

Surry County Board of Commissioners
Meeting of January 3, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on January 3, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., and Commissioner Craig Hunter.

Commissioner Fred O'Neal and Attorney Edwin Woltz were unable to attend.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
David Stone, Health and Nutrition Center Director
Elke Ragland, Nutritionist
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Chairman Paul Johnson delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested that the Board consider the minutes of the December 20, 2004 meeting. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve a refund request from Emergency Services to CIGNA Medicare in the amount of \$340.09, due to double payment.
2. Approve a refund request from Emergency Services to Northern Hospice in the amount of \$500.50, due to double payment.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve Emergency Services to apply and receive funding for a FY 2005 Pre-Disaster Mitigation Grant.
2. Approve the Health and Nutrition Center to purchase a new computer.
3. Approve budget change no. 14 as follows:

Change #14

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on January 3, 2005.

<u>ACCOUNT</u>			<u>PREVIOUS</u>		<u>REVISED</u>
<u>CODE</u>		<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CHANGE</u>	<u>AMOUNT</u>
<u>GENERAL FUND</u>					
<u>EXPENDITURES</u>					
<u>Non-Departmental</u>					
1054199	59510	General Fund Contingency	284,901	(52,500)	232,401
		Decrease departmental total.	1,140,003	(52,500)	1,087,503
<u>Recreation</u>					
1056120	57458	Town of Elkin-Pool (1 of 2)	-	52,500	52,500
		Increase departmental total.	336,238	52,500	388,738
<u>Health Dept. Building</u>					
1055112	51030	Salaries & Wages Part-Time New)	-	-	-
The above action does not change fund totals.					
<u>Wireless 911 Telephone Fund</u>					
<u>Expenditures</u>					
3554329	52900	Small Equipment	-	10,000	10,000
3554329	53020	Equipment Maintenance	15,000	10,000	25,000
3554329	56010	Equipment	-	155,000	155,000
		Increase departmental total.	125,000	175,000	300,000
<u>Revenue</u>					
3544329	49900	Unencumbered Balance	25,000	175,000	200,000
		Increase fund totals.	125,000	175,000	300,000

Request from the Human Resources Officer:

1. Approve the amendment of the Personnel Ordinance adopted on November 3, 2003 by making the following change to Appendix A, Position Classification Plan, effective January 1, 2005:
 - Add Administrative Assistant I/Computer Technician to Grade 63 in the Position Classification Plan.
 - Reclassify the vacant position of Administrative Assistant I (position #742010) to an Administrative Assistant I/Computer Technician in the Public Works Department.
 - Move employee #304 into the Administrative Assistant I/Computer Technician position in the Public Works Department.

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.

Vice-Chairman Miller stated that he had meet with Jim Shepherd, of Elkin, regarding his desire to participate in management of school construction projects.

Commissioner Hunter asked citizens and the Board to help with the tsunami victims and to pray for them.

Chairman Johnson had visited several local community centers and was pleased with the jobs being accomplished and asked the County Manager to set up some visits to the community centers during the 2005-2006 year.

Chairman Johnson discussed the State Board of Elections' decision to hold another election for the Commissioner of Agriculture and would like for the County Manager to write a resolution regarding the financial burden that has put on Counties to hold another election.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously for the County Manager to write a resolution asking the State to allocate the funds to the County for another election.

The Board discussed writing a letter to the State regarding receiving the State budget earlier in the coming year to facilitate local financial planning.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously for the County Manager to write a letter to local General Assembly members requesting the finalization of the budget at an earlier date.

Vice-Chairman Miller asked the County Manager to write a letter to the School Board asking them to consider canceling school on general election days.

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

David Stone, Health and Nutrition Center Director, addressed the Board regarding the recent Step It Up Campaign and asked Elke Ragland to brief the Board on the campaign and an upcoming program.

Elke Ragland, Nutritionist, gave the Board an overview of the recent campaign and stated that over 70% of employees were participants in this ten-week program which included all departments. The program set a goal of 10,000 steps per day and included a pedometer which helped employees know how active they are. Employee teams competed against each other. Ms. Ragland stated that Phase II of the campaign will begin on January 10, 2004 and will last for six weeks. The employees will accumulate points based on activities rather than count steps, because of the weather.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to fund a luncheon for the recent winning team members, up to \$200.00, and fund a luncheon for the winning team members, up to \$200.00, in the phase II program, "Keep Stepping It Up".

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to consider the Workforce Development Center bids which were tabled at the December 20, 2004 meeting.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to accept Davie Construction as the low bidder, including all three alternatives at a total cost of \$1,678,930 and to ask Davie Construction to use local subcontractors and suppliers as much as feasible.

The County Manager discussed the upcoming General Assembly session and asked the Board if they wished to do an informal briefing with the legislative delegates to discuss the County legislative program.

It was the consensus of the Board for the County Manager to set up a date.

The County Manager addressed the Board regarding a meeting with the USDA at 11:00 a.m. on January 18, 2004 regarding the Flat Rock/Bannertown water and sewer.

The County Manager addressed an upcoming trip to Austin, Texas, planned by the Economic Development Partnership, to solicit vendors, suppliers and affiliates of Dell which will be locating in the Piedmont Triad area. The County Manager stated that Angelou Economic would be setting appointments with the prospects which will cost \$5,000. Each municipality and the County may send an individual and contribute funds.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to appropriate \$5,000 to pay for Angelou Economic vendor set up and the municipalities to give their funding to the individuals attending the trip.

The Board discussed \$1,051 in donated funds by the local VFW post raised for a computer in the Veterans' Services Office.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the purchase of the computer with the donated funds, asking the County Manager to determine whether these funds were solicited or not.

The Board discussed the need for surplus computers at the Dobson Library.

The Assistant County Manager for Budget and Finance will address with the Purchasing Agent.

The Board discussed a recent contribution of \$25,000 from the Chatham Foundation to help fund a Countywide recreation master plan.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, 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 Harrell, seconded by Commissioner Miller, the Board voted unanimously to reclassify position #516703 from a Nutritionist II (grade 66) to a Nutritionist III (grade 68), in the Health and Nutrition Center, and to move Samantha Berryman from grade 66-8 to grade 68-6, contingent upon final approval from State personnel.

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

Myles Branch for placing first in the State in the Equine Science Entrepreneurship and receiving first place in the National Equine Science Entrepreneurship.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to approve the following personnel requests:

- Appoint Angie Harrison to serve as Interim Parks and Recreation Director, effective January 18, 2004 at a grade 63-10 for the duration of the interim period only.
 - Move Millie Holleman to grade 57-5 effective January 18, 2005 and to grade 57-6 effective February 1, 2005 for the duration of the acting director's interim period.
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Chairman Johnson recognized Timothy Vogler, Boy Scout Troop #591, for attending the meeting.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to authorize a temporary part-time secretary in the Parks and Recreation Department, if the need is determined by the County Manager.

Chairman Johnson thanked the County Manager and Clerk for a well organized meeting.

There was no further business to come before the Board.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to adjourn at 7:50 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of January 18, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on January 18, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Chris Knopf, Planning Director
John Barber, Local Ordinance Officer
Michael Hartgrove, Assistant Tax Administrator
Una Freeman, GIS Coordinator
Martha Brintle, Information Technology Director
Angie Crews, Elections Director
News Media
Other Citizens

Chairman Johnson called the meeting to order. Vice-Chairman Jimmy Miller delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested that the Board consider the minutes of the January 3, 2005 meeting. Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve a refund request from Social Services to Program Benefits Payment Section in the amount of \$560.00, due to overpayments.
2. Approve the following resolution regarding the addition to state maintained secondary road system:

N. C. DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED
SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road Name: Long Lane

WHEREAS, the attached petition has been filed with the Surry County Board of Commissioners, requesting that the above named road be added to the Secondary Road System; and

WHEREAS, the Board is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Highway Division of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners that the Highway Division is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Surry County Board of Commissioners at a meeting on January 18, 2005 as referenced in the minutes of said meeting.

3. Approve Captain Roger Cook to receive his service weapon upon retirement.
4. Approve Chief Jim McHone to receive his service weapon upon retirement.
5. Approve the following resolution on conducting another State-wide election of a Commissioner of Agriculture:

A RESOLUTION CONCERNING THE COST AND PROPRIETY OF CONDUCTING ANOTHER STATE-WIDE ELECTION OF A COMMISSIONER OF AGRICULTURE IN MARCH 2005

WHEREAS, the State Board of Elections has apparently called for a Statewide revote for the election of a State Commissioner of Agriculture in March of 2005; and

WHEREAS, the cost of such a revote will be expensive and wasteful to localities across the State; and

WHEREAS, it is estimated that the cost to Surry County for this election would be approximately \$23,000; and

WHEREAS, there are no funds budgeted for this purpose; and

WHEREAS, there were no flaws, deficiencies, irregularities or other problems with the November 2, 2004 election in Surry County,

NOW, THEREFORE, BE IT RESOLVED that the Surry County Board of Commissioners requests the General Assembly and the Board of Elections modify this decision by only calling for a revote in the locality (ies) in which significant voting or vote tally problems occurred; and

BE IT FURTHER RESOLVED that if the revote must be conducted in Surry County, the Surry County Board of Commissioners hereby calls upon the State to cover or reimburse the cost incurred in the process.

6. Approve the purchase of a 2004 Dodge 1500 four wheel drive truck for \$20,500 and retain the 1993 truck which is being replaced.
7. Approve the following from the Tax Department:
 - Total releases for the month ending 12-31-04 in the amount of \$34,327.06.
 - Total refunds for the month ending 12-31-04 in the amount of \$4,248.96.
 - Total real and personal property discoveries for the month ending 12-31-04 in the amount of \$9,769.52.
 - Total motor vehicle discoveries for the month ending 12-31-04 in the amount of \$2,039.56.
 - Collect October, 2004 vehicle renewals in the amount of \$258,388.77.
 - Approve the purchase of ArcGIS Publisher in the amount of \$2,000.
 - Approve Una Freeman and Roger Bedsaul to attend the Integrating GIS and CAMA Conference in Savannah, Georgia.
 - Approve L. Kimball and Associates to provide the County with new aerial photography and digital orthophotography.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve the Health and Nutrition Center to purchase a server, firewall, router, and related equipment using Bio-terrorism grant funds.
2. Approve the Information Technology Department to purchase AntiSpy Software.

Requests from the Human Resources Officer:

1. Approve the Register of Deeds to fill a temporary full-time position.
2. Approve the extension of a temporary part-time employee to work in the Register of Deeds until June 30, 2005, as needed.
3. Approve the Social Services Department to advertise and fill an OSSOG III position (#531342) grade 57.

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.

Martha Brintle, Information Technology Director, addressed the Board regarding the recent election and technical problems with the display of results and assured the Board that steps were being taken so this will not happen again.

Commissioner Hunter addressed the Board regarding a request from a citizen appealing the decision of the Tax Department on changing the address of the citizen due to the citizen putting in a new home. The individual would like to leave the address as it currently is.

Michael Hartgrove, Assistant Tax Administrator, stated that the citizen moved the drive approximately 200 feet and that was the reason a new address was issued.

Una Freeman, GIS Coordinator, stated that a new address is issued every 21.12 feet, which allows for future growth.

The Board discussed the issue.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted to allow the citizen to use the current address.

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Hunter, Commissioner O'Neal

Nays: Commissioner Harrell

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

Attorney Edwin Woltz entered the meeting at 6:30 p.m.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning ZCR204. The parcel site is 81.64 acres of tax parcel 5952-00-91-8409, 5962-00-11-7915, 5962-00-11-6747. The property owner is Michael V. and Tonda Marion. The property is currently zoned RA,WO. The petition is to rezone the property to RR-C,WO.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

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

The Board discussed the rezoning.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve the rezoning from RA to RR-C subject to the following development conditions, which are a part of the approval:

- 1) Permitted Uses: Dwellings (on-site stick-built); Dwellings (modular); Accessory structures; Subdivision (6-lots or more) for a 21-lot residential subdivision; Home occupations; Guest house (stick-built); Private tennis courts; Swimming pool (private).
- 2) Minimum square footage of all dwellings shall be 1,800 square feet.
- 3) No exposed block foundations of dwellings permitted.
- 4) Only one single-family dwelling per lot - No re-subdivision of lots permitted.

- 5) No one-frame modular homes are permitted within the subdivision.
- 6) All blueprints of structures shall be approved by the developer.
- 7) Horses and ponies are permitted but no commercial trade of livestock is permitted.
- 8) Barns, tack rooms, and other outbuildings shall conform to the architectural design of dwelling.
- 9) Fences for pasture are permitted and may be placed along lot lines but shall not encroach into buffer areas.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning ZCR206. The parcel site is 56.79 acres of tax parcel 4975-00-41-3454. The property owner is John Henry Oakley. The property is currently zoned RL. The petition is to rezone the property to RA.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

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

The Board discussed the rezoning.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the rezoning.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning ZCR231. The parcel site is a 10 acre portion of a 21.49 acre tract of tax parcel 4963-00-76-4136. The property owner is Ricky Clark and Jayne R. Pardue. The property is currently zoned RA, AO-1. The petition is to rezone the property to CB, AO-1.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning and stated that the Planning Board recommends denial of the petition.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

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

The Board discussed the rezoning.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to take the Planning Board's recommendations and deny the petition.

Chairman Johnson recognized Abby Axon who is with Girl Scout Troop 1045 and was working on a bronze project.

Chairman Johnson also recognized David Swann, Jr. who is with Boy Scout Troop 529 and was working on a communications project.

David Swann, Crossroads Behavioral Healthcare, gave the Board a mid FY 05 report. Mr. Swann updated the Board on the progress of the fulfillment of the Local Business Plan, a timetable of significant events, per capita payments, and a revenue and expenditures summary.

The County Manager presented information from Crossroads Behavioral Healthcare regarding permission to sublease a portion of the Building at 351 Riverside Drive.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the building being subleased contingent upon the County Attorney viewing the lease agreement.

Dr. Barry Shepherd, Superintendent for Elkin City Schools, addressed the Board regarding additional funding, in the amount of \$9,736, for the Administrative Service building roof at the Elkin City School.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to grant the request with the \$9,736 coming from the Schools Capital Reserve Fund.

The County Manager addressed the Board regarding a meeting Commissioner O'Neal and he had with Construction Control Corporation concerning the scope of services, schedule and estimated cost of services. Commissioner O'Neal and Mr. Sammons recommended that the Board authorize preparation of a draft services agreement for the design and construction phase services. A draft agreement will be presented to the Board at the February 7, 2005 meeting.

The Board discussed the matter.

Upon motion of Commissioner Hunter, seconded by Commissioner O'Neal, the Board voted to authorize the County Manager to work with Construction Control Corporation and draft an agreement.

Ayes: Vice-Chairman Miller, Commissioner Hunter, Commissioner O'Neal

Nays: Chairman Johnson, Commissioner Harrell

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

Commissioner Miller recognized Patti Fulk for being selected as the North Carolina Choral Teacher of the Year.

Commissioner Hunter recognized Pam Colbert, Angie Mounce, Deborah Haynes, Darren Pelkey, Deborah Welborn, Tracy Cornett, Rhonda McHone, Kristy Cox, Jennifer Lowe, Jennifer Allen, Wendy Sawyers, Tammy Taylor, Tammy Bullington, Rodney Pell, Nancy Hetrick, Donna Dobbins, Tim Shelton, Janet Jarrell, Melanie Slate, and Wendy Childress for earning their profession's top honor by achieving the National Board Certification for Professional Teaching Standards.

The Board took a fifteen-minute recess.

The Board resumed regular business.

Bryan Cave and Chris Knopf addressed the Board regarding beginning a process of developing a voluntary farmland/open space protection ordinance. The ordinance would set up voluntary agricultural districts that willing property owners could be placed in to provide some protection for their farm-related activities and a list of potential committee members were presented.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the committee members who will begin a draft ordinance for Board review.

Dennis Thompson gave a progress report on the Interstates water and sewer project and addressed the Board on pledges received from property owners. Mr. Thompson stated that the property owners would like for the project to begin FY 06, and they feel there is great potential for economic development. Mr. Thompson also stated there is potential for grant funding.

The Board asked Mr. Thompson to pursue all grant opportunities.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to discuss funding for the project during the January 28th planning retreat and for the County Manager to write the City of Mount Airy for their affirmation of support for the project.

Betty Taylor, Assistant County Manager for Budget and Finance, addressed the Board on various thresholds and proposed updated thresholds which would make management and financial procedures more efficient.

The Board discussed each recommended threshold and made slight changes to the proposal.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the following recommendations:

- Raise limit of Purchase Orders to \$500 (total purchase) and make all purchases subject to the limit.
- Allow the County Manager or Assistant County Manager for Budget and Finance to approve refunds up to \$1,000 with the exception of tax refunds.
- Raise the threshold on surplus property from \$1,000 to \$5,000 that can be approved by the Purchasing Agent.
- Authorize the County Manager or the Assistant County Manager for Budget and Finance to sign off on applications of non-matching grants (non-controversial and non-personnel) grants up to \$100,000 with follow-up in the Board package.
- Allow line item transfers to be processed at staff level with approval by the County Manager, Assistant County Manager for Budget and Finance and the Assistant Finance Director.
- Authorize the County Manager or the Assistant County Manager for Budget and Finance to approve amendments up to \$2,500 within the same fund and to approve the creation of new line items.
- Amend the FY 2004-2005 Budget Ordinance with the addition of Section 48 as follows: The Budget Officer and/or Assistant County Manager for Budget and Finance are hereby authorized to transfer appropriations in amounts up to \$2,500 between appropriations within the same fund. Such action will be reported to the Board at a subsequent Board meeting.
- Amend the Personnel Ordinance adopted on November 3, 2003 by making the following addition to Article IV Recruitment and Employment, Section 7: Vacancies, effective January 19, 2005: "A position may be filled with an overlap of up to ninety days, for training purposes, when funding exists within the department's budget and recommendation is made by the department head and approved by the County Manager."
- Amend the Personnel Ordinance adopted on November 3, 2003 by making the following addition to Article VI: Leave and Holiday Policies, Section 2(e): Payment for Annual Leave Upon Separation, effective January 19, 2005. "An employee transferring to an agency outside of Surry County government may request their annual leave balance, not to exceed a maximum of 240 hours, be transferred. The transfer will be completed upon receipt of confirmation of acceptance from the outside agency."
- Resume the practice of allowing temporary employees to be hired if funding exists within the current budget and recommendation is made by the department head and approved by the County Manager.
- Approve the following resolution regarding surplus property:

RESOLUTION

COUNTY OF SURRY
DISPOSAL OF SURPLUS PERSONAL PROPERTY
UNDER PROVISIONS OF ARTICLE 12, CHAPTER 160A-266(c)
OF GENERAL STATUTES OF NORTH CAROLINA

WHEREAS, Article 12, Chapter 160A-266(c) of the NC General Statutes has been amended to add a more simplified procedure for disposal of personal property with minimum value; and

WHEREAS, GS 160A-266(c) provides local governments to use this more simplified method by established procedures; and

WHEREAS, the procedure will expedite the disposal of small surplus personal items in a more efficient and economic manner; and

WHEREAS, the Board of County Commissioners desires to establish this procedure as provided in GS 160A-266(c).

NOW, THEREFORE, BE IT RESOLVED that the Regulations and Procedures for Disposal of Personal Property with Minimal Value shall be as follows:

- {1} The authorized County Official is the Purchasing Agent.
 - {2} The personal property that may be declared surplus, sold and exchanged shall have a value that does not exceed five thousand dollars (\$5,000) for any one item or group of items.
 - {3} The sale or exchange of the property must be made to secure a fair market value for the County. The fair market value is to be determined by taking into consideration the present market value less depreciation and condition of the personal property.
 - {4} Published notice of the sale is not required; however, notice may be given in any manner deemed necessary to secure a fair market value for the County.
 - {5} A record of the transaction shall be made when the sale or exchange of personal property is concluded,
 - {6} The Purchasing Agent shall make an annual report to the Board of all transactions.
 - (a) The report shall describe the property sold or exchanged, to whom it was sold or with whom exchanged and the amount of money or other consideration received for each sale or exchange for the period of the report.
 - (b) Funds derived from any sale or exchange of personal property under the authorization, shall be placed in the General Fund of the County.
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The County Manager discussed the 2005 Goals and Objectives Work Session to be held on January 28, 2005.

The Board discussed the location of the work session.

It was the consensus of the Board to hold the work session at Surry Community College Board room and to work on a five-year plan for 2005 through 2010.

The County Manager gave a status report on the Flat Rock/Bannertown Water and Sewer and stated that Vice-Chairman Miller, Commissioner Hunter and he had meet with USDA and the City of Mount Airy today and are working on some revisions to the service agreement.

The County Manager informed the Board that the sallyport dry sprinkler at the Judicial Center was completed and a certificate of occupancy was issued on January 6, 2005.

The County Manager discussed the Workforce Development Center and stated that the construction contract arrived on January 14, 2005 and requested Board approval for the Chairman to sign the documents, pending review and approval by the County Attorney.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to allow the Chairman to sign the documents.

The County Manager advised the Board that the exploration of both a venture capital fund and a micro-business loan program is underway.

The County Manager presented a request from David Beal regarding his resignation from the Recreation Advisory Committee. Mr. Beal suggested that Catrina Smith be appointed in his place.

It was the consensus of the Board that the Recreation Advisory Committee should have both an elected official and each local Recreation Director as an ex-officio member per the bylaws of the Recreation Advisory Committee.

The County Manager discussed the 2005 legislative program. It was agreed that the Board of County Commissioners would try to schedule a trip to Raleigh to meet with the General Assembly members and the County Manager was asked to seek an appropriate date.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to appoint Buck Buckner to the Planning Board replacing Hayden Moxley with the term expiring March, 2007.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to appoint Jeff Steelman to the Board of Adjustments to replace Buck Buckner with the term expiring October, 2005.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, 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 Hunter, seconded by Commissioner Harrell, the Board voted unanimously to set a public hearing on February 7, 2005 at 6:00 p.m. or as soon thereafter as possible to hear comments on a proposed appropriation by the County for Industrial Development.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to grant a one step merit increase for Jeff Hall, Inspections Department, from grade 67-13 to grade 67-14 due to completion of the State Building Level III to qualify for State Standards Level III certification.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to reclassify position #431018 in the Sheriff's Office from a Deputy Sheriff Sgt. (Grade 67) to a Deputy Sheriff Lieutenant (Grade 69) and move Danny Griffith from grade 67-10 to grade 69-8.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to reclassify position #431025 in the Sheriff's Office from a Deputy Sheriff I (Grade 64) to a Deputy Sheriff Detective (Grade 66) and move Mark Ward from grade 64-8 to grade 66-6.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to recess until January 28, 2005 at 8:30 a.m., Surry Community College Board room for a Goals and Objectives Work session and to discuss other County business.

The meeting was closed at 11:00 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of January 28, 2005

The Surry County Board of Commissioners met in regular session at 8:30 a.m. on January 28, 2005 for the FY 2005 annual planning session and other County business. The meeting was held at the Surry Community College Board Room, 630 South Main Street, Dobson, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jim Miller, Commissioner Jim Harrell, Commissioner Craig Hunter, and Commissioner Fred O'Neal.

Others present for the meeting at various times, were:
Macon C. Sammons, Jr., County Manager
Betty Taylor, Assistant County Manager for Budget and Finance
David Long, Facilitator
News Media

Chairman Johnson called the meeting to order.

Commissioner Hunter gave the invocation.

The County Manager reviewed the proposed agenda and David Long began facilitation discussions on the question of "What should be done to address the most important issues facing Surry County over the next 6 years?"

Commissioner O'Neal arrived at 9:30 a.m.

Upon motion of Vice-Chairman Miller, seconded by Commissioner Hunter, the Board voted unanimously to go into closed session to discuss economic development and property matters.

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

Upon motion of Commissioner Hunter, seconded by Commissioner O'Neal, the Board voted to authorize the County Manager to execute a contract with Construction Control Corporation, contingent upon review by the County Attorney.

Ayes: Chairman Johnson, Vice-Chairman Miller,
Commissioner Hunter, Commissioner O'Neal

Nays: Commissioner Harrell

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to allow Parks Recreation and Maintenance to purchase a new snow scraper and hitch assembly in the amount of \$2,950.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to schedule a public hearing on an economic development project at Piedmont Triad West Industrial Park as soon as possible.

The Board discussed the Planning Department purchasing an ARCVIEW license.

It was the consensus of the Board to allow the Planning Department to purchase the license.

Commissioner O'Neal left the meeting at 11:30 a.m.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to obtain quotes from David Long for consulting services related to the development of an economic development plan.

The County Manager led a discussion relative to water and sewer projects.

Upon motion of Vice-Chairman Miller, seconded by Commissioner Harrell, the Board voted unanimously to work with the Assistant County Manager for Budget and Finance to fund a dollar-for-dollar match of private investments for the Interstates Water and Sewer District up to \$750,000 contingent upon availability of other necessary funding and completion of the project.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the budget calendar as presented by the County Manager.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to change the budget calendar meeting date for work session #3 from May 5, 2005 to May 12, 2005, due to a schedule conflict.

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

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to support shared contingency funding of up to \$80,000 each with the Town of Dobson and the project developer on proposed I-77 exit 93 expansion contingent upon balance of funding and actual construction of water and sewer facilities.

Upon motion of Commissioner Harrell, seconded by
Commissioner Miller, the Board voted unanimously to adjourn
at 4:50 p.m.

Macon C. Sammons, Jr.
County Manager

Surry County Board of Commissioners
Meeting of February 7, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on February 7, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., and Commissioner Fred O'Neal.

Commissioner Craig Hunter was unable to attend.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Cathy Booker, Tax Administrator
Gray Bryant, Inspections Director
Sheriff Connie Watson
Wayne Black, Social Services Director
Martha Brintle, Information Technology Director
Jason Simmons, Network Administrator
Jan Critz, Economic Development Partnership President
News Media
Other Citizens

Chairman Johnson called the meeting to order. Chairman Johnson delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested that the Board consider the minutes of the January 18 & 28, 2005 meetings. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the following consent agenda items:

Request by the County Manager:

1. Approve the Tax Department's request to require a citizen to remain in the Franklin Fire District where his residence is located.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve the Health and Nutrition Center to apply and accept a \$7,500 non-matching grant from Kraft Foods.
2. Approve the Health and Nutrition Center to purchase a new computer and software for the Adult Health program.

3. Approve the Health and Nutrition Center to purchase a new computer and related dental management software and equipment.
4. Approve Emergency Services to apply for two Wal-Mart Foundation grants and to purchase a Buckle Bear suit, if awarded.
5. Approve the Elections Department to apply for a technology grant and to purchase new computers and equipment, if awarded.
6. Surplus four used servers and transfer the servers to the Surry County Schools.
7. Approve Emergency Services to apply for a \$5,000 North Carolina Emergency Management non-matching grant.
8. Approve the Sheriff's Office to apply for a Governor's Crime Commission Grant.

Request from the Human Resources Officer:

1. Approve the following resolutions of respect:

RESOLUTION

WHEREAS, James J. McHone served from December 5, 1994 until his retirement on January 31, 2005 as an employee of the Surry County Sheriff's Office; and

WHEREAS, during his tenure, James J. McHone served as Chief Deputy, providing leadership and guidance to the employees of the Surry County Sheriff's Office as he led by example, bringing a high level of professionalism and dedication to the Sheriff's Office; and

WHEREAS, during his years of faithful service, Chief Deputy McHone has earned the admiration and respect of his friends, colleagues and the citizens he has served as he has strived to make Surry County a safer place to live; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend James J. McHone for the professional leadership and advancement he has brought to the Sheriff's Office;

NOW, THEREFORE, BE IT RESOLVED that the Board commends James J. McHone for his service to the citizens of Surry County and wishes to express its appreciation for his years of dedicated employment; and

BE IT FURTHER RESOLVED that the Board extends to James J. McHone its best wishes for many years of happiness during his retirement.

RESOLUTION

WHEREAS, Roger L. Cook faithfully served the citizens of Surry County from November 2, 1977 until December 20, 1978 and from October 11, 1979 until his retirement on January 31, 2005 as an employee of the Surry County Sheriff's Office; and

WHEREAS, during his years of service, Roger L. Cook held the positions of Deputy Sheriff, Deputy Sheriff - Detective, Deputy Sheriff - Lieutenant, Chief of

Detectives, and Captain, a rank he held from October 1, 1999 until his retirement; and

WHEREAS, during his years of faithful service, Captain Cook has earned the admiration and respect of his fellow employees, friends, and colleagues as he has dedicated his career to diligently protecting the citizens of Surry County; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend Roger L. Cook for the integrity and high level of professionalism he has brought to law enforcement in Surry County; and

NOW, THEREFORE, BE IT RESOLVED that the Board commends Roger L. Cook for his service to the citizens of Surry County and wishes to express its appreciation for his many years of dedicated employment; and

BE IT FURTHER RESOLVED that the Board extends to Roger L. Cook its best wishes for many years of happiness during his retirement.

RESOLUTION

WHEREAS, Joseph D. Floyd faithfully served the citizens of Surry County from February 6, 1976 until his retirement on December 31, 2004 as an employee of the Surry County Sheriff's Office; and

WHEREAS, Joseph D. Floyd held the positions of Communications Operator, Deputy Sheriff, Deputy Sheriff - Sergeant and Deputy Sheriff - Lieutenant - a rank he held from April, 1995 until his retirement; and

WHEREAS, during his years of faithful service, Lieutenant Floyd has earned the admiration and respect of his friends, co-workers, and the public as he has worked to protect and serve the citizens of Surry County; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend Joseph D. Floyd for the professional manner in which he executed his duties; and

NOW, THEREFORE, BE IT RESOLVED that the Board commends Joseph D. Floyd for his dedication to the citizens of Surry County and wishes to express its appreciation for his many years of faithful employment; and

BE IT FURTHER RESOLVED that the Board extends to Joseph D. Floyd its best wishes for many years of happiness during his retirement.

