

Surry County Board of Commissioners
Meeting of August 19, 2019

The Surry County Board of Commissioners met at 6:00 p.m., August 19, 2019. The meeting was held in the Commissioners' Meeting Room, Historic Courthouse, Dobson, N.C.

Board members present for the meeting were Chairman Van Tucker, Vice-Chairman Larry Johnson, Commissioner Bill Goins, Commissioner Eddie Harris, and Commissioner Mark Marion.

Others present for the meeting, at various times, included:
Chris Knopf, County Manager
Sandy Snow, Assistant County Manager
Rhonda Nixon, Budget & Performance Director
Kim Bates, Planning Director
Johnny Easter, Development Services Director
Ed Woltz, County Attorney
John Shelton, Emergency Services Director
Samantha Ange, Health Director
Dr. Travis Reeves, Superintendent, Surry County Schools
News Media

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

Chairman Tucker requested the Board review and approve the agenda. Upon motion of Commissioner Marion, seconded by Commissioner Goins, the Board voted unanimously to approve the August 19, 2019 agenda.

Chairman Tucker requested the Board consider the minutes of the July 15, 2019 meeting as presented. Upon motion of Commissioner Johnson, seconded by Commissioner Harris, the Board voted unanimously to approve the minutes as written.

Chairman Tucker requested the Board consider the consent agenda. Upon motion of Commissioner Goins, seconded by Commissioner Marion, the Board voted unanimously to approve the consent agenda.

Requests from the County Manager:

- Approve the following from the Tax Department:
 1. Total releases for the month ending 7/31/19 in the amount of \$12,190.71.
 2. Total refunds for the month ending 7/31/19 in the amount of \$4,065.11.
 3. Total NCVTS tag and tax refunds for the month ending 7/31/19 in the amount of \$1,735.56.
 4. Total real and personal property discoveries for the month ending 7/31/19 in the amount of \$226,629.52.
 5. Total EMS, EMD, and EMS-MC additions for the month ending 7/31/19 in the amount of \$362.77.
 6. Total EMS, EMD, and EMS-MC refunds for the month ending 7/31/19 in the amount of \$613.42.
 7. Total EMS, EMD, and EMS-MC releases for the month ending 7/31/19 in the amount of \$1,790.43.
 8. Total EMS, EMD, and EMS-MC collections for the month ending 7/31/19 in the amount of \$17,261.35.
 9. Tax write-off request as follows: \$107,959.66 total for years 2004-2009 (Breakdown: Year 2004-\$107.19, Year 2005-\$104.43,

Year 2006-\$141.34, Year 2007-\$811.17, Year 2008-\$52,736.85, Year 2009-\$54,058.68).

10. Approve and accept the following Resolution of the Tax Collector's Annual Settlement:

RESOLUTION APPROVING
THE TAX COLLECTOR'S ANNUAL SETTLEMENT
FOR FISCAL YEAR 2018 - 2019 AND PRIOR YEARS

WHEREAS, pursuant to the provisions of N.C.G.S. 105-373, the Tax Administrator in her capacity as Tax Collector has made her report of settlement to the Surry County Board of Commissioners for fiscal year 2018 - 2019 and prior years after July 1 and before she is charged with taxes for the current fiscal year, 2019 - 2020; 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 her capacity as Tax Collector has been performed satisfactorily and that the Tax Administrator in her capacity as Tax Collector has done everything that she 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 her 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 she 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 her for collection; and

WHEREAS, the settlement of the Tax Administrator in her 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 2018 real property taxes remain unpaid and the list of persons not owning real property whose 2018 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 her capacity as Tax Collector for the fiscal year 2018 - 2019 and prior years is hereby accepted as presented by the Tax Administrator in her capacity as Tax Collector.

- Approve the NCDOT Traffic Sign Agreement to place the Sestercentennial Logo on the "Welcome to Surry County" signs, at a total cost of \$1,200, to be paid from the Sestercentennial Budget Line.

- Approve the following proclamation recognizing National Recovery Month.

Proclamation Recognizing National Recovery Month

WHEREAS, mental and substance use disorders affect all communities nationwide, but with commitment and support, people with these disorders can achieve healthy lifestyles and lead rewarding lives in recovery; and

WHEREAS, by seeking help, people who experience mental and substance use disorders can embark on a new path toward improved health and overall wellness, and

WHEREAS, focus of National Recovery Month (Recovery Month) this September is to celebrate their journey with the theme Join the Voices for Recovery: Together we are stronger. Recovery Month spreads the message that behavioral health is essential to health and one's overall wellness, and that prevention works, treatment is effective, and people recover, and

WHEREAS, the impact of mental and substance use disorders is apparent in our local community, and a large number of people in Surry County are affected by these conditions. Through Recovery Month, people become more aware and able to recognize the signs of mental and substance use disorders, which can lead more people into needed treatment. Managing the effects of these conditions can help people achieve healthy lifestyles, both physically and emotionally, and

WHEREAS, the Recovery Month observance continues to work to improve the lives of those affected by mental and substance use disorders by raising awareness of these diseases and educating communities about the prevention, treatment, and recovery resources that are available. For these reasons, we ask the citizens of Surry County to join us in celebrating September as National Recovery Month.

NOW, THEREFORE, BE IT RESOLVED, that the Surry County Board of Commissioners declares the month of September 2019 as NATIONAL RECOVERY MONTH in Surry County, North Carolina, and we call upon our community to observe this month with compelling programs and events that support this year's observance.

- Approve the distribution of retained funds in connection with the renovation of Dobson Plaza following the settlement of a Claim of Lien between Simcon Company, LLC and Salisbury Millwork, Inc.
- Approve the following proclamation declaring Trooper Samuel Newton Bullard Day on August 24, 2019.

Proclamation Declaring Trooper Samuel Newton Bullard Day

WHEREAS, Samuel Newton Bullard was born in Wilkes County, North Carolina on August 24th, 1993, attended Wilkes County Schools, graduated from East Wilkes High and then attended and graduated from Wilkes Community College; and

WHEREAS, Trooper Bullard was selected to be a member of the 138th North Carolina State Highway Patrol Basic School where he graduated on January 22, 2016 and was assigned to North Carolina State Highway Patrol Troop E, District V (Surry County); and

WHEREAS, for the next 28 months, along with numerous other law enforcement duties, he worked to reduce collisions and make

the roadways of Surry County and other areas of North Carolina as safe as possible; and

WHEREAS, on May 21, 2018, Trooper Bullard engaged in a vehicle pursuit which led into Yadkin County where he was involved in a vehicle collision resulting in the loss of his life.

NOW, THEREFORE, BE IT RESOLVED, the Surry County Board of Commissioners calls upon all citizens of Surry County and surrounding counties to celebrate the life of Trooper Samuel Newton Bullard on his birth date and proclaims August 24th, 2019 as Trooper Samuel Newton Bullard Day.

Requests from the Assistant County Manager:

- Approve claims and settlement activity for the County's Workers' Compensation program during the quarter ended June 30, 2019.
- Approve the transfer of 200 hours of sick leave for a new hire from Virginia employment.
- Approve the renewal for the County liability insurance for 8/24/2019 to 8/24/2020.
- Approve to execute a perpetual river access easement on property for the Old Hwy. 601 river access.

Requests from the Budget & Performance Director:

- Approve the Communications Director, Parks and Recreation Director, and the EMS Director to purchase capital items requested, prior to October 1, 2019.
- Approve Budget Amendment #2 as follows:

					Change # 2
The Board of County Commissioners approved an amendment to the FY2019-2020 Budget Ordinance at their meeting on August 19, 2019.					
ACCOUNT CODE		DESCRIPTION	PREVIOUS AMOUNT	CHANGE	REVISED AMOUNT
<u>INTERSTATES CAPITAL PROJECT FUND</u>					
<u>EXPENDITURES</u>					
<u>Sewer Collection Extension (NEW)</u>					
8858430	51560	Professional Services-Engineering	0	63,200	63,200
8858430	51640	Project Construction	0	466,000	466,000
8858430	59500	Contingency	0	53,300	53,300
		Increase departmental total	0	582,500	582,500
<u>REVENUES</u>					
8848430	44380	Local Contribution (NEW)	0	233,000	233,000
8848430	49900	Unencumbered Balance (NEW)	0	349,500	349,500
		Increase fund totals.	0	582,500	582,500

- Approve the Interstates Water and Sewer District Capital Project Ordinance, Laurel Springs Sewer Extension as follows:

INTERSTATES WATER AND SEWER DISTRICT
CAPITAL PROJECT ORDINANCE

LAUREL SPRINGS SEWER EXTENSION

BE IT ORDAINED by the Board of Commissioners of the County of Surry that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, this capital project ordinance is hereby adopted.

Section 1: The project authorized by this ordinance is the design of a sewer collection system to serve the Interstates Water and Sewer District.

Section 2: The officers of this governmental unit are hereby directed to proceed with this capital project within the guidelines set by the budget contained herein.

Section 3: The following revenues are anticipated to be available to complete this project and are hereby appropriated or referenced by prior appropriation.

Property Owner Pledges	\$ 233,000
Fund Balance Contribution	\$ 349,500
Total Revenues	\$ 582,500

Section 4: The following amounts are available for expenditures for the project:

Engineering Services	\$ 63,200
Project Construction	\$ 466,000
Contingency	\$ 53,300
Total Appropriation	\$ 582,500

Section 5: The Finance Officer is directed to report quarterly to the Board of Commissioners on the financial status of this project.

Section 6: The Budget Officer is directed to include an analysis of past and future costs and revenues for this capital project in each annual budget submitted to the Board of Commissioners for as long as this ordinance shall remain in effect.

Section 7: Any unexpended funds appropriated shall be reserved by the Grantor and the Board of Commissioners for use as provided by applicable law or regulation.

Section 8: Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

ADOPTED BY THE SURRY COUNTY BOARD OF COMMISSIONERS this the 19th day of August 2019.

- Approve County Manager, Assistant County Manager, and Budget and Performance Director to enter into lease agreements for replacement vehicles or additional new vehicles with Enterprise Fleet Management.

Requests from the Finance Officer:

- Approve Rhonda Norman as Purchasing Agent and Don Mitchell, Jean-Pierre DeCelle, Martha Brintle, and Rita Horton as Deputy Purchasing Agents replacing any prior approvals of Surry County.
- Approve the surplus and sell of a Glock model 22 .40 caliber handgun, serial number SPX612, for \$200.

Chairman Tucker advised that it was time for the special recognition portion of the agenda.

John Shelton, Emergency Services Director, recognized Nathan Gunter for 10 Life Saves, and Samantha Rose for 5 Live Saves, to citizens in Surry County.

The Board recognized the following Eagle Scouts:

Adam Spainhour, Cooper Motsinger, Daniel Shores, Derek Cashatt, Kenneth Poindexter, Landon Stickland, Nicholas Lawson, and Taylor Inman.

Commissioner Marion commended the citizens of Surry County for their fundraising efforts for Randy Floyd, who suffers from ALS.

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

Chet Jessup discussed Trooper Samuel Newton Bullard Day, scheduled for Saturday, August 24, 2019, at the Historic Courthouse. There will be a ceremony at the Law Enforcement Officers Memorial, displays of public safety vehicles around the Courthouse Square, and family friendly activities.

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

Kim Bates, Planning Director, presented a petition for Case #ZCR1191, pertaining to assigning County zoning districts to all parcels in the soon to be former Mount Airy Extraterritorial Jurisdiction (ETJ) as designated on the zoning map, effective 9-1-2019.

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

Grayson Vaughn spoke regarding land he owns which was previously B-4 under Mount Airy zoning. In 1997, it was changed in part to Industrial Conditional. Mr. Vaughn wants to change back to the equivalent of Hwy Business. Mr. Vaughn stated he lives two miles from the fire department but would not have a response to a fire call. He does not think he should be required to be in the ETJ.

Shirley Brinkley, speaking as a Surry County citizen, lives next to the ETJ and wants good appraisals for homes in the area. Ms. Brinkley feels the City of Mount Airy Board made an unwise decision and wants the County Board to see the damage that could be done if the Statement of Consistency is approved.

J.T. Hinson spoke in favor of abolishing the ETJ. He stated, at the Mount Airy public hearing, held on May 20, 2019, 22 people spoke with 18 of those wanting out of the ETJ, two wanting the ETJ modified, and two wanting to stay in the ETJ.

Steve Yokeley stated he lives across from the ETJ and is concerned about jeopardizing property values. Mr. Yokeley opposes the County taking over the ETJ and urged the Board to take additional time in making a decision.

There being no additional comments, Chairman Tucker closed the public hearing. Mr. Bates recommended approval of the Statement of Consistency.

Upon motion of Commissioner Johnson, seconded by Commissioner Goins, the Board unanimously voted to approve the Statement of Consistency as follows:

The present action will assign County zoning districts to all

properties currently under Mount Airy extraterritorial zoning. That zoning jurisdiction will be relinquished by the city in furtherance of its action of June 6, 2019, to take effect September 1, 2019; at which time the County by this present action will assume land development jurisdiction over the area. The Surry County zoning jurisdiction is defined in its ordinance as those areas designated as zoning districts on its zoning map; therefore, this assignment of County zoning districts will effectively incorporate the former ETJ area into the County's zoning jurisdiction.

The Surry County Planning Board reviewed the zoning map amendment proposal at publicly noticed meetings held on July 8 and August 12, 2019. That board has returned a unanimous recommendation to adopt the zoning map amendment as proposed. The Planning Board and Planning and Development Staff concur that with relinquishment and in the absence of city jurisdiction to zone the land, it is reasonable that the County assume land development planning responsibilities consistent with those exercised for all other areas of the County; that the proposed map amendment presents zoning classifications for the area consistent with the current Land Use Plan as excerpted below; and that adoption of this map amendment is reasonable as a framework for land development management and protection of the public welfare and property surrounding the City of Mount Airy.

Excerpted from Land Use Plan 2020, Sec. 5 Urban and Suburban Areas:

Urban and Suburban

Purpose. The purpose of the Urban and Suburban class is to provide for continued intensive development and redevelopment of existing cities, towns and their urban surroundings. These areas primarily fall within the planning jurisdiction of the County's four municipalities.

Description and Characteristics. Areas meeting the intent of the Developed classification are currently the county's most urban in character, where remaining undeveloped land is least prevalent; and which have in place, or are scheduled for the timely provision of, a significant complement of municipal or public services. These areas are more likely to have mixed land uses such as residential, commercial, industrial, institutional and other uses at high to moderate densities. Services include water, sewer, recreational facilities, streets and roads, police and fire protection. In some instances an area may not have all the traditional urban services in place, but if it otherwise has a developed character and is scheduled for the timely provision of these services, it still meets the intent of the developed classification.

Discussion. Local governments may group the Urban and Suburban class into subclasses such as

- Developed/Multi-family,
- Residential,
- Developed/Single family Residential,
- Developed/Commercial
- Developed/Industrial.

In applying the Urban and Suburban class or subclasses, the local government should discuss how, when and where it will provide the services necessary to support the needs of an urban area. This class is meant to accommodate urban-intensity development, along with the existing and planned services necessary to support it: and should be applied to existing cities and towns and intense development within the extraterritorial planning jurisdictional areas.

The Board of Commissioners hereby concurs with Planning Board and

staff recommendations stated above and will vote on the question of reclassifying the subject area as proposed, following a Public Hearing held on August 19, 2019.

Upon motion of Commissioner Marion, seconded by Commissioner Johnson, the Board unanimously voted to approve Rezoning Case #ZCR1191, incorporating the soon to be former Mount Airy ETJ area into County's zoning jurisdiction, effective 9-1-2019.

Chairman Tucker reopened the open forum and invited any additional members of the audience to address the Board on any matters of civic concern.

Elizabeth Southern discussed the high number of tractor trailers that use Laurel Springs Church Road instead of Oak Grove Church Road. Laurel Springs Church Road is not designed to handle this type and volume of traffic. Chairman Tucker and the County Manager will discuss this issue with the Division 11 Engineer.

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

Samantha Ange, Health Director, presented a request to accept an award in the amount of \$246,842.23 for WIC renovations, computers, furniture, and supplies, and to cover funding for Brite Engineering, in the amount of \$15,450 from the General Fund.

Upon motion of Commissioner Johnson, seconded by Commissioner Goins, the Board voted unanimously to approve acceptance of special award WIC funds in the amount of \$246,842.23 and to pay Brite Engineering from General Fund in the amount of \$15,450.

Samantha Ange, Health Director, presented a request to appoint Jerry W. Sawyers to the Board of Health as a Public Member Representative. Ms. Ange has been unable to find a licensed optometrist to serve on the Board of Health as is required. N.C.G.S. 130A-35 allows a Public Member to be appointed in this type of situation.

Upon motion of Commissioner Harris, seconded by Commissioner Tucker, the Board voted unanimously to appoint Jerry W. Sawyers to the Board of Health as a Public Member Representative, in lieu of a licensed optometrist, for a three (3) year term, effective August 18, 2019.

John Shelton, Emergency Services Director, presented a request to allow Emergency Services to purchase and distribute Narcan to local law enforcement agencies. The local law enforcement agencies would then be billed by Emergency Services for the Narcan provided to them. In the past, Narcan carried by law enforcement was donated by several organizations. There is a supply shortage of Narcan which is making it more difficult to acquire by law enforcement agencies.

The Board discussed the shelf life of Narcan, dosage amounts carried by law enforcement agencies versus Emergency Services, how law enforcement would be billed for what they are provided by Emergency Services, and how administration of Narcan occurs by the different agencies.

It was the consensus of the Board to forward this request to the Finance Committee for further review and discussion.

Chris Knopf, County Manager, presented a request from Surry County Schools, requesting the Board's consideration to waive landfill tipping fees associated with the demolition of two residential structures on property recently acquired adjacent to East Surry High School. Dr. Travis Reeves stated the structure was sold via an online auction but that the structure is approximately 100 years old, and based on its current condition, could not be relocated. Therefore, the sale did not occur, and the structure must be demolished and deposited in the landfill.

It was the consensus of the Board that the practice of waiving landfill tipping fees negatively impacts the ability of the Landfill Enterprise Fund to operate on its own. No action was taken.

Chris Knopf, County Manager, presented a proposed lease renewal between the County and Elkin Emergency Rescue Squad, Inc. The property is located at 940 N. Bridge Street, Elkin, and serves as an EMS Substation. The lease term is for five (5) years with a monthly lease rate of \$1,300. The proposed lease rate is unchanged from the previous lease.

The Board discussed the proposed term of the lease and the monthly lease payment in relation to what the County pays monthly for the Pilot Mountain EMS Substation.

It was the consensus of the Board to forward this draft lease to the Property Committee for further review and discussion.

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

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

Upon motion of Commissioner Harris, seconded by Commissioner Goins, the Board voted unanimously to approve but not release the closed session minutes from June 17, 2019.

Upon motion of Commissioner Goins, seconded by Commissioner Harris, the Board voted unanimously to approve change order #3 (items A through G), totaling \$132,824.86 for the scale house project.

Upon motion of Commissioner Harris, seconded by Commissioner Goins, the Board voted unanimously to adjourn. The meeting ended at 9:20 p.m.

Sandy Snow
Deputy Clerk to the Board