

STATE OF NORTH CAROLINA)
)
COUNTY OF STOKES)
)

OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
MAY 12, 2014

The Board of Commissioners of the County of Stokes, State of North Carolina, met for regular session in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administration Building) located in Danbury, North Carolina on Monday, May 12, 2014 at 1:30 pm with the following members present:

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

County Personnel in Attendance:
County Manager Richard D. Morris
Clerk to the Board Darlene Bullins
Finance Director Julia Edwards
Tax Administrator Jake Oakley
DSS Director Stacey Elmes
County Attorney Tyrone Browder

Chairman James Booth called the meeting to order and welcomed those in attendance.

Commissioner Lankford delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

Chairman Booth opened the meeting by inviting everyone in attendance to join the Board in the Pledge of Allegiance.

GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA

Chairman Booth entertained a motion to approve or amend the May 12, 2014 Agenda.

County Manager Rick Morris requested to add the following item to today's

Discussion Agenda:

- Support Letter and Response to the Public Notice issued by the Corps of Engineers associated with the proposed construction of a new Walmart Supercenter to be located east of U.S. Highway #52 at the intersection of Ingram Drive and Five Forks Street, in King
- Would like to also request the item be moved to today's Action Agenda

The Board had no issues with adding the item to today's Discussion Agenda

Vice Chairman Jones moved to approve the May 12th Agenda as amended.

Commissioner Lankford seconded and the motion carried unanimously.

COMMENTS - Manager/Commissioners

Chairman Booth opened the floor for comments from the County Manager and the Board of Commissioners.

County Manager Rick Morris presented the following comments:

- Fire Marshal
 - Would like to officially announce the selection of Brian Booe as the new Fire Marshal for Stokes County
 - Would like to extend congratulations to Brian
 - Brian starts his new position today
- Proposed Fiscal Year 2014-15 Budget
 - Continuing to work on the proposed budget for Fiscal Year 2014-15
 - Will be presenting my recommended budget to the Board at their next regularly scheduled meeting, Tuesday, May 27, 2014
- EMS - 2014 Mission: Lifeline EMS Bronze Level Recognition Award
 - EMS has received the 2014 Mission: Lifeline EMS Bronze Level Recognition Award
 - Would like for everyone to under the meaning of STEMI which is mentioned in the press release:
 - STEMI – ST Elevation Myocardial Infraction – serious type of heart attack
 - Mission Lifeline released the following information regarding the Bronze Award:
 - We are excited to inform you that Stokes County EMS has achieved the 2014 Mission: Lifeline EMS Bronze Level Recognition Award. This award is based upon the achievements as identified through your agency's online application submission of data representative of care delivered in 2013
 - Collaboration among pre-hospital and hospital providers is the essence of Mission: Lifeline. The American Heart Association recognizes the vital importance Emergency Medical System providers

provide to the overall success of Mission: Lifeline STEMI Systems of Care. The correct tools and training allow EMS providers to rapidly identify the STEMI, promptly notify the destination Center and trigger an early response from the awaiting hospital personnel.

- As an EMS agency that delivers education in STEMI identification, provides access to 12 lead ECG machines and develops protocols derived from ACC/AHA STEMI Guidelines, your medics are driving improvements in the care and outcomes of STEMI patients.
- Congratulations to the EMS Department
- CDBGrant
 - Provided the Board with the required Monthly Performance Status Report for Stokes County for the month of April 2014
 - As you will recall, the County requested an extension of the CDBGrant which was closed in December 2013, in order to correct a water issue on behalf of one (1) unit that received full rehabilitation assistance during the grant cycle. County expects to submit all closeout documents by the new deadline of May 30, 2014. The County will hold the required Closeout Public Hearing on Tuesday, May 27, 2014.
 - The homeowner now has a new well and is very pleased with the quality of water he is receiving
- Search – Belews Creek
 - One body was recovered from Belews Creek last week with the search continuing for the other missing person

Commissioner Lankford commented:

- Ethics for Life
 - "The intelligent man is always open to new ideas. In fact, he looks for them."
- Attended the Piedmont Triad Regional Council (PTRC) Meeting last Wednesday:
 - Blair Barton-Percival, PTRC Director (Area Agency on Aging) presented the following statistics regarding the aging population
 - North Carolina is considered an aging state
 - 22% of the state's population is 60 and over
 - By 2018, that percentage will increase by 5%
 - Two (2) out of three (3) in the 60 and over age group are waiting for in-home aide, home delivered meals, etc.
- Thirty (30) to thirty-five (35) percent of the County's population is in that 60 and over age group
- There are tremendous needs across the state and in our county needed by our senior citizens
- Need to do everything we can to help our senior citizens

Commissioner Inman commented:

- Would like to congratulate three (3) of my fellow commissioners who won the primary last week
- Attended the NCACC Economic Development Symposium last week in Raleigh with Economic Development Director Alan Wood on April 29th and 30th

- Would like for Alan and myself to report back to the Board at a later date regarding the symposium – very interesting information
- Will be in Raleigh on May 22nd for the Public Education Steering Committee meeting
- Legislative “short session” starts on Wednesday, May 14th
- Understand that “Medicaid” is back on the table along with teachers’ salaries and the coal ash spill
- County Assembly Day in Raleigh is Wednesday, May 28th
- Has been reported that the state is expecting a \$450 million shortfall this year
- Governor McCrory has stated that the state has plenty of money in reserves to take care of the shortfall
- Very busy time across state
- Representative Bryan Holloway is having a fundraiser tonight

Commissioner Walker commented:

- Would also like to congratulate my fellow commissioners for winning the primary
- Sad to hear it was a very low turnout
- According to my calculations, only 1 out of 7 eligible voters actually voted
- Wish individuals would place a higher priority on voting
- Primary elections are very important; they determine who runs in the general election and ultimately who wins the seat
- Understand the meeting regarding Camp Sertoma was held recently and hoping for some good news when the information is available
- Johannah Sterns and Dale Swanson were on the late news stating that the coal ash spill has not impacted the Dan River flowing through Stokes County
- Understand it is impacting local businesses
- My understanding is that the Dan River in Stokes County was not impacted in any way
- Everyone needs to get the word out that the coal ash spill has not impacted the Dan River in Stokes County
- Glad to hear that one of bodies of the missing individuals at Belews Lake has been recovered
- Confirmed with Manager Morris that the body was found by rescue personnel

Vice Chairman Jones commented:

- Want everyone to know that the three current Board members who ran in the primary have gotten up all their political signs
- Stokes Future opened the Farmer’s Market last week
- Stokes Future will be teaming up with the Health Department on June 20th for a Child Safety Festival; more information to come later

Chairman Booth commented:

- Would also like to congratulate my fellow commissioners on their primary win last week

PUBLIC COMMENTS

Chairman Booth opened the floor for Public Comments.

Chairman Booth reminded those in attendance that the Board does not reply to Public Comments.

Chairman Booth also reminded those speaking that there was a three (3) minute time limit.

There were no public comments.

Chairman Booth closed the Public Comments period.

CONSENT AGENDA

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

Minutes

- Minutes of April 28, 2014 – Regular Meeting

Regional Sewer Fund - Budget Amendment #73

Finance Director Julia Edwards submitted Budget Amendment #73.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
Regional Sewer Fund				
501.7140.510	Equipment	<u>\$00.00</u>	<u>\$7,645.00</u>	<u>\$7,645.00</u>
	Total	\$00.00	\$7,645.00	\$7,645.00

This budget amendment is justified as follows:

To appropriate Fund Balance to purchase a spare sewer pump; the current spare pump is unrepairable.

This will result in a **net increase** of **7,645.00** 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
501.3991.000	Fund Balance	<u>\$00.00</u>	<u>\$7,645.00</u>	<u>\$7,645.00</u>
	Totals	\$00.00	\$7,645.00	\$7645.00

Sheriff's Department - Budget Amendment #74

Finance Director Julia Edwards submitted Budget Amendment #74.

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			
100.4310.351	Maint. & Repairs - Auto	<u>\$89,131.00</u>	<u>\$1,404.00</u>	<u>\$90,535.00</u>
	Totals	\$89,131.00	\$1,404.00	\$90,535.00

This budget amendment is justified as follows:

To appropriate insurance claim funds for the repair of a vehicle.

This will result in a **net increase** of **\$1,404.00** 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	Current Budgeted Amount	As Amended
100.3839.850	Insurance Claims	<u>\$8,319.00</u>	<u>\$1,404.00</u>	<u>\$9,723.00</u>
	Totals	\$8,319.00	\$1,404.00	\$9,723.00

Emergency Management and Capital Reserve Fund - Budget Amendment #75

Finance Director Julia Edwards submitted Budget Amendment #75.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	General Fund - Transfers			
100.9820.960	Transfer to Capital Reserve	<u>\$138,591.00</u>	<u>\$14,000.00</u>	<u>\$152,591.00</u>
	Total	\$138,591.00	\$14,000.00	\$152,591.00

Capital Reserve Fund				
201.4330.001	Emergency Management	<u>\$00.00</u>	<u>\$14,000.00</u>	<u>\$14,000.00</u>
		\$00.00	\$14,000.00	\$14,000.00

This budget amendment is justified as follows:

To transfer funds from General Fund to Capital Reserve Fund for Emergency Management Performance Grant for future projects.

This will result in a **net increase** of **\$14,000.00** 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
General Fund				
100.3301.262	Emergency Management	<u>\$30,000.00</u>	<u>\$14,000.00</u>	<u>\$44,000.00</u>
	Total	\$30,000.00	\$14,000.00	\$44,000.00
Capital Reserve Fund				
201.3981.000	Transfer from General Fund	<u>\$138,591.00</u>	<u>\$14,000.00</u>	<u>\$152,591.00</u>
	Total	\$138,591.00	\$14,000.00	\$152,591.00

District Resource Center - Budget Amendment #76

Finance Director Julia Edwards submitted Budget Amendment #76.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
District Resource Center				
100.4321.511	Equipment – Non Capitalized	<u>\$00.00</u>	<u>\$1,800.00</u>	<u>\$1,800.00</u>
	Totals	\$00.00	\$1,800.00	\$1,800.00

This budget amendment is justified as follows:

To appropriate funds from Drug Testing to purchase a replacement computer.

This will result in a **net increase** of **\$1,800.00** in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Current Budgeted Amount	As Amended
100.3839.000	Miscellaneous Revenue	<u>\$25,000.00</u>	<u>\$1,800.00</u>	<u>\$26,800.00</u>
	Totals	\$25,000.00	\$1,800.00	\$26,800.00

Health Department - Budget Amendment #77

Finance Director Julia Edwards submitted Budget Amendment #77.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	Health Department			
100.5192.260	Departmental Supplies	<u>\$5,200.00</u>	<u>\$5,791.00</u>	<u>\$10,991.00</u>
	Totals	\$5,200.00	\$5,791.00	\$10,991.00

This budget amendment is justified as follows:

To appropriate additional funding of \$3,252.00 from the Food and Lodging Program for completing required inspections. Funds will be used to purchase needed supplies for the Food and Lodging Program such as water test kits, etc.

