

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  
MAY 11, 2015

The Board of Commissioners of the County of Stokes, State of North Carolina, met for regular session in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administration Building) located in Danbury, North Carolina on Monday, May 11, 2015 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  
County Attorney Tyrone Browder  
Finance Director Julia Edwards  
DSS Director Stacey Elmes  
Social Work Supervisor Allison Pinnix  
Sheriff Mike Marshall  
Tax Administrator Jake Oakley

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

Vice Chairman Walker 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 May 11, 2015 Agenda.

Commissioner Lankford moved to approve the May 11<sup>th</sup> 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 commented:

- Tax Liens
  - Tax Administrator Jake Oakley will be advertising Delinquent Taxpayers in this week's Stokes News as required by General Statutes
  - There are approximately 1,307 accounts totaling \$558,019.41
- Health Insurance Update
  - Staff has been working this past week to finalize the prescription program that the County will be going to with Blue Cross and Blue Shield this upcoming fiscal year (FY 2015-16)
  - Benefit changes this upcoming fiscal year are structured to incentivize employees to use generic prescriptions and not use the emergency room unless it is a true emergency
  - Dental Insurance will be with Assurant instead of Delta with no increase in premiums
  - Should be a wash financially from last year
- Fire Department Inspections
  - County fire departments will be inspected by the NC Department of Insurance - Office of the State Fire Marshal this week
  - Will provide the Board with the results
- Proposed Fiscal Year 2015-16 Budget
  - Will be presenting the Proposed County Budget for Fiscal Year 2015-16 and reading the Budget Message at the next Board meeting – Tuesday, May 26, 2015
- Pioneer Medical Center – King
  - Just wanted to let everyone know there is nothing to be concerned about regarding a recent "For Sale" sign in front of the King Medical Center which was recently purchased by Pioneer Health
  - This is a transfer of ownership from the old owner to the new owner which was planned from the beginning and strictly a business decision
  - Pioneer prefers not to be in the real estate business no more than they have to
  - Will not impact any medical services currently being provided or any future medical services

Vice Chairman Walker commented:

- Glad to be back at today's meeting
- Good to see people willing to take time out of their schedules to be here
- Want to thank Mr. Hewett, I think by him raising some questions like he has raised, he brought a lot of people here today that ordinarily would not be here
- I think he has some of our churches more interested; I think they have their members more interested

- Had four people say to me this weekend “if you need my support, just let me know”
- It is encouraging to see things that get our citizens involved
- Never know what issue will be the one that grabs people’s attention the most
- I would have thought putting the national motto on a government building would have been a pretty mild step
- I am proud to live in a country that has its national motto “In God We Trust”
- Seems you never know how or when or what will create controversy today
- Guess it is a sign of the 21<sup>st</sup> Century
- We get through issues; we deal with them
- We try to be as fair as possible to everybody involved
- But instead of being hateful or contentious, I am taught as a Christian to operate from love
- That is what I look for in any situation that we have – where is the love and where is the kindness and how we can best use that in whatever situation we deal with

Commissioner Inman commented:

- Welcome everyone to today’s meeting
- Glad to see people involved in their county and county government

Commissioner Lankford commented:

- Ethics for Life – “For God is King of all the earth, sing ye praises with understanding”
- Stokes Partnership for Children will be holding their annual meeting on Tuesday, May 10<sup>th</sup>

Commissioner Booth commented:

- Attended the Early College Graduation this past week – 29 graduates this year
- Attended the annual John Burwell Excellence in EMS Award Banquet last week
  - Stokes County EMS Medical Director, Dr. Darrell Nelson received the John Burwell Excellence in EMS Award

Chairman Jones commented:

- No comments tonight other than to thank everyone for coming out to today’s meeting

## **PUBLIC COMMENTS**

Chairman Jones noted that each speaker had three minutes for comments.

The following spoke during public comments:

**Rev. David M. Keaton**  
 211 Winchester Drive  
 King, NC  
 Re: “In God We Trust”

Rev. Keaton presented the following comments:

- Thank you for the opportunity to speak today
- I am privileged to have lived in King for 38 years
- Love this County
- Think we have great people
- Think we have one “heck of” a Sheriff
- Think we have good people in different positions
- Appreciate the Board voting to put “In God We Trust” on that building
- I want to say that we don’t need nothing else up there with it because all you need is God
- If he is not sufficient enough, then there is nothing else
- I want to say that you don’t have to be scared of anybody, you don’t have to be scared of the devil
- The Bible said ‘fear not him that is able to destroy the body, but fear him who can destroy both soul and body in hell”
- In Jesus name, do not add nothing up there, keep it “In God We Trust”

**Kevin Broyhill**

417 Maverick Trail Drive

King, NC

Re: **“In God We Trust”**

Mr. Broyhill presented the following comments to the Board of Commissioners:

Thank you for allowing me the opportunity to share my comments with you this afternoon.

“I am concerned over the recent proposal to the commissioners by Mr. Hewett and those he represents to place an addition or alternative motto, “In Reason We Trust,” on the Stokes County court house building. In his last comments to the commissioners, Mr. Hewett made the statement that this was about his rights and free speech. It was proposed to make the courthouse a public forum for free speech so that there could be an additional motto placed there to represent him and those he represents; however, in the recent Christian flag controversy, Mr. Hewett has demonstrated that this is only about *his* rights and *his* free speech.

The flag pole in question at the veteran’s memorial at Central Park was made a public forum for all the citizens of King and Stokes County to honor their service to their country, or that of a family member, by flying a flag of their choosing. According to public records, (have those records with me) Mr. Hewett participated in this public forum and was selected 17 times from 2011 to 2014 to fly or not to fly a flag of his choosing. That was not enough! Mr. Hewett was not content with all citizens having a public forum on city property to express their religious or non-religious views. Mr. Hewett was upset that the Christian flag flew too often. In reality, when you live in a city and a county where the majority of the people profess faith in the God of the Bible, it stands to reason in a public format, that flag or that representation is going to be up most often. Mr. Hewett petitioned to take away the rights and free speech of other city and county residents. Even to the point of bankrupting our town. That is just wrong!

Our nation’s motto, “In God We Trust”, is rooted in 239 years of America’s history. It expresses the faith and founding of our fathers and the guiding principles of our nation over the course of its history. It was passed by our nation’s Congress, signed into law by a President of the United States of America, and has been displayed on our nation’s currency since 1864.

The alternative motto being suggested by this group has no historical, legislative, or judicial merit in our nation's history. I call upon our county commissioners to reject this request and attempt by this group to alter and change our nation's motto. Mr. Hewett has demonstrated that he is on the wrong side of history and the wrong side of Stokes County. The radical groups that Mr. Hewett represents will not rest until the name of God is eradicated from America's public life.

Further, Mr. Hewett and those he represents has enjoyed full and equal protection under the first amendment of the Constitution. They have not been arrested for wearing his T-Shirt displaying his trust in reason as his god. No one has been forced to pray, acknowledge, or worship the God of the Bible.

Chairman Jones called time.

**David Dombrosky**  
173 Hartgrove Road  
King, NC  
Re: **"In God We Trust"**

Mr. Dombrosky presented the following comments:

- Thank you for this opportunity
- I come from a different angle
- I think we should add "In Canines We Trust"
- Why, since the beginning of time in recorded history, dogs or canines have been part of our life
- I am sure that all of you have had them
- I have had them, my children have had them and I know my grandkids will have them
- Thus, we have the saying "Man's Best Friend"
- Who could you trust more?
- They have many uses
- There are police canines, search and rescue canines, canines that herd animals, canines that help the blind, there is even comfort dogs for rest homes and hospitals and probably the most important, the veterans who really connect with these dogs
- You should be familiar with this – "Rin Tin Tin", "Lassie", "Old Yeller"; these have been a big part of our life
- As you can see, they have impacted our life, every day of our life
- I don't have to tell you about trusting reason because I am sure you have heard this before, but I just want to remind you – Hitler, Lenin, Mussolini, Mao Tse Tung, Castro, Kadafi, and the list goes on; all promoted reason and reason was accepted
- Hundreds of millions died for reason; therefore, reason can't be trusted, but in canines, we can trust
- But wait a minute, you know that, we already have that, yes we do, you know why because of God
- God created canines, so the real answer is "In God We Trust"
- One more thing, Commissioner Jones mentioned in a newspaper article recently that being more diverse was important; the word diverse originated from the Latin word "divertere" which means to divert
- In my own personal opinion, we don't need to divert or to turn away, but be centered

- We are not Asian, we are not Hispanic, we are not African, we are not Indian, we are not European, We are Americans
- It is all for one and one for all
- God Bless you all
- God Bless Stokes County
- God Bless America

**Murray Sawtelle**

1070 Cedarview Lane

King, NC

Re: **"In God We Trust"**

Mr. Sawtelle presented the following comments:

- I would be very offended if "In Reason We Trust" was added to the courthouse
- This is a country founded by Christians who trusted in God and still trusts in God, myself included
- "In God We Trust" is carved in stone on many buildings in Washington and around the country; those words are on the coin and currency
- 80 to 86 percent of the population today are Christians, most of them would also be offended with "In Reason We Trust" if it was added to the courthouse or other government buildings

**Amos Elvis**

1250 Carson Watts Road

King, NC

Re: **"In God We Trust"**

Mr. Elvis presented the following comments:

- Have been a resident in King since 1976
- My family has been here over a hundred years
- I really would be offended to see "In Reason We Trust" on the courthouse
- I think in "In God We Trust" is the right way to go
- I think you will make the right decision and I do appreciate you
- That is all I have to say right now

**Tommy Holder**

4610 Warner Road

Pfafftown, NC

Re: **"In God We Trust"**

Mr. Holder presented the following comments:

- Honor to be here and to address the Board
- I want to encourage you to think about what you are going to do and what you are going to vote on today
- You have to realize that Stokes County has been through enough as it is
- I have been in Stokes County all my life, born and raised

- Remember when there was a dirt road coming from the Town of King to #52, some don't remember that
- I thank God for Stokes County
- Stokes County is a previous County
- I think Stokes County has been through enough
- We need to take a side and take a stand for God
- "In God We Trust"; Not "In Man We Trust"; Not "In Reason We Trust"; Not "In People We Trust"; "In God We Trust"
- I have learned that God can bless you or God can curse you
- You make the decisions in life what you do
- I want to encourage you to do what is right, not before me, not before people, but before God
- When life is over, I have not got to answer to no one in this room, I have to answer to God what I do
- When everything is said and done, when they put you in the ground, your life is done, you will not stand before man, you will stand before God

**Jon White**

196 Tickle Road

Rural Hall, NC

Re: **"In God We Trust"**

Mr. White presented the following comments:

- Want to thank you for unanimously voting to display the national motto on the Stokes County Courthouse
- At the same time, I implore you not to display the motto "In Reason We Trust" as well
- "In God We Trust" first appeared on US Currency in 1864
- In 1956, the nation was at a particularly tense time in the Cold War and the United States wanted to distinguish itself from the Soviet Union, which promoted state Atheism
- As a result, the 84<sup>th</sup> Congress passed a joint resolution, declaring "In God We Trust" the national motto of the United States
- The law was signed by President Eisenhower on July 30, 1956 and the motto was progressively added to paper money over a period from 1957 to 1966
- The United States Code at 36 U.S.C. at 302 now states "In God We Trust" is the national motto
- In 2006, on the 50<sup>th</sup> anniversary of its adoption, the Senate reaffirmed "In God We Trust" as the official national motto of the United States of America
- In 2011, the House of Representatives passed an additional resolution reaffirming "In God We Trust" as the official motto of the United States in a 396-9 vote
- According to a 2003 joint poll by USA Today, CNN, and Gallup, 90% of Americans support the inscription "In God We Trust" on U.S. coins
- It is quite ironic and contradictory that the very instrument that Mr. Hewett is going to use, from my understanding, to have his choice of a slogan displayed has the slogan "In God We Trust" on it
- If this was a sincere, heartfelt conviction, then the vehicle for the purchase, better known as our US currency, would not be used to perform this task

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- This would be an unprecedented feat to have “In Reason We Trust” displayed on the courthouse as it would open Pandora’s Box to unending suggestions
- I applaud you, Board of Commissioners and Madam Chairman, for following suit in your vote to display the national motto as did 79 cities and counties in the State of Arkansas, 113 cities and counties State of California, 69 cities and counties in the State of Missouri, at least 28 cities and counties in the State of North Carolina, 53 cities and counties in the State of Texas, 45 cities and counties in the State of Virginia; these are just a few examples of the over 515 cities and counties across America that have displayed “In God We Trust”

**Dr. Ron Baity**

4135 Thomasville Road

Winston Salem, NC

Re: **“In God We Trust”**

Dr. Baity presented the following comments:

- The end results of this is that you will have to ascribe to a philosophy
- Either the philosophy upon which this nation was founded or a secondary philosophy
- Right after the Revolutionary War, which was a miracle within itself, General George Washington said it would take a fool not to see the hand of God’s Providence upon this nation
- Patrick Henry said that America was founded not by religionists, but by Christians, not on religions, but on the gospel of the Lord Jesus Christ
- I look at our North Carolina Constitution and I see the philosophy of our forefathers because in Article 6, Section B, it talks about those who are disqualified to hold political office in North Carolina
- It says first, any person who shall deny the being of an All Mighty God
- Our current Constitution says by the philosophy of our forefathers that an Atheist is not capable of holding a political position in North Carolina
- In the 1800’s, in our Judicial System, Atheists were not allowed to testify because they said who are they going to testify to since they don’t believe in God and if they are going to testify, we want them to be accountable to someone greater than themselves
- So that was the philosophy of our forefathers as it pertains to our country
- Then I noticed last time when we met here that when some of us was up here speaking and it has happened this time, Mr. Hewett has been very discourteous when Rev. Broyhill was speaking and when we saluted the flag; Mr. Hewett said this was a democracy and not a theology
- I am sorry that Mr. Hewett is ignorant of our history because this is not a democracy, this is a Republic
- When Benjamin Franklin came out at the end of the Constitutional Convention, someone asked him at the door, “Mr. Franklin, what have you given us?”
- Mr. Franklin said that we have given you a Republic, if you can keep it
- We have been handed a Republic
- I want you to understand, it is vitally important that we understand that Mr. Hewett likes to brag about winning in King
- Let me tell you why he won in King
- It was not because his case was won in court, it was not won in front of a judge



- The case in King was won by Mr. Hewett because we had a Board that did not have enough backbone to stand up for the rights of the people
- The ACLU had already backed out of that case because they did not believe it was a winnable case
- Our attorney told us, National Center for Life and Liberty, that it was a very winnable case
- They did not have the backbone to go forward
- I want to challenge you to have the backbone to go forward
- We will give you free legal counsel
- Any legal expenses, we will raise the money to take care of them, you have nothing to worry about

Chairman Jones called time.

