

Surry County Board of Commissioners
Meeting of August 20, 2018

The Surry County Board of Commissioners met at 6:00 p.m., August 20, 2018. The meeting was held in the Commissioners' Meeting Room, Surry County Government Center, Dobson, N.C.

Board members present for the meeting were Chairman Eddie Harris, Vice-Chairman Van Tucker, Commissioner Larry Phillips, and Commissioner Gary Carson Tilley.

Commissioner Larry Johnson was unable to attend.

Others present for the meeting, at various times, were:
Chris Knopf, County Manager
Sandy Snow, Assistant County Manager
Edwin Woltz, County Attorney
Tammy Johnson, Assistant to the County Manager
Don Mitchell, Facilities Director
Kim Bates, Planning Director
Penny Harrison, Tax Administrator
News Media

Chairman Harris called the meeting to order, welcomed everyone and thanked them for their attendance. Commissioner Tilley delivered the invocation and led the Pledge of Allegiance.

Chairman Harris requested the Board review and approve the agenda. Upon motion of Commissioner Phillips, seconded by Commissioner Tilley, the Board voted unanimously to approve the August 20, 2018 agenda.

Chairman Harris requested the Board consider the minutes of the July 16, 2018 and July 25, 2018 meetings as presented. Upon motion of Commissioner Tucker, seconded by Commissioner Phillips, the Board voted unanimously to approve the minutes.

Chairman Harris requested the Board consider the consent agenda. Upon motion of Commissioner Tilley, seconded by Commissioner Tucker, the Board voted unanimously to approve the following consent agenda items:

Requests from the County Manager:

- Approve the following resolution:

RESOLUTION DESIGNATING ASSISTANT TO THE COUNTY MANAGER
TO PROCESS THE RESPONSIBILITIES OF CLERK TO THE
BOARD OF COUNTY COMMISSIONERS

WHEREAS, the Board of County Commissioners is required to appoint or designate a clerk to the board as stated in G.S. 153A-111; and

WHEREAS, the clerk to the board is responsible for performing any duties that may be required by law and/or the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners may designate any existing County officer or employee as clerk to the board as stated in G.S. 153A-111; and

WHEREAS, it has been determined that the day-to-day duties of a clerk to the board does not require a full-time position and can be readily combined with the duties of an existing County position.

NOW, THEREFORE, BE IT RESOLVED, the Board of County Commissioners of the County of Surry:

Section 1. Designates Tammy Johnson, Assistant to the County Manager, to perform the duties of Clerk to the Board of the Board of County Commissioners in addition to her existing duties; and

Section 2. Removes the designation of Interim Clerk to the Board of County Commissioners from Sandy Snow, Assistant County Manager, and reappoints her to the position of Deputy Clerk to the Board of County Commissioners.

Section 3. This resolution shall take effect September 1, 2018.

- Approve the new airport rules adopted recently by the Mount Airy/Surry County Airport Authority, as presented.
- Approve the following from the Tax Department:

Total releases for the month ending 7/31/18 in the amount of \$27,717.71.

Total refunds for the month ending 7/31/18 in the amount of \$5,109.00.

Total NCVTS tag and tax refunds for the month ending 7/31/18 in the amount of \$1,555.45.

Total real and personal property discoveries for the month ending 7/31/18 in the amount of \$35,826.81.

Total EMS, EMD, and EMS-MC additions as of 7/31/18 in the amount of \$275,487.63.

Total EMS, EMD, and EMS-MC refunds as of 7/31/18 in the amount of \$348.42.

Total EMS, EMD, and EMS-MC releases as of 7/31/18 in the amount of \$2,814.31.

Total EMS, EMD, and EMS-MC collections as of 7/31/18 in the amount of \$29,989.35.

- Approve a late application for a property tax exemption.

Requests from the Assistant County Manager:

- Approve retiree resolutions for Rhonda Easter and Libby Tilley as follows:

RESOLUTION

WHEREAS, Rhonda B. Easter faithfully served the citizens of Surry County from March 7, 2001 until her retirement on April 30,

2018 as an employee of the Surry County Register of Deeds Office; and

WHEREAS, during her years of service, Rhonda B. Easter held the positions of Deputy Register of Deeds I and Deputy Register of Deeds II, a position she held from July 1, 2004 until her retirement; and

WHEREAS, through study and hard work, Rhonda B. Easter became certified as one of North Carolina's Advanced Register of Deeds certification holders in 2011. Ms. Easter's position in the land records department demonstrated her extensive and comprehensive knowledge of recording and indexing real estate documents; and

WHEREAS, during her years of faithful service, Ms. Easter has earned the admiration and respect of her fellow employees, friends, and colleagues as she has dedicated her career to diligently serving the citizens of Surry County; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend Rhonda B. Easter for the integrity and high level of professionalism she has brought to the Surry County Register of Deeds Office; and

NOW, THEREFORE, BE IT RESOLVED that the Board commends Rhonda B. Easter for her service to the citizens of Surry County and wishes to express its appreciation for her many years of dedicated employment; and

BE IT FURTHER RESOLVED that the Board extends to Rhonda B. Easter its best wishes for many years of happiness during her retirement.

RESOLUTION

WHEREAS, Olivia S. Tilley, known to everyone as Libby, began her career with the County of Surry on January 28, 2002 as a part-time employee in the Board of Elections office. On May 10, 2004, she began her full-time career with Surry County Board of Elections and remained in that office until her retirement on May 31, 2018; and

WHEREAS, during her years of service, Libby S. Tilley held the position of Elections Clerk from May 10, 2004 until her retirement; and

WHEREAS, during her years of faithful service, Libby S. Tilley has earned the admiration and respect of her fellow employees, friends, and colleagues as she has dedicated her career to diligently serving the citizens of Surry County; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend Libby S. Tilley for the integrity and high level of professionalism she has brought to the Surry County Board of Elections office; and

NOW, THEREFORE, BE IT RESOLVED that the Board commends Libby S. Tilley for her service to the citizens of Surry County and wishes to express its appreciation for her many years of dedicated employment; and

BE IT FURTHER RESOLVED that the Board extends to Libby S. Tilley its best wishes for many years of happiness during her retirement.

- Create an EMS Training Officer position. Add EMS Training Officer to Grade 67 on the Surry County Position Classification Plan.
- Approve the revised Flex Time Policy as presented.
- Approve the Facilities Usage Policy as presented.
- Approve Budget Amendment #3 to fund three vehicles for Health and Nutrition.

ACCOUNT CODE	DESCRIPTION	PREVIOUS AMOUNT	CHANGE	REVISED AMOUNT
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>Non-Departmental</u>				
1054199 59520	Salary Contingency	383,295	(27,556)	355,739
	Decrease departmental total	718,295	(27,556)	690,739
<u>Pregnancy Care Management</u>				
1055161 56010	Equipment (NEW)	0	13,778	13,778
	Increase departmental total	204,366	13,778	218,144
<u>Environmental Health</u>				
1055181 56010	Equipment	0	13,778	13,778
	Increase departmental total	663,600	13,778	677,378
<u>Health Promotions</u>				
1055191 56010	Equipment	0	18,174	18,174
	Increase departmental total	128,250	18,174	146,424
<u>REVENUE</u>				
1045191 49900	Unencumbered Balance	0	18,174	18,174
	Increase fund totals	72,659,064	18,174	72,677,238

- Approve entering into a Deed of Easement for Access, as presented, between County of Surry, NC and Silkworm Properties, LLC.
- Approve a revised In-Home Aide Service Policy for Adult Social Work Services, as presented by Kristy Preston.

Requests from the Finance Officer:

- Approve Budget Amendment #4 as follows:

ACCOUNT CODE	DESCRIPTION	PREVIOUS AMOUNT	CHANGE	REVISED AMOUNT
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>SOIL & WATER CONSERVATION DISTRICT</u>				
1054960 51030	Salaries & Wages Part Time	0	37,500	37,500
	Increase departmental total	110,671	37,500	148,171
<u>CUNDIFF CREEK</u>				
1054971 51720	Contracted Services	17,000	36,513	53,513
	Increase departmental total	17,000	36,513	53,513