RESOLUTION

WHEREAS, Norma M. Poore was employed from June 16, 1975 until her retirement on January 31, 2005 as an employee of the Surry County Department of Social Services; and

WHEREAS, Ms. Poore held the positions of Typist I, Clerk Typist III, Eligibility Specialist I, and Income

Maintenance Caseworker II - a position she held from July 1, 1988 until her retirement; and

WHEREAS, over the past three (3) years Ms. Poore assisted in the training of new staff members in the Food Stamps Unit, providing training to six (6) of the nine (9) current Food Stamps Caseworkers; and

WHEREAS, during her tenure assisting with training new caseworkers, the Food Stamps caseloads grew from 1,840 to 2,800 households; and

WHEREAS, Ms. Poore gave willingly of her personal time to support projects of the local chapter of the North Carolina Social Services Association, Relay for Life, March of Dimes, and other worthy causes; and

WHEREAS, Norma Poore has faithfully served Surry County as a humble, caring, considerate and conscientious public servant dedicated to providing assistance in a compassionate and professional manner to those in need;

NOW, THEREFORE, BE IT RESOLVED that the Board publicly commends Norma Poore 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 Norma Poore its best wishes for many years of happiness during her retirement.

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.

Marion Venable addressed the Board regarding a draft policy on condemnation of hazardous buildings and structures. Ms. Venable is concerned this could affect historic buildings in Surry County. She asked the Board to be careful and not act too quickly and also get input from the Historic Society.

Rebecca Kassner, Housing Director, addressed the Board regarding holding a public hearing and filing an application for a Scattered Site Housing Community Development Block Grant.

It was the consensus of the Board for the Housing Director to file the application after the Chairman has signed it.

The County Manager introduced Jason Simmons, Network Administrator, and thanked him for his hard work on compiling information for the trend analysis and activity levels report.

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

Commissioner O'Neal entered the meeting at 6:20 p.m.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on an economic development incentive.

Jan Critz, Economic Development Partnership President, discussed an incentive agreement for Galaxy Filters in Pilot Mountain.

John Williams, Vice-President of Engineering, thanked the Board for the proposed incentive and gave a brief summary of the project.

Chairman Johnson asked for comments from the public.

No one spoke on the project or the incentive.

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

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the agreement and the following resolution.

STATE OF NORTH CAROLINA

RESOLUTION

COUNTY OF SURRY

WHEREAS, there has been described to the Board of Commissioners ("Board") and Surry County, North Carolina ("County") a proposal for the Town of Elkin (the "Town") and Surry County to provide certain incentives to Galaxy Filters, a North Carolina corporation ("Company"), in connection with the Company's grading of construction site.

Proposed incentives to the Company include the following County appropriations and expenditures:

- A. Surry County's appropriation of \$17,206.40 would go toward costs incurred by Company for preparation of facility located at 1300 North Bridge Street, Suite U100, Elkin, NC 28621 site. The appropriation would be made over an eight year period. The total amount to be expended by County to provide the incentive described above will not exceed \$17,206.40. An Incentive Agreement ("Agreement"), including or addressing the Town, County and Company and describing proposed incentives in detail shall be executed subject to approval and review of the County Manager and County Attorney. A copy of the Agreement will be filed in the County's records.

Therefore, be it resolved by the Board of Commissioners of Surry County:

1. That the County hereby undertakes to provide certain incentives to the Company in connection with its investment within City's corporate limits, as described in the Agreement. The

County hereby finds and determines that such undertaking will increase the taxable property and business prospects of the County.

2. The Chairman of the Surry County Board of Commissioners is authorized and directed to execute an Agreement in a form that has been approved by the County Manager and County Attorney and to deliver the same to the appropriate counter-parties and the Clerk of the Board of Commissioners is hereby authorized and directed to affix the County seal to the Agreement and attest the same. The Agreement shall be a form substantially as described above with such changes as may be approved by the Chairman of the Board of Commissioners. The Chairman's execution of the Agreement shall constitute conclusive evidence of his approval of any change.
3. The Agreement in final form, however, must provide:
 - a. That the total amount to be expended by the County shall not exceed \$17,206.40;
 - b. That Company's minimum investments in plant and equipment shall not be less than \$800,000.
4. That County's payment to Company shall occur only after the Company provides evidence of its investment, having exceeded the amount contributed by the County forth in the agreement.
5. The actions of the County officers and officials in conformity with the purposes and intent of the Resolution, and in furtherance of the execution and delivery of the Agreement and the consummation of the transactions contemplated thereby, are hereby ratified, approved and confirmed.
6. All other board proceedings, or parts thereof, in conflict with this Resolution or, to the extent of such conflict, hereby repeal.
7. This Resolution shall take effect immediately.

Jan Critz, Economic Development Partnership President, presented the Partnerships annual audit and report. Ms. Critz stated that there were 204 new jobs created in 2004.

Robin Testerman, Community Child Protection Team Chairman, presented an annual report. Ms. Testerman gave the Board highlights of 2004 and asked for the Board's help on taking a lead role in providing more comprehensive and coordinated domestic violence services for children in the County. Ms. Testerman also asked for approval for a team membership list.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the Protection Team Committee List for 2005.

Betty Taylor, Assistant County Manager for Budget and Finance, presented a request from the Social Services Department requesting to surplus a 1996 Dodge van. Ms. Taylor stated that YVEDDI is requesting that the County sell the 1996 surplus Dodge van to YVEDDI for \$1.00. It will be used by the Surry Senior Center. YVEDDI will return a 1986 Ford E-350 van to the County.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the request and to declare the 1986 van surplus to be sold by the Purchasing Agent.

Gray Bryant, Inspections Director, addressed the Board regarding a proposed policy for handling complaints about and condemnation of hazardous or unsafe buildings and structures.

The Board discussed the policy.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to adopt the following policy:

STATE OF NORTH CAROLINA

COUNTY OF SURRY

Surry County Policy for Handling Complaints About and Condemnation of Hazardous Buildings and Structures

The purpose of this procedure is to establish a uniform policy for handling complaints about damage, defective and/or unsafe buildings and structures within the County in an effort to either rehabilitate them or remove them in the interest of safety.

1. Upon receipt of a written notification by the Surry County Inspection's Department that a building or structure within the County has been partially destroyed or exists in a dangerous or hazardous condition, the complaint shall be forwarded to the Administrator or Assistant Administrator of the Department. The Administrator or Assistant Administrator shall assign two inspectors to investigate the building or structure and formulate a report of the condition of the building or structure. The inspection shall occur within ninety-six (96) hours of receipt of the written complaint by the Department.
2. Following inspection of the premises in question, the senior inspector shall provide the Administrator or Assistant Administrator a report summarizing the condition of the building or structure, including photographs and analysis along with a recommendation. If the senior inspector's recommendation is "no action", the file will be closed and the complainant will receive notification of that fact. If the senior inspector recommends

repairs and confirms a dangerous or defective condition with regard to the building or structure, the Administrator or Assistant Administrator of the Department will schedule an on-site meeting of a Review Committee comprised of the Planning Director or his designee, the County Fire Marshal or his designee, one or more inspectors from the Surry County Inspections Department and a member of the Board of Surry County Commissioners who represents the District within which the unsafe or dangerous structure is located. The Planning Department representative shall review its files to determine whether the structure under investigation is historically significant and shall notify the Review Committee if it is listed on the County's historic inventory of properties. Every reasonable effort will be made to preserve Surry County's rich architectural heritage.

3. Following the onsite inspection of the Review Committee, the member of the Inspections Department serving on the committee, will make a written evaluation of the Review Committee's findings especially with regard to hazards relating to the health, safety and general welfare of the citizens of Surry County. The report will include the Review Committee's recommended course of action.
4. The Administrator or Assistant Administrator of the Department shall evaluate Review Committee's proposed course of action in determining whether the building or structure should be condemned.
5. If the inspector determines that the building or structure is in violation of North Carolina General Statutes and is a hazard to health, safety and general welfare of the citizens of Surry County, he shall cause the building or structure to be condemned by posting and a letter shall be mailed by certified or registered mail to the owner of the building or structure at his last known address stating the following: (1) that the building is in a condition that appears to constitute a fire or safety hazard or to be dangerous to life, health or other property; (2) that a hearing (required by NCGS 153A-368) will be held before the inspector at a designated place and time, not less than 10 days after the date of the notice, at which time the owner is entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; (3) that following the hearing, the inspector may issue an order to repair, enclose, vacate or demolish the building, as appropriate.

If the name or whereabouts of the owner cannot after due diligence be discovered, the notice shall be considered properly and adequately served if a copy thereof is posted on the outside of the building in question at least ten (10) days before the date of the hearing and a notice of the hearing is published at least not later than one week before the hearing

in the newspaper of general circulation in Surry County.

6. Following the hearing required by N.C.G.S. 153A-368, if the inspector finds the building to be in a condition that constitutes a fire or safety hazard or renders it dangerous to life, health or other property, he shall issue a written order directed to the owner of the building requiring the owner to remedy the defective conditions by repairing, enclosing, vacating or demolishing the building, or by taking other necessary steps, within such period, not less than sixty (60) days, as the inspector may prescribe. If the inspector finds there is imminent danger to life or other property, he may order the corrective action to be taken in such lesser time as may be feasible.
7. An owner may appeal the inspector's order requiring owner to remedy the defective condition to the Board of County Commissioners by giving written notice of appeal to the inspector and the Clerk to the Board within ten (10) days following the day the order is issued. In the absence of an appeal, the order of the inspector is final. The Surry County Board of Commissioners shall hear any appeal within a reasonable time and may affirm, modify and affirm or revoke the order.
8. If the owner of the building fails to comply with the order issued pursuant to G.S. 153A-369 for which no appeal has been taken, or fails to comply with the order of the Surry County Board of Commissioners following an appeal, he shall be prosecuted pursuant to G.S. 153A-371 as a Class 1 misdemeanor.
9. The inspector, with the assistance of the County Attorney and the District Attorney, may initiate any appropriate action or proceeding to prevent, restrain, correct or abate the action and to prevent occupancy of the building or structure involved when owner's violation has been adjudicated as a misdemeanor or infraction for which owner is guilty or responsible.
10. The Surry County Inspections Department shall keep complete and accurate records of each application received, each permit issued, each inspection and re-inspection made and each defect found, each certificate of compliance granted, and all other work and activities of the Department. These records shall be kept in a manner and for the periods prescribed by the North Carolina Department of Cultural Resources. The Department shall submit periodic reports to the Surry County Board of Commissioners and to the Commissioner of Insurance as the Board or the Commissioner may require.

This policy shall become effective this the 7th day of February, 2005, upon its adoption by the Surry County Board of Commissioners by a motion of Commissioner Harrell, said motion seconded by Commissioner Miller and a vote on the proposal was 4 (Ayes) 0 (Nays).

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

Sheriff Connie Watson recognized Jim McHone, Roger Cook and Joey Floyd on their retirement for their faithful years of service to the County.

Wayne Black recognized Norma Poore for her faithful years of service to the County.

The Board took a fifteen-minute recess.

The Board resumed regular business.

Tony Childs, AIG, addressed the Board on AIG VALIC retirement benefits. Mr. Childs stated that he wanted to provide information to County employees on a 457 retirement plan.

The Board discussed the current retirement plans offered by the County.

It was the consensus of the Board for the Assistant County Manager for Budget and Finance to present information to the Board at the March 7, 2005 meeting on the current retirement plans with the County.

The County Manager addressed the Board regarding the Workforce Development Center pre-construction conference held on January 31, 2005. Mr. Sammons stated that the contract was executed and work had begun.

The County Manager addressed the Board regarding the Parks and Recreation vacant position. Mr. Sammons stated that the County had received 29 applications.

The County Manager addressed the Board regarding estimates for the newspaper inserts for the annual CEDS report. No action was taken.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve and release the following closed session minutes:

August 4, 2003	Item #5
April 19, 2004	Item #4
August 16, 2004	Item #4 and #5
September 20, 2004	Item #3
October 4, 2004	Item #2, #3, and #4
December 6, 2004	
October 18, 2004	Item #1, #2, and #3
November 4, 2004	Item #1, #2, #3, #4, and #5
November 15, 2004	Item #3 and #4

December 20, 2004 Item #1, #2, #3, #4, #6, and #7
January 3, 2005 Item #1 and #2

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the following resolution regarding changing the meeting location on March 7, 2005 to Elkin High School.

RESOLUTION

WHEREAS, the Surry County Board of Commissioners received an invitation from the Elkin School Board to host its regular Board meeting at the Elkin High School in Elkin; 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; and

NOW THEREFORE BE IT RESOLVED, that the Surry County Board of Commissioners will conduct its March 7, 2005 regular meeting at the Elkin High School Auditorium beginning at 6:00 p.m.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the following Board and Commissions appointments:

- Appoint Joan Sanders to serve on the Region I Aging Council with the term expiring February 28, 2007.
 - Appoint Bobby Moser to serve on the Nursing Adult Care Homes Community Advisory Committee replacing Helen Bryant.
 - Appoint Blanche Waddell to serve on the Nursing Adult Care Homes Community Advisory Committee replacing Leanne Mitchell.
 - Appoint Richard Wagner to serve on the Airport Authority replacing Steven Woronoff.
 - Appoint Tracy Hayes to the Agriculture Districts Committee.
 - Appoint Charles Boles to the Natural Resources Committee.
 - Appoint Bern Schumak to the Natural Resources Committee.
 - Reappoint Linda Speight, Cathy Knight, Carolyn McMillian and Tammy Loman to the Nursing Adult Care Homes Community Advisory Committee.
 - Reappoint Gene Everett to the Dobson Planning Board.
-

Upon motion of Chairman Johnson, seconded by Commissioner Miller, the Board voted unanimously to go into closed session to consult with the County Attorney, discuss personnel, and economic development.

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

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve a performance agreement to be mailed to the Rural Center for water and sewer around Exit 93 on I-77, contingent upon a review and revisions made by the County Attorney and County Manager.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve a two-step merit increase for Elke Ragland, Health and Nutrition Center, from grade 67-4 to grade 67-6, effective February 1, 2005.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve for the Sheriff's Office to reclassify position #431043 from a Administrative Secretary V (grade 61) to a Secretary IV (grade 59) and to fill the position at grade 59-7 to a selected individual.

Larry Hill addressed the Board in behalf of the Employees Benefits Committee requesting consideration of an increase from the County of up to 75% on individual health insurance. Mr. Hill also asked the Board to consider a cost of living adjustment for County employees.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to adjourn at 9:55 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of February 21, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on February 21, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Chris Knopf, Planning Director
Adrienne Dollyhigh, County Planner
Tammy Johnson, Water and Sewer Projects Coordinator
David Stone, Health Director
Board of Elections Directors and Employees
Martha Brintle, Information Technology Director
Sheldon Stanley, Computer Systems Technician
News Media
Other Citizens

Chairman Johnson called the meeting to order. Commissioner Fred O'Neal delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested that the Board consider the minutes of the February 7, 2005 meeting. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the correction that the Clerk to the Board made to the Galaxy Filters resolution which was approved on February 7, 2005. The change was made before the resolution was imported into the February 7, 2005 minutes. The correction total was changed from \$15,000 to \$17,206.40.
2. Approve the following from the Tax Department:
 - Total releases for the month ending 01-31-05 in the amount of \$18,302.30.
 - Total refunds for the month ending 01-31-05 in the amount of \$14,090.49.
 - Total real and personal property discoveries for the month ending 01-31-05 in the amount of \$5,669.47.
 - Total motor vehicle discoveries for the month ending 01-31-05 in the amount of \$1,168.83.
 - Collect November, 2004 vehicle renewals in the amount of \$250,320.73.

3. Approve the Health and Nutrition Center to adjust the In-Home Aide rate from \$14.20 to \$14.40.
4. Approve Reta Nichols and Cathy Wiles to serve on the Child Fatality Prevention Team as requested by the Health Director.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve the Tax Department request to add an additional surplus vehicle for a new Appraiser. The surplus vehicle is a 1999 Ford Crown Victoria.
2. Approve budget change no. 17 as follows:

Change #17

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on February 21, 2005.

ACCOUNT		PREVIOUS		REVISED
CODE	DESCRIPTION	AMOUNT	CHANGE	AMOUNT
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>Emergency Management</u>				
1054330	51030 Salaries & Wages Part-Time	0	5,000	5,000
1054330	56010 Equipment	0	13,000	13,000
	Increase departmental total.	78,039	18,000	96,039
<u>Planning and Development</u>				
1054910	51010 Salaries and Wages	159,387	15,490	174,877
1054910	51040 Salary Reserve	2,126	(2,126)	0
1054910	51050 Personnel Expansion	1,175	(1,175)	0
1054910	51300 Social Security	10,300	420	10,720
1054910	51310 Medicare	2,400	120	2,520
1054910	51330 Retirement	8,000	600	8,600
1054910	51350 Group Insurance	7,600	2,200	9,800
1054910	52010 Supplies and Materials	6,000	3,000	9,000
1054910	52900 Small Equipment	0	1,200	1,200
1054910	54010 Travel/Training	3,500	1,000	4,500
	Increase departmental total.	237,428	20,729	258,157
<u>Adult Primary Care</u>				
1055148	51010 Salaries and Wages	71,500	72,050	143,550
1055148	51300 Social Security	5,400	4,214	9,614
1055148	51310 Medicare	1,300	985	2,285
1055148	51330 Retirement	5,200	4,078	9,278
1055148	51350 Group Insurance	5,800	7,673	13,473
1055148	51720 Contracted Services	21,974	15,000	36,974
1055148	52020 Medical Supplies	500	20,000	20,500
1055148	52025 Medical Supplies - Grant	0	18,435	18,435
1055148	54250 Postage	0	100	100
1055148	57550 Medical Assistance	5,000	5,000	10,000
	Increase departmental total.	165,874	147,535	313,409
<u>Diabetes Grant</u>				

1055152	51010 Salaries & Wages	6,300	400	6,700
	Increase departmental total.	46,000	400	46,400

Cancer Control Program

1055158	51010 Salaries and Wages	46,591	15,800	62,391
	Increase departmental total.	106,594	15,800	122,394

Maternal Health Program

1055162	51030 Salaries and Wages Part-Time	40,000	8,112	48,112
1055162	51350 Group Insurance	15,450	500	15,950
1055162	51010 Salaries and Wages	160,325	(4,334)	155,991
1055162	51040 Salary Reserve	4,166	(4,166)	0
	Increase departmental total.	276,966	112	277,078

Transfers to Other Funds

1059810	59240 Transfer to Water/Sewer	1,335,746	(20,729)	1,315,017
	Decrease departmental total.	10,885,453	(20,729)	10,864,724

REVENUE

1044330	42300 Emergency Management Grant	11,000	14,600	25,600
1044330	44114 Hazmat Fees	10,000	3,400	13,400
1045148	42350 Patient Fees-Medicare	0	100	100
1045148	43187 Community Health Grant	0	147,435	147,435
1045152	42350 Patient Fees-Medicare	0	100	100
1045152	42351 Patient Fees-Medicaid	0	100	100
1045152	44160 Patient Fees	0	100	100
1045152	44200 Patient Fees-Private Ins.	0	100	100
1045158	44551 Susan G.Komen Grant	15,000	15,800	30,800
1045162	44160 Patient Fees	1,200	112	1,312
	Increase fund totals	60,127,491	181,847	60,309,338

WATER & SEWER FUND

EXPENDITURES

1154922	59675 Water/Sewer Reserve	460,746	(20,729)	440,017
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REVENUE

1144922	49800 Transfer from General Fund	1,335,746	(20,729)	1,315,017
	Decrease fund totals	1,834,955	(20,729)	1,814,226

SCHOOLS' CAPITAL OUTLAY FUND

EXPENDITURES

3655912	57030 Mt. Airy Chiller/Comp. (New)	0	9,800	9,800
3655912	57169 Elkin Admin. Roof	23,050	9,736	32,786

REVENUE

3645912	49831 Trans. From CR-MA Chiller (New)	0	9,800	9,800
3645912	49860 Trans. From CR-Elkin Admin. Roof	23,050	9,736	32,786
	Increase fund totals	1,983,813	19,536	2,003,349

SCHOOLS' CAPITAL RESERVE FUND

EXPENDITURES

3755918	59159	Trans. To Co. Elkin Admin. Roof	23,050	9,736	32,786
3755918	59164	Trans. To Co. -MA Chiller (New)	0	9,800	9,800
3755918	59500	Contingency	0	5,000	5,000

REVENUE

3745918	49900	Unencumbered Balance	742,264	24,536	766,800
		Increase fund total.	3,796,119	24,536	3,820,655

3. Approve budget change no. 18 as follows:

Change #18

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on February 21, 2005.

<u>ACCOUNT</u>			<u>PREVIOUS</u>		<u>REVISED</u>
<u>CODE</u>		<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CHANGE</u>	<u>AMOUNT</u>
<u>GENERAL FUND</u>					
<u>EXPENDITURES</u>					
<u>Non-Departmental</u>					
1054199	59510	General Fund Contingency	232,401	(19,000)	213,401
		Decrease departmental total	1,087,503	(19,000)	1,068,503
<u>Board of Elections</u>					
1054170	51010	Salaries and Wages	75,434	14,000	89,434
		Increase departmental total	340,546	14,000	354,546
<u>Economic Development Commission</u>					
1054920	55650	Miscellaneous	0	5,000	5,000
		Increase departmental total	90,000	5,000	95,000
<u>Health Department Administration</u>					
1055110	51010	Salaries and Wages	26,711	(17,900)	8,811
1055110	51020	Longevity Pay	1,100	(316)	784
1055110	51050	Personnel Expansion	4,734	(4,525)	209
1055110	51300	Social Security	7,750	(1,315)	6,435
1055110	51310	Medicare	1,815	312	
1055110	51310	Medicare	1,815		
1055110	51310	Medicare	1,815	(312)	1,503
1055110	51330	Retirement	7,500	(900)	6,600
1055110	51350	Group Insurance	4,175	(1,990)	2,185
		Decrease departmental total	147,167	(27,258)	119,909
<u>Health Department Building</u>					
1055112	51010	Salaries and Wages	0	27,258	27,258
		Increase departmental total	29,000	27,258	56,258

The above action does not change fund totals

Requests from the Planning Director:

1. Approve the Riverchase: Section Four, Five and Six (final) twenty-one lot subdivision.
2. Approve the Bill, William H. and Charles M. Tucker (final) three-lot subdivision.

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.

Gary York addressed the Board regarding the Flat Rock/Bannertown water and sewer.

The County Manager stated that the County and City had negotiated a new water and sewer agreement which meets the USDA requirements and that there would be a formal signing tomorrow at City Hall at 10:00 a.m.

Gary York addressed the Board regarding tourism. Mr. York stated that the Board had discussed a Tourism Committee last year and that he would like to for the committee to be appointed and move forward with tourism in Surry County. Mr. York asked the Board if they would support a visitor's center at an interchange.

It was the consensus of the Board for the County Manager to follow up on the tourism progress and report back to the Board.

Jeff Cockerham, YVEDDI, addressed the Board regarding new routes for transportation services for Adult Development Vocational Programming. Lifespan has voluntarily provided transportation to approximately fifty percent of the participants in the program for years and provides this service under a contract with Crossroads Behavioral Healthcare. Mr. Cockerham stated that Lifespan will not pay for the transportation services and that individuals would have to pay for the services. Mr. Cockerham also stated that if any individual has problems with the payments, YVEDDDI will assist the individual.

Martha Brintle, Information Technology Director, introduced Sheldon Stanley, the new Computer System Technician.

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

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments for the 2005 funding for the North Carolina Community Development Block Grant Program.

Rebecca Kassner, Housing Director, presented facts pertaining to the new round of funding for 2005 Block Grant.

Chairman Johnson asked for comments from the public.

No one spoke on the Block Grant Program.

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

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously for the Housing Director to file an application for the North Carolina Community Development Block Grant Program.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments for the closing of the 2002 Scattered Site Community Development Block Grant Program.

Rebecca Kassner, Housing Director, presented facts pertaining to the completion of the 2002 Scattered Site Community Development Block Grant Program.

Chairman Johnson asked for comments from the public.

No one spoke on the Block Grant Program.

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

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously for the Housing Director to close the Scattered Site Community Development Block Grant Program.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning ZCR272. The parcel site is 1.15 acres of parcel 5915-00-93-8687. The property owner is Tony R. Tilley and Charles D. Thomas. The property is currently zoned RA. The petition is to rezone the property to CB.

Adrienne Dollyhigh, County Planner, presented the facts pertaining to the rezoning. Ms. Dollyhigh stated that the Planning Board recommended denial of the petition.

Chairman Johnson asked for comments from the public.

Charles Thomas and Tony Tilley spoke in favor of rezoning.

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

Upon motion of Commissioner Hunter, seconded by Commissioner Johnson, the Board voted unanimously to approve the rezoning as submitted.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning text amendments 31-33.

Chris Knopf, Planning Director, presented information regarding the zoning text amendments.

Chairman Johnson asked for comments from the public.

No one spoke on the text amendments.

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

The Board discussed the zoning text amendments.

Commissioner Miller introduced the following Amendments concerning the Surry County Zoning Ordinance, and moved the adoption of the Amendments. The motion was seconded by Commissioner Hunter.

SURRY COUNTY
ZONING ORDINANCE

PROPOSED AMENDMENT TO ARTICLE 11 OF THE
SURRY COUNTY ZONING ORDINANCE.

Article 11, "Table of Uses" shall be amended to include the following uses in the following zoning districts:

RA (Rural Agricultural)

Conditional Uses

Agriculture cultural center
Agritainment
Country inn
Eco-tourism enterprise
Farm markets
Farm-based tourism enterprise
Wedding chapel
Wine tasting room

CP (Conservation Protected)

Conditional Uses

Agriculture cultural center
Agritainment
Country inn
Eco-tourism enterprise
Farm markets
Farm-based tourism enterprise

RB (Rural Business)

Permitted Uses

Eco-tourism enterprise
Farm-based tourism enterprise
Farmer's market, community scale
Wedding chapel

Conditional Uses

Country inn

CB (Community Business)

Permitted Uses

Agriculture cultural center
Agritainment
Country inn
Eco-tourism enterprise
Farm-based tourism enterprise
Farmer's market, community scale
Wedding chapel

Conditional Uses

Wine tasting room

HB (Highway Business)

Permitted Uses

Agriculture cultural center
Agritainment
Country inn
Eco-tourism enterprise
Farm-based tourism enterprise
Farmer's market, regional scale
Farmer's market, community scale
Wedding chapel
Wine tasting room

MI (Manufacturing Industrial)

Permitted Uses

Agriculture cultural center
Agritainment
Eco-tourism enterprise
Farm-based tourism enterprise
Farmer's market, regional scale
Farmer's market, community scale
Wine tasting room

AMENDMENT 32

SURRY COUNTY
ZONING ORDINANCE

PROPOSED AMENDMENT TO ARTICLE 16 OF THE
SURRY COUNTY ZONING ORDINANCE.

Article 16, "Conditional Uses", Section 8 shall be amended to include the following statements:

Agricultural Cultural Center

Zoning Districts: RA, CP

Site Standards:

1. The minimum lot area for an agricultural cultural center
2. shall be 10 acres.
3. Structures, storage areas, and parking areas associated with the agritainment enterprise shall be setback at least 75 feet from all property lines and public rights-of-way. The Planning Board may require greater setbacks on a case-by-case basis.
4. All storage areas associated with the enterprise shall not be visible from adjoining or nearby properties or any public rights-of-way.

Screening and Fencing: The portion of the property utilized for the cultural center and its associated activities shall be screened from adjacent properties used or zoned for residential or agricultural purposes. These buffers must meet the requirements of Article 18 (Buffers and Screening) of this Ordinance. However, if the cultural center is located in a state or federally designated historic structure then screening and fencing devices shall not be required if it will injure the structure's historic integrity as the it relates to the property.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. Retail goods may be sold as an incidental option so as that the items sold are related to the cultural center. This includes a gift shop, snack bar, etc.
2. Any activities associated with the cultural center shall be subject to the Surry County Noise Ordinance.
3. Festivals related to the cultural center may be held no more than four (4) times per year on-site. Intent to convene festivals on-site shall be disclosed on the site plan and the owner shall submit documentation that complies with the Surry County Mass Gathering Ordinance with the application for a Conditional Use Permit.

Agritainment

Zoning Districts: RA, CP

Site Standards:

1. The minimum lot size for this type of use shall be 10 acres.
2. Structures associated with the agritainment enterprise shall be setback at least 75-feet from all property lines and public rights-of-way. The Planning Board may require greater setbacks on a case-by-case basis.
3. Shall only be permitted in conjunction with agriculture support and services directly associated with on-going agricultural activity on-site.
4. The agritainment enterprise shall be operated and maintained by the owner, operator, or occupant of the farm on which it is located. Multiple properties in common ownership are acceptable for agritainment as long as they are considered a single farm entity.
5. The total square footage of all structures associated with the agritainment enterprise shall not exceed 2,000 square feet for lot sizes up to 50 acres. The total square footage of all structures associated with the agritainment enterprise shall not exceed 4,000 square feet for lot sizes over 50 acres. Use of an historic structure may be permitted in conjunction with the enterprise and may be exempt from the minimum square footage requirements. The structure must be listed as historically significant in the County's historic properties inventory, on file in the County Planning Department.
6. All storage areas associated with the enterprise shall not be visible from adjoining or nearby properties or any public rights-of-way.

Screening and Fencing: The portion of the property utilized for the enterprise and its associated activities shall be screened from adjacent properties used or zoned for residential or agricultural purposes. These buffers must meet the requirements of Article 18 (Buffers and Screening) of this Ordinance.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. Retail goods may be sold as an incidental option so as that the items sold are related to the agritainment enterprise. This includes a gift shop, snack bar, etc.
2. Any activities associated with the agritainment enterprise shall be subject to the Surry County Noise Ordinance.

Country Inn

Zoning Districts: RA, CP, RB

Site Standards:

1. Minimum lot sizes are as follows:
 - a. 5 acres - 15 guest rooms or less
 - b. 10 acres - 16-30 guest rooms
 - c. 20 acres - 31-60 guest rooms
 - d. 40 acres - 61 or more guest rooms
2. The structure, storage areas, and parking areas shall be setback at least 75-feet from all property lines and rights-of-way.
3. The owner or manager shall provide full-time management of the premises at all times when guests occupy the establishment.
4. The establishment may contain a full-service restaurant, in addition to guestrooms, that provide meal service to guests and the general public. The restaurant may not exceed 25% of the total floor area of the country inn.
5. Development of a country inn shall architecturally reflect the character of its surroundings; development should mesh well with surrounding properties.
6. There shall be no less than one (1) bathroom, consisting of a bath or shower, water closet, and lavatory for every two (2) guestrooms.

