00.00</u>	<u>\$6,741.00</u>	<u>\$6,741.00</u>
	<b>Totals</b>	<b>\$00.00</b>	<b>\$6,741.00</b>	<b>\$6,741.00</b>

#### **Sheriff's Department - Budget Amendment #100**

Finance Director Julia Edwards submitted Budget Amendment #100.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
<b>Sheriff's Department</b>				
100.4310.260	Departmental Supplies	<u>\$38,759.00</u>	<u>\$1,175.00</u>	<u>\$39,934.00</u>
	<b>Totals</b>	<b>\$38,759.00</b>	<b>\$1,175.00</b>	<b>\$39,934.00</b>

This budget amendment is justified as follows:

To purchase Award Coins for Excellent Achievements, DARE, Community and Agency Programs, etc.

This will result in a net increase of \$1,175.00 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>\$21,633.00</u>	<u>\$1,175.00</u>	<u>\$22,541.00</u>
	<b>Totals</b>	<b>\$21,663.00</b>	<b>\$1,175.00</b>	<b>\$22,541.00</b>



## **Tax Administration Report – May 2013**

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

Tax Administrator Jake Oakley presented the following Present-Use Value Late Applications (May 2013) at the June 10<sup>th</sup> meeting with a request for approval at the June 24<sup>th</sup> meeting:

Name	Parcel #	Acres	Reason
Arthur & Martha Parent	606000292544	41.51	Land has been owned & operated as a farm
	606000295037	2.07	for many years
Stephen & Bonne Sloan, Jr	693204600642	32.11	Forestland has been owned for about ten years

### **Write Off Request – 2006 Real Property Billings**

Tax Administrator Jake Oakley presented the following Write Off Request - 2006 Real Property Billings (May 2013) at the June 10<sup>th</sup> meeting with a request for approval at the June 24<sup>th</sup> meeting:

Tax Year	Account	Parcel	Principal Amount Due
2006	49265	695204723402	\$45.85
2006	9894	695204721317	<u>\$430.00</u>
Total			<b>\$475.85</b>

### **Write-Off Request – 1999 EMS Billing**

Tax Administrator Jake Oakley presented the following Write Off Request – 1999 EMS Billing (May 2013) at the June 10<sup>th</sup> meeting with a request for approval at the June 24<sup>th</sup> meeting:

Tax Year	Accounts	Principal Amount Due
1999	585	<b>\$91,464.37</b>

### **Write-Off Request – 1999 & 2000 Personal Property Bills and 2002 Real Property Bills**

Tax Administrator Jake Oakley presented the following Write off Request - 1999 & 2000 Personal Property Bills and 2002 Real Property Bills (May 2013) at the June 10<sup>th</sup> meeting with a request for approval at the June 24<sup>th</sup> meeting:

<b>Tax Year</b>	<b>Accounts</b>	<b>Principal Amount Due</b>	
1999	93	\$7,117.82	Personal
2000	93	\$6,703.93	Personal
2002	2	<u>\$634.46</u>	Real
	<b>Total</b>	<b>\$14,456.21</b>	

### **Write-Off Request – 1999 & 2000 Delinquent Motor Vehicle Bills**

Tax Administrator Jake Oakley presented the following Write off Request - 1999 and 2000 Delinquent Motor Vehicle Bills (May 2013) at the June 10<sup>th</sup> meeting with a request for approval at the June 24<sup>th</sup> meeting:

<b>Tax Year</b>	<b>Accounts</b>	<b>Principal Amount Due</b>
1999	4.5	\$16,381.56
2000	766	<u>\$18,599.92</u>
	<b>Total</b>	<b>\$34,981.48</b>

### **East Coast Pyrotechnics – Request for Fireworks Display – The Vineyard**

Manager Rick Morris presented a Request for Fireworks Display at the Vineyard from East Coast Pyrotechnics for July 5, 2013 at the June 10<sup>th</sup> meeting with a request for approval at the June 24<sup>th</sup> meeting.

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

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

### **Jail Inspection Report – June 2013**

Jail Captain Eric Cone, Sheriff's Department presented the following information regarding June 24, 2013

the June 2013 Jail Inspection Report:

- Jail inspection was performed on June 5, 2013
- Only deficiencies noted were maintenance issues that were immediately reported to Public Works
- All but one or two have been completed
- Female capacity was noted; County currently has three female inmates located in other facilities
- Superior Court will be held three days next week which should reduce the female population and allow the three female inmates to be returned to the County

The Board commended Captain Cone and his staff for a very good inspection report.

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

### **Lawsonville Elementary School Renovation Project**

County Manager Rick Morris noted the following:

- Operations Director David Burge, Stokes County School System, is in attendance to update the Board regarding the upcoming Lawsonville School Elementary Renovation Project
- There may be some confusion regarding the amount of funding (\$1.5 million) that has been approved for the project
- There has been no additional motion to approve any additional funding for the project
- The Board did authorize the Board of Education to apply for QSCB and QZAB funding in the amount of \$2 million for Lawsonville along with funding for school roofs
- The \$2 million was not approved by the Board for the Lawsonville Elementary School Renovation Project, only approved to make application for QSCB and QZAB funding
- Must remember that the \$1.5 approved in 2010 for the Lawsonville project was only an estimate

Operations Director David Burge noted the following:

- Appreciate the Board allowing the item to be placed on today's Agenda for further discussion and update
- Presented the Board with information regarding the probable project cost and design for the Lawsonville Elementary School Project
- Probable Project Costs as of June 24, 2013
  - November 2010 = \$1,498,020
    - Construction cost = \$1,000,000 (8,000 sf@\$125 sf)
  - March 2012 = \$1,957,290