LOCAL ASSISTANCE

1055321	55650	Miscellaneous	5,000	7,431	12,431
1055321	57734	Eldridge-Donations	1,500	4,182	5,682
1055321	57735	Foster Care Donation	1,000	(152)	848
1055321	57810	Special Adoption \$	82,000	(11,962)	70,038
		Decrease departmental total	1,339,695	(501)	1,339,194

TRANSFERS

1059810	59240	Trans to Water/Sewer	35,250	85,080	120,330
		Increase departmental total	6,192,269	85,080	6,277,349

REVENUES

1044000	49900	Unencumbered Balance	6,102,275	89,307	6,191,582
1044960	42121	NACD Tech. Asst. Grant (NEW)	0	37,500	37,500
1044971	43356	Clean Water Grant	17,000	36,513	53,513
1045321	43385	Special Adoption \$	82,000	(11,962)	70,038
1045321	44600	Foster Care Donation	1,500	(652)	848
1045321	44602	Eldridge-Donations	1,000	4,682	5,682
1045321	48900	Miscellaneous	0	7,431	7,431
1045373	42411	CS Incentive Recovery	35,000	(4,227)	30,773
		Increase Fund Totals	72,659,064	158,592	72,817,656

GENERAL FUND - ECONOMIC DEVELOPMENT FUND

EXPENDITURES

SPECIAL APPROPRIATIONS

1154922	57459	Shay Street Project (NEW)	0	85,080	85,080
		Increase departmental total	310,000	85,080	395,080

REVENUES

1144922	49800	Transfer From Gen Fund	35,250	85,080	120,330
		Increase Fund Totals	310,000	85,080	395,080

GENERAL FUND - CAPITAL IMPROVEMENT FUND

EXPENDITURES

CAPITAL IMPROVEMENT

2554245	59130	Transfer to School Capital	3,286,543	507,000	3,793,543
		Increase departmental total	9,877,016	507,000	10,384,016

REVENUES

2544245	49900	Unencumbered balance	222,423	507,000	729,423
		Increase fund totals	9,877,016	507,000	10,384,016

GENERAL FUND - SCHOOL CAPITAL OUTLAY

EXPENDITURES

CAPITAL OUTLAY - SCHOOLS

2755912	57020	County Sch-Land & Property	0	507,000	507,000
		Increase departmental total	3,286,543	507,000	3,793,543

REVENUES

2745912	49810	Transfer from Gen.Fund-CIP	3,286,543	507,000	3,793,543
		Increase fund totals	3,286,543	507,000	3,793,543

- Approve vehicle transfer of a van declared as surplus by the Sheriff's Office, to replace a vehicle in Parks and Recreation that will then be declared as surplus, per their request.

- Approve a proposed three-year contract with MAXIMUS to continue preparing the County’s Central Services Cost Plan. MAXIMUS currently prepares the Cost Plan, but their contract has reached its end.
- Approve entering into a contract with Numi Financial to implement a prepaid card program for inmates, at the Detention Center. The program would reduce cost to the County as they would no longer be writing checks.
- Approve renewing a contract with our current printer vendor, Systel, as requested by the MIS Department.
- Approve proceeding with the payment to DHHS DMA, in the amount of \$76,077, for the overpayment received following the FY2012 EMS Medicaid Cost Settlement. Funds are currently budgeted.

Chairman Harris declared the meeting to be an open forum and invited members of the audience to address the Board on any matters of civic concern.

Joe Davis expressed concern of blown grass clippings being left on roads. He advised that the grass clippings are a hazard for motorcycles. He asked the Board to consider implementing a policy/law, to force citizens to keep grass clippings off the roads, similar to Forsyth County. Chairman Harris asked the County Manager to explore further.

Caroline Hanlon presented a flyer for the first “Over the Rainbow Balloon Launch”, scheduled for September 15, 2018, 3:00-8:00 pm. She would like to see Mount Airy and Surry County support the event where people can come together in remembrance of a loved one.

There being no further public comments, Chairman Harris closed the public forum.

Don Michell, Facilities Director and Tony Chilton, Brite Engineering, discussed construction projects for the Judicial Center. Mr. Mitchell asked the Board to consider Brite Engineering’s proposal for design services, to convert the former tax office into the District Attorney’s office, with an estimate of \$12,120.00. Upon motion of Commissioner Phillips, seconded by Commissioner Tilley, the board voted unanimously to approve the design services proposal.

Kim Bates, Planning Director, discussed the petition for Case #ZCR1182, General Use Rezoning. Mr. Bates presented facts pertaining to the property and advised that the Planning Board unanimously recommends approval.

Statement of Consistency:

August 20, 2018: Surry County Board of Commissioners’ Statement of Zoning Consistency and Reasonableness:

Subject: Case # ZCR1182, a Petition for General Use Rezoning

Applicant / Owner: Bessie Comer

Property Description: Tax Parcel 5012-03-00-9673
3.26 acres at 257 Brushy Fork Road
Stewarts Creek Township

Requested Reclassification: From Residential General (RG)
To Rural Agricultural (RA)

The existing RG and proposed RA zoning districts permit the same residential uses but have different regulations in terms of subdivisions and number of homes allowed per lot. Applicant proposes reclassification to RG because she has only a fifteen-foot wide deeded right-of-way to her land and is unable to obtain sufficient right-of-way to her property to allow subdivision, which is required in the RG district to add a residence for a family member. The RA district allows family members to add a limited number of residences at the same density on a single property, without subdivision.

In this area, the subject property sits on the border of the two zoning districts and adjoins both RG and RA land. Though currently zoned RG, planning staff and Planning Board concur that the appropriate classification is RA, due to the landlocked nature of the property in terms of public vehicular access and the unavailability of right-of-way needed to subdivide. Such a reclassification would in no way cause an inconsistency with adopted plans or with RA or RG zoning district intent as ordained. Therefore, staff and Planning Board unanimously recommend approval of the rezoning as requested.

The Board of Commissioners also finds the proposal reasonable based on the above factors and finds further that the reclassification will serve the public interest consistent with adopted plans pertaining to rural and residential development (see *Land Use Plan 2020*, Section 5.4) and will create sufficient compatibility with surrounding land uses.

Chairman Harris declared a public hearing and requested comments from the public.

There were no public comments.

Chairman Harris closed the public hearing.

Upon motion of Commissioner Tilley, seconded by Commissioner Tucker, the Board voted unanimously to approve the Statement of Consistency.

Upon motion of Commissioner Tucker, seconded by Commissioner Phillips, the Board voted unanimously to approve Rezoning Case #ZCR1182, from Residential General (RG) to Rural Agricultural (RA).

Penny Harrison, Tax Administrator, requested the Board's consideration on a resolution approving and accepting the 2017-2018 Annual Settlement for property taxes required and a copy of the order of tax collection for the 2018-2019 fiscal year. Ms. Harrison reported the collection rate for fiscal year 2017-2018 was 98.76%, which was a 20-year high.

Upon motion of Commissioner Tilley, seconded by Commissioner Tucker, the Board voted unanimously to approve and accept the Resolution of the tax collector's annual settlement. Chairman Harris congratulated Ms. Harrison on the collection rate.

RESOLUTION APPROVING
THE TAX COLLECTOR'S ANNUAL SETTLEMENT
FOR FISCAL YEAR 2017 - 2018 AND PRIOR YEARS

WHEREAS, pursuant to the provisions of N.C.G.S. 105-373, the Tax Administrator in his capacity as Tax Collector has made his report of settlement to the Surry County Board of Commissioners for fiscal year 2017 - 2018 and prior years after July 1 and before he is charged with taxes for the current fiscal year, 2018 - 2019; and

WHEREAS, based upon the written and oral report of settlement of the Tax Administrator in his capacity as Tax Collector, Surry County Board of Commissioners has made sufficient inquiry in order to reach a determination that the collection work of the Tax Administrator in his capacity as Tax Collector has been performed satisfactorily and that the Tax Administrator in his capacity as Tax Collector has done everything that he could have done to reach whatever property may have been available; and

WHEREAS, as required by N.C.G.S. 105-373, before being charged with taxes for the current fiscal year, the Tax Administrator in his capacity as Tax Collector has presented the Surry County Board of Commissioners a list of the persons owning real property taxes whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person and a list of the persons not owning real property taxes whose personal property taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person, along with a statement under oath that he has made diligent efforts to collect the taxes due from the persons listed in a manner that is reasonably necessary by all means available to him for collection; and

WHEREAS, the settlement of the Tax Administrator in his capacity as Tax Collector, including the settlement for the taxes for prior years, which are attached hereto, together with this action of the Surry County Board of Commissioners, shall be entered into the minutes of said Board;

NOW, THEREFORE BE IT RESOLVED, by the Surry County Board of Commissioners that the list of persons owning real property whose 2017 real property taxes remain unpaid and the list of persons not owning real property whose 2017 personal property taxes remain unpaid and the principal amount owed by each person are hereby acknowledged as received.

BE IT FURTHER RESOLVED by the Surry County Board of Commissioners that the annual settlement of the Tax Administrator in his capacity as Tax Collector for the fiscal year 2017 - 2018 and prior years is hereby accepted as presented by the Tax Administrator in his capacity as Tax Collector.

Penny Harrison, Tax Administrator, discussed a tax foreclosure at 154 Pine Drive, in Mount Airy. She advised that the vacant property has a tax value of \$9,900. Taxes have not been paid on the vacant property since 2011 and delinquent taxes for years 2012-2018 total \$606.79. Ms. Harrison advised that an interested party has offered \$2,500 to purchase the property. After discussion regarding the value of the land and the amount offered, the Board agreed that it would be more transparent to sell publicly. Commissioner Tucker made a motion to sell the property publicly at the Courthouse steps, in a duly

advertised sale. The motion was seconded by Commissioner Phillips and passed unanimously.

Chairman Harris advised that it was time for the special recognition portion of the agenda. The Board recognized the following retirees: Rhonda B. Easter, Register of Deeds, and Olivia S. Tilley, Elections. Also recognized was Joanna Radford, Cooperative Extension, for receiving a Distinguished Service Award.

The Board took a 10-minute recess.

Chris Knopf, County Manager, discussed donating a County-owned parcel, located at the corner of E. Independence Avenue and Junction Street in Mount Airy, to Greater Mount Airy Area Habitat for Humanity, for the construction of a residential dwelling.

Ms. Myra Combs, Habitat for Humanity Executive Director, briefly discussed the process that is followed for a family in need, to obtain affordable housing.

Upon motion of Commissioner Phillips, seconded by Commissioner Tilley, the Board voted unanimously to transfer parcel #5020-12-86-4237 to the Greater Mount Airy Area Habitat for Humanity.

Chris Knopf, County Manager, discussed a letter and petitions from concerned citizens asking for help to have a caution light replaced with a stop light, at the intersection of E. Pine Street and McBride Road in Flat Rock. Upon motion of Commissioner Phillips, seconded by Commissioner Tucker, the Board voted unanimously to support the request and have the County Manager forward the petitions to the Department of Transportation.

Chris Knopf, County Manager, discussed a letter received from the NC State Cooperative Extension, asking for consideration to allow Bryan Cave, Surry County Extension Director (CED), to serve as Interim CED in Yadkin County. The interim period would not exceed six months and there would be no additional salary or benefit cost to Surry County. Upon motion of Commissioner Tucker, seconded by Commissioner Tilley, the Board voted unanimously to allow Bryan Cave to accept the Interim CED position with Yadkin County, in addition to his position with Surry County.

Chris Knopf, County Manager, informed the Board that the School of Government will be holding Focus Group sessions at the Piedmont Triad Regional Council (PTRC), to help bring better training opportunities to elected officials. The session will be held Thursday, August 30 at PTRC. They are asking for representation from each County. Commissioner Phillips offered to attend. It was the consensus of the Board for Commissioner Phillips to attend.

Chris Knopf, County Manager, advised the Board that Commissioner Phillips will be stepping down from the PART Board and a replacement is needed to serve thru December 2018. Chairman Harris offered to fill the position in Commissioner Phillips' place until December 2018.

Chris Knopf, County Manager, asked Attorney Ed Woltz to discuss proposed amendments to the Voluntary Agricultural District Ordinance and Noise Ordinance. Attorney Woltz advised that the amendments would allow farmers to operate farm equipment around-the-clock in conditions deemed necessary to save their crops. Attorney Woltz added that a public hearing would be held at the September 4, 2018 meeting to hear public comments. Upon motion of Commissioner Tucker, seconded by Commissioner Tilley, the Board voted unanimously to schedule a public hearing for the two ordinance amendments, during their September 4, 2018 meeting.

Chris Knopf, County Manager, requested the Board amend his agenda, to include two items. Upon motion of Commissioner Tucker, seconded by Commissioner Tilley, the Board unanimously approved the additional items to his agenda.

Chris Knopf, County Manager, asked Daniel White, Parks and Recreation Director to discuss a land purchase. Mr. White advised that a 7.9-acre tract of land is for sale, off Highway 268 adjacent to the Yadkin River, east of I-77. The property would serve as a multi-parking lot for a future river access and has been identified in the Mountain-to-Sea Trail Master Plan as a location for the trail. Mr. White asked the Board to consider allowing Surry County Parks and Recreation to partner with the State Park Trails Program to possibly purchase the tract, 4961-00-66-0486. Upon motion of Commissioner Tucker, seconded by Chairman Harris, the Board voted unanimously to grant permission for the Parks and Recreation Department to work with the group and explore funding opportunities.

Chris Knopf, County Manager, advised that Commissioner Johnson would not be able to attend the NC Association of County Commissioners Annual Conference (NCACC), at the end of the week. Mr. Knopf advised that a replacement would need to attend and vote on behalf of Surry County. Commissioner Phillips will be attending and advised that he would vote on behalf of the County. Upon motion of Commissioner Tucker, seconded by Commissioner Tilley, the Board unanimously voted to approve Commissioner Phillips to represent the County as its voting member, at the NCACC Annual Conference.

Doug Carter, Financial Advisor, discussed the proposed Barter Theater project in downtown Mount Airy. Mr. Carter advised that the City is asking for commitments from the private and public partners. The City needs commitments by the end of the year, to seek approval from the Local Government Commission, and move forward with having an assessment prepared. Development Finance Initiative (DFI), a financial group hired through the School of Government, would prepare the assessment. Mr. Carter advised the Board to consider entering into a Memorandum of Understanding for the County's commitment and consider entering into an inter-local agreement at a later date.

Commissioner Phillips offered a summary of the NACo Conference and Exposition he attended in July, in Nashville, Tennessee.

Chairman Harris advised that the Surry Community College Campus Ribbon Cutting, he attended in Yadkinville, was a great event and well attended.

Chairman Harris asked for the Board's ideas on planning an event for the 100th Anniversary of WWI, in November. Chairman Harris will begin work on planning the event.

Upon motion of Commissioner Tucker, seconded by Commissioner Tilley, the Board voted unanimously to appoint Andy Simpson to fulfill the term of Brent Simpson, on the Agricultural Advisory Board.

Upon motion of Commissioner Tucker, seconded by Commissioner Phillips, the Board voted unanimously to appoint Anne Vaughn to fulfill the term of Warren Nichols, on the Northern Hospital of Surry County Board of Trustees.

Upon motion of Commissioner Phillips, seconded by Commissioner Tucker, the Board voted unanimously to go into closed session for legal, economic development, and personnel matters, pursuant to G.S. 143-318.11(a)(3)(4)(6).

The Board came out of closed session and resumed regular business.

Upon motion of Commissioner Tucker, seconded by Commissioner Tilley, the Board voted unanimously to approve implementation of the County Manager's recommendations for Administration and Finance functions, effective September 1, 2018. Appoint Rhonda Nixon as a Deputy Finance Officer. Add Budget and Performance Director to Grade 76 and reclassify position #412401 as recommended by the County Manager.

Upon motion of Commissioner Tucker, seconded by Commissioner Tilley, the Board voted unanimously to approve but not release the July 16, 2018 and July 25, 2018 closed session minutes.

Upon motion of Commissioner Phillips, seconded by Commissioner Tucker, the Board voted unanimously to adjourn. The meeting ended at 9:05 p.m.

Sandra Snow
Interim Clerk to the Board