Screening and Fencing: The portion of the property utilized for the country inn and its associated activities shall be screened from adjacent properties used or zoned for residential or agricultural purposes. These buffers must meet the requirements of Article 18 (Buffers and Screening) of this Ordinance. However, if the country inn is located in a local, state, or federally designated historic structure then screening and fencing devices shall not be required if it will injure the structure's historic integrity as the it relates to the property.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. If the country inn is proposed to be new construction, floor plans and renderings of the proposed façade shall be submitted with the application. If the country inn is proposed to locate in an existing structure, floor plans, pictures of the structure, and renderings of any proposed façade improvements shall be submitted with the application.
2. Any activities associated with the country inn shall be subject to the Surry County Noise Ordinance.

Eco-tourism Enterprise

Zoning Districts: RA, CP

Site Standards:

1. All structures, accessory structures, assembly areas, parking areas, recreation areas, trails, etc., shall be setback 75-feet from all property lines and rights-of-way.
2. Any outdoor storage areas shall be hidden from view from any adjoining or nearby properties and any public rights-of-way.
3. Enterprise development site shall be in close proximity to the natural feature or ecosystem to which it provides access.
4. Enterprise development shall be designed to aesthetically compliment the natural feature/ecosystem it serves so that the impact on the natural feature/ecosystem is minimal.

Screening and Fencing: The portion of the property utilized for the enterprise and its associated activities shall be screened from adjacent properties used or zoned for residential or agricultural purposes. These buffers must meet the requirements of Article 18 (Buffers and Screening) of this Ordinance.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. Retail goods may be sold as an incidental option so as that the items sold are related to the eco-tourism enterprise. This includes a gift shop, snack bar, etc.
2. Any activities associated with the eco-tourism enterprise, whether on-site, or off-site, shall be subject to the Surry County Noise Ordinance.

Farm-Based Tourism Enterprise

Zoning Districts: RA, CPSite Standards:

1. The minimum lot size for a farm-based tourism enterprise shall be as follows:
 - a. 10 acres - No more than 150 visitors/customers per day.
 - b. 40 acres - No more than 300 visitors/customers per day.
 - c. 80 acres - More than 600 visitors/customers per day.
2. Overnight lodging associated with the enterprise shall comply with the requirements for "Bed and Breakfast" facilities found in Article 16, Section 8 of this Ordinance.
3. Structures, storage areas, and parking areas associated with the enterprise shall be setback at least 75 feet from all property lines and public rights-of-way. The Planning Board may require greater setbacks on a case-by-case basis.
4. Shall only be permitted in conjunction with an existing, working farm. Enterprise shall be incidental to the activities of the farm.
5. The enterprise shall be operated and maintained by the owner, operator, or occupant of the farm on which it is located. Multiple properties in common ownership are acceptable for farm-based tourism enterprises as long as they are considered a single farm entity.
6. All storage areas associated with the enterprise shall not be visible from adjoining or nearby properties or any public rights-of-way.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. Retail goods may be sold as an incidental option so as that the items sold are related to the enterprise. This includes a gift shop.
2. Any activities associated with the enterprise shall be subject to the Surry County Noise Ordinance.

Farm Markets

Zoning Districts: RA, CP

Site Standards:

1. The minimum lot size for a farm market shall be as follows:
 - a. 10 acres - No more than 150 visitors/customers per day.
 - b. 40 acres - No more than 300 visitors/customers per day.
 - c. 80 acres - More than 600 visitors/customers per day.
2. Hours of operation shall be limited to 7:00 a.m. to 6:00 p.m. each day.
3. Structures, storage areas, and parking areas associated with the market shall be setback at least 75 feet from all property lines and public rights-of-way. The Planning Board may require greater setbacks on a case-by-case basis.
4. Shall only be permitted in conjunction with an existing, working farm. Farm market shall be incidental to the activities of the farm.
5. The market shall be operated and maintained by the owner, operator, or occupant of the farm on which it is located. Multiple properties in common ownership are acceptable for agritainment as long as they are considered a single farm entity.
6. All storage areas associated with the market shall not be visible from adjoining or nearby properties or any public rights-of-way.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Additional Requirements:

1. A minimum of 50% of the products sold must be agricultural products produced on-site.
2. Shall only be an accessory use to the working or active farm; farm market cannot be the principal use on the property/properties.

Wedding Chapel

Zoning Districts: RA

Site Standards:

1. All structures, accessory structures, parking areas, assembly areas, etc., shall be setback twice (2x) the applicable setbacks for the corresponding zoning district.
2. Facility may consist of the wedding chapel and banquet rooms for receptions only.

Lighting: Outdoor lighting shall be designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Screening and Fencing: The property utilized for the wedding chapel and its associated activities shall be screened from adjacent properties. These buffers must meet the requirements of Article 18 (Buffers and Screening) of this Ordinance.

Operational Requirements:

1. Outdoor assembly areas shall be designed to soften noise related to on-site activities from negatively affecting adjoining or nearby properties.
2. Receptions such as wedding/baby showers, church-related events, etc. shall also be permitted within the facility. Owner should consult with the Zoning Administrator on proposed events not associated with a wedding for compliance with this Ordinance before holding said event.

Wine Tasting Room

Zoning Districts: RA, CB

Site Standards:

1. Facility must be operated in association with an existing vineyard (bona fide farm) located on the same property, or multiple adjoining properties in same ownership.
2. Facility must be located in such a manner that visual impact to adjoining properties used or zoned for residential or agricultural purposes is minimal.
3. All structures, buildings, storage areas, etc. (except fences or walls) associated with the wine tasting facility must be set back a minimum of seventy-five (75) feet from all property lines or street rights-of-way.

Lighting: Outdoor lighting shall be so designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Screening and Fencing: All parking and storage areas, as well as the wine tasting room itself, shall be screened from adjoining properties used or zoned for residential or agricultural purposes. If existing topography and natural vegetation does not provide an existing visual barrier, selective screening may be required. Screening shall meet the requirements of Article 18 (Buffers and Screening).

Additional Requirements:

1. Associated small-scale processing or catering facilities (i.e. cheese making, restaurant) which may enhance the overall property in relation to tourism, may be permitted on a case-by-case basis by the Planning Board. The Planning Board shall hold a public hearing and upon approval issue a site plan amendment to the Conditional Use Permit for each use. Associated uses are subject to the above requirements as well.
2. Festivals to be held in conjunction with the wine tasting room may occur no more than four (4) times per year on-site. Intent to convene festivals on-site shall be disclosed on the site plan and the owner shall submit documentation that complies with the Surry County Mass Gathering Ordinance with the application for a Conditional Use Permit. Maximum occupancy for any on-site festival shall also be disclosed.

Article 16, "Conditional Uses", Section 8, requirements for the use "Winery" shall be replaced with the following and shall read as follows:

Winery

Zoning Districts: RA, CB

Site Standards:

1. Facility must be operated in association with an existing vineyard (bona fide farm) located on the same property, or multiple adjoining properties in same ownership.
2. Facility must be located in such a manner that visual impact to adjoining properties used or zoned for residential or agricultural purposes is minimal.
3. All structures, buildings, storage areas, etc. (except fences or walls) associated with the winery must be set back a minimum of seventy-five (75) feet from all property lines or street rights-of-way. The Planning Board may require greater setbacks on a case-by-case basis for large-scale wineries.
4. A facility serving as an established Cooperative Winery may be permitted without the presence of an on-site vineyard, if, in the Board's estimation, the facility will benefit, cater to, and serve the independent vineyards of Surry County, and surrounding areas. Cooperative Wineries shall be allowed in commercial zoning districts regardless of the existence of an on-site vineyard.

Lighting: Outdoor lighting shall be so designed so as to minimize light from directly hitting adjacent property or any public right-of-way.

Screening and Fencing: All parking and storage areas, as well as the winery itself, shall be screened from adjoining properties used or zoned for residential or agricultural purposes. If existing topography and natural vegetation does not provide an existing visual barrier, selective screening may be required. Screening shall meet the requirements of Article 18 (Buffers and Screening).

Additional Requirements:

1. Festivals to be held in conjunction with the winery may occur no more than four (4) times per year on-site. Intent to convene festivals on-site shall be disclosed on the site plan and the owner shall submit documentation that complies with the Surry County Mass Gathering Ordinance with the application for a Conditional Use Permit. Maximum occupancy for any on-site festival shall also be disclosed.
2. The maximum number of bottles to be produced and/or total volume of wine to be produced on-site shall be disclosed on the site plan.

AMENDMENT 33

SURRY COUNTY
ZONING ORDINANCE

PROPOSED AMENDMENT TO ARTICLE 30 OF THE
SURRY COUNTY ZONING ORDINANCE.

Article 30, "Definitions", Section 1 shall be amended to include the following definitions and terms:

AGRICULTURE CULTURAL CENTER. A facility established for the purpose of educating the public about agricultural activities, and/or the heritage and culture of agricultural activities. In addition, this definition shall also include a museum dedicated only to agriculture themes and living historic farm sites/properties.

AGRITAINMENT. Events and activities that allow for recreation, entertainment, and tourism in conjunction with agriculture support and services directly associated with on-going agricultural activities on-site that are for-profit. Events and activities include the following: hay rides, corn mazes, hay mazes, petting zoos (farm animals only), living historical farms, farm tours (for profit), and agricultural festivals.

AGRITOURISM. Farm-related enterprises that operate for the enjoyment and education of the public which bring together tourism and agriculture. Enterprises include those that are for-profit and those that are provided free of charge to the public.

CORN MAZE. A recreational facility that creates a labyrinth utilizing an agricultural product such as corn to create a system of paths. Definition shall apply to "Hay Mazes" as well.

ECO-TOURISM ENTERPRISE. Tourism activities and facilities which focus on visitation and observation of our education about natural history, indigenous ecosystems, native plant or animal species, natural scenery, or other features of natural environment. Eco-tourism enterprises may include cultural activities related to such activities or work projects that tend to conserve or safeguard the integrity of a natural feature, habitat, or ecosystem. Facilities for an eco-tourism enterprise may include recreational outfitters. Eco-tourism tends to result in a minimal or positive impact on the features observed or visited or tends to produce economic benefits from conservation.

FARM-BASED TOURISM ENTERPRISES. For-profit tourism activities that focus on the visitation of farms by allowing visitors to experience farm life or providing a service to visitors that showcases and sales the yield or products grown on the farm. Use which fall under this definition include, but not limited to, farm markets, homegrown restaurants, and participatory farms.

FARM MARKETS. An accessory use to a working or active farm which includes the sale of horticulture or agricultural products, including, perennial, annuals, bulbs, dried flowers, compost, Christmas trees, fresh produce, honey, cider, and similar agricultural products. A minimum of 50% of the products sold must be agricultural products produced on-site. Farm markets shall be operated on the parcel or one of the parcels of the working farm.

FARMER'S MARKET, COMMUNITY-SCALE. A facility that is 4,999 square feet in size or smaller that offers for sale fresh agricultural products directly to the consumer in a market setting that caters to the immediate community. Farmer's markets include multiple vendors who offer homegrown produce raised by the vendor or produce bought by the vendor on consignment, for retail sale.

FARMER'S MARKET, REGIONAL-SCALE. A facility that is 5,000 square feet in size or larger that offers for sale fresh agricultural products directly to the consumer in a market setting that caters to a regional area. Farmer's markets include multiple vendors who offer homegrown produce raised by the vendor or produce bought by the vendor on consignment, for retail sale.

HOMEGROWN RESTAURANT. Farm-based, tourism driven restaurants that serve food and beverages primarily to customers seated at tables or counters located within the building or designated outdoor seating areas. At a minimum, 50% of the food which is served at this type of restaurant must be grown on-site, or on nearby farms in the same ownership.

PARTICIPATORY FARMS. Farm-based, tourism-driven enterprises where individuals or groups pay to participate on a working farm or dude ranch.

WINE TASTING ROOM. A facility in which wine products grown or processed on the owner's property may be tasted and sold. This definition shall also include the following associated uses as permitted: gift/retail sales, assembly areas, meeting rooms, dining and catering facilities, and a restaurant facility, if expressly requested and permitted.

Article 30, "Definitions", Section 1, definition of the term "Winery" shall be replaced with the following and shall read as follows:

WINERY. A manufacturing facility or establishment engaged in the processing of grapes to produce wine or wine-like beverages.

David Stone, Health Director, introduced Leanne Webb, School Health Educator.

Leanne Webb briefed the Board regarding youth obesity and the accomplishments and achievements with the school health environment. Ms. Webb stated that the grant which provides funding for the project would expire soon and that she is seeking other grant sources.

The Board applauded Ms. Webb for her excellent work with the school systems and asked her to seek grant opportunities so the program can continue.

Juanita Daber, Appearance Commission Chairman, gave a status report on the Appearance Commissions. Ms. Daber discussed the membership, amendments to the bylaws and recent activities.

Dr. Tim Farley, Mount Airy City Schools Superintendent, addressed the Board regarding a renovation proposal in the amount of \$3,720,000 for the Mount Airy High School. Dr. Farley gave an overview of the high school and discussed cost projections for the renovation/addition. Dr. Farley has met with Ross Bush of Construction Control Corporation to discuss the project.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously for the Assistant County Manager for Budget and Finance to pursue funding for up to 3.5 million dollars in improvements, subject to the Mount Airy Schools working with Construction Control Corporation to contain the cost.

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

James Freeman, Kevin Thomas, Mary Watson, Angie Crews, Susan Jarrell, Libby Tilley, Pam Miller, Gary Brown, Joann Holder, and Lisa Morgan for their commitment, dedication and hard work to the Board of Elections and the citizens of Surry County during the 2004 election.

The Board took a fifteen-minute recess.

The Board resumed regular business.

Chris Knopf briefed the Board regarding the site assessment and master plan work for the Interstates Water and Sewer District at the I-77, I-74 and NC Hwy 89 interchange area. Mr. Knopf outlined the planning principles, transportation accessibility, target use analysis and the quality of life as a return on investment.

Chris Knopf introduced Rhonda Collins, who is serving as a representative of the property owners at the interchange area. Mrs. Collins thanked the Board members for everything they had done to help with the project.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to accept North Carolina's Front Porch interstates site assessment and master plan as a conceptual plan and guideline and asked the project team to pursue all applicable grant possibilities.

Chris Knopf, Planning Director, introduced Tammy Johnson as the new Water and Sewer Projects Coordinator.

The County Manager addressed the Board regarding the Shoals Recreation Center's ten-year lease renewal.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously for the Chairman to execute the lease renewal and forward to the Shoals Recreation Center for execution.

The County Manager briefed the Board on the Flat Rock/Bannertown water and sewer joint meeting that will be held at 10:00 a.m. on Tuesday, February 22, 2005 with the City of Mount Airy for the signing of the new water and sewer agreement.

The County Manager addressed the Board regarding the Lowgap Ruritans' desire to donate the Lowgap Ruritan building to the County or to YVEDDI with a reverter clause to the County.

It was the consensus of the Board for the Parks, Recreation and Maintenance Department to come back with a recommendation.

The County Manager briefed the Board on the Domestic Violence Office locating to the Historic Courthouse as of April 1, 2005. A contract is being prepared by the County Attorney.

The County Manager reported to the Board on the Dell Groundbreaking Ceremony on February 23, 2005 at 2:00 p.m.

Commissioner O'Neal addressed the water drainage problem around the basement at the Historic Courthouse. Commissioner O'Neal stated that some of the problem was from large shrubbery planted outside the facility.

It was the consensus of the Board for the shrubbery to be removed and taken to Fisher River Park.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously for the County Manager to write a resolution to the General Assembly members regarding the proposed cigarette tax.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, 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 Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the following requests:

- Increase the Inspections Department budget by \$4,000.
 - Approve a salary increase for the Grand Jury Officer from minimum wage plus \$1.00 per hour to minimum wage plus \$3.00 per hour effective March 1, 2005.
 - Approve a one-step merit increase for Jennifer Crouse from 57-9 to 57-10 due to completion of certification for Deputy Register of Deeds effective March 1, 2005.
 - Approve a one-step merit increase for Linda Dodson from 57-1 to 57-2 due to completion of certification for Deputy Register of Deeds effective March 1, 2005.
-

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to recess until 9:30 a.m., Tuesday, February 22, 2005 at the Human Service Center for a sign photo ceremony at the Workforce Development Center and then move to City Hall at 10:00 a.m. to hold a joint meeting with the City of Mount Airy for the signing of the new Flat Rock/Bannertown water and sewer agreement.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of February 22, 2005

The Surry County Board of Commissioners met in a reconvened session at 9:30 a.m. on February 22, 2005 with Community College Officials at the Workforce Development Center for photo opportunities in front of the new project signs. The Commissioners moved to Mount Airy City Hall at 10:00 a.m. for the approval and execution of the new Flat Rock/Bannertown Water and Sewer Agreement. The meeting was held at Mount Airy City Hall, 300 South Main Street, Mount Airy, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jim Miller, and Commissioner Craig Hunter.

Commissioner Jim Harrell, Jr. and Commissioner Fred O'Neal were not present due to unavoidable conflicts.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
City Officials
News Media
Other Citizens

Mayor Jack Loftis welcomed everyone and thanked W.T. Sorrell, Area Specialist, U.S.D.A. Rural Development for attending and for his help during the process.

Mayor Loftis turned the meeting over to Chairman Johnson. Chairman Johnson reconvened the February 21, 2005 Board of County Commissioners meeting. The County Manager briefed everyone on the need for there to be three separate approvals of the Flat Rock/Bannertown agreement one by the Board of County Commissioners, one by the City of Mount Airy and one by the Flat Rock/Bannertown Water and Sewer District.

Chairman Johnson asked the Board their pleasure on the approval of the new Flat Rock/Bannertown water and sewer agreement.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to accept the agreement as drafted.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously for the Board of Commissioners to recess for five-minutes.

Mayor Loftis stated that the meeting had been properly advertised and the Mount Airy Board of Commissioners adopted the water and sewer agreement as drafted.

Chairman Johnson asked for a motion to recess as the Surry County Board of Commissioners.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to recess as the Board of Commissioners and reconvene as the Flat Rock/Bannertown Water and Sewer District Board of Directors.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board of Directors of the Water and Sewer District voted unanimously to adopt the water and sewer agreement as adopted by the Board of County Commissioners and the City of Mount Airy.

The County Manager asked the Flat Rock/Bannertown Water and Sewer District Board of Directors to establish a new application deadline for the special offer early sign up period.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to extend the special offer sign up period through April 30, 2005.

The County and City Officials thanked everyone for their hard work during the process of negotiating the new agreement.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to recess as the Flat Rock/Bannertown Water and Sewer District Board of Directors and reconvene as the Surry County Board of Commissioners.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to recess until February 28, 2005 at 6:30 p.m. at the Surry County Government Center, 118 Hamby Road, Dobson, North Carolina, to conduct interviews.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of February 28, 2005

The Surry County Board of Commissioners met in a reconvened session at 6:30 p.m. on February 28, 2005 at the Surry County Government Center, Commissioners' Meeting Room, Dobson, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jimmy Miller, Commissioner Dr. Jim Harrell, Commissioner Craig Hunter, and Commissioner Fred O'Neal.

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

Macon C. Sammons, Jr., County Manager
Sandy Snow, Human Resources Officer

Chairman Johnson called the meeting to order.

The County Manager addressed the Board regarding the education summit to be held Friday, March 4, 2005.

Upon motion of Commissioner Miller, seconded Commissioner O'Neal, the Board voted unanimously to get into closed session to interview four candidates for the Parks and Recreation Director position.

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

There was no further business to come before the Board.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to recess until March 3, 2005 at 3:00 p.m. for an economic development announcement at Piedmont Triad West Industrial Park. The meeting was recessed at 10:38 p.m.

Macon C. Sammons, Jr.
County Manager

Surry County Board of Commissioners
Meeting of March 3, 2005

The Surry County Board of Commissioners met in a reconvened session at 3:00 p.m. on March 3, 2005. The meeting was held at Piedmont Triad Industrial Park, Mount Airy, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jim Miller, and Commissioner Fred O'Neal.

Commissioner Jim Harrell, Jr. and Commissioner Craig Hunter were not present due to unavoidable conflicts.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
News Media
Other Citizens

The Board gathered for an economic development announcement by Sanford Jordan of the North Carolina Department of Commerce.

Gerard's Bakery of Colorado announced that they would be locating their first east coast bakery to the shell building in the Piedmont Triad West Business Park in Mount Airy. The Bakery would provide approximately 108 jobs, approximately \$7 million in investment, with production slated to begin in January, 2006.

Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously to adjourn following the announcement.

Macon Sammons, Jr.
County Manager

Surry County Board of Commissioners
Meeting of March 7, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on March 7, 2005. The meeting was held at the Elkin High School, 334 Elk Spur Street, Elkin, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandy Snow, Human Resources Officer
Rhonda Nixon, Financial Planner/Internal Auditor
Martha Brintle, Information Technology Director
Cathy Booker, Tax Administrator
Dr. Ashley Hinson, Surry County Schools Superintendent
Dr. Tim Farley, Mount Airy City Schools Superintendent
Dr. Barry Shepherd, Elkin City Schools Superintendent
Various School Officials
News Media
Other Citizens

Chairman Johnson called the meeting to order. Commissioner Jim Harrell delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board consider the minutes of the February 21, 22 and 28, 2005 meetings. Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the following resolution requesting Meadowlark Road Extension to be added to the Secondary Road System.

N. C. DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED
SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road Name: Meadowlark Road Extension

WHEREAS, the attached petition has been filed with the Surry County Board of Commissioners, requesting that the above named road be added to the Secondary Road System; and

WHEREAS, the Board is of the opinion that the above described road should be added to the Secondary Road System, if the road meets

minimum standards and criteria established by the Highway Division of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners that the Highway Division is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

- 2. Approve the Chairman to sign a North Carolina Governor's Highway Safety Grant from the Sheriff's Office and approve the following resolution:

NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM
LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the Surry County Sheriff's Office (herein called the "Agency") has completed an application contract for traffic safety funding; and that the County of Surry (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE Surry County Board of County Commissioners in open meeting assembled in the County of Surry, Dobson, North Carolina,

This 7th of March, 2005 as follows:

- 1. That the project referenced above is in the best interest of the Governing Body and the general public; and
- 2. That Surry County Sheriff's Office is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$9,969 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
- 3. That the Governing Body has formally appropriated the cash contribution of \$0 as required by the project contract; and
- 4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's High Safety Program; and
- 5. That certified copies of this resolution be included as part of the contract referenced above; and
- 6. That this resolution shall take effect immediately upon its adoption.

- 3. Approve the following resolution opposing cigarette tax:

A RESOLUTION IN SUPPORT OF ALCOHOLIC BEVERAGE AND TOBACCO LEVIES AS
A MEANS OF FINANCING LOCAL MEDICAID COST AND ADDITIONAL STATE
FUNDING OF LOCAL PUBLIC SCHOOLS

WHEREAS, the Governor and members of the General Assembly are considering an additional thirty five cents per pack tax on cigarettes as a means of raising additional funds with which to balance the State budget, and;

WHEREAS the growing of tobacco has long been a primary source of agricultural income to the farmers of Surry County, and;

WHEREAS, many more local residents work or have worked in jobs related to cigarette manufacturing, distribution and sales, and;

WHEREAS, the Surry County Board of Commissioners (hereinafter the Board) recognize that for the well-being of State and local governments, additional means of raising revenue must be found; and,

WHEREAS, the Board feels that in light of existing State and local obligations including the State and local cost of Medicaid and of operating public schools, additional but equitable taxes must also be placed on alcoholic beverages as well as tobacco,

WHEREAS, the Surry County Board of Commissioners has placed its two highest legislative priorities on State funding to eliminate County Medicaid payments and to provide proper State funding of public schools.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby support the proposed increase in cigarette taxes if a commensurate levy is also placed on alcoholic beverages, and if the additional revenue is used to provide Counties with relief from the local expense of Medicaid, a cost which among the 50 States is only borne by North Carolina and New York counties, and to meet the requirements of State funding of local public schools.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve budget change no. 20 as follows:

Change #20

Budget Ordinance at their meeting on March 7, 2005.

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>Criminal Justice Discretionary</u>				
1054318	56600 Other Improvements	0	12,200	12,200
	Increase departmental total.	0	12,200	12,200
<u>Homeland Security Grant</u>				
1054336	51030 Part-time Salaries and Wages	7,000	2,400	9,400
1054336	51500 Professional Services	130	2,342	2,472
1054336	51720 Contracted Services (New)	0	1,000	1,000
1054336	52010 Supplies & Materials	7,752	603	8,355
	Increase departmental total.	141,610	6,345	147,955
<u>Citizens Corps. Grant (New)</u>				
1054346	52010 Supplies & Materials	0	4,500	4,500
1054346	54010 Travel/Training	0	500	500
1054346	54350 Printing	0	500	500
	Increase departmental total.	0	5,500	5,500
<u>Emergency Medical Supplies</u>				
1054370	52010 Supplies & Materials	117,420	1,000	118,420

1054370	52025	Supplies & Materials - Grant	3,105	1,000	4,105
		Increase departmental total.	3,016,556	2,000	3,018,556

REVENUE

1044318	42345	Criminal Justice Discretionary	0	12,200	12,200
1044336	42328	Homeland Security Grant	141,610	6,345	147,995
1044346	42311	Citizen Corps. Grant (New)	0	5,500	5,500
1044370	48900	Miscellaneous	0	2,000	2,000
		Increase fund totals.	60,309,338	26,045	60,335,383

GENERAL FUND - SHERIFF NARCOTICSEXPENDITURES

1854311	52026	Supplies & Materials -BVP Grant	0	6,324	6,324
		Increase departmental totals.	39,000	6,324	45,324

REVENUE

1844311	42329	Bulletproof Vest Grant	0	6,324	6,324
		Increase fund totals.	39,000	6,324	45,324

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.

George Saylor addressed the Board and stated that he is in favor of school consolidation.

Chairman Johnson thanked Dr. Shepherd and staff for providing the Board with a wonderful meal and for hosting the meeting at the Elkin High School.

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

John Hedrick, Northwestern Regional Library Director, updated the Board on activities at local libraries. Mr. Hedrick stated that the circulation for 2003-2004 was 646,069. Mr. Hedrick also discussed the remote access with NC LIVE, which helps provide resources to individuals on various subjects and types.

Fred O'Neal entered the meeting at 6:40 p.m.

Dr. Ashley Hinson, Surry County Schools Superintendent, addressed the Board regarding school improvements. Dr. Hinson stated that the school system held nine community meetings to allow the citizens to voice their concerns for the school facilities. 808 individuals attended the community meetings. Dr. Hinson also stated that the Surry County School System was gaining 150 students per year. Dr. Hinson requested authorization to apply for Qualified Zone Academy Financing (QZAB) up to \$2,000,000.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the request for the Surry County School System to apply up to a maximum cap of \$2,000,000 QZAB funds, with the following stipulations: contingent upon the Surry County Schools Finance Officer and staff working with the Assistant County Manager for Budget and Finance on how the monies are to be spent and the timing of the debt.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to allocate up to a maximum of \$3.5 million to the Surry County School System to utilize the funds as the school board deems necessary, contingent upon the Surry County School System working with Construction Control Corporation to keep the cost at a minimal and for the Surry County Schools Finance Officer and staff to work with the Assistant County Manager for Budget and Finance on the timing of the debt.

Martha Brintle, Information Technology Director, presented a request from the Board to purchase a server in the amount of \$17,403. The server will be used for new centralized permitting software.

Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously to approve the request.

Jeff Park, Mountain Park Youth Foundation, presented information to the Board on a proposed practice facility that would be located on the Mountain Park School property. The property is in timber and consists of approximately 4 acres. Mr. Park stated that he had addressed the Surry County School Board in the subject.

It was the consensus of the Board for Chairman Johnson and Commissioner Harrell to meet with the Mountain Park Youth Foundation and look at the property.

Upon motion of Commissioner Harrell, seconded by Commissioner Johnson, the Board voted unanimously to get a boundary survey contingent upon a favorable report from Chairman Johnson and Commissioner Harrell. The funds for the survey would come from the General Fund Contingency.

Dr. Tim Farley, Mount Airy City School Superintendent, presented a request for a \$1.8 million QZAB.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the request for the Mount Airy City School System to apply for up to a maximum of \$1.8 million QZAB monies, with the timing of the debt to be determined in collaboration with the Assistant County Manager for Budget and Finance.

The Board took a fifteen-minute recess.

The Board resumed regular business.

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

Hayden Moxley for serving on the Planning Board from 1989 until 2005, 16 dedicated years.

Sam Erby, Jr. for serving as the Division 11 Board Member of the North Carolina Department of Transportation for the past eight years. The Board commended Mr. Erby for his dedication in helping to obtain more than \$1 billion for transportation projects in Division 11.

Steven Caudill, Sarah Neaves, Cathy Anderson, Kayla Fulp, Brett Gordon, Amy Boswell, Morgan Robertson, Tiffany Golding, Jillian Kowalcik, Alyson Chrisley, Kayla Thomas, Jill Refvem, Megan Priddy, Sarah Brannock, Katie McKee, Joe Gitt, Trevor Metscher, Nicholas Talluri, and Aaron Sawyers for representing Surry County as a All-State Swimmer at the North Carolina High School Athletic Association 1-A/2-A Swimming and Diving Championship.

Steven Caudill for winning State Championships in the 200 Individual Medley and the 100 Butterfly, setting State records in both events.

Coach Oz Prim, Coach Leah Tunstall, Coach Amber Flippen, and Coach Joanna Refvem for their leadership, service and dedication in the development of young Surry County athletes, resulting in their attainment of numerous outstanding performances in the North Carolina High School Athletic Association 1-A/2-A Swimming and Diving Championships.

Betty Taylor, Assistant County Manager for Budget and Finance, presented a request for various furniture from Judge Mark Badgett.

Upon motion of Commissioner Miller, seconded by Chairman Johnson, the Board voted unanimously to approve the purchase of a desk and chair, contingent upon all other such requests coming from the Chief Judge.

Betty Taylor, Assistant County Manager for Budget and Finance, addressed the Board regarding the request to declare six old police vehicles as surplus. Ms. Taylor stated that the Pilot Knob Volunteer Fire Department had requested to purchase one of the vehicles for \$1.00.

