

STATE OF NORTH CAROLINA)
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COUNTY OF STOKES)
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OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
DECEMBER 8, 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, December 8, 2014 at 1:30 pm with the following members present:

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

County Personnel in Attendance:
County Manager Richard D. Morris
Clerk to the Board Darlene Bullins
Finance Director Julia Edwards
DSS Director Stacey Elmes
Jail Captain Eric Cone
Public Works Director Mark Delehant
Tax Administrator Jake Oakley

Attorney Nicholas Overby – Browder/Overby Attorney at Law

Chairman Ronda Jones called the meeting to order and welcomed those in attendance.

Chairman Jones delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

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

GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA

Chairman Jones entertained a motion to approve or amend the December 8, 2014 Agenda.

Commissioner Inman moved to approve the December 8th Agenda as presented.

Commissioner Booth seconded and the motion carried unanimously.

COMMENTS - Manager/Commissioners

Chairman Jones opened the floor for comments from the Board and the County Manager.

County Manager Rick Morris presented the following comments:

- Budget Guidance Work Session
 - Reminded the Board of the upcoming Budget Guidance Work Session scheduled for Tuesday, December 9th at 10:00 am
 - Reminded the Board to bring their Five-Year Capital Plan that was provided at the last Budget Guidance Work Session to the session on Tuesday
- Surplus Vehicles
 - County currently has a process that allows surplus vehicles to be transferred to local fire departments if there is a need; this process allows the departments to use the vehicle instead of having to drive a fleet truck to a meeting, funeral, etc.
 - Have approved one for Stokes Rockingham Vol. Fire Department and have one on today's Discussion Agenda for Danbury Volunteer Fire Department & Rescue Squad, Inc.
 - Want to let the Board know that the County has received another request from Northeast Stokes Vol. Fire Department for a surplus vehicle
 - Vehicles are only transferred to the fire departments when available

Commissioner Lankford continued:

- Ethics for Life – “He that walketh with wise men shall be wise; but a companion of fools shall be destroyed” (Proverbs)
- Attended the NCACC Insurance Pool Meeting this past week
 - Audit for Worker's Compensation and Property/Liability revealed both are in good standings
 - At the present, there are 68 counties participating in the pools (two new counties were added last year)
 - Discussed the characteristics for a soft market as it relates to the insurance business:
 - Lower insurance premiums
 - Broader coverage
 - Reduced underwriting criteria, which means underwriting is easier
 - Increased capacity, which means insurance carriers write more policies and higher limits
 - Increased competition among insurance carriers
 - Discussed the characteristics for a hard market as it relates to the insurance business:
 - Higher insurance premiums

- More stringent underwriting criteria, which means underwriting is more difficult
- Reduced capacity, which means insurance carriers write less insurance policies
- And less competition among insurance carriers
- Have been in a soft market for about six years prior to the past two years ago
- Currently in a hard market which could possibly mean that we will be looking at higher insurance premiums

Commissioner Inman commented:

- Attended a Special Called CenterPoint Board of Directors' Meeting on December 1st
 - The CenterPoint Board voted to merge with Partners Behavioral Health Management
 - Letter of Intent will be issued to begin the merger process
 - Dave Richard, Deputy Secretary of Behavioral Health and Developmental Disabilities Services, NC Department of Health and Human Services (NCDHHS), attended the Special Called Meeting
 - Mr. Richard stated that NCDHHS has not changed their position relative to four (4) regional Managed Care Organizations (MCOs)
 - That will mean eventually CenterPoint and Partners will merge with the Smoky Mountain Region to form that region
- There is a lot of talk in Raleigh regarding mental health
- Chaired the NCACC Mental Health Task Force last week
 - NCDHHS MH/DD/SAS Director Courtney Cantrell attended the Task Force Meeting
 - Dr. Cantrell spoke about the gaps in mental health services
- Last Monday, a Legislative subcommittee met
 - House Representatives Burr and Dollar along with Senator Hise attended the subcommittee meeting
 - The same division still exists that existed last year
 - The House is more inclined to go with regional MCOs leaving the service delivery at the local level
 - The Senate is more inclined to go with an out of state large insurance carrier to privatize the system
 - More to follow on that subject, will keep the Board updated
 - There is even talk that the Governor may try for expansion of Medicaid
- NCACC Board of Directors met on December 3rd
 - The NCACC has a surplus of approximately \$500,000 which will be divided equally among those who participate in programs

Vice Chairman Walker commented:

- Welcomed everyone here today; good to see people interested for whatever reason
- King Parade was held on Saturday
 - Interesting thing happened, asked on Sunday, why the Commissioners were not in the King Parade?
 - Responded that the Commissioners were in the parade in spot #27 which is a little different than where the Commissioners normally are

- Would like to share some feedback that I have been getting from a number of our citizens
 - Compliments on the reorganization of the Board
 - Glad to see Commissioner Jones have her chance as chairman
 - Chairman Jones has led the ballot for two consecutive times
 - The citizens I have talked to are happy to see the Board continue, what used to be a tradition in this county, the biggest vote getter being chairman for the next time
 - Did a little research and found it to be pretty consistent up to a certain period, has been a little hit and miss since then
 - A lot of people, if the leading vote getter isn't named chairman, question why?
 - This time, the leading vote getter is the chairman again
 - Feel Chairman Jones will do a good job and will certainly have my support and feel she will have the rest of the Board as well
 - Privileged to serve as Vice Chairman
- Another Budget Work Session is scheduled for tomorrow morning
 - Feel that is one of the most important aspects of our county's operation
 - If we get the budget right, a lot of other things will be right as well
 - Just don't have many people attend our budget work sessions
 - The budget work session is scheduled for 10:00 am tomorrow and is open to the public
 - Invite everyone to attend the work sessions
- Very pleased Commissioner Inman is chairing the NCACC Mental Health Task Force
 - Feel mental health is getting some of the attention it needs
 - Hopefully things will be aligned when this reorganization is over where it will be stronger
 - Lot of our regular health issues probably stem from mental health issues; if we can get those in check or do a better job addressing them, feel the whole area/society will be better
 - Appreciate all the hard work Commissioner Inman is doing

Commissioner Booth commented:

- Would also like to welcome everyone today
- Would like to thank Commissioner Lankford and Commissioner Inman for their updates
- Very pleased to participate in the King Parade
 - Rode with my son whose float won first place

Chairman Jones commented:

- Appreciate those in attendance today
- First regular meeting serving as Chairman, very nervous and will probably not do everything exactly right today
 - Just so you will have a vote of confidence for me, I have been in leadership roles on the national, state, and local levels for as long as I can remember
 - Feel this is a natural place for me to end up at some point

- Appreciate the opportunity
- Will do the very best I can for everyone
- Can't make everyone happy all the time, wish I could
- Here for all people and will continue to try to make our county look the best possible and will try to be as positive as possible
- Attended Christmas in Danbury yesterday
 - Stokes Future was there
 - Stokes Future helps all entrepreneurs whether it be artisan, food, or tourism; had a very good day and met some wonderful people
- Budget work session is scheduled for tomorrow – December 9th
 - Stokes is a very lean county, trying to stretch our dollar as far as we can and will continue to do that and be as fiscally responsible as possible
 - Would love to see people attend those work sessions
 - Will continue to try to do the very best we can for everyone

PUBLIC COMMENTS

Chairman Jones noted the following:

- The Board of Commissioner will hear Public Comments, but will not respond to Public Comments
- Each speaker has three (3) minutes

The following spoke during Public Comments:

Bill Sparks

1215 Single Tree Road

Westfield, NC 27053

Re: **Marriage Resolution**

Mr. Sparks provided the following comments:

- Here to speak today against the resolution that is before the Commission
- Think you would find it construct to read what the Judge said in the court case that led us to this place today
- This was a case in the State of Virginia
- For those who choose to marry and for their children, our laws ensure that marriage provide profound legal, financial and social benefits and exacts serious legal, financial, and social obligations
- The government's involvement in defining marriage and in attaching benefits that accompany the institution must withstand constitutional scrutiny
- Laws that fail that scrutiny must fall despite the depth and legitimacy of the laws' religious heritage
- The court is compelled to conclude that Virginia's marriage laws unconstitutionally deny Virginia's gay and lesbian citizens the fundamental freedom to choose to marry
- Government's interest in perpetuating traditions, shielding state manners from federal interference and favoring one model of parenting over others must yield to this country's cherished protections that ensure the exercise of the private choices of the individual citizens regarding love and family

- Ultimately, this is consistent with our nation's traditions of freedom
- The history of our Constitution is the story of the extension of constitutional rights and protections to people once ignored or excluded
- Our nation's uneven but dogged journey toward truer and more meaningful freedoms for our citizens has brought us continually to a deeper understanding of the first three words in our Constitution; "We the People"
- "We the People" have become a broader, more diverse family than once imagined
- Justice has often been forged from fires of indignities and prejudices suffered
- Our triumphs that celebrate the freedom of choice are hallowed
- We have arrived upon another moment in history when "We the People" becomes more inclusive, and our freedom more perfect
- The men and women, and the children too, whose voices join, in noble harmony with plaintiffs today also asked for fairness, and fairness only
- This, so far as it is in the Court's power, they and all others shall have
- You may call that overreach if you will, I don't
- Those were the judge's words
- Some people talk about 77% of the people in Stokes County being against gay marriage, or the majority of the people voted for this amendment, it has often been called the "tyranny of the majority"
- Sometimes, it is hard for elected legislature and commissions to break the grip of that tyranny
- That is why we have a judiciary
- The appointed judiciary can break majority tyranny because its sole job is not to reflect the wishes of the people but to interpret the constitution
- So that is what the judiciary does, it prevents the tyranny of the majority from enforcing injustice in a democracy
- Like it or not, the will of the people is not always sacred and sometimes must be opposed in the name of equality
- The tyranny by the majority was the pervasive norm many times in our history including in the United States when we abolished slavery in 1865, gave women the right to vote in 1920, and ended discrimination based on race in 1964
- So here we are again today and we all stood up to start this meeting and the four words were: "In Justice For All"

Linda Hicks
 1130 Rock Road
 Madison, NC 27025
 Re: **Marriage Resolution**

Ms. Hicks provided the following comments:

- Seem to remember the Board passing a resolution concerning gay marriage, expressing opposition, I think that was clear
- I can't believe that this Board will continue to beat this issue because of a few zealots who want to keep dictating their lifestyles on others
- We all have certain basic rights
- You all chose your lifestyle, didn't you, you have rights to do that

- These zealots quote scripture concerning homosexuality and say they are concerned about family values
- I have friends, I have family who are homosexuals
- They are the most loving, most compassionate people, the kindest that I have ever seen
- They are not affecting my family values
- They show love and compassion
- They don't affect my children, my life, and my decisions that I make
- Are we worried about homosexual souls?
- What are we worrying about with homosexuals?
- If these zealots and any of us that go along with them, feel that we are saving their souls, then we had better read some more scripture
- If being homosexual is going to send us to hell, let's look at adultery, fornication, divorce; if we want to talk about some things that breakdown family values
- I taught school for thirty years, I knew kids that did not know where their families lived
- I am sure Commissioner Inman knew kids that did not know where their families were during his teaching years
- We should be worried about the breakdown of family values or are we worried about their souls?
- Not sure what we are worried about, but I am going to tell you if we are worried about their souls, we have better be worried about our own souls
- Need to worry about giving to the poor like the Bible tells us to
- Do we love our neighbor like the Bible tells us to?
- Need to think hard, which sin is worse?
- Which sin is going to send us to hell?
- If it is about sin, we need to worry about the sins that we commit
- Is one sin greater than another?
- Does it say so in the Bible?
- Any of them can send us to hell
- I think these zealots like to find a minority group that they can beat down rather than take real issues that affect families
- I would think the oath of this Board, each commissioner, in some way included some responsibility to protect the rights of all the citizens of this country and this county, to protect our environment, and to protect the quality of life for everybody rather than spending time and taxpayer money at meetings like these to satisfy a few people
- I do have a thought of the day, myself: "The rich may be rich, the powerful have power, but there is no poorer or weaker than one who has no compassion, tolerance, or Christ like love for those who may be somewhat different"

Russel Slate

1871 North Stokes School Road
Danbury, NC 27016

Re: **Marriage**

Mr. Slate provided the following comments:

- I am a resident and taxpayer of Stokes County
- I am here today to express my hurt, disappointment, and embarrassment about an article that I read in the Stokes News dated December 4th

- The article I am referring to is one entitled “Board Talks Marriage Amendment”
- If the commissioners who expressed such explicit, strong personal feelings in this article, then my question is: “Why did they not campaign on those personal beliefs?”
- These remarks made me in the middle
- I campaigned for people and now I must explain why I did
- It is hard to win an election if only 23% of the voters support your platform
- I was a candidate for the Board of Education, there were three seats open and I came in fifth
- So I don’t have a voice on that board
- Maybe if I had spent more time campaigning for myself and less time for others, I might have had a more successful result
- If 77% of the voters had voted against marriage between one man and one woman, I would hope a resolution would be submitted expressing that belief of the people
- I am so proud I live in a country where I have the right to speak, but I do not think that I have the right to speak when what I say brings hurt or stress to those under the sound of my voice or writings from my quotes
- I believe an elected official serves to represent all the people, but when it comes to some things, majority rules
- In fact, it is my understanding, our newly, elected lady chair of the Board of Commissioners was elected by majority

Kay Richey

1005 Ernest Nelson Road

Danbury, NC 27016

Re: **Marriage Resolution**

Ms. Richey provided the following comments:

- In April of 2012, I spoke before you as you considered the proposed resolution in support of the North Carolina Marriage Protection Amendment and urged you to not vote on that resolution because I felt like it was not the business of this Board
- At that meeting, more people spoke in opposition to that resolution than spoke in favor
- From the minutes of that meeting, I think Commissioner Walker expressed his understanding that his vote was his vote on his belief and his understanding that it not influence necessarily the upcoming amendment; in the present newspaper article Commissioner Walker stated he would vote according to how the County voted
- Commissioner Jones expressed concerns that it was not an appropriate amendment for this body; perhaps it was local overreach; from the quotes in the paper, it now seems you would support the current resolution in opposition of the federal court ruling abolishing the marriage amendment because of federal overreach
- What civil rights would we have if not for so called federal overreach?
- Would we still outlaw interracial marriage?
- Would segregation exist?
- Could women vote?
- What about slavery?
- Would slavery still exist?
- Sometimes, leaders have to lead
- Judicial branch of our government is charged with deciding whether the laws are in line with the US Constitution

- I don't think that is overreach
- I think it is their job
- I believe our constitution provides for the equal rights of all citizens
- I realize it is a difficult issue
- I realize people of faith feel strongly and feel differently
- If your faith community does not chose to bless the marriage union of consenting adults, then that freedom is given to that faith community
- I am pleased that the denomination that my faith community belongs to has struggled with that question and prayerfully decided to give their ministers authority to bless any union
- This resolution would seek to continue to restrict the religious freedom of those who would perform a wedding ceremony for a same sex couple
- If you don't want to vote against this resolution, I urge you to move to vote to not consider it

Nancy Livesay Wayne
 PO Box 275
 Danbury, NC 27016
 Re: **Marriage Resolution**

Ms. Wayne provided the following comments:

- Would like to thank the Board of Commissioners and county workers who are here
- I have been able to spend more time getting to know your work and I appreciate your efforts and your hard work
- I am against the resolution that which may be voted on today regarding same gender marriage
- I am against it for religious reasons, civil rights reasons, practical reasons, and economic reasons
- One of the practical reasons is that I am concerned about American Legislative Exchange Council known as ALEC
- Wish the Board would study about ALEC
- ALEC is a nonprofit funded nationally and also funded by corporations outside of the United States that are having impacts all over America
- They create model bills, legislation, expressions of political ideas, and then they give those to legislators who, in my mind, are not thinking independently and are not making decisions based on communicating with their own people in the nation, state, counties, and cities
- That is my position on ALEC, wish the Board members would look up and study about ALEC
- After the Stand Your Ground Laws debate and the shooting of Trayvon Martin, a lot of corporations and legislators left ALEC because of the backlash was so severe which includes Walmart
- ALEC is now involved in North Carolina's AP US History Course debate
- A constitutional convention is being called for by North Carolina's Lieutenant Governor
- Do some studying and find out who is behind all this stuff
- Does it come from the people, big corporations and businesses or legislators with agendas that have nothing to do with Stokes County?
- As far as religion, only about 36% of Stokes County people belong to a church
- We need to represent them, but what about the other 64%
- Marriage is a civil issue and a civil rights issue

- Recently, Charles Manson, an alleged murder with a life sentence, 82 years old, was given a marriage license to marry a twenty-six year old woman just because it is a man and a woman
- Yet, we deny that right to gay people in this country
- Federal overreach is the new “buzz” word
- If we did not federal overreach, blacks would still be considered three fifths of a person and all the other things that the other speakers mentioned
- We would still have dishonorable discharges from the military for gay people who went to serve their country
- In 1967, one hundred years after the Civil War, whites and blacks finally could marry in the United States
- My other concern is the suicide rate in young gay people who are given the message by us that you have no place; we do not care about you
- They are subject to bullying and worse
- On an economic level, UCLA predicted more 9,000 same gender couples will get married in North Carolina in the next three years generating more than \$60 million
- We need \$60 million
- Heterosexual married couples have over 1,100 benefits and legal protections that gay people have been denied
- Some companies refuse to create businesses in a state or local area that have anti-gay policies

Chairman Jones called time.

Ron Carroll

PO Box 588

King, NC 27021

Re: **Presentation of Gift and Resolution**

Dr. Carroll presented each of the Board members with a copy of The Constitution of the United States of America before his comments.

Dr. Carroll read the following to the Board of Commissioners:

The resolution on your Action Agenda today is a scam and a sham. I may address that concern at a later date, but for now I’m going to play along with the charade.

Yes, there is governmental over-reach in play with the issue at hand. But whoever wrote the resolution has it wrong, backwards. The over-reach is not from the federal government, specifically the federal courts. No, the over-reach is from the state of North Carolina, or more accurately from certain state legislators, specifically the Speaker of the House and the President pro tem of the Senate.

How can that be you ask? Allow an old history teacher to explain with a brief Civics lesson.

First principle: In this country, the United States of America, our constitution, the United States Constitution, is the Supreme Law of the land (see Article VI, p.20). “This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or

which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution of Laws of any State to the Contrary notwithstanding”. The language is clear and unambiguous: the United States Constitution takes precedence over the constitutions and laws of all fifty states. And that principle is reinforced quite explicitly in the oath of office each of you took. The first thing you swore to is to support the Constitution of the United States. True, you also swore to support the constitution and laws of the state of North Carolina, but that part of your oath has a qualifier: to support the constitution and laws of the state of North Carolina not inconsistent with the Constitution of the United States.

Second principle: The United States Constitution, the Supreme Law of the land, recognizes that all of us – that’s ALL of us – have certain basic, fundamental rights: freedom of speech, freedom of religion, the right to bear arms, the right to a speedy trial by an impartial jury, the right to vote, to name just a few. And one more that’s especially relevant today (see Amendment 14, p.28). “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” Let’s look at that last clause again paying close attention to what it doesn’t say. It doesn’t say “deny to any heterosexual person ... the equal protection of the laws” nor does it say “deny to any person ... the equal protection of the laws unless an exception has been approved by a majority vote of the citizens of the state.”

Third principle: The United States Constitution not only recognizes that we have certain basic, fundamental rights; it guarantees that those rights will be protected – for ALL of us. And it is the federal judiciary that is the ultimate protector (see Article III, p.16). “The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States and Treaties made, or which shall be made, under their Authority”. When any individual or group believes the rights they are guaranteed under the United States Constitution are being infringed, they have the right to pursue remedies through the federal court system. Your resolution is therefore condemning the federal courts for doing the job they were established to do.

With time expired, Dr. Carroll provided the Clerk with a copy and requested the following be provided to the BOCC for the remainder of his comments:

And that brings me to my Fourth and final civic principle: In our democracy, we elect our representatives and establish public policy under the principle of majority rule. But our fundamental rights are not a gift from the majority, nor are they subject to the whims of the majority. They are our rights by right; they are our birthright as Americans. The Founding Fathers recognized that one of the greatest threats in a democracy and to a democracy – perhaps THE greatest threat – is the tyranny of the majority, where the majority tramples on the rights of the minority, and those Founding Fathers in their wisdom designed our Constitution to minimize that risk. And before you take action to undo the work of our Founding Fathers, stop and consider that majority and minority are ever-changing; most of us are in some minority group. Women outnumber men in this state; should freedom of speech apply only to women? The largest religious denomination in North Carolina is the Southern Baptist Church; should freedom of religion be restricted to only Southern Baptists? And whites are the largest racial group; should the right to vote be reserved for whites only and denied to minority groups?

That last question usually hits a nerve because it's not so hypothetical. For decades, Southern states had laws and constitutional provisions that effectively denied the right to vote to black citizens, and those constitutional provisions were often added to state constitutions by overwhelming votes. Eventually the federal courts intervened and later the Congress enacted legislation to stop this discrimination. And what was the reaction in the South: cries of judicial tyranny, judges legislating from the bench, the federal government over-stepping its bounds!! And there were state legislators, and I'm sure county commissioners, vowing to challenge the authority of the federal government to take such action and pledging that they would continue to support the discriminatory practices because 70% or 90% of their constituents had voted for it. Sound familiar?

My plea to you today is to honor your oath of office to support the Constitution of the United States and further to respect the role of the federal judiciary as protector of the rights of ALL of us. And let's end the charade. This resolution isn't really about judicial over-reach; it can't be because there is no judicial over-reach. Let's be honest; the catalyst for the current discussion is gay marriage, but the fundamental issue is minority rights in a majoritarian democracy. And aside from the political popularity of trampling on an unpopular minority, why are you even talking about it? As long as the parties involved are consenting adults, who a person marries is really none of the government's business. And on an individual level, you don't have to agree with gay marriage and you certainly don't have to participate in it. But if you can support the principle of free speech even when you disagree with the views of a particular speaker, then why can't you support the principle of equal protection with respect to marriage laws even if you disagree with a person's choice of spouse. The resolution before you today is an affront to our Constitution, a repudiation of the work of our Founding Fathers, and a dangerous undermining of the civic principles which have served us well for 225 years. I urge you to reject it.

Let's end the charade and address the real issues. Your resolution isn't really about judicial over-reach; it can't be because there is no judicial over-reach. This is really about gay marriage, but even that is only a front. No, the real issue here is the quest by a small group of radical extremists to impose on all of us their brand of religion based on their rather selective reading of the Bible. I have no problem with these radicals having their opinions or even advocating for their extremist agenda; that is their right under our Constitution and should not be denied them, even if a majority of the voters wanted to. But when government officials start pandering to these radicals and taking official action to implement their agenda, then we start turning away from democracy and moving toward theocracy. And some of these radicals are quite open in advocating for a theocracy – as long as it's their religious beliefs that are being imposed.

I would like to offer a suggestion to these radicals and to any of you who would follow their lead: Take a year off and go live in a theocracy – I recommend Iran – and see firsthand what it's like to live in a theocracy, especially when you're in the minority.

Dr. Carroll finished with these comments:

The jest of it is:

- Your resolution is an affront to the Constitution
- It is an insult to our Founding Fathers
- It is a dangerous, unminding of the principles under which we have lived for 225 years

- I urge you to vote against it

Chairman Jones expressed appreciation to those who spoke.

CONSENT AGENDA

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

- Minutes of November 12, 2014 – Special Meeting – CenterPoint Human Services
- Minutes of November 24, 2014 – Regular Meeting
- Minutes of December 1, 2014 – Organizational Meeting
- Minutes of December 2, 2014 – Planning Meeting

Sheriff's Department - Budget Amendment #29

Finance Director Julia Edwards submitted Budget Amendment #29.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	Sheriff's Department			
100.4310.260	Departmental Supplies	<u>\$35,735.00</u>	<u>\$1,832.00</u>	<u>\$37,567.00</u>
	Totals	\$35,735.00	\$1,832.00	\$37,567.00

This budget amendment is justified as follows:

To purchase communication equipment. No County Funding.

This will result in a **net increase** of **\$1,832.00** in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.413	State Fines & Forfeitures	<u>\$1,529.00</u>	<u>\$1,832.00</u>	<u>\$3,361.00</u>
	Totals	\$1,529.00	\$1,832.00	\$3,361.00

Vehicle Maintenance- Budget Amendment #30

Finance Director Julia Edwards submitted Budget Amendment #30.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
	Vehicle Maintenance			
100.4250.351	Maint. & Repairs – Autos	<u>\$1,200.00</u>	<u>\$1,165.00</u>	<u>\$2,365.00</u>
	Totals	\$1,200.00	\$1,165.00	\$2,365.00

This budget amendment is justified as follows:

To purchase tires for the rollback truck that is used to tow Sheriff's Office impound vehicles.

This will result in a **net increase** of **\$1,165.00** in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3425.410	Impoundment Fees	<u>\$4,000.00</u>	<u>\$1,165.00</u>	<u>\$5,165.00</u>
	Totals	\$4,000.00	\$1,165.00	\$5,165.00

Commissioner Inman moved to approve the Consent Agenda as presented.

Vice Chairman Walker seconded and the motion carried unanimously.

GENERAL GOVERNMENT – GOVERNING BODY – INFORMATION AGENDA

Jail Inspection Report – November 2014

Jail Captain Eric Cone presented the following information regarding the recent Jail

Inspection Report:

- Jail was inspected by the Division of Health Services Regulation on November 29, 2014
- There were three minor issues which have all been dealt with
- Jail Inspector stated it was a pleasure to come to Stokes County and appreciated how the facility was being run

Chairman Jones expressed the Board's appreciation for the good report.

NC Association of County Commissioners – Update

County Manager Rick Morris presented the NC Association of County Commissioners' Update.

The following spoke during the power point presentation:

Executive Director Kevin Leonard:

- Congratulated the newly and re-elected county commissioners
- Being a commissioner can be a challenging and thankless job
- Appreciate all of you that are willing to step up and be a leader in your county and in your state
- Exciting time at the Association
- It is a time of change, transition, and new ideas
- It is my hope to hear about the new ideas that will make our association even stronger as we move forward
- Actually in the process of developing our upcoming Legislative Agenda for the upcoming biennium
- It is not too late for you to get involved
- Encourage everyone to attend the Legislative Goals Conference in Moore County in January 2015 to learn about legislative issues and to get involved in our grassroots advocacy efforts
- Very fortunate that our Association in North Carolina is one of the strongest association in the entire nation
- Our secret is – you
- Through your active participation, together, we are 100 counties strong and together we can do great things

Director of Government Relations Johanna Reese:

- The Association has completed the first three stages of its five stage Legislative Goals Process
- The last stage which is the Legislative Conference is January 15th – 16th in Moore County
- There are 45 goals still under consideration regarding issues as diverse and critical as mental health, 911 funding, broadband services, Medicaid, school construction funding, and economic development among many others

Legislative Counsel Casandra Skinner:

- At the conference, county commissioners will debate and vote on those goals remaining after board approval in December
- All one hundred counties have the opportunity to send one voting delegate to be part of the final decision on NCACC 2015-16 Legislative Agenda
- Make sure your county is part of the process
- We need input from all regions of the state to give us the strongest position possible to advocate for your Agenda at the General Assembly

Deputy Director Patrice Roesler:

- One of the Association's primary responsibilities is to help you understand your roles and responsibilities as county commissioners
- Numerous educational opportunities are coming up in the next months
- New board chairs and vice chairs will have a session on January 14th in Moore County
- Every two years, NCACC partners with the School of Government to sponsor the Essentials of County Government Schools
 - It is a comprehensive, two-day course which serves as an orientation to county government law and practice for new and veteran county commissioners; will be offered in four locations throughout the state in January and February

Risk Management Director Michael Kelly:

- Want to make everyone aware of a new service rolled out this November by the Association
- It is a Human Resources Legal Helpline
- It is assigned to assist risk pool members with basic, time-sensitive employment issues such as employee terminations, addressing harassment or discrimination allegations, or requests for reasonable accommodations
- Basic issues that if handled improperly could lead to litigation and human resource problems
- Have contracted directly with risk pool attorneys that have strong employment law experience in order to provide sound, human resource legal advice at no initial cost to our membership
- NCACC Risk Management Pool is the number one provider of property/liability and worker's compensation coverage for the entire state with 68 of the 100 counties participating as risk pool members

GENERAL GOVERNMENT – GOVERNING BODY – DISCUSSION AGENDA

Tax Administration Report – November 2014

Tax Administrator Jake Oakley presented the following informational data for the

November Report:

Fiscal Year 2014-15	Budget Amt	Collected Amt	Over Budget	Under Budget
Current 2014 Taxes	\$19,080,388.00	\$11,645,487.07		\$7,434,900.93
New Schools F-Tech Fund (Includes Prior 98-2013 Taxes)	\$1,272,026.00	\$803,037.31		\$468,988.69
Prior Taxes 1998-2013 Tax Years County Regular & Motor Vehicles	\$675,000.00	\$376,223.77		\$298,776.23

December 8, 2014

Collection Percentage
As of October 31, 2014
 Current 2014 Tax = 0.6103%

New School F-Tech
Fund = 0.6313%
Prior 1998-2013 Tax
Years (Reg and MV) = 0.5574%

EMS Current Collections
Total Collected
 (11-01-14/11-30-14)
 \$92,276.56
Total Collected
 (07-01-14/06-30-15)
 \$597,571.37
Percentage of Collection =
 39.84%
 Balance to collect = \$902,428.63

Delinquent EMS Collection
Report - Total Collected
 (11-01-14/11-30-14)
 \$18,992.30
 (07-01-14/06-30-15)
 \$83,504.44
Percentage of Collection = 52.19%
 Balance to collect = \$76,495.56

Business and Personal Property Discovery
Report

Audit Dates	Accts	Total Value	Taxes Due
(11-01-14/11-30-14)	48	\$577,371.00	\$5,487.89
(07-01-14/06-30-15)	344	\$4,232,236.00	\$40,260.25

Motor Vehicle Release Report	Accounts	Total Value
Audit Dates		
(11-01-14/11-30-14)	1	\$46.44

Motor Vehicle Refund Report	Accounts	Total Value
Audit Dates		
(11-01-14/11-30-14)	0	\$00.00

Garnishment Totals

Month	Total Accounts	Original Levy Amount	Collected Amount
(11-1-14/11-30-14)	172	\$19,902.36	\$24,398.86
F/Year 2014-15			
(07-1-14/6-30-15)	954	\$268,665.54	\$201,954.97

Monthly Delinquent Tax Collection Report

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

<u>County</u>	<u>Real/Personal</u>	<u>Property</u>	<u>November</u>	<u>2014</u>			
Year	Beginning Balance	Releases	Refunds	Debits/ Credits	Write-offs	Payments	Ending Balance
2013	\$ 424,971.03				\$(2.03)	\$(23,477.00)	\$ 401,492.00
2012	\$ 203,488.92					\$(4,593.13)	\$ 198,895.79
2011	\$ 107,675.76				\$(0.05)	\$(589.72)	\$ 105,996.01
2010	\$ 69,239.86					\$(356.72)	\$ 68,650.14
2009	\$ 41,678.72					\$(153.00)	\$ 41,322.00
2008	\$ 30,375.31					\$(364.87)	\$ 30,222.31
2007	\$ 20,267.84					\$(105.00)	\$ 19,902.97
2006	\$ 13,984.64					\$(125.67)	\$ 13,879.64
2005	\$ 10,807.07					\$(71.18)	\$ 10,681.40
2004	\$ 10,926.47					\$(41.54)	\$ 10,855.29
2003	\$ 8,859.97					\$(41.54)	\$ 8,818.43
2002	\$ 1,232.63					\$(6.20)	\$ 1,191.09
2001	\$ 16.98					\$(32.86)	\$ 10.78
2000	\$ 290.82						\$ 257.96
1999	\$ 319.98						\$ 319.98

<u>County</u>	<u>Motor</u>		<u>November</u>	<u>2014</u>			
Year	Beginning Balance	Releases	Refunds	Debits/ Credits	Write-offs	Payments	Ending Balance
2013	\$ 30,939.14	\$(26.79)			\$(2.07)	\$(3,413.56)	\$ 27,496.72
2012	\$ 7,917.74				\$(0.31)	\$(1,150.06)	\$ 6,767.37
2011	\$ 20,186.43				\$(0.03)	\$(549.23)	\$ 19,637.17
2010	\$ 21,641.75					\$(179.82)	\$ 21,461.93
2009	\$ 17,863.63				\$(0.73)	\$(470.30)	\$ 17,392.60
2008	\$ 18,786.83				\$(0.08)	\$(50.44)	\$ 18,736.31
2007	\$ 16,550.72					\$(141.56)	\$ 16,409.16
2006	\$ 12,063.18					\$(50.94)	\$ 12,012.24
2005	\$ 14,932.02					\$(12.96)	\$ 14,919.06
2004	\$ 13,346.67					\$(163.25)	\$ 13,183.42
2003	\$ 13,411.08					\$(112.28)	\$ 13,298.80
2002							
2001							
2000							
1999							

<u>New</u>	<u>Schools</u>	<u>Forsyth</u>	<u>Tech</u>	<u>Fund</u>	<u>November</u>	<u>2014</u>	
Year	Beginning	Releases	Refunds	Debits/ Credits	Write-offs	Payments	Ending Balance
2013	\$ 30,803.87				\$(0.14)	\$(1,566.22)	\$ 29,237.51
2012	\$ 16,284.37					\$(305.21)	\$ 15,979.16
2011	\$ 7,716.52					\$(111.62)	\$ 7,604.90

Interstate Collection Report	Collection	Total Collected
November 2014		
Cumulative Total Collected to Date	NC Debt Setoff	\$213,349.97
Cumulative Total Collected (to date)	Motor Vehicles	\$127,224.09
Cumulative Total Collected (to date)	Property Taxes	\$44,336.19
Cumulative Total Collected (to date)	EMS	<u>\$241,247.04</u>
Collected (to date)	All Categories	\$412,807.32

Collection of New State Motor Vehicle Billings

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:

October 2014

New VTS System

Tax Code	Levy	Interest	Adjustment	Billing	Net
Jurisdiction	Billed	Paid	Made	Cost	Collected
City of King	\$16,897	\$142	-\$16	-\$1,100	\$15,923
King Car Fee	\$2,330	\$19	None	None	\$2,349
Walnut Cove Town	\$2,363	\$28	-\$55	-\$131	\$2,205
Danbury Town	\$116	\$0	None	-\$7	\$109
School Tax	\$11,337	\$93	-\$34	-\$639	\$10,757
King Fire	\$2,629	\$21	-\$29	-\$150	\$2,471
Rural Hall Fire	\$523	\$52	None	-\$29	\$496
Walnut Cove Fire	\$1,869	\$17	-\$2	-\$104	\$1,780
General County	\$170,047	\$1,387	-\$507	-\$9,590	\$161,337
Service Fire	\$10,416	\$84	-\$12	-\$586	\$9,902
Total Collected	\$218,527	\$1,793	(\$655)	(\$12,336)	\$207,329

- 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 City of King Bills

CUMULATIVE COLLECTION FOR FISCAL YEAR 2014-15
NC Vehicle Tax System Summary per Tax District)

Total Cumulative Collected to date (NCVTS) system	City of King/Car fee	\$80,576.00
Total Vehicles Billed Per Tax Code 2,052	Total Expenses	<u>\$(3,845.00)</u>
Average Cost per Bill = \$1.87	Total Net Collected	\$76,731.00
Total Cumulative Collected to date (NCVTS) system	Town of Walnut Cove	\$10,866.00
Total Vehicles Billed Per Tax Code 449	Total Expenses	<u>\$(491.00)</u>
Average Cost per Bill = \$1.09	Total Net Collected	\$10,375.00
Total Cumulative Collected to date (NCVTS) system	Town of Danbury	\$832.00
Total Vehicles Billed Per Tax Code 54	Total Expenses	<u>\$(34.00)</u>
Average Cost per Bill = \$0.63	Total Net Collected	\$ 798.00
Total Cumulative Collected to date (NCVTS) system	F Tech/School Fund	\$48,399.00
Total Vehicles Billed Per Tax Code 18,204	Total Expenses	<u>\$(2,249.00)</u>
Average Cost per Bill = \$0.12	Total Net Collected	\$46,150.00
Total Cumulative Collected to date (NCVTS) system	King Fire District	\$12,870.00
Total Vehicles Billed Per Tax Code 2,807	Total Expenses	<u>\$(608.00)</u>
Average Cost per Bill = \$0.22	Total Net Collected	\$12,262.00
Total Cumulative Collected to date (NCVTS) system	Rural Hall Fire District	\$2,631.00
Total Vehicles Billed Per Tax Code 522	Total Expenses	<u>\$(118.00)</u>
Average Cost per Bill = \$0.23	Total Net Collected	\$2,513.00
Total Cumulative Collected to date (NCVTS) system	Walnut Cove Fire Dist.	\$7,865.00
Total Vehicles Billed Per Tax Code 1,952	Total Expenses	<u>\$(361.00)</u>
Average Cost per Bill = \$0.18	Total Net Collected	\$7,504.00
Total Cumulative Collected to date (NCVTS) system	General County	\$725,951.00
Total Vehicles Billed Per Tax Code 18,204	Total Expenses	<u>\$(33,752.00)</u>
Average Cost per Bill = \$1.85	Total Net Collected	\$692,199.00
Total Cumulative Collected to date (NCVTS) system	Service Fire District	\$ 42,595.00
Total Vehicles Billed Per Tax Code 10,422	Total Expenses	<u>\$(1,969.00)</u>
Average Cost per Bill = \$0.19	Total Net Collected	\$ 40,626.00
Total Cumulative Collected NCVTS through October		
(all tax districts)	\$932,585.00	
Total Expenses for NCVTS through October (all tax districts)	\$ 43,427.00	
Total net collected for NCVTS through October(all tax districts)	\$889,158.00	
Average cost per total billings through October	\$2.39 per bill	

Lowest cost billed = \$2.16 (County, School Fund, Service Fire based on 18,204 cars)
Highest cost billed = \$3.84 (County, School Fund, King City based on 2,052 cars)

Releases Less than \$100 – Real and Personal Property

Tax Administrator Jake Oakley presented the following Releases less than \$100 –
Real and Personal Property (November 2014) at the December 8th meeting for the Board's
review:

**Releases Less Than
\$100 - Real/Personal
Property**

Name	Bill No	Amount
Hall Oil & Propane Inc	14A155932417.06.1	\$77.24
Vallie E. Martin	14A156049698.09.1	\$3.88
Timothy W. Bullins	14A27392.01.1	\$7.06
Sandy T Williams	14A14556.08.1	\$3.53
Ray G Vernon	14A155922595.01	\$9.89
Andrew Miller Jr	14A156018427.07	\$46.07
Chad Black	14A155892044.09	\$90.90
Total		\$ 238.57

Refunds more than \$100 – Real and Personal Property

Tax Administrator Jake Oakley presented the following Refunds more than \$100 –
Real and Personal Property (November 2014) at the December 8th meeting for the Board's review
and consideration at the December 22nd meeting:

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

Name	Bill No	Amount	Reason
Piedmont Container Repair	22773343	\$121.19	Vehicle Sold
Total		\$121.19	

Tax Administrator Oakley noted that business is "as usual" in the Tax Department.

Tax Administrator Oakley requested the following be placed on the December 22nd Consent

Agenda:

December 8, 2014

- Real and Personal Refund more than \$100

Chairman Jones opened the floor for discussion.

The Board had no issues with Administrator Oakley's November Report.

Chairman Jones, with full consensus of the Board, directed the Clerk to place the Refund More than \$100 on the December 22nd Consent Agenda.

Proposed Contract – ROK Technologies, Inc. GIS/Tax Website

Tax Administrator Jake Oakley presented the following information regarding the Proposed Contract with ROK Technologies, Inc. for the new Stokes County GIS Website

- Special meeting was held on November 10th to view a presentation for the new proposed website to be hosted by ROK Technologies, Inc.
- ROK Technologies comes highly recommended by other North Carolina counties
- Believe the presentation received a favorable review from those who attended the presentation
- With the conversion from our current GIS website to the new ROK Technologies, this gives the County an opportunity to move forward, as this information will be accessible through all mobile devices (Go Map Technology) in addition to stationary units
- County Attorney Ty Browder has reviewed and approved the proposed contract as to legal sufficiency
- ROK Technologies will convert, store, and manage all of our current GIS data
- The cost of the data conversion and the monthly user fee has already been budgeted and approved for the 2014-15 Fiscal Year.
- Request the proposed contract with ROK Technologies, Inc. be placed on the December 22nd Action Agenda for consideration of approval in order to move forward with the conversion
- Once the contract is approved, should take approximately 45 days to have the website up and running
- Believe the website will be much easier and efficient for staff and the general public

Chairman Jones opened the floor for discussion.

Commissioner Inman commented:

- Very impressed with the technology with the new program
- On board with the technology
- Confirmed with Tax Administrator Oakley the setup, conversion, and monthly fee costs were budgeted and approved in the Fiscal Year 2014-15 Budget

Vice Chairman Walker commented:

- Expressed appreciation to Tax Administrator Oakley and his staff for their time and effort in selecting a very good product that will benefit staff and citizens in many ways
- Look forward to having this new program up and running for our citizens

Commissioner Booth commented:

- Confirmed with Tax Administrator Oakley that the monthly fee will be the same - \$500 per month and that the current system will no longer be available once the County converts over to the new Farragut System in July 2015
- Confirmed with Tax Administrator Oakley that the funding needed for this fiscal year was approved in the F/Y 2014-15 Budget

Chairman Jones, with full consensus of the Board, directed the Clerk to place the proposed Contract with ROK Technologies, Inc. on the December 22nd Action Agenda.

Social Services Monthly Report

DSS Director Stacey Elmes presented the following Social Services Monthly Report:

- Social Services had the following reviews:
 - Adult Care Licensure Section (ACLS) Oversight Report from Division of Health Service Regulation (DHSR)
 - Stokes County is in compliance for 1st quarter oversight
 - Monitoring Report for Medicaid non-emergency transportation from November 2013 to June 2014
 - The NC Division of Medical Assistance (DMA) retained KFH to conduct a second round of compliance reviews
 - Study was conducted in February 2014; report just received from KFH
 - Review went well
- Total Pending FNS and Medicaid Work by County: (Stokes County as of 11-19-14))

Total	Total			
Pending	Pending	Total Pending	Total Pending	Total
Untimely	Untimely	Untimely	Nov. Recerts Due	Pending
FNS Apps.	FNS Recerts	Medicaid Apps.	As of 11-19-14	Work
5	0	27	418	450
- The new report for December came out this week which shows that Stokes County has 895 total pending for the month of December; these are the things that take from 2.5 to 3 hours per case
- The department is struggling
- Will notice in the metrics that NCFASST, Adult Medicaid, and Family/Children's Medicaid should be red after receiving the December report
- Have discussed the issue with Manager Morris and contacted Vanguard Professional Staffing for possibly contracting staff to help Income Maintenance

Metrics

- As of November 14, 2014:
 - Income Maintenance
 - NC FAST – In compliance
 - WorkFirst – Needs improvement because of vacant position
 - FNS – In compliance
 - Adult Medicaid – Needs improvement because workload is too great for the number of workers that we have to do the work (interviews scheduled which should help once workers are hired)
 - Family and Children's Medicaid – – Needs improvement because workload is too great for the number of workers that we have to do the work (interviews scheduled which should help once workers are hired)
 - Child Support - Incompliance
 - Program Integrity – In compliance
 - Appeal Hearings and Fraud Hearings – In compliance
 - Day Care – In compliance
 - Foster Care
 - Foster Care Services – Needs improvements
 - Continue taking children into custody
 - Reunification plans aren't working and children are staying in care longer
 - Foster Care Home Licensing – In compliance
 - While this is in the green, we are in desperate need of licensed foster homes
 - Adoptions – In compliance
 - Child Protective Services
 - Investigations – Needs improvements
 - Working to get closed cases completed
 - Case Management – Needs improvements
 - One vacancy
 - Adult Services
 - Adult Protective Services– In compliance
 - Guardianship– In compliance
 - SSBG/HCCBG/Payee/Adult Day– In compliance
 - Family/Monitoring– In compliance
 - SA IH/MAC– In compliance
 - CAP DA/CAP C– In compliance
 - Intake– In compliance
 - Caseloads– In compliance
 - Supervision (Staff/Supervisor Ratio)- Needs Improvement
 - Continue to have two supervisors who supervise more than the state recommends
 - Staffing (Years of Service) – In compliance
 - Medicaid Transportation – In compliance
 - Clerical – In compliance

Chairman Jones opened the floor for discussion.

Vice Chairman Walker commented:

- Appreciate everything that the DSS staff is doing to serve those who have a wide variety of needs
- Glad we are continuing to make progress, as it sounds like we are with some of the major challenges the department is facing, NCFast Program being one of them
- Understand this is probably one of the busiest time of the year for the department

DSS Director Elmes responded:

- Very much so, LIEAP started December 1st
- Lobby is staying full at times

Commissioner Booth commented:

- Questioned DSS Director Elmes if interviews have been done for the vacant two Income Maintenance Caseworker positions and for the temporary positions?

DSS Director Elmes responded:

- Interviews have been scheduled
- Hiring the vacant positions, the temporary workers, and using VanGuard will be a great help, but it will not sustain us in the future; part time workers are scheduled to end June 30, 2015
- Scary to think about the future and the upcoming budget and where we go
- Will have to have the technology and the people to sustain

Commissioner Booth continued:

- Confirmed with DSS Director Elmes that salaries for Income Maintenance Caseworkers will be reimbursed at 75% from the state and the state is expecting counties to use the extra reimbursement to hire additional staff that is needed

DSS Director Elmes noted that there would be decisions to be made before the adoption of the Fiscal Year 2015-16 Budget.

Commissioner Lankford commented:

- After reviewing the information from the State, it seems that Stokes County is in better shape than a lot that are the same size as Stokes with the pending cases

DSS Director Elmes responded:

- The report only covers half of the month, it was probably double that number at the beginning of the month for Stokes
- Our staff is dedicated and wants to see the citizens receive the needed benefits
- Having issues with workers getting upset from not being able to serve the people who need the benefits
- Morale is terrible right now

- We are having issues with other programs such as Food Stamps, having citizens not being able to get their Food Stamps Cards because of issues with that system; citizens are getting upset

Commissioner Inman commented:

- Commended the staff for doing an incredible job with all the changes that they are having to work with
- Confirmed with DSS Director Elmes that caseloads remain constant even though the economy is slowly improving

DSS Director Elmes commented:

- Intake activity for services seem to be increasing
- Those applying on the Federal marketplace must be reviewed by DSS workers
- Initial application process is phenomenal (very time consuming)

Chairman Jones commented:

- Feel your pain
- Worry about the morale throughout the county, especially DSS
- Hope this can be turned around

Commissioner Booth commented:

- Confirmed with DSS Director Elmes that the contract workers have not been hired yet and should ease the workload once they are hired and trained
- Confirmed with DSS Director Elmes that all the counties are having similar problems with NCFAS

Vice Chairman Walker commented:

- Can sense the concerns expressed by DSS Director Elmes today in meeting the needs
- Want DSS Director Elmes to know that I am certainly on board
- The elderly, the infirmed, the financially stressed and our young folks are the key areas of interest for me to see that their needs are met
- Sometimes they are the ones least equipped to address their own needs
- Would like an update regarding the staff morale at the next meeting
- Would like to track this issue closely for the next several weeks

Chairman Jones, on behalf of the Board, extended the Board's appreciation for the monthly report.

Proposed Settlement –Outstanding Water Availability Fees – Danbury Water Fund

County Manager Rick Morris noted that Attorney Nicholas Overby (Browder/Overby, P.A.) and Public Works Director Mark Delehant were in attendance for the Agenda item.

County Manager Morris turned the item over to Attorney Overby for the presentation.

Attorney Nicholas Overby, Browder/Overby, P.A., presented the following information regarding a proposed Settlement of Outstanding Water Availability Fees for the Danbury Water Fund:

- Background:
 - In 2008, Stokes County (County) assumed the management and control of the Danbury Water Fund, which as part of its operation, assesses the water fees for the residents and businesses in the Town of Danbury
 - At some point in the years prior to 2008, the Elizabeth Smith Trust (Trust), which owns the property located at 107 Courthouse Circle, requested and had installed a second water “tap” to service a tenant of the second floor of their building
 - At some point prior to the County taking control of the Danbury Water Fund, both water “taps” now associated with this property were deactivated
 - Pursuant to NC General Statute 153A-284, the County charges a monthly water access fee to the owners of improved property when said property is connected to but not using the available water/sewer lines
 - As applied to the property in question, the Trust has been and is currently being charged the water access fee for both “taps” on the property
 - For various reason, the Trust has been unwilling or unable to pay the fees on those “taps” in years past
 - As of December 2014, both “taps” have accrued a total balance of \$5,541.00
- Negotiations:
 - At the request of Public Works Director Mark Delehant, legal staff began attempts to collect the full debt from the Trust thorough communications with Attorney Mike Bruce, the Trustee
 - After several months of back and forth regarding the County’s authority to charge the fee, Mr. Bruce offered to pay the fees from one “tap” if the County would forgive the other
 - Through negotiations, Mr. Bruce’s main point of contention has been the irrationality of charging two separate water access (availability) fees for one building, especially given the fact that neither tap has been used for at least the past 6 years
 - Finally, Mr. Bruce further explained that it has taken as long as it has to get to this point because the Trust has lacked the financial resources with which to pay any fees at all
- Recommendations:
 - Recommend that the Board of Commissioners approve the proposed “Agreement and Release” (provided to the Board) outlining the background and terms of the proposed settlement and authorize the County Manager to sign the “Agreement and Release” on behalf of the County
 - Public Works Director Delehant is in agreement with this recommendation
 - The terms of the settlement are that the Trust will pay, in full, the greater of the two “taps” bills (\$2,789.00) and will remain current on that “tap” going forward in exchange for the County forgiving the bill on the remaining “tap” (\$2,752.00) and removing/deleting that “tap”

- Taking into consideration that any attempted collection to the full amount due on both “taps” would require litigation
- Believe that this settlement represents the most efficient way to collect a sizeable portion of the fees that have accrued on the property while also respecting the equities of the situation
- Should the Trust or any future owner of the property wish to re-establish a tap to the second floor they would have to pay all requisite fees to establish a new “tap”

Proposed Agreement:

AGREEMENT AND RELEASE

This Agreement and Release is made and entered into this ____ day of _____, 20____, upon the authorization of the Stokes County Board of Commissioners, by and between Stokes County (“the County”) and the Elizabeth Smith (Trust) (“the Trust”) regarding payment of existing and past due water access fees at 107 Courthouse Circle, Danbury, North Carolina and the waiver and release of claims on existing and past due water access fees at 109 Courthouse Circle, Danbury, North Carolina.

WITNESSETH

WHEREAS, the Trust, owns the property located at 107 Courthouse Circle; and,

WHEREAS, the Trust, prior to the County’s management of the Danbury Water Fund, requested and had installed a second “tap” for separate water service to the second floor of the building at 107 Courthouse Circle; and,

WHEREAS, the County assumed management and control of the Danbury Water Fund in 2008 and, since that time, if not before, both “taps” at this property have been in a state of “deactivation”; and,

WHEREAS, the Trust pursuant to N.C. Gen. Stat 153A-284, is currently being billed separate water access fees on both the 107 Courthouse Circle address “tap” and the 109 Courthouse Circle address “tap”; and,

WHEREAS, said fees have gone unpaid accruing a balance of \$2,789.00 on Meter ID/Account Nbr. 0032 (107 Courthouse Circle) and a balance of \$2,752.00 on Meter ID/Account Nbr. 0033 (109 Courthouse Circle); and,

WHEREAS, the County and the Trust wish to resolve the issue of these past due fees and have agreed upon a settlement which will result in full payment of the fees on the “tap” at 107 Courthouse Circle Danbury, North Carolina (Meter ID/Account Nbr. 0032) and a removal/deletion of the “tap” at 109 Courthouse Circle, Danbury, North Carolina (Meter ID/Account Nbr. 0033).

NOW, THEREFORE, IT IS RESOLVED that, in consideration of the receipt of \$2,789.00 from the Trust and the mutual releases and promises herein contained and for other good and sufficient consideration the receipt of which is hereby acknowledged, the parties covenant and agree as follows:

- I. The Trust hereby pays the amount of \$2,789.00 to the County, representing full payment of the fees owed by the Trust for the “tap” at 107 Courthouse Circle, Danbury, North Carolina (Meter ID/Account Nbr. 0032).
- II. The Trust further agrees to stay current on payment of the water access fees associated with the “tap” at 107 Courthouse Circle, Danbury, North Carolina (Meter ID/Account Nbr. 0032), from this point forward until such time as it no longer owns said property.
- III. The County agrees to remove/delete the “tap” at 109 Courthouse Circle Danbury, North Carolina (Meter ID/Account Nbr. 0033).

- IV. The County releases the Trust of any and all liability and claims for moneys currently owed as a result of water access fees charged to the Trust for the "tap" at 109 Courthouse Circle, Danbury, North Carolina (Meter ID/Account Nbr. 0033).
- V. Any future re-activation of the "tap" known and referred to as "Meter ID/Account Nbr. 0033" at the building located on this property will require that the "tap" be repurchased and that all applicable fees associated with a new "tap" will be required prior to re-activation.

IN WITNESS WHEREOF, the parties have executed this Agreement and Release as of the day and year written above and have set forth their signatures and seals with the intention of executing this document under seal.

ELIZABETH SMITH (TRUST)

By: _____ (SEAL)
R. Michael Bruce, Trustee

STOKES COUNTY

By: _____ (SEAL)
Richard M. Morris, County Manager

Chairman Jones opened the floor for discussion.

Vice Chairman Walker commented:

- Confirmed with Attorney Overby and Director Delehant that they are both comfortable with the proposed settlement

Public Works Director Delehant responded:

- Reiterated that if the additional tap was ever requested again, a tap fee would be assessed (currently the tap fee is \$1,500)

Attorney Overby responded:

- Comfortable with the proposed settlement because it is an either/or situation
- If it was only one account, there might be more room for negotiations
- Based on Attorney Bruce's argument, don't feel there would be any traction asking for a portion of the second account

Commissioner Lankford commented:

- Confirmed with Director Delehant that there were two taps when the County took ownership of the Danbury Water System from the Town of Danbury in 2008
- Confirmed with Director Delehant that there have not been any tenants in the building since the County took over the operation in 2008
- Confirmed with Director Delehant that everyone on the system pays the availability fee

Commissioner Booth commented:

- Confirmed with Director Delehant that two taps were probably hooked up for two separate tenants

- Confirmed with Director Delehant if the tenant wished to reactivate the tap, the tenant would pay the current tap fee

Vice Chairman Walker suggested placing the item on the December 22nd Consent Agenda.

Chairman Jones, with full consensus of the Board, directed the Clerk to place the proposed Agreement and Release on the December 22nd Consent Agenda.

Proposed Resolution – Transfer of Surplus Property – Danbury Volunteer Fire Department and Rescue Squad, Inc.

County Manager Rick Morris presented the following information regarding the transfer of surplus property to the Danbury Volunteer Fire Department and Rescue Squad, Inc. along with a proposed resolution:

- The Board has already approved the transfer of a surplus vehicle to the Danbury Vol. Fire Department to help reduce the transportation cost to attend meetings, work funeral parking, etc.

County Manager Morris noted that once another surplus vehicle is available, there will be a proposed resolution presented to the Board for Northeast Stokes Vol. Fire Department as mentioned earlier in today's meeting.

Proposed Resolution:

**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:

Danbury Volunteer Fire Department & Rescue Squad Inc.
2005 Ford Crown Vic Serial Number 2FAHP71W25X149454

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 the ____ day of _____ 2014.

Ronda Jones - Chairman

Jimmy Walker – Vice Chairman

J. Leon Inman - Commissioner

Ernest Lankford - Commissioner

James D. Booth – Commissioner

Attest _____
Darlene M. Bullins
Clerk to the Board

Chairman Jones opened the floor for discussion.

Vice Chairman Walker commented:

- Confirmed with Manager Morris that these surplus vehicles are selective and that these vehicles are at the very end of the pipeline and would be sold if not transferred to a local volunteer fire department

County Manager Morris responded:

- The fire department inspects the surplus vehicle to determine if it is in good enough shape for their use
- Assume that each department is doing some fix up work on the vehicle
- Would not offer a vehicle to a department that was total junk

Commissioner Booth commented:

- Reiterated that this process saves dollars for the fire departments by not having to take trucks to meetings, funerals, etc. as mentioned by Manager Morris

Commissioner Booth suggested placing the item on the December 22nd Consent Agenda.

Chairman Jones, with full consensus of the Board, directed the Clerk to place the proposed resolution on the December 22nd Consent Agenda.

North Carolina Spay/Neuter Program

County Manager Rick Morris presented the following information regarding North Carolina Spay/Neuter Program:

- Recently met with Candis Loy who has been running a spay/neuter program “Spay Stokes”
- Spay Stokes (formerly Animal Rescue of Stokes County) was formed in 2004 as an animal rescue organization
- Spay Stokes is a 501(c)(3) nonprofit organization
- In May of 2014, Spay Stokes officially changed their name
- Spay Stokes focuses on providing financial assistance to low income Stokes County residents to spay and neuter their companion pets
- All monies used for these procedures come from fundraisers and some small donations
- In 2007, the effort to help reduce the pet overpopulation became a focus and monies were set aside to help pay for these procedures
- In the years between 2007-2013, there has been \$4,142 spent on spaying and neutering pets for qualified individuals
- Anyone interested in the program must complete an application and provide proof of their income
- Guidelines that are currently being used for qualification are the WIC guidelines
- This could possibly change if the organization is given permission to seek reimbursement from the North Carolina Spay and Neuter Program
- This year alone, Spay Stokes has paid \$1,840 for spay and neuter procedures (have had 43 applications thus far this year)
- The Spay Stokes is working with the Central Spay and Neuter Clinic in Kernersville who saves an individual from \$15 to \$30 for the procedure (have taken 66 animals to their clinic for procedures – May through November)
- Due to funding issues, there assistance had to be limited from two animals to one animal per family
- If this reimbursement from the state comes through, will possibly be able to offer assistance to two animals per family once again
- Cost to Stokes County is zero
- State Spay/Neuter Program:
 - NCGS 19A-61-65
 - Department of Agriculture and Consumer Services established a voluntary statewide program to foster the spaying and neutering of dogs and cats for the purpose of reducing the population of unwanted animals in the State
 - Reimbursement will be quarterly (January, April, July, and October)
 - In the event, the County is not reimbursed 100% for procedures in any quarter, the County will seek reimbursement from Spay Stokes for the difference
- County Attorney Ty Browder has reviewed and approved the proposed agreement as to Form and Legal Sufficiency
- Proposed Agreement includes language that if there is any case where there is not 100% reimbursement from the State, the 501(c) will make up the difference; the County will not be responsible for any shortfalls
- Ms. Loy, who is very dedicated to this program, will be in attendance at the December 22nd meeting for any questions
- Request the item be placed on the December 22nd Action Agenda

- There is also the potential funding for the Animal Shelter once this program is in place
- Do not see any downside to this program
- Recommend the county enter into the agreement for state reimbursement with Spay Stokes

Proposed Agreement:

NORTH CAROLINA

STOKES COUNTY

COOPERATIVE SPAY / NEUTER SERVICES AGREEMENT

THIS AGREEMENT is between Stokes County, North Carolina (the "county"), party of the first part; and "Spay Stokes", a North Carolina Non-Profit organization (the "Provider"), party of the second part.

WITNESSETH:

For the purpose and subject to the terms and conditions hereinafter set forth, the County hereby contracts for the services of the Provider, and the Provider agrees to provide the services to the County in accordance with the terms of this Agreement. The purpose of this Cooperative Spay-Neuter Services Agreement is to allow the County to obtain spay-neuter funds from the State of North Carolina, through the ICARE program, and use those spay-neuter funds to engage the Provider as an independent contractor, to administer a program to provide qualified low income residents of the county with affordable spay-neuter services.

I. SERVICES TO BE PROVIDED

The services to be performed by the Provider shall be as follows: (1) Administer a dog and cat spay/neuter financial assistance program for low income Stokes County residents; and (2) Provider will use funds paid pursuant to Section III of this Agreement to supplement Provider's existing low cost spay/neuter program. All funds payable to Provider pursuant to Section III of this Agreement must be used for the benefit of applicants residing in Stokes County.

Provider shall partner with licensed veterinarians to deliver the spay/neuter surgeries. It is understood that Provider will have the sole responsibility for location, contracting and other wise providing spay/ neuter options through veterinarians and veterinary clinics. The County shall not be required to enter into any agreements with veterinarians or veterinary clinics for the provision of spay/neuter services contemplated by this Agreement. Provider hereby represents and warrants to the County that all veterinarians performing services for clients as contemplated by this Agreement have in force veterinary medical malpractice insurance of commercially reasonable policy limits which will cover acts of veterinary medical malpractice in such amounts as to provide adequate coverage prior to allowing any such veterinarian to perform services for clients as contemplated by this Agreement. Provider shall retain evidence of such insurance for each veterinarian who performs services contemplated by this Agreement and such evidence of insurance shall be provided to the County upon request. The Provider agrees to defend, indemnify, and hold harmless the County from all loss, liability, and claims or expense (including reasonable attorney's fees) arising from the

services required or contemplated herein (including the provision of animal medical services by Provider's contractors, assignees, employees and agents).

II. TERM

The services of the Provider shall begin on the 1st of January, 2015, and shall be provided until December 31, 2015.

III. PAYMENT

A county eligible for reimbursement of spaying and neutering costs from the North Carolina Spay / Neuter Account shall apply to the Department of Agriculture and Consumer Services by the last day of January, April, July and October of each year to receive a distribution from the Account for that quarter. The application shall be submitted in the form required by the Department and shall include an itemized listing of the costs for which reimbursement is sought. The provider shall fill out the reimbursement form and submit to the county for processing and mailing to the Department.

Provider shall then submit an invoice to the County for services provided on a quarterly basis. Payment to the Provider will be made with the funds received from the State Spay / Neuter Fund. The invoice shall contain Provider's name and federal tax identification number and shall be signed and dated by an officer of Provider. Invoices should be sent to:

Stokes County, P.O. Box 20, Danbury, North Carolina 27016

Payments made to Provider only for "Qualified Residents"

For purposes of this Agreement, a "Qualified Resident" is a person whose annual household income is under three hundred percent (300%) of the federal poverty level guidelines published by the United States Department of Health and Human Services or an individual who qualifies for one or more of the programs of public assistance administered by the Department of Social Services. It is understood that for each spay / neuter surgery performed pursuant to the Agreement, Provider shall receive and review all submitted applications. Qualified applicants will have an appointment for services scheduled by the Provider. All qualifying documents and applications will be kept in a locked filing cabinet under the possession of Spay Stokes. All information will be kept in strictest of confidence. All appointments scheduled will be with veterinarians who have: (1) existing contracts with Provider; and (2) that have given Provider the insurance information required herein. Provider will pay the veterinarian the cost of the surgery directly, and County shall have no liability or other obligation whatsoever to any veterinarian or veterinarian clinic for payment of costs associated with surgery or other procedures performed by veterinarians for Qualified Residents whether or not the County is obligated to reimburse Provider for these same services. If ever audited and found wanting, Spay Stokes will be responsible for reimbursing the County. In the event the County is not reimbursed 100% for surgeries in any quarter, the County will seek reimbursement from Spay Stokes for the difference.

IV. RELATIONSHIP OF PARTIES

Provider is an independent contractor of the County. Provider represents that it has or will secure, at its own expense, all personnel required in performing the services under this Agreement. Such personnel shall not be employees of or have any contractual relationship with the County. All personnel engaged in work under this Agreement shall be fully qualified and shall be authorized or permitted under state and local law to perform such services. It is further agreed that the Provider

will obey all State and Federal statutes, rules and regulations that are applicable to provisions of the services called herein. Neither Provider nor any employee of the Provider shall be deemed an officer, employee or agent of the County.

Provider shall keep records in a manner consistent with the requirements of the NC ICARE program and provide these records to the County as needed.

V. TERMINATION

Provider may terminate this Agreement upon thirty (30) days written notice to the County, and the County may terminate this agreement upon thirty (30) days written notice to the Provider.

VI. INDEMNIFICATION

Provider agrees to defend, indemnify, and hold harmless the County, for all loss, liability, claims or expense (including reasonable attorney's fees) arising from bodily injury, including death, to any person or persons or property damage caused in whole or in part by the negligence or misconduct of the Provider, except to the extent same are caused by the negligence or willful misconduct of the County.

It is the intent of this section to require the Provider to indemnify the County to the extent permitted under North Carolina law.

VII. NON-ASSIGNMENT

Provider shall not assign all or any portion of this Agreement, including rights to payments, to any other party without the prior written consent of the County.

VIII. ENTIRE AGREEMENT

The parties have read this Agreement and agree to be bound by all its terms, and further agree that it constitutes the complete and exclusive statement of the Agreement between the parties unless and until modified in writing and signed by the parties. Modifications may be evidenced by tele-facsimile signatures.

IX. GOVERNING LAW

Both parties agree that the laws of the State of North Carolina shall govern this Agreement.

Stokes County, North Carolina
By: _____
Chair, Board of County Commissioners

Spay Stokes
By: _____
President

Chairman Jones opened the floor for discussion.

Commissioner Booth commented:

- Confirmed with Manager Morris there will be no cost to the County for this program

Vice Chairman Walker commented:

- Confirmed with Manager Morris that the County is agreeing to pay up front and get reimbursement from the State; similar to grants where funding has to be paid up front and then reimbursed to the County

County Manager Morris responded:

- Statute states that counties and cities eligible for distributions from the Spay/Neuter Account may receive reimbursement for the direct costs of a spay/neuter surgical procedure for a dog or cat owned by a low-income person as defined in GS 19A-63(b)
- No risk to the county with the proposed language in the agreement regarding any shortfall of funding
- Normally 100% is reimbursed from the State

Chairman Jones commented:

- It obvious to me over and over that people with a passion really are powerful
- They find means of doing things
- Feel it is worth noting that Dr. Mark Johnson has given the animal shelter \$15,000 over the next four years
- Feel this is a wonderful opportunity

Commissioner Lankford suggested placing the item on the Action Agenda for the next meeting in case there were any questions for Ms. Loy.

Chairman Jones, with full consensus of the Board, directed the Clerk to place the proposed Agreement on the December 22nd Action Agenda.

Health Department – Staffing Issues – Health Education Specialist

County Manager Rick Morris provided the following additional information requested by the Board of Commissioners at the November 24th meeting:

- Breakdown of funding for Health Education Specialist (federal, state, and county)
 - 83% state funds and 17% local funds
- Specific job description
 - Complete job description provided to the Board
 - The primary purpose of the position:
 - Direct the work plan of the health promotion/education staff of the agency
 - Develop a monitoring system of health status information as it relates to chronic conditions
 - Coordinate internal and external health education programs based on Stokes Family Health Center requirements
 - Health promotion activities based on county health status indicators, community health needs, requests, and available resources as they relate to primarily tobacco usage, fitness, nutrition, and physical activity

- Assist in development of plans to address other significant topics identified in community health assessment
- Impact regarding accreditation
 - Health Education Specialist is responsible for one third of the 144 benchmarks that must be met for accreditation
- What are the specific grants and programs administered by the Health Education Specialist?
 - Provided the Board with the Annual Health Education Report for July 2013-July 2014 which detailed the outreach and programs the Health Education Specialist participated in
- What are the average Health Education Specialist's salaries for counties that touch Stokes County?
 - Salary Range for Health Education Specialist, Health Educator I and Health Educator II
 - Stokes (Health Education Specialist - Grade 65 - \$26,029-\$46,818)
 - Davie (Health Educator II – Grade 65 - \$32,227-\$50,022)
 - Yadkin (Health Educator I – Grade 63 - \$28,581-\$42,873)
 - Wilkes (Health Educator I – Grade 63 - \$27,493-\$42,614)
 - Davidson (Health Educator I – Grade 62 - \$30,101-\$45,152)
 - McDowell (Health Education Specialist - Grade 65 - \$33,84-\$54,044)
 - Vance (Health Educator I – Grade 63 - \$31,500-\$50,328)
 - Richmond (Health Educator I – Grade 63 - \$28,497-\$41,468)
 - It should be noted that Stokes County has had 5 different Health Education Specialists during the past 10 years with one candidate being in the position four different times making it 8 new hires for the position which reflects the turnover better
- What are the average Health Education Specialist's salaries for like sized counties to Stokes?
 - Current salary:
 - Stokes (\$26,029)
 - Davie (\$31,935)
 - Yadkin (\$28,581)
 - Wilkes (\$27,219)
 - Davidson (\$30,101)
 - McDowell (\$33,841)
 - Vance (\$27,219)
 - Richmond (\$30,101)
- Is a Health Education Specialist required for the state contract addendum?
 - Yes
- Would request the hiring range of \$29,000 to \$33,000 for the Health Education Specialist be placed on the December 22nd Action Agenda

Chairman Jones opened the floor for discussion.

Vice Chairman Walker questioned Manager Morris if the mental health liaison is still a

component of this position?

County Manager Morris responded:

- 10% of the position functions as the Mental Health Coordinator as noted in the job description

Commissioner Lankford commented:

- After reviewing the documentation, it seems that Stokes is little low on some, but will be way over if the requested hiring range is approved
- Still not on board with the requested hiring range presented at the previous meeting (\$29,000 to \$33,000)

County Manager Morris noted that all three qualified candidates have already turned down the salary offered per the County's salary schedule.

Vice Chairman Walker suggested placing the item on the December 22nd Action Agenda unless there is a time factor involved.

County Manager Morris noted that the December 22nd Action Agenda would be fine.

Commissioner Booth commented:

- At the last meeting, there was a suggestion to go up to only \$30,000
- Feel the Board needs to discuss the hiring range as a board
- If you have a hiring range up to \$33,000, you know the hiring salary will probably be \$33,000
- Need to have a starting salary instead of a range

Vice Chairman Walker commented:

- Feel the discussion is good, but understand this is a bottom line decision that if a certain salary is not approved, there will be no one in the position
- All this discussion can be decided by a vote at the next meeting on the Action Agenda

Chairman Jones, with full consensus of the Board, directed the Clerk to place the item on the December 22nd Action Agenda.

Appointment – Economic Development Commission

County Manager Rick Morris provided the following information regarding the Economic Development Commission appointments:

- Three appointments expire on December 31, 2014
- Two citizen appointments: Jane Priddy-Charleville and Durward Dunlap

- One Commissioner appointment: Commissioner Leon Inman
- All three individuals have requested to be considered for re-appointment
- Will be placed on the county website and advertised per Board's guidelines

Chairman Jones opened the floor for nominations.