**Pastor Mark Smith**

3475 Flat Shoals Road

Germanton, NC

Re: **"In God We Trust"**

Pastor Mark Smith presented the following comments:

- Appreciate the opportunity to be here today
- I am a pastor in Germanton
- Have been a Stokes County resident pretty much all my life
- I am the Secretary for the US Motto Action Committee
- I was here in March when this Board unanimously approved to have "In God We Trust" placed on county building
- Yes, it is sad today, in the country that we live in that we have to come and gather with groups like this to deal with this type of thing, but that is the day and time that we live in
- Our freedom of speech does allow that, but this is not a freedom of speech issue at hand
- We are talking about a legal right "In God We Trust" that is already protected by the First Amendment, has nothing to do with the freedom of speech whatsoever
- Please understand that in your consideration
- I pray that you will stay courageous and put to action what we have already decided on and what you have decided on
- A recent Gallup poll said that over 80% of the US population affirmed a belief in God
- That was a poll, we live in a day and time of polls
- I am convinced that number could be off quite a bit, but I would have to say overwhelming the majority of people in Stokes County, whether it is 80% or not, whether they are a Christian or not, majority of people in this County have no problem with "In God We Trust"
- We have groups in this County, across this State, that believe the way Mr. Hewett believes and others, too and that is their right
- But that right comes and this is nothing new, this has been around for thousands of years and guess where it started – from the scriptures
- There is a group of people at Mars Hill in Athens, Greece called the Stoics and the Epicureans

- The Stoics and the Epicureans had the same mindset that you see today with “In Reason We Trust”
- Athens was the center of culture, literature, arts, architecture
- It was the place of the greatest flowering of philosophy the world has ever known
- Who were the Epicureans and the Stoics?
- The Epicureans were materialists, they were Atheists; their goal in life was pleasure
- The Stoics on the other hand were pantheists, they looked at God as some sort of world soul, not a personal deity and the most important thing in life to them was to follow one’s reason
- Sounds like what we are dealing with today
- I say this in closing today, please be courageous, please stick to what you agreed to do and you will find the majority of people in this County are all for it
- Groups like this tend to fade out as they have done for thousands of years
- It is kind of like a man named Robert Ingersoll years ago, he went around the country giving lectures about the mistakes of Moses, somebody was crazy enough to give him \$500 a night for his blasphemous lecturer
- Robert Ingersoll is dead and gone today, his name is only mentioned by a few people as an illustration like I did today
- The writings of Moses is still around

Chairman Jones called time.

**Pastor Randy Cook**

2012 Moir Farm Road

Lawsonville, NC

Re: “In God We Trust”

Pastor Cook presented the following comments:

- Thank you for allowing us to speak to you today
- We thank you for voting to put the US motto on the courthouse – a government building – not yours – but the citizens of Stokes County
- I was born and raised in Stokes County
- As far as my mind and heart, I will always be in Stokes County
- It is my home
- In some sense, I am a born again believer
- I am a Christian
- I am from a rural area and a lot of people look down on rural area people, they say they are ignorant
- I am glad Stokes County people are not ignorant about where they are from and what they believe in
- I operate a business in Stokes County, generate revenue here
- I believe in working locally with folks, supporting local businesses instead of giving all the business to the big companies
- Not only that, my main purpose in Stokes County is to pastor a local group of people at Shining Light Baptist Church
- They are excited about what you have voted to do

- I have not always been a Christian, nobody is born being a Christian
- I have been on field trips with the sixth grade class to Washington, DC
- When I was not a born again Christian, I was not offended by the phrases you found written all over our government buildings
- I have never had a problem spending our US currency which has "In God We Trust" on the back of it
- It is something that happens in someone's life when they get so offended about Christianity
- It is like Brother Broyhill has already said, it is not about standing up for each individual's rights, it is an attack on Christianity
- I will be honest with you, I am kind of glad it has happens because it is not every day that you see a group of Christians gather to gather in this way
- If you study the word of God every time Christians are persecuted, the gospel spreads, it is getting live coverage in the media, it is in the newspaper and everywhere else
- That is what we are here for to spread the good news of the gospel, whether you believe it or not
- Now that I have been born again for almost 10 years, this US motto does mean more to me than it use to
- Before that it had always been part of our heritage, it has always been part of our background, it is in our history
- When I was in Raleigh a few weeks ago, "In God We Trust" was there on the government buildings
- Why are we being persecuted and ridiculed just because we are going to put "In God We Trust" on our building
- Now on the other side of that, we talk about reason
- We can't expect one individual to change our history, our nation, and our background, no more than I can go to Mexico and change their thoughts on what Catholics are doing or no more than I could go to the Hindu nation and change the Hindu thoughts
- Sure I could persuade a few people to believe the way I believe
- I am not going to change the nation's history and I am not going to change their pride that they have in their history

Chairman Jones called time.

**Emanuel Hartman**

1065 Ernest Nelson Road

Danbury, NC

Re: **"In Reason We Trust"**

Mr. Hartman presented the following comments:

- I was born and raised in Stokes County
- Graduated from South Stokes High School last year
- I have spent the last nine months at the University of North Carolina at Asheville
- I have met a lot of people
- When I talk to these people, they convey a great sense of pride in the place they are from
- I found this very troubling because I could not do the same

- I struggled with this for several months before I realized that my shame for this County was justified
- How am I supposed to be proud of the county that so regularly makes a conscious effort to exclude people who stray from what is considered normal?
- How am I supposed to be proud of a county whose school system allows the mistreatment of the youth that it is supposed to serve based on their religious and political beliefs?
- How am I supposed to be proud of a county whose commissioners can't even vote against a statement that supports the denial of basic rights to the LGBT Community?
- How am I supposed to be proud of this county when its leaders refuse to stand up for the rights of the minority groups and whose citizens are so willing to oppress those they do not agree with ?
- How am I or anyone who leaves this county supposed to convey a sense of pride in the place we live in, when there are so many blaring sources of shame?
- It would make me and so many other members of the religious minority in this county proud if you, the commissioners, would vote not only to place a few words on a public building but to show an attitude of inclusiveness to all the people that you claim to represent as public servants

**E. A. Timm**  
 PO Box 573  
 Walnut Cove, NC  
 Re: **Motto**

Mr. Timm read and provided the following to the Board of Commissioners:

“ I would like to address the inadequacy and inequality of the Atheist's personal motto, In Reason We Trust.

Reason alone without moral absolutes is, reasoning as one whose feet are firmly planted in midair: there is no anchor of Right and Wrong to bring reason to conclusion. When everybody's conclusions differ, it causes strife, division, riots, and war. Reason initiated the building of the tower of Babel which ended in mass confusion and failure.

The folly of the atheist's reason (without moral absolutes from God our Creator) is evidenced by their theory that from Nothing, Everything Evolved. That is not even scientific, since Nothing comes from Nothing. What is the purpose and meaning of life, if from the significance of nothing we came into being, and to the insignificance of nothing we go? Why should we have significance in the middle, between coming into being by birth and the ending of our being by death? Why even think about reason, if it all amounts to the insignificance of nothing?

The inequality of the personally requested, Atheist's "In Reason We Trust" personal motto, should be very obvious that it is not equal to the personally requested, Congressionally approved "In God We Trust" motto, that is backed by our Nation's history, which includes our National Anthem's fourth verse: "And this be our motto: "In God is our Trust." Government buildings should not be billboards for personal mottos, since it can lead to: "In Nonsense We Trust".

Let's get it straight, what is American, is declared in its Declaration: of trust in the Providence of God our Creator.

Communist principled governments, like the founder of the ACLU Rodger Baldwin promoted, work to separate and eradicate the Christian principle of: acknowledging God, and our Rights come from God our Creator, with governments instituted to secure them. If our Rights come

from government, and not God, then government can take them away.

Remember Rodger Baldwin's words: "Communism is, of course, the goal." Atheism is its religion. To change our form of government from within is, subversion and treason.

Either we stand with Thomas Jefferson: "God, who gave us life, gave us liberty. Can the liberties of a nation be secure when we have removed a conviction that these liberties are the gift of God?" Or shall we betray our founding and God our Creator with false mottos?

**Ramona Timm**

708 Summit Street

Walnut Cove, NC

Re: **John Adams Speaks**

Ms. Timm presented the following comments:

- I have lived here for 26 years
- I am a proud transplant from Southern California
- Want to give you a few thoughts on John Adams
- I want to give you a "blast from the past"
- "Statesmen, my dear Sir, plan and speculate for Liberty, but it is Religion and Morality alone, which can establish the Principles upon which Freedom securely stand (Letter to Zabdiel Adams, June 21, 1776)"
- "We have no government armed with power capable of contending with human passions unbridled by morality and religion. Avarice, ambition, revenge, or gallantry, would break the strongest cords of our Constitution as a whale goes through a net. Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other" (Message to Massachusetts' military officers, October 11, 1798)
- Religion, morality, and knowledge, being necessary to good government and the happiness of mankind" (Article III of the Northwest Ordinance)
- Adams rejected the perfectibility of man advocated by the eighteenth-century philosophers.
- He considered unacceptable any perfectibility "abstracted from all divine authority"
- He recognized that all men had sins that needed repentance – "I consider the perfectibility of man as used by modern philosophers to be more words without a meaning, that is mere nonsense"
- Adams was asked what are the greatest principles on which the fathers found independence?
- "I answer, the general principles of Christianity, in which all those sects were united, and the general principles of English and American liberty, in which all these young men united, and which united all parties in America, in majorities sufficient to assert and maintain her independence. Now I will avow, that I then believed and now believe that these general principles of Christianity are as eternal and immutable as the existence and attributes of God: and that those principles of liberty are as unalterable as human nature and our terrestrial mundane system (Letter to Jefferson, June 28, 1813, in "The Works of John Adams Second President of the United States)
- I come from one of the most liberal states in the Union
- I had a communist teacher for seventh grade social studies
- I have seen a lot of stuff
- I want to thank you for the stand that you are going to take
- I am very grateful to live in this county

**Rick Lanier**  
PO Box 1036  
Lexington, NC  
Re: **"In God We Trust"**

Mr. Lanier read and presented the following comments:

"I watched about 30 minutes of a 95 minute video that I found on "you tube" when I pulled up "In Reason We Trust". It contained such blasphemy, mockery of Christians, and numerous "G D's" and "F" words that I got sick to my stomach. At the beginning of the video, it showed Attorney Gibbs, Ron Baity and others at the rally in King over the Christian flag and the monument of the soldier kneeling at the cross, even interviewing some participants there, and projecting them to look like idiots. I witnessed such ill manners and similar disrespect here last meeting and even a duck quack from a phone while Commissioner Lankford was reading scripture. My flesh wanted to speak out against them, but the Holy Spirit reminded me that the battle is the Lord's. So if, it is reason they want, I will use the logic of reason with words. "

I feel blessed to have lived here in America for almost 63 years. In all of those years, I have never met a perfect person. America is not perfect, but there has never been another nation like it. When our forefathers knelt and prayed for wisdom at the Constitutional Congress in Philadelphia in 1787, then they stood up and together assembled a 17-page document known as the Constitution of The United States of America, they were clearly guided by the hand of God of an almighty God.

Today, the forces of political correctness would expel God from every public sphere in American life, and the hearts and minds of every man; woman and child in America are up for grabs in the enormous battle between the lovers of men and the lovers of God. Some would rather never choose between the two, but life is full of choices, and our individual and collective choices will determine the quality of our existence as a nation.

I believe that it is time for us to stand up and be counted. We can no longer be passive because the Judeo-Christian way of life in America is at stake. We need not be ashamed of our faith, and we certainly should not allow those who believe differently to change who we are in order to be politically correct. Yes, we should accept them with brotherly love as we have been taught, but we should never compromise on our belief system.

We do believe in God and we do believe in the right of everyone to have life, liberty, and pursuit of happiness. We do believe in a government that helps make these goals possible and does not hinder them. It is time to set aside political correctness and replace it with bold values and principles that founded our great nation. It is time to stop apologizing and start leading, because our country and communities are in desperate need of fair and ethical leadership.

If we apply logic and Godly principles, and those principles to govern our lives, then we will remain: "One Nation Under God, Indivisible, With Liberty and Justice for All".

I am Vice Chairman of the US Motto Action Committee, we now have 27 counties and 14 town halls.

**Steven Hewett**  
141 Willowband Drive  
King, NC  
Re: **"In Reason We Trust"**

Mr. Hewett read and provided the following to the Board of Commissioners:

"On Ronnie Baity's webpage "Return America", he boasts of working with pastors in 2010 where a hate march was organized by Kevin Broyhill of Calvary Baptist Church, the march was all wrapped nicely in a sea of Christian flags. You would have thought you were at a KKK or Nazi Rally. David Gibbs was a keynote speaker, President of National Center for Life and Liberty, which stated they would represent you if this goes to trial. Let me quote Gibbs' hate speech at their rally: "...how many believe it is time for America to quit pretending we are not Christian? And if there are people in King, North Carolina who don't like that there are lots of places you can move to and if you know who they are, encourage them to move!"

This country was formed by people of many different beliefs, as well as, those who had no belief in God. They left their homelands due to the religious persecution by Governments and Churches who wished to impose their religion or oaths of alliance upon them. Our government is not a Theocracy, it is a Democratic Republic where all voices are equal.

We are not a "Christian Nation" as some here would have you to believe, just as President Adams and the US Senate (many of which are the founders of this nation) stated in the Treaty of Tripoli, ratified it as the law of the land, June 1797. "The Government of the United States of America is not, in any sense, founded on the Christian religion." This predates the national motto, "In God We Trust" by 218 years.

Baity, an apparent follower of pseudo-historian David Barton, are both well known for distorting the facts and truth of our founders and also of American History.

When Baity, quoted Jefferson's letter to the Danbury Baptists, he left out the most important part: "Thomas Jefferson – "...I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus building a wall of separation between Church and State."

Baity, Broyhill, Gibbs, and others like them want to impose their hate and religious beliefs on all Americans wrapped in their form and definition of religion, patriotism and liberties!

Yet, if you stand up for your rights and freedoms, they will label you as a Communist, Socialist, Christian Hater, they will try to vilify you as the most evil people that live on this planet. Much of their disdain Atheists, Agnostics, Humanists or Secularists are nothing of the sort. We are the same as any other American. Fortunately, we all live in a country that is defined by our Constitution which bestows EQUAL RIGHTS to all of its citizens.

In closing, I ask that you don't give-in to their hatred of free speech and allow others to also exercise their freedom of speech in your vote of "YES" for my proposal or if you vote "NO" then leave our buildings and chambers as they are! No one's speech should be placed above another's!

Be part of our Government that doesn't suppress the rights of its citizens in favor of religious zealots who would suppress the free speech and rights of others!

Chairman Jones expressed appreciation to those speaking during public comments.

## CONSENT AGENDA

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

- Minutes of March 11, 2015 – Budget Guidance Work Session
- Minutes of April 7, 2015 – Planning Meeting
- Minutes of April 27, 2015 – Regular Meeting

### Sheriff's Department - Budget Amendment #63

Finance Director Julia Edwards submitted Budget Amendment #63.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
<b>Sheriff's Department</b>				
100.4310.511	Equipment – Non Capital	<u>\$22,228.00</u>	<u>\$4,800.00</u>	<u>\$27,028.00</u>
	<b>Totals</b>	<b>\$22,228.00</b>	<b>\$4,800.00</b>	<b>\$27,028.00</b>

This budget amendment is justified as follows:

To purchase investigative equipment – no County funding.

This will result in a **net increase** of **\$4,800.00** in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
100.3301.413	State Fines & Forfeitures	<u>\$9,861.00</u>	<u>\$4,800.00</u>	<u>\$14,661.00</u>
	<b>Totals</b>	<b>\$9,861.00</b>	<b>\$4,800.00</b>	<b>\$14,661.00</b>

### Senior Services - Budget Amendment #64

Finance Director Julia Edwards submitted Budget Amendment #64.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
<b>Senior Services</b>				



100.5860.263	SHIIP Grant (MIPPA)	<u>\$2,460.00</u>	<u>\$1,774.00</u>	<u>\$4,234.00</u>
	<b>Totals</b>	<b>\$2,460.00</b>	<b>\$1,774.00</b>	<b>\$4,234.00</b>

This budget amendment is justified as follows:

To appropriate grant funding for Senior Medicare Patrol events

This will result in a **net increase** of **\$1,774.00** 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.

<b>Account Number</b>	<b>Account Description</b>	<b>Current Budgeted Amount</b>	<b>Increase (Decrease)</b>	<b>As Amended</b>
100.3301.366	Department of Insurance	<u>\$2,460.00</u>	<u>\$1,774.00</u>	<u>\$4,234.00</u>
	<b>Totals</b>	<b>\$2,460.00</b>	<b>\$1,774.00</b>	<b>\$4,234.00</b>

**Emergency Medical Services, Public Buildings, Capital Reserve Fund –  
Budget Amendment #65**

Finance Director Julia Edwards submitted Budget Amendment #65.

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

<b>Account Number</b>	<b>Account Description</b>	<b>Current Budgeted Amount</b>	<b>Increase (Decrease)</b>	<b>As Amended</b>
	<b>Emergency Medical Services</b>			
100.4370.351	Maint. & Repairs – Equipment	<u>\$7,280.00</u>	<u>\$6,525.00</u>	<u>\$13,805.00</u>
	<b>Totals</b>	<b>\$7,280.00</b>	<b>\$6,525.00</b>	<b>\$13,805.00</b>
	<b>Capital Reserve Fund</b>			
201.4190.013	Public Buildings	\$95,000.00	\$(6,525.00)	\$88,475.00
201.6981.000	Transfer to General Fund	<u>\$203,906.00</u>	<u>\$6,525.00</u>	<u>\$210,431.00</u>
	<b>Totals</b>	<b>\$298,906.00</b>	<b>\$00.00</b>	<b>\$298,906.00</b>

This budget amendment is justified as follows:

To transfer funds from Capital Reserve Fund to purchase and install a Mitsubishi Dual Zone Unit for heat and air in the supervisor's room at the EMS Office.

This will result in a **net increase** of **\$6,525.00** 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
100.3982.960	Transfer from Capital Res Fund	\$203,906.00	\$6,525.00	\$210,431.00
	<b>Totals</b>	<b>\$203,906.00</b>	<b>\$6,525.00</b>	<b>\$210,431.00</b>

**Proposed Resolution - Reimbursement for Community College Expenditures**

Clerk Darlene Bullins, at the request of Finance Director Julia Edwards, presented the following proposed Capital Ordinance for the Community College Project for the Board's review and approval:

Extract of Minutes of a regular meeting of the Board of Commissioner of the County of Stokes, North Carolina held in the Commissioners' Chambers, New Government Center, Danbury, North Carolina 27016, on May 11, 2015.

\* \* \*

The following members were present:

The following members were absent:

Also present:

\* \* \*

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

**RESOLUTION OF THE COUNTY OF STOKES, NORTH CAROLINA DECLARING THE INTENT OF THE COUNTY OF STOKES, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH CONSTRUCTION AND OTHER RELATED EXPENDITURES OF A COMMUNITY COLLEGE FACILITY FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE EXECUTED AND DELIVERED IN CALENDAR YEAR 2015.**

***WHEREAS***, the Board of Commissioners of the County of Stokes, North Carolina ("*County*") has determined that it is in the best interests of County to construct and equip a Community College Facility (the "*Project*");

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

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

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

Section 1. ***Official Declaration of Intent.*** The County presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the County on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations. The County reasonably expects to execute and deliver the Obligations to finance all or a portion of the costs of the Project and the maximum principal amount of Obligations expected to be executed and delivered by County to pay for all or a portion of the costs of the Project to be reimbursed is \$6,000,000.00.

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

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

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

On motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution entitled "**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF STOKES, NORTH CAROLINA, DECLARING THE INTENT OF THE COUNTY OF STOKES, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE CONSTRUCTION AND OTHER RELATED EXPENDITURES OF A COMMUNITY COLLEGE FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE EXECUTED AND DELIVERED IN CALENDAR YEAR 2015**" was duly adopted by the following vote:

AYES:

NAYS:

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

I, *Darlene M. Bullins*, Clerk to the Board of Commissioners of the County of Stokes, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF STOKES, NORTH CAROLINA, DECLARING THE INTENT OF THE COUNTY OF STOKES, NORTH CAROLINA TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE CONSTRUCTION AND OTHER RELATED EXPENDITURES OF A COMMUNITY COLLEGE FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS TO BE EXECUTED AND DELIVERED IN CALENDAR YEAR 2015**” adopted by the Board of Commissioners of the County of Stokes, North Carolina, at a meeting held on the 11th day of May, 2015.

***WITNESS*** my hand and the corporate seal of the County of Stokes, North Carolina, this the 11<sup>th</sup> day of May, 2015.

\_\_\_\_\_  
Darlene M. Bullins  
Clerk to the Board  
County of Stokes, North Carolina

**Proposed Proclamation – Proclamation – Older Americans Month - May 2015**

Clerk Darlene Bullins, at the request of DSS Director Stacey Elmes, presented the following proposed Proclamation for Social Work Month “May 2015” for the Board’s review and approval:

**Older Americans Month 2015  
A PROCLAMATION**

**Whereas**, Stokes County includes a thriving community of older Americans who deserve recognition for their contributions and sacrifices to ensure a better life for future generations; and

**Whereas**, Stokes County is committed to helping all individuals live longer, healthier lives in the communities of their choice for as long as possible; and

**Whereas**, since 1965, the Older Americans Act has provided services that help older adults remain healthy and independent by complementing existing medical and health care systems, helping prevent hospital readmissions, and supporting some of life’s most basic functions, such as bathing or preparing meals; and

**Whereas**, these programs also support family caregivers, address issues of exploitation, neglect and abuse of older adults; and

**Whereas**, we recognize the value of community engagement and service in helping older adults remain healthy and active while giving back to others; and

**Whereas**, our community can provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social inclusion.
- Emphasizing home-and community-based services that support independent living.
- Ensuring community members of all ages benefit from the contributions and experience of older adults.

**Now therefore**, we, the Board of County Commissioners of Stokes County do hereby proclaim **May 2015** to be Older Americans Month. We urge every resident to take time this month to celebrate older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.

Dated this 11<sup>th</sup> day of May, 2015.

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**Chairman Ronda Jones**

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**Vice-Chairman Jimmy Walker**

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**Commissioner James D. Booth**

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**Commissioner J. Leon Inman**

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**Commissioner Ernest Lankford**

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

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**

### **Fracking Update**

Chairman Ronda Jones noted the following:

- Have a fracking update that will be presented by Mary Kerley and Robert Phillips
- As a member of the North Carolina Association of County Commissioners – Environmental Steering Committee, have asked them to do this presentation
- There have been quite a few changes in legislation in Raleigh and feel it is our duty to keep our Board informed to what is going on as well as our citizens

Ms. Mary Kerley presented the following information:

Thank you for this opportunity to give an update on hydraulic fracturing, aka fracking.

I will start with some good news.

In 2013, NoFrackingInStokes wrote, directed and shot a video about fracking called: The Decision. The original music was composed and performed by Rex McGee, one of Stokes County's best musicians. NFIS was invited to enter the film into the International Sustainable Shorts Film Festival. The Decision won the two first place awards: it won first place by the judges and it won first place as audience selection at the awards ceremony at UNCG.

If you have not seen "The Decision" you can go to the NFIS web site for the YouTube link.

I will do a short review of how we have gotten where we are with fracking.

**In 2008:** the US Geological Survey identified potential shale basins in the eastern US. The two primary basins in NC are the Dan River Basin in Stokes and Rockingham County and the Deep River Basin in the southeastern part of our state.

**In 2011** the General Assembly directed the Department of Environment and Natural Resource, the Department of Commerce and the Department of Justice to do a study on fracking for NC. The results of that study, called the NC Oil and Gas Study under Session Law 2011-276, all 551 pages, was published in April 2012. This study is significant because it identifies the potential challenges for the NC citizens living in the shale basins.

**The challenges are:**

Lack of separation between drinking water sources and the gas producing zone. Water wells up to 1,000 feet have been found in NC's shale basins. The town of Walnut Cove, for instance, which gets its water from 5 wells, has one well at a depth of over 1,000 ft. The depth to which the fresh water extends is unknown. Some of our shale lies at a depth of 3,000 feet or less. The core test drilling which will be done on public land in Walnut Cove will be at 1,750 feet. By contrast, in Pennsylvania, shale gas resources lie at a depth of 5,000 to 8,000 feet or more and the deepest water wells are generally 600 ft. deep. – significant difference.

Stokes County is much more likely to have contaminated well water from the chemicals used in fracking and the methane which is released by the fracking process. After the vertical portion of the well is drilled, the drill head is turned horizontal and the horizontal leg of the well can extend up to a mile in any direction. Explosive charges are then detonated to "fracture" the shale to release the gas. The vertical fractures from this explosive detonation can extend up to 1,900 ft. which would contaminate drinking water.

Competition for water resources. Huge amounts of water are used in fracking. Between 3-5 million gallons of water is used to frack one well, one time. This water would come from the Dan River, wells or private ponds. Agricultural and tourism are the backbone of our economy in Stokes. Both would be severely affected by huge withdrawals of water for fracking.

**Road and Bridge damage:**

NC DOT states that the secondary roads in the Dan River and Deep River Basins can be expected to tear up under heavy, repeated loadings from gas drilling as local roads are more likely to be used for drilling operations than interstate highways. Some of the trucks used can weigh between 80,000 and 100,000 pounds when fully loaded. Based on information from fracking in the Marcellus shale in Pennsylvania, it is estimated that for well pad development a total of 2,296 round-trip heavy-duty truck trips and 1,662 round trip light-duty truck trips will be used for each well.

This increased traffic will lead to increased accidents, which puts more demand on police and emergency services, including local volunteer fire departments. Spills of hazardous chemicals used in fracking requires specialized handling. The response needed for spills, explosions or fires related to fracking will require new equipment, training and staff.

Impacts for property owners: Property owners who enter into a gas lease may have their mortgage called due and find they cannot sell or refinance their property. The NC State Employees Credit Union and the NC Housing Finance Agency will not make or purchase mortgages on residential property where the mineral rights have been leased. Nationwide Insurance, among others, has stated it will not provide insurance on property with a gas lease or fracking activity.

Other impacts for landowners include: surface disturbance for development of well pads, access roads and utility corridors as well as gas gathering lines and compressor stations. Each well pad is estimated to be between 7.4 and 9 acres.

Additional concerns for the general public include: toxic air contamination and noise and light pollution from these heavy industrial operations which run 24/7.

Also troubling is the use of "forced pooling" to compel unwilling landowners to sign a lease for their mineral rights and the use of eminent domain for placement of gathering lines and compressor stations.

Stokes County Representative Bryan Holloway is concerned about the use of forced pooling in fracking. He sponsored bill 586, which would have prohibited forced pooling to be used for fracking. That bill, to date, has not made it to the house floor to be voted on.

By far the greatest threat to Stokes County from fracking is the potential for the earth dam at the ash pond at Belews Creek Steam Station to be ruptured by earthquakes generated by fracking. A recent article in the WSJ talked about that threat. What the article did not mention is that after the ash spill in Kingston, TN in 2008, the EPA mandated a study of all ash lake retaining dams in the US, including the Belews Creek Steam Station dam. The retaining dam at Belews Creek Steam Station was given the highest risk potential that can be assigned.

That report from the EPA states: "Dams assigned the high hazard potential classification are those where failure or misoperation will probably cause loss of human life." It goes on to say "In the event of failure under full pool at elevation 760 feet, the coal ash contaminated waste water would affect Pine Hall, Route 1909 (Middleton Loop), and eventually spill into the Dan River with the potential loss of human life due to the location of nearby roadways and the village of Pine Hall and probable high environmental impacts due to the material volume, dam height of 130 feet, and pollution hazard."

The EPA Report also recommended that an earthquake stability test should be completed for Belews Creek in accordance with the Army Core of Engineer guidelines. Unfortunately, I have not found any information that confirms that such an earthquake review has been done, so we do not know how large, or small, an earthquake would cause the dam to rupture.

In April of this year, a report was released by the US Dept. of the Interior and the US Geological Survey on manmade earthquakes. The report shows that while many earthquakes are caused by injection wells for waste water from fracking, there are many earthquakes caused by fracking itself.

After the Oil and Gas Study was given to the General Assembly in 2012 the following has occurred:

**August 2012** - S820, the Clean Energy and Economic Security Act was passed:

Among other things, this bill formed the Mining and Energy Commission to write the rules for fracking and it legalized fracking but prohibited issuing permits for fracking pending legislative action.

**June 2014** -S786, The NC Energy Modernization Act was passed:

This act lifted the moratorium on fracking, and authorized DENR and the MEC to issue permits for fracking after a legislative review of the MEC rules. Further, the act preempts local ordinances and prohibits local government from banning fracking.

**March 2015:** Permits for fracking are now legal in NC.

**April 2015:** The NC Geological Survey under the direction of the Department of Environment and Natural Resources requested and received permission to do a core test drilling on public land owned by the town of Walnut Cove. The core test is to determine the amount of available gas in the Dan River Basin. This permission was granted without any public hearing or input from local citizens.

**May 2015:**

On May 1st, Clean Water for North Carolina, along with residents and elected local government officials in Chatham, Anson, and Granville counties, which are all in the Deep River Basin filed a constitutional challenge to the NC Mining and Energy Commission's right to overturn local government ordinances by preemption. Such ordinances are created by local governments to protect their communities from the impacts of hydraulic fracturing, or "fracking." The suit argues that the General Assembly should not have granted the MEC the authority to rule on ordinances as it violates the "separation of powers" of the executive and judicial branches of state government.

Darryl Moss, Mayor of Creedmoor in Granville County, whose city government passed an ordinance against fracking stated: "Local governments are the first line of defense to protect our citizens and resources from potential harms of any kind."

The Executive Director of Clean Water for NC points out, "The courts, and not the Mining and Energy Commission should rule on ordinances enacted by local governments. If local governments decide democratically to enact protections that their citizens need, the MEC shouldn't be able to toss them out.

**And Lastly:**

Proponents of fracking say that fracking will bring jobs and energy independence to NC.

As far as Jobs: The NC Oil and Gas Study predicts that in the Deep River Basin, at the height of fracking in NC, there will be 367 jobs a year, for 7 years. The Dan River Basin is much smaller, and will have many fewer jobs.

A recent article from the Responsible Drilling Alliance states:



The gas industry has a basic structure that has been in place for over a hundred years. It is a nomadic industry with very high capital needs but very low staffing requirements. Like the circus, they bring their own workers with them because they need people with specialized skills.

Currently, in both the oil and gas sectors, fracking is quickly imploding. Rigs are dropping out of service, employees are being laid off (recently Halliburton, one of the industry giants, announced it was laying off 9,000 workers), debts are not being serviced, and lease bonus money and sometimes royalties are not being paid.

Concerning Energy Independence: The original, wildly optimistic estimate of shale gas reserves in NC was 40 years worth of gas. That estimate has been revised to 5.6 years.

*This leaves the question: is the potential for contamination of drinking and surface waters, air pollution, increased damage to roads, and potential for earthquakes, worth the risk for a few jobs and a very small amount of gas???*

Before I turn the rest of the presentation over to Robert Phillips.

**I want to Thank you** for your attention and for allowing me to make this presentation today.

Mr. Robert Phillips presented the following information:

Thank you, Madam Chairman, commissioners, for this opportunity to speak today. As Mary has pointed out, with the passing of Senate Bill 786, The Energy Modernization Act, the likelihood of a fracking operation in our county is quite possible in the foreseeable future. The planned core sample drilling to take place in the Walnut Cove area by the end of June 2015 only serves to punctuate the seriousness of these drilling events.

Now, fracking is a messy business. It takes tremendous amounts of water, which either has to be trucked in, or pumped out of a local resource such as our river. It can use up to a dozen diesel engine-driven hydraulic pumps; it takes toxic and secret chemical solutions to extract what reserves of petroleum and natural gas that may exist below ground. Noise, constant 24 hour noise from these pumps, with air pollution, water pollution, hazardous earth waste, and endless heavy equipment traffic is the byproduct of these operations. This is disruptive to any decent way of life for anyone that lives near one of these drilling sites.

By definition a Polluting industry is just that, an industry that, by their very nature, produce objectionable levels of noise, odors, vibrations, fumes, lights, and smoke, as well as dangerous and toxic waste byproducts, polluted water, and with supporting truck traffic they have a detrimental effect on our roads, bridges and related infrastructure.

Without specific guidelines, such industries can operate without regard for the safe facilitation of their own practices.

Having said that, I would like to propose to the county a Polluting Industry Development Ordinance. Such an ordinance, which does not specifically prohibit fracking, outlines a series of measures that will guide the operation in such a way that will maintain the health, safety and general welfare standards of established residential and commercial areas of our county.

Within the language of the Energy Modernization Act, it states:

“Any local ordinance that prohibits or has the effect of prohibiting oil and gas exploration, development and production activities that the Mining and Energy Commission has preexempted pursuant this section, shall be invalid to the extent necessary to effectuate the purpose of this article.”

We know the purpose of the article is to establish a statewide system for oil and gas production, under the doctrine of the states right of land use. But, any county may still enact an ordinance for the protection of public health and safety as long as it does not prohibit fracking outright. In fact, 786 provides that county ordinances are valid unless proven otherwise. Again, the Act states:

“A local zoning or land use ordinance is presumed to be valid and enforceable to the extent the zoning or land use ordinance imposes requirements, restrictions or conditions that are generally applicable to development, including, but not limited to, setback, buffer and stopwater requirements unless the MEC makes a finding to the contrary.”

Any objection to a local ordinance must be presented by written petition to the MEC, which then must hold public hearings. And a reversal must meet specific conditions spelled out in the new law. The Commission may preempt a local ordinance only if it makes all four of the following findings:

1. That the ordinance would prohibit oil and gas production
2. That but for the ordinance all state and federal permits have been issued
3. That the public has had an opportunity to participate in the permitting process
4. That oil and gas activities will not pose an unreasonable health or environmental risk to the surrounding community

Even if an ordinance were to be preempted, the operator would still be required to comply with any other applicable local ordinances.

Several counties within the state already have Polluting or Heavy Industry ordinances enacted. The Ashe County ordinance in particular has served as a model for the other counties to use and modify for their own purposes.

In the late 90's a series of legal challenges to county ordinances settled the question of whether county ordinances controlling polluting sources were regulating land use-that is, zoning- or protecting public health or safety. Later, in February of 2002 the US Court of Appeals 4<sup>th</sup> circuit upheld the building moratorium and polluting industries ordinance enacted by Ashe County, holding that it did not violate state law. The Court affirmed the county's use of its police power to prohibit asphalt plants within 1000 feet of residential and commercial areas and 1320 feet from schools and medical facilities. The ordinance also required county operating permits to be obtained and fees paid. This and other similar county ordinances did not ban polluting industries; they enacted provisions for public health and safety.

In closing, on the behalf of the citizens of Stokes County, I respectfully request that the county consider adopting such an ordinance, and I submit a sample Polluting Industry Ordinance with references and recommendations for your review, and ask that you direct the Planning Department to develop such an ordinance which will serve the citizens of our county for many years to come.

Thank you again for this opportunity to speak today.

Chairman Jones opened the floor for discussion.

The Board had no comments.

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

### **Tax Administration Report – April 2015**

Tax Administrator Jake Oakley presented the following informational data for the

April Report:

<b>Fiscal Year 2014-15</b>	<b>Budget Amt</b>	<b>Collected Amt</b>	<b>Over Budget</b>	<b>Under Budget</b>
<b>Current 2014 Taxes</b>	\$19,080,388.00	\$19,082,793.16	\$2,405.16	
<b>New Schools F-Tech Fund</b> (Includes Prior 98-2013 Taxes)	\$1,272,026.00	\$1,317,298.64	\$45,272.62	
<b>Prior Taxes</b> <b>1998-2013 Tax Years</b> County Regular & Motor Vehicles	\$675,000.00	\$610,081.77		\$64,918.23

**Collection Percentage**  
**As of April 30, 2015**  
Current 2014 Tax = 100.01%

**New School F-Tech**  
**Fund = 103.56%**  
**Prior 1998-2013 Tax**  
**Years (Reg and MV) = 90.38%**

**EMS Current Collections**  
**Total Collected**  
(04-01-15/04-30-15)  
\$196,668.64  
**Total Collected**  
(07-01-14/06-30-15)  
\$1,327,276.77  
**Percentage of Collection =**  
88.49%  
Balance to collect = \$172,723.23

**Delinquent EMS Collection**  
**Report - Total Collected**  
(04-01-15/04-30-15)  
\$19,790.05  
(07-01-14/06-30-15)  
\$179,161.00  
**Percentage of Collection = 111.98%**  
**Balance over-collected: \$19,161.00**

**Business and Personal Property Discovery Report**

<b>Audit Dates</b>	<b>Accts</b>	<b>Total Value</b>	<b>Taxes Due</b>
(04-01-15/04-30-15)	13	\$124,166.00	\$1,174.62
(07-01-14/06-30-15)	376	\$4,454,434.00	\$42,329.79

**Motor Vehicle Release Report**

**Audit Dates**  
Assessment through NC  
Department of Motor Vehicles

**Garnishment Totals**

<b>Month</b>	<b>Total Accounts</b>	<b>Original Levy Amount</b>	<b>Collected Amount</b>
(02-1-15/02-28-15)	269	\$169,940.05	\$39,837.69
<b>F/Year 2014-15</b>			
(07-1-14/6-30-15)	1,877	\$669,967.40	\$385,501.99

**Monthly Delinquent Tax Collection Report**

Tax Administrator Jake Oakley presented the following Monthly Delinquent Tax Collection

Report for April 2015:

<b><u>County</u></b>	<b><u>Real/Personal</u></b>	<b><u>Property</u></b>	<b><u>April</u></b>	<b><u>2015</u></b>			
<b>Year</b>	<b>Beginning Balance</b>	<b>Releases</b>	<b>Refunds</b>	<b>Debits/ Credits</b>	<b>Write-offs</b>	<b>Payments</b>	<b>Ending Balance</b>
2013	\$ 293,287.38	\$(91.06)	\$53.40	\$173.80	\$(0.02)	\$(14,356.28)	\$ 279,067.22
2012	\$ 155,838.29	\$(89.69)	\$53.40			\$(7,432.47)	\$ 148,369.53
2011	\$ 87,442.43	\$(88.59)	\$53.40			\$(3,581.51)	\$ 83,825.73
2010	\$ 59,628.78	\$(53.40)	\$53.40			\$(1,395.40)	\$ 58,233.38
2009	\$ 38,795.17					\$(1,235.62)	\$ 37,559.55
2008	\$ 28,648.68					\$(501.61)	\$ 28,147.07
2007	\$ 19,475.91					\$(11.85)	\$ 19,464.06
2006	\$ 12,506.96						\$ 12,506.96
2005	\$ 10,308.76						\$ 10,306.76
2004	\$ 10,804.18					\$(10.00)	\$ 10,794.18
2003	\$ 8,812.23						\$ 8,812.23
2002	\$ 1,171.43						\$ 1,171.43
2001	\$ 4.58						\$ 4.58
2000	\$ 251.76						\$ 251.76
1999	\$ 313.78						\$ 313.78

<u>County</u>	<u>Motor</u>		<u>April</u>	<u>2015</u>			
Year	Beginning Balance	Releases	Refunds	Debits/ Credits	Write-offs	Payments	Ending Balance
2013	\$ 20,303.55				\$(0.08)	\$(1,111.43)	\$ 19,192.04
2012	\$ 3,001.65				\$(0.02)	\$(324.31)	\$ 2,677.32
2011	\$ 18,115.44					\$(153.45)	\$ 17,961.99
2010	\$ 20,622.79				\$(0.21)	\$(206.39)	\$ 20,416.19
2009	\$ 16,513.52				\$(0.04)	\$(234.72)	\$ 16,278.76
2008	\$ 17,744.55				\$(0.21)	\$(427.23)	\$ 17,317.11
2007	\$ 16,126.95					\$(42.54)	\$ 16,084.41
2006	\$ 11,773.69					\$(172.98)	\$ 11,600.71
2005	\$ 14,570.78					\$(40.84)	\$ 14,529.94
2004	\$ 12,874.01						\$ 12,874.01
2003	\$ 13,244.55					\$(8.36)	\$ 13,236.19
2002							

<u>New</u>	<u>Schools</u>	<u>Forsyth</u>	<u>Tech</u>	<u>Fund</u>	<u>April</u>	<u>2015</u>	
Year	Beginning Balance	Releases	Refunds	Debits/ Credits	Write-offs	Payments	Ending Balance
2013	\$ 20,851.77	\$(6.07)	\$3.56			\$(1,031.05)	\$ 19,818.21
2012	\$ 12,739.27	\$(5.98)	\$3.56			\$(511.95)	\$ 12,224.90
2011	\$ 6,656.07	\$(5.90)	\$3.56			\$(242.27)	\$ 6,411.46

### 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:

#### **March 2015 New VTS System**

<b>Tax Code</b>	<b>Levy</b>	<b>Interest</b>	<b>Adjustment</b>	<b>Billing</b>	<b>Net</b>
<b>Jurisdiction</b>	<b>Billed</b>	<b>Paid</b>	<b>Made</b>	<b>Cost</b>	<b>Collected</b>
City of King	\$20,804	\$136	-\$110	-\$1,148	\$19,682
King Car Fee	\$2,755	\$20	None	None	\$2,775
Walnut Cove Town	\$3,082	\$18	None	-\$146	\$2,954
Danbury Town	\$483	\$2	None	-\$22	\$463
School Tax	\$14,056	\$98	-\$57	-\$682	\$13,415
King Fire	\$3,826	\$25	-\$1	-\$187	\$3,663
Rural Hall Fire	\$553	\$2	None	-\$26	\$529
Walnut Cove Fire	\$2,098	\$11	-\$15	-\$101	\$1,993

General County	\$210,828	\$1,466	-\$859	-\$10,237	\$201,198
Service Fire	\$12,661	\$97	-\$60	-\$614	\$12,084
<b>Total Collected</b>	<b>\$271,146</b>	<b>\$1,875</b>	<b>(\$1,102)</b>	<b>(\$13,163)</b>	<b>\$258,756</b>

- 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)**

<b>Total Cumulative Collected to date (NCVTS) system</b>	City of King/Car fee	\$170,252.00
<b>Total Vehicles Billed Per Tax Code 4,344</b>	Total Expenses	<u>\$(8,463.00)</u>
<b>Average Cost per Bill = \$1.95</b>	Total Net Collected	\$161,789.00
<b>Total Cumulative Collected to date (NCVTS) system</b>	Town of Walnut Cove	\$23,525.00
<b>Total Vehicles Billed Per Tax Code 922</b>	Total Expenses	<u>\$(1,129.00)</u>
<b>Average Cost per Bill = \$1.23</b>	Total Net Collected	\$22,396.00
<b>Total Cumulative Collected to date (NCVTS) system</b>	Town of Danbury	\$2,621.00
<b>Total Vehicles Billed Per Tax Code 140</b>	Total Expenses	<u>\$(125.00)</u>
<b>Average Cost per Bill = \$0.89</b>	Total Net Collected	\$2,496.00
<b>Total Cumulative Collected to date (NCVTS) system</b>	F Tech/School Fund	\$102,018.00
<b>Total Vehicles Billed Per Tax Code 38,925</b>	Total Expenses	<u>\$(5,002.00)</u>
<b>Average Cost per Bill = \$0.13</b>	Total Net Collected	\$97,016.00
<b>Total Cumulative Collected to date (NCVTS) system</b>	King Fire District	\$26,756.00
<b>Total Vehicles Billed Per Tax Code 5,951</b>	Total Expenses	<u>\$(1,329.00)</u>
<b>Average Cost per Bill = \$0.22</b>	Total Net Collected	\$25,427.00
<b>Total Cumulative Collected to date (NCVTS) system</b>	Rural Hall Fire District	\$5,058.00
<b>Total Vehicles Billed Per Tax Code 1,113</b>	Total Expenses	<u>\$(242.00)</u>
<b>Average Cost per Bill = \$0.22</b>	Total Net Collected	\$4,816.00
<b>Total Cumulative Collected to date (NCVTS) system</b>	Walnut Cove Fire Dist.	\$16,431.00
<b>Total Vehicles Billed Per Tax Code 3,365</b>	Total Expenses	<u>\$(794.00)</u>
<b>Average Cost per Bill = \$0.24</b>	Total Net Collected	\$15,637.00
<b>Total Cumulative Collected to date (NCVTS) system</b>	General County	\$1,530,216.00
<b>Total Vehicles Billed Per Tax Code 38,925</b>	Total Expenses	<u>\$(75,054.00)</u>
<b>Average Cost per Bill = \$1.93</b>	Total Net Collected	\$1,455,162.00

<b>Total Cumulative Collected to date (NCVTS) system</b>	Service Fire District	\$90,653.00
<b>Total Vehicles Billed Per Tax Code 22,468</b>	Total Expenses	<u>\$(4,435.00)</u>
<b>Average Cost per Bill = \$0.20</b>	Total Net Collected	\$86,218.00

<b>Total Cumulative Collected NCVTS through March (all tax districts)</b>	<b>\$1,967,530.00</b>
<b>Total Expenses for NCVTS through March (all tax districts)</b>	<b>\$ 96,573.00</b>
<b>Total net collected for NCVTS through March (all tax districts)</b>	<b>\$1,870,957.00</b>
<b>Average cost per total billings through March</b>	<b>\$2.48 per bill</b>

**Lowest cost billed = \$2.26 (County, School Fund, Service Fire based on 38,925 cars)**  
**Highest cost billed = \$4.01 (County, School Fund, King City based on 4,344 cars)**

<b>Interstate Collection Report</b>	<b>Collection</b>	<b>Total Collected</b>
April 2015		
Cumulative Total Collected to Date	NC Debt Setoff	<b>\$230,721.21</b>
Cumulative Total Collected (to date)	Motor Vehicles	\$132,944.62
Cumulative Total Collected (to date)	Property Taxes	\$47,832.16
Cumulative Total Collected (to date)	EMS	<u>\$282,369.43</u>
Collected (to date)	All Categories	<b>\$463,146.21</b>

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

Tax Administrator Jake Oakley presented the following Releases less than \$100 –

Real and Personal Property (April 2015) for the Board's review:

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

<b>Name</b>	<b>Bill No</b>	<b>Amount</b>
<b>Carol Elzinga</b>	14A156025417.01	\$54.29
<b>Donald Redd</b>	14A28692.02	\$46.16
	13A28692.02.1	\$44.25
	12A28692.02.1	\$42.64
	11A28692.02	\$41.35
<b>James Taylor</b>	14A20477.01	<u>\$51.05</u>
<b>Total</b>		<b>\$279.74</b>

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

Tax Administrator Jake Oakley presented the following Refunds less than \$100 –

Real and Personal Property (April 2015) meeting for the Board's review:

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

Name	Bill No	Amount
Gary H Brown	14A697604742831	\$62.75
	13A697604742831	\$62.75
	12A697604742831	\$62.75
	11A697604742831	\$62.75
	10A697604742831	<u>\$59.19</u>
Total		<b>\$310.19</b>

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

Tax Administrator Jake Oakley presented the following Refunds more than \$100 – Real and Personal Property (April 2015) at the May 11<sup>th</sup> meeting for the Board's review with a request for consideration at the May 26<sup>th</sup> meeting:

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

Name	Bill No	Amount	Reason
Patel Bhaviniben	16523125	\$114.00	Vehicle Sold
Lee Satterfield	25588410	<u>\$261.00</u>	Plate Purchased in Error
Total		<b>\$375.00</b>	

**Present-Use Late Applications**

Tax Administrator Jake Oakley presented the following Present-Use Late Application (April 2015) at the May 11<sup>th</sup> meeting for the Board's review with a request for consideration at the May 26<sup>th</sup> meeting:

- Taxpayer: Tim Watkins
  - Parcel: 603000972515
  - Acreage: 14.31
  - Reason: Has other land under farm use
- Taxpayer: Thomas and Debra Day
  - Parcel: 696900457432
  - Acreage: 26.0



- Reason: Has other land under farm use
- Taxpayer: Laurel Jones
  - Parcel: 691500033333
  - Acreage: 13.58
  - Reason: Has other land under farm use
- Taxpayer: Lillian Stone Trust
  - Parcel: 597203233437
  - Acreage: 3.72
  - Reason: Has qualifying land in Surry County

### **Write Off Request**

Tax Administrator Jake Oakley presented the following Write Off Request (April 2015) at the May 11<sup>th</sup> meeting for the Board's review with a request for consideration at the May 26<sup>th</sup> meeting:

- Recently, a tax lien sale was conducted for the Tax Office covering property located at 150 Trinity Drive, King
- Parcel #5992-10-25-5348
- Following the sale, a portion of the proceeds were seized by the State of North Carolina to satisfy an earlier priority lien by the State
- Stokes County did receive proceeds covering \$1,369.15 in county taxes and \$825 for attorney fees
- After the application of these sales proceeds, the following balance of county property taxes remain on the account:
  - \$2,573.28
- There is no further recourse in collecting these taxes
- Request the Board approve to write off the balance of the delinquent taxes on Parcel #5992-10-25-5348

Tax Administrator Oakley added the following comments:

- Tax report percentage only reflects the budgeted amount which has exceeded 100%
- If you look at what was billed and the amount collected, it is approximately 96% per the billed scroll

Tax Administrator Oakley requested the following be placed on the May 26<sup>th</sup> Consent

Agenda:

- Real and Personal Releases more than \$100
- Present-Use Late Applications
- Write Off Request

### **Discount for Early Payment of Annual Tax Bills**

Tax Administrator Jake Oakley presented the following information regarding the discount for early payment of annual tax bills:

- For many years, the County has offered a 2% discount for the payment of annual tax bills (real and personal) prior to September 1<sup>st</sup> per NC General Statutes 105-360(c)
- Unless the Board of Commissioners chooses to alter this policy, the Tax Department's annual tax bills will continue to reflect the offering of the 2% discount for early payment
- The Board does not need to take any action to continue the existing policy
- Any amendment to the existing resolution must be approved by the Governing Body and advertised in the local newspaper

Chairman Jones opened the floor for discussion.

It was the consensus of the Board to continue the 2% discount for early payment prior to September 1<sup>st</sup> for 2015 tax year.

### **Credit Card On-Line Payments**

Tax Administrator Jake Oakley presented the following information regarding the credit card on-line payments:

- County is looking into a new payment transaction vendor, Sturgis (powered by PayPal)
- This move to Sturgis will save the County and ultimately our citizens (approximately \$10,000 annually)
- The basis for these projected savings results from the cost of all credit/debit card tax bill payment transactions being done by the individual in the Tax Office
- Will move forward unless otherwise directed from the Board

Chairman Jones opened the floor with discussion.

Vice Chairman Walker confirmed with Tax Administrator Oakley that there were no issues or concerns with the April Report and there was no downside to the changing the payment transaction vendor.

Tax Administrator Oakley noted that with the new payment transaction vendor , the citizen

will be responsible for the transaction fee instead of the county when paying at the county with a credit card or debit card, saving the County approximately \$10,000 per year.

It was the consensus of the Board to go forward with the changing of payment transaction vendor.

Commissioner Lankford expressed appreciation for the informative monthly tax report provided to the Board each month.

The Board had no issues with the April Report presented by Tax Administrator Oakley.

Chairman Jones, with full consensus of the Board, directed the Clerk to place the following on the May 26<sup>th</sup> Consent Agenda:

- Real and Personal Refunds more than \$100
- Present-Use Late Applications
- Write Off Request

#### **Social Services Monthly Report**

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

- Program Reports
  - Division of Child Development & Early Education Monitoring Report
    - Subsidized Child Care Program was completed by the Division on September 23-24, 2014
    - DSS was provided two separate reports:
      - Statistical Summary of Compliance Score
      - Monitoring Compliance Score Ranking
- NCFAS FNS/SNAP Pending Applications – Report Date 04-30-2015
  - Total pending Apps = 96
  - Totally untimely = 1
- NCFAS FNS Recertification Workload
  - Total Re-certifications in Progress = 65
- NCFAS Application Processing – Traditional MAD Pending = 134
- NCFAS Application Processing – Traditional Medicaid Assistance Pending = 57

#### **Metrics**

- As of April 2015:
  - Income Maintenance

- NC FAST – Needs improvement – System continues to have issues with giving payment when they aren't due, glitches that cause payments not to process, slowness, etc.
- WorkFirst – Needs improvement – System issues with payments; workers having to learn program.
- FNS – In compliance
  - Keeping this as green, but workers are having a difficult time keeping up with applications and re-certifications and general case management duties
- Adult Medicaid – Needs improvement – Workload numbers continue to be high
- Family and Children's Medicaid – Needs improvement - Workload numbers continue to be high
- Child Support – In compliance
- Program Integrity – In compliance
- Appeal Hearings and Fraud Hearings – In compliance
- Day Care – In compliance
- Foster Care
  - Foster Care Services – Needs improvement
    - Continue taking children into custody
    - Reunification plans aren't working and children are staying in care longer
  - Foster Care Home Licensing – In compliance
    - Foster Parent interest meeting on May 4<sup>th</sup> in King
  - Adoptions – In compliance
- Child Protective Services
  - Investigations – Needs improvement
    - Will soon have worker trained who can carry cases and hopefully this will help. Have workers unable to get paperwork completed timely.
  - Case Management – Needs improvement
    - Seeing more substance abuse/mental health
    - Parents not willing to comply with case plans and ultimately putting their kids in foster care
  - Adult Services
    - Adult Protective Services– In compliance
      - This is green but numbers continue to be high
      - Need a worker
    - Guardianship– In compliance
      - This is green but numbers continue to grow
    - 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/mandates
- Staffing (Years of Service) – In compliance
- Medicaid Transportation – In compliance
- Clerical – In compliance
- Foster and Adoptive Parent Information
  - DSS hosted a Foster and Adoptive Parenting Information Night in March

DSS Director Stacey Elmes introduced Social Worker Supervisor Allison Pinnix who presented the following information regarding foster care with May being Foster Care Month:

I am Allison Pinnix and I supervise the foster care, adoptions, foster home licensing and LINKS for transitioning youth programs for Stokes County Department of Social Services. I am thankful to have this opportunity to speak about the youth in foster care, the youth transitioning out of foster care and those who dedicate their livelihoods for these special young people. What better time to acknowledge these youth and recognize the efforts of the social workers, foster parents, attorneys and judges who work compassionately to improve the lives and outcomes for the children in Stokes County foster care than May, the Nationally proclaimed foster care month.

In all cultures the family is the cornerstone of society and at its best performs the tasks that no other entity can come close to duplicating. Families hold many responsibilities but the primary responsibilities are to nurture and stimulate children, diffuse our culture and build character traits that make for healthy well-rounded adults and subsequently good citizens. As Ronald Reagan once said “Upon the strength of the child and its family rests the future of our nation”.

Unfortunately there are some families who are unable to provide a minimally acceptable level of care for their children and temporary or permanent alternative placement is necessary.

Foster care is defined as a temporary substitute living and care arrangement for abused, neglected and or dependent children who need a safe place to live and grow when their parents or caregivers are unable or unwilling to provide adequate protection and care. In situations in which Stokes County DSS child protection unit determines a child is not safe through consultation with a district court judge DSS is granted temporary protective legal custody of that child. The Director of the DSS becomes the legal custodian of the child and is charged with the care and placement responsibility of the child. Social Workers immediately identify and assess the least traumatizing and invasive manners of removing risk from the child and locate a safe and nurturing home to best meet the child’s needs, preferably in the child’s own community and within the child’s family unit. Policy and statutes compel DSS to give precedence to appropriate family or non-relative kin when

determining placement for a child in foster care. In Stokes County, Court District 17-B juvenile court judges preside over and guide the foster child's permanent plan and the activities of the DSS and parent or family members to best meet each foster child's needs.

- According to the US Census Bureau the population of Stokes County is 47,603 and approximately 18% of the population of Stokes County are minors ages 0-18 and approximately 1.2% of the children of Stokes County are in foster care.
- Each year in Stokes County approximately 107 children enter foster care.
- As of today, there are 68 children in foster care in Stokes County.
- These young people are in foster care through no fault of their own. On average, 96 % of Stokes County children who enter foster care are removed from their parent or caregiver due to substance abuse and addiction issues of the adults.
- The remaining 4 % of children entering Stokes County foster care do so because of exposure to severe domestic violence, physical/emotional and/or sexual abuse, parental mental illness and/or cognitive impairment and juvenile delinquency issues unmanaged by the parent or caregiver to the detriment of the child.
- While several of the children entering foster care are infants, the majority of youth entering foster care are between the ages of 2 and 15.
- Approximately 78% of the children who have entered foster care in Stokes County are between the ages of 2 and 15.
- Approximately 32% of the children who have entered foster care in Stokes County are ages 13-17.
- The Stokes County foster care unit consists of 1 supervisor, 4 foster care social workers, 1 foster home licensing social worker and 1 community support worker (who transports foster children and supervises visits with parents).
- The 4 foster care social workers in Stokes County are responsible for assuring safe and stable placements for each child, as well as assuring all educational, medical and emotional needs are being met while following court orders for arranging and supervising visitation between children and their families and working with each child's parent or caregiver to implement necessary services to mitigate future risk of abuse or neglect for each child to be reunified with family.
- The goal, as directed by NC DSS policy and the 17-B judicial district judges, is for each child in foster care to have a safe and stable permanent home within 1 year of entry into foster care, or within the shortest amount of time possible.
- According to the federal AFCARS (Adoption and Foster Care Analysis And Reporting System) report 70 % of the children entering foster care in Stokes County are reunified with their parents within the allotted 12 month time frame (exceeding the NC standard of 52%).
- At times, the District 17-B juvenile courts determine reunification cannot occur or is not the best option to meet the child's needs another permanent plan is ordered.
- Approximately 86 % of the children entering foster care in Stokes County are either reunified with their parents or placed in the guardianship of a relative or kinship.
- Approximately 10 % of the Stokes foster children are adopted.
- Approximately 4% of Stokes foster children are in foster care on their 18<sup>th</sup> birthday. These youth in transition face even greater obstacles than their peers turning 18 years old who are not in foster care.

- Research indicates 3 of 5 youth aging out of foster care at 18 years old in North Carolina will become homeless at some point before their 21<sup>st</sup> birthday.
  - 75 % of aging out youth will not graduate high school in NC.
  - Less than 50% of aging out youth will be employed at age 22.
  - Nearly 70 % of aging out youth will have children and become parents by age 21.
  - Because of these tragic statistics and the difficulties aging out youth have in overcoming emotional, physical and financial challenges, the Federal and State governments have implemented and encouraged funding and enhanced resources for this emerging vulnerable population through LINKS services.
  - LINKS is not an acronym, but encompasses the services available for and offered to teen youth as young as 13 years old who are or were in foster care between the ages of 13-17 and the youth who were in foster care on their 18<sup>th</sup> birthdays. LINKS services are available until the child is 21 years old.
  - LINKS services to youth in transition serve to bridge the gap between being in foster care to complete independence as an adult. Services include: opportunity for aging out foster children to enter CARS – contractual agreement for continued residential support, for DSS to continue to bear the financial responsibility for the youth to remain in a safe and stable licensed living situations while the youth focuses on finishing high school and or pursuing post-secondary education until the age of 21.
  - Other LINKS services for aging out youth include: extended Medicaid insurance until the 26<sup>th</sup> birthday, educational training vouchers for post-secondary education including community colleges and state supported universities; referrals to ELINKS and other community based services to assist with vocational, educational and financial challenges; referrals to mental health, medical and therapeutic services as needed.
  - Some Stokes County youth in transition from foster care to adulthood have utilized LINKS services. Approximately 29 children are accessing services through LINKS currently.
  - A few accomplishments of “aged out youth” include: several high school graduates or youth obtaining GEDs; 5 graduates of universities; 4 graduates of community college programs; 1 graduate of a culinary arts program.
- I would like to conclude by offering a public “THANKS” for the sacrifices and dedication of the many foster parents, social workers and concerned professionals working in the field of foster care. Their jobs require extraordinary patience, compassion and empathy and the rewards are few and far between.

Thank you for your time and attention.

Chairman Jones opened the floor for discussion.

Vice Chairman Walker questioned the status of the number of foster parents the county currently has?

DSS Director Elmes responded:

- We are making progress
- Recent informative session in King brought several people out

- MAPP Class currently has 11 families who could all possibly be foster parents
- Informational sessions are very helpful

Ms. Pinnix responded:

- Currently networking with the faith community as well as Rurtian and Civic Clubs

Chairman Jones expressed appreciation to DSS Director Elmes and Supervisor Pinnix for the monthly report.

### **Wilkes Communication Inc – Proposed Resolution and Proposed Lease**

County Manager Rick Morris presented the following proposed Resolution and Lease for Wilkes Communications, Inc.

### **Proposed Resolution**

## **RESOLUTION AUTHORIZING EXECUTION OF A GROUND LEASE TO WILKES COMMUNICATIONS, INC.**

**WHEREAS**, Wilkes Communications has offered to lease from Stokes County an unimproved parcel of land consisting of approximately one acre and located at the intersection of Sheep Rock Road and Hwy 8 and 89 in Danbury, North Carolina for the purpose of constructing and operating an office and communications center to provide fiber optic broadband internet service to all areas of Stokes County, including unserved and underserved areas, all as more particularly set forth in the attached Lease Agreement; and

**WHEREAS**, the terms of said offer have been advertised for ten days as required by law, and no upset bid has been received by the County; and

**WHEREAS**, the terms of the attached lease are fair to the County, and provide an adequate rate of return based on the market value of the property; and

**WHEREAS** the construction and operation of an office and communications center to provide fiber broadband internet service to all of Stokes County, including unserved and underserved areas of the county, will make available needed communication services to all Stokes County residents, and will be an economic benefit to all of Stokes County;

**NOW THEREFORE, BE IT RESOLVED** that the Stokes County Board of Commissioners hereby authorizes the Chairman and Clerk to the Board to execute, on behalf of Stokes County, the attached Lease Agreement, subject to a pre-audit certificate thereon by the County Chief Financial Officer and approval as to form and legality by the County Attorney.

Adopted this \_\_\_\_ day of May, 2015.



\_\_\_\_\_  
**Chairman Ronda Jones**

\_\_\_\_\_  
**Vice-Chairman Jimmy Walker**

\_\_\_\_\_  
**Commissioner James D. Booth**

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

\_\_\_\_\_  
**Commissioner Ernest Lankford**

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

**Proposed Lease Agreement**

**NORTH CAROLINA**

**LEASE AGREEMENT**

**STOKES COUNTY**

THIS LEASE, dated as of \_\_\_\_\_, 2015, and entered into by and between the **County of Stokes, North Carolina**, a political subdivision of the State of North Carolina, as lessor (the "County"), and **Wilkes Telecommunications, Inc., DBA River Street Networks**, as lessee, ("Wilkes"),

**W I T N E S S E T H:**

**WHEREAS**, the County and Wilkes desire to provide fiber optic broadband services to all areas of Stokes County, including the unserved and underserved areas of the County;

**WHEREAS**, Wilkes has proposed to lease from the County approximately one acre of vacant land located at the intersection of Sheep Rock Road and Hwy 8 and 89 as more particularly described on the attached Exhibit A, hereinafter referred to as the "Leased Property", to construct and use a building on the Property to be used as an office and communications center for said services;

**WHEREAS**, the County, has agreed to lease said Property upon the terms and conditions set forth herein;

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

**ARTICLE I**  
**Definitions**

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

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

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

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

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

“Lease Year” means the twelve-month period of each year commencing on June 1 and ending on the next May 31.

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

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

## **ARTICLE II**

### **Representations, Covenants and Warranties**

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

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

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

## **ARTICLE III**

### **Demising Clause**

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

## **ARTICLE IV**

### **Lease Term**

**Section 4.1 Initial Term.** The Initial Lease Term commences on the date of the Lease and ends on May 31, 2025..

**Section 4.2 Renewal Options.** Wilkes shall have an option to renew this lease for three consecutive ten year renewal Terms beginning at the expiration of the initial term. Wilkes may exercise the option to renew by giving the County 90 days written notice of intent to renew prior to the end of the then existing term. If any renewal term is not exercised, then all Wilkes rights under this lease shall terminate at the end of the then existing term.

**Section 4.3 Additional Renewals.** In the event that Wilkes exercises all of its renewal options, and desires to renew this Lease for one or more additional terms, the County agrees to negotiate in good faith with respect to any such additional renewal terms.

## **ARTICLE V**

### **Quiet Enjoyment**

**Section 5.1 Quiet Enjoyment; Transfer.** The County hereby covenants that Wilkes shall, during the Lease Term, peaceably and quietly have and hold and enjoy the Leased Property without interference or hindrance from the County, except in the event of default by Wilkes, or as otherwise expressly required or permitted by this Lease.

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

## **ARTICLE VI**

### **Consideration For Lease**

**Section 6.1 Use of Leased Property.** Wilkes hereby agrees to use the Leased Property as an office and communications center to provide fiber optic and broadband internet services to all areas of Stokes County, and for related purposes.

**Section 6.2 Payments.** In partial consideration for its acquisition of rights to use the Leased Property during the Lease Term, Wilkes hereby agrees to pay to the County monthly rent in the amount of \$168.00 payable in advance on the first day of each month during the lease term. Rent for the first partial month shall be pro-rated.

## **ARTICLE VII**

### **Possession, Maintenance, Utilities, Repair and Taxes**

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

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

(a) **Maintenance; Repair.** Wilkes shall use the Leased Property in a careful and proper manner, in compliance with all applicable laws and regulations. Wilkes shall maintain the Property

in a neat and attractive condition and shall be responsible for all landscaping, grounds and parking lot maintenance and repair.

(b) **Insurance.** Wilkes shall maintain continuous insurance on the Leased Property, to include the following: (1) all-risk, fire, casualty and extended coverage insurance covering the Leased Property in an amount not less than one hundred percent of the full insurable replacement thereof, as the same may from time to time be determined, including any improvements, alterations and additions; and (2) comprehensive general liability insurance in an amount customarily maintained by the County at its other facilities. Wilkes shall furnish to the County a Certificate of Insurance evidencing continuous coverage for all such insurance. Any of said insurance may be provided under a "blanket policy" covering other properties of Wilkes

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

(d) **Utilities.** Wilkes shall be responsible for all utilities expense and costs for utilities furnished to the Leased Property and improvements.

### **Section 7.3    *Improvements and Modification of Leased Property, Liens.***

(a) **Additions, Modifications and Improvements.** Wilkes shall be totally responsible for all modifications or improvements to the Leased Property.

(b) **Water and Sewer.** Wilkes shall be totally responsible for extension of any utility lines necessary to furnish the Leased Property with water & sewer service.

(c) **Liens.** Wilkes will not permit any lien to be established or remain against the Leased Property for labor or materials furnished in connection with any additions, modifications or improvements made by Wilkes under this Section. Except as provided in this Article and except as the County may consent thereto, Wilkes shall not, directly or indirectly, create, incur, assume or suffer to exist any mortgage, pledge, lien, charge, encumbrance or claim on or with respect to the Leased Property, other than the respective rights of Wilkes and the County as herein provided.

(d) **Condition of Property.** Wilkes accepts the Property in "as is" condition, and County shall have no obligation or liability to make any repairs or improvements to the Property.

## **ARTICLE VIII Corrective Action**

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

**Section 8.2    *Wilkes and County Representatives.*** Whenever under the provisions hereof the approval of Wilkes or the County is required to take some action at the request of the other,

unless otherwise provided, such approval or such request is to be given for Wilkes by the Wilkes Representative and for the County by the County Representative, and Wilkes and the County are authorized to act on any such approval or request of such representative of the other.

## **ARTICLE IX**

### **Title to Leased Property; Limitations on Encumbrances**

**Section 9.1 Title to Leased Property and Improvements.** The Leased Property shall be owned by County at all times during the term of this Lease. During the term of this Lease, all improvements on the Leased Property paid for by Wilkes shall be owned by Wilkes. Upon the expiration or earlier termination of this Lease, the Leased Property shall continue to be owned by the County, and all improvements on the Leased Property shall become the property of the County.

**Section 9.2 Limitations on Encumbrances.** Wilkes will not allow any encumbrances to be placed against the Leased Property or any improvements without the express written consent of the County. Provided, however, County acknowledges that Wilke's primary lenders have an after-acquired general lien upon all Wilkes properties.

## **ARTICLE X**

### **Assignment, Subleasing and Indemnification**

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

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

## **ARTICLE XI**

### **Events of Default**

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

(a) Wilkes failure to observe and perform any covenant, condition or agreement on its part to be observed or performed for a period of 30 days after written notice specifying such failure and requesting that it be remedied has been given by the County, unless the County agrees in

writing to an extension of such time before its expiration; but if the failure stated in such notice cannot be corrected within the applicable period, the County shall not unreasonably withhold its consent to an extension of such time if corrective action is instituted by Wilkes within the applicable period and diligently pursued until such failure is corrected and, further, if by reason of any event or occurrence constituting force majeure Wilkes is unable in whole or in part to carry out any of its agreements contained herein, Wilkes shall not be deemed in default during the continuance of such event or occurrence.

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

(c) The failure of Wilkes to complete the construction of an office and communications center within three years from the date of this agreement.

(d) The failure of Wilkes to operate an office and communications center on the Leased Property on a regular basis for the furnishing of fiber optic broadband, and related services in Stokes County.

(e) Abandonment of the Leased Property by Wilkes.

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

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

**Section 11.4 Waivers.** If any agreement contained herein is breached by either party and thereafter waived by the other party, such waiver is limited to the particular breach so waived and will not be deemed to waive any other breach hereunder. A waiver of an event of default under the Contract shall constitute a waiver of any corresponding Event of Default under this Lease; provided that no such waiver shall extend to or affect any subsequent or other Event of Default under this Lease or impair any right consequent thereon.

**Section 11.5 Waiver of Appraisement, Valuation, Stay, Extension and Redemption Laws.** Wilkes and County agree, to the extent permitted by law, that in the case of a termination of

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

## **ARTICLE XII**

### **Miscellaneous**

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

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

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

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

Wilkes Communication, Inc.  
1400 River Street  
Wilkesboro, NC 28697  
Attention: CEO

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

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

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

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

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

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

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

**Section 12.9 Renewal.** Wilkes shall have the right and option to renew this lease on the same terms and conditions as set forth in Section 4.2 herein.

**Section 12.10 Attorney Fees.** In the event of a default under the terms of this Lease, which default results in a legal proceeding in the courts of Stokes County, the non-prevailing party agrees to pay reasonable attorney fees incurred by the prevailing party.

**Section 12.11 Zoning Approval.** The foregoing notwithstanding, this Lease is subject to zoning approval by the Town of Danbury, for the use of the Leased Property by Wilkes.

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

**County of Stokes, North Carolina**

**Wilkes Telecommunications, Inc.**

By: \_\_\_\_\_  
Ronda Jones, Chairman  
Stokes County Board of Commissioners

By: \_\_\_\_\_

Name: \_\_\_\_\_

Attest:

Title: \_\_\_\_\_

\_\_\_\_\_  
Darlene M. Bullins  
Clerk to the Board of Commissioners

County Manager Morris presented the following information regarding the proposed Resolution and proposed Lease Agreement:

- Currently working with Wilkes Communication to bring in another competitor for the County's Broadband market
- Next step is to approve the proposed lease and resolution which was included in today's agenda



- Provided the Board with an updated copy of the proposed lease which has language incorporated from Wilkes Communication
- Updated version has been approved by the County Manager, with some possible administrative changes regarding the technical names
- There is no disagreement in the substantive content between the county attorney and the attorney for Wilkes Communication
- The final versions for the resolution and lease will be presented at the May 26<sup>th</sup> meeting

County Manager Rick Morris presented the following information regarding the Upset Bid –  
Offer to Lease Property from Wilkes Communication:

- Board approved at the April 27<sup>th</sup> meeting for staff to proceed with the upset bid process for Wilkes Communication to lease land in front of the Old School Building in Danbury for construction of a new building
- Wilkes Communications submitted a bid to lease (more or less) one acre of vacant land at the corner of Sheep Rock Road and HWY 8 & 89 for \$168 per month
- An advertisement for up-set bids was placed in the Stokes News on April 30<sup>th</sup>
- The reason this information was not included in today's Agenda was due to the deadline for the upset bid was today, Monday, May 11<sup>th</sup> at 9:00 am
- No upset bid was received before the 9:00 am, Monday, May 11, 2015 deadline
- All statutory requirements included in NC General Statutes 160A-272 Lease or rental of property and 160A-269 Negotiated Offer, advertisement and upset bids have been satisfied
- Would request to move the item to today's Action Agenda
- The last item that will need to be done before Wilkes Communication can start breaking ground is a contract to provide services to our governmental services
- County staff is working on that proposal and will be included in the May 26<sup>th</sup> meeting

Chairman Jones opened the floor for discussion.

It was the consensus of the Board to place the bid from Wilkes Communication on today's Action Agenda.

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

Commissioner Inman confirmed with Manager Morris that there would be Legal Description (Attachment A) on the final version of the Lease Agreement.

County Manager Morris responded:

- By approving the bid today, that will give Wilkes Communication the comfortable level to go forward with surveying the property

Vice Chairman Walker questioned County Manager if the amount of the bid equal what he would consider to be a fair amount for the property?

County Manager Morris responded:

- Yes
- Also, consulted with our resident real estate commissioner
- Have my support on this program
- Feel it would be a great benefit to the county
- Am glad to see it developing at the pace that it sounds like it is
- Confirmed with Manager Morris it is moving faster than expected and is on schedule

Commissioner Booth commented:

- Agree, it is going to be a great benefit for those who are currently un-served and underserved in the county
- Going to be good for Stokes County

Chairman Jones, with full consensus of the Board, directed the Clerk to place the item on May 26<sup>th</sup> Action Agenda.

### **EMS – External Posting**

County Manager Rick Morris presented the following information regarding a request from EMS Director Greg Collins:

- Request to advertise two vacant EMT Paramedic positions
- Positions were unable to be filled internally
- Request the item be moved to today's Action Agenda due to the department is very limited with part time staff
- This is not the only department having severe staffing issues

Chairman Jones opened the floor for discussion.

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

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

## **Sheriff's Department – Request for Overtime Pay and Budget Amendment #68**

County Manager Rick Morris presented a request from Sheriff Mike Marshall, who was in attendance for today's meeting, to be able to pay overtime to full time employees who work a non-scheduled shift.

Manager Morris commented:

- This is a follow-up to the last item involving an urgent staffing situation with the Sheriff's Department
- Sheriff Marshall has developed the following policy to help cover the staffing issues temporarily:

### **1.36.2 Emergency Fill-In**

When required a fulltime officer can be used to work on non-working days, for time and a half, for monies, upon approval of the Sheriff. No exceptions. Working on non-working days must be preapproved and will be documented using a separate time sheet. In order to be eligible to work under this guideline, the employee must maintain their required schedule. The employee will fall under the supervision of the shift supervisor assigned to the shift the employee is filling in on.

- Need the Board's approval to allow the Sheriff to implement the policy by paying overtime to full time employees working a non-schedule shift instead of accruing compensatory time along with the following Budget Amendment #68 which allocates the funding

## **Budget Amendment #68**

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

<b>Account Number</b>	<b>Account Description</b>	<b>Current Budgeted Amount</b>	<b>Increase (Decrease)</b>	<b>As Amended</b>
<b>Sheriff's Department</b>				
100.4310.000	Salaries & Wages	\$165,751.00	\$(12,000.00)	\$153,751.00
100.4310.010	Salaries & Wages –Overtime	<u>\$4,500.00</u>	<u>\$12,000.00</u>	<u>\$16,500.00</u>
	<b>Totals</b>	<b>\$170,251.00</b>	<b>\$00.00</b>	<b>\$170,251.00</b>

This budget amendment is justified as follows:

To transfer funds to cover overtime pay due to limited part time staff.

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

Chairman Jones opened the floor for discussion.

Commissioner Lankford noted that he was good with moving the item to today's Action Agenda.

Commissioner Booth questioned Sheriff Marshall if this is going to be a permanent policy?

Sheriff Marshall responded:

- The policy for the Sheriff's Department is permanent in case the issue comes up again
- Would only have to have funding approved by the Board with the policy in place
- Have had issues with several employees leaving for employment with Baptist Hospital along with several employees on extended family medical leave
- Will only be used when necessary
- Have requested \$12,000 to cover to July 1<sup>st</sup> when I hope the situation will be taken care of, if not, will come back to the Board for funding

Vice Chairman Walker commented:

- Put a lot of trust in the department head to identify the needs to operate their department at the level each department head feels it needs to be at
- Confirmed with Sheriff Marshall that the policy and requested funding is what is needed at this time
- Confirmed with Sheriff Marshall that he will monitor those working in order to make sure they can perform their regular shift
- Confirmed with Sheriff Marshall that he saw no downside to using our experienced, qualified officers

Sheriff Marshall noted that once positions were filled, the overtime would not be utilized; however, this is only a temporary fix.

County Manager Morris commented:

- These are symptoms of a much larger problem that you will be getting "an earful" at the next meeting with my budget message

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

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

### **Personal/Liability and Worker's Compensation – Insurance Renewals**

County Manager Rick Morris presented the following information regarding

Personal/Liability and Worker's Compensation Insurance Renewals:

- Following costs were provided by NC Association of County Commissioners for Fiscal Year 2015-16:
  - Worker's Compensation = \$366,601.00
  - Liability, Property, and Auto = \$210,976.00
  - Multi-Pool Discounts = (\$12,250.00)
  - Total Cost = \$565,327.00
- Following costs for Fiscal Year 2014-15 were:
  - Worker's Compensation = \$367,037.00
  - Liability, Property, and Auto = \$221,841.00
  - Multi-Pool Discounts = (\$10,185.00)
  - Total Cost = \$578,693.00
- Total decrease = \$13,366
- Request to place on the May 26<sup>th</sup> Action Agenda

Chairman Jones opened the floor for discussion.

Vice Chairman Walker noted the decrease of approximately \$13,000.00 for next fiscal year.

Chairman Jones, with full consensus of the Board, directed the Clerk to place the item on the May 26<sup>th</sup> Action Agenda.

### **Economic Development Assessment**

Chairman Jones presented the following comments regarding the Economic Development Assessment:

- With the motion below, the Board of Commissioner moved to reassess the Economic Development in Stokes County:

I move to approve a one-year temporary reclassification, effective March 10, 2015, per county policy, for David Sudderth's current position to add duties as Interim Economic Development Director with a salary of (Grade 82 – Step 22A) with Mr. Sudderth being directly supported in his economic development duties by the County Manager, at no change in pay, during this one year period.

**During the one-year period of this reclassification, the Board of County Commissioners, with the assistance of County staff will:**

- Reassess the Economic Development mission and process that is currently in place;
- Review the ED Director's job description / duties;
- Review the EDC Board's bylaws and mission statement, plus;
- Review and analyze all other aspects of the economic development function in the County to include the development of metrics, which would be used to measure

the success of the Economic Development Department's function.

**After the one-year temporary reclassification period, the BOCC, if ready to do so, would have the option of moving forward with the normal hiring process for a permanent ED Director or evaluate other options depending on the circumstances at the time.**

- Requested the County Manager provide the Board with recommendations to get this process started:

County Manager Rick Morris responded:

- Need to put a process in place, already three months into the one-year time frame
- Time is really moving fast
- Would suggest an evaluation committee that starts working on the assessment as approved by the Board
- Economic Development Commission is still meeting
- Feel there needs to be some direction before all these activities continue

Chairman Jones questioned Manager Morris if he had a recommendation regarding who should be on the evaluation committee:

County Manager Morris responded:

- Myself, since the position reports to the manager
- Interim Economic Development Director David Sudderth
- Arts Council Eddy McGee who is heavily engaged in tourism and other aspects of Economic Development
- At least two members of the Board of Commissioners
- At least two members of the Economic Development Commission (EDC), possibly Chair and one more
- This could be addressed like other issues such as sewer, community college, etc. have been addressed
- Committee would bring recommendations to the Board of Commissioners to establish some direction

Chairman Jones commented:

- To be parallel, do you think the Chair and Vice Chair of each Board/Commission should serve on the committee?

County Manager Morris responded:

- That would work
- Could let the EDC decide who they wanted to serve on the committee

Chairman Jones opened the floor for discussion.

Commissioner Inman noted that he could not serve from the EDC, making three commissioners.

Commissioner Lankford commented:

- Did not know what the basis of the item on the Agenda was going to be today
- Would like some more time to study the concept, before designing a process

County Manager Morris noted the motion that was approved by the Board outlines a specific task to perform which would be a good place to start unless the Board wishes to approach it in a different way.

County Manager Morris continued:

- Not sure if the EDC meetings need to continue until there is some direction of where the County wants to go with economic development
- Questioned Commissioner Inman, who serves on the EDC, his opinion if the EDC should continue until some direction is established?

Commissioner Inman responded:

- The EDC has had a four-prong economic development initiative:
  - Business Retention/Expansion
  - Business/Industry Recruitment
  - Entrepreneurial activities
  - Travel/Tourism Development
- Lot of things have been done with each prong such as the community college in 2016 to provide a trained workforce, Wilkes Communication bringing broadband to underserved and un-served areas, etc.
- Have to infrastructure to bring in new business
- Have discussed with Manager Morris regarding an assessment to give the EDC some direction
- This is not critical of anything or anyone, but a statement of fact, it had kind of become a meeting of where the EDC, who reports to the Board of County Commissioners (BOCC), had let the ED Director take over and give a report each month
- EDC needs a good, clear direction from the Board of Commissioners

Vice Chairman Walker commented:

- Like the sound of this concept
- Seems it could potentially move the County along clarifying some items that need to be clearer than they have been over time
- Confirmed with Manager Morris that this committee would report to the BOCC
- Confirmed with Manager Morris that committee would most likely meet with the BOCC quarterly or when needed
- Like what has been presented

- Think it is fair, equitable, has the mix of people on the committee that needs to be involved
- Pretty much on board with what has been presented
- May be other ways to accomplish what we need, but don't have a lot time to get this done
- Need to get started on this very soon, this Board does not need to be sitting here and wait until the year is up and then wonder what we are going to do
- Needs planning and thought and this seems a good way to do it

Commissioner Booth commented:

- Confirmed with Manager Morris that his recommendation included the committee being selected by the BOCC

Chairman Jones commented:

- The Board has made the promise to reevaluate economic development and make it effective as it can be
- Need direction
- Want to see a Board that is engaged and accountable, not a chat group, want to see things happen

County Manager Morris commented:

- The current situation is working now, but not a permanent solution, need a defined solution
- I have a lot of projects that I have going on
- The current interim director is eligible to retire in a year or so
- Would like to see a plan developed and executed

The Board discussed placing it on the Action Agenda for the next meeting.

Commissioner Lankford reiterated he needed some time to evaluate the concept

The Board agreed to place the item on the May 26<sup>th</sup> Action Agenda.

Chairman Jones, with full consensus of the Board, directed the Clerk to place the item on the May 26<sup>th</sup> Action Agenda.

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

### **Steven Hewett – Facility Signage Request**

Chairman Jones entertained a motion regarding the request from Mr. Steven Hewett to place “In Reason We Trust” on or in any government building or court house just as it was granted to the US Motto Action Committee; request was presented to the Board at the April 27<sup>th</sup>



meeting.

Commissioner Booth moved to deny Mr. Hewett's request to place "In Reason We Trust" on or in any Stokes County Government buildings or courthouse. Vice Chairman Walker seconded the motion.

Chairman Jones opened the floor for any further discussion.

Vice Chairman Walker commented:

- Absolutely, I agree with Commissioner Booth's motion, I seconded his motion
- If this had been left up to me, Madam Chairman, this would have never been on the Agenda any way
- It does not rise to the level of what the Board needs to be dealing with, but since we are, I think it is good to go ahead and allow the procedure to go forward
- That is where we are today

Commissioner Booth commented:

- The reason for "In God We Trust" is that it is a national motto
- That is why I voted to put it on the building

Vice Chairman Walker commented:

- If anything else, in the future, ever rises to the level of official, current national motto, if someone wants to bring that before our board, I would not have the opposition to something of that stature as I would for just another set of words
- Because if we allow a citizen to have their request considered, what would keep another citizen from claiming that same right and saying I would like whatever to be considered
- Unless something rises to the level of the current official national motto, I am really not even interested in discussing it in the future
- I do like our national motto "In God We Trust"
- Have always been very comfortable with it

Chairman Jones commented:

- I just want to say, that even before everyone left, everyone in this room are good people, everyone, despite our differences, despite our religious beliefs because even within the Christian community, we have a lot of denominations, we all don't agree on everything
- We are good people
- I don't want this to fester and drag us down and get caught up on our differences when we have so much in common
- Need to be moving forward in our community in a positive manner
- It hurts my soul when these type of things come up in a depth that I can't even describe

- I want to be able to lead 100% of everyone in this County, but you just can't make everyone happy all the time
- In the end, the majority is there
- It is our national motto and you can't deny that
- I just ask that this not fester, that we be thankful for who we have and not wait for something catastrophic to happen to realize we need each other

The motion carried unanimously.

### **Juvenile Crime Prevention Council – Recommendation for State Funding**

Chairman Jones entertained a motion regarding the request at the April 27<sup>th</sup> meeting from Juvenile Crime Prevention Council – Recommendation for State Funding and approval of the Certification Standards that must accompany the application. Following recommendation for funding was submitted by JCPC at the April 27<sup>th</sup> meeting:

<b>Fiscal Year 2015-16 Program</b>	<b>JCPC Legislative Allocation for Fiscal Year 2014-15</b>	<b>County Match</b>	<b>JCPC Legislative Allocation for Fiscal Year 2015-16</b>	<b>County Match</b>
Stokes Friends of Youth	\$77,526	\$23,258	\$77,526	\$23,258
Stokes Scan	\$21,940	\$6,582	\$21,940	\$6,582
Children's Center	\$11,084	\$3,326	\$11,084	\$4,326
Insight	\$25,460	\$7,638	\$25,460	\$7,638
<b>Total</b>	<b>\$136,010</b>	<b>\$40,804</b>	<b>\$136,010</b>	<b>\$ 41,804</b>

Commissioner Inman moved to approve the recommendation for funding and the certification of standards. Commissioner Lankford seconded and the motion carried unanimously.

### **Jail Expansion – Architectural/Engineering Services Budget Amendment #66**

Chairman Jones entertained a motion regarding the April 27<sup>th</sup> request to approve Moseley Architects' Jail Expansion Project Scope Contract in the amount of \$14,800 and the following Budget Amendment #66 which allocates the funding:

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

Account Number	Account Description Jail	Current Budgeted Amount	Increase (Decrease)	As Amended
100.4320.000	Improvements	\$00.00	\$14,800.00	\$14,800.00
	Contingency			
100.9910.000	Contingency	<u>\$96,132.00</u>	<u>\$(14,800.00)</u>	<u>\$81,332.00</u>
	<b>Totals</b>	<b>\$96,132.00</b>	<b>\$00.00</b>	<b>\$96,132.00</b>

This budget amendment is justified as follows:

To transfer funds from Contingency for the Phase 1 Preliminary Design Services for possible Jail Expansion

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

Commissioner Lankford moved to approve the Moseley Architects' Jail Expansion Project Scope Contract in the amount of \$14,800 and Budget Amendment #66 which allocates the funding. Commissioner Booth seconded and the motion carried unanimously.

#### **Meadows Community Water System – Ground Water Exploration Budget Amendment #67**

Chairman Jones entertained a motion regarding the Ground Water Exploration for the Meadows Community Water System presented at the April 27<sup>th</sup> meeting and Budget Amendment #67 which allocates the funding of one or two wells.

Commissioner Lankford moved to approve the Ground Water Exploration for up to two wells and Budget Amendment #67 which allocates funding for up to two wells.

Commissioner Inman seconded the motion.

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

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
<b>Danbury Water Fund</b>				
502.7140.510	Equipment	<u>\$00.00</u>	<u>\$30,000.00</u>	<u>\$30,000.00</u>
	<b>Totals</b>	<b>\$00.00</b>	<b>\$30,000.00</b>	<b>\$30,000.00</b>

This budget amendment is justified as follows:

To transfer funds from Contingency for the location of two wells suitable for public water supply for economic development in the Meadows Community.

This will result in a **net increase of \$30,000.00** in the expenditures and other financial use to the County's annual budget. To provide the additional revenue for the above, the following revenues will increase. These revenues have already been received or are verified they will be received this fiscal year.

Account Number	Account Description	Current Budgeted Amount	Increase (Decrease)	As Amended
<b>Danbury Water Fund</b>				
502.3991.000	Fund Balance	<u>\$00.00</u>	<u>\$30,000.00</u>	<u>\$30,000.00</u>
	<b>Totals</b>	<b>\$00.00</b>	<b>\$30,000.00</b>	<b>\$30,000.00</b>

Chairman Jones opened the floor for discussion.

Vice Chairman Walker commented:

- Have been completely on board with the sewer project since it started
- Have been trying on an ongoing basis to gather information to justify spending county dollars, particularly during a tight budget, on a project of this kind
- Still trying to gather information
- Could be convinced, but not there yet
- Would like someone to explain why this \$3 million project is needed and justify the project
- Need help, not there yet
- The well at the community college is producing 50 gallons per minute
- Struggling how the pieces are fitting together

Commissioner Lankford commented:

- Exploration of ground water is the only thing that is being considered right now
- Need more than the 40-50 gallons per minute once the community college starts up
- In my opinion, this is a good plan to go ahead and try to locate the water
- Exploration of ground water gives us a better chance for grant funding if we know there is already a well to supply the water line

Chairman Jones confirmed with Commissioner Lankford that the funding is being used to try to leverage grant funding.

Commissioner Booth commented:

- Like I stated at the last meeting, we have a well producing 50 gallons per minute along with other wells in the same area getting 100 gallons per minute
- We are talking about \$30,000 of taxpayers' money being used upfront
- I have stated it before and I repeat, I can go with one well to make sure that we have enough water to do something, but not do any of these water projects at this time

Commissioner Inman commented:

- Part of the rationale here is there will be a community college in the near future with a good well, but if something happens and there is not a backup well, you would be shutting down a community college
- Certainly don't want to see that
- Commissioner Lankford and I are talking about well exploration for the future, certainly, not on board to obligate the county for \$2-3 million projects to bring water there
- There is a project that would bring water to the intersection in Meadows that could bring economic development
- If we are serious about economic development in the county, we have to continue to explore options, to build infrastructure, etc.
- Agree with Commissioner Booth regarding the upcoming difficult budget year
- Feel we need to remain proactive
- Truly believe there will be economic development in that area

Commissioner Lankford noted that he would hate to miss any opportunity.

Vice Chairman Walker questioned what would be the impact on the Danbury Water rates by using Danbury Water Funds?

County Manager Morris responded:

- No direct impact
- The funding is there

Vice Chairman Walker responded:

- Taking funding from any fund could potentially impact their water rates, could be increasing the water rates for the people in Danbury

County Manager Morris responded:

- Theoretically, it could, but not anywhere near that now
- Current rates are so low, grants are impossible to obtain

Vice Chairman Booth commented:

- No one wants to miss any opportunity for economic development
- It could be 10 years before there is any economic development in that area
- Not ready for the water project right now
- As stated at the last meeting, for the least cost project, construction is \$1.6 million with engineering and finding the grants \$900,000 to \$1 million (that is the project that I am talking about not doing now)

County Manager Morris responded:

- Funding for the engineering and finding grants is not being interpreted correctly
- Would need to sit down and itemized each funding line item

Commissioner Booth stated that he would like clarification on the engineering and grant finding costs included in the information provided to the Board at the last meeting.

Vice Chairman Walker stated he would also like clarification.

County Manager Morris noted the wells don't take any engineering and grant finding.

County Manager Morris continued:

- A project like this takes a logical amount of engineering and grant finding
- The request is not for the water project, it is for locating two wells

Commissioner Booth responded:

- Already have a 50 gallons per minute well
- Dollar General in the area is getting 100 gallons per minute
- Other wells in the vicinity getting from 80 to 100 gallons per minute
- Believe one well would put you where you need to be to consider grants for a water project

Vice Chairman Walker commented:

- Unless I have missed something, I am not aware of a problem with any well in that area
- Questioned if there has been a problem with any well in the area?

Commissioner Lankford responded:

- Not saying there is a problem with any well
- Need to know the water is there when and if needed
- Doesn't matter if it is 5 years, 10 years, at least, the County has staff that can do this with only using up to \$30,000
- Just approved an architect for jail expansion for \$14,800, that did not have to be done now either

Commissioner Inman commented:

- Just a good logical decision

County Manager Morris commented:

- It is basically just risk reduction measure for water in the area

Chairman Jones commented:

- We are always talking about economic development
- This is for economic development

Commissioner Booth commented:

- Would like to have the project information provided at the last meeting for review

Vice Chairman Walker stated that he needed more information before making a decision.

Commissioner Booth commented:

- Willing to go with one well for future water projects and possible economic development
- Just drilled a new well for the Danbury Water System
- Originally discussed taking water from the Danbury Water System to the community college site
- If you do one well and get a good return, you can do the 1.25 mile extension water project

Vice Chairman Walker commented:

- If you do this, there is no guarantee economic development will come
- Would like to see information such as traffic count, likelihood of economic development in the area, etc.
- Have to be careful with funding being spent whether it is taxpayers' dollars, Danbury Water Fund, etc.
- Not ready to vote
- Need more information
- Not saying that I can't be there, saying I am just not there yet with the request

Commissioner Lankford noted that the request is for ground water exploration.

County Manager Morris commented:

- Reach the point where we now have the sewer construction underway
- The next decision is whether to continue with the water project
- You have three project options that were presented at the last meeting
- The TaskForce decided to break the Ground Water Exploration from the projects because it could be done (in-house)
- Until we know whether there is water, there is no use to discuss the other water projects
- The wells could be used as backup wells which could be added to the system later

Commissioner Booth commented:

- I have been challenged on the three water projects provided to the Board

- I would like to have the information on the three water projects for further review

Commissioner Lankford reiterated that the item being voting on is only for ground water exploration.

Vice Chairman Walker suggested putting the item back on the May 26<sup>th</sup> Agenda.

Chairman Jones repeated the motion to approve Ground Water Exploration for up to two wells and Budget Amendment #67 which allocates funding for up to two wells.

The motion carried (3-2) with Commissioner Booth and Vice Chairman Walker voting against the motion.

County Manager Morris noted that he would be happy to discuss the options provided to the Board.

#### **Walnut Cove Senior Center Advisory Council – Bylaws – Proposed Amendments**

Chairman Jones entertained a motion to approve the Walnut Cove Senior Center Advisory Council's Bylaws with the amended changes which was presented at the April 27<sup>th</sup> meeting:

#### WALNUT COVE SENIOR CENTER ADVISORY COUNCIL BY- LAWS

Walnut Cove Senior Center  
PO Box 646 308 Brook Street  
Walnut Cove, NC 27052

#### ARTICLE I

#### NAME

#### SECTION I. Name

The name of this organization shall be the Walnut Cove Senior Center Advisory Council.



## ARTICLE II

### MISSION

#### SECTION I. Mission

It is the mission of the Walnut Cove Senior Center Involves, Enriches and Empowers Seniors in our Community.

#### SECTION II. FUNCTION

The function of the Walnut Cove Senior Center Advisory Council shall be as follows:

- 1) To assist the Walnut Cove Senior Center and local service providers in a needs assessment process to determine the priority needs of older adults in Stokes County, and to determine which can be provided at the Walnut Cove Senior Center and through Senior Center Outreach.
- 2) To assist in the determination of the mission of the Walnut Cove Senior Center and to help oversee implementation of that mission.
- 3) To regularly review programs offered by the Walnut Cove Senior Center and the extent to which those services and activities meet its established mission and the changing needs of the community.
- 4) To play a major role in assisting the Walnut Cove Senior Center Director with fund-raising events.

## ARTICLE III

### MEMBERSHIP

#### SECTION I. VOTING MEMBERS

- A) The membership of the Walnut Cove Senior Center Advisory Council shall be comprised of fifteen (15) members appointed by the Board of County Commissioners and one representative from the Region G Advisory Committee of the Area Agency on Aging, approved by the Advisory Council upon recommendation of the Area Agency on Aging. Of the 15 members appointed by the Board of County Commissioners, there shall be at least one representative from each city, town, and township in Stokes County, whenever feasible. All Advisory Council members shall have full voting privileges.
- B) Terms of membership shall be (3) three years, and members shall be eligible to serve up to three consecutive terms. Terms shall begin on July 1<sup>st</sup> and end on June 30<sup>th</sup>. If for any reason an appointee does not serve a complete term on the Advisory Council, the Board of County Commissioners may appoint another individual to fulfill the remainder of the un-expired term. The Term of membership for the Region G representative shall coincide with their membership on the Region G Advisory Board. If for any reason the member from the

Region G does not serve a complete term, another individual from the Region G Board shall be appointed by a Region G Board Representative.

- C) If a voting member of the Walnut Cove Senior Center Advisory Council accumulates four 3 absences in a year, the Director of the Walnut Cove Senior Center, or his or her designee, shall contact the member to discuss whether circumstances warrant that a replacement should be named.

## ARTICLE IV

### OFFICERS

#### SECTION I. ELCETED OFFICERS

- A) The elected officers of the Walnut Cove Senior Center Advisory Council shall be: Chair, First Vice Chair. Officers shall be elected to serve for a period of two years, but may be re-elected to serve, up to (3) consecutive terms. Senior Center Staff shall serve as secretary and be responsible for recording the minutes and distributing them to all Council members. A Nominating Committee of (3) three voting members shall bring a slate of nominees to the last meeting of the fiscal year.
- B) The Chair shall be responsible for reviewing the agenda, presiding at all regular and special meetings of the Council and assist with appointing committees and representing the Council in public relations activities.
- C) In the absence of the Chair, the First Vice Chair will assume the duties of the Chair.

## ARTICLE V

### MEETINGS

#### SECTION I. MEETING DATES

- A) Meetings shall be held once every other month with a consistent meeting date to be established by the Walnut Cove Senior Center Advisory Council.
- B) Meetings shall be called at the discretion of the Chair and the Senior Center Director and cancelled by the same.
- C) A Quorum shall consist of a simple majority of the members of the Walnut Cove Senior Center Advisory Council.
- D) All meetings shall comply with Open Meetings Law.

## ARTICLE VI

### COMMITTEES

#### SECTION I. STANDING COMMITTEES

Standing Committees shall be as follows:

- A) Nominating Committee: The purpose of this committee is to nominate Council members for the offices of Chair and First Vice Chair. The committee shall be comprised of three (3) voting members appointed by the Chair. The nominating committee shall present a slate of nominees to be voted upon the last meeting of the fiscal year and installed at the first meeting of the next fiscal year.
- B) Special Needs Committee: May be appointed as the need arises.

## ARTICLE VII

### AMENDMENTS

#### SECTION I. AMENDMENT PROCEDURE

- A) By-Law amendments may be proposed to the Board Of County Commissioners by a majority vote at any meeting of the Walnut Cove Senior Center Advisory Council, provided the proposed alteration has been announced at the previous meeting and provided further that a written notice has been sent to all members outlining the proposed changes and announcing the time and place of the meeting at which action will be taken regarding the proposed changes.
- B) All amendments or other changes to these By-Laws must be approved by the Board of County Commissioners.
- C) Notwithstanding the above, the Board of County Commissioners retains ultimate responsibility for the form and content of the By-Laws of the Walnut Cove Senior Center Advisory Council.

\_\_\_\_\_  
Chair,  
Walnut Cove Senior Center Advisory Council

\_\_\_\_\_  
Date

\_\_\_\_\_  
First Vice Chair,  
Walnut Cove Senior Center Advisory Council

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director  
Walnut Cove Senior Center

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman  
Board of County Commissioners

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Clerk to the Board  
Of County Commissioners

\_\_\_\_\_  
Date

Commissioner Inman moved to approve the Walnut Cove Senior Center Advisory Council's Bylaws with amendments. Commissioner Lankford seconded and the motion carried unanimously.

**Appointment – Walnut Cove Senior Center Advisory Committee**

Chairman Jones noted that Erma Perkins was nominated at the April 27<sup>th</sup> meeting to serve on the Walnut Cove Senior Center Advisory Committee.

Chairman Jones opened the floor for any further nominations.

There were no further nominations.

Chairman Jones entertained a motion to close the nominations.

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

Chairman Jones polled the Board:

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

Chairman Jones noted that Erma Perkins was unanimously appointed to serve on the Walnut Cove Senior Center Advisory Committee

**Wilkes Communication Inc. – Upset Bid**

Chairman Jones entertained a motion regarding the bid from Wilkes Communications, Inc.

to lease an acre (more or less) in the front lawn of the Community Services Building which was presented at today's meeting.

Commissioner Lankford moved to accept the bid (\$168 per month) from Wilkes Communication, Inc. to lease an acre (more or less) in the front lawn of the Community Services Building. Commissioner Booth seconded and the motion carried unanimously.

#### **EMS – External Posting**

Chairman Jones entertained a motion regarding the request presented at today's meeting to externally post two vacant EMT Paramedic positions.

Commissioner Booth moved to approve the request to post two vacant EMT Paramedic positions external. Vice Chairman Walker seconded and the motion carried unanimously.

#### **Sheriff's Department – Request for Overtime Pay and Budget Amendment #68**

Chairman Jones entertained a motion regarding the request presented at today's meeting from Sheriff Mike Marshall to pay overtime to full time employees who work a non-scheduled shift and Budget Amendment #68 which allocates funding.

Commissioner Booth moved to pay overtime to full time employees in the Sheriff's Department who work a non-scheduled shift and Budget Amendment #68 which allocates funding. Commissioner Lankford seconded and the motion carried unanimously.

#### **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 G.S. 143-318.11(a)(3)
- To discuss matters relating to the location or expansion of industries or other businesses in the County pursuant to G.S. 143-318.11(a)(4)

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 G.S. 143-318.11(a)(3)
- To discuss matters relating to the location or expansion of industries or other businesses in the County pursuant to G.S. 143-318.11(a)(4)

Commissioner Booth seconded and the motion carried unanimously.

The Board reentered the opened session of the May 11<sup>th</sup> meeting.

### **Adjournment**

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

Vice Chairman Walker moved to adjourn the meeting. Commissioner Inman seconded and the motion carried unanimously.

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

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**Ronda Jones**  
**Chairman**