Upon motion of Commissioner Johnson, seconded by Commissioner Miller, the Board voted unanimously to allow Pilot Knob Volunteer Fire Department to purchase the 1998 Ford Crown Vic. Vin#2FAFP71WOWX119491 for \$1.00 and to surplus the other five vehicles and sell them on Gov. Deals.

Betty Taylor, Assistant County Manager for Budget and Finance, presented a request to the Board regarding the renewal of audit contracts with Martin Starnes and Associates. Ms. Taylor recommended the renewal be for a five-year term.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve Martin Starnes and Associates to continue audit services for a three years duration.

Betty Taylor, Assistant County Manager for Budget and Finance, presented a request from the Social Services Director regarding transferring \$8,773 of NCDOT Rural Transportation Funds to YVEDDI.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to allow the Social Services Department to transfer \$8,773 of NCDOT Rural Transportation Funds to YVEDDI.

Betty Taylor, Assistant County Manager for Budget and Finance, presented various 401K and deferred compensation plans.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously for the Assistant County Manager for Budget and Finance to present and get input from the Employee Representative Committee on the 401K and deferred compensation plans.

David Diamont expressed his concerns on the failure of the school bond and stated he was concerned that if the County funded the Mount Airy and Elkin school needs now a school bond would never pass in the future.

The County Manager addressed the Board regarding a resolution supporting Davie Construction for the building of the Workforce Development Center.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the following resolution:

Resolution supporting Davie Construction for the building of the Workforce Development Center

WHEREAS, the education of the residents of Surry County and surrounding area is one of the utmost importance's; and

WHEREAS, on April 7, 2003, the Surry County Board of Commissioner decided to team with Surry Community College and apply for a grant to build the Workforce Development Center; and

WHEREAS, bids were taken with Martin Boal Anthony and Johnson with Davie Construction being the low bidder to build the Workforce Development Center for \$1,678,930, including alternates #1, #2 and #3; and

NOW, THEREFORE BE IT RESOLVED that we, the Surry County Board of Commissioners endorse Martin, Anthony Boal and Johnsons recommendation of Davie Construction for this project.

BE IT FURTHER RESOLVED that this resolution be included in the minutes of the Surry County Board of Commissioners.

Commissioner Craig Hunter left the meeting at 8:30 p.m.

The County Manager presented information and a resolution from Ron Aycock, North Carolina Association of County Commissioners Executive Director, on support of a local option lottery that earmarks a portion of net proceeds for school construction. At least 25% of net proceeds would go to school construction in those Counties that approve the lottery in a referendum.

Commissioner Miller made the motion for the County Manager to contact Mr. Aycock regarding the Board wanting more than 25% of net proceeds to go toward school construction. The motion was seconded by Chairman Johnson.

The Board discussed the resolution.

Commissioner Miller withdrew his motion and Chairman Johnson withdrew his second.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously for the County Manager to write a letter to Mr. Aycock stating that the Board does not support the resolution as submitted.

The County Manager presented information on the White Goods Management Plan. The County Manager stated that under new State guidelines that localities accepting white goods as a part of the solid waste management program need to adopt a plan and that Public Works is planning to submit a grant application for State funds with which to implement parts of the White Goods Management Plan. The County Manager also stated that the Board needs to designate the current balance of State revenue for white goods, totaling \$26,902, to White Goods Disposal Plan funds.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to adopt the White Goods Disposal Plan and to designate the \$26,902 to the White Goods Disposal fund.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to endorse the filing of the White Goods Disposal grant application.

The County Manager briefed the Board on mobile units for Elkin City Schools. The County Manager stated that during the construction process three mobile units on the northwest side of Elkin High School will need to be removed and the Elkin School System will need to lease a used modular complex comprised of six to eight classrooms and with related restrooms for both boys and girls.

It was the consensus of the Board for the Elkin School System to lease the modular complex.

The County Manager addressed the Board regarding the Sheriff's Office turning over \$310,800 of awarded grant monies to the State for a Viper Radio System, and allowing the North Carolina Highway Patrol to handle the entire project including the purchase of equipment and installation of the radio tower. The State will allow the Sheriff's Office to use the needed space on the tower for local antennas and space in the building for radio equipment.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the funds being turned over to the State.

The Board discussed a request from an individual to change fire districts.

No action was taken.

The Board discussed the promotion of tourism and the forming of a committee which consists of Surry County, Stokes County, Wilkes County, Yadkin County, Alleghany County and Virginia Counties of Grayson, Carroll and Patrick.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously for the Chairman to write a letter to each County seeking interest on the promotion of tourism to the area.

The Board discussed the use of four-wheelers and dirt bikes on public highways and right-of-ways.

Upon motion of Commissioner Johnson, seconded by Commissioner Harrell, the Board voted unanimously for the County Manager to coordinate with the Sheriff's Office and the North Carolina Highway Patrol regarding resolving the issue.

The County Manager addressed the Board regarding recommendations from David Long on the preliminary economic development plan proposal.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to table the recommendations from Mr. Long until the Chairman writes letters to various Counties regarding tourism and receives responses.

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

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

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously for the County Manager to draft a policy, establishing when and under what circumstances any special merit pay increases would be considered by the Board.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to reappoint Wayne Draughn, Clark Comer and Curtis Taylor to the Planning Board.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to set a public hearing for a economic development incentive on March 21, 2005 at 6:00 p.m. or soon thereafter.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to offer the Parks and Recreation Director position to the selected candidate at Grade 73-7.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to adjourn at 9:35 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of March 21, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on March 21, 2005. 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 Jim Miller, Commissioner Craig Hunter and Commissioner Fred O'Neal.

Commissioner Jim Harrell, Jr. was unable to attend due to illness.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Chris Knopf, Planning Director
Adrienne Dollyhigh, County Planner
David Stone, Health Director
Jan Critz, Economic Development Partnership President
Wayne Black, Social Services Director
Susan Slate, Accounting Technician
Angie Harrison, Interim Park, Recreation and Maintenance Director
John Shelton, Emergency Services Director
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Chairman Paul Johnson delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the March 3 and March 7, 2005 meetings. Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the Social Services Department to use the parking lot at the Human Services Center to hold a car wash and bake sale on April 2, 2005 from 8:00 a.m. until 5:00 p.m. with the proceeds going to the March of Dimes.
2. Approve the Sheriff's Office to apply for the Bureau of Justice Assistance, Local Law Enforcement Block Grant and appoint Chief Deputy Jimmy Combs as the contact person.
3. Approve the Sheriff's Office to purchase two computer systems.
4. Approve the following from the Tax Department:

- Total releases for the month ending 02-28-05 in the amount of \$11,104.21.
 - Total refunds for the month ending 02-28-05 in the amount of \$2,883.42.
 - Total real and personal property discoveries for the month ending 02-28-05 in the amount of \$36,418.68.
 - Total motor vehicle discoveries for the month ending 02-28-05 in the amount of \$3,246.55.
 - Collect December, 2004 vehicle renewals in the amount of \$681,635.47.
 - Collect advertising cost set forth in tax books in the amounts and from the taxpayers likewise therein set forth, and such costs are hereby declared to be a first lien on all real or personal property of the respective taxpayers in the amount of \$14,735.
 - Approve the Tax Department to transfer \$3,779 from Mapping Supply line item to Maintenance/ESRI Maintenance/Support to cover the GIS SDE server maintenance and transfer \$5,759 from Advertising to Small Equipment to replace five computers.
5. Approve the following retiree resolution:

RESOLUTION

WHEREAS, Judith Harris was employed from January 2, 1992 until her retirement on February 28, 2005 as an employee of the Department of Social Services; and

WHEREAS, Mrs. Harris held the positions of Social Worker Trainee, Social Worker I, Social Worker II and Social Worker III; and

WHEREAS, Mrs. Harris was employed in several programs while at the Department of Social Services, including, Children's Services, the Job Opportunities and Basic Skills (JOBS) Program, the Work First Program, and as the Adult Home Specialist in the Adult Services Unit—a position she held from December 1, 1996 until her retirement; and

WHEREAS, during her tenure as Adult Home Specialist Mrs. Harris provided leadership to the adult care homes of Surry County and facilitated their adherence to policies, rules and regulations governing their licensing requirements; and

WHEREAS, Mrs. Harris consistently received excellent feedback for her Adult Care Home reviews from the N. C. Division of Facility Services; and

WHEREAS, Mrs. Harris always demonstrated compassion and respect for the children, families, older and disabled adults, adult care home staff and others with whom she had contact;

NOW, THEREFORE, BE IT RESOVED that the Board publicly commends Judith Harris 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 Judith Harris its best wishes for many years of happiness during her retirement.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve Emergency Services to apply for a supplemental HRSA grant and to purchase a triage/treatment tent with accessories.
2. Approve budget change no. 21 as follows:

Change #21

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on March 21, 2005.

<u>ACCOUNT</u>			<u>PREVIOUS</u>		<u>REVISED</u>
<u>CODE</u>		<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CHANGE</u>	<u>AMOUNT</u>
<u>GENERAL FUND</u>					
<u>EXPENDITURES</u>					
<u>Non-Departmental</u>					
1054199	59510	General Fund Contingency	213,401	(4,000)	209,401
		Decrease departmental total.	1,068,503	(4,000)	1,064,503
<u>Inspections</u>					
1054350	51010	Salaries & Wages	316,006	4,000	320,006
		Increase departmental total.	492,699	4,000	496,699
<u>Community Base Injury</u>					
1055121	51010	Salaries & Wages	154,447	420	154,867
		Increase departmental total.	231,368	420	231,788
<u>N.C. Cardiovascular Health</u>					
1055160	51350	Group Insurance	3,641	300	3,941
1055160	51500	Professional Services	20,500	250	20,750
		Increase departmental total.	100,000	550	100,550
<u>Family Planning Program</u>					
1055164	51010	Salaries & Wages	183,500	3,711	187,211
1055164	52020	Medical Supplies	45,055	3,723	48,778
1055164	54200	Telephone	1,500	75	1,575
1055164	54450	Laundry & Dry Cleaning	50	25	75
		Increase departmental total.	306,472	7,534	314,006
<u>Immunization</u>					
1055170	51010	Salaries & Wages	141,009	1,013	142,022
1055170	51350	Group Insurance	18,600	5,500	24,100
1055170	51720	Contracted Services (New)	0	200	200
		Increase departmental total.	260,784	6,713	267,497
<u>Child Service</u>					
1055178	51010	Salaries & Wages	125,000	1,300	126,300
		Increase departmental total.	168,399	1,300	169,699
<u>Environmental Health</u>					

1055181	51010	Salaries & Wages	302,560	1,500	304,060
		Increase departmental total.	418,533	1,500	420,033

Health Promotions

1055191	51010	Salaries & Wages	63,640	19,000	82,640
		Increase departmental total.	97,856	19,000	116,856

REVENUE

1045121	42365	CDC TB Control (New)	0	420	420
1045160	43309	NC Cardiovascular Health	100,000	500	100,500
1045160	48900	Miscellaneous (New)	0	50	50
1045164	42350	Patient Fees-Medicare (New)	0	100	100
1045164	42370	Family Planning	34,925	3,711	38,636
1045164	43301	Family Planning-State (New)	0	3,723	3,723
1045170	48900	Miscellaneous	1,000	6,713	7,713
1045178	43319	Child Service Coordination	28,712	1,300	30,012
1045181	43505	Childhood Lead Screening	0	1,500	1,500
1045191	48900	Miscellaneous	30,000	19,000	49,000
		Increase fund totals	60,335,383	37,017	60,372,400

Requests from the Human Resources Officer:

1. Approve the following retiree resolution:

RESOLUTION

WHEREAS, Linda B. Haney was employed from December 2, 1974 until December 4, 1978 and from January 1, 1979 until her retirement on February 28, 2005 as an employee of the County of Surry, serving in the departments of the Sheriff, Tax, Administration, Planning, and Finance; and

WHEREAS, Mrs. Haney held the positions of Secretary, Tax Lister, Assistant Purchasing Agent, Deputy Clerk to the Board, and Purchasing Agent - a position she held from January 1, 1993 until her retirement; and

WHEREAS, during her years of faithful service, Mrs. Haney has seen monumental growth and change in Surry County Government and has worked to bring efficiency, integrity, financial strength and accountability to the office of the Purchasing Agent; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend Mrs. Haney for the dedication and diversification she has shown in her duties during her thirty years of active service with Surry County; and

NOW, THEREFORE, BE IT RESOLVED that the Board commends Linda B. Haney for the professional manner in which she has served her fellow employees and 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 Linda B. Haney its best wishes for many years of happiness during her retirement.

2. Approve a Health and Nutrition Center employee an extension of leave without pay for medical reasons, from February 24, 2005 through March 31, 2005.
-

Commissioner Hunter entered the meeting at 6:07 p.m.

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.

Rick Marshall, 112 Country View Lane, Mount Airy, expressed his concerns about the issuance of a conditional use permit ZCR275 issued to Dean M. Dalton allowing 5 rodeos per year to be operated on a neighboring property.

Betty Taylor, Assistant County Manager for Budget and Finance, introduced Don Mitchell the newly appointed Purchasing Agent.

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

Reverend Andy Atkins requested permission to use the Historic Courthouse lawn on May 5, 2005 at noon for the National Day of Prayer.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to allow Reverend Atkins to use the lawn at the Historic Courthouse for the National Day of Prayer.

Robin Howell and Martha Norman, Surry Criminal Justice Partnership Program Advisory Board, addressed the Board on Surry County's FY 05-06 Criminal Justice Partnership Program Annual Plan. The plan outlined the upcoming year's goals, objectives and activities for Surry County's Pretrial Release and District Resource Center programs. The plan also included itemization of the State's FY 05-06 Criminal Justice Partnership Program grant allocation for Surry County. The grant will be combined with annual County budget allocations to fund the Pretrial Release and Resource Center programs. Ms. Howell asked for approval from the Board on the plan.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the FY 05-06 Criminal Justice Partnership Program Plan and accept the grant award.

Ross Bush, Construction Control Corporation, briefed the Board on the current status of capital facility plans for the Mount Airy City Schools, Elkin High School and Surry County Schools.

Attorney Edwin Woltz entered the meeting at 6:30 p.m.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on an economic incentive agreement.

Jan Critz, Economic Development Partnership President, briefed the Board on Gerard's Bakery project and the proposed incentives, which include \$158,234 in tax incentives and \$167,415 in land value.

Chairman Johnson asked for comments from the public on the incentive agreement.

Robin Rhyne, Advisory Board Member for Gerards, thanked the Board for the incentive and for all officials working closely together on the project.

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

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to approve the Chairman to sign the incentive agreement and approve the following resolution:

STATE OF NORTH CAROLINA

RESOLUTION

COUNTY OF SURRY

WHEREAS, there has been described to the Board of Commissioners ("Board") and Surry County, North Carolina ("County") a proposal for the City of Mount Airy (the "City") and Surry County to provide certain incentives to Gerard's Bakery, a North Carolina corporation ("Company"), in connection with the Company's investment of the building and equipment.

Proposed incentives to the Company include the following County appropriations and expenditures:

- A. Surry County's appropriation of \$325,648.90 would go toward building improvements and equipment purchases. The total amount to be expended by County to provide the incentive described above will not exceed \$325,648.90. An Incentive Agreement ("Agreement"), including or addressing the City, County and Company and describing proposed incentives in detail shall be executed subject to approval and review of the County Manager and County Attorney. A copy of the Agreement will be filed in the County's records.

Therefore, be it resolved by the Board of Commissioners of Surry County:

1. That the County hereby undertakes to provide certain incentives to the Company in connection with its investment within City's corporate limits, as described in the Agreement. The County hereby finds and determines that such undertaking will increase the taxable property and business prospects of the County.
2. The Chairman of the Surry County Board of Commissioners is authorized and directed to execute an Agreement in a form that has been approved by the County Manager and County Attorney and to deliver the same to the appropriate counter-parties and the Clerk of the Board of Commissioners is hereby authorized and directed to affix the County seal to the Agreement and attest the same. The Agreement shall be a form substantially as described above with such changes as may be approved by the Chairman of the Board of Commissioners. The Chairman's execution of the Agreement

shall constitute conclusive evidence of his approval of any change.

3. The Agreement in final form, however, must provide:
 - a. That the total amount to be expended by the County shall not exceed \$325,648.90;
 - b. That Company's minimum investments in plant and equipment shall not be less than \$5,000,000.
4. That County's payment to Company shall occur only after the Company provides evidence that its investment has met or exceeded the minimum investment required above.
5. The actions of the County officers and officials in conformity with the purposes and intent of the Resolution, and in furtherance of the execution and delivery of the Agreement and the consummation of the transactions contemplated thereby, are hereby ratified, approved and confirmed.
6. All other board proceedings, or parts thereof, in conflict with this Resolution or, to the extent of such conflict, hereby repeal.
7. This Resolution shall take effect immediately.

The County Manager addressed the Board regarding the proposed dates of April 11 and April 18 for budget work sessions.

It was the consensus of the Board to set April 11 and April 18 as budget work sessions.

The County Manager addressed the Board regarding the potential dates of April 15 or April 22 for a luncheon, tour, presentation, and joint meeting with Surry Community College officials at Surry Community College.

It was the consensus of the Board to go to Surry Community College for a luncheon on April 22.

The County Manager briefed the Board regarding the need for two Board members to serve on a Fire Department subcommittee.

It was the consensus of the Board for Chairman Johnson and Commissioner Harrell to serve on the Fire Department subcommittee.

The County Manager presented a resolution to the Board on the Interstates Water and Sewer Project for a potential \$400,000 grant from the North Carolina Rural Center.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the following resolution:

RESOLUTION

WHEREAS, The 1998 Critical Needs Bond Act has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater

collection systems, water supply systems, and water conservation projects; and

WHEREAS, Surry County has need for and intends to construct a publicly owned water and sewer system, consisting of water and sewer lines and supporting facilities serving the population of certain unincorporated areas of Surry County. This project will serve the residents, businesses and industries of the Interstates Water and Sewer District, a legally created water and sewer district of Surry County. The estimated cost of the project is \$3,920,000. When the project has been constructed, the system will be connected to the municipal water and sewer systems of the City of Mount Airy; and

WHEREAS, Surry County intends to request grant assistance from the Supplemental Grants Program for the project;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SURRY COUNTY:

That Surry County will be the governmental entity responsible for arranging financing for this project, through a combination of grants, loans, property owner participation, and County appropriations; and shall exert its best efforts to obtain full funding for the project in 2005-2006.

That Surry County will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Macon C. Sammons, Jr., County Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of Surry County with the North Carolina Rural Economic Development Center (Rural Center) for a grant to assist in the construction of the project described above.

That Macon C. Sammons, Jr., County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center may request in connection with such application or the project, to make the assurances as contained above, and to execute such other documents as may be required in connection with the application.

That Surry County has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

The County Manager discussed the progress at the Workforce Development Center and a lease agreement between the County of Surry and Surry Community College for the Workforce Development Center.

The County Manager addressed the Board regarding the reinstatement of the Volunteer Appreciation Banquet this spring. The Volunteer Appreciation Banquet was suspended in 2001 due to budget constraints.

It was the consensus of the Board to wait until after budget to schedule a Volunteer Appreciation Banquet.

The County Manager discussed the Ararat River Management Project and stated that the County owns five parcels in the flood plans and there is a need for easements.

It was the consensus of the Board for the County Attorney to look into the issue.

The County Manager briefed the Board on an Education Seminar with the North Carolina Association of County Commissioners Association on April 6, 2005 in Newton and April 14, 2005 in Asheboro.

The County Manager discussed the State Development Zone maps and qualifications.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning application no. ZCR319. The parcel site is 52.13 acres of tax parcel 5002-00-86-4136 and 5002-00-85-6185. The property owner is Robert J. Lovill III/Town and County Builders. The property is currently zoned RA. The petition is to rezone the property to RL.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously to approve the rezoning.

David Stone, Health Director, addressed the Board regarding a resolution in support of National Animal Control Appreciation Week, April 11-April 17, 2005.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the following resolution:

Resolution in support of
National Animal Control Appreciation Week
April 11th through 17th, 2005

The National Animal Control Association (NACA) is sponsoring the first ever-national effort to celebrate and promote the continuing upgrade and professionalism of Animal Control. As with other events designed to promote specific groups, professions, or other important causes NACA is pleased to provide all the necessary encouragement for all localities who would like to show their appreciation to their Animal Control agency to show off their pride and get the recognition for the important services these agencies provide to the citizens of Surry County.

Whereas this week of appreciation is being established to give recognition towards the hard-working men and women of Animal Control that risk their lives and spend huge amounts of personal resources including time away from family and friends while serving the public, and

Whereas this will be the week that these hard working and dedicated Animal Control Officers are honored in a way by having the whole community say, "Thank You", for helping, and

Whereas Animal Control Officers spend countless hours performing such tasks as saving lives in the community through prevention of rabies; protecting the welfare of helpless animals and pets that are rescued from injury, disease, and starvation; investigations of animal mistreatment, neglect and abuse; investigation of reports concerning nuisance and exotic animals; and the education of society through the promotion rabies vaccination, proper animal care and the spaying and neutering of animals, and

Whereas, Animal Control Officers and other employees in the field of Animal Control work and strive to serve the public as the frontline of defense to protect public health, ensure public safety, support the enforcement of law, and protect pets and people with education and intervention, and

Therefore let it be Resolved that the Surry County Board of Commissioners do hereby declare the week of April 11th through 17th, 2005 as Animal Control Appreciation Week in Surry County,

Therefore let it be further Resolved that the Surry County Board of Health and Board of Commissioners fully support and recognize the important work of Surry County Animal Control and that this week be used to educate and inform the community of the immense effort put forth by their Animal Control Officers.

David Stone, Health Director, addressed the Board regarding a resolution in support of Public Health Month April, 2005.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the following resolution:

Resolution in support of
Public Health Month

April 2005

Whereas, over the past 50 years, the United States has achieved significant increases in life expectancy and reductions in the incidence of injury, disability and disease;

Whereas, of the 30 additional years of life expectancy we have gained since the turn of the century, the public health approach is credited with the majority – approximately 25 years – of improvements in our health status and expanded life expectancy;

Whereas public health succeeds by identifying and addressing patterns of disease, illness and injury in populations;

Whereas the use of population-based strategies for disease and injury prevention, public health has contributed to the decline in illness and injury, including heart disease and stroke, tobacco related diseases, infectious diseases and motor vehicle and workplace injuries;

Whereas Public Health Month provides the focused opportunity for the public and public health professionals to learn about public health

concerns and success stories which are vital to healthy communities, such as immunizing against infectious disease, maintaining good nutritional standards and providing good prenatal care;

Whereas the Surry County Health & Nutrition Center is at work each day improving the health of our community, working with community partners to identify health care needs, seeking resources to solve identified problems and the daily practice of our motto "Caring for Our Community";

Whereas the Public Health Month theme for 2005 - Start With Your Heart: Eat Smart, Move More and Live Tobacco Free - seeks to help Surry County citizens overcome barriers to achieving good health through prevention, protection and planning to live longer, healthier lives.

Therefore let it be Resolved that the Surry County Board of Commissioners do hereby declare April 1-30, 2005 as Public Health Month in Surry County, commending this observance to all our citizens, with full support and recognition of the important work of the staff of the Surry County Health and Nutrition Center.

Wayne Black, Social Services Director, addressed the Board regarding growth in the Social Services Department and stated there is a need to purchase equipment for Social Services. Mr. Black also stated that the County only pays half the cost of the equipment and the State pays the other half. The following three requests were received:

	<u>Total Costs</u>	<u>County Costs</u>
▪ ID Badge System	\$ 3,145.35	\$ 1,575.68
▪ Cisco Switch	\$ 4,999.98	\$ 2,499.99
▪ Imaging System	\$204,921.16	\$102,460.58

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board unanimously to approve the request with the monies coming from the Social Services budget.

The County Manager briefed the Board on the upgrade of County computer operating systems and stated that the Information Technology Director will do a presentation to the Board at the April 4, 2005 meeting giving more detail on the proposed upgrade.

John Shelton, Emergency Services Director, addressed the Board regarding two high mileage ambulance replacements at the cost of \$89,078 each. Mr. Shelton stated that there was enough revenue collected in February, 2005 to purchase the ambulances.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously for the Emergency Services Director to replace a 1998 Freightliner, and two 1999 International ambulances with new type one units, surplus the three ambulances that are being replaced and try to negotiate a better price for the new ambulances.

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

Betty Taylor, Assistant County Manager for Budget and Finance, recognized Linda Haney for her many years of faithful service to the County.

Chairman Johnson recognized James Todd Butcher for his bravery and sacrifice while serving our Country in Operation Iraqi Freedom U.S. Army National Guard, serving from February 19, 2004 to February 5, 2005 in the Heavy Separate Brigade Headquarter Company 105th Engineer Battalion.

Chairman Johnson recognized Jonathan Todd Freeman for his bravery and sacrifice serving our Country in Operation Iraqi Freedom U.S. Army National Guard, serving from February 19, 2004 to February 5, 2005 in the 30th Heavy Separate Brigade Charley Company 230th Medical Support.

James Todd Butcher was also recognized for being selected as the 2004 Emergency Services Employee of the year.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to go into closed session for a brief economic development discussion.

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

The Board took a fifteen-minute recess and refreshments were served by the Homemakers Extension Service.

The Board resumed regular business.

Angie Harrison, Interim Parks, Recreation and Maintenance Director, briefed the Board on the newly revised summer recreation program guidelines and proposed program budget. Ms. Harrison stated there would be an extended day program at Dobson Elementary and that the purpose of the extended day program will address the need for full-time childcare and activity programming.

Upon motion of Commissioner Hunter, seconded by Commissioner O'Neal, the Board voted unanimously to approve the proposed budget and the revised summer recreation program.

Angie Harrison, Interim Parks, Recreation and Maintenance Director, addressed the Board on a request to purchase a 40HP tractor and a wire welder and trade in a 4100 lawn tractor which is currently being used. Ms. Harrison stated that the purchases would better equip staff for the wide array of projects encountered among all County buildings. Ms. Harrison also stated that she had received the following quotes on the tractor and welder:

Tractor:

Piedmont Tobacco Equipment Co.	\$16,299.19
Mount Airy Equipment Co.	\$19,575.28
Mount Airy Tractor of Virginia	\$21,638.00
Blue Ridge Ag & Turf Co.	\$23,818.00

Wire Welder:

Machine & Welding Supply Co.	\$1,118.15
National Welders	\$1,120.99
Linde Gas, LLC	\$1,123.29

Upon motion of Commissioner Johnson, seconded by Commissioner Miller, the Board voted unanimously to allow the Interim Parks, Recreation and Maintenance Director to purchase the tractor and welder at the lowest bids.

The County Manager updated the Board on the Flat Rock/Bannertown water and sewer applications.

The County Attorney addressed the Board regarding the Turner Mountain year to year tower site lease. The owners would like for the contract to be extended to a five-year lease and an increase in the lease payment.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to authorize the Assistant County Manager for Budget and Finance to pay an additional \$400.00 rent or \$2,400 for the current year and for the Assistant County Manager for Budget and Finance and the County Attorney to look at other communications tower use lease agreements as comparatives.

Upon motion of Commissioner O'Neal, seconded by Commissioner Johnson, the Board voted unanimously for all County contracts to be negotiated through the County Manager and County Attorney.

Upon motion of Commissioner Hunter, seconded by Commissioner O'Neal, the Board voted unanimously to approve the following appointments:

- Appoint Judith Gilley to the Aging Advisory Council.
 - Reappoint Anita Bullin and Don Miner to the Workforce Development Board.
 - Reappoint Commissioner Dr. Jim Harrell, Jr. and W. Rawley Amburn to the YVEDDI Board.
 - Reappoint Teresa Harbour, Bradley McIntyre, Brenda Holbrook, Gilda Pruitt, Virginia Rogers, Ron Riddle, Wayne Black, Donna Collins, Pat Younger, Wade Armstrong, Franklin Marquet, Jackie Deaton, Judy Gilley, Linda Gatchel, Don Belle, Barbara Starling and Betty Tesh to the Aging Planning Committee.
 - Reappoint Rebecca Mabe to the Nursing Adult Care Homes Community Advisory Committee.
 - Appoint Helen Marie Summerlin to the Nursing Adult Care Homes Community Advisory Committee.
-

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to go into closed session to discuss a legal matter with the County Attorney.

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

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to adjourn at 9:45 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of April 4, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on April 4, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Wayne Black, Social Services Director
Martha Brintle, Information Technology Director
Sheriff Connie Watson
Chris Knopf, Planning Director
Tammy Johnson, Water and Sewer Coordinator
Dr. Barry Shepherd, Elkin City Schools Superintendent
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Vice-Chairman Jimmy Miller delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board consider the minutes of the March 21, 2005 meeting. Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the Sheriff's Office to apply and accept the State Criminal Alien Assistant Program grant.
2. Approve the Chairman to sign the Health and Nutrition Center Consolidated Agreement.
3. Approve the Senior Services Faith in Action to use the parking lot at the Human Services Center on Saturday, September 24, 2005 with the proceeds going toward the Faith in Action Volunteer Program.
4. Approve the White Plains Volunteer Fire Department to receive a \$12,500 grant from the County to place a down payment on two trucks and various equipment.

Requests from the Assistant County Manager for Budget and Finance:

- 1. Approve amendment no. 1 to the Capital Project Ordinance for the Workforce Development Center as follows:

AMENDMENT #1
CAPITAL PROJECT ORDINANCE

Surry County Workforce Development Center Project

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 renovation and equipping of a new workforce development center located at the Surry County Human Services Center.

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.

Installment Financing (2003)	\$1,265,000
EDA Grant	<u>706,000</u>
Total Revenues	\$ 1,971,000

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

Architect and Other Fees	\$ 100,000
Renovation	1,678,930
Contingency	<u>192,070</u>
Total Appropriation	\$ 1,971,000

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 Board of Commissioners for use as provided by applicable law or regulation.

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

- 2. Approve the Social Services Director to purchase two laptop computers.

3. Approve budget change no.23 as follows:

Change #23

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on April 4, 2005.