- Construction cost increased to \$1,242,000 (9,200 sf@\$135 sf)
  - Accessibility Cost (Parking) added = \$100,000
  - Construction Contingency increased to \$46,290
  - Architect/Engineering Fees increased to \$95,000
  - Furniture/Fixtures/Equipment increased to \$60,000
  - Technology increased to \$150,000
- June 2013 = \$1,999,425
  - Site Development decreased to \$100,000
  - Accessibility Cost (Parking ) increased to \$150,000
  - Construction cost decreased to \$1,215,000 (9,000 sf@\$125 sf)
  - Construction Contingency increased to \$65,925
  - Architect/Engineering Fees decreased to \$80,000
  - Advertisement Cost added = \$1,500
  - Furniture/Fixtures/Equipment decreased to \$50,000
  - Technology decreased to \$140,000
  - Renovations of Existing Building added = \$50,000
  - Pre-Construction Expenses added =\$25,000
  - Topographic/Boundary Survey increased to \$7,000
  - Geotechnical Fees increased to \$8,000
  - Utilities Upgrades increased to \$75,000
- SFL&A prepared the November 2010 and March 2012 probable costs
- Peterson/Gordon, current architect, prepared the June 2013 probable costs
- The amount of \$1,977,290 was presented to the Board in March for the QSCB and QZAB Application (\$2 million for roofing was a separate application)
- Project Ordinance prepared by Finance Director and approved by the Board of Commissioners in November 2010 included the first estimate provided by the school system
- It was assumed by the Board of Education that since approval was given in March 2012 to apply for QSCB and QZAB funding in the amount of \$2 million for the Lawsonville School Renovation Project, it also approved \$2 million for the renovation project
- Feel this is where there is a misunderstanding regarding the amount approved for the project
- Feels the new architect has a better estimate on the actual costs of the project
- Per Architect Perry Peterson, current cost for construction is coming in between (\$125 to \$145 sf)
- Relocating the current mobile units to another location on the campus had not been calculated in the November 2010 and March 2012 projected costs
- Have already spent over \$22,000 in relocation costs
- Water/Sewer/Electric was originally estimated at only \$20,000; current estimate for Water/Sewer/Electric is \$75,000
- Current capacity is 254 students
- New capacity is estimated 297 students
- With the new capacity being estimated at 297 students, it would require a complete new septic system

- If the School replaces all the toilet fixtures, urinals, and faucets on the laboratories with low flow fixtures, this would keep the system within required guidelines which would eliminate a complete new septic system
- This is one of the main reasons for the increase in the Utilities Upgrades
- NCDENR is also requiring an extensive amount of piping that will have to be upgraded
- Water and Sewer is currently supplied to the Lawsonville Community Center
- There will have to be some renovations made to continue to supply water and sewer to the Community Center per NCDENR
- Current projected cost for the entire project is \$2 million
  - Total probable construction costs \$1,530,925
  - Total administrative costs \$88,500
  - Furniture/Fixtures/Equipment \$50,000
  - Technology \$140,000
  - Total Additional Allowances \$190,000
- Will be happy to answer any questions the Board may have

Chairman Lankford opened the floor for discussions.

Chairman Lankford questioned Director Burge when the bidding process would begin and where parking would be located since the mobile units were relocated to the current parking lot?

Director Burge responded:

- Pre-bid meeting is scheduled for this Thursday at Lawsonville Elementary School
- Bids are due on July 17<sup>th</sup>
- Hope to start construction around mid August 2013
- Construction fencing will be installed before school starts in the fall
- Tried to see if students could be placed in the existing facility to eliminate using the mobile units, was not possible
- One of the double wide units will be used for the fifth grade classroom, all other regular classrooms will be in the existing facility
- One single wide unit will be used for the EC Self Contained
- One single wide unit will be used for speech and other pull out programs
- Looking at putting a temporary gravel parking lot beyond the Pine trees on the adjoining property
- Working with Lawsonville Vol. Fire Department and the Fire Marshal (for training) to demo the existing structure on the adjoining property
- Having to do some minimal asbestos abatement
- Hope funding will be available to do a permanent lot similar to the additional parking lot done at North Stokes

County Manager Morris noted that originally this project and the community college project both were to be financed at the same time with one loan application to avoid duplicated fees.

County Manager Morris noted that no work had been started on the loan application and could not be approved by mid August.

County Manager Morris verified with Finance Director Julia Edwards that it was the intention of the County to finance both projects at the same time.

Commissioner Inman commented:

- Questioned if all the contingencies from the three previous school construction projects been used?

Finance Director Edwards responded:

- Contingencies from Nancy Reynolds Project were used for the relocation of the PODS to the Meadows area
- Do not believe there will be any remaining contingencies on the Poplar Springs and Southeastern projects; if any remain, can't be used for any other projects due to QSCB and QZAB funding stipulations

County Manager Morris responded:

- Forsyth Tech has hired an architect, but not sure where that project is currently at compared to the Lawsonville Project

Commissioner Inman continued:

- Questioned if these two projects could be coordinated?
- Do not think cost will get cheaper

Finance Director Edwards noted:

- Loan applications can be separate
- Board had decided to try to combine financing cost if possible
- Local Government Commission (LGC) application cost is currently \$1,200
- Other fees: Bond attorney, financial advisor, loan origination, advertisement, etc.

Commissioner Inman requested Manager Morris to provide the Board with those estimated fees at the next meeting.

Chairman Lankford commented:

- Don't want to hold up the Lawsonville Project
- Unsure of an exact date for the community college

Commissioner Inman commented:

- Hope, as Commissioner Walker earlier stated, 2015; Lawsonville Project could possibly be up by \$200,000+ by 2015
- Even with a separate cost for the application, could still be saving dollars on the Lawsonville Project starting it in 2013

The Board discussed the application process with Manager Morris and Finance Director Edwards.

Finance Director Edwards noted:

- LGC application must have permits, construction bid costs, approved plans from the state, etc.
- LGC application must be received by LGC 30 days prior to their meeting date
- LGC meets first Tuesday of each month
- Not sure where the school system currently stands with the application requirements
- Board must approve resolutions, schedule a public hearing, etc.
- Could possibly meet the September LGC Agenda

Director Burge responded:

- Have met with DPI several times and received their final blessing last week; should be receiving the paperwork from DPI within the next few weeks

Commissioner Inman continued:

- When the funding was approved in 2010, anticipated the community college project earlier than 2015; believe funding was to be available in 2013 for both projects
- Idea was to combine the application process to save funding
- Believe it could cost the taxpayers, if not careful, pushing the Lawsonville Project out further

Vice Chairman Booth commented:

- Believe sewer can be started for the community college project in January 2014
- When the sewer is started, believe the community college construction project can also be started
- Understand the Lawsonville Project is ready to go
- Believe if all goes well with grants, the community college project could start sometime in 2014

County Manager Morris responded:

- Projects are not that far apart, but just not close enough to do both projects at the same time
- Don't believe the community college is that far behind the Lawsonville Project

Vice Chairman Booth continued:

- Will be eager to see what the bids are
- Any savings will help with the budget situation the county is currently facing
- Looks like there will have to be two separate loan applications

Chairman Lankford noted that the Board will be helping to design the facility and the County has not been contacted regarding the design.

Commissioner Walker commented:

- One thing that has become apparent during this discussion is the lack of information that the Board has
- Not sure anyone knows exactly what the status is of the community college project
- As a Forsyth Tech Advisory Committee member, one of the most important topics discussed at the meetings is the community college construction project
- At these meetings, it has been consistently stated that the water and sewer project will no way slow down the construction of this project; and the water/sewer project and community college construction project could go concurrently
- Understand the architect is putting together plans
- Questioned if anyone knew the status of the architectural plans and what was the County currently doing regarding the Board being involved on the design of the facility?

County Manager Morris responded:

- Understand the architect has been hired, but reiterated what Chairman Lankford stated that the County had not been notified regarding the design
- Understand Forsyth Tech is currently going thru the process
- Agrees this item has been mentioned and discussed at the past advisory committee meetings

Commissioner Walker continued:

- Promised the citizens of Stokes County that five educational projects would be done
- Nancy Reynolds, Poplar Springs, and Southeastern have been completed with Lawsonville and the community college remaining
- Questioned Director Burge why Lawsonville had not been started before now?

Director Burge responded:

- Have just completed two projects – Poplar Springs and Southeastern
- Wanted to start Lawsonville project without disruption of school; plans are to have the project completed and ready for Fall 2014; relocating the classrooms could be done in the summer before school starts in the Fall
- Lot of other issues had to be resolved first: relocation of mobile units, site preparation, sewer issues, etc.

Commissioner Walker continued:

- Certainly don't see delaying the Lawsonville Project until the community college is ready
- Reiterated the completed date for the community college is projected for 2015
- In looking back, would have liked to see these two projects further along, but understand everything has to be taken a step at a time

Director Burge responded:

- In 2010, the funding was approved by the Board to start the Lawsonville Project in 2013 based on the financial model
- Ready to start the project in 2013



- Information in the minutes of March 12, 2012 noted that Manager Morris had confirmed with the financial advisor there would be no issues with going ahead with the \$2 million for the Lawsonville Elementary School Project which is already included in the 4 cent tax; the Board had no issues with moving forward with the Lawsonville project

Manager Morris noted that the community college was also noted for funding in 2013, but there are two separate entities handling each project.

Commissioner Walker continued:

- Hope as we complete the last two projects, they are both given equal priority
- Want both these projects completed
- Fortunate the County has been able to do so much for our schools thus far
- Don't see these as competing priorities, see them both as worthy of our full effort to get them completed
- Agree the financial model had both projects being started in 2013
- Hope everything is coming together for the community college construction project
- Do not want to see one project being held up because the other project is not as far along
- Confirmed with Director Burge that the project really should have been estimated at \$2 million in 2010
- Appreciate the update presented by Director Burge

Director Burge responded:

- Some of the mobile units were originally placed at Lawsonville in the mid 1970s
- Life of a mobile is estimated twenty years

Commissioner Jones commented:

- Not going to spend a lot time regarding scheduling; projects will be completed
- Not a commissioner when the funding was approved, if had my preference, all the existing schools would have been fixed before starting any new projects
- More debt means more funding for the upcoming budgets
- Appreciate the contribution given to all these projects by Director Burge
- Hope the bids can come in lower
- Continue to try to save any funding when possible

Director Burge continued:

- All previous projects have come in under budget
- Trying to be as prudent with county funding as possible

Chairman Lankford directed Director Burge to report bid information to the Manager as soon as possible.

County Manager Morris noted it might be the LCG October Agenda before the  
June 24, 2013

loan application can be reviewed/approved.

Chairman Lankford noted to place the item on the July 8<sup>th</sup> Discussion Agenda.

**Proposed Resolution – Lawsonville Elementary School Renovation and Community College Construction Projects**

County Manager Rick Morris presented the following proposed Resolution regarding the Lawsonville Elementary School Renovation and Community College Construction Projects for the Board review and approval at the July 8<sup>th</sup> meeting:

Extract of Minutes of a regular meeting of the Board of Commissioner of the County of Stokes, North Carolina held in the Commissioner's Chambers on the 2<sup>nd</sup> Floor of the Administration Building located at 1014 Main Street, Danbury, North Carolina, at 6:00 p.m. on June 24, 2013.

\* \* \*

The following members were present:

The following members were absent:

Also present:

\* \* \*

Commissioner \_\_\_\_\_ moved that the following resolution (the "*Resolution*"), a copy of which was available with the Board and which was read by title:

**RESOLUTION OF THE COUNTY OF STOKES, NORTH CAROLINA DECLARING THE INTENT OF THE COUNTY OF STOKES, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH COUNTY EDUCATIONAL FACILITY IMPROVEMENTS FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE EXECUTED AND DELIVERED IN CALENDAR YEAR 2014**

***WHEREAS***, the Board of Commissioners of the County of Stokes, North Carolina ("*County*") has determined that it is in the best interests of the County to finance the construction and renovation of

(1) a community college and related infrastructure and (2) Lawsonville Elementary School and related infrastructure (collectively, the "*Project*");

**WHEREAS**, the County presently intends, at one time or from time to time, to finance all or a portion of the costs of the Project with proceeds of tax-exempt obligations and reasonably expects to execute and deliver its tax-exempt obligations (the "*Obligations*") to finance, or to reimburse itself for, all or a portion of the costs of the Project; and

**WHEREAS**, the County desires to proceed with the Project and will incur and pay certain expenditures in connection with the Project prior to the date of execution and delivery of the Obligations (the "*Original Expenditures*"), such Original Expenditures to be paid for originally from a source other than the proceeds of the Obligations, and the County intends, and reasonably expects, to be reimbursed for such Original Expenditures from a portion of the proceeds of the Obligations to be executed and delivered at a date occurring after the dates of such Original Expenditures;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the County of Stokes, North Carolina as follows:

Section 1. ***Official Declaration of Intent.*** The County presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The County reasonably expects to execute and deliver the Obligations to finance all or a portion of the costs of the Project and the maximum principal amount of Obligations expected to be executed and delivered by County to pay for all or a portion of the costs of the Project is \$7,500,000.

Section 2. ***Compliance with Regulations.*** The County adopts this Resolution as a declaration of official intent under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the County's intent to reimburse itself for the Original Expenditures from proceeds of the Obligations.

Section 3. ***Itemization of Capital Expenditures.*** The Finance Officer of the County, with advice from special counsel, is hereby authorized, directed and designated to act on behalf of the County in determining and itemizing all of the Original Expenditures incurred and paid by the County in connection with the Project during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of execution and delivery of the Obligations.

Section 4. ***Effective Date.*** This Resolution is effective immediately on the date of its adoption.

On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution entitled "**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF STOKES, NORTH CAROLINA, DECLARING THE INTENT OF THE COUNTY OF STOKES, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH COUNTY EDUCATIONAL FACILITY IMPROVEMENTS FROM THE**

PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE EXECUTED AND DELIVERED IN CALENDAR YEAR 2014” was duly adopted by the following vote:

AYES:

NAYS:

**STATE OF NORTH CAROLINA**)  
 )  
**COUNTY OF STOKES**)      **SS:**

I, *Darlene 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 “**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF STOKES, NORTH CAROLINA, DECLARING THE INTENT OF THE COUNTY OF STOKES, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH COUNTY EDUCATIONAL FACILITY IMPROVEMENTS FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE EXECUTED AND DELIVERED IN CALENDAR YEAR 2014**” adopted by the Board of Commissioners of the County of Stokes, North Carolina, at a meeting held on the 24<sup>th</sup> day of June, 2013.

**WITNESS** my hand and the corporate seal of the County of Stokes, North Carolina, this the day of June, 2013.

Darlene Bullins  
Clerk to the Board  
County of Stokes, North Carolina

County Manager Morris noted the following:

- Proposed Resolution will allow the County to reimburse itself for capital expenditures incurred in connection with county educational facility improvements
- Proposed Resolution was prepared and approved by the county's bond attorney
- Proposed Resolution allows the expenses to be reimbursed back to the County once the debt is secured

Chairman Lankford opened the floor for discussion.

The Board was familiar with the procedure and had no issues with the proposed resolution.

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the item the July 8<sup>th</sup> Action Agenda.

**Proposed Resolution – North Carolina Rural Center Grant Application**

County Manager Rick Morris presented the following proposed Resolution for review and approval at tonight's meeting:

**Resolution  
County of Stokes, North Carolina  
To Adopt a Minority Business Enterprise Percentage Goal**

**Whereas;** the County of Stokes, is an incorporated county and local unit of government in the State of North Carolina, and

**Whereas;** The County of Stokes is desirous of encouraging the growth and success of minority owned and operated businesses, and

**Whereas;** the County of Stokes can enhance the success of minority businesses by ensuring that they fairly and equitably participate in building and construction projects owned, leased, or controlled by the County and financed with the use of local or State of North Carolina funds, and

**Whereas;** The North Carolina General Statutes 143-128-c require local governments to establish and adopt a verifiable ten percent (10%) goal for participation by minority businesses in the total value of work for a building/construction project,

**Now Therefore be it Resolved** that the County of Stokes hereby adopts a verifiable ten percent (10%) goal for participation by minority businesses in the total value of project work being performed when such projects are or will be owned, leased, or controlled by the County of Stokes

Adopted by the Stokes County Board of County Commissioners this 24<sup>th</sup> day of June, 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**

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**Ronda Jones- Commissioner**

Attest:

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

County Manager Morris noted:

- Stokes County Water and Sewer Authority approved to make an application to the NC Rural Center for funding for the Water/Sewer Project to the Meadows area
- NC Rural Center notified the County that the proposed resolution must be approved by the County in order to make the grant application complete

- Item is of a time sensitive nature, request the item be moved to tonight's Action Agenda in order to immediately expedite the approved Resolution to the Rural Center

Chairman Lankford opened the floor for discussion.

The Board had no issues with the request and unanimously agreed to place the item on tonight's Action Agenda.

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

### **Proposed County Attorney Contract**

County Manager Rick Morris presented the following proposed contract from Assistant County Attorney Tyrone Browder to serve as the County Attorney starting July 1, 2013:

### **NORTH CAROLINA**

### **STOKES COUNTY**

### **LEGAL SERVICES CONTRACT**

This Contract for Legal Services is made and entered effective as of the 1<sup>st</sup> day of July, 2013 by and between Stokes County, North Carolina, a body politic existing under the laws of the State of North Carolina (hereinafter referred to as "County"); and J. Tyrone Browder, P.A., operating under the name of the Law Offices of J. Tyrone Browder (hereinafter referred to as "Law Firm"), represented by J. Tyrone Browder, Attorney at Law (hereinafter referred to as "County Attorney");

### **WITNESSETH:**

For and in consideration of the mutual covenants, promises and conditions hereinafter set forth, the parties agree as follows:

1. **Legal Services:** In consideration of payment of the Retainer as set forth herein, Law Firm and County Attorney shall provide to County the following legal services:

- a. Attendance at meetings of the Board of Commissioners only upon request.
- b. Consultations with the Board of Commissioners, individual Commissioners, County Manager, Clerk to the Board of Commissioners, and Department heads upon their request.
- c. Drafting of ordinances and resolutions for Board of Commissioners.
- d. Preparation of legal documents (deeds, contracts, etc.)
- e. Title research and closing for sale or purchase of real property by the County.

- f. Such other legal services that may be requested by the Board of Commissioners, County Manager, Clerk to the Board, and Department Heads (subject to approval of the County Manager); except services that are specifically not covered by the Retainer as set forth herein.

The legal services provided by Law Firm shall include services provided by Associate Attorney, Nicholas Overby, who shall be available to serve as Assistant County Attorney, at the request of County, if the County Attorney is temporarily unavailable.

**2. Non-Retainer Legal Services:** The Retainer does not cover legal services rendered in connection with litigation and hearings in the trial and appellate courts of this state, and state and federal administrative agencies. All legal services rendered in connection with trial preparation, trial and hearings in such courts and agencies shall be billed at the rate of \$200.00 per hour on a monthly basis.

**3. Retainer:** As compensation for the legal services set forth in paragraph 1. above, County shall pay to Law Firm the annual sum of \$48,000.00 payable in monthly installments of \$4,000.00, in advance, on the first day of each month during the term of this contract.

**4. Reimbursement of Expenses:** County shall reimburse Law Firm for all out of pocket expenses incurred in connection with the legal services provided herein on a monthly basis. Out of pocket expenses shall include expenses paid by Law Firm for long distance fax and telephone calls, overnight mail service, out of county travel, registration fees for attendance at appropriate conferences such as the North Carolina Association of County Attorneys Conference, and such other expenses incurred by Law Firm in connection with legal services rendered for County.

**5. Office Space:** County shall provide to County Attorney office space and storage space for County files at the Administrative office building in Danbury, which space may be used by County Attorney as an additional office while in Danbury.

**6. Non-exclusivity:** The representation of County by Law Firm and County Attorney shall be non-exclusive. Law Firm and County Attorney shall be free to represent other clients as long as such representation does not pose an actual or potential conflict with the interests of the County, without the express written consent of the Board of Commissioners.

**7. Independent Contractor:** Law Firm and County Attorney are independent contractors of the County. County shall have no liability to provide any employee benefits to Law Firm or County Attorney.

**8. Term:** Law Firm and County Attorney serve at the pleasure of the Board of Commissioners.

In Witness Whereof the parties have executed this contract this \_\_\_\_ day of June, 2013.

**Stokes County:**

By: \_\_\_\_\_  
Ernest Lankford  
Chairman of the Board of Commissioners

**Attested:**

By: \_\_\_\_\_  
Darlene M. Bullins  
Clerk to the Board

**J. Tyrone Browder, P.A.**

By: \_\_\_\_\_  
J. Tyrone Browder, Attorney

Provision for the payment of this contract has been made by an appropriation duly authorized pursuant to the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Julia E. Edwards, Stokes County Finance Director

Manager Morris noted the following:

- Recommend the proposed contract as written unless the Board has issues
- Can be approved at the budget work session tomorrow
- Would request the Board formally accept the resignation of County Attorney Edward Powell effective June 30, 2013

Chairman Lankford opened the floor for discussion.

The Board had no issues with the proposed contract and unanimously agreed to formally accept the resignation submitted by County Attorney Edward Powell effective June 30, 2013.

Chairman Lankford, with full consensus of the Board, noted that the Board accepted the resignation submitted from County Attorney Powell effective June 30, 2013.

**NCDOT – Request for Addition – Laurel Bluff Drive**

County Manager Rick Morris presented the following request from NCDOT for addition of Laurel Bluff Drive to the NC Secondary Road System:

- Road is classified as subdivision
- Needs no state funds to improve the maintenance condition
- Request to be placed on the July 8<sup>th</sup> Action Agenda
- All property owners have signed the petition for the road addition

Chairman Lankford opened the floor for discussion.

There were no issues.

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the item the July 8<sup>th</sup> Action Agenda.



### **Stokes County Human Services Advisory Committee**

County Manager Rick Morris noted the following regarding the appointment of members to the newly created Stokes County Human Services Advisory Committee:

- Based on the recent action taken by the Board, need to get in place the Stokes County Human Services Advisory Committee as noted in the Resolution approved by the Board at the June 10<sup>th</sup> meeting
- Provided the Board with the members who were currently serving on the DSS and Health Boards when the Boards were abolished
- Request direction from the Board as how to proceed
- Resolution states an eleven member committee composition:
  - Licensed physician
  - Licensed dentist
  - Licensed veterinarian
  - Licensed optometrist
  - Registered nurse
  - Licensed pharmacist
  - Professional engineer
  - County commissioner
  - Three representatives of the general public
- Three members of the said Human Services Advisory Committee shall be filled by individuals who have an interest or background in Social Services related areas

Chairman Lankford opened the floor for discussion.

Chairman Lankford noted the normal procedure for appointments is advertising and the Board nominating members.

Vice Chairman Booth commented:

- Believe Board should follow current procedures of advertising and Board nominations
- Reiterated committee will have eleven members per the adopted resolution

Commissioner Walker commented:

- Reiterated three members of the said Human Services Advisory Committee shall be filled by individuals who have an interest or background in Social Services related areas
- Glad the Board is moving quickly on this item
- Feel there have been two good boards that have served the county and citizens well
- My preference would be to use as many of these tried and proven folks as possible

Commissioner Jones commented:

- Eight of the eleven members are already prescribed appointments

- Will have to look at all the appointments and decide who will be the best fit for the committee

Commissioner Inman commented:

- Committed that Social Services will be well represented on this committee and there will continue to be advocates for Social Services
- Reiterated that three members would be of the Social Services related areas
- Want sufficient representation for the Department of Social Services
- Can change the resolution to have more than three from the general public
- Prescription positions meet the Health Department requirements

Chairman Lankford directed staff to follow the County's normal procedure of advertising for the appointments.

Commissioner Walker noted that the Stokes News had mentioned the eleven member makeup in a recent news article.

Commissioner Inman questioned if there had been any comments from either the DSS or Health Director regarding the composition of the committee?

County Manager Morris responded:

- Had not discussed the composition of the committee with either director

Commissioner Jones commented:

- Noted there were a couple of the Board of Health appointments that expired in 2013

Chairman Lankford, with full consensus of the Board, directed the Clerk to place the item the July 8<sup>th</sup> Discussion Agenda.

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

### **Proposed Law Enforcement Agreement – Town of Walnut Cove**

County Manager Rick Morris provided the Board with the following updated proposed law enforcement agreement from the Town of Walnut Cove:

**STATE OF NORTH CAROLINA**

**AGREEMENT**

**COUNTY OF STOKES**

THIS AGREEMENT is entered into this the 1<sup>st</sup> day of August, 2013, by and among THE TOWN OF WALNUT COVE, hereinafter referred to as "THE TOWN" and THE COUNTY OF STOKES, hereinafter referred to as "THE COUNTY," on behalf of the STOKES COUNTY SHERIFF'S OFFICE, hereinafter referred to as "SCSO" as follows:

WITNESSETH:

WHEREAS THE TOWN has a desire and a need to provide law enforcement officers within its corporate boundaries in order to keep the peace, to enforce the criminal laws of the State of North Carolina, to enforce the ordinances established by THE COUNTY and THE TOWN and to maintain order in their TOWN; and

WHEREAS THE COUNTY is authorized to provide the services outlined herein pursuant to the provisions of N.C.G.S 160A-461, et.seq; and

WHEREAS THE COUNTY acting through the SCSO is willing and agreeable to hire, to employ, to train, to assign and to supervise law enforcement officers from the Sheriff's Office to be assigned to THE TOWN;

NOW THEREFORE, THE PARTIES HERETO AGREE as follows:

I. THE TOWN AGREES:

- A. For Fiscal Year 2013-2014, THE TOWN will pay the total amount of \$128,333.00 (eleven months of service based upon an annual payment of \$140,000) to THE COUNTY for providing law enforcement services in THE TOWN. This total amount will be paid by THE TOWN in four equal payments of \$32,083.25, with the payments due on September 30, 2013, December 30, 2013, March 30, 2014 and June 30, 2014.
- B. For each successive Fiscal Year, beginning on July 1, 2014, following the first year of this agreement, the annual payment due from THE TOWN of \$140,000 will increase by an amount equal to the latest available and published Consumer Price Index. The adjustment amount, if any, shall be determined by mutual agreement on or before April 1 of the preceding year. The annual payments will be paid by THE TOWN in four equal payments, with the payments due on September 30, December 30, March 30 and June 30 of each Fiscal Year.
- C. To provide office space within the town limits of Walnut Cove for use by the SCSO during the period of this agreement. The SCSO shall use this office space solely in connection with law enforcement services and activities being performed within the town limits of Walnut Cove.
- D. That on or before August 1, 2013, THE TOWN will turn over two Ford Crown Victoria patrol cars, currently owned by THE TOWN, to the SCSO. The Sheriff of Stokes County shall have the sole discretion in determining which two Ford Crown

Victoria patrol cars will be turned over to the SCSO. The SCSO shall immediately assume ownership and all responsibility for those patrol cars, including but not limited to the maintenance of all required insurance. THE COUNTY and the SCSO shall comply with any requests made by THE TOWN to facilitate the transfer of this property, including the transfer of the title for each vehicle.

- E. That on or before August 1, 2013, THE TOWN will turn over four handguns, four Tasers and four protective vests, which are currently owned by THE TOWN, to the SCSO. The SCSO will immediately assume ownership and all responsibility for this equipment. These handguns, Tasers and protective vests will be used by the SCSO in connection with law enforcement services and activities being performed for the Town of Walnut Cove. Other equipment may also be transferred if deemed appropriate, upon the agreement of the SCSO and THE TOWN.
- F. That on or before August 1, 2013, THE TOWN will remit payment to THE COUNTY for four portable and one mobile Motorola radios that were previously ordered by THE TOWN. The five radios will be handed over to the SCSO for use in connection with law enforcement services and activities being performed for the Town of Walnut Cove.
- G. THE TOWN agrees to transfer any balance on hand of Federal Fines & Forfeitures funding to the SCSO upon execution of this agreement.

## II. THE COUNTY AGREES:

- A. To provide dedicated law enforcement services within the town limits of Walnut Cove. Specifically, THE COUNTY agrees to have at least one officer assigned and providing law enforcement services to the Town of Walnut Cove at all times, twenty-four hours per day, seven days per week. THE COUNTY, acting through the SCSO, will have at least one officer present within the town limits at all times, twenty-four hours per day, seven days per week, except in the case of an emergency requiring the officer to leave THE TOWN'S limits, whether or not such emergency is related to THE TOWN. Furthermore, the parties to this agreement recognize and agree that there may be temporary instances where the Sheriff of Stokes County, in his discretion, determines that the officer assigned to THE TOWN needs to be outside of the town limits, for law enforcement services related to THE TOWN, for example where the officer is needed to transport an arrestee to the magistrate and/or jail. During any such instances, other officers of the SCSO will be available to provide law enforcement services to THE TOWN, although those officers may not be located within the town limits. The SCSO agrees to use best efforts to keep such instances to a minimum and, furthermore, to minimize the time of any such instance. If it is determined, by the SCSO, that the assigned officer will be outside of the town limits for an extended period of time, then the SCSO will assign another officer to be present within the town limits. Furthermore, THE COUNTY, acting through the SCSO, will provide adequate law enforcement services to ensure safety and security

for various special events in THE TOWN, including but not limited to THE TOWN'S annual Halloween Celebration, THE TOWN'S annual Christmas parade, THE TOWN'S annual July 3<sup>rd</sup> fireworks and concert event, and other events as requested by THE TOWN'S Mayor, Town Manager and/or Board of Commissioners..

- B. That the SCSO will provide all law enforcement services in THE TOWN, including but not limited to patrol work, investigative services and local ordinance enforcement. This agreement does not, in any manner, limit the services which would otherwise be provided within the town limits of THE TOWN by the SCSO, if there were not an agreement. This agreement, and the payments made pursuant to this agreement, are solely for the purpose of contracting for services in addition to those already required of the SCSO.
- C. The SCSO will take the necessary steps and actions to ensure that at least one officer is educated, trained, and qualified to investigate traffic accidents. The SCSO will make officers who are so trained available to investigate traffic accidents which occur within the limits of THE TOWN. The SCSO may, in its discretion, contact the North Carolina State Highway Patrol and request the assistance of the North Carolina State Highway Patrol in investigating and otherwise handling any traffic accident, as the SCSO deems necessary and appropriate.
- D. To provide the necessary Police Professional Liability Insurance to protect Stokes County and the Stokes County Sheriff's Office

### III. THE PARTIES AGREE:

That the law enforcement officers assigned to THE TOWN pursuant to this Agreement remain employees of the Stokes County Sheriff's Office at all times during the term of this Agreement. Under the general concept of community-based policing, these officers will be responsible for performing law enforcement duties within THE TOWN to include, but not be limited to: patrolling within THE TOWN; answering calls for service within THE TOWN; conducting general security checks within THE TOWN and otherwise interacting with residents and visitors within THE TOWN. The TOWN agrees to obtain prior written approval from the Sheriff or his designee before assigning an officer provided under this Agreement to perform other or additional duties.

Notwithstanding the above, the parties understand and agree that the Stokes County Sheriff's primary responsibility at all times is law enforcement and safety within all of Stokes County and that circumstances may arise wherein the Sheriff determines it is necessary to reassign one or more officers from THE TOWN for a given period of time in order to meet that primary responsibility. In the event that any officer is reassigned from THE TOWN for a given period of time, the SCSO will assign another officer to THE TOWN for that given period of time, in order to fulfill the obligations set forth above in paragraph II(A).

#### IV. METHOD OF PAYMENT

- A. The annual payments will be paid by THE TOWN in four equal payments, with the payments due on September 30, December 30, March 30 and June 30 of each fiscal year. Payment may be made by either hand delivering or mailing the payment to THE COUNTY.
- B. THE TOWN shall be considered in default on the payments if any payment is more than thirty (30) days past due and THE COUNTY has made a written request to THE TOWN for payment. In the event that THE TOWN is in default on any payment, the SCSO will immediately be relieved of the obligations of this agreement set forth above in paragraph II(A). However, all other law enforcement services required of the SCSO to THE TOWN and/or within the town limits of THE TOWN shall continue, as set forth above in paragraph II(B).

#### V. TERM OF AGREEMENT

- A. This agreement shall be effective for three years, specifically Fiscal Years 2013-2014, 2014-2015 and 2015-2016. For fiscal year 2013-2014, the agreement shall be effective August 1, 2013 (eleven months) to allow for a one-month transition period beginning July 1, 2013.
- B. The Agreement may be extended for additional and successive terms upon agreement of the parties and the execution of the appropriate amendment to the agreement.

#### VI. AMENDMENT TO THE AGREEMENT

The Agreement may be amended or modified only by agreement of both parties in writing.

#### VII. TERMINATION OF THE AGREEMENT

The Agreement may be terminated by any party upon giving Notice of Termination in writing to the other parties to the Agreement. Notice shall be in writing and provided as follows: to the Town Manager of Walnut Cove at P.O. Box 130, Walnut Cove, North Carolina 27052; to the County Manager, c/o The County Of Stokes, P.O. Box 20, Danbury, North Carolina 27016. The Notice must be given by the party desiring to terminate this agreement six months prior to the termination date. In the event of termination of this agreement by either party, any payments due from THE TOWN to THE COUNTY shall be prorated and due immediately upon the effective termination date. Furthermore, in the event of termination of this agreement by either party, any remaining property transferred from THE TOWN to THE COUNTY and/or the SCSO during the term of the agreement will be immediately returned to THE TOWN. If necessary, the parties to this agreement agree to then take all necessary steps to transfer title to any of the remaining original equipment to THE TOWN

IN WITNESS WHEREOF the hereto parties have executed this Agreement the date and year first written above.

COUNTY OF STOKES

By: \_\_\_\_\_ Date: \_\_\_\_\_  
County Manager

STOKES COUNTY SHERIFF'S DEPARTMENT

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Sheriff

TOWN OF WALNUT COVE

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Town Manager

County Manager Morris noted:

- Previously discussed at the June 10<sup>th</sup> meeting
- Town of Walnut Cove Commissioners approved the recent amendments to the proposed agreement including the stipulation that the Town would pay for five new Motorola radios at a Special Called Meeting on June 24<sup>th</sup>
- Official start date has been moved to August 1, 2013 with annual payment for the Fiscal Year 2013-14 being \$128,333; all other fiscal years will commence on July 1<sup>st</sup> of each year with an annual payment of \$140,000
- The startup date will allow a smooth transition between the Walnut Cove Police Department and the Stokes County Sheriff's Office
- Proposed agreement has been approved by Assistant County Attorney Ty Browder
- Additional radios will be retained by the County for future use or possibly sale; will guarantee no money will be lost if the radios are sold

Commissioner Walker moved to approve the proposed agreement submitted by the Town of Walnut Cove for additional law enforcement for the Town of Walnut Cove. Commissioner Inman seconded the motion for discussion.

Chairman Lankford opened the floor for discussion.

Commissioner Inman commented:

- Confirmed with Manager Morris that the Town of Walnut Cove Board of Commissioners voted in a Special Called Meeting (June 24<sup>th</sup>) to deliver to the County Manager a law enforcement contract for review and/or action by the Stokes County Board of County Commissioners and the Town Board approved the recent

amendments to the contract including the stipulation that the Town pay for five new Motorola radios

- Confirmed with Manager Morris that his understanding is that it is the intent of the Walnut Cove Town Council to disband their police department effective August 1, 2013
- Confirmed those two issues with Manager Morris to make sure the general public understands that the Stokes County Sheriff's Department nor the Stokes County Board of Commissioners have been out soliciting police business from the Town of Walnut Cove
- It has been my understanding from Manager Morris and Walnut Cove Town Commissioner Kim Lewis that it is the intent of the Town Council to disband the police department
- Would like for the record to show that if the Board approves the proposed agreement, the Board is doing this action with the understanding that the intent of the Town Council was to disband their police department
- As a result of that action, if the County/Sheriff's Department had not approved the proposed contract, the citizens in the Town of Walnut Cove would have had the same protection as any other member of the county would have had
- By approving the proposed contract, the Town of Walnut Cove is purchasing enhanced police protection for the Town

Vice Chairman Booth commented:

- Want the record to reflect that in previous meetings, Chief Deputy Craig Carico and Sheriff Mike Marshall stated the \$140,000 would cover law enforcement in Walnut Cove and was comfortable with the agreement
- Also understand it was the intent of the Town to disband the police department
- Reiterated the Sheriff stated in a previous meeting that he was comfortable with the proposed agreement
- Chief Deputy Carico stated he had no concerns with the proposed agreement
- The County Manager and Sheriff participated in the negotiations of the proposed agreement

Commissioner Inman commented:

- Also during a recent conversation with the Town Manager learned that the Town received approximately \$380,000 in Ad valorem taxes annually and the cost for continuing to operate the police department in the same manner was about the same amount
- Understand this is strictly a financial sort of arrangement
- Also with the current arrangement, the Town could elect to reinstate their police department

Vice Chairman Booth commented:

- The proposed agreement would allow the Town to reinstate their police department as noted by Commissioner Inman



County Manager Morris commented:

- Feel it is safe to say it is not the intention of the Sheriff to duplicate the exact services the way the police department currently operates
- Sheriff has stated that he is agreeing to provide \$140,000 level of effort to the Town of Walnut Cove and he will provide the level or amount of service that can be provided for \$140,000
- Understand the Town is happy with the proposed agreement

Vice Chairman Booth commented:

- Agree with Manager Morris regarding the intentions of the Sheriff to provide the Town of Walnut Cove with \$140,000 level of service

The motion carried unanimously.

**NCDOT – Request for Abandonment – A portion of SR#1427 – Jefferson Road from the Secondary Road System and Right of Way**

County Manager Rick Morris submitted the following proposed Resolution for the Abandonment of the Right of Way for a Portion of SR#1427 – Jefferson Road:

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
STOKES COUNTY PROPOSING THE CLOSING OF A  
PORTION OF SR#1427 - JEFFERSON ROAD**

**WHEREAS**, it is the intent of the Stokes County Board of Commissioner to close a portion of **SR#1427 – Jefferson Road**; and

**WHEREAS**, pursuant to N.C.G.S. 153A-241, the Stokes County Board of Commissioners will hold a Public Hearing regarding the closing of a portion of **SR#1427 – Jefferson Road** on Monday, July 22, 2013 at its regular scheduled meeting; and

**WHEREAS**, pursuant to N.C.G.S. 153A-241, the notice of the Public Hearing will be advertised in the Stokes News for three successive weeks – June 27<sup>th</sup>, July 3<sup>rd</sup>, and July 11<sup>th</sup>; and

**WHEREAS**, pursuant to N.C.G.S. 153A-241, the notice of closing and public hearing will be prominently posted in at least two places along the road; and

**WHEREAS**, pursuant to N.C.G.S. 153A-241, a copy of the Resolution will be sent by certified mail to each owner (if applicable) as shown on the county tax records of property adjoining the public road; and

**WHEREAS**, the property owners petitioned to abandon approximately 792' along their property only from the Secondary Road System prior to this Resolution on June 10, 2013; and

**WHEREAS**, a portion of the **SR#1427 – Jefferson Road** has already been petitioned by the North Carolina Department of Transportation and approved by the Stokes County Board of Commissioners on June 24, 2013 to be removed from the Secondary Road System; and

**WHEREAS**, the closing **SR#1427 – Jefferson Road** does not affect any other property owners.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of the County of Stokes that since the State will not maintain the abandoned portion of **SR #1427 - Jefferson Road** and the closing of the said portion of the road does not affect any other property owners, the portion of **SR #1427-Jefferson Road** will be considered by the Board of Commissioners to be closed pursuant to N.C.G.S. 153A-241.