This will result in a **net increase** of **\$5,791.00** 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	Current Budgeted Amount	As Amended
100.3301.234	Food and Lodging	<u>\$00.00</u>	<u>\$5,791.00</u>	<u>\$5,791.00</u>
	Totals	\$00.00	\$5,791.00	\$5,791.00

Proposed Centennial Proclamation – Stokes County Cooperative Extension

County Manager Rick Morris, on behalf of Director Debbie Cox, presented the following proposed Proclamation Centennial Proclamation – Stokes County Cooperative Extension for the Board's consideration and approval:

**North Carolina Cooperative Extension
STOKES COUNTY
Centennial Proclamation**

May 19 & 20, 2014

Proclamation By:
Stokes County Board of County Commissioners

WHEREAS, May 8, 2014 marks the Centennial of the signing of the Smith-Lever Act which established Cooperative Extension, the nationwide transformational education system operating through land grant universities in partnership with federal, state, and local governments; and

WHEREAS, U. S. Senator Hoke Smith of Georgia and U.S. Representative A.F. Lever of South Carolina authored the Smith-Lever Act to expand the “vocational, agricultural and home demonstration programs in rural America” by bringing the research-based knowledge of the land-grant universities to the people where they live and work; and

WHEREAS, the North Carolina Cooperative Extension in Stokes County is a critical component of the three part land-grant university mission and works collaboratively with research and academic programs associated with the North Carolina State University and North Carolina A&T State University to reach traditional and underserved audiences in all communities across North Carolina; and

WHEREAS, the Cooperative Extension System continues to receive federal programmatic leadership and support enabled by the Smith Lever Act and other legislation through the U.S. Department of Agriculture’s National Institute of Food and Agriculture; and

WHEREAS, the Smith-lever Act requires a partnership between county, state and federal governments and encourages priorities be established locally to meet the needs of each county; and

WHEREAS, North Carolina Cooperative Extension education disseminated through Stokes County for agriculture producers has helped establish North Carolina as a leading agriculture producing state; 4-H youth development has reached millions of youth and helped prepare them for responsible adulthood by equipping them with citizenship and leadership skills; family and consumer sciences has prepared people for healthy, productive lives and breaking the cycle of poverty; and

WHEREAS, North Carolina Cooperative Extension in Stokes County engages with rural and urban learners through practical, community-based and online approaches, resulting in acquisition of knowledge, skills, and motivation to strengthen the profitability of animal and plant production systems, protect natural resources, help people make healthful lifestyle choices, ensure a safe and abundant food supply, encourage community vitality, and prepare the next generation of leaders.

THEREFORE, be it resolved, that the **Stokes County Board of Commissioners**:

- Recognizes the significance of the Smith-Lever Act to the establishment of Cooperative Extension nationwide.

- Encourages the people of Stokes County to observe and celebrate the centennial with a focus on congratulating the accomplishments of the past 100 years and ensuring a thriving future for Cooperative Extension.
- Honors the local Extension Agents and university faculty who dedicate careers to providing trusted education to help people, families, youth, businesses, and communities solve problems, develop skills, and build a better future.
- Thanks Cooperative Extension volunteers who provide thousands of hours to promote excellence for 4-H, Master Gardeners, family and consumer sciences, and other programs in their communities.
- Encourages continued collaboration and cooperation among federal, state, and local governments to ensure Cooperative Extension's sustainability as the nation's premiere non-formal educational network.
- Celebrates millions of youth, adults, families, farmers, community leaders, and others who engage in Cooperative Extension learning opportunities designed to extend knowledge and change lives.

In North Carolina, Stokes County and commend this observance to all.

Adopted by the **Stokes County Board of Commissioners** this 12th day May, 2014.

Chairman James D. Booth

Vice Chairman Ronda Jones

Commissioner J. Leon Inman

Commissioner Jimmy Walker

Commissioner Ernest Lankford

Attest:

Darlene M. Bullins
Clerk to the Board

Proposed Proclamation -- Older Americans Month 2014

County Manager Rick Morris, on behalf of DSS Director Stacey Elmes, presented the following proposed Proclamation – Older Americans Month 2014 for the Board's consideration and approval:

May 12, 2014

Older Americans Month 2014 A Proclamation

Whereas, Stokes County includes 10,404 citizens ages 60 and older; and

Whereas, Stokes County is committed to helping all individuals live longer, healthier lives; and

Whereas, the older adults in Stokes County have made countless contributions and sacrifices to ensure a better life for future generations; and

Whereas, we recognize the value of injury prevention and safety awareness in helping older adults remain healthy and active; and

Whereas, our community can provide opportunities to enrich the lives of individuals young and old by:

- Emphasizing the need to take action to safeguard themselves from unintentional injuries where they live, work and socialize
- Providing information on avoiding leading causes of injury for older adults – falls, motor vehicle-related incidents, suffocation, medication overdose, and fire/burns
- Helping older adults take control of their safety and wellbeing

Now therefore, we the Commissioners of Stokes County do hereby proclaim **May 2014** to be **Older Americans Month**. We urge every resident to take time this month to recognize older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.

Adopted this 12th day of **May, 2014**.

Chairman James D. Booth

Vice-Chairman Ronda Jones

Commissioner J. Leon Inman

Commissioner Jimmy Walker

Commissioner Ernest Lankford

Clerk to the Board Darlene M. Bullins

Commissioner Inman moved to approve the Consent Agenda as presented.

Commissioner Lankford seconded and the motion carried unanimously.

GENERAL GOVERNMENT – GOVERNING BODY – INFORMATION AGENDA

County Manager Rick Morris noted that the North Carolina Association of County Commissioners requested the latest power point presentation be presented to the Board of

Commissioners before May 14th which is the first day of the Legislative Session.

The following information was presented by NCACC staff:

President Ray Jeffers commented:

- Invited commissioners to attend the upcoming County Assembly Day in Raleigh on Wednesday, May 28th
- County Assembly Day is the commissioners' chance to lobby state legislators on issues important to counties
- Registration fee has been waived by NCACC
- Exciting Agenda planned for County Assembly Day
- Senate President Pro Tem Phil Berger and House Speaker Thom Tillis have been invited to speak
- Please help the Association to achieve the counties' goals by attending County Assembly Day

Director of Government Relations Johanna Reese commented:

- Many goals established by NCACC for the current two- year legislative cycle were accomplished last year
- The second year of the legislative session offers a shorter timeframe for NCACC to work on the remainder of the counties' agenda
- Top goal for the NCACC to concentrate on was "Reinstate lottery funds for school construction"
- Counties use part of the lottery funds to build new schools to ease overcrowding and to repair older schools to better serve students and teachers
- Since the lottery conception, \$932 million has been appropriated towards these purposes
- Unfortunately, economic conditions and growing education needs have caused a diversion of funds intended for school capital needs to other education uses
- For the past several years, counties have received a little over half of that amount that the original law determined for school construction
- In the meantime, the back log of construction and renovation needs have grown
- Counties have also had to shift dollars from elsewhere in their budgets to make debt payments that they had planned to be covered by lottery proceeds
- With your help, your advocates will work to reinstate the original language in state law; requiring 40% of lottery proceeds to be used for school construction and to achieve a partial increase in the actual dollar amount for that purpose with the funds gradually increasing over the next several years to the full 40%
- Legislators have stated that they are receiving this message from their commissioners
- Thank you for your efforts up to this point
- Achieving this goal will be challenging
- State has many competing needs and revenue for the coming fiscal year likely will not be as healthy as anticipated
- Please continue to explain to legislators the value of the lottery funds to the residents of your county

Attorney Amy Bason commented:

- In addition to advocating on behalf of counties, the Association also monitors legal cases with potential statewide impacts to county government
- Two such matters from our Risk Management Pool were recently argued before the North Carolina Supreme Court
- In both cases, NCACC filed amicus or friend of the court briefs to inform the Supreme Court of specific impacts these cases could have on county government operations
- One case involved a county's ability to utilize governmental immunity; another case involved worker's compensation for a temporary employee
- Both cases were appealed because the Court of Appeals decided in favor of the plaintiffs who were suing the counties
- NCACC will continue to monitor these and other cases and will inform counties about the outcomes as potential impacts on counties as these matters are decided
- Please keep NCACC informed of legal issues in your county that may have an impact on other counties
- As always, we appreciate your feedback and support

Associate Director of Education Jason King commented:

- Key note speaker, Neal Peterson, will bring to life his around the world journey (single-handed yacht race) during Friday's opening General Assembly
- Association is also continuing its youth development initiative, Youth Summit, which brings together youth delegates from ages 14 to 19 on Friday and Saturday of the conference
- Please recognize your youth delegate at a Board of Commissioners meeting prior to the annual conference
- Hope to see representatives from all 100 counties

GENERAL GOVERNMENT – GOVERNING BODY – DISCUSSION AGENDA

Proposed Community College Schedule Update

County Manager Rick Morris noted that Facilities Manager Ken Jarvis was present for today's meeting to provide the Board with a Community College Schedule Update.

Facilities Manager Ken Jarvis presented the following information regarding the construction schedule for the upcoming community college project:

- State Construction Office governs the construction of community colleges
- State Construction Office requires four (4) stages before a project is ready to be bid
 - Stage #1 - Programming Stage has been completed, submitted, and approved - done
 - Stage #2 - Schematic Design Stage has been completed, submitted and approved – done

- Stage #3 – Design and Development Stage – Working on completion in order to submit to the state for approval – not done (state has 30 days to turn the information back around to the college)
- Stage #4 - Construction Stage – actual documents used to do the bids – detailed plans (state has 2 months to turn the information back around to the college)
- Expect all four stages to be done by the end of the year
- Expect to bid by the end of the year
- Forsyth Tech's Board is obligated to use the lowest bidder
- State Board must approve the bid which usually is a two-month turnaround
- Expect to break ground in February or March 2015
- Normal construction of a community college is around 18 months or less
- Have condensed the construction time to approximately 14 months
- With a 14-month schedule, completion should be around May or June of 2016
- Will take approximately a month or so to equip the facility
- Currently looking at midsummer of 2016 for completion

Chairman Booth opened the floor for discussion.

Commissioner Walker commented:

- Questioned Facilities Manager Jarvis what happened, were looking at the fall of 2015 for completion?
- Have not heard anything different in the Advisory Meetings
- County was working toward fall 2015 on our end
- Thought Dr. Green and others were also working toward fall 2015 on their end
- This is the first time I have heard of any other date than fall 2015

Manager Jarvis apologized for the lack of communication, probably my fault, there has been a miscommunication or misconception.

Manager Jarvis stated that is where we are regarding the construction of the community college.

Manager Jarvis commented:

- That is how we see it going forward
- Recognize that is a year later on the completion which is probably in my court, lack of communication

Commissioner Walker continued:

- What you are saying today sounds like reality (Manager Jarvis agreed)
- It is a shock to me that the County has been planning toward a totally different date in good faith and then all of a sudden it is shifted a year later down the road
- Will be honest, the best time to have a community college in Stokes County was probably ten years ago

Manager Jarvis commented:

- Will try our best to make the construction period as short as possible, but by the same results, when we finish, we want the County to have the best community college facility that can be built

Commissioner Walker continued:

- Agreed with Manager Jarvis on the best community college facility being built
- Don't want to see Stokes County citizens slighted in any way
- Want our citizens to look at what we do in our County and say we are doing the best we can for our citizens

Chairman Booth commented:

- It is really only about 5 to 6 months extension since we were talking about the end of 2015

Manager Jarvis commented:

- Certainly realize as elected officials, you have been telling your constituents 2015

Commissioner Inman commented:

- Have stated that I want to see the doors open in the fall of 2015, but understand projections
- Questioned Manager Jarvis if there was anything that this Board has not done timely enough that has set you back in any form or fashion?

Manager Jarvis responded:

- Probably no need to look at that now, but the one thing that set us back the most was the approval of the paperwork/commitment of the funding at the first

Commissioner Inman continued:

- No one is pointing the finger at anyone, realize we were operating on projections
- Reinforced what Commissioner Walker stated – “want a facility that we can be proud of, the best constructed facility for the money”
- Hearing you saying, if all things go, it should be approximately 14 months (Manager Jarvis confirmed Commissioner Inman comment)
- Confirmed with Manager Jarvis that the Board would be updated as the project goes forward

Manager Jarvis commented:

- Must remember that there are uncontrollable things that can happen such as a subcontractor that goes bankrupt that can delay things along with weather conditions

Commissioner Lankford commented:

- Have no other questions
- Don't know of anything that the Board of Commissioners has done to delay the process

Commissioner Inman and Manager Jarvis both acknowledged that the Board had not done anything to delay the process.

Manager Jarvis responded:

- This is a very long process
- Community colleges must abide by all the rules and regulations of the State Construction Office
- If it were a private construction project, it would probably meet your fall of 2015 deadline

Chairman Booth expressed appreciation to Manager Jarvis for updating the Board on this matter.

Proposed Lease – Forsyth Technical Community College Board of Trustees

County Manager Rick Morris presented the following proposed 40-year Lease between County of Stokes and the Board of Trustees of Forsyth Technical Community College:

NORTH CAROLINA

LEASE AGREEMENT

STOKES COUNTY

THIS LEASE, dated as of _____, 2014, and entered into by and between the **County of Stokes, North Carolina**, a political subdivision of the State of North Carolina, as lessor (the “County”), and **The Board of Trustees of Forsyth Technical Community College**, a body corporate under NCGS 115D-14, as lessee, (“FTec”),

WITNESSETH:

WHEREAS, the County and FTec have previously determined to cooperate in a plan to establish a Stokes County Campus for FTec on a 4.938 acres site (the “Property”) which is hereinafter described; and

WHEREAS, the County and FTec have further determined to cooperate in a plan to construct a building and related facilities (the “New College Facility”) on the Property to be used by FTec to promote post high school educational opportunities in Stokes County; and

WHEREAS, the County, as of the execution and recording of this Lease, owns the Property and will own the New College Facility; and

WHEREAS, as a part of such plan, the County has agreed to furnish the financing for the New College Facility; and FTec has agreed to supervise and manage the construction of the New College Facility in accordance with the “Schematic Design for the Stokes County Center” (4 pages)

attached hereto, and in accordance with required processes and procedures of the State Construction Office;

WHEREAS, as a part of such plan, the County proposes to lease the Property and the New College Facility and the improvements thereon (collectively, the "Leased Property") to FTec, and FTec has determined to lease the Leased Property from the County;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein contained, the parties hereto agree as follows:

ARTICLE I

Definitions

All capitalized terms used in this Lease and not otherwise defined herein have the meanings assigned to them in the Lease Agreement, unless the context clearly requires otherwise. In addition, the following terms have the meanings specified below, unless the context clearly requires otherwise:

"Lease" means this Lease Agreement between the County and FTec.

"FTec Representative" means the FTec President or Finance Director or any other person at the time designated by a written certificate furnished to the County and signed on FTec's behalf by its President, to act on FTec's behalf for the purpose of performing any act under this Lease.

"County Representative" means the Chairman of the Board of Commissioners of the County or the County Manager or any person at the time designated by a written certificate furnished to FTec and signed on the County's behalf by the Chairman of the Board of Commissioners, to act on the County's behalf for the purpose of performing any act under this Lease.

"Event of Default" means one or more events of default as defined in Section 11.1.

"Lease Term" means the term of this Lease as determined under Article IV.

"Lease Year" means, initially, from the Closing Date through June 30, 2014, and, thereafter, means the twelve-month period of each year commencing on July 1 and ending on the next June 30.

"Leased Property" means the Property as described in Exhibit A and the improvements thereon.

All references to articles or sections are references to articles or sections of this Lease, unless the context clearly indicates otherwise.

ARTICLE II

Representations, Covenants and Warranties

The County and FTec each represent, covenant and warrant for the other's benefit as follows:

(a) Neither the execution and delivery of this Lease, nor the fulfillment of or compliance with its terms and conditions, nor the consummation of the transactions contemplated hereby, results or will result in a breach of the terms, conditions and provisions of any agreement or instrument to which either is now a party or by which either is bound, or constitutes a default under any of the foregoing.

(b) To the knowledge of each party, there is no litigation or proceeding pending or threatened against such party (or against any other person) affecting the rights of such party to execute or deliver this Lease or to comply with its obligations under this Lease. Neither the execution and delivery of this Lease by such party, nor compliance by such party with its obligations under this Lease, requires the approval of any regulatory body or any other entity the approval of which has not been obtained.

ARTICLE III

Demising Clause

The County hereby leases the Leased Property to FTec, and FTec hereby leases the Leased Property from the County, in accordance with the provisions of this Lease, to have and to hold for the Lease Term.

ARTICLE IV

Lease Term

Section 4.1 *Commencement.* The Lease Term commences on the date of the Lease.

Section 4.2 *Termination.* The Lease Term terminates on the earlier of the following dates or events:

- (a) the date that is 40 years from the date of this Lease; or
- (b) An Event of Default and termination of this Lease under Article XI.

ARTICLE V

Quiet Enjoyment

Section 5.1 *Quiet Enjoyment; Transfer.* The County hereby covenants that FTec shall, during the Lease Term, peaceably and quietly have and hold and enjoy the Leased Property without suit, trouble or hindrance from the County, except as expressly required or permitted by this Lease. The County shall not interfere with the quiet use and enjoyment of the Leased Property during the Lease Term.

The provisions of this Article are subject to rights to inspect and maintain the Leased Property as set forth herein.

ARTICLE VI

Consideration For Lease

Section 6.1 *Use of Leased Property.* FTec hereby agrees to use the Leased Property for Community College purposes in accordance with NCGS 115D; and for no other purpose.

Section 6.2 *Payments.* In partial consideration for its acquisition of rights to use the Leased Property during the Lease Term, FTec hereby agrees to pay to the County annual rent in the amount of \$1 payable in advance on the Closing Date (receipt of which is hereby acknowledged) and on the first day of each Lease Year thereafter.

ARTICLE VII

Possession, Maintenance, Repair and Taxes

Section 7.1 *Possession.* FTec shall take possession of the Leased Property on the date of this Lease.

Section 7.2 *Use, Maintenance, Repair, Taxes and Assessments.*

(a) ***Maintenance; Repair.*** FTec shall use, or cause to be used, the Leased Property in a careful and proper manner, in compliance with all applicable laws and regulations. The County, at its sole expense, shall service, repair, maintain and insure the Leased Property, or cause such to be serviced, repaired, maintained and insured, as applicable. The County shall maintain insurance on the Leased Property, to include the following: (1) all-risk, fire, casualty and extended coverage insurance covering the Leased Property in an amount not less than one hundred percent of the full insurable replacement thereof, as the same may from time to time be determined, including any improvements, alterations and additions; and (2) comprehensive general liability insurance in an amount customarily maintained by the County at its other facilities.

(b) ***Taxes and Assessments.*** The County shall also pay all taxes and assessments of any type or nature levied, assessed or charged against any portion of the Leased Property.

Section 7.3 *Modification of Leased Property, Liens.*

(a) ***Additions, Modifications and Improvements.*** FTec shall make no additions, modifications or improvements to the Leased Property without the express written consent of the County.

(b) ***Liens.*** FTec will not permit any lien to be established or remain against the Leased Property for labor or materials furnished in connection with any additions, modifications or improvements made by FTec under this Section.

Except as provided in this Article and except as the County may consent thereto, FTec shall not, directly or indirectly, create, incur, assume or suffer to exist any mortgage, pledge, lien, charge, encumbrance or claim on or with respect to the Leased Property, other than the respective rights of FTec and the County as herein provided.

ARTICLE VIII

Corrective Action

Section 8.1 *Further Assurances; Corrective Instruments.* FTec and the County agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments as may reasonably be required for correcting any inadequate or incorrect description of the Leased Property hereby leased or intended so to be, or for otherwise carrying out the intention hereof.

Section 8.2 *FTec and County Representatives.* Whenever under the provisions hereof the approval of FTec or the County is required to take some action at the request of the other, unless otherwise provided, such approval or such request is to be given for FTec by the FTec Representative and for the County by the County Representative, and FTec and the County are authorized to act on any such approval or request of such representative of the other.

ARTICLE IX

Title to Leased Property; Limitations on Encumbrances

Except for personal property purchased by FTec at its own expense, title to the Leased Property and any and all additions and modifications to or replacements of any portion of the Leased Property shall be held in the County's name.

FTec has no right, title or interest in the Leased Property or any additions and modifications to or replacements of any portion of the Leased Property, except as expressly set forth in this Lease.

ARTICLE X

Assignment, Subleasing and Indemnification

Section 10.1 *Assignment and Subleasing.* FTec may not assign or sublease the Leased Property, in whole or in part, without the prior written consent of the County.

Section 10.2 *Indemnification.* FTec agrees to indemnify and save the County, its officers, employees and agents harmless against and from all claims by or on behalf of any person, firm, corporation or other legal entity arising from the operation or management of the Leased Property by FTec during the Lease Term, including any claims arising from: (a) any condition of the Leased Property resulting from the acts or negligence of FTec and its employees and agents, (b) any act of negligence of FTec or of any of its agents, contractors or employees or any violation of law by FTec or breach of any covenant or warranty by FTec hereunder; or (c) the incurrence of any cost or expense in connection with the construction and other accomplishment of the New College Facility in excess of the moneys appropriated by the County. FTec further agrees to investigate, handle, respond to, provide defense for, and defend the same at its sole expense and agrees to bear all other costs and expenses related thereto. FTec shall be notified promptly by the County of any action or proceeding brought in connection with any claims arising out of circumstances described in (a), (b) or (c) above.

ARTICLE XI

Events of Default

Section 11.1 *Events of Default.* Each of the following is an “Event of Default” under this Lease, and the term “Default” means, whenever it is used in this Lease, any one or more of the following events:

(a) FTec’s or the County’s failure to observe and perform any covenant, condition or agreement on its part to be observed or performed for a period of 30 days after written notice specifying such failure and requesting that it be remedied has been given to the defaulting party by the non-defaulting party, unless the non-defaulting party agrees in writing to an extension of such time before its expiration; but if the failure stated in such notice cannot be corrected within the applicable period, the non-defaulting party shall not unreasonably withhold its consent to an extension of such time if corrective action is instituted by the defaulting party within the applicable period and diligently pursued until such failure is corrected and, further, if by reason of any event or occurrence constituting force majeure the defaulting party is unable in whole or in part to carry out any of its agreements contained herein, the defaulting party shall not be deemed in default during the continuance of such event or occurrence.

(b) The dissolution or liquidation of FTec or the County or the voluntary initiation by FTec or the County of any proceeding under any federal or state law relating to bankruptcy, insolvency, arrangement, reorganization, readjustment of debt or any other form of debtor relief, or the initiation against FTec or the County of any such proceeding which shall remain undismissed for 60 days, or the entry by FTec or the County into an agreement of composition with creditors or FTec’s or the County’s failure generally to pay its debts as they become due.

(c) The failure of FTec to complete the construction of the New College Facility in a timely manner.

(d) The failure of FTec to operate a community college on the Leased Property on a continuous basis.

Section 11.2 *Remedies on Default.* Whenever any Event of Default has happened and is continuing, the non-defaulting party may terminate this Lease or take whatever action at law or in equity may appear necessary or desirable, including the appointment of a receiver, to collect the amounts then due, or to enforce performance and observance of any obligation, agreement or covenants under this Lease.

Section 11.3 *No Remedy Exclusive.* No remedy herein conferred on or reserved is intended to be exclusive, and every such remedy is cumulative and in addition to every other remedy given hereunder and every remedy now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing on any default impairs any such right or power, and any such right and power may be exercised from time to time as may be deemed expedient. It is not necessary to give any notice in order to be entitled to exercise any remedy reserved in this Article, other than such notice as may be required in this Article.

Section 11.4 *Waivers.* If any agreement contained herein is breached by either party and thereafter waived by the other party, such waiver is limited to the particular breach so waived and

will not be deemed to waive any other breach hereunder. A waiver of an event of default under the Contract shall constitute a waiver of any corresponding Event of Default under this Lease; provided that no such waiver shall extend to or affect any subsequent or other Event of Default under this Lease or impair any right consequent thereon.

Section 11.5 *Waiver of Appraisalment, Valuation, Stay, Extension and Redemption*

Laws. FTec and County agree, to the extent permitted by law, that in the case of a termination of the Lease Term by reason of an Event of Default, neither FTec nor the County shall or will set up, claim or seek to take advantage of any appraisalment, valuation, stay, extension or redemption laws now or hereafter in force in order to prevent or hinder the enforcement of any remedy provided hereunder, and FTec and the County, for themselves and all who may at any time claim through or under either of them, each hereby waives, to the full extent that it may lawfully do so, the benefit of such laws.

**ARTICLE XII
Miscellaneous**

Section 12.1 *Notices.* All notices, certificates or other communications hereunder are sufficiently given if given by United States mail in certified form, postage prepaid, and will be deemed to have been received five Business Days (as defined in the Indenture) after deposit in the United States mail in certified form, postage prepaid, as follows:

- (a) If intended for the County, addressed to it at the following address:

County of Stokes, North Carolina
Government Center
P O Box 20
Danbury, NC 27016
Attention: County Manager

- (b) If intended for FTec, addressed to it at the following address:

The Board of Trustees of Forsyth Technical Community College
2100 Silas Creek Parkway, Winston Salem, NC 27103
Attention: Dr. Gary Green, President

Section 12.2 *Binding Effect.* This Lease is binding on and inures to the benefit of FTec and the County and their successors in interest, subject, however, to the limitations contained in Article XI.

Section 12.3 *Severability.* If any provision of this Lease, other than the requirement of the County to provide quiet enjoyment of the Leased Property, is held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

Section 12.4 Execution in Counterparts. This Lease may be simultaneously executed in several counterparts, each of which is an original and all of which constitute but one and the same instrument.

Section 12.5 Applicable Law. This Lease is governed by and to be construed in accordance with the laws of the State of North Carolina.

Section 12.6 Captions. The captions or headings herein are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Lease.

Section 12.7 Amendments and Further Instruments. The County and FTec may, from time to time, execute and deliver such amendments to this Lease and such further instruments as may be required or desired for carrying out the expressed intention of this Lease.

Section 12.8 Memorandum of Lease. The County and FTec shall, on or before the Closing Date, file this Lease or a memorandum of this Lease legally sufficient to comply with the relevant provisions of the North Carolina General Statutes with the Stokes County Register of Deeds.

Section 12.9 Renewal. The County and FTec agree to negotiate in good faith at the termination of this lease, if either party wants to renew this lease.

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed in their corporate names by their duly authorized officers, all as of the day and year first above written.

County of Stokes, North Carolina

By: _____

{SEAL}

James D. Booth

Chairman of the Stokes County Board of Commissioners

Attest:

Darlene M. Bullins

Clerk to the Board of Commissioners

Manager Morris presented the following information regarding the proposed 40-year lease:

- Proposed lease was drafted by County Attorney Ty Browder
- Manager Jarvis has been sent the proposed lease for review

Chairman Booth opened the floor for discussion.

Manager Jarvis commented:

- Have reviewed the proposed lease and saw no issues
- Proposed lease gives enough land for the 20,000 sq. ft. facility as planned along with a parking lot
- Provides during the construction phase or thereafter that no liens can be placed on the property

- As part of the construction process, sometimes subcontractors are not paid by the general contracts and liens are attached to the project, but all liens will be taken care of before the end of construction

Chairman Booth noted that the proposed lease also covers expansion to the facility.

Commissioner Walker commented:

- When talking to the previous landowners originally and encouraging them to make this land available for a community college, as I understand, if it had not been for the location of a community college, the landowners would have had much less interest in selling the property
- One of my visions, since we are still somewhat of an agricultural county, was to be able to use that campus (approximately 45 acres on the site with only 4.938 acres being leased) to have agricultural and horticultural curriculums with the available land for use
- I am not seeing that as we go forward as I was at one time
- Hoping at some time that extra acreage could be used for farmers, their children, etc. that wanted to continue farming activities
- We have land available and don't know of any other campus that has land available
- How do any of these pieces fit together, if they fit together at all?

Manager Jarvis responded:

- As the programs grow and as the need is there, Forsyth Tech and the County would continue to work together to develop programs for the betterment of the Stokes County citizens

Vice Chairman Jones, Commissioner Inman, and Commissioner Lankford had no issues with the proposed lease.

Chairman Booth, with full consensus of the Board, directed the Clerk to place the item on the May 27th Action Agenda:

Tax Administration Report – April 2014

Tax Administrator Jake Oakley presented the following informational data for the

April Report:

Fiscal Year 2013-14	Budget Amt	Collected Amt	Over Budget	Under Budget
County Regular & Motor Vehicles	\$20,480,675.00	\$19,827,376.27		\$653,298.73
New Schools F-Tech Fund (Includes Prior 98-2012 Taxes)	\$1,365,378.00	\$1,367,247.31	\$1,869.31	

Prior Taxes**1998-2012 Tax Years**County Regular & Motor
Vehicles

\$750,000.00

\$657,985.01

\$92,014.99

Collection Percentage**As of April 30, 2014**County Regular & Motor
Vehicles = 0.9681%**New School F-Tech**

Fund = 1.0014%

Prior 1998-2012 Tax

Years (Reg and MV) = 0.8773%

EMS Current Collections**Total Collected**

(04-01-14/04-30-14)

\$114,901.13

Total Collected

(07-01-13/06-30-14)

\$1,275,782.68

Percentage of Collection =

.8505%

Balance to collect =\$224,217.32

Delinquent EMS Collection**Report - Total Collected**

(04-01-14/04-30-14)

\$17,956.17

(07-01-13/06-30-14)

\$182,993.03

Percentage of Collection = 114.37%

Collected over budget =\$22,903.03

**Business and Personal Property Discovery
Report****Audit Dates**

(04-01-14/04-30-14)

Accts

17

Total Value

\$418,292.00

Taxes Due

\$5,151.77

(07-01-13/06-30-14)

1,346

\$9,310,151.00

\$79,597.65

Motor Vehicle Release Report**Accounts****Total Value****Audit Dates**

(04-01-14/04-30-14)

16

\$485.06

Motor Vehicle Refund Report**Accounts****Total Value****Audit Dates**

(04-01-14/04-30-14)

2

\$62.15

Garnishment Totals

Month	Total Accounts	Original Levy Amt	Collected Amt
(04-01-14/4-30-14)	209	\$47,674.98	\$31,334.30

F/Year 2013-14

(07-1-13/6-30-14)	1,583	\$474,068.43	\$308,163.96
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Monthly Delinquent Tax Collection Report

Tax Administrator Jake Oakley presented the following Monthly Delinquent Tax Collection Report for April 2014:

<u>County</u>	<u>Real/Personal</u>	<u>Property</u>	<u>April</u>	<u>2014</u>			
Year	Beginning Balance	Releases	Refunds	Debits/ Credits	Writeoffs	Payments	Ending Balance
2012	\$ 315,259.11	\$(108.00)			\$(0.65)	\$(22,819.86)	\$ 292,330.60
2011	\$ 154,686.70	\$(108.00)			\$(0.59)	\$(6,997.86)	\$ 147,580.25
2010	\$ 87,080.94	\$(108.00)		\$466.20		\$(3,427.23)	\$ 84,011.91
2009	\$ 53,335.61	\$(108.00)		\$177.11		\$(1,767.10)	\$ 51,637.62
2008	\$ 35,363.04	\$(105.60)			\$(1.98)	\$(222.19)	\$ 35,033.27
2007	\$ 22,589.88	\$(105.60)				\$(153.79)	\$ 22,330.49
2006	\$ 15,539.11	\$ (42.00)				\$(304.82)	\$ 15,192.29
2005	\$ 11,510.29	\$(105.60)				\$(73.83)	\$ 11,331.37
2004	\$ 11,111.23	\$ (85.56)					\$ 11,025.67
2003	\$ 9,080.94	\$ (85.56)					\$ 8,995.38
2002	\$ 1,518.75	\$ (85.56)				\$(62.93)	\$ 1,370.26
2001	\$ 102.54	\$ (85.56)					\$ 16.98
2000	\$ 362.74	\$ (71.92)					\$ 290.82
1999	\$ 391.72	\$ (71.92)					\$ 319.80
1998	\$ 359.67	\$ (33.63)					\$ 326.04

<u>County</u>	<u>Motor</u>	<u>Vehicles</u>	<u>April</u>	<u>2014</u>			
Year	Beginning Balance	Releases	Refunds	Debits/ Credits	Writeoffs	Payments	Ending Balance
2012	\$ 27,936.54	\$(23.10)		\$9.84	\$(2.63)	\$(8,261.48)	\$ 19,659.17
2011	\$ 24,792.88				\$(0.87)	\$(1,233.79)	\$ 23,558.22
2010	\$ 25,254.17				\$(1.48)	\$(543.90)	\$ 24,708.79
2009	\$ 19,940.33				\$(0.49)	\$(257.88)	\$ 19,681.96
2008	\$ 19,937.94				\$(0.94)	\$(282.56)	\$ 19,654.44
2007	\$ 17,521.38					\$(406.50)	\$ 17,114.88
2006	\$ 12,333.95					\$(127.59)	\$ 12,206.36
2005	\$ 15,436.58					\$(65.23)	\$ 15,371.35
2004	\$ 13,983.21					\$(78.84)	\$ 13,904.37

2003	\$	13,636.31		\$(12.90)	\$	13,623.41
2002						
2001						
2000						
1999						
1998						

<u>New</u>	<u>Schools</u>	<u>Forsyth</u>	<u>Tech</u>	<u>Fund</u>	<u>March</u>	<u>2014</u>	
Year	Beginning	Releases	Refunds	Debits/ Credits	Writeoffs	Payments	Ending Balance
2012	\$ 24,923.39	\$(23.10)		\$0.63	\$(0.24)	\$(2,043.00)	\$ 22,872.04
2011	\$ 10,952.08				\$(0.10)	\$(479.56)	\$ 10,465.22

<u>Interstate Collection Report</u>	<u>Collection</u>	<u>Total Collected</u>
April 2014		
Cumulative Total Collected to Date	NC Debt Setoff	\$206,992.47
Cumulative Total Collected (to date)	Motor Vehicles	\$115,961.08
Cumulative Total Collected (to date)	Property Taxes	\$41,886.62
Cumulative Total Collected (to date)	EMS	<u>\$217,716.54</u>
Collected (to date)	All Categories	\$378,564.24

Collection of New and Old Motor Vehicle Bills

Tax Administrator Jake Oakley presented the following new report for the combination of

County/State reporting of the collection of Motor Vehicles:

- Graph shows each month's collection per taxing codes:

<u>March 2014</u>	<u>March</u>			
<u>New VTS System</u>	<u>Renewals</u>			
<u>Tax Code</u>	<u>Levy</u>	<u>Interest</u>	<u>Cost</u>	<u>Net</u>
<u>Jurisdiction</u>	<u>Billed</u>	<u>Paid</u>	<u>Adjust.</u>	<u>Collected</u>
City of King	\$ 16,824.	\$ 136.	\$1441.	\$15,519.
King Car Fee	\$ 2,445.	\$ 18.		\$2,463.
Walnut Cove Town	\$ 2,461.	\$ 33.	\$178.	\$ 2,316.
Danbury Town	\$ 685.	\$ 11.	\$52.	\$ 644.
School Tax	\$ 11,573.	\$ 95.	\$852.	\$ 10,816.
King Fire	\$ 3,243.	\$ 21.	\$241.	\$ 3,023.
Rural Hall Fire	\$ 585.	\$ 4.	\$43.	\$ 546.
Walnut Cove Fire	\$ 1,856.	\$ 16.	\$135.	\$ 1,737.
General County	\$173,580.	\$1,428.	\$12,791.	\$162,217.
Service Fire	\$ 10,130.	\$ 87.	\$743.	\$9,474.
Total Collected	\$223,382.	\$1,849.	\$(16,476.)	\$208,755.

April 14	April			
New VTS State	Renewals			
Tax Code	Levy	Interest	Cost	Net
Jurisdiction	Billed	Paid	Adjust	Collected
City of King	\$ 120,304.	\$ 179.		\$ 20,783.
King Car Fee	\$ 2,790.	\$ 27.		\$ 2,817.
Walnut Cove Town	\$ 2,940.	\$ 36.		\$ 2,976.
Danbury Town	\$ 692.	\$ 9.		\$ 701.
School Tax	\$ 13,063.	\$ 104.		\$ 13,167.
King Fire	\$ 3,570.	\$ 24.		\$ 3,594.
Rural Hall Fire	\$ 541.	\$ 3.		\$ 544.
Walnut Cove Fire	\$ 1,872.	\$ 15.		\$ 1,887.
General County	\$195,945.	\$ 1,547.		\$ 197,492.
Service Fire	\$ 11,640.	\$ 92.		\$ 11,732.
Total Collected	\$253,357.	\$2,036.	\$0.000	\$255,393.

- Cost in the New VTS System is calculated in all areas of billing (staffing, contracting, postage, DMV, software, etc.) by the NC Department of Revenue and prorated on each taxing district per bill
- Cost in car fees for the City of King is calculated in the Vehicle Tax bill for the City of King

Total Cumulative Collected to date (NCVTS) system	City of King/Car fee	\$101,156.00
Total Vehicles Billed Per Tax Code 2,749	Total Expenses	<u>\$(4,840.49)</u>
Average Cost per Bill = \$1.76	Total Net Collected	\$ 96,315.51
Total Cumulative Collected to date (NCVTS) system	Town of Walnut Cove	\$12,913.12
Total Vehicles Billed Per Tax Code 572	Total Expenses	<u>\$(622.87)</u>
Average Cost per Bill = \$1.09	Total Net Collected	\$12,290.25
Total Cumulative Collected to date (NCVTS) system	Town of Danbury	\$11,184.85
Total Vehicles Billed Per Tax Code 656	Total Expenses	<u>\$(709.68)</u>
Average Cost per Bill = \$1.08	Total Net Collected	\$10,475.17
Total Cumulative Collected to date (NCVTS) system	F Tech/School Fund	\$ 62,060.00
Total Vehicles Billed Per Tax Code 25,155	Total Expenses	<u>\$(3,069.72)</u>
Average Cost per Bill = \$0.12	Total Net Collected	\$ 58,990.28
Total Cumulative Collected to date (NCVTS) system	King Fire District	\$16,282.00
Total Vehicles Billed Per Tax Code 3,809	Total Expenses	<u>\$(803.86)</u>
Average Cost per Bill = \$0.21	Total Net Collected	\$15,478.14
Total Cumulative Collected to date (NCVTS) system	Rural Hall Fire District	\$2,967.60
Total Vehicles Billed Per Tax Code 726	Total Expenses	<u>\$(143.81)</u>

Average Cost per Bill = \$0.20	Total Net Collected	\$2,823.79
Total Cumulative Collected to date (NCVTS) system	Walnut Cove Fire Dist	\$9,954.12
Total Vehicles Billed Per Tax Code 2,697	Total Expenses	<u>\$(504.01)</u>
Average Cost per Bill = \$0.19	Total Net Collected	\$9,450.11
Total Cumulative Collected to date (NCVTS) system	General County	\$930,879.44
Total Vehicles Billed Per Tax Code 25,155	Total Expenses	<u>\$(46,060.12)</u>
Average Cost per Bill = \$1.83	Total Net Collected	\$884,819.32
Total Cumulative Collected to date (NCVTS) system	Service Fire District	\$55,510.16
Total Vehicles Billed Per Tax Code 14,602	Total Expenses	<u>\$(2,735.18)</u>
Average Cost per Bill = \$0.19	Total Net Collected	\$52,774.98
Total Cumulative Collected NCVTS through March (all tax districts)	\$	1,202,907.29
Total Expenses for NCVTS through Mar. (all tax districts)	\$	(59,489.74)
Total net collected for NCVTS through Mar.(all tax districts)	\$	1,143,417.55
Average cost per total billings through March		\$2.36 per bill

Lowest cost billed = \$2.14 (County, School Fund, Service Fire based on 25,155 cars)
Highest cot billed = \$3.71 (County, School Fund, King City based on 2,749 cars)

Chairman Booth opened the floor for discussion.

The BOCC had no issues with the April Tax Administration Report.

Releases Less than \$100 – Real and Personal Property

Tax Administrator Jake Oakley presented the following Releases less than \$100 –
Real and Personal Property (April 2014) for the Board's review:

Releases less than \$100 - Real/Personal Property		
	March 2014	
Name	Bill Number	Amount
Charles & Eva Flippin	13A156031779.02	\$6.00
Daniel & Kim Brantley	13A155908513.02	\$6.00
Joseph Mabe	13A10262.07	\$42.40
Jacqueline Haizlip	13A156012932.01.1	<u>\$87.63</u>
	Total Amount	\$142.03

Chairman Booth opened the floor for discussion.

The BOCC had no issues with the Releases less than \$100 for Real/Personal Property.

Present Use Value Late Application

Tax Administrator Jake Oakley presented the following information regarding the Present-Use Value Late Application (April 2014) for the Board's review and consideration at the May 27th meeting:

- **Taxpayers: William Dwayne Steele**
- Parcel: 696800885136
- Acreage: 1.09
- Reason: This field will be piggy backed onto other use-value land owned by Mr. Steele
- Tax Office is recommending approval

Chairman Booth opened the floor for discussion.

The BOCC had no issues with the Present-Use Value Late Application.

Tax Administrator Oakley requested to place the Present-Use Value Late Application on the May 27th Consent Agenda.

Commissioner Walker questioned Administrator Oakley if his office did any reviews on citizens who participate in the land-use deferment plan to see if they are in compliance?

Tax Administrator Oakley responded:

- State mandates that the Tax Department audit 1/8 of the present use applications per year
- Office tries to make sure that 1/8 is audited each year, may not hit 1/8 exactly every year
- By the time a revaluation is done, the 1/8 audit is done
- When office staff, along with myself, are in the field picking up new construction, we take land use applications to site visit properties in the area
- Danny Nelson makes sure all the requirements for the forestry (reseeding, etc.) and soil/water (greenways, etc.) are being met
- Seldom ever call anyone into the office
- Do not audit income
- The more land use program is advertised, the more citizens will participate which reduces the tax revenue
- County is basically an agricultural county

Commissioner Walker commented:

- Look at those who are doing things right and the way they are supposed to be, it is not fair to have others out there who are just signed up and really not following the program guidelines
- Always believe that any taxes that someone doesn't pay, someone else has to pay

Administrator Oakley responded:

- Understand what you are saying
- Office has sent letters out to landowners who may need to reseed once timber is cut
- Most all comply or they either come off the program
- Not going to say 100% that everyone on the program is doing what they should, some are doing the least they can with others following every guideline
- Stokes County is about \$330 million in revenue loss due to farm deferments and forestry
- It could be a lot worse
- There are a lot of people who would qualify, but do not make an application

Vice Chairman Jones commented:

- Would like to commend the department on the 114.37% collection of Delinquent EMS Collections

Tax Administrator Oakley commented:

- All the employees in the collection department work very hard to make sure EMS bills are filed as quickly as possible and go out as quickly as possible once services are provided

Chairman Booth, with full consensus of the Board, directed the Clerk to place the following items on the May 27th Consent Agenda:

- Present-Use Value Late Application

Social Services Monthly Report

Manager Morris read the following unsolicited email he had recently received from another DSS Director regarding Stokes County DSS:

- Stacey isn't one to brag on her accomplishments, but wanted to let you know that Stokes County consistently has zero applications from the state report that comes out daily. All Departments of Social Services work this report and it is to her credit that Stokes has remained at zero for quite a while. Just wanted to let you know.

DSS Director Stacey Elmes presented the following Monthly Report for the Board's review:

- Services Report
 - Social Work Services
 - Family Support Services
 - Administration
- Miscellaneous Information
 - 2014 Third Quarter Oversight Review by DHSR

DSS Director Elmes commented:

- Do not have a lot to add to the report included in your Agenda
- NC Fast Update:
 - Would like to express our appreciation once more regarding the temporary employees that were approved for assisting the staff
 - Workers have been very grateful for that assistance
 - Workers are working very diligently to get where they need to be by the end of June
 - State is getting ready to launch Medicaid into the NC Fast System
 - Concerned about that right now

Chairman Booth opened the floor for discussion.

Commissioner Walker commented:

- Was talking to a recently retired Social Worker from another county
- Believe NC Fast helped her make her decision to retire
- The retiree stated that she got so tired of the inconsistencies within system, that she just when ahead and retired, did not want to deal with it anymore
- What do you think they were referring to?
- Retiree stated that employees would be trained to do things one way and before the person could get trained, would change the procedure to something completely different

DSS Director Elmes responded:

- Inconsistencies has been a major issues within the NC Fast System
- There is much work around the glitches that may happen one day and then not happen the next day
- Workers may be told to fix a glitch one way today and then told another way the next time it occurs
- State is working on it everyday

Commissioner Walker questioned how was the morale within the department?

Director Elmes responded:

- Prior to getting the temporary staff, morale was at an all-time low
- Temporary staff has given full time staff a little bit of a breathing room that they desperately needed
- Have some concerns when the temporary staff is terminated at the end of June, but we will make it work

- Temporary staff has tremendously helped with morale

Chairman Booth expressed the Board's appreciation for the update.

Proposed Bids – Sewer Construction Project to the Community College/Meadows Area

County Manager Rick Morris presented the following information regarding the proposed bids for the Sewer Construction Project to the Community College/Meadows Area:

- Charles Anderson and Debbie Dodson, Pilot View RC&D were in attendance for today's meeting to answer any questions
- Getting ready to start the construction part of the project for sewer to the community college
- Bids for construction of the subject project were received until 10:30 am on Thursday, April 24, 2014
- Four (4) bids were received, opened, and read aloud for the project
- A summary of the bids received, along with the Engineers estimate follows:
 - Ramey, Inc. - \$2,729,445.50
 - Yates Construction Co, Inc. - \$3,095,240.00
 - D. H. Griffin, LLC - \$3,185,574.50
 - Prillaman & Pace, Inc. - \$4,143,984.00
 - Engineer's Estimate - \$2,710,990.00
- The apparent low bidder was Ramey, Inc. with a bid of \$2,729,445.50 which is \$365,794.50 (11.8%) below the second lowest bid received
- The bid package submitted by Ramey, Inc. included the required bond, completed miscellaneous forms and information required by the project's specifications
- Ramey provided three (3) references which stated that they would not hesitate to award the project to the low bidder
- Baker Engineering has assessed the bid proposals and it is of their professional opinion that Ramey, Inc. is qualified for this sanitary sewer construction project
- Baker's recommendation is that the County award the project to Ramey, Inc in the amount of \$2,729,445.50
- Would like approval to award the bid at the May 27th meeting
- There are some additional charges that go with the construction of the project such as project management and engineering, grant administration, and construction oversight
- Would like to bring one budget amendment to the May 27th meeting to cover all expenses for Phase II – Construction
- Need to figure out the exact figure that is needed in order to prepare the budget amendment
- By General Statute, the bid amount must be fully funded before the bid award can be approved
- Want to fully fund the project in order to not lose any of the grant funding that already has been awarded

Executive Director Charles Anderson presented the up-to-date information regarding funding:

	Funding Sources					
	ARC	FTCC	Golden LEAF	NCDOT	DOC Grant Pending	Stokes County
Sewer Construction	\$180,000	\$121,785	\$1,457,286	\$100,000	\$519,000	\$112,983
Contingency	\$56,391		\$192,714			
Proj Mgmt and Engineering	\$63,609	\$5,600	\$270,000			\$25,507
Grant Administration		\$30,000				\$25,000
Construction Oversight		\$92,615	\$80,000			
Totals	\$300,000	\$250,000	\$2,000,000	\$100,000	\$519,000	\$163,490
	Funding Available	Estimated Project Cost	Funding Shortfall	Funds Spent to Date	Fund Balance	
Sewer Construction	\$2,491,054	\$2,729,456	\$238,402		\$2,491,054	
Contingency	\$249,105	\$250,000	\$895		\$249,105	
Proj Mgmt and Engineering	\$364,716	\$364,716		\$129,789	\$234,927	
Grant Administration	\$55,000	\$55,000		\$20,000	\$35,000	
Construction Oversight	\$172,615	\$172,615			\$172,615	
Totals	\$3,332,490	\$3,571,787	\$239,297	\$149,789	\$3,182,701	

Director Anderson commented:

- Phase one is basically almost completed
- The dollars that remain from Phase I are for the water design that will be done probably in the late summer
- As you know, the water and sewer have been designated as separate projects
- We are starting Phase II of the Sewer Project
- Funding shortfall is \$239,297 as long as the \$519,000 is received from NC Department of Commerce
- If you were to take out the contingency, technically there would be no shortfall as long as the \$519,000 is received from NC Department of Commerce
- Sometimes you need an contingency and sometimes you don't
- No one really knows if one is needed until you get the project started
- The biggest factor regarding funding is the uncertainty of the \$519,000 from NC Department of Commerce
- There have been 12 grant applications made for this project
- The County was slotted to be approved for two of the grants; changes in Raleigh last year halted funds from being awarded from those two grantors
- Potentially lost \$1.1 million from two different organizations
- NC Department of Commerce has received part of the dollars that were allocated to the former Rural Center
- Looking at NC Department of Commerce for the \$519,000 for completion of the sewer project
- On my way to this meeting, I was informed that the County would likely get at least half of the funding, if not all, of the \$519,000 during the course of construction
- If NC Department of Commerce awards only \$250,000, it puts us at a dilemma during the construction phase which takes approximately nine (9) months
- Have been informed that all the \$519,000 should be awarded, if not, have the opportunity to go back to Golden LEAF for the remaining funds needed
- Also looking at some other alternatives if those two fail
- Feel comfortable that NC Department of Commerce will award the funding
- If no contingency is needed, there would not be a shortfall, would be right on budget
- The question that the County Manager and the Board must face is that once the bid is awarded, there must be sufficient funds available to fund the entire bid
- That is why the Gap Letter had to be done for Golden LEAF
- Contractor bid is good for 90 days
- If the contract is not awarded within the 90 days, the County would have to rebid the sewer project

Chairman Booth opened the floor for discussion.

Commissioner Lankford commented:

- Understand what Director Anderson is saying
- Hopefully the NC Department of Commerce funding will come thru, if not, the project needs to be started
- "It is what it is"

Commissioner Inman commented:

- Pretty much on the same line that Commissioner Lankford is
- Questioned Director Anderson how the amount is determined for the project management and engineering (\$364,716) and what services are received from the construction oversight?

Director Anderson responded:

- Determined through services
- Project Management/Engineer: Engineering firm will have 2 or 3 people on site that are pretty much full time inspecting, making sure everything is done to code, OSHA requirements, etc.
- Construction Oversight: Engineering and Pilot View will make sure there are no issues

Chairman Booth questioned what was the normal engineer and management fee for a project similar to this one, thinking about 12%?

Director Anderson responded:

- Engineering fees are more in the order of 20% to 25% if not higher, typically speaking

Manager Morris responded:

- It is based on the tasks they performed

Director Anderson added:

- Have seen it as high as 35%

Chairman Booth continued:

- Didn't recall this amount, remember talking about the 12%
- Questioned Director Anderson if both amounts \$364,716 and \$172,615 are for engineering fees?

Director Anderson responded:

- This is totally separate from the design fee
- Engineering fees include things that must be done during construction such as testing fees; it also covers the 2 to 3 employees that will remain on site during the construction
- They will also work with Pilot View with reports that must be done for grant administration
- Remember, this is a reimbursable project, you must spend the dollars, make sure you meet the funder's criteria and requirements before the county gets the dollars back

Chairman Booth confirmed with Director Anderson that these charges are normal for any project that comes through RC&D.

Vice Chairman Jones commented:

- Understand the funding chart that was provided, was self-explanatory
- Like the rest of the Board, we are committed to this project and will make it happen
- As Commissioner Lankford stated, "it is what it is"

Director Anderson commented:

- If the NC Department of Commerce grant comes through, you will have no issues
- Funders are not concerned with what you are spending on the construction of the community college facility; they are considered about one project and that project is the water/sewer project
- Most funders want to see the county put up at least 20% to 30% towards the project
- With this project, if NC Department of Commerce grant comes through, the County will have put up a lot less

Commissioner Walker commented:

- Regarding the engineering, one concern I had at the beginning of the project was the engineering services not being put out for bids
- Normally, when there is a few hundred thousands dollars of engineering costs, it is always put out for bids
- Knowing how many engineers there are today and wanting the work, it seems like a lot of them are really willing to "sharpen their pencil"
- This is your area of expertise, don't know how much difference it would make if the engineer services had been bid and came in at \$275,000
- When you add the initial design and the preliminary engineering, it is a substantial amount
- Have several thousand dollars of funding that will be used for engineering services that has not been taken to the open market

Director Anderson responded:

- In a way you have and a way you have not
- First of all, it is illegal to bid engineering services in the State of North Carolina
- Would like for the County Attorney to correct me if I am wrong
- You can go out for an Request for Proposal (RFP), but it is not a bid process in which they are bidding against one another
- The RFP gives you engineering firms that are willing to give you their proposals pertaining to the scope you provided in the RFP; most of the time that scope of work is not definite, not inclusive
- Plus, Pilot View has been working with Baker Engineering over 20 years
- Pilot View does a RFQ on projects
- Going through Pilot View, you put us in the position of selecting the engineer
- We get a lot more services from Baker that is not included in their fee
- Have worked with engineering firms for over 30 years

- Just because you get a low bid from an engineering firm, it does not always mean they are the cheapest firm; a lot times things can be added at the end that makes the cost much higher

Commissioner Walker continued:

- In past years, we have always looked at more than one engineering firm when those services were needed
- Know you work with several engineering firms and understand how they work and how the pieces fit together
- Requested Director Anderson to explain about the \$1.1 million of grant funding that the County did not receive as mentioned earlier in the meeting

Director Anderson responded:

- Had a \$600,000 grant from the Clean Water Management Trust Fund and 500,000 from the Rural Center; as of July 31, 2013, Clean Water Trust Fund could no longer issue grants for sewer projects
- Similar thing happened with the Rural Center
- The Rural Center has approximately \$20 million in funds, but have not decided how to issue those dollars out
- Reiterated that there was a very good chance that the NC Department of Commerce funding (\$500,000) will come through
- Manager Morris has spoken to Dr. Pat Mitchell and Secretary of Commerce Sharon Decker and received similar comments

Manager Morris responded:

- Spoke to Secretary Decker who indicated that they are trying to be able to award the \$500,000 to Stokes County

Director Anderson continued:

- Understand Dan Gerlach, Golden LEAF, will be speaking to Secretary Decker regarding funding to Stokes County
- Should know more by the end of June regarding the \$519,000 grant
- Looking at some other options if funding is not awarded

Chairman Booth confirmed with Director Anderson that the \$591,000 for the project management/engineer, grant administration, and construction oversight is normal for a project like this and that all the funders are aware of the funding information provided to the Board today.