Commissioner Booth nominated the following:

- Jane Priddy-Charleville for the citizen appointment
- Durward Dunlap for the citizen appointment
- Commissioner Leon Inman for the commissioner appointment

Chairman Jones entertained a motion to close the nominations.

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

Chairman Jones, with full consensus of the Board, directed the Clerk to place the item on the December 22nd Action Agenda.

GENERAL GOVERNMENT – GOVERNING BODY – ACTION AGENDA

Proposed Resolution – Opposition to the Federal Court Ruling Abolishing the 2012 Marriage Amendment to the North Carolina Constitution

Chairman Jones entertained a motion regarding the Proposed Resolution – Opposition to the Federal Court Ruling Abolishing the 2012 Marriage Amendment to the North Carolina Constitution.

Commissioner Inman requested to make a substitute motion.

Commissioner Inman moved to postpone this matter indefinitely, the basis for my motion can be found in Robert's Rules of Order Newly Revised, Section Six under Subsidiary Motions.

Vice Chairman Walker seconded the motion.

Commissioner Lankford requested to amend the motion.

There was discussion between the Board members as to amending the original motion.

Commissioner Lankford moved to amend the motion that we would continue as in our Agenda to vote on the proposed resolution that was discussed at the last meeting. Vice Chairman

Walker seconded the motion for further comments.

Vice Chairman Walker commented:

- It should be noted that if the original motion on the floor presented by Commissioner Inman fails, then Commissioner Lankford could offer a substitute motion at that point, otherwise the procedure that this Board has followed would be to have discussion, Chairman calls the question, and then vote

Chairman Jones noted that was also her understanding.

Commissioner Lankford noted that any motion could be amended that is put on the floor.

Commissioner Lankford restated his motion to continue to vote on the proposed resolution that was discussed at the last meeting. Commissioner Booth seconded the motion.

Chairman Jones questioned Clerk Bullins regarding amending a motion.

Clerk Bullins responded:

- My understanding is that a motion can be amended pertaining to the original motion
- The amendment would be voted on
- If the amendment fails, the original motion is then voted on
- Would suggest the Board seek legal opinion from County Attorney Ty Browder

Commissioner Inman noted that was not what it said in subsidiaries motions in Robert's Rules.

Commissioner Inman requested the County Attorney be consulted.

Chairman Jones recessed the meeting in order to have Manager Morris consult the County Attorney regarding amending a motion.

The Board returned to the open meeting.

County Manager Morris noted the following:

- Provided the Board with an excerpt from the Board's Rules of Procedures:
 - (10) To Amend: An amendment to a motion must be germane to the subject of the motion, but it may not achieve the opposite effect of the motion. There may be an amendment to the motion and an amendment to an amendment, but no further amendments. Any amendment to a proposed ordinance shall be reduced to writing.
- County Attorney Browder noted that an amendment can be made to a motion per the Board's procedures, but Commissioner Lankford's amendment would be out of order because it has the opposite effect of the original motion

- County Attorney Browder noted that an amendment to the original motion could be to table the matter a month instead of indefinitely, that would be germane to the current motion

Chairman Jones noted per the County Attorney, the amendment is not germane to the motion so the original motion will be voted on.

Commissioner Lankford requested Manager Morris to restate the County Attorney's interpretation.

County Manager Morris restated an amendment to a motion must be germane to the subject of the motion, but it may not achieve the opposite effect.

County Manager Morris stated that the County Attorney stated Commissioner Lankford's amendment would be an opposite effect to Commissioner Inman's original motion.

Commissioner Lankford stated that Commissioner Inman's motion would table this proposed resolution and it would never be brought up again and that he did not agree with that.

Manager Morris noted that Commissioner Inman's motion stated indefinitely, it doesn't say never brought up again.

Commissioner Inman commented:

- Could be brought up the next time, with another motion

County Manager Morris restated that Commissioner Lankford's amendment does have the opposite effect of the Commissioner Inman's original motion per County Attorney Browder.

Chairman Jones requested if there were any further comments or questions.

Commissioner Inman commented:

- To me, this is not about saying what is right or wrong
- This about, as we have all heard and I have quoted at a prior meeting, this is about the Constitution, I can't pick out certain parts of the Constitution
- I can't say I will uphold this part of the Constitution, but not this part of the Constitution
- In order to assure that under the law, all have equal protection as the Constitution states, I am sworn to uphold the Constitution as we are all
- I am not saying the Judge is wrong, I personally voted for the Marriage Amendment, I supported it

- I stated to you before that I am a heterosexual Caucasian, I believe in a marriage between a man and a woman
- I grew up in the Quaker Church and we were among the first to accept diversity and other opinions
- I lived near my grandfather; my parents were sharecroppers
- I grew up in poverty, but I will tell you what we never did, we never discriminate against anybody
- In the fifties, in the deep south, if there was an African American family that needed something, my grandfather would take it to them
- Would like to read an "Ethics for Life" statement:
 - Found in John 3:11 in the Bible – "For this is the message which you heard from the beginning; We should love one another"

Commissioner Lankford commented:

- When I read and studied this proposed resolution, I was encouraged that the proposed resolution was before us to make a decision on it
- When you talk about upholding the parts of the Constitution, the part in the proposed resolution that I am deeply concerned about is: "the Stokes County Board of Commissioners strongly opposed the federal court ruling that abolishes North Carolina's Marriage Amendment (Amendment One) and encourages all those in the state that recognizes the sanctity of marriage between one man and one woman to voice their opposition to this ruling
- That statement is the meat of the resolution
- All this other stuff that you have talked about as far as segregation, doing something against someone, not approving someone because they are different, does not have anything to do with this resolution to my opinion
- That is the reason why I am strongly supporting what we set out to do as a resolution and now because someone makes a motion, we will voting on something that doesn't pertain to what the beliefs are

Commissioner Booth commented:

- Noted the proposed resolution states that the voters of Stokes County voted 77% to amend the North Carolina Constitution defining marriage in North Carolina to mean only a legal union between one man and one women with the state voters voting 61%
- Commissioner Booth quoted the following from the proposed resolution: "the Stokes County Board of Commissioners believes that this ruling is in violation of the United States Constitution in that it interferes with the powers of the State of North Carolina reserved to the states in the United States Constitution"
- Stokes County is not the only one doing a resolution, a lot of the wording in the proposed resolution came from Gaston County
- Commissioner Booth noted that he had asked the county attorney about making the particular statement that he just quoted and county attorney had agreed the statement could be made
- Just saying, the will of the people has been heard and the United States District Court has overruled it as unconstitutional, but it is now in appeal
- Feel we should support the hearing of the appeal and hope it will be reversed

- My understanding from a state senator that in Kentucky, the Six Circuit Court heard the appeal and reversed the decision

Chairman Jones commented:

- For myself, it has been very “gut wrenching”
- It is always hurtful when I see divisive things come before me
- As a human, I love everyone and try to look at you in merit as a human being, not for any other reason
- I hope that you guys can do the same when it comes to me

Chairman Jones requested the Clerk to restate the original motion.

Clerk Bullins responded:

- Commissioner Inman moved to make a substitute motion to postpone this matter indefinitely, the basis for my motion can be found in Robert’s Rules of Order Newly Revised, Section Six under Subsidiary Motions

Chairman Jones called the vote.

The vote carried (3-2) with Commissioner Lankford and Commissioner Booth voting against the motion.

Appointment – Walnut Cove Planning/Board of Adjustments - ETJ – Alternate Member

Chairman Jones noted there were no nominations for the appointment to the Walnut Cove Planning/Board of Adjustments – ETJ – Alternate Member at the November 24th meeting.

Chairman Jones opened the floor for nominations.

Commissioner Lankford nominated Carolyn Kiger.

Chairman Jones entertained a motion to close the nominations.

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

Chairman Jones polled the Board:

Commissioner Lankford: Carolyn Kiger

Commissioner Inman: Carolyn Kiger

Chairman Jones: Carolyn Kiger

Vice Chairman Walker: Carolyn Kiger

Commissioner Booth: Carolyn Kiger

Chairman Jones noted that Carolyn Kiger would serve as the Alternate Member to the

Walnut Cove Planning/Board of Adjustments – ETJ position.

Appointment – Piedmont Triad Regional Development District (PTRDC)

Chairman Jones noted the following were nominated at the November 24th meeting:

- Commissioner Ernest Lankford – elected official appointee
- Von Robertson – nomination for an additional seat on the Board

Chairman Jones opened the floor for any further nominations.

There were no further nominations from the Board.

Vice Chairman Walker questioned Clerk Bullins if nominee Robertson had gotten back in touch with the County regarding his willingness to serve on the PTRDC?

Clerk Bullins responded:

- Mr. Robertson had confirmed that he was willing to serve
- Would like to inform the Board that the County received a call from the PTRDC regarding nominations and that a vote would be done within the next week regarding the appointments
- Informed the PTRDC that Commissioner Lankford and Mr. Robertson had been nominated and would be considered at the December 8th meeting for appointment and that the County was unaware of any deadline for appointments/nominations
- PTRDC noted that Commissioner Lankford and Mr. Robertson would be submitted for consideration

Chairman Jones entertained a motion to close the nominations.

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

Vice Chairman Walker confirmed with the Clerk that the appointments could be polled today.

Chairman Jones polled the Board:

Commissioner Booth: Commissioner Ernest Lankford and Von Robertson

Vice Chairman Walker: Commissioner Ernest Lankford and Von Robertson

Chairman Jones: Commissioner Ernest Lankford and Von Robertson

Commissioner Inman: Commissioner Ernest Lankford and Von Robertson

Commissioner Lankford: Commissioner Ernest Lankford and Von Robertson

Chairman Jones noted that Commissioner Lankford would serve as the elected official

appointment and Mr. Robertson would be submitted for a possible additional seat on the PTRDC.

Commissioner Lankford noted that the appointments were to be voted on at the December 17th meeting.

Commissioner Booth noted that the polling of the appointments was per the Board's guidelines, since the appointment had already been on a previous Agenda.

Adjournment

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

Commissioner Inman moved to adjourn the meeting. Commissioner Lankford seconded and the motion carried unanimously.

Darlene M. Bullins
Clerk to the Board

Ronda Jones
Chairman