

STATE OF NORTH CAROLINA )  
 )  
COUNTY OF STOKES )  
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OFFICE OF THE COMMISSIONERS  
STOKES COUNTY GOVERNMENT  
DANBURY, NORTH CAROLINA  
JANUARY 26, 2015

The Board of Commissioners of the County of Stokes, State of North Carolina, met for a regular session in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administration Building) located in Danbury, North Carolina on Monday, January 26, 2015, at 6:00 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 M. Bullins  
County Attorney Tyrone Browder  
Finance Director Julia Edwards  
Arts Council Director Eddy McGee  
Health Director Scott Lenhart  
Tax Administrator Jake Oakley

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

Commissioner Lankford 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 January 26, 2015 Agenda.

Commissioner Booth moved to approve the January 26<sup>th</sup> Agenda as presented.

Vice Chairman Walker seconded and the motion carried unanimously.

## **COMMENTS**

### **Manager/Commissioners**

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

County Manager Rick Morris commented:

- Need for Foster Parents
  - Department of Social Services currently has 80 kids in Foster Care
  - DSS is currently soliciting for foster care parents
- County Morgue
  - The morgue has arrived and been installed and is ready for use at Pioneer Community Hospital of Stokes in Danbury
  - Manager Morris presented pictures of the new county morgue
- League of Governments
  - Thursday, January 29, 2015 – Town of Walnut Cove – 6:30 pm

Commissioner Lankford commented:

- Ethics for Life – “Whoever trust in his riches will fall, but the righteous will flourish like a green leaf” (Proverbs)
- Welcome those in attendance tonight

Commissioner Inman commented:

- Welcome those who have come out tonight to our meeting

Vice Chairman Walker commented:

- Welcome those in attendance tonight
- Appreciate those taking time to come to our meetings
- Business Extravaganza VI was another great event this past week
- Have a few unsettled issues in the King area; hoping things will work out
- Encouraged over the progress being made with Animal Control

Commissioner Booth commented:

- Welcome everyone here tonight

Chairman Jones commented:

- Attended the Business Extravaganza, which had 55 vendor booths and continues to expand each year
- Attended the Piedmont Authority for Regional Transportation (PART) Meeting last week; recently named the Personnel Chair for PART
- Will be attending the Community Child Protection and Child Fatality Prevention Team Meeting tomorrow night

### **Public Comments:**

Chairman Jones noted that each speaker had three (3) minutes.

The following spoke during Public Comments:

#### **Randy Cook**

2021 Moir Farm Road  
Lawsonville, NC 27022

Re: **December Marriage Resolution**

Mr. Cook presented the following comments:

- Appreciate the opportunity to be at tonight's meeting
- Here to speak about the Marriage Resolution that was tabled
- Met with several other leaders (approximately 30 pastors) in the county a few nights ago who represent several thousand people in the county
- What went on has upset us
- I am not a transplant; I was born and raised in Stokes County; I have been in Stokes County all my life; I am raising my family in Stokes County
- Stokes County means a whole lot to me
- I am also a small business owner who believes in helping those out in the local area
- I am also a voter
- Above and beyond that, the greatest thing and my greatest responsibility is the pastoring of a local congregation
- I know that sitting in a place of leadership is not an easy thing
- Need to make wise decisions
- We believe in biblical values
- We have seen some things that went on at the December 8<sup>th</sup> meeting and see where some of you stand on certain issues
- We are upset about the way the marriage resolution went
- I was not at the December 8<sup>th</sup> meeting
- I was ignorant about the way things operate in the County; we are here to let you know that we are not going to be like that any more
- Us as a group of representatives of a community of faith, we have agreed that we are going to be part of the County, part of the city meetings
- We are going to know what is going on regarding the Agenda; we will not be ignorant about that anymore
- Our folks already know what went on
- A few years ago, the marriage amendment was voted on in Stokes County; 77% of Stokes County citizens said that they agree in traditional marriage
- I think that speaks very highly; some people say it doesn't make a difference what the majority says because the Supreme Court has already spoken, but that has been appealed right now
- It does make a difference when the majority votes you into office, we will definitely count the people then

- I feel that you have turned your back on the Stokes County residents; the people who put money into the county and invest in the county and have chosen to raise their families in Stokes County
- The commissioners were not put here to represent a Supreme Court Judge's decision that they have never met before, but to represent the people of Stokes County that you guys rub shoulders with everyday
- Not sure if that affects you, but it affects me
- We are very upset by the decision made by Commissioners Walker, Jones, and Inman when they tabled the marriage resolution
- I am very, very upset Ms. Jones when I saw that you had one of the determining factors in the vote and lost a lot of sleep over that, to be honest, because I voted for you
- Not only did I vote for you, but I instructed other people to vote for you
- We feel you have turned your back on us
- Not only do I feel that you have turned your back on me as a voter in Stokes County, I feel like you have turned your back on 77% people in Stokes County
- Not only that, but I feel that you had two other county commissioners that you ran with on the same platform and you turned your back on them
- Sixty (60) some percent of the people in North Carolina said that they believe in traditional marriage and the Supreme Court Judge is still in appeals; this is not a done deal yet
- I feel that you have turned your back on the North Carolina State Representatives saying as a county that we are not going to stand with them

Chairman Jones called time on Mr. Cook who has passed his three-minute time limit.

**Mark Smith**

Pastor – Baux Mountain Baptist Church  
 Germanton, NC 27019

**Re: December Marriage Resolution**

Mr. Smith presented the following comments:

- Will not go back and repeat a lot of things that Pastor Cook mentioned, but would like to say that I am a pastor of a Baptist Church in Forsyth County, but have lived in Stokes County most of my life
- Grew up in Pine Hall on a tobacco farm and know what it is to work hard and know what it is to be in a leadership position like you folks are
- Would like to commend all of you for stepping up and wanting to be a leader in our county
- Decisions that have to be made sometimes are difficult decisions
- As I stated I will not go back and repeat what Pastor Cook said, but I do stand firmly, 100% with the things that Pastor Cook said tonight
- I was disappointed myself in some decisions that were made, have been disappointed in a lot of decisions that have been made in the last ten years in the country, not just in this county
- We are quickly losing this nation and I say this as a father of two teenage kids
- Want to say that the decisions that you make do have lasting consequences beyond just a meeting every few weeks
- We have got to decide in North Carolina and decide in Stokes County, right here in the Bible belt, if we still truly believe the will of God

- What the Bible has to say, over what Judges have to say, because at the end of the day folks, everyone in this room is going to be held accountable before the Creator God for decisions that we make
- Those Judges will stand before the Judge of the Universe and give an account for decisions that they have made
- Would like to recommend a book that every one of you should go out and purchase, "*The Myth of Separation of Church and State*" by David Barton
- That book really defines what the separation of church and state is really all about
- Unfortunately, we have judges today, liberal politicians, and other people that are trying to take the Constitution and twist and turn it around when the whole time it was never meant to be that way; don't have time in my three minutes to go into that today
- I will say, in my closing comment, that I want everyone to think back with me
  - When prayer was removed from the public schools, was it by the vote of the American people?
  - When the Bible study was taken out of the public schools, was it by the vote of the American people?
  - When it became legal for a woman to kill her own baby in the womb, was it by the vote of the American people?
  - If we start looking now, we can go on and on
  - When the Ten Commandments were taken from classrooms, was it by the vote of the American people?
- We have got to start looking at what the people have to say, we are the voices in the county and in the community
- Please take heed and pay attention to what we have to say on these issues
- As Pastor Cook stated, seventy (70) some percent of people in Stokes County said we want marriage to be traditional marriage
- I made four trips to Raleigh to help support marriage in this state to be between a man and a woman
- Thank you for your time

Chairman Jones thanked those who spoke during Public Comments.

## **CONSENT AGENDA**

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

Consent Agenda:

### **Minutes**

- Minutes of January 12, 2015 – Regular Meeting

### **Capital Projects Danbury Water Fund - Budget Amendment #38**

Finance Director Julia Edwards submitted Budget Amendment #38.

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

January 26, 2015

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
<b>Capital Projects – Danbury Water Fund</b>				
401.4190.440	Construction	<u>\$1,035,890.00</u>	<u>\$88,860.00</u>	<u>\$1,124,750.00</u>
	<b>Total</b>	<b>\$1,035,890.00</b>	<b>\$88,860.00</b>	<b>\$1,124,750.00</b>
<b>Danbury Water Fund</b>				
	Transfer to Capital Projects			
502.9820.000	Danbury Water Fund	<u>\$00.00</u>	<u>\$88,860.00</u>	<u>\$88,860.00</u>
	<b>Total</b>	<b>\$00.00</b>	<b>\$88,860.00</b>	<b>\$88,860.00</b>

This budget amendment is justified as follows:

To transfer funds from Danbury Water System to the Capital Projects.Danbury Water Fund to close out the Capital Projects Fund.

This will result in a **net increase of \$88,860.00** 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	Budgeted Amount	Increase (Decrease)	As Amended
<b>Capital Projects Danbury Water Fund</b>				
	Transfer from Danbury Water			
401.3982.961	Fund	<u>\$28,563.00</u>	<u>\$88,860.00</u>	<u>\$117,423.00</u>
	<b>Totals</b>	<b>\$28,563.00</b>	<b>\$88,860.00</b>	<b>\$117,423.00</b>
<b>Danbury Water Fund</b>				
502.3714.630	Water Fees	<u>\$66,063.00</u>	<u>\$88,860.00</u>	<u>\$154,923.00</u>
	<b>Totals</b>	<b>\$66,063.00</b>	<b>\$88,860.00</b>	<b>\$154,923.00</b>

#### **Tax Administration Report – December 2014**

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

Tax Administrator Jake Oakley presented the following Releases more than \$100 – Real and Personal Property (December 2014) at the January 12<sup>th</sup> meeting for the Board's review and consideration at the January 26<sup>th</sup> meeting:

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

Name	Bill No	Amount	Reason
Kalimah Singh	14A696800220329	\$126.90	Correction of Dwelling Data

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Carolyn Tilley	14A156048599.06.1	\$2,243.59	DWMH to be appraised- real prop
<b>Total</b>		<b>\$2,370.49</b>	

### **Refunds more than \$100 – Real and Personal Property**

Tax Administrator Jake Oakley presented the following Refunds more than \$100 – Real and Personal Property (December 2014) at the January 12<sup>th</sup> meeting for the Board's review and consideration at the January 26<sup>th</sup> meeting:

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

<b>Name</b>	<b>Bill No</b>	<b>Amount</b>	<b>Reason</b>
<b>Nancy Bennett</b>	14A690302667518	\$154.40	Appraisal Correction
	13A690302667518	\$154.40	Appraisal Correction
	12A690302667518	\$164.97	Appraisal Correction
	11A690302667518	\$164.97	Appraisal Correction
	10A690302667518	\$155.61	Appraisal Correction
<b>Marty Boles</b>	23651342	\$191.77	Adjustment
<b>Frank Dutton</b>	22759292	\$105.57	Sold Vehicle
<b>Frank Dutton</b>	22759641	\$102.34	Sold Vehicle
<b>Susan Stiffler</b>	8442774	\$121.88	Sold Vehicle
<b>Rogers Family Trust</b>	6874942	\$186.92	Sold Vehicle
<b>Richard Williams</b>	23670838	<u>\$127.34</u>	Adjustment
<b>Total</b>		<b>\$1,630.17</b>	

### **Personal Property Schedules of Values and Depreciation Schedules for 2015**

Tax Administrator Jake Oakley presented the following Personal Property Schedules of Values and Depreciation Schedules for 2015 at the January 12<sup>th</sup> meeting for the Board's review and consideration at the January 26<sup>th</sup> meeting:

- 2015 Department of Revenue Cost Index and Depreciation Schedules (Business Personal Property)
- 2015 Pricing Guidelines for Personal Property
- 2015 Single Wide Mobile Home Pricing Guidelines (Schedules Developed from Marshall and Swift)

**Proposed Resolution – Transfer of Surplus Property (Northeast Stokes Vol. Fire Department, Inc. and South Stokes Vol. Fire Department, Inc.)**

County Manager Rick Morris presented the following proposed Resolution for the Transfer of Surplus Property to Northeast Stokes Vol. Fire Department, Inc. and South Stokes Vol. Fire Department, Inc. at the January 12<sup>th</sup> meeting for review and consideration at the January 26<sup>th</sup> meeting:

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

**WHEREAS**, The County of Stokes owns a 2005 Ford Crown Vic 2FAHP71W45X149455 and a 2006 Ford Crown Vic 2FAFP71WX6X157794 that have 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 vehicles to:  
  
Northeast Stokes Volunteer Fire Department & Rescue Squad Inc.  
2005 Ford Crown Vic VIN # 2FAHP71W45X149455  
  
South Stokes Volunteer Fire Department & Rescue Squad Inc.  
2006 Ford Crown Vic VIN # 2FAFP71W6X157794
2. The Support Services Supervisor shall publish a notice summarizing this Resolution and transfer of ownership of said vehicle shall not be executed pursuant to this resolution until at least ten (10) days after the date notice was published.

Adopted this the 26<sup>th</sup> day of January 2015.

\_\_\_\_\_  
Ronda Jones - Chairman

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Jimmy Walker – Vice Chairman

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

\_\_\_\_\_  
Ernest Lankford - Commissioner

\_\_\_\_\_  
James D. Booth – Commissioner

Attest \_\_\_\_\_  
Darlene M. Bullins  
Clerk to the Board



**Proposed Financing Certificate – Danbury Vol. Fire and Rescue Squad, Inc.**

County Manager Rick Morris presented the following proposed Certificate for the Financing of a rescue vehicle for the Danbury Volunteer Fire and Rescue Squad, Inc. at the January 12<sup>th</sup> meeting for review and consideration at the January 26<sup>th</sup> meeting:

**COUNTY APPROVAL  
STATE OF NORTH CAROLINA COUNTY OF STOKES**

**CERTIFICATE OF CLERK APPROVAL OF TAX-EXEMPT LOAN TO  
VOLUNTEER FIRE DEPARTMENT BY BOARD OF  
COMMISSIONERS**

The undersigned, being the duly qualified Clerk of Stokes County, North Carolina, does hereby certify that the following is a true and accurate copy of a Resolution passed by the Board of Commissioners of Stokes County, North Carolina, at its regular meeting on the 26<sup>th</sup> day of **January, 2015**, which Resolution was duly introduced, seconded, and approved, and that said Resolution remains in full force and effect:

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Board of Commissioners of Stokes County, North Carolina does hereby approve {within the scope of the qualifying language set forth below) a tax-exempt loan to the Danbury Volunteer Fire Department and Rescue Squad, Inc. (the "VFD") from New Bridge Bank in the principal amount of \$190,520.00, which loan is for the following purpose:

For the purchase of a fire truck for the VFD, which will be owned and operated by the VFD at the following address:

Danbury Volunteer Fire Department  
PO Box 249  
102 Old Church Road  
Danbury, North Carolina 27016

**RESOLVED, FURTHER**, that the approval of the loan to the VFD set forth above is given solely for purposes of the public approval requirements for tax-exempt financing applicable to the VFD because of Section 150 (e) (3) and Section 147 (f) of the Internal Revenue Code of 1986, as amended, and such approval does not obligate the County of Stokes or its Board of Commissioners in any way regarding repayment of the debt.

Duly certified by the execution hereof and the placing hereon of the seal of said County,

This the 26th day of January 2015.

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**Clerk to the Board of Commissioners  
Stokes County, North Carolina**

Commissioner Lankford moved to approve the Consent Agenda as presented.

Vice Chairman Walker seconded and the motion carried unanimously.

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

**Presentation of the 2013-14 Audit**

County Manager Rick Morris introduced Senior Audit Accountant Cassie Wilson, Martin Starnes & Associates, CPAs, P.A. who will be presenting the County's 2013-14 Audit.

Accountant Cassie Wilson presented the following power point presentation to the Board:

- Audit Highlights
  - Unmodified opinion
  - No findings reported
  - Cooperative staff
- General Fund Summary
  - Revenues
    - 2013: \$42,088,006
    - 2014: \$40,676,726
    - Decrease of \$1,411,280 from prior year of 2013
    - Intergovernmental revenues (federal and state grants) caused the decrease in revenues
  - Expenditures
    - 2013: \$42,971,661
    - 2014: \$40,593,207
    - Decrease of \$2,378,454 from prior year of 2013
    - General Government decreased approximately \$775,000 and Public Safety decreased approximately \$1.2 million
- Stokes County's Fund Balance Classifications
  - Non Spendable Fund Balance
    - Inventory = \$59,352
    - Inter-fund Loans = \$91,385
  - Restricted Fund Balance
    - Stabilization by State Statute = \$2,592,106
    - All others = \$3,139,847
  - Assigned Fund Balance = \$2,823,913
  - Unassigned Fund Balance = \$11,373,416

- Total General Fund – Fund Balance = \$20,080,019

County Manager Rick Morris noted the following:

- There are a lot of figures presented in the audit presentation, but when it is all said and done, the figure that we look at is the \$11,373,416 which equates to approximately 26%
- This will be the figure that we work with as we try to balance this year's upcoming budget

Commissioner Booth commented:

- Confirmed with Accountant Wilson that the total of all the Fund Balances is what the Local Government Commission looks at which is approximately 40% when looking at financing

Accountant Wilson continued:

- Total Fund Balance: General Fund
  - 2012 = \$14,791,246
  - 2013 = \$18,030,157
  - 2014 = \$20,080,019
  - \$2,049,862 increase over 2013
- Fund Balance Position – General Fund
  - Total Fund Balance = \$20,080,019
  - Non Spendable = \$(150,737)
  - Stabilization by Statute = \$(2,592,106)
  - Available Fund Balance = \$17,337,176
  - Available Fund Balance = \$15,892,474
  - Increase in Available Fund Balance = \$1,444,702
- Available Fund Balance as a Percent of Expenditures and Transfers to Other Funds: General Fund
  - 2012 = 31%
  - 2013 = 35%
  - 2014 = 40%
- Comparison of Stokes County's General Fund Balance
  - County is 37.2%
  - Population Group is 27.83%
  - Statewide is 26.74%
  - County is above population group and statewide regarding the Fund Balance in comparison
- Ad Valorem Tax
  - 2012 = \$23,122,908
  - 2013 = \$23,654,220
  - 2014 = \$24,053,243
  - Slight increase of \$399,023 from 2013
- Intergovernmental (federal and state grants)
  - 2012 = \$10,485,698
  - 2013 = \$12,645,155
  - 2014 = \$10,570,659

- Decrease of \$2,074,496 from 2013 (Hold Harmless no longer available)
- Sales and Services
  - 2012 = \$3,845,564
  - 2013 = \$3,670,666
  - 2014 = \$3,836,197
  - Increase of \$165,531 from 2013
- Other Taxes and Licenses
  - 2012 = \$3,592,980
  - 2013 = \$3,754,489
  - 2014 = \$3,857,708
  - Increase of \$103,219 from 2013
- Human Services
  - 2012 = \$10,283,800
  - 2013 = \$10,219,695
  - 2014 = \$10,469,402
  - Increase of \$249,707 from 2013
- Public Safety
  - 2012 = \$7,586,392
  - 2013 = \$9,596,281
  - 2014 = \$8,413,162
  - Decrease of \$1,183,119 from 2013 (\$2 million E911 Capital Project in 2013)
- Education
  - 2012 = \$10,267,838
  - 2013 = \$10,301,511
  - 2014 = \$10,304,827
  - Slight increase of \$3,316 from 2013
- General Government
  - 2012 = \$3,948,002
  - 2013 = \$5,358,991
  - 2014 = \$4,583,917
  - Decrease of \$775,074 from 2013

Chairman Jones opened the floor for discussion.

Vice Chairman Walker confirmed with Accountant Wilson that overall the audit is pretty positive.

Vice Chairman Walker questioned how the County's overall Fund Balance percentage of 40% compared to other like size counties across the state?

Finance Director Julia Edwards responded:

- It is hard to say for fiscal year 2014 as all the final percentages have not been reported to the Local Government Commission

Commissioner Lankford questioned where was the increase from 2013 to 2014 in Public  
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Safety, as the increase from 2012 to 2013 was for the E911 Communication Upgrade?

Finance Director Julia Edwards noted she did not have a detailed breakdown, but thought there were some expenditures in 2014 that related to the E911 Upgrade.

Accountant Wilson noted a lot of times capital outlay purchases impact an increase or decrease.

County Manager Rick Morris noted staff would provide the Board with a detailed breakdown.

Commissioner Booth commented:

- Would also like to see the detailed breakdown mentioned by Commissioner Lankford

Chairman Jones expressed appreciation to Accountant Wilson for the presentation.

#### **Art Market Project – Update**

County Manager Rick Morris noted the following information regarding the Art Market Project Update:

- Director McGee and others have done an astonishing job in raising the funding for this project
- Arts Council Director Eddy McGee will be providing information to the BOCC tonight on the Art Council's formal rollout of the Downtown Danbury Project to transform and expand the Art Council's current facilities into a multipurpose venue
- The plans for the renovation project, which will be called "Hanging Rock Station", are in the final approval process from the funding sources (no county dollars involved in the renovation project)
- After that approval, the Town of Danbury will formally approve the project, which is a requirement for issuance of the building permit, and construction will start shortly after that to meet the project completion deadlines established by the funders
- Director McGee's presentation will provide an overview of the building plans and the variety of activities that will occur in the new facility
- Sufficient funding has been committed to complete the building renovation; however, the Arts Council will soon initiate a capital campaign to generate additional funding that will go toward initial operations of the venue to ensure it gets off to a successful start during the first few years
- Director McGee will also briefly discuss the future Phase 2 of the project which will require additional funding and will provide an outdoor amphitheater at the rear of the facility

Commissioner Booth noted all the hard work done to do this project without any county funding.

Manager Morris turned the presentation over to Director Eddy McGee.

Arts Council Director Eddy McGee noted the following:

- 2015 is a very special year for the Stokes County Arts Council – 40<sup>th</sup> Year of serving Stokes County residents through the cultural arts
- Foundation of the current project
  - Dan River Art Market operated from 1983 to 2008 in Danbury
  - Art Market represented over 80 artists and was a retail outlet (pottery, stained glass, CDs, painting, etc.)
  - Very successful being staffed mostly by volunteers
  - It was closed in 2008 due to the most part to code issues to the building
  - Did not have the funding at that time to keep it open
- In 2008, Stokes County Arts Council received a \$10,000 grant from the Apple Foundation to renovate the current gallery – no county funding was used to upgrade the current gallery
- Success of these projects have led us to this point
- For the past three years, Stokes Arts has worked to create the vision of a multi-purpose, cultural facility, to design a business plan to sustain that facility and to secure funding partners to support that project
- The Stokes County Arts Council is proud to publicly announce that Stokes County's first multi-cultural venue will be built in 2015
- Presently, the architect is finalizing construction plans, will prequalify contractors for bidding within the next couple of weeks and begin the bid process in February
- Bid contract is hoped to be awarded in March with construction in late March or early April 2015
- Goal is to open in November or December 2015
- Construction/Renovation Budget is between \$850,000 and \$900,000
- To date, over \$800,000 has been secured with 99.9% coming from outside Stokes County sources
- These funders believe in this project
- Stokes Arts will begin a local capital campaign to raise an additional \$400,000 to support operating and staffing the facility; we are going to need that funding
- We want to have a local investment in this project
- This campaign will began as soon as the construction plans are finalized
- First Floor
  - Facility will be located in the former Dan River Art Market and the adjoining former Woods' Barber Shop
  - There will be a pass thru door from the Apple Gallery to the new facility
  - There will be fixed shelving on the walls for retail – similar to what was in the former Dan River Art Market; will also be promoting Stokes County Agricultural Market – jams, jellies, apple butter, etc.
  - Tourism memorabilia will also be sold

- Flex retail will also be on the first floor – similar to the Floyd Country Store in Floyd, Virginia
- There will be a portable stage with space for chairs; a portable stage can be moved around within the facility
- With fixed seating, it limits what the room can be used for
- Estimated seating is between 150-175
- The former barber shop area will be food and concessions which will be leased
- Bathrooms will be located in that area
- The facility will be extended in the back all way back to the circle driveway
- Second Floor
  - There will be a standing balcony overlooking the performance area which will hold between 50-75
  - There will be a Stokes Arts Member VIP Area
  - There will be artists' loft space that can be rented out
  - Bathrooms
- To sustain this facility, revenue will come from leased space, retail, and performances
- Retail Market
  - Active members who volunteer at least once a month will have a 70/30 commission rate (70% –artist and 30% –Stokes Arts)
  - Passive member who do not volunteer will have a 50/50 commission rate
  - Artists can rent an office loft for \$100 per month with a commission rate of 100% for the artist
  - Economic Director Alan Wood has been very helpful in the development of the business plan to sustain the operation of the facility
- Basement
  - Will be one big meeting space that can be used as a classroom
  - Additional classroom to the side
  - Bathrooms
  - Storage area
  - Kitchen prep area
- There is a Phase 2 which will be an outdoor amphitheater that will hopefully be started after the completion of Phase 1
- Already working on funding for the project – will hopefully know about funding for Phase 2 by the end of the summer
- Have been talking to CenturyLink about possibly gifting the property at the back of their building for parking for the facility (possibly 25 to 30 spaces)
- CenturyLink would most likely gift the property to the County
- It is here – will be open in 2015

Chairman Jones opened the floor for discussion.

Commissioner Booth confirmed with Director McGee that the public will be able to rent space for possible weddings, receptions, family reunions, etc.

Vice Chairman Walker commented:

- Appreciate all the hard work that has been put into this project
- Confirmed with Director McGee there would some dinner theaters at the facility

Arts Council Director McGee noted that current programs will continue.

Commissioner Lankford commended Director McGee for his dedication to get this project off the ground.

Chairman Jones expressed her appreciation to Director McGee for all the hard work, including the agricultural aspect that will help economic development and tourism, and keeping the cost off the backs of the taxpayers.

Commissioner Inman commented:

- Remember talking about this project with Director McGee approximately 5 years ago – his vision for the facility, amphitheater, etc.
- I tell everyone that Eddy McGee is one of the best ambassadors that Stokes County has that never takes much credit, it is always “we” and never just “I”
- Tremendous vision that is about to become a reality
- Can truly say that “Danbury is the Gateway to Stokes County”

Director McGee responded:

- Appreciate the Board’s comments
- It has been a lot of hard, but we really are a “team”
- Stokes County citizens deserve this facility

#### **Stokes County Community Child Protection & Child Fatality Prevention Team Annual Report - 2014**

Chairman Jones introduced Health Director Scott Lenhart who presented the 2014 Stokes County Community Child Protection & Child Fatality Prevention Team Annual Report. (DSS Director Stacey Elmes was unable to be present for the report presentation)

Health Director Scott Lenhart noted the following:

- North Carolina General Statute 7B-1406 requires that the Stokes County Community Child Protection and Child Fatality Prevention Team Annual Report for 2014 be submitted to the Stokes County Board of Commissioners
- Community Child Protection (CCPT) and the Child Fatality Prevention Team (CFPT) formally merged in 2011
- CCPT/CFPT Team met four times in 2014
- Case Reviews
  - Two specific Child Protective Services cases were reviewed during the year



- System deficiencies were noted
  - Lack of transportation
  - Lack of substance abuse treatment nearby
  - Lack of helpful and timely services for alcohol abusers
- One teen suicide was reviewed
- Nine fatalities Reviewed
  - One - Inhalation & Ingestion of other objects causing asphyxia
  - One - Necrotizing Enterocolitis of Newborn
  - One - Unspecified injury due to Vehicle Accident
  - One - Unspecified injury due to Vehicle Accident
  - One - Congenital Malformation, Unspecified, Bacterial Pneumonia
  - One - Aplastic Anemia, Unspecified
  - One - Other Hypertrophic Cardiomyopathy & Other Chronic Thyroiditis
  - One - Unspecified Injury due to Vehicle Accident
  - One - Asphyxiation due to Accidental Hanging and Strangulation
- Recommendations as a result of the reviews
  - Stokes County residents could benefit from a home visiting program where a nurse visits the home of all new parents to offer support and resource information
  - All social workers working in the county will be asked to educate new parents on safe sleeping for newborns, specifically discouraging the practice of placing any items in a crib with a newborn
  - Stokes County residents could benefit from increased knowledge about the resources available to them through DSS and the Health Department
- Recommendations made to the State Community Child Protection Team Coordinator
  - Request made for assistance in developing resource in rural counties
  - Information on how local gaps in services can be addressed beyond what the local team has already done
  - Regional CCPT meeting held quarterly to share ideas among local agencies
- Recommendations for the Board of County Commissioners
  - Continue to support efforts by service providers to make resources such as transportation and mental health/substance abuse treatment available to Stokes County residents
  - Formally appoint members to the CCPT and CFPT
- Conclusions
  - CCPT/CFPT remains focused on the task of identifying system deficiencies in Stokes County as they relate to child abuse and neglect
  - Continue to be satisfied with the merger of the two teams and are confident that our joint efforts will make an even greater impact on our ability to enhance child safety in our community
  - Goal is to make Stokes County a safer place for all our children and families
  - CCPT/CFPT welcomes input and most importantly your continued support

Chairman Jones opened the floor for discussion.

Commissioner Inman confirmed with Health Director Lenhart the number of fatalities this

year is about the same as last year.

Director Lenhart commented:

- Briefly discussed the causes of death regarding the nine fatalities and the recommendations of the CCPT/CFPT

Commissioner Lankford requested Director Lenhart to expand on the Team's recommendation regarding the lack of transportation.

Director Lenhart responded:

- Citizens can't attend meetings/classes (such as parenting classes) due to lack of transportation
- Transportation has been an issue and continues to be an issue in Stokes County
- Continue to work to get needed transportation for citizens who have no means of transportation

Vice Chairman Jones commented:

- Confirmed with Director Lenhart that the following programs were being developed to hopefully prevent future fatalities:
  - Home visiting program where a nurse visits the home of all new parents to offer support and resource information
  - All social workers will start educating new parents on safe sleeping
  - Educate citizens about resources available to them through DSS and the Health Department
  - Will continue to work with CenterPoint Human Services regarding the suicide rate in Stokes County which remains high

Chairman Jones commented:

- As a member of the CCPT/CFPT, can see the teamwork between DSS and the Health Department
- At the recent CenterPoint quarterly meeting, several DSS workers expressed concerns to the CenterPoint staff; hope this has started a new communication line that will help to provide the needed services
- Feel the Centerpoint quarterly meeting was a positive and effective meeting

Chairman Jones expressed appreciation to Director Lenhart for the report.

### **NCFAST Update**

County Manager Rick Morris presented the following NCFAST Update from DSS Director

Stacey Elmes:

- New permanent Income Maintenance Caseworkers and the temporary workers are on board which is helping out
- Next big deadline is March 31, 2015, all Medicaid benefits must be caught up

- DSS Director Elmes feels that the department can meet that deadline as long as the positions are filled and temporary workers do not leave
- DSS Director Elmes will continue to update the Board at the next meeting

Chairman Jones opened the floor for discussion.

Commissioner Booth commented:

- Very glad to hear that the permanent positions are filled and the temporary workers are on board which will help morale

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

### **NC Department of Motor Vehicle Facility – License Plate Agency**

Tax Administrator Jake Oakley presented the following information regarding the NC Department of Motor Vehicle (DMV) Facility – License Plate Agency (LPA) in Walnut Cove as requested by the Board of Commissioners at the January 12<sup>th</sup> meeting: (information was provided by the State)

- State application
  - NCDMV has a formal application process
    - MVR-93AA is the County/Municipality/Chamber Application which can be obtained on the DMV website
      - Complete and submit application
      - DMV reviews the application
      - DMV may request applicant to come to Raleigh for a formal meeting to discuss
        - Office location
        - Feasibility - DMV can do a zip code study for profitability
        - Financial responsibilities
        - Startup cost can be as much as \$25,000
- Facility requirements
  - Facility size requirements are determined by the number of transactions your office will do
    - 0 to 25,000 transactions require 200 sq ft of lobby spaces and 1 to 2 work stations
    - 25,001 to 50,000 transactions require 300 sq ft of lobby spaces and 2 to 3 work stations
    - 50,001 to 75,000 transactions require 400 sq ft of lobby spaces and 3 to 4 work stations
    - 75,001 to 100,000 transactions require 500 sq ft of lobby spaces and 4 to 5 work stations
    - 100,001 to 125,000 transactions require 600 sq ft of lobby spaces and 5 to 6 work stations

- 125,001 to 150,000 transactions require 700 sq ft of lobby spaces and 6 to 7 work stations
  - 150,001 and up transactions require 800 sq ft of lobby spaces and 7 plus work stations
  - Each additional workstation requires another 100 sq ft
- The facility must be handicap accessible under the American Disabilities Act
- Must provide adequate restroom facilities that are handicap equipped
- Storage room must be adequate for storing plates, renewal stickers and forms; room must be secure and have easy access for deliveries
- Parking for the facility shall have a sufficient number of parking spaces and handicap is required
- LPAs operated by counties, towns, or municipalities will be operated the same hours as the county, town, or municipality
- Offices can close one hour for lunch
- License Plate Training
  - Training is three (3) successive weeks in Raleigh
  - Contractors can send the entire staff or the designated manager (this can be costly)
  - DMV recommends that you send the entire staff but only one representative is required; the more knowledgeable your staff is helps them be more efficient and provide better customer service
  - Once training is completed and the office is opened, a designated NCDMV Field Representative will be assigned to the office for at least two weeks
- Revenue/LPA Compensation
  - County/LPA Compensation
    - Rates for Services Rendered
      - Renewals = \$1.06
      - Plate Issuance = \$1.06
      - LRP (Limited Registration Plate) = \$1.27
- Audit and Inspection
  - Each LPA is assigned a DMV Field Supervisor who covers a regional area
  - The Field Supervisor's job is to:
    - Audit all deposits for accuracy or fraudulent activity
    - Assess all damaged/missing plates and stickers
    - Goes over error reports and any customer complaints with agents
    - Is on call to help with any issues
  - The office is audited approximately every 45 days
- Replacement Charges for Plates and Stickers
  - What happens when validation stickers and license plates go unaccounted for?
    - The contractor gets charged for them:
      - Validation Stickers = \$28
      - Private Passenger/Farm Plates = \$15
      - Weighted/For Hire/Commercial Plates = \$123
      - Multi Year Trailer Plates = \$75
      - Handicap/Temp Plates = \$5

- Estimated revenue
  - Walnut Cove LPA Revenues 2012-2014
    - 2012 - 50,000 Renewals/Title Transactions = \$78,000
    - 2013 - 46,200 Renewals/Title Transactions = \$77,800
    - 2014 – 61,250 Renewals/Title Transactions = \$130,600\*
  - \*The increase for 2014 reflected the first full year of the new “Tag & Tax System”
- Town of Walnut Cove Special Meeting
  - Held on Wednesday, January 21, 2015
  - Walnut Cove Town Council voted unanimously to apply for a municipality operated DMV/LPA and thereby directed Town Manager Monty Stevens to submit an application to the State
  - Made sure Walnut Cove officials understood that the recent discussion by the Board concerned revenue projections, not moving the LPA office to another part of the County
  - The County’s main concern was to make sure there was a LPA office in Stokes County to serve its citizens
  - At this meeting, offered the Town of Walnut Cove assistance, if needed, from the Tax Office; personally feel the LPA should stay in Walnut Cove
- Application deadline
  - Monday, February 16, 2015
- Talked with state representative who confirmed the County should make an application for the DMV/LPA, in case for some reason, the Town of Walnut Cove’s application is not approved
- State representative also noted that the County should note with their application there is no direct competition with the Town of Walnut Cove and only wishes to have their application considered if the Town of Walnut Cove’s application is denied
- Hope the Town of Walnut Cove is awarded the contract by the State to run the LPA Office

Chairman Jones opened the floor for discussion.

Commissioner Booth commented:

- Confirmed with Tax Administrator Oakley that the application is open to any individual, county, municipality, etc.
- Confirmed with Tax Administrator Oakley that a state representative recommended that the County submit an application in case the Town of Walnut Cove’s application is denied
- Confirmed with Tax Administrator Oakley that if the County, for some reason, was awarded the contract to run the LPA, there would have to be one new employee added to the collection department
- Confirmed with Tax Administrator Oakley that the County could turn down the contract if selected by NCDMV

Tax Administrator Oakley noted that decision is made by the North Carolina Department of Motor Vehicles.

Tax Administrator Oakley also noted that if the County was awarded the contract, the County could only provide services for motor vehicles and would not be able to accept payments for Duke Power and others.

Vice Chairman Walker commented:

- Agree with Tax Administrator Oakley that the LPA Office needs to stay in the Town of Walnut Cove
- Don't see any downside to the County submitting an application as a backup plan
- Confirmed with Tax Administrator Oakley that the application deadline is 02-16-15
- Confirmed with Tax Administrator Oakley that he felt the State determines how many LPA Offices will be located within a County (Tax Administrator Oakley noted he would need to verify that with the State, but feels another LPA Office would object to one moving nearby – such as placing one in King with Rural Hall next door)
- Gas is not going to stay as low as it currently is and the County needs to bring all the services it can to the County for the citizens of the County
- Confirmed with Tax Administrator Oakley, if the Board decided to submit an application, it would need to be approved by the Board at the February 9<sup>th</sup> meeting

Tax Administrator Oakley noted:

- Could be as late as June or July before anything is up and running whoever is awarded the contract
- Application is not very difficult and can be completed for the Board's review at the February 9<sup>th</sup> meeting

Commissioner Inman commented:

- The people of Walnut Cove have long depended on the services provided by the DMV/LPA
- Support the Town of Walnut Cove being awarded the contract
- Appreciate the information provided at tonight's meeting

Chairman Jones commented:

- That DMV/LPA is a huge economic driver in Walnut Cove
- Representative Holloway has posted on Facebook that there will be a DMV/LPA in Stokes County
- Have expressed my personal comments to Representative Holloway regarding the need for the DMV/LPA to remain in Walnut Cove
- Have no problem submitting an application, but wonder if submitting a letter of support for the Town of Walnut Cove might not be better

The Board discussed having the completed application on the next Action Agenda.

Chairman Jones, with full consensus of the Board, directed the Tax Administrator and the County Manager to complete an application for the Action Agenda at the February 9<sup>th</sup> meeting.

### **Advertisement of Tax Liens**

Tax Administrator Jake Oakley noted the following regarding Advertisements of Tax Liens:

- According to NC General Statutes 105-369(a) the Tax Collector must report to the Governing Body a total amount of unpaid taxes for the current fiscal year (2014-2015) that are liens on real property, including the county and municipalities by the first of February
- The Governing Body must order the Tax Collector to advertise these tax liens
- The Tax Office is making this request earlier than usual because of current involvement with the conversion of data/training to the new NC Property Tax Service (Farragut Supported Tax System)
- According to NC General Statutes 105-369(B1), after the Governing Body orders the Tax Collector to advertise the tax liens, the Tax Collector must send a notice to the owner of record of each affected parcel
- The notice must be sent to the owner's last known address by first class mail at least thirty (30) days before the date of advertisement is to be published
- The projected date for the mailing of second notices is January 28, 2015
- As of January 22, 2015
  - Delinquent 2014 Tax Bills – General County/Education = 4,398 Bills = \$1,885,819 principal due
  - Delinquent 2014 Tax Bills – City of King = 262 Bills = \$289, 676 principal due
  - Delinquent 2014 Tax Bills – Town of Danbury = 17 Bills = \$4,807 principal due
  - Delinquent 2014 Tax Bills – Town of Walnut Cove = 95 Bills = \$56,061 principal due
- Request the Governing Body order the Tax Collector/Administrator to advertise these accounts no earlier than thirty (30) days after the mailing of the past due notices (less any bills paid between the report date and the advertising date)
- Projected advertisement date for 2014 Tax Liens in the Stokes News is April 9, 2015
- Request the item be placed on the February 9<sup>th</sup> Consent Agenda

Chairman Jones opened the floor for discussion.

The Board had no issues with placing the item on the February 9<sup>th</sup> Action Agenda.

Chairman Jones, with full consensus of the Board, directed the Clerk to place the item on the February 9<sup>th</sup> Consent Agenda.

## **Animal Control Ordinance – Proposed Amendments**

County Manager Rick Morris presented the following proposed amended Animal Control Ordinance:

STATE OF NORTH CAROLINA	)	AN ORDINANCE CREATING A STOKES COUNTY
	)	ANIMAL CONTROL DEPARTMENT, PRESCRIBING
	)	THE DUTIES OF THE DEPARTMENT,
	)	REGULATIONS REGARDING ANIMALS, AND
COUNTY OF STOKES	)	AND PROVIDING FOR THE ENFORCEMENT OF
	)	SAID REGULATIONS

### **ARTICLE I, GENERAL**

#### **Section 1. Definitions.**

As used in this ordinance, the following words mean:

**Adequate Shelter for Dogs:** A structure intended for the animal's protection from inclement weather or sun, which consists of at least three sides, a floor and a roof. The structure must be constructed of durable fiber, wood, plastic or other non-metal material.

**Animal Shelter:** Any premises designated by the County for the purpose of impounding and caring for all animals found running at large or otherwise subject to impounding in accordance with provisions of this ordinance.

**At Large:** Any animal shall be deemed to be at large when he is off the property of his owner and not under the control of a competent person.

**Exposed to Rabies:** An animal has been exposed to rabies within the meaning of this ordinance, if it has been bitten by, or exposed to, any animal known or suspected to have been infected with rabies.

**Kennel, Dealer, Breeder, or Pet Shop:** Any person, group of persons, partnership or corporation engaged in buying, selling, breeding, or boarding pet animals.

**Neutered Male:** Any male which has been operated upon to prevent reproduction.

**Nuisance:** Any animal is deemed a public nuisance and a threat to public health, welfare, and tranquility if it repeatedly:

- a) Chases pedestrians, bicycles, animals, or motorized vehicles; or
- b) Snaps at people; or
- c) Roams in packs; or
- d) Fights with other animals; or
- e) Barks or howls; or



- f) Destroys or defaces lawns, shrubs, trees, agricultural crops, or other property; or
- g) Scatters garbage out of cans or other containers; or
- h) Takes personal property from premises where it belongs; or
- i) Creates a nuisance in any other way

**Owner:** Any person, group of persons, firm, partnership or corporation owning, keeping, having charge of, sheltering, feeding, harboring or taking care of any animal. The owner is responsible for the care, actions and behavior of his animals.

**Restraint:** Any animal is under restraint within the meaning of this ordinance if he is controlled by means of a chain, leash or other like device; or is sufficiently near the owner or handler to be under his direct control and is obedient to that person's commands; or is on or within a vehicle being driven or parked; or is within a secure enclosure.

**Restraint of a dangerous or potentially dangerous dog:** Confinement in a securely enclosed pen or other structure having a roof, cement floor, and secured by a padlock. When this type of dog is outside this pen or structure, it must be restrained and held by the owner, or one who is in direct control, by an adequate leash, chain or other like device and the dog must be muzzled at all times. At no time shall restraint of this type of dog be accomplished by chaining it outside the pen or structure.

**Spayed Female:** Any female which has been operated upon to prevent conception.

**Vicious Animal:** An animal that has made an unprovoked attack on a human by biting or in any manner causing abrasions or cuts of the skin; or one which habitually or repeatedly attacks farm stock and other pets.

## **Section 2. Establishment and Composition of an Animal Control Department, Appointment, and Compensation of Department Employees**

There is hereby created an Animal Control Department of the county, which shall be composed of such employees as shall be determined by the Board of County Commissioners. Such employees shall be hired and compensated in accordance with the policies of the County of Stokes Personnel Policies Handbook.

## **Section 3. General Duties of Animal Control Department**

The Animal Control Department shall be charged with the responsibility of:

- a) Enforcing in this county, all state and county laws and ordinances relating to the care, custody, and control of animals.
- b) Cooperating with the Health Director and assisting in the enforcement of laws of the state with regard to animals and especially with regard to vaccination of dogs and cats against rabies and the confinement or leashing of vicious animals
- c) Investigating cruelty or animal abuse with regard to all animals.

d) Making such canvasses of the county, including the homes in the county, as it deems necessary for the purpose of ascertaining that all dogs are duly and properly listed for tax purposes, and that all dogs and cats are vaccinated against rabies.

e) Operating the Animal Control Shelter pursuant to policies of the Board of County Commissioners.

#### **Section 4. Records to be Kept by the Animal Control Department**

It shall be the duty of the Animal Control Department to keep or cause to be kept, accurate and detailed records of:

- a) Impoundment and disposition of all animals coming into the animal shelter.
- b) Bite cases, violations and complaints, and investigation of same.
- c) All monies belonging to the county which were derived from impoundment fees, penalties, and sales of animals.
- d) All other records deemed necessary by the county manager.

#### **Section 5. Animal Control Advisory Council**

There is hereby created an Animal Control Advisory Council to advise the Board of County Commissioners and the county manager with respect to animal control matters. The Animal Control Advisory Council shall be composed of members appointed by the Board of County Commissioners to serve at the pleasure of the Board.

#### **Section 6. General Duties of Keepers of Animals**

It shall be unlawful for any person to keep animals under unsanitary or inhumane conditions or to fail to provide proper food and water daily, shelter from the weather and reasonably clean quarters for such animals, or to fail to provide proper medical attention for sick, distressed, or injured animals, as well as adequate inoculation against disease, according to the species of animal kept.

##### **Section 6.1. Adequate Shelter for Dogs**

Owners of dogs shall provide a structure intended for the animal's protection from inclement weather or sun, which consists of at least three sides, a floor and a roof. The structure must be constructed of durable fiber, wood, plastic or other non-metal material.

#### **Section 7. Cruelty To Animals**

It shall be unlawful for any person to molest, torture, torment, deprive of necessary sustenance, cruelly beat, needlessly mutilate or kill, wound, injure, poison, abandon or subject to conditions detrimental to its health or general welfare of any animal, or to cause or procure such action. The words "torture" and "torment" shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted; but such terms shall not be construed to prohibit lawful shooting of birds, deer, or other game for human food; nor to prohibit the animal control department or its agents or veterinarians from destroying dangerous, unwanted or injured animals in a humane manner.

#### **Section 8. Confinement, Muzzling, and Control of Vicious or Dangerous Dogs or Animals**

It shall be unlawful for any owner to keep any vicious, fierce, dangerous or potentially dangerous dog or animal within the county, unless it is confined within a secure building, pen or enclosure as defined in this Ordinance, or unless it is securely muzzled and under restraint by a competent person who, by means of a leash, chain or rope, has such animal firmly under control at all times.

Violators of this section shall be guilty of a Class Three (3) Misdemeanor under N.C.G.S. 14-4(a) and shall be fined not more than \$500.

## **Section 9. Animals Creating Nuisance Prohibited from Running at Large**

- a) If an animal is reported to an Animal Control Officer as being a nuisance, the Animal Control Officer shall investigate to determine whether the animal in question falls within the definition of nuisance in Section 1. If the Animal Control Officer finds that the animal is a nuisance, the Animal Control Officer shall order the owner to keep the animal under restraint at all times. The owner shall not permit the animal to be at large. It shall be unlawful for any owner to allow an animal that is a nuisance as defined in Section 1, to be at large after receipt of this order.
- b) In addition to criminal penalties, any person violating the order set forth in subsection (a) above shall be subject to the following civil penalties:

- a. First Offense- Written Warning
- b. Second Offense - \$100 civil penalty
- c. Third Offense - \$200 civil penalty
- d. Fourth Offense - \$300 civil penalty
- e. Fifth Offense and subsequent offense - \$500 civil penalty and seizure of the animal

## **Section 10. Dogs Privilege Tax Tag**

- a) It is the purpose of this Section to supplement State Law by providing a procedure for the enforcement of laws requiring dogs to wear a privilege tax tag.
- b) It shall be unlawful for any dog owner or keeper to fail to provide his dog with a dog privilege tax tag to be issued annually by Stokes County and to take such action as is necessary to insure that said privilege tax tag is worn by said dog at all times except as otherwise provided in this ordinance.
- c) It shall be the duty of the Stokes County Tax Department to provide the animal shelter with a privilege tax list so that tags may be mailed. The tag is to be of such color, shape, or in some other way to clearly indicate the year for which the tag has been issued. The tag is to contain a number or other designation, and record is to be kept of the person to whom the tag has been mailed or otherwise deferred. After the initial mailing by September 1, dog tags may be obtained at the animal shelter only.
- d) In addition to all other penalties prescribed by law, a dog is subject to impoundment in accordance with the provisions of this ordinance if the dog is found not be wearing a currently valid dog privilege tax tag. Provide however, that the provisions of this section shall not apply to any dog being kept in any governmental facility, veterinary hospital, or licensed commercial animal establishment.

- e) It shall also be unlawful for any individual moving into Stokes County who was or keeps a dog to fail to obtain a valid rabies tag and dog privilege tax tag within (30) days of moving into the County.
- f) The fee for the privilege tax tag shall be six dollars (\$6.00) per animal.  
In the event the tag is lost or stolen, a replacement tag can be obtained at the animal shelter for "one and one-half dollars (\$1.50) per animal".

### **Section 11. Exemptions from Ordinance**

Hospitals, clinics, and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this ordinance, except Sections 6, 7, 8, and 9.

### **Section 12. Interference with Enforcement of Ordinance**

It shall be unlawful for any person to interfere with, hinder or molest the animal control department or its agents or animal control officers or veterinarians in the performance of any duty authorized by this ordinance, or to seek to release any animal in the custody of such agents, except as otherwise specifically provided.

## **ARTICLE II. RABIES CONTROL**

### **Section 13. Compliance with State Law; Article as Supplement to State Law**

- a) It shall be unlawful for any dog or cat owner or other person to fail to comply with the state laws relating to the control of rabies.
- b) It is the purpose of this article to supplement the state laws by providing a procedure for the enforcement of state laws relating to rabies control, in addition to the criminal penalties provided by state law.

### **Section 14. Inoculation of Dogs, Cats and other Animals**

- a) It shall be unlawful for an owner to fail provide current inoculation against rabies (hydrophobia) for any dog or cat four (4) months of age or older. Should it be deemed necessary by the County Health Director or the State Public Health Veterinarian that other pets be inoculated in order to prevent a threatened epidemic or to control an existing epidemic, it shall be unlawful for an owner to fail to provide current inoculation against rabies for that animal.
- b) A rabies vaccination shall be deemed current for a dog, cat, or ferret if the first two (2) doses of vaccine are administered twelve (12) months apart and each subsequent booster dose of vaccine administered at thirty-six (36) months intervals or administered as per the vaccine manufacturers recommended schedule, if it is less the required thirty-six (36) months.

### **Section 15. Inoculation Tag for Dogs**

- a) Upon complying with the provisions of Section 14, there shall be issued to the owner of the dog inoculated a numbered metallic tag, stamped with the number and the year for which issued, and indicating that the dog has been inoculated against rabies.

- b) It shall be unlawful for any dog owner to fail to provide his dog with a collar or harness to which a current tag issued under this section is securely attached. The collar or harness, with attached tag, must be worn at all times, except during the time the dog is performing at shows, obedience trials, tracking tests, field trials, training schools or other events sanctioned and supervised by a recognized organization.
- c) It shall be unlawful for any person to use for any dog a rabies inoculation tag issued for a dog other than the one using the tag.

### **Section 15.1. Evidence of Inoculation of Cats**

Cats shall not be required to wear the metallic tag referred to in Section 15, but the owner of the cat shall maintain sufficient written evidence to prove that his cat has a current rabies inoculation.

### **Section 16. Report and Confinement of Animals Biting Persons or Showing Symptoms of Rabies**

- a) Every animal which has bitten any person or which shows symptoms of rabies shall be confined immediately and shall be promptly reported to the animal control department, and thereupon shall be securely quarantined, at the direction of the animal control department, for a period of ten (10) days, and shall not be released from such quarantine except by written permission from the animal control department.
- b) Animals quarantined under this section shall be confined in a veterinary hospital or at the county animal shelter, at the expense of the owner; provided, however, that if any animal control officer determines that the owner of an animal which must be quarantined has adequate confinement facilities upon his own premises, the animal control officer shall authorize the animal to be confined on such premises, providing the animal has a current rabies vaccination. If the animal is confined on the owner's premises, the animal control officer shall revisit the premises for inspection purpose at approximately the middle of the confinement period and again at the conclusion of the confinement period.
- c) In the case of stray animals whose ownership is not known, the supervised quarantine required by this section shall be at the county animal shelter.
- d) If rabies does not develop within ten (10) days after an animal is quarantined under this section, the animal may be released from quarantine with the written permission of the animal control department. If the animal has been confined in the county animal shelter, the owner shall pay the sum equal to eight dollars (\$8.00) for each day of confinement to defray the cost of feeding, upon reclaiming the animal.

### **Section 17. Destruction or Confinement of Animal Bitten by Rabid Animal**

Animals bitten by a known rabid animal shall be immediately destroyed, unless the owner agrees to strict isolation of the animal at a veterinary hospital at the owner's expense for a period of six (6) months; or if the animal has a current rabies inoculation, revaccination shall be given.

## **Section 18. Area-wide Emergency Quarantine**

- a) When reports indicate a positive diagnosis of rabies, the county director of public health shall order an area-wide quarantine for such period as it deems necessary. Upon invoking of such emergency quarantine, no animal shall be taken into the streets or permitted to be in the streets during such period. During such quarantine, no animal may be taken or shipped from the county without permission of the animal control department, and each member of the animal control department and the police and sheriff's department is hereby fully authorized, during such emergency, to impound any animal found running at large in the county. During the quarantine period, the animal control department or the local health authorities shall be empowered to provide for a program of mass immunization by the establishment of temporary emergency rabies vaccination facilities strategically located throughout the county.
- b) In the event, there are additional positive cases of rabies occurring during the period of quarantine, such period of quarantine may be extended at the discretion of the county director of public health.

## **Section 19. Postmortem Diagnosis**

- a) If an animal dies while under observation of rabies, the head of such animal shall be submitted to the state laboratory in Raleigh for diagnosis.
- b) The carcass of any dead animal exposed to rabies shall be surrendered to the Animal Control Department. The head of such animal shall be submitted to the state laboratory in Raleigh for diagnosis.

## **Section 20. Unlawful Killing or Releasing of Certain Animals**

It shall be unlawful for any person to kill or release any animal under observation for rabies, any animal suspected of having been exposed to rabies, or any animal biting a human, or to remove such animal from the county without written permission from the animal control department and the county director of public health.

## **Section 21. Failure to Surrender Animal for Quarantine or Destruction**

It shall be unlawful for any person to fail or refuse to surrender any animal for quarantine or destruction as required in this article, when demand is made therefore by the animal control department.

# **ARTICLE III. IMPOUNDMENT**

## **Section 22. General Provisions**

- a) Any animal which appears to be lost, strayed or unwanted, or which is found to be not wearing a currently valid rabies vaccination tag, as required by state law or this ordinance, or which is found at large or not under restraint in violation of this ordinance shall be impounded by the animal control department and confined in the animal shelter in a humane manner. Impoundment of such an animal shall not relieve the owner thereof from any penalty which may be imposed for violation of this ordinance.

- b) It shall be unlawful for any owner or his agent to permit a female animal to run at-large during estrus. Any such animal must be kept in a secure enclosure or be, at all times, under restraint or direct control of the owner or agent.

### **Section 23. Notice to Owner**

Immediately upon impounding an animal, the animal control department shall make reasonable effort to notify the owner and inform such owner of the conditions whereby the animal may be redeemed. If the owner is unknown, notice of such impoundment shall be posted for 72 hours, or until the animal is disposed of, on a bulletin board at the animal shelter, and the time and place of the taking of such animal, together with the time and date of posting the notice shall be stated therein.

## **ARTICLE IV. Fees**

### **Section 24. Redemption by Owner**

The owner of an animal impounded under this article may redeem the animal and regain possession thereof within one hundred twenty (120) hours (five days) after notice of impoundment is given or posted, as required by Section 23, by complying with all applicable provisions of this ordinance and paying a redemption fee of twenty five dollars (\$25.00) plus a boarding fee of eight dollars (\$8.00) for each day the animal is held at the animal shelter. The owner of an animal impounded and not redeemed within the required holding period shall be responsible for the fees incurred, whether or not the animal is claimed.

Redemption fee	\$25.00
Boarding fee	\$ 8.00
Rabies vaccination	\$10.00
Tags	\$6.00

### **Section 24-1. Kennel Permits**

Any individual who operates a breeding kennel that has five (5) or more female breeding dogs must acquire breeding permit from Animal Control Department. The fee for this breeding permit is sixty dollars \$60.00 per year. The permit allows inspection by animal control Monday-Friday (8:30 am to 5:00pm)

### **Section 25. Destruction or Adoption of Unredeemed Animals**

- a) If an impounded animal is not redeemed by the owner within the period prescribed in Section 24, it may be destroyed in humane manner or offered for adoption by any responsible adult who is willing to comply with this ordinance. Such animal may be adopted by the first person who pays an adoption fee of fifty-six dollars (\$56.00) for dogs and fifty dollars (\$50.00) for cats for Stokes County residents. Non Stokes County residents pay fifty dollars for the adoption of dogs and cats (no county tag required).

- b) No dog owner may be permitted to adopt his own dog under the provisions of this section, but he must comply with the provisions of Section 24, in order to reclaim a dog that has been impounded pursuant to state law or this article.
- c) The Animal Control Department shall recommend that dogs and cats adopted from the animal shelter be spayed/neutered.
- d) No animal which has been impounded by reason of its being a stray, unclaimed by its owner, shall be allowed to be adopted from the animal shelter during a period of emergency rabies quarantine invoked pursuant to Section 18, except by special authorization of the public health officials.

## **Section 26. Procedure with Respect to Redemption or Adoption of Unvaccinated Dog**

- a) Unless proof of a current rabies vaccination can be furnished, every person who either adopts or redeems a dog at the animal shelter shall be given a "proof of rabies vaccination card" at the time of the redemption or adoption. This card shall be stamped with the date stating the maximum time limit allowed to take the dog to the veterinarian of such person's choice for rabies vaccination. The time limit for dogs and cats four (4) months and older will be forty-eight (48) hours, with Sundays and Holidays excluded. For puppies and kittens under four (4) months, the time limit will vary according to their age.
- b) The proof of rabies vaccination card will be completed and returned to the animal shelter by the veterinarian. If this card is not returned to the animal shelter within the time limit specified on the card, an animal control officer will be dispatched to retrieve the dog or cat.
- c) Payment for the rabies vaccination provided for in this section will be the responsibility of the person redeeming or adopting the dog or cat.

## **Section 27. Suspected Rabid Animals Not to be Redeemed or Adopted**

Notwithstanding any other provision of this article, animals impounded which appear to be suffering from rabies shall not be redeemed or adopted, but shall be dealt with in accordance with Article II of this Ordinance.

## **Section 28. Destruction of Wounded or Diseased Animals**

- a) Notwithstanding any other provision of this article, any animal impounded which is badly wounded or diseased (not a rabies suspect) and has no identification shall be destroyed immediately in a humane manner. If the animal has identification, the animal control department shall attempt to notify the owner before disposing of such animal, but if the owner cannot be reached readily, and the animal is suffering, the animal control department may destroy the animal at its discretion in a humane manner.
- b) If an animal is determined by the animal control officer or any law enforcement officer to pose an immediate danger to the health and safety of any person, the animal may be destroyed on-site with or without prior notification to the owner if all other means of capture have been unsuccessful, or if trying to capture the animal would put the officer in a dangerous situation.



- c) If the animal control officer and/or law enforcement officer does destroy an animal on-site, he/she shall submit a written report of the incident to the Chief Animal Control Officer within twenty-four (24) hours (weekends and holidays excluded) of the incident and shall make a good faith attempt to notify the owner of the destroyed animal. The Chief Animal Control Officer will review the incident with the County Manager.
- d) It shall be lawful for any animal control officer or law enforcement officer to humanely euthanize an injured animal on the scene when the owner of the animal is not known.

## **Section 29. Penalties**

- a) **Criminal Penalties** - Persons violating this ordinance shall be guilty of a Class Three (3) Misdemeanor and shall be fined not more than Five Hundred Dollars (\$500). Each day of a violation shall constitute a separate offense. The payment of a fine imposed in criminal proceedings does not relieve the person of liability for any taxes, fees, costs or civil penalties otherwise imposed by this ordinance.
- c) **Civil Penalties** - In addition to criminal penalties, persons who violate this ordinance shall be subject to civil penalties for each violation in the amount established by this Ordinance. Each day of a violation shall constitute a separate offense.
- e) **Citations** - The Animal Control Officer is authorized to issue criminal and civil citations to violators of this ordinance. All civil penalties must be paid within 72 hours. No impounded animal may be redeemed until all civil penalties, fees and costs are paid in full.
- d) **Civil Actions** - Civil penalties may be recovered against violators in a civil action by the County. In addition to the civil penalties, the County may recover court costs including reasonable attorney fees incurred by the County.
- e) **Equitable Remedies** - Enforcement of this ordinance may also be by appropriate equitable remedy, injunction or order of abatement issued by the District Court of Stokes County.

## **Section 30. Severability**

If any section or part of this ordinance should be held invalid for any reason, such determination shall not affect the remaining sections or parts, and to that end the provisions of this ordinance are severable.

## **Section 31. Effective Date**

This ordinance shall become effective on May 1, 1975 as adopted by the Stokes County Board of Commissioners on April 7, 1975 and readopted on September 12, 1977, and amended on December 16, 1985; December 21, 1987; February 7, 1994; June 21, 2001; July 1, 2004, May 24, 2010, June 27, 2012, and February 2015.

**Ronda Jones, Chairman**

## Stokes County Board of Commissioners

ATTESTED BY: \_\_\_\_\_

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

County Manager Rick Morris noted the following:

- Recommended amendments to the Ordinance are highlighted in yellow (underlined)
- Amendments clean up the Ordinance and include the new fee structure that was approved by the Board with the adoption of the FY 2014-15 Budget
- Basically went through the Ordinance with County Attorney Browder and Chief Animal Control Officer Phil Handy who have no issues with the proposed changes
- Would call your attention to Section #9 (Animals Creating Nuisance Prohibited from Running at Large) and Section #29 (Penalties) which incorporates the fees
- Will provide a copy of the proposed amended Ordinance to the Animal Control Advisory Council for their review and/or suggestions
- Would request the item be placed on the February 9<sup>th</sup> Action Agenda

Chairman Jones opened the floor for discussion.

Commissioner Lankford commented:

- Confirmed with Manager Morris that legal review had been done by Attorney Browder regarding the fee structure as allowed in the NC General Statutes

Chairman Jones commented:

- Wish there was some easy way to get this information out to the general public

County Manager Morris responded:

- Feel the Animal Control Advisory Council, as well as, our Animal Control Officers, do as much as they can to expand the education regarding animal care
- Feel, once the new facility is constructed, more emphasis will be placed on educating the public

Vice Chairman Walker commented:

- Like the line of thought by Chairman Jones to get this type of information out to the general public
- Would like to compliment our Animal Control staff who do an excellent job of not only applying the law, but using common sense along with educating the public
- Feel that the staff do work with our citizens

Chairman Jones, with full consensus of the Board, directed the Clerk to place the item on the February 9<sup>th</sup> Consent Agenda.

## **Rules of Procedures – Board of Commissioners – Discussion**

Chairman Jones noted the following regarding the Board of Commissioners' Rules of

Procedures:

- Had conversation during commissioner comments at the last meeting regarding Rules of Procedures
- Believe Commissioner Lankford requested it be placed on an Agenda for discussion
- Believe the comments made at the last meeting refer to Rule 17 - Debate

Chairman Jones opened the floor for discussion.

Commissioner Lankford commented:

- Believe Commissioner Inman requested it be placed on an Agenda for discussion
- Would to review Rule 12 – Powers of the Chair:
  - The chair shall preside at all meetings of the board. A member must be recognized by the chair in order to address the board. The chair shall have the following powers:
    - To rule on points of parliamentary procedure, including the right to rule out of order any motion patently offered for obstructive or dilatory purposes;
    - To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
    - To call a brief recess at any time;
    - To adjourn in an emergency.
- Would like to support the following comments made by Vice Chairman Walker at our last meeting:
  - What I felt like I received as far as guidance or direction, was to be courteous and respectful of one another, particularly in a public forum
  - Not to grandstand or talk for an extended length of time, just to be talking
  - Consider your other commissioners as the Board conducts its business
  - Just be nice to each other and try to get along even if there is disagreement on an issue or if a commissioner has a lot of questions on a particular issue
  - Consider the other person's view as well as your own
- As far as the rules, personally, do not see there needs to be a lot of changes as long as this five member board can agree to the comments made by Vice Chairman Walker at the last meeting

Vice Chairman Walker commented:

- Appreciate Commissioner Lankford supporting the comments I made at the last meeting
- Feel this Board does conduct their business in a civil way
- Do not detect that much grandstanding

- I know that when passion is involved and a commissioner feels strongly about a certain item, it is very easy to jump the gun with comments without the Chair recognizing that particular board member
- Have been trying to make a conscious effort, as other commissioners have been doing, to request the floor for comments
- Once the Chair recognizes a board member, that board member has the floor until the Chair recognizes another board member or the member finishes his comments
- Feel this board does a good job, feel there is mutual respect among the members

Commissioner Lankford commented:

- Do not like to see any member, not even myself, take the floor and grandstand
- Do not necessarily want to change the rules

Commissioner Inman commented:

- Feels it is good to review the Rules of Procedures that are in place
- Feel the majority of the time, this Board does follow the Rules of Procedures that were adopted
- Support the points made by Commissioner Lankford
- Reiterated the points made by Commissioner Lankford regarding Rule #12 – Powers of the Chair
  - The Chair presides at all meetings of the Board
  - A member must be recognized by the Chair in order to address the Board
- Will insist that the Powers of the Chair be followed
- Expect all members be allowed to speak before a member has a second turn to speak
- Expect the Chair to call on all members for comments
- Very glad the Board has reviewed the Rules of Procedures

Commissioner Booth commented:

- Noted the Powers of Chair – to determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks; feel this has been addressed
- Support comments made by the Board members tonight
- Do not feel we need to put a time limit on each individual commissioner comments
- Remember courtesy
- Agree that all members have an opportunity to speak before a member is allowed to speak a second time
- Also feel the Board is doing a good job

Chairman Jones commented:

- This topic is nothing personal, this has been an ongoing topic among the Board
- Just want to be as professional as possible
- Stand corrected, it was Commissioner Inman who requested to place the item on an Agenda for Discussion
- Might want to consider asking one question at a time instead of 3 to 4 questions at a time

- Asking 3 to 4 questions, may not give another commissioner a chance to ask his question
- Suggest remembering that citizens are given three minutes for comments, not suggesting being timed, just a thought
- Remember to be courteous
- Do not have any issues with not changing the Rules of Procedures
- Feel, on a whole, the Board does work good together

The Board had no issues with leaving the Rules of Procedures as they were, but remembering what commissioners had commented at tonight's meeting for future meetings.

Chairman Jones expressed appreciation to Board members for their input.

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

### **Draft Agreement – Petree Project – Pioneer Community Hospital of Stokes, Inc.**

County Manager Rick Morris presented the following additional information regarding the Draft Agreement with Pioneer Community Hospital of Stokes, Inc. regarding the Petree Project

which was presented at the January 12<sup>th</sup> meeting:

- President Joe McNulty, Pioneer Health Services, has approved the draft agreement with no changes
- County Attorney Ty Browder has approved the draft agreement
- Visited Mr. Petree last week
- Discussed the sustainment cost with Mr. Petree who agreed that any leftover funds could be placed in a capital project fund (estimated \$10,000 currently)
- May have to use some of the remaining funds to have a well evaluation
- Mr. Petree agreed that he would be willing to help pay for some of the x-ray equipment that will be permanently installed in the facility (possible grant match)
- This would be additional funding, beyond the \$1.25 million
- Sewer evaluation was done and turned out very well
- Have plenty of land for sewer and possibly future projects
- Once the Board approves the agreement, will contact Mr. Petree's financial consultant to start the transfer of land and funding

Chairman Jones entertained a motion regarding the Draft Agreement for the Petree Project with Pioneer Community Hospital of Stokes, Inc. which was presented at the January 12<sup>th</sup> meeting.

Commissioner Inman moved to approve the Draft Agreement for the Petree Project with Pioneer Community Hospital of Stokes, Inc. Commissioner Lankford Inman seconded the motion.

Vice Chairman Walker commented:

- Confirmed with County Attorney Ty Browder that the draft agreement is technically correct and fair to the citizens
- Appreciate Mr. Petree's generosity in wanting to give some back

Commissioner Booth commented:

- Appreciate the donation made by Mr. Petree to the County
- Appreciate Mr. Petree agreeing to help with the sustainment of the project
- Will be very good for the community

Chairman Jones commented:

- Lot of good things going on in the community
- Very close to a lot of things coming to being a reality

The motion carried unanimously.

### **Appointments – YVEDDI – Board of Directors**

Chairman Jones noted the following was nominated at the January 12<sup>th</sup> meeting to serve on the YVEDDI Board of Directors:

- Vice Chairman Jimmy Walker

Chairman Jones opened the floor for any further nominations.

There were no further nominations.

Chairman Jones entertained a motion to close the nominations.

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

Chairman Jones polled the Board:

Commissioner Lankford: Vice Chairman Walker  
Commissioner Inman: Vice Chairman Walker  
Chairman Jones: Vice Chairman Walker  
Vice Chairman Walker: Vice Chairman Walker  
Commissioner Booth: Vice Chairman Walker

Chairman Jones noted that Vice Chairman Walker was unanimously re-appointed to serve on the YVEDDI Board of Directors.

## **CLOSED SESSION**

Chairman Jones entertained a motion to enter Closed Session for the following:

- To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged pursuant to GS 143-318.11(a)(3)

Commissioner Lankford moved to enter Closed Session for the following:

- To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged pursuant to GS 143-318.11(a)(3)

Commissioner Booth seconded and the motion carried unanimously.

The Board reentered the opened session of the January 26<sup>th</sup> meeting.

## **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.

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

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**Ronda Jones**  
**Chairman**