Manager Morris commented:

- Will bring a budget amendment for the full amount of \$3,571,787 at the next meeting
- Board could consider eliminating the \$250,000 for the contingency

Director Anderson responded that it is the Board's decision whether to leave the contingency in or take it out.

Chairman Booth expressed the Board's appreciation to Director Anderson for the detailed report.

Chairman Booth, with full consensus from the Board, directed the Clerk to place the item on the May 27th Action Agenda.

Proposed Bids – Credit Card Services

County Manager Rick Morris presented the following regarding proposed bids – Credit Card Services:

- Finance Director Julia Edwards sent out a Request for Proposal (RFP) for credit card services to the following;
 - BB&T
 - Capital Bank
 - First Citizens Bank
 - Wells Fargo
 - NewBridge Bank/TransFirst
 - SunTrust
 - Bank of Carolinas
 - PNC
- Proposals were received from the following banking institutions:
 - NewBridge Bank/TransFirst
 - BB&T
 - PNC
 - SunTrust
- First Citizens, the county's current vendor for these services, did not respond to the RFP
- Finance Director Edwards did extensive research in comparing the services and fees
- A total of seven (7) credit card swipe machines will be utilized in Tax Collections, Health Department, Planning, Sheriff's Office and Environmental Health
- After comparing the fees, Finance Director Edwards and I recommend the lowest proposal from NewBridge Bank/TransFirst to be selected for this service
- Request to place on the May 27th Action Agenda

Chairman Booth opened the floor for discussion.

- Confirmed with Finance Director Edwards that First Citizens, who handles the services now, did not respond

Finance Director Edwards responded:

- Actually called First Citizens to make sure they received the RFP
- Sent the RFP to all the local banks in the County
- Did not have get any answer or return call from First Citizens

Finance Director Edwards commented:

- County has incurred \$11,346.50 in credit card fees as of 03-31-2014
- County has received \$660,533.14 from using the credit/debit cards as of 03-30-2014

Chairman Booth confirmed with Finance Director Edwards that the County would be adding two more machines which could increase the fees.

Chairman Booth, with full consensus from the Board, directed the Clerk to place the item on the May 27th Action Agenda.

Proposed Resolution – Disposal of County Property – Parcel #6993-05-08-9642

County Manager Rick Morris presented the following proposed resolution for

Disposal of County Property – Parcel #6993-05-08-9642:

RESOLUTION

WHEREAS, NCGS 153A-176 authorizes the County to dispose of real or personal property in accordance with procedures prescribed in Chapter 160A, Article 12;

WHEREAS, NCGS 160A-265 gives the Board of Commissioners the authority to dispose of real or personal property;

WHEREAS, located at 1587 Pine Hall Road Pine Hall, NC 27052, surplus tax foreclosed parcel 6993-05-08-9642, is an old house that has no value, is a danger to the community and it is in the County's best interest to dispose of said house;

NOW, THEREFORE BE IT RESOLVED that the Stokes County Board of Commissioners declares this house as surplus property and approves for the Stokes Rockingham Volunteer Fire Department to utilize this structure for training exercises along with conducting a live burn;

Adopted this the ____ day of ____ 2014.

James D. Booth - Chairman

Ronda Jones – Vice Chairman

J. Leon Inman - Commissioner

Jimmy Walker- Commissioner

Ernest Lankford – Commissioner

Attest:

Darlene M. Bullins – Clerk to the Board

Manager Morris noted the following information regarding the proposed resolution:

- Several months ago, a citizen complained about a vacant lot in the Pine Hall area that had a house that was in very bad shape
- Researching the issue, it was found that the parcel is a Tax Foreclosed Property
- Have been working with Stokes-Rockingham Vol. Fire Department to burn the house at no charge to the county; department will be doing a training exercise
- It will take approximately 5-6 weeks to get the necessary paperwork completed; therefore, request the item be moved to today's Action Agenda in order to allow the Fire Department to conduct the burn before the hot summer months

Chairman Booth opened the floor for discussion.

The Board had no issues with the request. It was the consensus of the Board to place the item on today's Action Agenda.

Chairman Booth directed the Clerk to place the item on today's Action Agenda.

Sale of Surplus Tax Foreclosed Property – Parcel #6927-02-85-4328

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

- The County has received a bid from Ms. Debbie Vaden (dated April 4, 2014) to purchase the following tax foreclosed surplus parcel from the County:
 - Parcel 6927-02-85-4328
 - Deed/Page – 233/131
 - Acreage - .27 acres
 - Bid = \$1,657.84
- Bid amount is equal to the total outstanding taxes and legal fees as of April 4, 2014
- Advertisement was placed in the Stokes News along with being posted on the County web page
- Upset bid deadline was May 1, 2014 at 5:00 pm
- No upset bid was received

- At this point, the Board of Commissioners have the option of accepting or rejecting the bid offer from Mrs. Vaden
- Tax Administrator Oakley and I recommend accepting Ms. Vaden's offer to purchase the surplus tax foreclosed property for \$1,657.84
- Accepting this bid will put the parcel back on for tax revenue

Chairman Booth opened the floor for discussion.

Commissioner Walker requested Manager Morris to find out the value of the land and forward the information to the entire Board.

Chairman Booth directed Manager Morris to find out what is value of the property.

The Board had no issues with the request

Chairman Booth, with full consensus from the Board, directed the Clerk to place the item on the May 27, 2014 Action Agenda.

Emergency Medical Services – External Posting

County Manager Rick Morris presented the following regarding the request to externally post two vacant EMT Paramedic position:

- EMS has an internal Intermediate/Paramedic posting that closes on May 7, 2014 at 5:00 pm
- Currently, there has been no applications submitted for the position
- With the promotion of Training Officer Brian Booe, this will leave another vacant EMT Paramedic position
- Would like to add this to today's request and externally post two vacancies
- Request the item be moved to today's Action Agenda in order to expedite the filling of these vacant positions

Chairman Booth opened the floor for discussion.

The Board had no issues with the request.

It was the consensus of the Board to move the item to today's Action Agenda.

Chairman Booth directed the Clerk to place the item on today's Action Agenda.

Amendments to the Stokes County Personnel Policies

County Manager Morris presented the following proposed amendment to the Stokes

County Personnel Policies Handbook:

- **Flex/Alternate Schedule**

Flex/Alternate Schedules must be approved by the County Manager.

Employees who work the regular 37.50 hour schedule per week may be allowed to work a 40-hour schedule per week with no accrual of compensatory time until after 40 hours. Employees will be able to modify the one hour required lunch break and approved holidays given by the County.

- Would recommend changing the following language in Article VI. Section 4 (Workweek):

FROM: Flex Schedules must be approved by the **Board of Commissioners**

TO: Flex/Alternate Schedules must be approved by **the County Manager**

Manager Morris noted the following:

- As approved by the Board of Commissioners during a recent Goals/Budget Work Session, I am working with departments developing Flex/Alternate Work Schedules
- The Health Department is being required by the State to offer extended hours of operation to increase revenue and better serve the citizens of Stokes County
- Health Department would like to start their new schedule on May 27th
- Need to approve the recommended policy to allow employees to work more than the regular 37.50 hours and modify their one hour required lunch period and approved holidays
- Would request item be moved to today's Action Agenda in order to allow the Health Department to advertise their new hours of operation

Use of Annual Leave Before Permanent Status

County Manager Morris presented the following proposed amendment to the Stokes

County Personnel Policies Handbook:

- Request the Board of Commissioners eliminate the following language from the Employee Personnel Policies Handbook:
 - **Employees that have not attained permanent employee status will not be allowed to take annual leave unless authorized by their Department Head and County Manager**
- This exiting language creates issues for new employees who want to use accrued vacation leave during their first six months of employment and for Department Heads who must get approval from the County Manager.
- Have surveyed several Department Heads who agree that there is no value added by the current policy for the employee nor the County
- Would recommend deleting this language from the employee handbook

Chairman Booth opened the floor for discussion.

Chairman Booth noted that the county is obligated to pay terminated employees for their unused annual leave, if a proper notice per the employee handbook, is given the supervisor.

There were no issues with the Manager's recommendation.

It was the consensus of the Board to move the item to today's Action Agenda.

Chairman Booth directed the Clerk to place the item on today's Action Agenda.

Home/Community Care Block Grant for Older Adults – Designation of Lead Agency

County Manager Rick Morris presented the following information regarding a request from the Piedmont Triad Regional Council (PTRC) to designate a Lead Agency to be responsible for the planning and coordination of the development of the county funding aging plan:

- Currently, Senior Services serves as the Lead Agency in Stokes County. There are only two other counties in the 12-county region (Davidson and Randolph) that serves as the Lead Agency, all others have designated the Piedmont Triad Regional Council Area Agency on Aging to serve as their Lead Agency.
- In speaking with Senior Services Director Vickey East, designation of the Lead Agency to the PTRC would benefit the County by:
 - PTRC overseeing the work done by the Home & Community Block Grant Planning Committee
 - PTRC making sure Providers who have been allocated HCCBG Funds have completed the necessary paperwork in the Budget Package
 - PTRC completing the county funding plan (DOA 731) which must be in compliance with budgetary instructions provided by NC Division of Aging and Adult Services
 - Eliminating a large amount of paperwork that must be completed
 - Saving a large amount of staff time that can be better spent serving the citizens of Stokes County
- All HCCBG funding is passed through the PTRC to each County and the PTRC is currently helping to complete the necessary paperwork.
- My recommendation, along with Senior Services Director Vickey East, would be to designate the PTRC Area Agency on Aging as the Lead Agency for Stokes County for one year
- See no benefit for the County to continue to be the lead agency

Chairman Booth opened the floor for discussion.

