

Surry County Board of Commissioners
Meeting of January 3, 2011

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on January 3, 2011. The meeting was held in the County Commissioners' Meeting Room, Surry County Government Center, Dobson, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman R.F. "Buck" Golding, Commissioner Eddie Harris, Commissioner Jimmy Miller and Commissioner Garry Searce.

Others present for the meeting, at various times, were:

Dennis Thompson, County Manager
Conchita Atkins, Clerk to the Board
Betty Taylor, Assistant County Manager for Budget and Finance
Chris Knopf, Assistant County Manager for Economic Development and Tourism
Sandy Snow, Human Resources Officer
Kim Bates, Planning Director
Don Mitchell, Facilities Management Director
Jack Gardin, Water and Sewer Projects Coordinator
Bryan Cave, Cooperative Extension Director
Representative Sarah Stevens
Other Citizens
News Media

Chairman Paul Johnson called the meeting to order.

Commissioner Garry Searce delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the December 20, 2010 meeting. Upon motion of Commissioner Searce, seconded by Commissioner Harris, the Board voted unanimously to approve the minutes.

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

Velvet Shelton, Mount Airy, asked the Board if Open Forum was for items on the agenda or any concerns in general.

The Board told Ms. Shelton that Open Forum is for any concerns that citizens would like to address.

Lanelle Alsip, Siloam, stated that she would like to see less Government spending and cutting of budgets for all Volunteer Fire Departments. Ms. Alsip also would like to see the residents choose firemen to serve on the Fire Departments. Ms. Alsip stated that taxes are getting too high and citizens cannot afford to pay anymore.

The Board discussed various costs that are needed to operate Volunteer Fire Departments.

Billy Slate, Slate Farm Road, Mount Airy, stated that he does not agree that citizens should be able to vote in firemen. Mr. Slate stated the citizens should vote in the Board of Directors. Mr. Slate also stated that fire departments compete against each other to see who can get the best equipment.

Chairman Johnson recognized Representative Sarah Stevens who was in attendance.

Darren Moser, Mount Airy, expressed concerns regarding a Sustainability Community Study. Mr. Moser asked the Board to look into the origin of the study.

Chairman Johnson stated that PART and the Northwest Piedmont Council of Governments are conducting the study. The committee is looking at what resources will be needed for the study.

Commissioner Harris thanked the citizens for their comments which help the Board have a better insight into various issues.

There being no additional comments, Chairman Johnson closed the open forum, and the Board resumed regular business.

Chairman Johnson stated there would be a public hearing on zoning application ZCR1070. The site is 0.71 acres of tax parcel 5915-00-93-8687. The property owner is Benny Daniel Torres and Jonathan Rafael Torres. The property is currently zoned CB. The petition is to rezone the property to RA.

Kim Bates, Planning Director, presented the facts pertaining to the rezoning and stated the Planning Board unanimously recommends denial of a zoning reclassification.

Chairman Johnson opened the public hearing and asked for comments from the public.

Lanelle Alsip spoke against the rezoning.

Linda Davis spoke against the rezoning.

The Chairman closed the public hearing and asked the Board if they wished to take any action on the rezoning.

Upon motion of Commissioner Searce, seconded by Commissioner Miller, the Board voted unanimously to approve the following statement of consistency:

§ 153A-341. Purposes in view.
Zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review.

Surry County Board of Commissioners' Statement of Consistency: Rezoning Petition ZCR1070:

Subject: Case # ZCR1070, a Petition for General-Use Rezoning
Applicants: Benny Daniel Torres, Jonathan Rafael Torres
Property Description: Tax Parcel #5915-00-93-8687, located at the northwest corner of Siloam Road and Pratt Road.
Requested Reclassification: From Community Business (CB) to Rural Agricultural (RA)

The Planning Board has unanimously recommended denial of a zoning reclassification of the subject property to RA, and does not find the proposal reasonable based on the staff recommendation, reported as follows:

Original use was as a restaurant, and business use was established before the original adoption of zoning. A rezoning to CB was publicly considered and adopted by the Board of Commissioners in 2005, and the site was then paved and developed according to the business zoning. The lot is small, narrow, triangular and more than two-thirds of its perimeter is fronted by well-traveled secondary roads. Legitimate residential development of a reasonable quality would be difficult. The lot is better situated overall for commercial use than residential use.

The Planning Board's recommendation of denial is also based on a determination that the proposed reclassification is inconsistent with the following elements of the Land Use Plan:

- 5.3.7 Maintain quality of life. It was not demonstrated to the Planning Board that residential use of this property will promote an appropriate standard of living for the occupants of this property or surrounding properties.
- 5.3.8 Encourage high quality development. It was not demonstrated to the Planning Board that residential zoning will promote high quality development of this property
- 5.3.12 Maintain a positive identity for the County and its individual communities. It was not demonstrated to the Planning Board that redevelopment of this property for residential use will promote a positive identity for this community or for the County.
- 5.4.5.12 Businesses should be served by roads and streets of a capacity sufficient for safe traffic flow. The property is dominated by a secondary road intersection used by more than 2,800 vehicles per day, more appropriate for business use than for residential use, given the size and shape of the lot.

The Board of Commissioners hereby concurs with staff and Planning Board recommendations and the above referenced elements of plan consistency. We therefore do not find this proposal to be reasonable or in the public interest.

Upon motion of Commissioner Scarce, seconded by Commissioner Golding, the Board voted unanimously to approve the Planning Board's recommendation and deny the rezoning.

Chairman Johnson stated there would be a public hearing on a proposed appropriation by the County for industrial development.

Chris Knopf, Assistant County Manager for Economic Development and Tourism, stated the public hearing was properly advertised and that Surry County is in negotiation with one or more economic development candidates that may utilize an existing industrial facility located in the Town of Elkin known as Surry County tax parcel 4962-00-11-0653, located at 1000 Candle Wycke Lane. The County proposes to pay to the owner a fully refundable deposit of \$50,000 for a 90-day period to conduct due diligence evaluations on the site. Should the economic development prospect(s) fail to commit, or should the site prove to be unsuitable, the County will be entitled to full repayment of its deposit by providing notice within the 90-day period. Mr. Knopf also stated that Surry County will schedule further public hearings prior to the approval of any economic development agreement and/or should the County decide to purchase the site.

Chairman Johnson opened the public hearing and asked for comments from the public.

Billy Slate expressed concerns regarding the Board being in the real estate business. Mr. Slate also asked how much money has been put into incentives and how many jobs have been brought to Surry County with incentives within the last twenty years. Mr. Slate asked the results be posted in the local newspaper. Mr. Slate asked the Board to use tax dollars wisely.

An individual from State Road spoke in favor of the incentive and stated that if the County does not give incentives another County will.

Kevin Shinault spoke in favor of the incentive. Mr. Shinault asked if the \$50,000 was coming from money that has already been taxed and if the citizens were going to be taxed more.

Lanelle Alsip asked the salary range for the jobs and how long the County will stay in Surry County.

Todd Tucker, Economic Development Partnership President, gave a brief synopsis of the potential company which could locate to Surry County.

Chairman Johnson closed the public hearing and asked the Board if they wished to take any action on the proposed appropriation by the County for industrial development.

Upon motion of Commissioner Miller, seconded by Commissioner Harris, the Board voted unanimously to pay the owner a fully refundable deposit of \$50,000 for a 90-day period to conduct due diligence evaluations on the site. Should the economic development prospect(s) fail to commit, or should the site prove to be unsuitable, the County will be entitled to full repayment of its deposit.

Commissioner Harris stated the Board intends to look after taxpayer monies. Surry County is in a terrible job crisis with unemployment being high. Surry County desperately needs jobs. The Board will negotiate the best

deal possible. If the company comes to Elkin, it will be good for the Elkin City Schools.

Commissioner Scarce stated if the tax base in Surry County remains stagnate, taxes will have to be increased. The Company will bring \$100M in equipment and the County should see revenue from taxation of the equipment.

Robert Draughn, Director of Plant Operations, Surry County Schools, presented the schools five-year needs facility assessment and gave an overview of upcoming school projects. Mr. Draughn stated that the assessment is due to the State by January 10, 2011.

Chairman Johnson stated acceptance of the assessment does not commit the County to make any expenditures.

Upon motion of Commissioner Harris, seconded by Commissioner Scarce, the Board voted unanimously to accept the assessment as presented.

Don Mitchell, Facilities Management Director, discussed the roof on the Human Services Center. Mr. Mitchell stated the roof is nearly thirty years old and that there are two type roofs on the building. In 2008, the County contracted with National Roof Coaters to apply a coating to a large section of the screwed down roof. There are now leaks in the front portion of the building. Mr. Mitchell presented two quotes for coating more sections of the roof.

National Roof Coaters, LLC	\$32,463
Warren King Construction Co.	\$38,510

Mr. Mitchell also stated that he had asked for estimates to replace the existing roof.

Professional Roofing Services	\$186,600
Warren King Construction Co.	\$425,000

It was consensus of the Board to refer the project to the Property Management Committee.

Chairman Johnson informed the audience that it was time for the special recognition portion of the agenda. The following individuals were recognized:

Brandon William Guthrie, Jacob Andrew Hart, Christopher Stephen Holshouser, David Keith Combs, Charles Richard Vaughn, III and Logan Rich Jarrell for their attainment of Eagle Scout rank in the Boy Scouts of America in the Year 2010.

Jack Gardin, Water and Sewer Projects Coordinator, addressed the Board regarding bid results for the Cody Creek Water and Sewer Project. The following bids were received:

Ronny Turner Construction	\$325,190
Jimmy R. Lynch & Sons	\$368,465
Ramey, Inc.	\$374,179
Foothills Water & Sewer, Inc.	\$397,291
H & C Utilities, Inc.	\$412,502
Yates Construction Company	\$443,357
Hickory Sand Company, Inc.	\$450,860
Triangle Grading and Paving	\$458,409
Smith-Rowe, LLC.	\$490,739

Upon motion of Commissioner Scarce, seconded by Commissioner Miller, the Board voted unanimously to award the bid to Ronny Turner Construction in the amount of \$325,190 for the Cody Creek Water and Sewer Project.

Bryan Cave, Cooperative Extension Director, presented facts and highlights about the local office of the Cooperative Extension Service.

Dennis Thompson, County Manager, addressed the Board regarding agency and committee assignments. Mr. Thompson presented a table of various agencies that requires or request County Commissioner membership.

Upon motion of Commissioner Harris, seconded by Commissioner Miller, the Board voted unanimously to approve the appointments as follows:

Chairman Johnson: Health Board, YVEDDI Board, Tourism Development Authority, Piedmont Regional Transportation, Northwest Piedmont Council of Governments, Rural Transportation Planning, Emergency Services Advisory Board, Piedmont Triad Partnership, Budget and Finance Committee, Fire Districts Budgets Committee, and Personnel and Benefits Committee.

Vice-Chairman Golding: Northern Hospital Board, Criminal Justice Partnership, Northwest Piedmont Council of Governments Housing Consortium, Surry Community College Board of Trustees, Northwest Piedmont Council of Governments Job Training Consortium, Property Committee, and Budget and Finance Committee.

Commissioner Harris: Recreation Advisory Committee, YVEDDI Board, Cascade Highlands Tourism Board, Property Committee, Water and Sewer Committee, and Interstates Water and Sewer Committee.

Commissioner Miller: Recreation Advisory Committee, YVEDDI Board, Economic Development Partnership Board, Mount Airy/Surry County Liaison Committee, Juvenile Crime Prevention Council, Water and Sewer Committee, and Interstates Water and Sewer Committee.

Commissioner Scarce: Social Services Board, Crossroads Behavioral Healthcare Board, Early Childhood Partnership Committee (Smart Start), Mount Airy/Surry County Liaison Committee, Fire Districts Budgets Committee, and Personnel and Benefits Committee.

Dennis Thompson, County Manager, addressed the Board regarding the Legislative Goals Conference that will take place in Durham on January 20-21, 2011. Mr. Thompson and Commissioners Johnson, Golding, Harris and Scarce will attend the conference. Mr. Thompson stated the Board would have opportunities at the January 14-15, 2011 Retreat to discuss some legislative goals of the County Commissioners' Association.

Dennis Thompson, County Manager, presented an agenda for the January 14-15, 2011 Board Retreat.

Upon motion of Commissioner Miller, seconded by Commissioner Golding, the Board voted unanimously to reappoint Dr. Wayne Gilreath to the Board of Health.

Upon motion of Commissioner Miller, seconded by Commissioner Golding, the Board voted unanimously to appoint Debbie Cave to the Board of Health.

Commissioner Golding stated that any citizens who would like to serve on any Boards and Commissions should contact the County Manager's Office or a Board member to obtain more information regarding the committee.

Upon motion of Commissioner Scarce, seconded by Commissioner Harris, the Board voted unanimously to approve and not release the December 20, 2010 closed session minutes, items 1-4.

Upon motion of Commissioner Miller, seconded by Commissioner Golding, the Board voted unanimously to go into closed session to discuss personnel and economic development.

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

Upon motion of Commissioner Scarce, seconded by Commissioner Miller, the Board voted unanimously to approve the County Manager's employment agreement as presented.

Upon motion of Commissioner Miller, seconded by Commissioner Harris, the Board voted unanimously to approve the Chairman to execute the sales agreement for tax parcel 4962-00-11-0653 and approve the County Attorney to forward the original agreement to the attorney for the owner.

The Board discussed General Statues for Open Forum.

There was no further business to come before the Board.

Upon motion of Commissioner Golding, seconded by Commissioner Miller, the Board voted unanimously to recess until January 14, 2011, 8:00 a.m., Surry County Government Center, Room 335, for a Board Retreat and other County business. The meeting ended at 8:35 p.m.

Conchita Atkins
Clerk to the Board