<u>ACCOUNT</u>			<u>PREVIOUS</u>		<u>REVISED</u>
<u>CODE</u>		<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CHANGE</u>	<u>AMOUNT</u>
<u>SPECIAL TAX DISTRICTS</u>					
<u>EXPENDITURES</u>					
4055916	57500	Elkin City Schools	826,504	42,000	868,504
4155915	57500	Mount Airy City Schools	776,042	32,000	808,042
4254381	57500	Ararat Fire	82,594	6,000	88,594
4454384	57500	C.C. Camp Fire	99,025	7,000	106,025
4554383	57500	Central Surry Fire	155,216	9,000	164,216
4654385	57500	Four-Way Fire	162,228	9,000	171,228
4754386	57500	Franklin Fire	248,478	11,000	259,478
4854387	57500	Jotum Down Fire	89,551	5,000	94,551
4954388	55300	Mountain Park Fire	200	200	400
4954388	57500	Mountain Park Fire	108,678	7,800	116,478
5054389	57500	Pilot Knob Fire	108,352	11,000	119,352
5154390	57500	Shoals Fire	79,837	6,000	85,837
5254391	57500	Skull Camp Fire	144,685	10,000	154,685
5354392	57500	South Surry Fire	122,813	5,000	127,813
5454393	57500	State Road Fire	71,078	6,000	77,078
5554394	57500	Westfield Fire	59,990	5,000	64,990
5654395	57500	White Plains Fire	120,435	7,000	127,435
<u>REVENUE</u>					
4045916	41100	Elkin City Schools	805,504	40,000	845,504
4045916	41101	Elkin City Schools	12,000	1,000	13,000
4045916	41700	Elkin City Schools	5,000	1,000	6,000
4145915	41100	Mount Airy City Schools	752,042	30,000	782,042
4145915	41102	Mount Airy City Schools	5,000	1,000	6,000
4145915	41700	Mount Airy City Schools	5,000	1,000	6,000
4244381	41100	Ararat Fire	79,194	3,000	82,194
4244381	41101	Ararat Fire	2,000	1,000	3,000
4244381	41102	Ararat Fire	500	1,000	1,500
4244381	41700	Ararat Fire	1,000	1,000	2,000
4444384	41100	C.C. Camp Fire	96,725	5,000	101,725
4444384	41101	C.C. Camp Fire	1,500	500	2,000
4444384	41102	C.C. Camp Fire	500	1,000	1,500
4444384	41700	C.C. Camp Fire	500	500	1,000
4544383	41100	Central Surry Fire	147,516	3,000	150,516
4544383	41101	Central Surry Fire	5,000	3,000	8,000
4544383	41102	Central Surry Fire	1,500	2,000	3,500
4544383	41700	Central Surry Fire	1,500	1,000	2,500
4644385	41100	Four-Way Fire	154,528	4,000	158,528
4644385	41101	Four-Way Fire	5,000	1,000	6,000
4644385	41102	Four-Way Fire	1,500	2,000	3,500
4644385	41700	Four-Way Fire	1,500	2,000	3,500
4744386	41100	Franklin Fire	237,778	7,000	244,778
4744386	41101	Franklin Fire	7,000	1,000	8,000
4744386	41102	Franklin Fire	2,000	2,000	4,000
4744386	41700	Franklin Fire	2,000	1,000	3,000
4844387	41100	Jotum Down Fire	85,251	3,000	88,251
4844387	41102	Jotum Down Fire	500	1,000	1,500
4844387	41700	Jotum Down Fire	1,000	1,000	2,000
4944388	41100	Mountain Park Fire	103,878	4,000	107,878
4944388	41101	Mountain Park Fire	3,000	2,000	5,000
4944388	41102	Mountain Park Fire	1,000	1,000	2,000
4944388	41700	Mountain Park Fire	1,000	1,000	2,000
5044389	41100	Pilot Knob Fire	106,052	9,000	115,052
5044389	41101	Pilot Knob Fire	1,500	1,000	2,500
5044389	41102	Pilot Knob Fire	500	500	1,000
5044389	41700	Pilot Knob Fire	500	500	1,000
5144390	41100	Shoals Fire	78,537	4,000	82,537
5144390	41101	Shoals Fire	2,000	1,000	3,000
5144390	41700	Shoals Fire	500	1,000	1,500
5244391	41100	Skull Camp Fire	138,885	6,000	144,885
5244391	41101	Skull Camp Fire	4,000	2,000	6,000

5244391	41102	Skull Camp Fire	1,000	1,000	2,000
5244391	41700	Skull Camp Fire	1,000	1,000	2,000
5344392	41100	South Surry Fire	116,513	3,000	119,513
5344392	41102	South Surry Fire	1,000	1,000	2,000
5344392	41700	South Surry Fire	1,500	1,000	2,500
5444393	41100	State Road Fire	69,578	4,000	73,578
5444393	41101	State Road Fire	1,000	1,000	2,000
5444393	41102	State Road Fire	300	500	800
5444393	41700	State Road Fire	400	500	900
5544394	41100	Westfield Fire	57,390	3,000	60,390
5544394	41102	Westfield Fire	300	1,000	1,300
5544394	41700	Westfield Fire	500	1,000	1,500
5644395	41100	White Plains Fire	115,635	4,000	119,635
5644395	41101	White Plains Fire	3,000	1,000	4,000
5644395	41102	White Plains Fire	1,000	1,000	2,000
5644395	41700	White Plains Fire	1,000	1,000	2,000

Increase totals of Special Districts by \$179,000.

4. Approve budget change no. 24 as follows:

Change #24

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on April 4, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND EXPENDITURES</u>				
<u>Judicial Center Building</u>				
1054185 52010	Supplies & Materials	20,000	975	20,975
	Increase departmental total.	336,377	975	337,352
<u>Non-Departmental</u>				
1054199 59510	General Fund Contingency	209,401	(17,779)	191,622
	Decrease departmental total.	1,064,503	(17,779)	1,046,724
<u>Automated Systems Services</u>				
1054210 52900	Small Equipment	4,967	6,152	11,119
1054210 56010	Equipment	0	10,652	10,652
	Increase departmental total.	241,684	16,804	258,488
<u>Communications Center</u>				
1054325 53010	Buildings & Grounds Maintenance	8,400	800	9,200
	Increase departmental total.	726,113	800	726,913
<u>Emergency Management</u>				
1054330 51010	Salaries & Wages	44,730	1,200	45,930
1054330 51020	Longevity Pay	1,698	52	1,750
1054330 51030	Salaries & Wages Part-time	5,000	10,000	15,000
1054330 51300	Social Security	2,879	1,800	4,679
1054330 51310	Medicare	673	403	1,076
1054330 51330	Retirement	2,321	1,335	3,656
1054330 51350	Group Insurance	1,838	550	2,388
1054330 51500	Professional Services	7,000	3,960	10,960
1054330 54010	Travel/Training	3,000	700	3,700
	Increase departmental total.	96,039	20,000	116,039
<u>Emergency Medical Services</u>				
1054370 56010	Equipment	17,300	397,262	414,562
	Increase departmental total.	3,018,556	397,262	3,415,818
<u>REVENUE</u>				
1044000 48900	Miscellaneous	46,000	800	46,800

1044330	44114	Hazmat Fees	13,400	20,000	33,400
1044370	44110	EMS Fees	1,900,000	397,262	2,297,262
Increase fund totals.			60,372,400	418,062	60,790,462

GENERAL FUND-HOME (HUD) PROGRAM
EXPENDITURES

1454970	57195	Boone Trail Home Prog.(HUD)	400,000	1,000,000	1,400,000
1454970	57196	Program Returns	200,000	200,000	400,000

REVENUE

1444970	42348	Boone Trail-Home Program	400,000	1,000,000	1,400,000
1444970	44350	Boone Trail Program Income	200,000	200,000	400,000
Increase fund totals.			600,000	1,200,000	1,800,000

SHERIFF'S SPECIAL ACCOUNTS
EXPENDITURES

1654322	55655	Miscellaneous-Levy Account	65,000	15,000	80,000
1654322	55657	Miscellaneous-Special Events	22,000	20,000	42,000

REVENUE

1644322	48910	Misc. Revenue-Levy Account	65,000	15,000	80,000
1644322	48912	Misc. Revenue-Special Events	22,000	20,000	42,000
Increase fund totals.			91,000	35,000	126,000

EMERGENCY TELEPHONE FUND
EXPENDITURES

3454327	52010	Supplies & Materials	5,000	10,000	15,000
3454327	56010	Equipment	182,982	135,000	317,982

REVENUE

3444327	49900	Unencumbered Balance	0	145,000	145,000
Increase fund totals.			450,700	145,000	595,700

5. Approve budget change no. 25 as follows:

Change #24

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on April 4, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND EXPENDITURES</u>				
Judicial Center Building				
1054185	52010	Supplies & Materials	20,000	975
		Increase departmental total.	336,377	975
Non-Departmental				
1054199	59510	General Fund Contingency	209,401	-17,779
		Decrease departmental total.	1,064,503	-17,779
Automated Systems Services				
1054210	52900	Small Equipment	4,967	6,152
1054210	56010	Equipment	0	10,652
		Increase departmental total.	241,684	16,804

Communications Center 1054325 53010 Buildings & Grounds Maintenance	8,400	800	9,200
Increase departmental total.	726,113	800	726,913

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.

H.W. Golding stated that he resides at 3451 W. Pine Street, Mount Airy, and is concerned with the noise and drinking at the Rock Bottom bar establishment which is located at the corner of West Pine Street and Pine Ridge Road. Mr. Golding stated he was representing the Pine Ridge Community regarding the Surry County noise ordinance and would like to see the noise ordinance updated. Mr. Golding also stated that there were residents within 100 feet and three churches within 300 feet of the facility and the noise is affecting the area. Mr. Golding stated that he would like to know who issues alcohol licenses for the facility.

Sheriff Connie Watson stated that the Alcohol Law Enforcement issued the licenses for the facility. Sheriff Watson also stated he gives an opinion form to the State and does not control who get an alcohol license.

Terrill Spurlin stated that he resides at 123 Holden Road, Mount Airy and that he is also concerned with the noise at the Rock Bottom facility.

The County Manager introduced Mike Wetzel as the new Parks, Recreation and Maintenance Director.

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

Jim Yarbrough, Jr., Piedmont Authority for Regional Transportation, addressed the Board regarding the 2005 Policies and Actions for Regional Growth which consist of coordinating long range land use/transportation planning on a regional and local basis, direct a significant portion of future land use development to existing and proposed target nodes and transit corridors to support transit, integrate land use planning with infrastructure development, encourage redevelopment of infill and under invested areas. Mr. Yarbrough also requested the adoption of the following resolution concerning PART Land Use Policies. The Surry County Planning Department adopted a resolution concerning PART Land Use Policies on November 8, 2004.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the following resolution:

RESOLUTION CONCERNING PART LAND USE POLICIES

WHEREAS, the Piedmont Authority for Regional Transportation (PART) has been organized to promote regional cooperation in creating better transportation solutions for the region, and

WHEREAS, in order to create better regional transportation options, it is essential that supportive and complementary land development patterns be established, and

WHEREAS, there has been conducted a regional study identifying the most effective ways that land development and transportation can be coordinated, and

WHEREAS, PART has asked local planning boards and land use decision-making bodies in the Piedmont Triad area to either approve the recommended policies and actions from that study or to certify that the adopted comprehensive plan is consistent with those policies, and

WHEREAS, Surry County is a participating member government of PART;

NOW, THEREFORE, BE IT RESOLVED BY THE Surry County Board of Commissioners THAT:

The 2025 Policies and Actions are appropriate for regional land use and transportation planning in the Piedmont Triad, and the Board of Commissioners will work to coordinate the County comprehensive plan with those policies and actions.

Dr. Barry Shepherd, Elkin City Schools Superintendent, addressed the Board regarding funding for the Phase I construction/renovation needs at the Elkin High School. Dr. Shepherd stated that a plan was developed for sequencing construction that required a breakdown of Phase I in to 2 stages. Dr. Shepherd stated that Elkin City Schools is not eligible for Qualified Zone Academy Bonds as the Mount City Schools and Surry County Schools are, due to eligibility criteria. Dr. Shepherd requested \$4 million to complete phase I (a) of the Elkin High School project.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve \$3.5 million toward the Elkin City Schools for construction/renovation needs at the Elkin High School and for the Board to address the remaining funds requested during the budget process.

Brian Elam, North Carolina Forest Service, discussed the FY 06 budget for the Forest Service. Mr. Elam stated that Surry County has 345,178 acres of land and that 55% of that land is forestland.

Wayne Black addressed the Board regarding proclaiming April as Child Abuse and Neglect Prevention Month in Surry County.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to approve the following proclamation:

PROCLAMATION FOR CHILD ABUSE AND NEGLECT PREVENTION MONTH
IN SURRY COUNTY

WHEREAS, child abuse and neglect is a community problem and finding solutions depends on involvement among people throughout the community;

WHEREAS, approximately five million children are reported as abused or neglected in this country each year;

WHEREAS, approximately 114,000 children are reported as abused or neglected in North Carolina each year;

WHEREAS, approximately 900 children are reported as abused or neglected in Surry County each year;

WHEREAS, 30 children were victims of child abuse homicide in North Carolina during the year 2003;

WHEREAS, the effects of child abuse and neglect are felt by whole communities and need to be addressed by the entire community;

WHEREAS, effective child abuse and neglect prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community;

WHEREAS, all citizens should become aware of the negative effects of child abuse and neglect and its prevention within the community and become involved in supporting parents to raise their children in a safe, nurturing environment;

NOW, THEREFORE, the Surry County Board of Commissioners does hereby proclaim April, 2005 to be "Child Abuse and Neglect Prevention Month" in Surry County and calls upon citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to prevent child abuse and neglect, thereby strengthening the communities in which we live.

Wayne Black, Social Services Director, addressed the Board regarding proclaiming April 24-30, 2005 as Appreciation Week for the Surry County Department of Social Services Employees.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the following proclamation:

PROCLAMATION
APPRECIATION WEEK
FOR SURRY COUNTY DEPARTMENT OF SOCIAL SERVICES EMPLOYEES

APRIL 24 - 30, 2005

WHEREAS, dedicated men and women with the Surry County Department of Social Services provide services and support for thousands of our citizens; and

WHEREAS, these Social Services professionals accomplish many goals in their life's work: they provide financial and

medical assistance for those unable to meet basic needs; protect children, older adults and the disabled; guide the needy toward self-maintenance through education and job placement; assure that children receive financial support from their parents who are legally responsible for that support; offer services to children, older adults and the disabled that enhance their quality of life; and provide administrative support for program operations; and

WHEREAS, Social Services professionals are dedicated to improving the quality of life for the citizens of Surry County. They also strive to improve the delivery of services and to operate social services programs as efficiently and effectively as possible;

NOW, THEREFORE, the Surry County Board of Commissioners does hereby proclaim April 24 - 30, 2005, as "APPRECIATION WEEK for SURRY COUNTY DEPARTMENT OF SOCIAL SERVICES EMPLOYEES" and urge our citizens to recognize these professionals and commend them for their efforts.

Martha Brintle, Information Technology Director, updated the Board on the Blue Prince central permitting software from Builder Radius, that Environmental Health, Planning and the Inspections Department have been viewing. Ms. Brintle stated that the software would not support the Fire Marshal's Office and there are questions as to whether it will support the needs of Environmental Health and Planning.

Ms. Brintle and the Board discussed various software that could support Environmental Health, Planning, Inspections and the Fire Marshal's Office.

It was the consensus of the Board for the Information Technology Director to set up a meeting with the Department Heads users, County Manager and a representative from NovaLIS Software to view their software for central permitting to see if it will support all the above departments.

Martha Brintle, Information Technology Director, addressed the Board regarding the need for all users to be on the same operating system (in lieu of the 3 now in use) and the same version of Microsoft Office software. Ms. Brintle stated that Information Technology Department had been looking at an Enterprise Agreement which would allow all users to be on the Microsoft XP operating version and the Microsoft Office 2003, with the cost consisting of \$230.75 per computer. This will reduce the present cost of \$501.65 that is currently being paid per new computer to be placed on the County network.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to enter into a Microsoft Enterprise Agreement contingent upon being able to terminate with Microsoft Select Agreement with SHI.

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

Jenny Triplett, Habitat for Humanity, recognized Carmen Long, Cooperative Extension Office, for teaching Home Buying and Maintenance Classes for Habitat for Humanity families.

Joann Larkins, YVEDDI, presented service pins to Vice-Chairman Miller for his faithful 15 years of service while serving on the YVEDDI Board and Commissioner Jim Harrell for his faithful 10 years of service while serving on the YVEDDI Board.

Wayne Black, Social Services Director, recognized the following individuals:

Ann Walker, Becky Hunter, Deborah Vipperman, Debra Lauritsch, H. Lee Merritt, Jr., Janet Sumner, Lisa Jackson, Marilyn Snow, Scarlett Chaney, and Tina Gammons for their support of families in Surry County through their efforts in helping to assure that regular child support payments are received by approximately 2,800 children, for helping increase child support payments by 9.9% in 2004, an increase of \$277,119 over the previous year, for their diligent efforts in enabling the Surry County Child Support Enforcement Program to pass the \$3 million mark, collecting a total of \$3,069,155 in 2004 and for being a productive member of the Surry County Child Support Enforcement Team working toward the achievement of the seven (7) Federal Incentive Goals and helping lead Surry County and North Carolina toward a Five Year Journey to Excellence in the Child Support Program.

The Board took a fifteen-minute recess.

The Board resumed regular business.

The County Manager briefed the Board on the Turner Mountain Lease Agreement and stated that the lease increase from \$2,000 to \$2,400 per year with a five year lease term.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the lease agreement.

The County Manager presented an amendment to the Personnel Ordinance regarding a conflict of interest policy for Surry County and stated that the awarding of the Capacity Grant Agreement for the Interstates Water and Sewer Districts project is contingent upon the Board's adoption of the conflict of interest amendment.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to amend the Personnel Ordinance adopted on November 3, 2003 by making the following addition: Article V: Conditions of Employment, Section 9 "Conflict of Interest Policy", effective April 4, 2005.

"The County of Surry, North Carolina, will fully comply with NCGS 14-234, "Director of public trust contracting for his own benefit, participation in business transaction involving public funds; exemptions". All employees and officials of the County of Surry will be aware of and comply with NCGS 14-234 including the following provisions:

1. State law prohibits public officers and employees from

- a. deriving a direct benefit from contracts they are involved in making or administering;
 - b. attempting to influence any other person who is responsible for making or administering a contract from which the public officer or state employee derives a direct benefit; or
 - c. soliciting or receiving any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency."
-

Tammy Johnson, Water and Sewer Coordinator, updated the Board on the progress being made with the Flat Rock/Bannertown Water and Sewer applications.

The County Manager briefed the Board on the progress at the Workforce Development Center and stated that a lease agreement had been drafted.

The County Manager presented two funding scenarios for the Rural Planning Organization. Scenario A total funding is \$17,000 and Scenario B total is \$22,000.

It was the consensus of the Board to choose scenario A.

The County Manager briefed the Board on an upcoming tourism meeting on Tuesday, April 26. The County Manager stated that David Long would be the facilitator for the meeting and currently 7 other counties, and one municipality will be planning to attend the meeting.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted to set a public hearing for an economic incentive for Southdata and Advanced Electronics on April 18, 2005.

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Harrell, Commissioner Hunter

Nays: Commissioner O'Neal

The County Manager addressed the Board regarding April 10-16, 2005 as National Public Safety Telecommunications Week.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously for the County Manager to write a letter to all local Communication Centers expressing appreciation for their hard work and intense duties.

Cathy Booker, Tax Administrator, presented information regarding the Tax Department's FY 2006 budget request.

Sheriff Connie Watson presented information regarding the Sheriff's Office FY 2006 budget request.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, 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 Miller, seconded by Commissioner Hunter, the Board voted unanimously to reclassify position #538038 from an OSSOG III to an OSSOG IV, effective April 1, 2005, and move Avanelle Branch from 57-5 to 59-3, effective April 1, 2005.

There was no further business to come before the Board.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to recess until April 11, 2005-6:00 p.m., Surry County Government Center, to discuss budget and other County business. The meeting ended at 9:00 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of April 11, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on April 11, 2005 for a budget work session and other County business. The meeting was held at the Surry Government Center, 118 Hamby Road, Dobson, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jim Miller, Commissioner Jim Harrell, and Commissioner Fred O'Neal.

Commissioner Craig Hunter was unable to attend.

Others present for the meeting at various times, were:

Macon C. Sammons, Jr., County Manager
Betty Taylor, Assistant County Manager for Budget and Finance
Gray Bryant, Inspections Director
Betsy Easter, Inspections
Martha Brintle, Information Technology Director
Carolyn Comer, Register of Deeds
Don Belle, Veterans Services Director
Brenda Rose, Cooperative Extension Director
Wayne Black, Social Services Director
Susan Slate, Social Services
David Stone, Health and Nutrition Center Director
News Media
Citizens

Chairman Johnson called the meeting to order.

Commissioner Jim Harrell, Jr. gave the invocation.

The County Manager gave an overview of the budget process.

Betty Taylor, Assistant County Manager for Budget and Finance, gave the Board a financial update.

Gray Bryant, Inspections Director, presented information regarding the Inspection's Department FY 2006 budget request.

Martha Brintle, Information Technology Director, presented information regarding the Information Technology Department's FY 2006 budget request.

Carolyn Comer, Register of Deeds, presented information regarding the Register of Deed's FY 2006 budget request.

The Board took a fifteen minute recess.

The Board resumed regular business.

Don Belle, Veterans Services Director, presented information regarding the Veterans Service's FY 2006 budget request.

Brenda Rose, Cooperative Extension Director, presented information regarding the Cooperative Extension's FY 2006 budget.

Wayne Black, Social Services Director, presented information regarding the Social Service's FY 2006 budget.

David Stone, Health and Nutrition Center Director, presented information regarding the Health and Nutrition Center's FY 2006 budget.

The County Manager briefed the Board on plans for a trip to Raleigh seeking funding for the Interstates Water and Sewer Project and the Exit 93 project.

The Board discussed the need for a lottery resolution.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously for the County Manager to draft a resolution.

There was no further business to come before the Board.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to adjourn at 9:45 p.m.

Macon C. Sammons, Jr.
County Manager

Surry County Board of Commissioners
Meeting of April 18, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on April 18, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Chris Knopf, Planning Director
Angie Crews, Elections Director
Mike Wetzal, Parks, Recreation and Maintenance Director
John Shelton, Emergency Services Director
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Chairman Johnson delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board consider the minutes of the April 4 & 11, 2005 meetings. Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the following consent agenda items:

Request by the County Manager:

1. Approve the following from the Tax Department:
 - Total releases for the month ending 03-31-05 in the amount of \$48,168.73.
 - Total refunds for the month ending 03-31-05 in the amount of \$5,521.52.
 - Total real and personal property discoveries for the month ending 03-31-05 in the amount of \$2,299.49.
 - Total motor vehicle discoveries for the month ending 03-31-05 in the amount of \$3,227.47.
 - Collect December, 2004 vehicle renewals in the amount of \$529,800.46.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve the donation of a County flag to the Mount Airy Museum.
2. Approve the Sheriff's Office to purchase a computer and a projector from narcotics funds.
3. Approve budget change no. 28 as follows:

Change #28

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on April 18, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>Non-Departmental</u>				
1054199 59510	General Fund Contingency	191,622	(105,272)	86,350
	Decrease departmental total.	1,046,724	(105,272)	941,452
<u>Automated Systems Services</u>				
1054210 56010	Equipment	10,652	105,272	115,924
	Increase departmental total.	258,488	105,272	363,760
<u>Sheriff's Department</u>				
1054310 51040	Salary Reserve	23,000	(12,000)	11,000
	Decrease departmental total.	3,093,919	(12,000)	3,081,919
<u>County Jail</u>				
1054320 51030	Salaries & Wages Part-Time	36,000	10,000	46,000
1054320 51330	Retirement	40,859	1,000	41,859
1054320 51350	Group Insurance	70,000	1,000	71,000
1054320 55658	Miscellaneous-Commissary	25,000	25,000	50,000
	Increase departmental total.	1,416,147	37,000	1,453,147
<u>Clean Water - Snow Creek</u>				
1054965 51720	Contracted Services (New)	0	50,000	50,000
	Increase departmental total.	0	50,000	50,000
<u>Veterans' Service Office</u>				
1055820 52900	Small Equipment	0	1,051	1,051
	Increase departmental total.	93,854	1,051	94,905
<u>REVENUE</u>				
1044000 48900	Miscellaneous	46,800	1,051	47,851
1044320 48980	Miscellaneous-Commissary	25,000	25,000	50,000
1044965 43356	Clean Water Grant	0	50,000	50,000
	Increase fund totals.	60,790,462	76,051	60,866,513
<u>SCHOOLS' CAPITAL PROJECTS FUND</u>				
<u>EXPENDITURES</u>				
6155950 51647	Project Construction-Gentry	0	556,691	556,691
6155950 51648	Project Construction-N. Surry	0	867,109	867,109

6155950	51649	Project Construction-S. Central	0	576,200	576,200
		Increase departmental total.	0	2,000,000	2,000,000

REVENUE

6145950	49872	Trans. Bond. Proc.-'04 QZAB	0	2,000,000	2,000,000
		Increase fund totals.	973,200	2,000,000	2,973,200

SCHOOLS CAP. PROJ. RES. FUND

EXPENDITURES

6355919	59174	Trans. to CP-'04 QZAB	0	2,000,000	2,000,000
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REVENUE

6345919	49900	Unencumbered Balance	993,200	2,000,000	2,993,200
		Increase fund totals.	993,200	2,000,000	2,993,200

Requests from the Human Resources Officer:

1. Approve a Health and Nutrition Center employee a leave without pay extension for medical reasons from April 1, 2005 through June 30, 2005.
2. Approve County employees an extra hour of time not to be charged against accumulated leave, for employees to use, in conjunction with their lunch hour, to attend the Employee Health Fair each year.

Request from the Planning Director:

1. Approve the Larry Fuller final one-lot subdivision, as recommended by the Planning Board.

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.

Leon Haynes spoke in opposition of the Mount Airy Airport runway extension. Mr. Haynes stated that he feels the extension would create a decline in property value and the quality of life in the Holly Springs community. Mr. Haynes also stated that the extension could affect wildlife, the environment and produce noise. Mr. Haynes presented the Board with a petition of individuals who oppose the runway extension.

Jack Moore, Department of Juvenile Justice and Delinquency Prevention, presented a grant proposal for FY 2005-2006 for Surry Friends of Youth, Surry SCAN, Crossroads, and the Department of Juvenile Justice and Delinquency Prevention. Mr. Moore stated there is a 20% cash match needed from the County.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the grant agreement.

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

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on the FY 05-06 Rural Operating Assistance Program Funds.

Jeff Cockerham, YVEDDI, presented information on the application for operating assistance for the Rural Operating Assistance Program (ROAP Funds).

Chairman Johnson asked for comments from the public.

No one spoke on the Rural Operating Assistance Program.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the application for operating assistance for the Rural Operating Assistance Program.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning application no. ZCR334. The parcel site is 3.0 acres portion of tax parcel 5979-00-41-4433. The property owner is Leslie C. Hunter, Jr. The property is currently zoned RA. The petition is to rezone the property to MHP.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning.

Chairman Johnson asked for comments from the public.

Raeford Jessup stated that he was concerned about more mobile homes being put near his property.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously to approve the request.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning application no. ZCR350. The parcel site is 22.63 (11.7 acre portion) acres of tax parcel 5949-00-78-2470. The property owner is Lloyd Scales. The property is currently zoned RA/MHP. The petition is to rezone the property to MHP.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning of the mobile home park.

Chairman Johnson asked for comments from the public.

Keenan Journey spoke in opposition of the rezoning. Mr. Journey stated that he is concerned the rezoning would hurt property values in the neighborhood. Mr. Journey also stated he was concerned with traffic problems and safety of citizens who live in the area.

Steve Kirkman spoke in opposition of the rezoning. Mr. Kirkman stated that he does not want any more mobile homes in the park due to concerns about the safety of the neighborhood.

Richard Hodges, Surveyor, presented a plat of the property for the Board to review.

Lloyd Scales stated that he was the owner of the property and he only wants to put three or four more mobile homes on the property. Mr. Scales also stated that when the property was currently zoned, he thought the 11.7 was in the previous zoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

The Board discussed the rezoning.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to table the matter and readdress the rezoning at the May 2, 2005 meeting pending legal advice from the County Attorney.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning application no. ZCR361. The parcel site is 10.21 acres of tax parcel 5012-00-25-4465. The property owner is Gary Harold and Susan H Thomas. The property is currently zoned RA,WO. The petition is to rezone the property to HB,WO.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning.

Chairman Johnson asked for comments from the public.

Troy Peoples stated that he owns the property behind the North Andy Griffith Parkway property and is concerned with traffic safety, noise and the lowering of his property value.

Gary Harold spoke in favor of the rezoning and stated that a trailer shop would be placed on the property which would employ three individuals. Mr. Harold also stated that there would be minimal traffic and noise.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the rezoning.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning application no. ZCR372. The parcel site is 3 acres of tax parcel 5925-00-29-7015. The property owner is Donald W. and Rita C. Holyfield. The property is currently zoned RA. The petition is to rezone the property to RB-C.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning and stated that the Planning Board recommended denial of the rezoning.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to accept the Planning Boards' recommendation and deny the rezoning.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on a Zoning Text Amendment 34-Accessory uses.

Chris Knopf, Planning Director, presented the facts pertaining to the zoning text amendment.

No one spoke on the zoning text amendment.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve the following zoning text amendment:

AMENDMENT 34

SURRY COUNTY
ZONING ORDINANCE

PROPOSED AMENDMENT TO ARTICLE 13 OF THE
SURRY COUNTY ZONING ORDINANCE.

Article 13, "Accessory and Temporary Uses" shall be amended to include the following:

Section 2. Accessory Uses

A. Dwelling in Nonresidential Districts

In zoning districts not otherwise permitting residential buildings, a watchman or caretaker may occupy a residential dwelling on the same premises where he or she is employed. The residential dwelling must clearly be incidental to the nonresidential operation on the zoning lot.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on a Zoning Text Amendment 35-Rodeo(s).

Chris Knopf, Planning Director, presented the facts pertaining to the zoning text amendment.

No one spoke on the zoning text amendment.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the following zoning text amendment:

AMENDMENT 35

SURRY COUNTY
ZONING ORDINANCE

PROPOSED AMENDMENT TO ARTICLE 16 OF THE
SURRY COUNTY ZONING ORDINANCE.

Article 16, "Conditional Uses", Section 8 "Supplemental Requirements for Specific Conditional Uses", shall be amended to change "Operational Requirement #2" under the use "Rodeo" to the following:

2. Events shall be held between the hours of 7 a.m. and 11 p.m.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on an economic incentive.

Amy Slate, Economic Development Partnership, presented the facts pertaining to the economic incentive for Advanced Electronics, Inc. which will occupy a portion of the former Cross Creek facility on Riverside Drive, Mount Airy.

Steve Cook, Advanced Electronics President, thanked the Board for their incentive and stated that the expansion would create 30 jobs in Surry County.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted to approve the following resolution:

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Harrell, Commissioner Hunter

Nays: Commissioner O'Neal

RESOLUTION

WHEREAS, Advanced Electronic Services, Inc. has announced plans to expand and relocate a portion of its business in the City of Mount Airy; and

WHEREAS, Advanced Electronics, Inc. will create 30 new jobs over three years and will have a machinery/equipment investment of \$930,000; and

WHEREAS, it is proposed that the County of Surry consider a forgiveness loan of \$68,500 to be paid in equal installments over two fiscal years and a tax incentive rebate in an amount equal to a similar payment by the City of Mount Airy over a period of 8-years to be paid in annual installments and to not exceed \$43,802.23 in the aggregate; and

WHEREAS, pursuant to N.C.G.S. 158-7.1(d) a public hearing was held April 18, 2005 at the Surry County Government Center to obtain public comment on the subject:

NOW, THEREFORE BE IT RESOLVED THAT:

Section 1. The Surry County Board of Commissioners does hereby direct the County Attorney to work with the City Attorney to develop an agreement with the above stipulations as it relates to incentives for Advanced Electronic Services, Inc. and that the Chairman is authorized to execute said agreement.

Section 2. This resolution shall become effective upon approval by the Surry County Board of Commissioners.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on an economic incentive.

Amy Slate, Economic Development Partnership, presented the facts pertaining to the economic incentive for SouthData, Inc. which will occupy a portion of the former Cross Creek facility on Riverside Drive, Mount Airy.

John Springthorpe, SouthData, Inc. President, stated that Southdata had outgrown the facility at Boggs Drive and that the expansion would create 20-25 new jobs.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted to approve the following resolution:

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Harrell, Commissioner Hunter

Nays: Commissioner O'Neal

RESOLUTION

WHEREAS, SouthData, Inc. has announced plans to expand and relocate a portion of its business in the City of Mount Airy and to maintain the current location; and

WHEREAS, SouthData Inc. will create 20-25 new jobs over three years and will have a machinery/equipment investment of \$1.4; and

WHEREAS, it is proposed that the County of Surry consider a forgiveness loan of 68,500 to be paid in equal installments over two fiscal years and a tax incentive equal to a similar payment made by the City of Mount Airy over a period of 8-years to be paid in annual installments and to not exceed \$66,860 in the aggregate; and

WHEREAS, pursuant to N.C.G.S. 158-7.1(d) a public hearing was held April 18, 2005 at the Surry County Government Center to obtain public comment on the subject:

NOW, THEREFORE BE IT RESOLVED THAT:

Section 1. The Surry County Board of Commissioners does hereby direct the County Attorney to work with the City Attorney to develop an agreement with the above stipulations as it relates to incentives for SouthData, Inc. and that the Chairman is authorized to execute the said agreement.

Section 2. This resolution shall become effective upon approval by the Surry County Board of Commissioners.

Chairman Johnson informed the audience that it was time for the special recognition portion of the agenda.

The following individuals were recognized:

Theresa Hughes and Verona Coe, Communicable Disease Nurses, were recognized for surveillance of the sixty eight communicable diseases that are reportable to the State and for tireless work in protecting the citizens of Surry County from the spread of communicable disease by working quickly to end outbreaks through investigation, clinical examinations and sample collection. Furthermore, the Board recognized them for demonstrating excellent communication and relationships with area providers to quickly detect and stop communicable disease and for going beyond the call of duty in response to a recent food borne disease outbreak by giving up personal time to work for the protection and betterment of the citizens of Surry County.

The Board took a fifteen minute recess.

The Board resumed regular business.

The County Manager addressed the Board regarding the Lowgap Ruritan Center being deeded to the County and stated that YVEDDI is proposing to put a Head Start Center upstairs in the facility and needs authorization to begin improvements on the Head Start Center. The County Manager also stated that YVEDDI would like to make improvements for the Meal on Wheels program downstairs in the near future, when funds become available for this purpose.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously for YVEDDI to proceed with the improvements upstairs of the Lowgap Ruritan Center for a Head Start Center.

The County Manager updated the Board on the Workforce Development Center twenty-year lease agreement and stated that the lease agreement has been reviewed and concurred with by Surry Community College.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted to approve the lease agreement between Surry County and Surry Community College for the Workforce Development Center.

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Harrell, Commissioner Hunter

Nays: Commissioner O'Neal

The County Manager updated the Board on the progress at the Workforce Development Center and stated that all structural steel is in place.

The County Manager addressed the Board regarding a lockbox proposal from Crown Solutions for the Tax Department.

The County Manager presented information on the County Assembly Day and Legislative Reception Best Practices in County Budgeting Seminar May 24-25, 2005 in Raleigh.

The County Manager reminded the Board of the luncheon, tour and joint meeting at Surry Community College Board at 11:30 a.m. on Friday, April 22, 2005.

The County Manager presented a request from WYZD Radio Station to use the County parking lot on Crutchfield Street in Dobson for a fundraiser.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to allow WYZD Radio Station to use the parking lot contingent upon the radio station having appropriate insurance and clean the parking lot after the event.

The County Manager presented a resolution supporting efforts to provide State funding for school construction and education enhancements.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve the following resolution:

A RESOLUTION SUPPORTING EFFORTS TO PROVIDE STATE FUNDING FOR SCHOOL CONSTRUCTION AND EDUCATION ENHANCEMENTS

WHEREAS, there are a number of high priority school facility needs in Surry County; and

WHEREAS, the Surry County Board of Commissioners fully understand and support the need for the State of North Carolina to provide significant school construction and operating funding; and

WHEREAS, the Board of County Commissioners also understands these needs cannot be met without one or more additional sources of State funds; and

WHEREAS, the Board of County Commissioners acknowledges that the General Assembly House of Representatives has approved a State lottery bill which would the provide following funding:

50% of net proceeds for school capital outlay
25% for post-secondary scholarships and
25% for education enhancements

NOW, THEREFORE, BE IT RESOLVED that the Surry County Board of Commissioners does hereby endorse and support the General Assembly's proposed plan to provide needed funds for school capital outlay and for education enhancements.

BE IT FURTHER RESOLVED that the Board urges the General Assembly to commit itself to a non-replacement policy to ensure that no funds to local governments are lost or offset as the result of the establishment of a lottery or any other new or supplemental State revenue sources.

Chris Knopf, Planning Director, presented information regarding the Planning Department's FY 2005 budget request.

Chris Knopf, Planning Director, updated the Board on the Flat Rock/Bannertown Water and Sewer project. Currently the Planning Department has received 40% of the water easements, 57% of water applications, and 72% of sewer applications.

Angie Crews, Elections Director, presented information regarding the Elections Department's FY 2006 budget request.

Mike Wetzal, Parks, Recreation, and Maintenance Director, presented information regarding the Parks,

Recreation and Maintenance Department's FY 2006 budget request.

John Shelton, Emergency Services Director, presented information regarding the Emergency Services Department's FY 2006 budget request.

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

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously for the Bannertown and Four Way Volunteer Fire Departments to apply for a low interest loan for the construction of a new facility.

There was no further business to come before the Board.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to recess until April 22, 2005 at 11:30 a.m., Surry Community College for a luncheon, tour of a new facility and joint meeting with college officials and other County business.

The meeting was completed at 11:00 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of May 2, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on May 2, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Chris Knopf, Planning Director
Tammy Johnson, Water and Sewer Projects Coordinator
Sheriff Connie Watson
Dr. Ashley Hinson, Jr. Surry County Schools Superintendent
Dr. Barry Shepherd, Elkin City Schools Superintendent
Dr. Tim Farley, Mount Airy City Schools Superintendent
Dr. Frank Sells, Surry Community College President
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to adjourn the April 18, 2005 meeting due to lack of a quorum at the April 22, 2005 meeting which was never convened.

Commissioner Craig Hunter delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board consider the minutes of the April 18, 2005 meeting. Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the following resolution regarding the establishment for filing/recording documents.

Resolution

Register of Deeds- Surry County
Establishing Hours for Filing/Recording Documents

WHEREAS, the General Assembly of North Carolina has mandated the implementation of Uniform Indexing Standards in Registers of Deeds which became effective in 1/1/1995 General Statute 161-22(a).

WHEREAS, the Surry County Register of Deeds has decided to comply with this mandate and has determined it is necessary, because of the automation system and the workload, to establish hours/recording documents; and

WHEREAS, it is the duty of the Surry County Register of Deeds to proof each document before certifying and to calculate and collect the correct amount of monies for recording before the actual document is filed.

WHEREAS, the Surry County Board of Commissioners, under its authority, is authorized to establish office hours of the Register of Deeds office pursuant to N.C. General Statute 161-8.

NOW, THEREFORE BE IT RESOLVED that the Surry County Board of Commissioners established the following hours for receiving documents for filing/recording. All documents must be presented by 4:30 pm for recording. Any instrument presented for recording after 4:30 pm shall be registered the next business day. This shall become effective June 1st 2005.

2. Approve the Sons of Confederate Veterans to fly the First National Flag of the Confederacy at the Historic Courthouse on Saturday, May 7, 2005.
3. Approve Emergency Services to apply and accept, if awarded, a 2005 Homeland Security Grant.
4. Approve Roger Bedsaul to attend the IAAO Appraisal of Land course from June 6-10, 2005.
5. Approve the Social Services Department to purchase a Monolta Digital Copier.
6. Approve Emergency Services to apply and accept, if awarded, two Governor's Highway Safety Program Grants.

Request from the Human Resources Officer:

1. Approve position #531335, in the Social Services Department, to be reclassified from an IM Caseworker II to a Community Employment Case Manager effective May 1, 2005, to meet State required guidelines.

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.

Brent Hull, Jeff Holt, Tammy Jenkins and David Jenkins expressed their concerns regarding the coaching staff at North Surry High School.

Dale Golding, M&M Signs, would like to see a bill passed to allow billboards to be placed on I-74 and Highway 52.

Chris Pike and Robin Anders, owners of Rock Bottom Bar establishment, addressed the Board regarding recent complaints about noise and loud music from Rock Bottom Bar. Mr. Pike stated that he feels the bar is not breaking the law or the noise ordinance. Mr. Pike also stated that he would like to have a live band at the bar on various Saturday nights from 8 p.m. until 12:00 a.m. and does not want to cause undue noise and wants to stay within the law.

The Board informed Mr. Pike that the County Attorney is reviewing the noise ordinance and if changes were needed to the ordinance there would be a public hearing.

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

Ed Wooters, North Carolina Association of County Commissioners Director of Member Services, presented a Statewide Outstanding County Award for the "Step It Up Campaign". Mr. Wooters stated that the "Step It Up Campaign" is one of fourteen Outstanding County Program Award winners for 2004 by the North Carolina Association of County Commissioners.

Brent Cornelison, Elkin Recreation and Parks Director, invited members of the Board to the grand opening and ribbon cutting for the new Elkin Municipal Pool on May 28, 2005-noon.

Chris Knopf, Planning Director, addressed the Board regarding the Lloyd Scales rezoning (ZCR350) which was tabled at the April 18, 2005 Board meeting. The property is identified as tax parcel ID# 5949-00-78-2470. The property is currently zoned RA/MHP. The request is to rezone the property to MHP. Mr. Knopf stated that the County Attorney has begun reviewing the rezoning and is awaiting more information from the surveyor.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to table any action on the rezoning to May 16, 2005 to allow the County Attorney more time to review the information.

Chris Knopf, Planning Director, discussed the billboard restrictions and stated that the County meets the North Carolina Department of Transportation specifications.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously for the Planning Director to write a letter to the legislators regarding House Bill 1158 and seek to be removed from this act so Surry County may govern the placement of outdoor advertising through the County zoning ordinance.

Tammy Johnson, Water and Sewer Projects Coordinator, updated the Board on the Flat Rock/Bannertown Water and Sewer Project. Ms. Johnson stated that currently 638 water applications and 148 sewer applications have been received. Ms. Johnson also stated that 55% of the water easements were complete.

The County Manager discussed two budget work sessions.

It was the consensus of the Board to hold budget work sessions on May 10, 2005 at 6:30 p.m. and on May 23, 2005 at 6:00 p.m. at the Surry County Government Center, room 335, to discuss budget and other County business.

The County Manager addressed the Board regarding a request from the Surry County School Board inviting the Board of Commissioners' to eat lunch at Central Middle School.

It was the consensus of the Board to eat lunch at Central Middle School on May 11, 2005 at 12:00 p.m.

The County Manager discussed the Ararat River Water Management Project in relations to properties owned by Mount Airy City Schools and the County. The City of Mount Airy desired to obtain easements along the river across as many as six parcels titled to the County. The City wishes to develop a walking path along the river, utilizing the easements.

Tim Farley, Mount Airy City Schools Superintendent, stated the Mount Airy Board of Education supports the easements.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to allow the City of Mount Airy to obtain the six easements that are titled to the County.

The County Manager briefed the Board on the Regional Tourism Marketing meeting which took place on April 26, 2005 at the Grassy Creek Vineyards. Mr. Sammons stated that the meeting was very positive, with much enthusiasm about the economic potential. David Long facilitated the meeting and would have a summary report completed soon and that approximately 25 participants from Alleghany, Carroll, Patrick, Stokes, Surry, Wilkes and Yadkin counties participated.

The County Manager briefed the Board on a trip, made by various county officials, to Raleigh on April 26, 2005 to meet with legislators and various agencies regarding funding for water and sewer projects. Mr. Sammons stated that progress was made as a result of these meetings.

Chairman Johnson informed the audience that it was time for the special recognition portion of the agenda.

The following individuals were recognized:

Kate Jewell, Sarah Jackson, Catherine Mitchell, Rebekah Jane Stanley, Kimberly Forren, Maria Dulay, Stephen Castillejo, Cole Faulkner, Kyleigh Wright, Nicholas Holcomb, Ryan Niland, Catherine Wood, Andrew Gitt, Katie McKee, Maggie Mitchell, Aysha Bodenhamer, Eric Creed, David Hetrick, Brandon Hodges, Vicky Hicks, Brett Willis, Meredith Cozzens, Andrea Harris, Kayla Stanley, and Nicholas Stanley for developing leadership skills through the better understanding of Surry County's history, local government, economic development, law enforcement and the educational systems.

The Board took a fifteen-minute recess.

The Board resumed regular business.

The County Attorney left the meeting at 8:00 p.m.

Chairman Johnson introduced Taylor Coleson with Scout Troop 591. Taylor stated that he was working on a merit badge for Boy Scouts.

Dr. Tim Farley, Superintendent Mount Airy City Schools, presented the FY 2005-2006 budget for the Mount Airy Schools.

Dr. Ashley Hinson, Jr., Superintendent Surry County Schools, presented the FY 2005-2006 budget for the Surry County School System.

Dr. Barry Shepherd, Superintendent Elkin City Schools, presented the FY 2005-2006 budget for the Elkin City Schools.

Dr. Frank Sells, President Surry Community College, presented the FY 2005-2006 budget for Surry Community College.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to reappoint Charles Madison to the Surry Community College Board of Trustees.

Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously to go into closed session to discuss economic development.

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

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the following board appointments:

- Appoint Nancy Edmonds to the Dobson Planning Board.
 - Reappoint David Smith, Macon C. Sammons, Jr., Marion Boone, Gaynell Dancy, Michelle Gough, Moses Massey, Jack Moore and Ron Baczurik to the Criminal Justice Partnership.
 - Reappoint Gary White, Mike Hoyng, J.T. Henson, Carolyn Johnson, Delinda Kyle, David Stone, Dr. Jan Riley, Lynn Stout, Jack Moore, and Commissioner Craig Hunter to the Juvenile Crime Prevention Council.
 - Reappoint J. Wayne Atkins to the Northwestern Regional Library Board.
 - Reappoint Frank Beals to the Recreation Advisory Committee.
 - Appoint Susan Smith to the Recreation Advisory Committee.
 - Reappoint Charles Allen to the Social Services Board.
-

Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously to recess until May 10, 2005-6:30 p.m., room 335, Surry County Government Center to discuss budget and other County business.

The meeting ended at 10:15 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of May 10, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on May 10, 2005 for a budget work session and other County business. The meeting was held at the Surry Government Center, 118 Hamby Road, Dobson, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jim Miller, Commissioner Jim Harrell, Commissioner Craig Hunter, and Commissioner Fred O'Neal.

Commissioner Craig Hunter entered the meeting at 6:50 p.m.

Others present for the meeting at various times, were:

Macon C. Sammons, Jr., County Manager
 Betty Taylor, Assistant County Manager for Budget and Finance
 John Shelton, Emergency Services Director
 JoAnn Larkins, YVEDDI
 Chris Campbell, YVEDDI
 David Swann, Crossroads Behavioral Healthcare
 John Hedrick, Northwestern Regional Library
 Darin Manuel, Surry County Rescue Squad Association
 Various Rescue Squad Members
 John Springthorpe, Surry County/Mount Airy Airport
 Nolan Kirkman, Surry County/Mount Airy Airport
 News Media

Chairman Johnson called the meeting to order.

JoAnn Larkins, YVEDDI, presented information regarding YVEDDI's FY 2006 budget request.

John Hedrick, Northwestern Regional Library, presented information regarding the Northwestern Regional Library's FY 2006 budget request.

David Swann, Crossroads Behavioral Healthcare, presented information regarding the Crossroads Behavioral Healthcare's FY 2006 budget request.

Darin Manuel, Surry County Rescue Squads President, presented information regarding the Rescue Squads FY 2006 budget request.

John Springthorpe, Surry County/Mount Airy Airport, presented information regarding the Airport's FY 2006 budget request.

The Board took a fifteen minute recess.

The Board resumed regular business.

The County Manager distributed property tax revenue projections prepared by the Tax Department.

The County Manager updated the Board on County Assembly Day and a Legislative Reception scheduled for May 25, 2005.

The Assistant County Manager for Budget and Finance presented the following reimbursement resolution:

REIMBURSEMENT RESOLUTION

WHEREAS, the County of Surry, North Carolina (the "County") intends to issue in the future certain tax-exempt obligations in an aggregate principal amount not to exceed \$12,000,000 (the "Obligations") to finance construction and renovations to existing school facilities (the "Facilities") for Surry County Schools, Mount Airy City Schools, and Elkin City Schools; and

WHEREAS, the County has made and needs to make certain additional expenditures relating to the Facilities, including without limitation the site work, engineering and design services, survey and title work, grading and other related work and services, prior to the date of issuance of the Obligations, but desires to preserve the ability of the County to reimburse itself for all such expenditures from the proceeds of the Obligations when they are issued by the County; and

WHEREAS, the County desires in this Resolution to declare its official intent in accordance with Income Tax Regulation Section 1.150-2 to reimburse itself for all such expenditures from the proceeds of the Obligations.

NOW, THEREFORE, BE IT RESOLVED that the County hereby declares its official intent to reimburse itself from the proceeds of the Obligations, when issued, for all expenditures made by the County with respect to the Facilities and which were made on or subsequent to the occurring date 60 days prior to the date of adoption of this Resolution.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the resolution.

The Assistant County Manager for Budget and Finance presented a request from Emergency Services to purchase a computer at a cost of \$1,289.18.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to allow Emergency Services to purchase the computer.

The Assistant County Manager for Budget and Finance presented a request from Emergency Services to purchase a 2003 E-350 type II salvaged ambulance from Mountain Park Rescue Squad.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to allow Emergency Services to purchase the salvaged ambulance for \$7,000 with funds existing in the Emergency Services budget.

The Board discussed special tax districts.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to adjourn at 10:05 p.m.

Macon C. Sammons, Jr.
County Manager

Surry County Board of Commissioners
Meeting of May 16, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on May 16, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., and Commissioner Craig Hunter.

Commissioner Fred O'Neal was unable to attend.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Chris Knopf, Planning Director
Cathy Booker, Tax Administrator
David Stone, Health and Nutrition Center Director
Employee Wellness Committee
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Commissioner Craig Hunter delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board consider the minutes of the May 2 and 10, 2005 meetings. Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the following resolution regarding abandonment of a portion of Frank Moore Road.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION AND
HIGHWAY SAFETY REQUEST FOR ABANDONMENT FROM STATE
MAINTAINED SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road description: Portion of Frank Moore Road (SR 1349, approximately 1400 feet)

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Surry requesting that a portion of the above described road, be removed from the Secondary Road System; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road portion should be removed from the Secondary Road System, if the removal meets criteria established by the Division of Highways of the Department of Transportation and Highway Safety Division.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Surry that the Division of Highways is hereby requested to review the above-described road, and to abandon the road if it meets established standards and criteria.

- 2. Approve the following resolution regarding the addition of 150 Minveria Way to the Secondary Road Program.

N. C. DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED
SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road Name: 150 Minveria Way off Westfield Road

WHEREAS, the attached petition has been filed with the Surry County Board of Commissioners, requesting that the above named road be added to the Secondary Road System; and

WHEREAS, the Board is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Highway Division of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners that the Highway Division is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

- 3. Approve the following resolution regarding addition of Mandolin Trail, Pleasant Pine Drive and Wolfe Street, in the Stoney Ridges Acres subdivision, to the Secondary Road Program.

N. C. DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED
SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road Name: Mandolin Trail, Pleasant Pines Drive, Wolfe Street (Stoney Ridge Acres)

WHEREAS, the attached petition has been filed with the Surry County Board of Commissioners, requesting that the above named roads be added to the Secondary Road System; and

WHEREAS, the Board is of the opinion that the above described roads should be added to the Secondary Road System, if the roads meets minimum standards and criteria established by the Highway Division of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners that the Highway Division is hereby requested to review the above-described roads, and to take over the road for maintenance if it meets established standards and criteria.

4. Approve the Social Services Department to use the parking lot of the Human Services building on Saturday, June 11, 2005 for a yard sale, with the proceeds going to Relay for Life.
5. Approve the Sheriff's Office to pay an invoice in the amount of 4,069.65 for a radio modem, software, antenna and cables.
6. Approve the Soil and Water Conservation District to apply and accept, if awarded, a Fisher River Restoration and NC Ecosystem Enhancement Program grant.
7. Approve the following from the Tax Department:
 - Total releases for the month ending 04-30-05 in the amount of \$14,265.78.
 - Total refunds for the month ending 04-30-05 in the amount of \$1,597.11.
 - Total real and personal property discoveries for the month ending 04-30-05 in the amount of \$3,196.24.
 - Total motor vehicle discoveries for the month ending 04-30-05 in the amount of \$4,753.43.
 - Collect February, 2005 vehicle renewals in the amount of \$318,274.12.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve Emergency Services to purchase an additional license for the Sweet Billing Program in the amount of \$1,345.00.
2. Approve the Health and Nutrition Center to purchase a computer upgrade in the amount of \$5,000 with the funds coming from Preparedness Grant monies.
3. Approve budget change no. 30 as follows:

Change #30

The Board of County Commissioners approved an amendment to the FY 2004-2005 Budget Ordinance at their meeting on May 16, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				

Governing

Body

1054110	51500	Professional Services	107,400	(8,800)	98,600
		Decrease departmental total.	514,754	(8,800)	505,954

Highway Safety Program

1054315	52010	Supplies & Materials	4,000	864	4,864
1054315	52900	Small Equipment	0	9,105	9,105
		Increase departmental total.	4,000	9,969	13,969

Bioterrorism Prep. Grant

1054337	52010	Supplies & Materials	0	4,578	4,578
1054337	52900	Small Equipment	0	3,150	3,150
1054337	56010	Equipment	15,720	13,704	29,424
		Increase departmental total.	15,720	21,432	37,152

Capacity Building Grant - (New)

1054915	51500	Professional Services	0	40,000	40,000
1054915	52010	Supplies & Materials	0	1,500	1,500
1054915	54010	Travel & Training	0	1,000	1,000
1054915	54200	Telephone	0	200	200
1054915	54250	Postage	0	500	500
1054915	54350	Printing	0	500	500
1054915	55650	Miscellaneous	0	300	300
		Increase departmental total.	0	44,000	44,000

REVENUE

1044315	43353	Highway Safety Program Grant	0	9,969	9,969
1044337	42313	Terrorism Grant	15,720	21,432	37,152
1044915	43155	Capacity Building Grant-(New)	0	35,200	35,200
		Increase fund totals.	60,866,513	66,601	60,933,114

4. Approve budget change no. 31 as follows:

Change #31

The Board of County Commissioners approved an amendment to the FY 2004-2005 Budget Ordinance at their meeting on May 16, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>Non-Departmental</u>				
1054199	59510	General Fund Contingency	86,350 (12,500)	73,850
		Decrease departmental total.	941,452 (12,500)	928,952
<u>Fire and Rescue</u>				
1054342	57370	Special Projects-Fire Depts.	0 12,500	12,500
		Increase departmental total.	229,045 12,500	241,545
<u>Community Base Injury</u>				
1055121	51010	Salaries & Wages	154,867 4,150	159,017
		Increase departmental total.	231,788 4,150	235,938

Cardiovascular Disease Program

1055159	51010	Salaries & Wages	82,804	1,500	84,304
		Increase departmental total.	144,757	1,500	146,257

Family Planning Program

1055164	52020	Medical Supplies	47,128	2,063	49,191
		Increase departmental total.	314,006	2,063	316,069

Supplemental Food Program

1055167	51720	Contracted Services	37,000	3,000	40,000
		Increase departmental total.	396,354	3,000	399,354

Environmental Health

1055181	51010	Salaries & Wages	304,060	9,339	313,399
		Increase departmental total	420,033	9,339	429,372

REVENUE

1045121	44160	Patient Fees	1,000	2,800	3,800
1045121	48900	Miscellaneous	175	1,350	1,525
1045159	42361	Cardiovascular Disease	16,940	1,500	18,440
1045164	42370	Family Planning	38,636	2,063	40,699
1045167	44160	Patient Fees	4,000	3,000	7,000
1045181	43313	Food & Lodging	750	9,339	10,089
		Increase fund totals.	60,933,114	20,052	60,953,166

Requests from the Planning Director:

1. Approve the Juan Marque and Christina Trujillo four lot subdivision.
2. Approve the Jody Banks Branch one lot subdivision.

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.

Mike Branch, White Plains Ruritans, requested funds for maintenance and repairs on the roof at the old White Plains School gym. Mr. Branch stated that a recent storm took a portion of the roof off and the Ruritan Club would like to replace it with metal.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to assist the White Plains Ruritans in putting a new metal roof on the school, and replace gutters in the amount of \$17,570 with any left over funds going toward painting the facility and contingent upon Mr. Branch working with the Assistant County Manager for Budget and Finance on possible recovery of insurance funds due to the storm.

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

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning application no. ZCR431. The parcel site is 1.00 acre of tax parcel 4955-00-39-7829. The property owner is Frank L.

Blount, Jr. The property is currently zoned RA. The petition is to rezone the property to CB.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

The Board discussed the rezoning.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the rezoning.

Chris Knopf, Planning Director, addressed the Board regarding the Lloyd Scales rezoning (ZCR350) which was tabled at the May 2, 2005 meeting. The property is identified as tax parcel ID# 5949-00-78-2470. The property is currently zoned RA/MHP. The request is to rezone the property to MHP. Mr. Knopf stated that the applicant claims initial zoning failed to correctly zone the entire property.

Edwin Woltz, County Attorney, stated that he had reviewed the file and maps on the parcel and stated that a portion of the property should have been zoned mobile home park, and that in 1994, 10 acres of the property were not included in the mobile home park as platted.

Dickey Hodges, Surveyor, discussed the plats.

The Board discussed the rezoning.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to deny the rezoning as submitted.

The County Manager addressed the Board regarding the wavier of permits and inspection fees for the Elkin City Schools on the Elkin High School renovation project.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to waive the fees for the Elkin City Schools and also waive permit and building inspection fees for all school systems in Surry County upon receiving a request in writing to the Inspection Department.

The County Manager presented information to the Board regarding maintenance inspection and work reports from the City of Mount Airy for the Stewarts Creek and Lovills Creek watershed projects.

The County Manager presented a request from the Public Works Department asking for the elimination of a policy that allows homeowners to deliver one free ton of waste per year of items that can not be placed in the convenience

center green boxes, which included roof shingles, house siding, and other waste of a homeowner demolition and clean up nature. Mr. Sammons stated that the Public Works Director feels that some residential and commercial contractors are abusing the policy.

Pat Guyer and Juanita Daber, Appearance Commission, expressed their concerns on the elimination of the policy. They stated that they feel more trash would be thrown out along the roads.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to table the issue until June 6, 2005 to allow the Board to look for a new system.

Linda Stanfield, Mount Airy Museum, presented information regarding the museum's FY 2006 budget request.

Cathy Booker, Tax Administrator, discussed the benefits of deed and tax certification. The certification would allow the Surry County Register of Deeds to refuse to record deeds, (other than a deed of trust or mortgage) unless the deed has been presented to the Surry County Tax Department first. Ms. Booker stated that a local bill would need to be passed for the tax certification unless Senate Bill 589 is approved which would make it a statewide option.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the following resolution contingent upon the passage of Senate Bill 589.

A RESOLUTION REQUIRING THE COUNTY TAX ADMINISTRATOR AND REGISTER OF DEEDS TO ESTABLISH AND COMPLY WITH A DEED CERTIFICATION PROCESS EFFECTIVE JULY 1, 2005

WHEREAS, the Surry County Tax Administrator needs certain information to properly accomplish her duties in the listing and collecting ad valorem taxes for real property and;

WHEREAS, it is important to get the correct information concerning real property and the owners of the real property and;

WHEREAS, a proper time to get the information is at the time of transfer of real property and;

WHEREAS, N.C.G. S. 105-303(a)(2) provides that the Surry County Board of Commissioners may require the Surry County Register of Deeds to refuse to record deeds, (other than a deed of trust or mortgage) unless the deed has been presented to the Surry County Tax Assessor or assignee and the Tax Assessor or assignee has noted that he/she has obtained information which he desires and; a description of the property sufficient to locate and identify and a statement as whether a parcel is conveyed in whole or a part and,

WHEREAS, N.C.G.S. 161(a) and 161.31 provides that the Surry County Board of Commissioners may require the Surry County Register of Deeds to refuse to record deeds (other than a deed of trust or mortgage) unless the deed has been presented to the Surry County Tax Collector or assignee has certified that no delinquent taxes are due on the real property being transferred and,

WHEREAS, N.C.G.S. 161-30(b) provides that the Surry County Board of Commissioners may require the Surry County Register of Deeds not to accept any real property instrument for recording unless the parcel numbers are affixed and verified by the County, and the Grantee's permanent address is affixed to the face thereof. This is not intended to include Deeds of Trust.

WHEREAS, the Surry County Tax Administrator will prepare a stamp that the Surry County Tax Administrator and Register of Deeds will agree on, which will show the information needed by the Tax Department.

WHEREAS, effective July 1, 2005, the Surry County Board of Commissioners requires that the Surry County Tax Department will use calculated acreage instead of deeded acreage. Also let it be resolved that there will be no refunds issued nor any retro billing discrepancies in the amount of acreage determined, and all Surveyors shall indicate the acreage outside road right of ways where applicable.

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

That effective July 1, 2005 the Surry County Register of Deeds shall not record any deed (other than a deed of trust or mortgage), unless a stamp has been affixed on the instrument, provided by the Surry County Tax Administrator verifying that the deed certification process has been properly completed.

Cathy Booker, Tax Administrator, requested to purchase a computer from E-911 funds for the Addressing Technician.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to allow the Tax Administrator to purchase the computer utilizing the E-911 funds.

Rhonda Collins addressed the Board regarding a potential Surry County Visitors' Center near the Interstate 77 corridor. Ms. Collins stated that they would like for the center to open for the 2005 tourism season.

It was the consensus of the Board to table the request until June 20, 2005 to obtain further information, asking a group composed of the Planning Director, County Manager, David Long, and Dennis Thompson to come back with recommendations.

Chairman Johnson informed the audience that it was time for the special recognition portion of the agenda.

David Stone recognized the following individuals:

Elke Ragland, Jackie Lewis, Annette Billings, Millie Holleman, Penny Mahan, Deborah Dezern, Aldrea Rife, Lisa Ford, Denise Gray, Carmen Long, Angela Scott, Rita Horton, Roger Shore, Jerry Holder, Robin Cook, Linda Jessup, and Portia Oakley, Employee Wellness Committee, for helping design the "Step It Up Campaign" program that boosted and enhanced the physical fitness for our Surry County employees. This program was recognized statewide and was awarded the Outstanding County Program Award for 2004 by the North Carolina Association of County Commissioners. The Board thanked the committee for their efforts in winning the statewide award, enhancing the physical fitness for our employees and for bringing outstanding recognition to Surry County.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve and release the following closed session minutes:

May 17, 2005	Item #1
October 4, 2004	Item #1
November 15, 2004	Item #1
November 29, 2004	
December 20, 2004	Items #5 & #9
January 18, 2005	Items #1, #3, #4, & #5
January 28, 2005	Item #1
February 7, 2005	Items #4 & #5
February 21, 2005	Items #1, #2, #3, #4 & #5
February 28, 2005	Item #1
March 7, 2005	Items #1 & #2
March 21, 2005	Items #1 & #2
April 4, 2005	Item #1
April 18, 2005	Item #1

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to appoint Wayne Black, Social Services Director, to the Juvenile Crime Prevention Council as the Social Services designee and appoint Gary White to the Juvenile Crime Prevention Council as the County Manager designee.

The County Manager presented a request from the Dobson Library regarding the usage of the County-owned parking lot across from the Library. The Library wants to hold a yard sale on June 3 and 4, 2005.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the request from the Dobson Library.

The County Manager provided a schedule to the Board for the Legislative Briefing on May 25, 2005 in Raleigh.

The County Manager presented information on House Bill 1638 which seeks to eliminate existing 911 charges on

telephone subscribers. Mr. Sammons stated that Surry County had come to depend upon 911 charges to provide emergency communications services.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the following resolution opposing House Bill 1638:

A RESOLUTION OPPOSING HB 1638 AND SUPPORTING THE CONTINUATION OF THE EXISTING 911 FUNDS FOR EMERGENCY COMMUNICATION SYSTEMS

WHEREAS, telephone companies of North Carolina have banded together to call for submission of a bill to eliminate existing 911 charges on telephone subscribers; and

WHEREAS, the Counties and municipalities of North Carolina have over the past two decades come to depend upon 911 charges to provide funding for emergency communications services across the State; and

WHEREAS, the telephone companies provide the best and most efficient means of collecting 911 funds and furthermore there is no workable alternative method provided in HB 1638 or elsewhere; and

WHEREAS, the telephone companies and HB 1638 are not motivated by any concern for the maintenance of the existing emergency communication system, but simply by a desire to unload said companies of responsibility to collect and distribute the necessary revenue.

NOW, THEREFORE, BE IT RESOLVED that the Surry County Board of Commissioners does hereby strongly urge all members of the General Assembly to defeat HB 1638 and to protect and maintain the existing system of collecting and distributing 911 emergency communications funds.

The County Manager gave a status report on the Workforce Development Center. The center is 37½% complete.

The County Manager presented information on growth in real property revenues. The estimated growth is \$533,939, less than 2% for the FY 06 fiscal year.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, 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 Miller, seconded by Commissioner Hunter, the Board voted unanimously to conduct budget work session #4 at 6:00 p.m. on Monday, May 23, 2005 in room 335 of the Surry County Government Center and to hold a public hearing on a proposed economic development

incentive package and to discuss other County business on May 31, 2005 at 9:00 a.m. at the Surry County Government Center.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to recess until May 23, 2005 at 6:00 p.m. to discuss budget and other County business.

The meeting ended at 9:40 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of May 23, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on May 23, 2005 for a budget work session and other County business. The meeting was held at the Surry County Government Center, 118 Hamby Road, Dobson, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jim Miller, Commissioner Jim Harrell, Commissioner Craig Hunter, and Commissioner Fred O'Neal.

Commissioner Jim Harrell, Jr. entered the meeting at 6:30 p.m.

Others present for the meeting at various times, were:

Macon C. Sammons, Jr., County Manager
 Betty Taylor, Assistant County Manager for Budget and Finance
 Sandy Snow, Human Resources Officer
 Tracy Burlison, Human Resources Technician
 Larry Hill, Employee Benefits Committee
 Tanya Jones, Surry Arts Council
 Tony Gibbons, Re-Directions
 Bill Colvert, Foothills Arts Council
 Judy Hancock, Foothills Arts Council
 School Officials
 News Media
 Other Citizens

Chairman Johnson called the meeting to order.

Tanya Jones, Surry Arts Council, presented information regarding the Surry Arts Council FY 2006 budget request.

Larry Hill, Employees Benefit Committee, presented information from the Employees Benefit Committee regarding the Committee's request for employee health insurance and related benefits.

Tony Gibbons, Re-Directions, presented information regarding the Re-Directions FY 2006 budget request.

Bill Colvert and Judy Hancock, Foothills Arts Council, presented information from the Foothills Arts Council regarding the FY 2006 budget request.

The County Manager updated the Board on the progress at the Workforce Development Center, which is now 40% complete.

Betty Taylor, Assistant County Manager for Budget and Finance, presented a request from the Surry County Senior Center for an appropriation of \$13,000 in funds for this fiscal year.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to appropriate \$13,000 to the Surry County Senior Center, with the funds coming from the General Fund Contingency.

Betty Taylor, Assistant County Manager for Budget and Finance, presented a request from Emergency Services regarding the replacement of a lightning damaged antenna and transmission line at Fancy Gap Mountain, Virginia, and other equipment at the Communication Center, totaling over \$26,000.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to allow Emergency Services to replace the communications equipment, contingent upon monies coming from the insurance company from the lightning damage and the remaining balance coming from the Communications and Emergency Services budgets.

Betty Taylor, Assistant County Manager for Budget and Finance, presented an agreement from McNeary to bid excess workers' compensation and third party administration.

Upon motion of Commissioner Hunter, seconded by Commissioner O'Neal, the Board voted unanimously to allow the Assistant County Manager for Budget and Finance to execute the McNeary agreement.

Betty Taylor, Assistant County Manager for Budget and Finance, discussed Workers' Compensation and Health Insurance.

Upon motion of Commissioner Hunter, seconded by Commissioner O'Neal, the Board voted unanimously to allow the Assistant County Manager for Budget and Finance to send a resolution to State Legislatures asking that Surry County be allowed to add the State Health Plan as an option for health insurance.

The Board took a ten-minute recess.

The Board resumed regular business.

The County Manager presented the FY 06 recommended budget.

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

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

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to fund position no. 519101 (Public Health Education Specialist) at 50% for June and July, 2005. The position was grant funded through May, 2005.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to recess until May 26, 2005 at 6:30 p.m., Surry County Government Center to discuss budget and other County business.

The meeting ended at 10:15.

Macon C. Sammons, Jr.
County Manager

Surry County Board of Commissioners
Meeting of May 26, 2005

The Surry County Board of Commissioners met in regular session at 6:30 p.m. on May 26, 2005 for a budget work session and other County business. The meeting was held at the Surry Government Center, 118 Hamby Road, Dobson, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jim Miller, Commissioner Jim Harrell, Commissioner Craig Hunter, and Commissioner Fred O'Neal.

Others present for the meeting at various times, were:

- Macon C. Sammons, Jr., County Manager
- Betty Taylor, Assistant County Manager for Budget and Finance
- Various School Officials
- News Media
- Other Citizens

Chairman Johnson called the meeting to order.

The Board discussed current expense and capital outlay funding for schools.

The Board reviewed other areas of budget.

The Board took a fifteen-minute recess.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to allow the Soil and Water Conservation Office to purchase \$5,164.37 of equipment, using special State funds for contract services.

Betty Taylor, Assistant County Manager for Budget and Finance presented budget change no. 33.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve budget change no. 33 as follows:

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on May 26, 2005.

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>PREVIOUS</u>	<u>CHANGE</u>	<u>REVISED</u>
<u>CODE</u>		<u>AMOUNT</u>	<u>AMOUNT</u>	<u>AMOUNT</u>
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>Board of Elections</u>				
1054170	54250 Postage	5,000	3,025	8,025
	Increase departmental total.	354,546	3,025	357,571

Sheriff

1054310	53040	Vehicle Maintenance	58,085	1,846	59,931
		Increase departmental total.	3,081,919	1,846	3,083,765

County Jail

1054320	53020	Equipment Maintenance	18,000	2,158	20,158
		Increase departmental total.	1,453,147	2,158	1,455,305

EMS

1054370	52025	Supplies & Material Grant	4,105	1,000	5,105
1054370	53040	Vehicle Maintenance	103,000	24,013	127,013
		Increase departmental total.	3,415,818	25,013	3,440,831

Clean Water - Snow Creek

1054965	51720	Contracted Services	50,000	200,000	250,000
		Increase departmental total.	50,000	200,000	250,000

Clean Water - Ararat

1054968	51720	Contracted Services	0	21,000	21,000
1054968	52010	Supplies & Materials	200	3,050	3,250
1054968	52900	Small Equipment	0	3,950	3,950
		Increase departmental total.	34,785	28,000	62,785

Clean Water - Phase IV

1054971	51720	Contracted Services	275,000	500,000	775,000
		Increase departmental total.	395,140	500,000	895,140

REVENUE

1044000	48500	Insurance Refunds	34,371	28,017	62,388
1044170	42210	Help America Vote Grant	27,874	3,025	30,899
1044370	44585	N.C. Trauma Society	0	1,000	1,000
1044965	43356	Clean Water Grant	50,000	200,000	250,000
1044968	43356	Clean Water Grant	34,785	28,000	62,785
1044971	43356	Clean Water Grant	395,140	500,000	895,140
		Increase fund totals.	60,953,166	760,042	61,713,208

The Board reviewed various contract amounts for the Clean Water and Grants and determined that no further action was necessary by the Water Board.

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

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to recess until May 31, 2005 at 9:00a.m., Surry County Government Center to discuss economic development and other County business.

The meeting ended at 10:45 p.m.

Macon C. Sammons, Jr.
County Manager

Surry County Board of Commissioners
Meeting of May 31, 2005

The Surry County Board of Commissioners met in regular session at 9:00 a.m. on May 31, 2005. 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 Jimmy W. Miller, and Commissioner Craig Hunter.

Commissioner Jim Harrell, Jr. and Commissioner Fred O'Neal were unable to attend.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance

Chairman Johnson called the meeting to order.

Chairman Johnson declared the meeting to be a public hearing for the purpose of public comments on an economic incentive.

The County Manager discussed the need for a new resolution and incentive agreement for Gerard's Bakery. Mr. Sammons stated there was an error in the original advertised total and that a revised agreement was in order.

Chairman Johnson asked for comments from the public.

No one spoke on the amended resolution and incentive agreement.

Chairman Johnson closed the public hearing.

County Attorney Edwin Woltz discussed an environmental issue and the need for an Interlocal Agreement.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to approve the Incentive Agreement, Interlocal Agreement and the following resolution:

STATE OF NORTH CAROLINA

RESOLUTION

COUNTY OF SURRY

WHEREAS, there has been described to the Board of Commissioners ("Board") and Surry County, North Carolina ("County") a proposal for the City of Mount Airy (the "City") and Surry County to provide certain incentives to Gerard's Bakery LLC, a DL limited liability company ("Company"), in connection with the Company's investment of the building and equipment.

Proposed incentives to the Company include the following County appropriations and expenditures:

- A. Surry County's appropriation of \$329,327 would go toward building improvements and equipment purchases. The total amount to be expended by County to provide the incentive described above will not exceed \$329,327. An Incentive Agreement ("Agreement"), including or addressing the City, County and Company and describing proposed incentives in detail shall be executed subject to approval and review of the County Manager and County Attorney. A copy of the Agreement will be filed in the County's records.

Therefore, be it resolved by the Board of Commissioners of Surry County:

1. That the County hereby undertakes to provide certain incentives to the Company in connection with its investment within City's corporate limits, as described in the Agreement. The County hereby finds and determines that such undertaking will increase the taxable property and business prospects of the County.
2. The Chairman of the Surry County Board of Commissioners is authorized and directed to execute an Agreement in a form that has been approved by the County Manager and County Attorney and to deliver the same to the appropriate counter-parties and the Clerk of the Board of Commissioners is hereby authorized and directed to affix the County seal to the Agreement and attest the same. The Agreement shall be a form substantially as described above with such changes as may be approved by the Chairman of the Board of Commissioners. The Chairman's execution of the Agreement shall constitute conclusive evidence of his approval of any change.
3. The Agreement in final form, however, must provide:
 - a. That the total amount to be expended by the County shall not exceed \$329,327;
 - b. That Company's minimum investments in plant and equipment shall not be less than \$5,000,000.
4. That County's payment to Company shall occur only after the Company provides evidence that its investment has met or exceeded the minimum investment required above.
5. The actions of the County officers and officials in conformity with the purposes and intent of the Resolution, and in furtherance of the execution and delivery of the Agreement and the consummation of the transactions contemplated

thereby, are hereby ratified, approved and confirmed.

6. All other board proceedings, or parts thereof, in conflict with this Resolution or, to the extent of such conflict, hereby repeal.
7. This Resolution shall take effect immediately.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to go into closed session for legal litigation with the County Attorney.

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

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously for the County Manager and the County Attorney to work with Chatham and Borgsten to negotiate an equitable settlement on a breach of an incentive agreement with Chatham Borgstena.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to recess until Wednesday, June 1, 2005 at 6:30 p.m., in the Surry County Government Center to discuss budget and other County business.

The meeting ended at 9:15 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of June 1, 2005

The Surry County Board of Commissioners met in regular session at 6:30 p.m. on June 1, 2005 for a budget work session and other County business. The meeting was held at the Surry Government Center, 118 Hamby Road, Dobson, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Commissioner Jim Harrell, Commissioner Craig Hunter, and Commissioner Fred O'Neal.

Vice-Chairman Jim Miller was unable to attend due to illness.

Others present for the meeting at various times, were:

Macon C. Sammons, Jr., County Manager
Betty Taylor, Assistant County Manager for Budget and Finance
News Media
Other Citizens

Chairman Johnson called the meeting to order at 6:30 p.m.

The Board of Commissioners discussed a variety of budget issues.

The Board took a ten-minute recess at 8:30 p.m.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to go into closed session to discuss economic development and personnel.

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

The Board resumed discussion on budget issues.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to adjourn at 11:55 p.m.

Macon C. Sammons, Jr.
County Manager

Surry County Board of Commissioners
Meeting of June 6, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on June 6, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
David Stone, Health and Nutrition Center Director
Cathy Booker, Tax Administrator
Sheriff Connie Watson
Mike Wetzell, Parks, Recreation and Maintenance Director
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Commissioner Jim Harrell, Jr. delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the May 16, 23, 26, 31, and June 1, 2005 meetings. Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the following resolution regarding the extension of Woodhaven Street (Marsh Estates) to the Secondary Road System:

N. C. DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED
SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road Name: Extension of Woodhaven Street (Marsh Estates)

WHEREAS, the attached petition has been filed with the Surry County Board of Commissioners, requesting that the above named road be added to the Secondary Road System; and

WHEREAS, the Board is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Highway Division of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners that the Highway Division is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

2. Approve the following resolution regarding the abandonment of 0.09 mile of Greenwood Road (SR 1197) from the Secondary Road System:

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION AND HIGHWAY SAFETY REQUEST
FOR ABANDONMENT FROM STATE MAINTAINED SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road description: 0.09 mi. of SR 1197 (Greenwood Road)

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Surry requesting that a portion of the above described road, be removed from the Secondary Road System; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road portion should be removed from the Secondary Road System, if the removal meets criteria established by the Division of Highways of the Department of Transportation and Highway Safety Division.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Surry that the Division of Highways is hereby requested to review the above-described road, and to abandon the road if it meets established standards and criteria.

3. Approve the following resolution regarding the addition of North Summit Drive in the North Summit Subdivision to the Secondary Road System:

N. C. DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED
SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road Name: North Summit Drive in the North Summit Subdivision

WHEREAS, the attached petition has been filed with the Surry County Board of Commissioners, requesting that the above named road be added to the Secondary Road System; and

WHEREAS, the Board is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Highway Division of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners that the Highway Division is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

4. Approve the Relay for Life Committee to use the parking lot of the Human Services Center on July 9, 2005 for a yard sale with the proceeds going to 2005 Relay for Life Campaign.
5. Approve the Parks, Recreation and Maintenance Department to install Bermuda sod on the soccer fields in the amount of \$13,452.12.

6. Approve the Parks, Recreation and Maintenance Department to purchase an irrigation water reel system from Gar-Mac Distributing Company in the amount of \$3,210.
7. Approve the Health and Nutrition Center to set the dental slide rate to 60% of the charge with a minimum payment of \$40.00.
8. Approve the Health and Nutrition Center's master fee schedule which is on file in the Clerk to the Board's Office.
9. Approve the Health and Nutrition Center to apply and accept, if awarded, a Health and Wellness Trust Foundation grant in the amount of \$20,000 each year for two years.
10. Approve the Health and Nutrition Center to apply and accept, if awarded, a grant through the Healthy Carolinians-UNC Health Initiative in the amount of \$10,000.
11. Approve the Clerk to the Board to properly advertise the FY 06 budget hearing for June 20, 2005 at 6:00 p.m. or soon thereafter.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve Aaron Royal to be added as a Deputy Finance Officer and delete Sandra Whitaker as a Deputy Finance Officer.
2. Approve budget change no. 35 as follows:

Change #35

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on June 6, 2005.

ACCOUNT CODE	DESCRIPTION	PREVIOUS AMOUNT	CHANGE	REVISED AMOUNT
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>Non-Departmental</u>				
1054199 59510	General Fund Contingency	73,850	(43,000)	30,850
	Decrease departmental total.	928,952	(43,000)	885,952
<u>County Attorney</u>				
1054150 51500	Professional Services	50,000	10,000	60,000
	Increase departmental total.	61,550	10,000	71,550
<u>Medical Examiner</u>				
1054360 51500	Professional Services	33,000	20,000	53,000
	Increase departmental total.	33,000	20,000	53,000
<u>Community Action Program</u>				
1055830 57162	Senior Center Operations	27,076	13,000	40,076
	Increase departmental total.	120,001	13,000	133,001
<u>Human Services Bldg. - Mt. Airy</u>				
1054197 56600	Other Improvements	10,000	(8,000)	2,000
	Decrease departmental total.	106,988	(8,000)	98,988
<u>Health Department Building</u>				
1055112 56600	Other Improvements	14,000	8,000	22,000
	Increase departmental total.	56,258	8,000	64,258
<u>Maternal Health Program</u>				
1055162 51530	Professional Services-Laboratory	350	93	443

Increase departmental total.	277,078	93	277,171
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Health Promotions

1055191 51010 Salaries & Wages	81,635	12,000	93,635
Increase departmental total.	116,856	12,000	128,856

Dental Clinic

1055192 56010 Equipment	0	35,000	35,000
Increase departmental total.	271,104	35,000	306,104

REVENUE

1045162 43310 State Grant	730	93	823
1045191 48900 Miscellaneous	49,000	12,000	61,000
1045192 44160 Patient Fees	15,000	10,000	25,000
1045192 44200 Patient Fees-Private Ins.	30,000	25,000	55,000
Increase fund totals.	61,713,208	47,093	61,760,301

ECONOMIC DEVELOPMENT FUNDEXPENDITURES

1154922 57138 Southdata (New)	0	34,250	34,250
1154922 57158 Advanced Electronics	0	34,250	34,250
1154922 57139 Gerard's Bakery (New)	0	0	0
1154922 59675 Water/Sewer Reserve	430,017	(68,500)	361,517

The above action does not change fund totals.

HOME (HUD) PROGRAM FUNDEXPENDITURES

1454970 57195 Boone Trail Home Prog. (HUD)	1,400,000	200,000	1,600,000
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REVENUE

1444970 42348 Boone Trail - Home Program	1,400,000	200,000	1,600,000
Increase fund totals.	1,800,000	200,000	2,000,000

SHERIFF'S SPECIAL ACCOUNTS FUNDEXPENDITURES

1654322 55655 Miscellaneous - Levy Account	80,000	20,000	100,000
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REVENUE

1644322 48910 Misc. Revenue - Levy Account	80,000	20,000	100,000
Increase fund totals.	126,000	20,000	146,000

WIRELESS 911 TELEPHONEEXPENDITURES

3554329 54200 Telephone	60,000	15,000	75,000
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REVENUE

3544329	44113	Subscriber Charges	100,000	15,000	115,000
		Increase fund totals.	300,000	15,000	315,000

3. Approve budget change no. 36 as follows:

Change #36

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on June 6, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>	
<u>CAPITAL PROJECTS FUND</u>					
<u>EXPENDITURES</u>					
<u>Workforce Development Center</u>					
6054217	51500	Professional Services	5,900	30,000	35,900
6054217	51640	Project Construction	1,037,700	500,000	1,537,700
		Increase departmental total.	1,176,740	530,000	1,706,740
<u>REVENUE</u>					
6044217	49882	Trans. From Bldg. Res.	1,176,740	530,000	1,706,740
		Increase fund totals.	1,199,066	530,000	1,729,066
<u>COUNTY BUILDING RESERVE FUND</u>					
<u>EXPENDITURES</u>					
6254250	59180	Trans. To CP-WFD Center	1,176,740	530,000	1,706,740
<u>REVENUE</u>					
6244250	42280	EDA Grant (New)	0	530,000	530,000
		Increase fund totals.	3,089,578	530,000	3,619,578
<u>COLLEGE CONSTRUCTION FUND</u>					
<u>EXPENDITURES</u>					
6555924	51640	Project Construction	2,456,133	131,734	2,587,867
<u>REVENUE</u>					
6545924	49875	Trans. Bond Proc.-Class Bldg.	2,509,045	131,734	2,640,779
		Increase fund totals.	2,509,045	131,734	2,640,779
<u>SCC CAP. PROJ. RES. FUND</u>					
<u>EXPENDITURES</u>					
6655930	59331	Trans. To SCC CP-Class Bldg.	2,509,045	131,734	2,640,779
<u>REVENUE</u>					
6645930	44900	Interest Earned on Invest.	0	13,000	13,000
6645930	49900	Unencumbered Balance	2,509,045	118,734	2,627,779
		Increase fund totals.	2,509,045	131,734	2,640,779

4. Approve budget change no. 37 as follows:

Change#37

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on June 6, 2005.

ACCOUNT CODE	DESCRIPTION	PREVIOUS AMOUNT	CHANGE	REVISED AMOUNT
<u>FLAT ROCK/BANNERTOWN W/S DIST.</u>				
<u>EXPENDITURES</u>				
8558100 51500	Professional Services	38,584	50,000	88,584
8558100 55300	Refunds	1,000	2,000	3,000
<u>REVENUE</u>				
8548100 44125	Sign-Up Fees - Water	20,000	52,000	72,000
	Increase fund totals.	62,584	52,000	114,584

Request from the Human Resources Officer:

1. Approve the following retiree resolution:

RESOLUTION

WHEREAS, Wayne C. Cooper was employed from April 1, 1974 until his retirement on May 31, 2005 as an employee of the Surry County Health and Nutrition Center; and

WHEREAS, during his thirty-one years of service, Mr. Cooper held the positions of Environmental Health Specialist and Environmental Health Supervisor and has experienced major growth and change in the regulation of environmental health; and

WHEREAS, during his years of faithful service, Mr. Cooper has served in a variety of capacities including supervising the Animal Control Program, assisting with rabies investigations, writing animal control ordinances, assisting with child lead investigations, assisting with foodborne and disease outbreaks, investigations and follow-up, serving as the agency Preparedness and Bioterrorism Coordinator; and

WHEREAS, during his years of faithful service, Mr. Cooper has earned the admiration and respect of his friends and colleagues around the state and in the Environmental Health Supervisor's Association; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend Mr. Cooper for the untiring execution of his duties.

NOW, THEREFORE, BE IT RESOLVED that the Board commends Wayne C. Cooper for his dedication to the citizens of Surry County and wishes to express its appreciation for his many years of faithful employment; and

BE IT FURTHER RESOLVED that the Board extends to Wayne C. Cooper its best wishes for many years of happiness during his retirement.

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.

Sheriff Connie Watson addressed the Board regarding a request to purchase twelve Mobile Data Terminals from present budget excess, purchase two Mobile Data Terminals from Drug Eradication Funds and purchase four Mobile Data Terminals from E-911 Funds.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to allow the Sheriff's Office to purchase the Mobile Data Terminals.

Jerry Fore addressed the Board regarding a septic issue at the residence of Harvey Barnes, Mr. Fore's father-in-law. Mr. Fore stated that the contractor could not work on the problem until a septic permit was issued from the Environmental Health Department. Mr. Fore also stated that it took approximately forty days for the Environmental Health Department to issue a permit for the work to begin. Mr. Fore was concerned with the lengthy time frame of obtaining a permit for repair services.

The Board asked the County Manager to address the issue with the Environmental Health Department.

Jerry Fore requested the Board consider establishing a Fire Commission appointed by the Board of County Commissioners.

The Board asked the County Manager to address after the budget process.

Terri Brintle stated she was representing concerned citizens in the White Plains Fire District. Ms. Brintle stated that citizens were concerned about a fire services tax increase with monies going toward the purchase of two new fire trucks. A petition had circulated and the citizens were not in favor of the tax increase.

The Board asked Ms. Brintle to meet with the White Plains Fire Chief and Board to discuss their concerns.

Wallace Creed stated that he was concerned with various activities at the White Plains Fire Department. Mr. Creed stated that he had tried to attend a White Plains Fire Department Board meeting and was told that the meeting was closed to the public.

The Board also asked Mr. Creed to meet with the White Plains Fire Chief and Board to discuss his concerns.

Chris Pike, Rock Bottom Bar, addressed the Board regarding continual complaints about noise from an individual living near the establishment. Mr. Pike stated that he is zoned to have a bar establishment and feels there is not a noise violation and that when a band plays at the bar, the noise is within reason. Mr. Pike presented a petition from individuals stating that Rock Bottom Bar does not produce in any way or at any time a noise level that has caused any discomfort. Mr. Pike also stated that there was a court case pending regarding this issue.

The Sheriff's Office stated that they had been called to the establishment on several occasions and had written citations to the bar owner.

The Board stated to Mr. Pike that the County Attorney was reviewing the noise ordinance and that he try to work with the Sheriff's Office while the ordinance is being reviewed. Chairman Johnson stated that the Board should not discuss this issue while a court case is pending.

Paul Johnson addressed the Board regarding the landscape appearance at 135 Summit Avenue. Mr. Johnson stated he is concerned about the tall grass and overgrown shrubs at the property. Mr. Johnson stated that G.S. 138-19&20 could apply toward this situation.

The Board asked the County Attorney to look at the statues to see if any apply to this situation.

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

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on E-911 road naming.

Cathy Booker, Tax Administrator, presented the facts pertaining to the E-911 road naming.

Chairman Johnson asked for comments from the public.

No one spoke on the E-911 road naming.

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

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the following new road names and address range changes.

NEW ROAD NAMES 2005

PRE	ROAD NAME	TYPE	SR #	NEAREST CROSSROAD	COMM	ZIP	ESN #	EDIT DATE
E	52 BYPASS			N KEY ST	PILO	27041	1545/1543	1/24/2005
W	52 BYPASS			N KEY ST	PILO	27041	1545/1543	1/24/2005
	ABERNATHY	CIR		WILD WINGS LN	THUR	28683	1507	5/6/2005
	AIMS	AVE		HYLTON ST	MCTY	27030	1561	1/7/2005
	ALBURN COOK	LN		SIMMONS GROVE CHURCH RD	PILO	27041	1546	11/12/2004
	ANTLER BROOK	TRL		INMAN RD	MOUN	27030	1564	9/9/2004
	ASHE	CT		ALLEGHANY LN	PILO	27041	1543	8/30/2004
	BASS RIDGE	TRL		BLEVINS STORE RD	MOUN	27030	1501	1/18/2005
	BECK	LN		SERVICE RD	PILO	27041	1546	11/15/2004
	BLACK POINT	LN		BLACK MOUNTAIN RD	PILO	27041	1543	10/28/2004
	BLACK WALNUT	TRL		SIMMONS GROVE CHURCH RD	PILO	27041	1546	11/12/2004
	BRAGG	LN		OAKLAND DR	ECTY	28621	1511	3/9/2005
	BRIT NICK	LN		FREEDOM LN	MOUN	27030	1564	3/7/2005
	BROWNSTONE	LN		TOAST RD	MOUN	27030	1505	8/4/2004
	BUD PUCKETT	LN		WHITE DIRT RD	DOBS	27017	1519	3/18/2005
	BUENA VISTA	DR		COOK SCHOOL RD	PILO	27041	1543	12/30/2005
	CAIN HILL	LN		SNOW HILL CHURCH RD	ELKI	28621	1516	1/24/2005
	CAMPBELL BROOK	DR		OLD ROCKFORD RD	DCTY	27017	1532	7/27/2004
	CANE CREEK	TRL		HICKMAN HOLLOW TRL	MOUN	27030	1553	4/5/2005
	CARL LEE GRIFFITH	CT		ROCKFORD ST	MOUN	27030	1561	11/22/2004
	CARSON	RD		E 52 BYPASS	PILO	27041	1545/1543	2/15/2005
	CATHERLINE	LN		SHOALS RD	PINN	27043	1543	8/11/2004
	CLAYTONS	TRL		HONEY BRANCH	ARAR	27007	1556	3/1/2005
	COON HOLLER	TRL		FISH RIVER CHURCH RD	MOUN	27030	1525	10/6/2004
	CORNETT	DR		GILLESPIE ST	DCTY	27017	1532	4/25/2005
	CRESTWOOD	DR		E 52 BYPASS	PCTY	27041	1545	1/5/2005

	CROSSWALK	TRL		WILDLIFE CLUB RD	LOWG	27024	1501	1/27/2005
	D AND R	LN		SILOAM RD	DOBS	27017	1536	9/7/2005
	DEACON	LN		SHINAULT RD	PINN	27043	1543	6/21/2004
	FOOTHILL FARM	LN		DODSON MILL RD	PILO	27041	1543	7/2/2004
	GRASSY CREEK	DR	1159	N BRIDGE EXT ST	ELKI	28621	1510	3/9/2005
	HAIRSTON	LN		PARKER RD	MOUN	27030	1563	7/22/2004
	HERITAGE CARE	LN		JOHNSON RIDGE RD	ECTY	28621	1511	5/12/2005
	HERITAGE FARM	LN		CAVES MILL RD	DOBS	27017	1519	4/25/2005
	HIDEAWAY RIDGE	TRL		FISHER PEAK TRL	LOWG	27024	1504	11/15/2005
	HIS	WAY		OLD HWY 601	MOUN	27030	1553	9/27/2005
	HOLT BADGETT	LN		FISH RIVER CHURCH RD	MOUN	27030	1525	8/24/2004
	HORSE BARN	TRL		MORTON LN	MOUN	27030	1565	8/12/2004
	LAKEVIEW	DR	1507	GILLESPIE ST	DOBS	27017	1532/1519	3/16/2005
E	LAUREL	LN		SUNRISE AVE	MOUN	27030	1580	10/27/2004
	LUCKY	LN		DANLEY RD	ARAR	27007	1554	10/8/2005
	MARTIN BYRD	RD		BROOKFALL DAIRY RD	ELKI	28621	1510	3/24/2005
	MCBRIDE	RD	1742	E PINE ST	MOUN	27030	1563	2/21/2005
	MOLE HILL	TRL		RAMEY ORCHARD RD	LOWG	27024	1501	1/26/2005
	MOUNTAIN REST	TRL		UNION HILL RD	THUR	28683	1508	9/14/2004
	MOUNTAIN VIEW	LN		MCKINNEY RD	MCTY	27030	1561	3/9/2005
	OLD US 52 BYPASS E			N KEY ST	PILO	27041	1543	1/26/2005
	OLD US 52 BYPASS W			N KEY ST	PILO	27041	1543	1/26/2005
	PADRON	TRL		CARSON RD	PILO	27041	1543	4/8/2005
	PENSTAR	LN		MCKINNEY RD	MOUN	27030	1505	4/27/2004
	PONDEROSA	LN		PINE RIDGE RD	LOWG	27024	1504	1/12/2005
	POWER LINE	TRL		GEORGE CHANDLER RD	MOUN	27030	1505	7/6/2004
	RIVER RHYS	TRL		CRACKERS NECK RD	PILO	27041	1543	9/1/2004
	SABRINAS	LN		ELKIN WILDLIFE RD	ELKI	28621	1512	3/9/2005
	SAMARITANS RIDGE	CT		SAMARITANS RIDGE RD	ECTY	28621	1511	5/13/2005
	SERVICE	RD		SIMMONS GROVE CHURCH RD	PILO	27041	1546	1/15/2005
	SHI IVY EDEN	LN		SILOAM RD	SILO	27047	1537	9/13/2004
	STAINLESS	WAY		ELKIN BUSINESS PARK DR	ECTY	28621	1511	1/16/2004
	STONEWALK	RD		STONECROFT RD	MOUN	27030	1504	4/11/2005
	SUGG FARM	LN		ARTHUR NEEDHAM RD	PILO	27041	1569	4/27/2005
	SUNNYDAY ACRES	LN		HARDIN MILL RD	DOBS	27017	1536	7/1/2004
	SWEET DREAM	LN		SILOAM RD	MOUN	27030	1556	9/30/2004
	TATERWAGON	TRL		WELCOME VIEW CHURCH RD	DOBS	27017	1516	11/5/2004
	THOMPSON FARM	LN		BESSIES CHAPEL CHURCH RD	ELKI	28621	1517	3/30/2005
	TRIPLE T	LN		HIATT RD	MOUN	27030	1564	3/3/2005
	TWO FEATHERS	LN		COCKERHAM RD	ELKI	28621	1515	7/2/2005
	WALKABOUT	TRL		HAYSTACK RD	DOBS	27017	1506	11/18/2004
	WATAUGA	LN		ALLEGHANY LN	PILO	27041	1543	8/30/2004
	WESTBRIDGE	PL		N BRIDGEWATER RD	MOUN	27030	1505	1/31/2005
	WESTERN HILLS	CT		HERITAGE CARE LN	ECTY	28621	1511	5/13/2005
	WILD WINGS	LN		DEVOTION RD	THUR	28683	1507	5/6/2005
	WILKES	LN		ALLEGHANY LN	PILO	27041	1543	8/30/2004
	WINDING	LN		WILDLIFE CLUB RD	LOWG	27024	1501	1/27/2005

Cathy Booker, Tax Administrator, addressed the Board regarding Tax Certification and asked if a local bill had been passed for the Tax Certification.

The Board asked the County Manager to contact local legislators.

Annalisa Davis, Surry County Senior Center, briefed the Board on the Senior Center and presented statistical, revenue and operating expense reports. Ms. Davis stated that they are trying to get the Senior Center certified, but would need funds for this year.

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

David Stone, Health and Nutrition Center Director, recognized Wayne Cooper for his 31 years of faithful service to the County.

The Board took a fifteen minute recess.

The Board resumed regular business.

Barbara Valentine of McNeary, insurance consulting services, discussed excess workers' compensation and a proposal summary with the recommendation for excess workers' compensation coverage through Midwest Employers/Surry Insurance as self-insured coverage and compensation claims solutions.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to take the recommendation of McNeary and contract with Midwest Employers/Surry Insurance for excess Workers' Compensation and compensation claims solutions for third-party administrator services.

Dr. Barry Shepherd, Elkin City Schools Superintendent, presented information regarding Elkin City Schools purchase of property adjacent to the Elkin High School for \$76,830. This property would provide savings to the high school construction project and provide additional parking later.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to concur with the purchase of the property.

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

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

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to authorize the Sheriff to offer a deputy sheriff position to a selected candidate at grade 64-6.

The County Manager presented his recommended FY 06 budget. He noted that since May 23, 2005 the Board had worked very hard to eliminate the proposed 3 cent tax increase and he then presented Draft A and Draft B, either which would avoid a tax increase in FY 06.

The County Manager briefed the Board on the reconsideration of the elimination of the policy for free ton per year for households. Mr. Sammons stated that the Public Works Department had completed a 10 county survey concerning their costs and policies for landfill fees for household waste, finding that only Alleghany and Surry counties offer the free ton.

The County Manager presented a draft resolution from the City of Mount Airy regarding the Mount Airy Board of Commissioners adopting revised rates for water and sewer, which reflects approximately a 3% adjustment in costs.

Chairman Johnson asked for a motion to recess as the Surry County Board of Commissioners.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to recess as the Surry County Board of Commissioners and reconvene as the Flat Rock/Bannertown Water and Sewer District Board of Directors.

The Board discussed the resolution amending the water and sewer schedule.

Upon motion of District Member Hunter, seconded by District Member Miller, the Board voted unanimously to approve the following resolution:

FLAT ROCK/BANNERTOWN WATER AND SEWER DISTRICT
 RESOLUTION AMENDING
 WATER AND SEWER RATE SCHEDULE
 (EFFECTIVE FOR BILLING CYCLES BILLED ON OR AFTER JULY 1, 2005)

WHEREAS, the Flat Rock/Bannertown Water and Sewer District sets its rates for water and sewer use by adopting a rate schedule, which may be amended from time to time;

AND WHEREAS, Section IIIa of the Interlocal Governmental Agreement Between the Flat Rock/Bannertown Water and Sewer District and City of Mount Airy and County of Surry for Extension of Water and Sewer Service, dated February 22, 2005, requires that the structural design of the District's rate schedule be consistent with the structural design of the rate structure of its agent, the City of Mount Airy, and that those rates represent a consistent ratio to rates within the structural design of the City of Mount Airy's rate schedule;

AND WHEREAS, the City of Mount Airy has amended its Water and Sewer Rate Schedules, effective for billing cycles billed on or after July 1, 2005;

AND WHEREAS, the Board of the Flat Rock/Bannertown Water and Sewer District wishes to amend its rate schedule in order to maintain a consistent ratio of 2:1 to rates within the structural design of the City of Mount Airy's rate schedule;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Flat Rock/Bannertown Water and Sewer District that:

Section 1. The District hereby amends its Water and Sewer Rate Schedule in accordance with the attached Schedule of Fees (Effective July 1, 2005). Fee changes are effective on July 1, 2005.

Section 2. This Resolution shall become effective upon approval by the Board of the Flat Rock/Bannertown Water and Sewer District.

Chairman Johnson asked for a motion to recess as the Flat Rock/Bannertown Water and Sewer District Board of Directors and reconvene as the Surry County Board of Commissioners.

Upon motion of District Member O'Neal, seconded by District Member Hunter, the Board voted unanimously to recess as the Flat Rock/Bannertown Water and Sewer District Board of Directors.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to reconvene as the Surry County Board of Commissioners.

The County Manager briefed the Board on a revised budget for the Economic Development Partnership, due to a resignation of President Jan Critz.

The County Manager addressed the Board regarding the updating of the County pay and classification system and requested the Board consider suspension of extra pay increases for specific employees or positions until the updating and comparative pay analysis is completed.

Commissioner Miller made a motion to suspend the extra pay increases until the review was complete. Chairman Johnson seconded the motion. A vote was taken.

Ayes: Commissioner Miller, Chairman Johnson

Nays: Commissioner Harrell, Commissioner Hunter, Commissioner O'Neal

The motion failed for lack of a majority vote.

The County Manager provided the Board with Emergency Services transport data for March, 2005 from Emergency Services.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted to eliminate the fee ton for construction and debris at the Landfill.

Ayes: Chairman Johnson, Commissioner Miller, Commissioner Hunter

Nays: Commissioner Harrell, Commissioner O'Neal

The motion passed by 3-2 a majority vote.

The Board took a ten minute recess.

The Board resumed regular business.

The County Attorney left the meeting at 10:00 p.m.

The Board discussed various budget issues.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted to add \$60,000 to the Economic Development Partnership budget contingent upon the County Manager and the Assistant County Manager for Budget and Finance finding funds.

Ayes: Chairman Johnson, Commissioner Miller, Commissioner Harrell
Commissioner Hunter

Nays: Commissioner O'Neal

The motion passed on a 4-1 majority vote.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter,
the Board voted unanimously to adjourn at 10:40 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of June 20, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on June 20, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Adrienne Dollyhigh, County Planner
Mike Wetzal, Parks, Recreation and Maintenance Director
Cathy Booker, Tax Administrator
Carolyn Comer, Register of Deeds
Various Surry Community College Officials
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Chairman Paul Johnson delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the June 6, 2005 meeting. Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve Lieutenant Jimmy Sumner to receive his service weapon and badge upon retirement.
2. Approve the following from the Tax Department:
 - Total releases for the month ending 05-31-05 in the amount of \$30,607.00.
 - Total refunds for the month ending 05-31-05 in the amount of \$2,300.37.
 - Total real and personal property discoveries for the month ending 05-31-05 in the amount of \$3,780.71.
 - Total motor vehicle discoveries for the month ending 05-31-05 in the amount of \$2,107.53.
 - Collect March, 2005 vehicle renewals in the amount of \$333,894.05.
 - Approve the billing service agreement between SouthData, Inc. and the Surry County Tax Office.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve paying the following invoice from the City of Mount Airy:
 - Pay request #02 for the Welcome Center Project in the amount of \$1,431.30.
2. Approve the Franklin Elementary School to obtain a County flag to be flown at the school.
3. Approve budget change no. 39 as follows:

Change #39

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on June 20, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND EXPENDITURES</u>				
<u>Governing Body</u>				
1054110 55150	Insurance & Bonding	280,000	(3,000)	277,000
	Decrease departmental total.	505,954	(3,000)	502,954
<u>Administration</u>				
1054120 51010	Salaries & Wages	126,369	1,000	127,369
1054120 51350	Group Insurance	6,368	1,000	7,368
1054120 52010	Supplies & Materials	1,200	1,000	2,200
	Increase departmental total.	165,934	3,000	168,934
<u>Non-Departmental</u>				
1054199 59510	General Fund Contingency	30,850	(30,000)	850
1054199 59530	Insurance Contingency	100,000	(30,000)	70,000
	Decrease departmental total.	885,952	(60,000)	825,952
<u>Emergency Management</u>				
1054330 51010	Salaries & Wages	45,930	200	46,130
1054330 52010	Supplies & Materials	8,000	5,000	13,000
1054330 53040	Vehicle Maintenance	1,000	6,000	7,000
	Increase departmental total.	116,039	11,200	127,239
<u>Economic Development Partnership</u>				
1054920 51720	Contracted Services	90,000	60,000	150,000
	Increase departmental total.	95,000	60,000	155,000
<u>Human Services Bldg.- Mt. Airy</u>				
1054197 54300	Utilities	14,000	(4,000)	10,000
	Decrease departmental total.	98,988	(4,000)	94,988
<u>Health Department Building</u>				
1055112 51030	Salaries & Wages Part-Time	4,325	2,000	6,325
1055112 51500	Professional Services	100	1,000	1,100
1055112 53010	Building & Grounds Maintenance	3,000	1,000	4,000
	Increase departmental total.	64,258	4,000	68,258
<u>Recreation</u>				
1056120 51500	Professional Services	0	37,500	37,500
	Increase departmental total.	388,738	37,500	426,238

Fisher River
Park

1056125	52037 Gift Catalog Purchases	10,000	(8,500)	1,500
	Decrease departmental total.	142,116	(8,500)	133,616

REVENUE

1044330	44114 Hazmat Fees	33,400	11,200	44,600
1046120	48900 Miscellaneous	100	25,000	25,100
1046125	44630 Gift Catalog Donations	10,225	4,000	14,225
	Increase fund totals.	61,760,301	40,200	61,800,501

SHERIFF'S NARCOTICS FUNDEXPENDITURES

1854311	52900 Small Equipment	15,000	10,000	25,000
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REVENUE

1844311	43355 NC Controlled Sub Tax	12,000	10,000	22,000
	Increase fund totals.	45,324	10,000	55,324

BANNERTOWN FIRE DISTRICTEXPENDITURES

4354382	57500 Annual Appropriation	156,365	5,500	161,865
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REVENUE

4344382	41100 Ad Valorem Tax - Current	151,165	5,500	156,665
	Increase fund totals.	156,565	5,500	162,065

LANDFILL FUNDEXPENDITURESWaste Collection/Recycling

6757415	55750 White Goods Expense	20,000	80,343	100,343
	Increase departmental total.	817,899	80,343	898,242

REVENUE

6747420	43351 White Goods - Qtr. Fees	28,000	54,346	82,346
6747420	49950 Retained Earnings	432,524	25,997	458,521
	Increase fund totals.	2,909,524	80,343	2,989,867

4. Approve budget change no. 40 as follows:

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on June 20, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>Soil & Water Conservation Dist.</u>				
1054960	52010 Supplies & Materials	1,800	2,000	3,800
	Increase departmental total.	74,500	2,000	76,500
<u>Social Services Admin.</u>				
1055312	51010 Salaries & Wages	219,410	12,166	231,576
1055312	51720 Contracted Services	50,000	168,000	218,000
1055312	52010 Supplies & Materials	48,000	60,000	108,000
1055312	52900 Small Equipment	0	20,570	20,570
1055312	56010 Equipment	0	19,370	19,370
	Increase departmental total.	575,618	280,106	855,724

Services

Programs

1055313	51350	Group Insurance	109,044	12,655	121,699
1055313	51500	Professional Services	25,000	2,800	27,800
1055313	51728	Daycare Contracted Services	1,817,456	440,400	2,257,856
1055313	54010	Travel/Training	85,000	15,000	100,000
1055313	57745	Foster Care Services	5,500	500	6,000
1055313	57850	Crisis Intervention	37,701	20,700	58,401
1055313	57855	NC DOT Grant	0	8,773	8,773
		Increase departmental total.	4,052,689	500,828	4,553,517

Local

Assistance

1055321	54010	Travel/Training	1,000	90	1,090
1055321	57650	EA Foster Care	0	8,659	8,659
1055321	57670	EA Foster Care-Clothing	0	444	444
1055321	57735	Foster Care Donations	400	600	1,000
1055321	57710	State Foster Care IV-B	90,000	(36,478)	53,522
1055321	57720	State Foster Care-Supplemental	21,205	(9,793)	11,412
		Increase departmental total.	519,911	(36,478)	483,433

Child Support-Title IV-D

1055373	51010	Salaries & Wages	253,499	6,000	259,499
1055373	51350	Group Insurance	16,247	9,940	26,187
1055373	51500	Professional Services	18,000	3,690	21,690
		Increase departmental total.	326,707	19,630	346,337

Public Assistance Admin.

1055380	51010	Salaries & Wages	1,222,633	16,000	1,238,633
1055380	51500	Professional Services	0	10,000	10,000
		Increase departmental total.	1,555,293	26,000	1,581,293

Transfers to Other Funds

1059810	59400	Public Assistance Transfer	5,059,114	(225,000)	4,834,114
		Increase departmental total.	10,864,724	(225,000)	10,639,724

REVENUE

1044960	48900	Miscellaneous	16,836	2,000	18,836
1045313	42389	Child Daycare	1,817,456	440,400	2,257,856
1045313	42394	LIEAP & CIP Admin.	0	13,167	13,167
1045313	42397	CIP Payments	37,701	15,746	53,447
1045313	43382	NC DOT Grant	0	8,773	8,773
1045373	42401	Title IV-D Collect/Incent.	0	87,000	87,000
		Increase fund totals.	61,800,501	567,086	62,367,587

PUBLIC ASSISTANCE FUND

EXPENDITURES

3155410	57570	Special Assistance for Adults	1,036,533	(225,000)	811,533
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REVENUE

3145410	49800	Transfer from General Fund	5,059,114	(225,000)	4,834,114
		Increase fund totals.	81,129,623	(225,000)	80,904,623

5. Approve budget change no. 41 as follows:

Change #41

The Board of County Commissioners approved an amendment to the FY2004-2005 Budget Ordinance at their meeting on June 20, 2005.

<u>ACCOUNT</u>			<u>PREVIOUS</u>		<u>REVISED</u>
<u>CODE</u>		<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>CHANGE</u>	<u>AMOUNT</u>
<u>GENERAL FUND</u>					
<u>EXPENDITURES</u>					
<u>Rabies Control</u>					
1054380	51010	Salaries & Wages	165,250	4,000	169,250
		Increase departmental total.	275,757	4,000	279,757
<u>Cardiovascular Disease Program</u>					
1055159	51010	Salaries & Wages	84,304	3,000	87,304
		Increase departmental total.	146,257	3,000	149,257
<u>Environmental Health</u>					
1055181	51010	Salaries & Wages	324,399	9,000	333,399
		Increase departmental total.	429,372	9,000	438,372
<u>Health Promotions</u>					
1055191	51010	Salaries & Wages	86,694	1,000	87,694
		Increase departmental total.	128,856	1,000	129,856
<u>REVENUE</u>					
1044380	44112	Animal Control Fees	3,100	3,000	6,100
1044380	48151	Sale of Dogs	500	1,000	1,500
1045159	44160	Patient Fees	12,000	3,000	15,000
		Environmental Health			
1045181	44162	Fees	50,000	9,000	59,000
1045191	48900	Miscellaneous	61,000	1,000	62,000
		Increase fund totals.	62,367,587	17,000	62,384,587

Request from the Planning Director:

1. Approve Zachary J. Tate final one-lot subdivision.

Request from the Clerk to the Board:

1. Approve Veterans Service Administration to purchase VetRex software and license in the amount of \$1,298.

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.

Mike Wetzal, Parks, Recreation and Maintenance Director, addressed the Board regarding an emergency replacement of the A1 compressor at the Surry County Government Center.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the replacement.

Jerry Fore addressed the Board regarding a potential fire commission to work with the Volunteer Fire Departments on budget. Mr. Fore recommended three individuals from each district.

Chairman Johnson read a letter from Lyndo Tippet, North Carolina Department of Transportation, regarding the implementation of a budget adjustment plan for the Department of Transportation.

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

Chairman Johnson then declared the meeting to be a public hearing for the purpose of public comments on zoning application ZCR451. The parcel site is 20 acres of tax parcel 5972-00-05-2493. The property owner is Samuel E. Marion. The property is currently zoned RA, WO. The petition is to rezone the property to RR-C, WO.

Adrienne Dollyhigh, County Planner, presented the facts pertaining to the rezoning and stated the Planning Board recommends approval of the petition.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the rezoning with the following seven development conditions and the site plan map being on file in the Planning Department.

1. Permitted Uses: Dwellings (on-site, stick-built); Dwellings (modular); Accessory structures; Subdivision (6-lots or more) for a 21-lot residential subdivision; Home occupations; Private tennis courts; Swimming pool (private).
2. Minimum square footage of all dwelling shall be 1,750 square feet.
3. No exposed block foundation of dwellings permitted.
4. Only one single-family dwelling per lot-No re-subdivision of lots permitted.
5. No on-frame modular homes are permitted in the subdivision.
6. All blueprints of structures shall be approved by the developer.
7. Outbuildings shall conform to the architectural design of the dwelling.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of discussing the FY 2005-2006 budget.

The County Manager discussed the FY 06 budget noting that it has been prepared and presented as required by law, was advertised and made available to the public. \$3.4 million had been cut from the original requests. Following this, the Board had held six work sessions on the budget and had devised two proposals to cut an additional \$1.3 million in order to avoid a 3 cent tax increase.

Chairman Johnson asked for comments from the public.

13 individuals spoke regarding the budget, 10 of whom asked the Board to restore the original requested funding to Surry Community College.

There being no further comments from those present, Chairman Johnson closed the public hearing and resumed regular business.

The Board took a ten-minutes recess.

The Board resumed regular business.

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

Commissioner Jim Harrell, Jr. recognized Daniel Hensley for winning the North Carolina High School Athletic Association 1-A Golf Championship.

Commissioner Jim Harrell, Jr. recognized Matthew Mariani, Matthew Wurdeman, Nicholas Holcomb, and Patrick Jones for winning the State Individual Doubles Tennis Championship.

Commissioner Jim Harrell, Jr. recognized Coach Andrew Brown, and Coach Jim Allen for their leadership, service and dedication in the development of young Surry County Athletes resulting in their attainment of numerous outstanding performances in winning the State Individual Doubles Tennis Championship.

Chairman Paul Johnson recognized Catherine Mitchell, Shawn Watson, Ashley Carter, Sara Bartlett, Haley Burge, Ashley Simmons, Karlie Love, Kayla Boles, Ashley Hicks, Rachael Brooks, Brooke Honeycutt, and Samantha Smith for winning the North Carolina High School Athletic Association Class 1-A State Softball Championship Title.

Chairman Paul Johnson recognized Coach Derrick Hill, Assistant Coaches Emily Southern, Wendy Williams, and Lyndsey Haywood for their leadership, service and dedication in the development of young Surry County Athletes resulting in their attainment of numerous outstanding performances in the North Carolina High School Athletic Association Class 1-A State Softball Championship Title.

Dennis Thompson addressed the Board regarding a proposed Interim Visitors' Center at the interchange of Interstate 74 and Highway 89. Mr. Thompson stated that several million visitors enter Surry County each year via Interstate 77. Mr. Thompson gave the Board a proposed budget for one year to operate the Visitors' Center. Rhonda Collins asked the Board to consider and fund the request.

The Board thought the concept was a good idea, but felt it needed to be deferred until a later date.

The County Manager introduced Robin Rhyne as the Interim Economic Development Partnership President, effective June 13, 2005.

The County Manager addressed the Board regarding the 2005 annual NCACC Conference which will be held August 25-28, 2005 in

Mecklenburg County. Mr. Sammons stated that a voting delegate would need to be appointed to represent the County.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to appoint Chairman Johnson as the voting delegate for the County.

The County Manager reported to the Board on the completion of the drainage project at the Historic Courthouse. The project is completed and looks good.

The County Manger updated the Board on the status of the Workforce Development Center, which is 75% complete.

Betty Taylor, Assistant County Manger for Budget and Finance, addressed the Board regarding self-funded Workers' Compensation claims and a resolution setting aside funds for our Workers' Compensation claims.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the following resolution.

RESOLUTION

WHEREAS, Surry County will self-fund Workers' Compensation claims up to \$300,000/\$350,000 per incident. Excess coverage will be purchased to provide insurance for any catastrophic occurrences. Compensation Claims Solutions will handle the adjustment of claims; and

WHEREAS, Surry County will utilize funds set aside in the budget for the purchase of Workers' Compensation coverage for claim payments;

NOW THEREFORE BE IT RESOLVED, that the Commissioners of Surry County recognize claims will have to be paid from Surry County revenues and that the County is not eligible from reimbursement for the North Carolina Insurance Guaranty Association.

BE IT FUTHER RESOLVED, this will be effective July 1, 2005.

Betty Taylor, Assistant County Manager for Budget and Finance, addressed the Board regarding the County's health plans. Ms. Taylor presented information on third party administration, stop loss quotes and proposed plan options.

It was the consensus of the Board to discuss the health plans during budget deliberations.

The Board took a ten-minute recess.

The Board resumed regular business.

The County Manager addressed the Board regarding the Tax Department collecting taxes for the Town of Pilot Mountain for the

2005 tax year. Mr. Sammons stated that the Tax Department would begin collecting delinquent taxes in 2006.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to approve the following resolution and enter into an agreement with the Town of Pilot Mountain to collect ad valorem taxes from the 2005-2006 tax year forward.

SURRY COUNTY RESOLUTION
AUTHORIZING INTERLOCAL TAX COLLECTION
AGREEMENT WITH THE TOWN OF PILOT MOUNTAIN
TO COLLECT TOWN'S TAXES

WHEREAS, Surry County has the power, pursuant to General Statutes § 153A-445(a)(1) and Article 20 of Chapter 160A of the North Carolina General Statutes to exercise jointly with other municipalities any function for which the County has been granted the power to exercise alone, and to enter into contracts or agreements to specify the details of the joint undertaking; and

WHEREAS, Surry County proposes to enter into an Interlocal Agreement with the Town of Pilot Mountain for the collection of the Town's taxes; now therefore, be it

RESOLVED, by the Surry County Board of Commissioners that the County Manager is authorized to enter into an agreement with the Town of Pilot Mountain to collect the Town's taxes under terms and conditions negotiated by the County Manager.

The Board discussed an invoice in the amount of \$1,310.49 from the City of Mount Airy regarding payment of 1/3 of the cost of window repairs at the shell building.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously for the County Manager to write the City of Mount Airy and ask them to produce an agreement of the bill for the window repair.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to go into closed session to discuss economic development.

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

Attorney Edwin Woltz left the meeting at 10:30 p.m.

The Board began budget deliberations and discussed draft A and B which was presented by the County Manager during the most recent budget work session. The County Manager stated that both drafts would eliminate any tax increase. The Board discussed various needs in departments and agencies and the employee health care insurance.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the following budget ordinance, with a copy of the ordinance on file in the Clerk to the

Boards Office, and allow the Assistant County Manager for Budget and Finance to choose a stop loss company for the Surry County Employee Health Plan and implement a dual option health care plan, with the County paying 70% and the employee paying 30% of the premium for Employee Only coverage.

2005-2006 BUDGET ORDINANCE

Be it ordained by the Board of Commissioners of Surry County, North Carolina:

SECTION 1. The following amounts are hereby appropriated in the General Fund for the operation of Surry Government and its activities for the fiscal year beginning July 1, 2005 and ending June 30, 2006:

CODE	DEPARTMENT	APPROPRIATION
10-4110	Governing Body	518,490
10-4120	Administration	176,762
10-4122	Human Resources Department	104,243
10-4130	Finance Office	552,532
10-4140	Tax Department	1,416,167
10-4150	County Attorney	67,100
10-4170	Board of Elections	237,743
10-4180	Register of Deeds	478,379
10-4185	Judicial Center Building	316,500
10-4186	Cooper Street Building	24,500
10-4190	Building & