

Surry County Board of Commissioners
Meeting of September 4, 2018

The Surry County Board of Commissioners met at 6:00 p.m., September 4, 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, Commissioner Larry Johnson, and Commissioner Gary Carson Tilley.

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
Mark Willis, Opioid Response Director
Johnny Easter, Development Services Director
John Shelton, Emergency Services Director
News Media

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

Chairman Harris requested the Board review and approve the agenda. Upon motion of Commissioner Johnson, seconded by Commissioner Tucker, the Board voted unanimously to approve the September 4, 2018 agenda.

Chairman Harris requested the Board consider the minutes of the August 20, 2018 meeting as presented. Upon motion of Commissioner Tucker, seconded by Commissioner Phillips, the Board voted unanimously to approve the minutes to include an amendment on page 12028, name correction, from Carolyn Hamlin to Caroline Hanlon.

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

Requests from the County Manager:

- Approve the Facilities Director awarding the project for Board room seating in the Historic Courthouse, to the lowest bidder, with funds coming from General Fund Contingency.
- Approve the following resolution:

RESOLUTION

WHEREAS, the Surry County Board of Commissioners received an invitation from the Mount Airy Regional Museum of History to host its regular Board meeting at the museum; and

WHEREAS, the Surry County Board of Commissioners feels it is desirable from time to time to conduct Board meetings at various locations throughout the County.

NOW, THEREFORE, BE IT RESOLVED, that the Surry County Board of Commissioners will conduct its November 5, 2018 regular meeting at the Mount Airy Regional Museum of History at 6:00 p.m.

Requests from the Assistant County Manager:

- Approve a preliminary title opinion and proposed deed for the conveyance of Surry County, tax parcel 5020-12-86-4237 to The Greater Mount Airy Habitat for Humanity.
- Approve Tony Davis, Soil and Water Director, to use unbudgeted funds from the Cundiff Creek Grant, to purchase a storage building, in the amount of \$12,100.
- Approve refund payment in the amount of \$83,250.60, for the approved property tax settlement with Lowes Home Centers.

Requests from the Finance Officer:

- Approve Budget Amendment #5 as follows:

ACCOUNT			PREVIOUS		REVISED
<u>CODE</u>		<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CHANGE</u>	<u>AMOUNT</u>
<u>GENERAL FUND</u>					
<u>EXPENDITURES</u>					
<u>NCEM GRANT</u>					
1054339	52010	Supplies & Materials	0	1,080	1,080
		Increase departmental total	0	1,080	1,080
<u>DEVELOPMENT SERVICES</u>					
1054349	51010	Salaries & Wages	600,715	(247,245)	353,470
1054349	51020	Longevity Pay	8,436	(1,205)	7,231
1054349	51030	Salaries & Wages Part-Time	9,600	(9,600)	0
1054349	51300	Social Security	38,363	(15,999)	22,364
1054349	51310	Medicare	8,972	(3,741)	5,231
1054349	51330	Retirement	47,696	(19,454)	28,242
1054349	51350	Group Insurance	70,555	(24,739)	45,816
1054349	51510	Prof Services-Drug Screening	70	(70)	0
1054349	51720	Contracted Services	17,250	(1,500)	15,750
1054349	52060	Uniforms	3,000	(3,000)	0
1054349	52350	Automotive Supplies	23,500	(20,000)	3,500
1054349	53020	Equipment Maintenance	36,000	(500)	35,500
1054349	53040	Vehicle Maintenance	7,500	(7,000)	500
1054349	54010	Travel/Training	11,500	(9,000)	2,500
1054349	54200	Telephone	18,000	(9,000)	9,000
1054349	54250	Postage	1,900	(200)	1,700
1054349	54350	Printing	1,450	(700)	750
1054349	54400	Advertising	5,400	(400)	5,000
1054349	55020	Rent-Buildings & Equip	300	(100)	200
1054349	55150	Insurance & Bonding	6,250	(5,500)	750
1054349	55300	Refunds	1,850	(1,350)	500
1054349	55500	Dues & Subscriptions	950	(500)	450
1054349	55640	GPS Monitoring	2,355	(2,100)	255
1054349	55650	Miscellaneous	1,000	(1,000)	0
		Decrease departmental total	922,612	(383,903)	538,709
<u>INSPECTIONS</u>					
1054350	51010	Salaries & Wages	0	247,245	247,245
1054350	51020	Longevity Pay	0	1,205	1,205
1054350	51030	Salaries & Wages Part-Time	0	9,600	9,600
1054350	51300	Social Security	0	15,999	15,999

1054350	51310	Medicare	0	3,741	3,741
1054350	51330	Retirement	0	19,454	19,454
1054350	51350	Group Insurance	0	24,739	24,739
1054350	51510	Prof Services-Drug Screening	0	70	70
1054350	51720	Contracted Services	0	1,500	1,500
1054350	52060	Uniforms	0	3,000	3,000
1054350	52350	Automotive Supplies	0	20,000	20,000
1054350	53020	Equipment Maintenance	0	500	500
1054350	53040	Vehicle Maintenance	0	7,000	7,000
1054350	54010	Travel/Training	0	9,000	9,000
1054350	54200	Telephone	0	9,000	9,000
1054350	54250	Postage	0	200	200
1054350	54350	Printing	0	700	700
1054350	54400	Advertising	0	400	400
1054350	55020	Rent-Buildings & Equip	0	100	100
1054350	55150	Insurance & Bonding	0	5,500	5,500
1054350	55300	Refunds	0	1,350	1,350
1054350	55500	Dues & Subscriptions	0	500	500
1054350	55640	GPS Monitoring	0	2,100	2,100
1054350	55650	Miscellaneous	0	1,000	1,000
		Increase departmental total	0	383,903	383,903
<u>REVENUES</u>					
1044339	42328	Homeland Security Grant	0	1,080	1,080
		Increase Fund Totals	72,835,830	1,080	72,836,910

- Approve Jeff Cockerham to complete and file an application for the FY19 Rural Operating Assistance Program Grant (ROAP).

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 submitted and read an ordinance from the Town of Dobson regarding the enforcement of citizens to keep the streets and sidewalks clear of debris, grass clippings, etc. Mr. Davis advised that he had noticed improvement in the County since coming to express concerns at the last meeting. Mr. Davis has petitioned the State, but they cannot do anything until January 2019. He asked the Board to consider adopting an ordinance that will provide enforcement in the county. Chairman Harris asked Johnny Easter, Development Services Director, to come and discuss his research on this matter. Mr. Easter advised that the County's solid waste section of the code of ordinances does not address or define litter. The NC General Statute defines litter as biodegradable debris, which is exempt; therefore, grass, limbs, and leaves are exempt from litter. The solid waste section would have to be amended to redefine litter, and this would be at the County's discretion. Mr. Easter could not identify any area counties that have an ordinance in place and those that do have complaint driven enforcement. Mr. Easter added that determining the type of debris would be at the discretion of the code enforcement officer. The Board agreed they would take all of this information under advisement.

J.T. Henson came forward to discuss concerns about noise pollution from motorcycles. He advised he would discuss further later in the meeting.

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

Ed Woltz, County Attorney, discussed the amendment to the Noise Control Ordinance §132.02 and the Voluntary Agricultural District Ordinance, §155.13. Attorney Woltz advised that the amendments were due to a complaint that a farmer had been running farm equipment after 9:00 pm, due to a potential loss of their crop. The proposed amendments would exempt bona fide farms to allow them to run farm equipment when needed, to protect a crop. The Voluntary Agriculture District Ordinance amendment was reviewed and approved by the Surry County Agricultural Advisory Board. Attorney Woltz advised that each public hearing should be entertained individually by the Board. Commissioner Tucker clarified that the amendments would pertain to power operated farm equipment used to protect crops.

Chairman Harris declared a public hearing for the amendment to the Noise Control Ordinance and requested comments from the public.

J.T. Henson asked the Board to consider including in the ordinance a way to measure all types of noise as a way of enforcement.

Johnny Simmons, farmer, spoke in favor of the exemptions.

Dean Black thanked the Board for the opportunity and with agriculture in the state being under attack, supports the exemption.

Eddie Brown, farmer, spoke in favor of the exemptions.

There were no further public comments. Chairman Harris closed the public hearing.

Upon motion of Commissioner Tucker, seconded by Commissioner Johnson, the Board voted unanimously to approve the following amended change to the existing Noise Control Ordinance §132.02, codified in Title XIII, Chapter 132 of the "Code of Ordinances of the County of Surry, North Carolina":

AMENDMENT TO NOISE CONTROL ORDINANCE
IN SURRY COUNTY, NORTH CAROLINA

The existing Noise Control Ordinance codified in Title XIII, Chapter 132 of the "Code of Ordinances of the County of Surry, North Carolina" is amended by making the following changes to §132.02 EXCEPTIONS:

WHEREAS, it is the intent of the Surry County Board of Commissioners to prohibit noise of such character, intensity and duration so as to be detrimental to the health, safety or welfare of a reasonable person of ordinary sensibilities by its Noise Control Ordinance, and

WHEREAS, certain types of noise have been exempt from the provisions of the Noise Control Ordinance as listed in §132.02 EXCEPTIONS, and

WHEREAS, a question has arisen as to whether noise coming from certain types of farming practices is included on this list of exceptions, and

WHEREAS, with the uncertainties associated with the weather and the seasons of the year, farmers are faced with having to work late at night for their livelihood and not by choice, and

WHEREAS, generators may run at any time of the day or night on a farm that loses power, and

WHEREAS, irrigation equipment and machinery may be required to run at any time of the day or night on a farm, and

WHEREAS, in order to specifically exempt noise coming from engines and machinery used for normal farming practices, including engines that generate power, pump water or run tillage equipment from the provisions of the Noise Control Ordinance,

The Surry County Board of Commissioners do enact and ordain the following changes to §132.02 EXCEPTIONS:

(G) Lawn mowers and landscape maintenance equipment used between the hours of daybreak and 9:00 p.m. when operated with all manufacturer's standard mufflers and noise reducing equipment in use and in proper operating condition;

(H) Noise resulting from the provision of government services; and

(I) Noise resulting from bona fide farming operations, specifically including, but not limited to, the operation of irrigation equipment or machinery as well as all forms of engines that could be used for normal farming practices including engines that generate power, pump water or run tillage equipment. Bona fide farming operations shall be defined as those commercial activities listed in N. C. Gen. Stat. §106-581.1.

Chairman Harris declared a public hearing for the amendment to the Voluntary Agricultural District Ordinance and requested comments from the public.

There were no public comments.

Chairman Harris closed the public hearing.

Upon motion of Commissioner Tucker, seconded by Commissioner Phillips, the Board voted unanimously to approve the following amended change to the existing Voluntary Agricultural District Ordinance §155.13, codified in Title XV, Chapter 155 of the "Code of Ordinances of the County of Surry, North Carolina":

AMENDMENT TO VOLUNTARY AGRICULTURAL DISTRICT
ORDINANCE IN SURRY COUNTY, NORTH CAROLINA

The existing Voluntary Agricultural District Ordinance codified in Title XV, Chapter 155 of the "Code of Ordinances of the County of Surry, North Carolina" is amended by making the following change to §155.13 (B) *Posting of Notice*:

WHEREAS, it is the intent of the Surry County Board of Commissioners to prohibit noise of such character, intensity and duration so as to be detrimental to the health, safety or welfare of a reasonable person of ordinary sensibilities by its Noise Control Ordinance, and

WHEREAS, certain types of noise have been exempt from the provisions of the Noise Control Ordinance as listed in §132.02 EXCEPTIONS, and

WHEREAS, a question has arisen as to whether noise coming from certain types of farming practices is included on this list of exceptions, and

WHEREAS, with the uncertainties associated with the weather and the seasons of the year, farmers are faced with having to work late at night for their livelihood and not by choice, and

WHEREAS, generators may run at any time of the day or night on a farm that loses power, and

WHEREAS, irrigation equipment and machinery may be required to run at any time of the day or night on a farm, and

WHEREAS, in order to specifically exempt noise coming from engines and machinery used for normal farming practices, including engines that generate power, pump water or run tillage equipment from the provisions of the Noise Control Ordinance, the Surry County Board of Commissioners intends to enact and ordain changes to §132.02 EXCEPTIONS to exempt noise from engines and machinery used for normal farming practices, and

WHEREAS, to maintain consistency between the Noise Control Ordinance and the Voluntary Agricultural District Ordinance, The Surry County Board of Commissioners do enact and ordain that §155.13 (B) of the Voluntary Agricultural District Ordinance shall be amended to read as follows:

(B) *Posting of notice.* The following notice, of a size and form suitable for posting, shall be posted in the office of the Register of Deeds, and any other office or agency the Advisory Board deems necessary: "Surry County has established agricultural districts to protect and preserve agricultural lands and activities. These districts have been developed and mapped by the county to inform all purchasers of real property that certain agricultural and forestry activities, including but not limited to pesticide spraying, manure spreading, machinery and truck operation, livestock operations, sawing, irrigation, operation of engines that generate power, pump water or run tillage equipment, and other common farming activities may occur in these districts any time during the day or night. Maps and information and the location and establishment of these districts can be obtained from the North Carolina Cooperative Extension Service office, the office of the Register of Deeds, the County Planning office, or the Natural Resources Conservation Service office."

Chairman Harris advised that it was time for the special recognition portion of the agenda. Chairman Harris welcomed Judge Gretchen Hollar Kirkman and Commissioner Evan Cockerham and Michael Boaz, Manager from the Town of Pilot Mountain.

The Board recognized Stephanie Conner, Director of Communications, for completing the APCO Certified Public Safety Executive Program.

Don Mitchell, Facilities Director, and Tony Chilton, Brite Engineering, presented the following change order issued from Simcon Company for the Service Center (Dobson Plaza). Mr.

Mitchell advised that the door would be installed for security purposes, to secure the counter area when County offices are closed.

Change Order #30

Additional cost to add a 42" door to the entrance of corridor 420 (Soil & Water & USDA). Door will include a hold open closer along with keyed lockset. Also included is additional drywall and metal stud work. The drywall partition at the door will go to the roof deck. Cost: \$5,939.42

Upon motion of Chairman Harris, seconded by Commissioner Tilley, the Board voted unanimously to approve Change Order #30, for the Service Center (Dobson Plaza).

Don Mitchell, Facilities Director, Tony Chilton and Richard Loftis, Brite Engineering, presented and discussed the Health Director's requested modifications to the Health Department's facilities. Mr. Mitchell has been working with Mr. Chilton and Mr. Loftis on the following proposals and have included the cost to contract a third party to test and balance the current mechanical system to determine if it is working properly. The following proposals have been reviewed by the Property Committee.

Proposal 1 - Includes contracting the following company to test and balance the current HVAC and mechanical systems in the Health Department and clinics.

Palmetto Air & Water (testing/balancing)	\$27,830.00
Architectural Fee	\$ 5,250.00
Electrical Fee	\$ 3,000.00
Mechanical Fee	<u>\$ 5,000.00</u>
	\$41,080.00

Proposal 2 - Includes the design work needed to make modifications to certain areas in the Health Department and clinics along with modifications to the reception window.

Architectural Fee	\$14,750.00
Electrical and Mechanical Fee	\$ 5,500.00
Plumbing Fee	<u>\$ 1,000.00</u>
	\$21,250.00

Total	\$62,330.00
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Mr. Mitchell advised that the Health Director has agreed to pay for one-third of the cost from the Health Department budget. Chris Knopf, County Manager, advised that the remaining two-thirds would come from General Fund Contingency. Upon motion of Commissioner Tucker, seconded by Commissioner Johnson, the Board voted unanimously to approve the proposals with one-third to be paid by the Health Department and two-thirds to be paid from General Fund Contingency.

The Board took a 10-minute recess.

Michael Boaz, Pilot Mountain Town Manager, discussed the Town's Downtown Redevelopment Incentive Grant Program and its purpose to encourage and promote commercial growth and renovation of existing buildings within the Pilot Mountain Commercial District. The grant

would allow building owners to obtain a cash grant for improvements to their buildings. Pilot Mountain Commissioner, Evan Cockerham, added that they are asking for the Board's consideration for action to support. After discussion, it was the consensus of the Board to support the cash grant incentive program in partnership with the Town of Pilot Mountain.

Mark Willis, Opioid Response Director, gave a quarterly update of the Opioid Response program. Mr. Willis discussed the Opioid Response Advisory Council's organizational actions and updated on their strategic plan that includes prevention, treatment/ intervention, and recovery. Mr. Willis distributed and discussed a map that highlighted areas of opioid overdoses in Surry County. The Board thanked Mr. Willis for the informative update and shared their support for his efforts.

Chris Knopf, County Manager, discussed a letter from Dale Watson, Police Chief of the City of Mount Airy. Mr. Watson's formal letter requests the County to consider taking over their day-to-day duties with minimum housing and general code enforcement activities. The City feels the County has the expertise in the Inspections Department to carry out the duties. Johnny Easter, Development Services Director, has been involved in the discussion and mentioned the differences in the newly adopted City code and the State building code. Mr. Easter advised that consistency would be necessary for enforcing the minimum housing standard in the City and County. Mr. Easter also expressed concerns of not having adequate staff to accommodate their needs but would be comfortable in facilitating their employee with training. After much discussion, it was the consensus of the Board to deny the request.

Chris Knopf, County Manager, discussed a memo from John Shelton, Emergency Services Director, regarding a Hazard Mitigation Grant in the amount of \$21,000, from the NC Department of Emergency Management. The Mount Airy Rescue Squad is interested in applying to purchase a new generator at their facility but are not eligible to apply directly. Surry County Emergency Management must apply for the grant on the rescue squad's behalf. Mr. Shelton advised that since their facility is used for a shelter, this would be benefit in the event of a disaster and there would be no local match. Upon motion of Commissioner Johnson, seconded by Commissioner Tilley, the Board voted unanimously to approve Emergency Management apply for and accept the grant on behalf of the Mount Airy Rescue Squad, in the amount of \$25,000.

Commissioner Phillips mentioned at the last meeting that he would update the Board, by providing a list of current area director CEO's salary ranges and pay levels, for all mental health providers. Mr. Phillips advised that the General Assembly has given a new salary range, with a max salary of \$369,000. Mr. Phillips expressed concerns that public funds should not be raised in isolation and feels the County share will increase significantly.

Upon motion of Commissioner Tilley, seconded by Commissioner Johnson, the Board voted unanimously to go into closed session for legal matters, pursuant to G.S. 143-318.11(a)(3).

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

Chet Jessup, Pilot Knob Volunteer Fire Department, discussed the department's plan to buy land and construct a new fire department. The department has outgrown their current facility. The Board commended the efforts of Mr. Jessup and Pilot Knob Volunteer Fire Department.

Upon motion of Commissioner Tucker, seconded by Commissioner Johnson, the Board voted unanimously to approve but not release the August 20, 2018 closed session minutes.

Upon motion of Commissioner Tilley, seconded by Commissioner Tucker, the Board voted unanimously to adjourn. The meeting ended at 9:25 p.m.

Sandy Snow
Deputy Clerk to the Board