Adopted this, the 24<sup>th</sup> day of **June 2013**.

**WITNESS**, my hand and official seal this the 24<sup>th</sup> day of **June 2013**.

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

\_\_\_\_\_  
**James D. Booth -Vice Chairman**

\_\_\_\_\_  
**J. Leon Inman - Commissioner**

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

Attest:

\_\_\_\_\_  
**Ronda Jones – Commissioner**

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

County Manager Rick Morris noted:

- Board needs to first approve to abandon a portion of SR#1427 – Jefferson Road from the NC Secondary Road System
- Board then needs to approve the Resolution which schedules a Public Hearing for July 22<sup>nd</sup> and posting the road as required by general statutes

Chairman Lankford entertained a motion.

Commissioner Jones moved to abandon a portion of SR#1427 – Jefferson Road from the NC Secondary Road System. Vice Chairman Booth seconded the motion.

Vice Chairman Booth confirmed with Manager Morris that there were further concerns with the easement discussed at the June 10<sup>th</sup> meeting and this was at the dead end the road.

The motion carried unanimously.

Chairman Lankford entertained a motion.

Vice Chairman Booth moved to approve the proposed Resolution for the abandonment of a portion of SR#1427-Jefferson Road. Commissioner Jones seconded and the motion carried unanimously.

Chairman Lankford, with full consensus of the Board, directed staff to proceed with the General Statutes requirements.

### **Proposed Bids – Transportation Services**

County Manager Rick Morris noted that YVEDDI Transportation Director Jeff Cockerham was in attendance as requested to answer questions regarding the proposed surcharge.

Manager Morris noted the information regarding the transportation providers cost comparison for Fiscal Year 2012-13 was provided in the Board's Agenda, as requested.

Chairman Lankford requested Director Cockerham to provide the Board with information regarding the new system being installed at YVEDDI in Stokes County.

Director Jeff Cockerham noted the following:

- YVEDDI is always happy to assess and discuss any issues involving the transportation services provided to Stokes County
- YVEDDI is currently implementing new advance software in the counties served by YVEDDI
- Software has been installed in Yadkin and Davie Counties
- Will start the implementation process in Stokes County within the next week or two
- Not 100% sure how this new, advanced scheduling software is going to relate to cost per mile, passenger per mile, passengers per hour which go into the overall total cost of the operation
- Actually hoping the software will provide efficiencies in cost per mile and cost per passenger
- After full implementation is completed, will need approximately 90 days of comparative study to make sure rates are where they need to be
- Would not want to change the rate in the middle of an evaluation process
- Will be happy to discuss the issue after the 90 days of comparative study
- Will be meeting with DSS Director Preston on Thursday to discuss ways to enhance the transportation program in Stokes County

Chairman Lankford confirmed with Director Cockerham that YVEDDI is not at full capacity.

Chairman Lankford noted that the provided information reflects JD Cruises is being called for the specialty calls and wanted to make sure there is a fair playing field; that is one reason the surcharge was questioned.

Chairman Lankford entertained a motion.

Commissioner Inman moved to approve the proposed rates submitted by transportation providers YVEDDI and JD Cruises Transportation Service for Fiscal Year 2013-14 with the condition that YVEDDI be reviewed 90 days after the installment of the new transportation software. Commissioner Jones seconded and the motion carried unanimously.

County Manager Morris confirmed with Director Cockerham that notification would be immediately given to the County once the software implementation is completed and the 90 days comparative study starts from that date.

#### **Appointments – Stokes County Planning Board**

Chairman Lankford noted the following were nominated at the June 10<sup>th</sup> meeting for appointment to the Stokes County Planning Board:

- Lewis Wood – Danbury Township
- Patrick Flinchum – Meadows Township
- Ronnie Tilley – Big Creek Township
- Tommy White – Peters Creek Township

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 polled the Board:

Commissioner Jones: Wood, Flinchum, Tilley and White  
Commissioner Inman: Wood, Flinchum, Tilley and White  
Chairman Lankford: Wood, Flinchum, Tilley and White  
Vice Chairman Booth: Wood, Flinchum, Tilley and White  
Commissioner Walker: Wood, Flinchum, Tilley and White

Chairman Lankford noted the following were appointed to the Stokes County Planning

Board:

- Lewis Wood – Danbury Township
- Patrick Flinchum – Meadows Township
- Ronnie Tilley – Big Creek Township
- Tommy White – Peters Creek Township

**Appointment – Town of Walnut Cove Planning Board - ETJ**

Chairman Lankford noted the following were nominated at the June 10<sup>th</sup> meeting for appointment to the Town of Walnut Cove Planning Board - ETJ:

- Arzell Montgomery – regular appointment
- Kevin Webb – alternate appointment

Chairman Lankford entertained a motion to close the nominations.

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

Chairman Lankford polled the Board:

Commissioner Jones: Montgomery and Webb  
Commissioner Inman: Montgomery and Webb  
Chairman Lankford: Montgomery and Webb  
Vice Chairman Booth: Montgomery and Webb  
Commissioner Walker: Montgomery and Webb

Chairman Lankford noted the following were appointed to the Walnut Cove Planning

Board - ETJ:

- Arzell Montgomery – regular appointment
- Kevin Webb – alternate appointment

**Proposed Resolution – North Carolina Rural Center Grant Application**

Chairman Lankford entertained a motion regarding the proposed Resolution for the North Carolina Rural Center Grant Application presented at tonight's meeting.

Commissioner Inman moved to approve the proposed resolution "To Adopt a Minority Business Enterprise Percentage Goal" as requested by the NC Rural Center. Commissioner Jones

seconded and the motion carried unanimously.

**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.

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

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**Ernest Lankford**  
**Chairman**