The Board had no issues with Manager Morris' recommendation for PTRC to be the lead agency.

Chairman Booth, with full consensus from the Board, directed the Clerk to place the item on the May 27th Action Agenda.

Support Letter for the Location of a Walmart in Stokes County

County Manager Rick Morris submitted the following letter of support in response to the Public Notice issued by the Corps of Engineers regarding the location of a Walmart in Stokes County:

May 12, 2014

US Army Corp of Engineers
John Thomas, Regulatory Project Manager
Raleigh Regulatory Field Office
3331 Heritage Trade Drive Suite 105
Wake Forest, NC 27587

RE: Corps Action ID Number: SAW-2013-01285

Dear Sir:

Please accept this as our official comment to the above action item. As the elected governing body of Stokes County, we are very concerned over any activity that will impact the environment within our boundaries and those of our municipalities. We appreciate that any activity that disturbs the intended course of a stream must be given careful consideration and balanced against the benefits that will potentially be derived by that activity.

After studying the data provided in the Public Notice, we note that there are no endangered species that will be directly impacted and there are no historic properties affected. In addition, it appears that the applicant Wal Mart is offering to mitigate the impact on the 931 linear feet of stream channel that on a 1-1 basis. When we balance this against the jobs that will be created, the investment and retail sales that will be created at this site, we believe the project has substantial merit and the application should be acted on in a positive manner at your earliest convenience.

Stokes County is largely rural and has been negatively impacted by the loss of its main cash crop, tobacco as well as the jobs that were provided by the manufacturing that were closely tied to it. The county is also underserved in many segments of the retail market, with 68% of all retail sales being made outside of the county by its residents. This is due in large part to a lack of retail options within our boundaries. This project has the opportunity to significantly impact this in a positive manner.

Thank you for your consideration. We trust that you will act in an expeditious manner that will allow the applicant Wal Mart to proceed with the development of this site.

Respectfully,

James D. Booth, Chairman
Stokes County Board of Commissioners

County Manager Morris commented:

- This is a support letter prepared by Economic Development Director Alan Wood responding to the Public Notice
- Director Wood also received a call from a Walmart representative regarding the new facility in King
- Have no issues with the letter prepared by Director Wood.

County Manager Morris requested to move the item to today's Action Agenda in order respond promptly to the Public Notice.

Chairman Booth opened the floor for discussion.

There were no issues with the Manager's recommendation.

It was the consensus of the Board to move the item to today's Action Agenda.

Chairman Booth directed the Clerk to place the item on today's Action Agenda.

GENERAL GOVERNMENT – GOVERNING BODY – ACTION AGENDA

Social Services – Proposed New Program Integrity Policy

Chairman Booth entertained a motion regarding the proposed new Program Integrity Policy that was presented at the April 14th meeting and revised and approved by the County Attorney:

Stokes County Department of Social Services
Program Integrity Policy
Standards for Prosecution Selection – Public Assistance Fraud

In Stokes County, two methods of handling suspected intentional program violations are utilized:

1. Administrative disqualification hearings held within the agency and;
2. Court prosecutions through District or Criminal Court.

For either method, the necessity for reviewing the case is based on:

1. Evidence of an offense,

2. Investigative findings, and
3. Compliance with State and Federal regulations.

A case is never chosen for these proceedings based on sex, creed, or national origin; nor is the case selected based on the defendant's ability or inability to make restitution.

In order for a case to be referred for prosecution for Public Assistance Fraud, the Stokes County Department of Social Services Director must determine that (1) there is evidence of willful intent to commit fraud; and (2) there was an over-issuance of benefits or services exceeding \$400, and also that at least one of the following conditions exist:

1. The client had at least two contacts with the appropriate agency unit during the over-issuance timeframe; or
2. The client failed to respond to at least two notifications for an appointment with the Income Maintenance Investigator, one of which was by registered mail; or
3. The client is found to have committed fraud, either through court action or through an Administrative Disqualification Hearing, any subsequent instances of alleged fraud will be referred for court action automatically, regardless of whether or not the above criteria is met, unless the case had unusual mitigating circumstances which cause the agency to determine that prosecution is not in the best interest of the department or the client.

If a case meets the criteria, DSS then considers if:

1. All program regulations were implemented properly by the Agency.
2. All verifications were inconclusive.
3. There were prior offenses or over-issuances for the same reason.
4. There was a lengthy over-issuance period before detection.

The Department of Social Services shall also consider the personal circumstances of the client and/or household to determine:

1. Client competency and the ability to understand rights and responsibilities.
2. Whether the household had an opportunity to clarify information or report changes during the over-issuance period.
3. Whether there were multiple applicants within a single household providing information.
4. The age and physical/mental condition of the client.

The Income Maintenance Investigator has the responsibility of screening the cases and making a recommendation for appropriate action. If the Investigator recommends an Administrative Disqualification Hearing instead of a Court prosecution, he/she shall state the reasons in writing with the Supervisor. If the Supervisor agrees with the Investigator, a date will be set for the Administrative Disqualification Hearing. The Administrative Disqualification Hearing shall be conducted by the Hearing Officer within the agency.

If Court prosecution is recommended by both the Income Maintenance Investigator and the Supervisor, the case shall be referred to the District Attorney for prosecution. If there is a disagreement between the Investigator and Supervisor, the final decision on action to be taken shall be made after review of the case and recommendation by the County Attorney and/or the District Attorney.

The Director of the Department will make the County Manager aware of any case that could lead to court prosecution.

Program Integrity Policy was adopted by the Stokes County Board of Commissioners on the 12th day of May, 2014.

James D. Booth, Chairman
Stokes County Board of Commissioners

Commissioner Lankford moved to approve proposed new Program Integrity Policy.

Commissioner Inman seconded and the motion carried unanimously.

Community Development Block Grant – Fair Housing Plan Extension

Chairman Booth entertained a motion regarding the Fair Housing Plan Extension which was presented at the April 28th meeting.

Vice Chairman Jones moved to approve the Fair Housing Plan Extension. Commissioner Inman seconded and the motion carried unanimously.

Proposed Resolution – Surplus Equipment Donation – Stokes-Rockingham Vol. Fire & Rescue Squad

Chairman Booth entertained a motion regarding the following proposed Resolution – Surplus Equipment Donation – Stokes Rockingham Vol. Fire and Rescue Squad which was presented at the April 28th meeting:

**Resolution authorizing sale of personal property worth less than \$30,000.00
(G.S. 153A-176; 160A-267, 160A-279)**

WHEREAS, The County of Stokes owns a 2005 Ford Crown Vic that has become surplus; and

WHEREAS, North Carolina General Statute 160A-279 authorizes the County to appropriate funds to any public or private entity which carries out a public purpose, the County may, in lieu of or in addition to the appropriation of funds, convey by private sale to such entity any real or personal property which it owns.

WHEREAS, Procedural provisions of North Carolina 160A-267 Private Sale shall apply;

WHEREAS, the Board of Commissioners are convened in a regular meeting;

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

1. The Board of Commissioners authorizes the Support Services Supervisor to sell with or without compensation the following vehicle to:

Stokes Rockingham VFD & RS Inc.
2005 Ford Crown Vic Serial Number 2FAHP71W55X149450

2. The Support Services Supervisor shall publish a notice summarizing this Resolution and transfer of ownership of said vehicle shall not be executed pursuant to this resolution until at least ten (10) days after the date notice was published.

Adopted this the 12th day of May, 2014.

James D. Booth - Chairman

Ronda Jones – Vice Chairman

J. Leon Inman - Commissioner

Jimmy Walker - Commissioner

Ernest Lankford – Commissioner

Attest _____

Darlene M. Bullins
Clerk to the Board

Commissioner Lankford moved to approve the Resolution for Surplus Equipment Donation to Stokes-Rockingham Vol. Fire Dept & Rescue. Vice Chairman Jones seconded and the motion carried unanimously.

Proposed Resolution – Disposal of County Property – Parcel #6993-05-08-9642

Chairman Booth entertained a motion regarding Proposed Resolution – Disposal of County Property – Parcel #6993-05-08-9642 presented at today's meeting.

Vice Chairman Jones moved to approve the Proposed Resolution – Disposal of County Property – Parcel #6993-05-08-9642. Commissioner Lankford seconded and the motion carried unanimously.

Emergency Medical Services – External Posting

Chairman Booth entertained a motion regarding the external posting of two EMT – Paramedic positions presented at today's meeting.

Commissioner Lankford moved to approve the external posting of two (2) EMT- Paramedic positions. Vice Chairman Jones seconded and the motion carried unanimously.

Amendments to the Stokes County Personnel Policies

Chairman Booth entertained a motion regarding the amendments to the Stokes County Personnel Policies Handbook:

- Addition: Flex/Alternate Schedule
- Deletion: Use of Annual Leave Before Permanent Status)
- Changing of Article VI, Section 4

Commissioner Lankford moved to approve the amendments to the Stokes County Personnel Policies (addition: Flex/Alternate Schedule and language to allow the manager to approve Flex Scheduling and – deletion: Use of Annual Leave Before Permanent Status). Commissioner Walker seconded and the motion carried unanimously.

Support Letter for the Location of a Walmart in Stokes County

Chairman Booth entertained a motion regarding the Support Letter for the Location of a Walmart in Stokes County (King) presented at today's meeting.

Commissioner Inman moved to approve the Support Letter for the Location of a Walmart in Stokes County (King). Commissioner Lankford seconded and the motion carried unanimously.

CLOSED SESSION

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

- To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes pursuant to G.S. 143-318.11(a)(1)
- To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged pursuant to GS 143-318.11(a)(3)

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

- To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes pursuant to G.S. 143-318.11(a)(1)

- 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. 143-318.11(a)(3)

Commissioner Lankford seconded and the motion carried unanimously.

The Board returned to the regular session of the May 12th meeting.

Home Health

Chairman Booth entertained a motion.

Vice Chairman Jones moved to approve the Letter of Intent submitted by Pioneer

Community Hospital of Stokes to purchase Stokes County Home Health amended as follows:

- (Item #1) Acquisition of Assets: The Asset Purchase Agreement will provide for PCHS's acquisition of the following assets of the Business: two (2) vehicles, patient lists, access to software programs, provider agreements, permits of approval, certificate of need and licenses (the Assets)...
- and Item #9 Expenses as amended by the County Attorney regarding legal fees
- and to authorize the County Manager to execute the document.

Commissioner Lankford seconded and the motion carried unanimously.

Adjournment

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

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

Darlene M. Bullins
Clerk to the Board

James D. Booth
Chairman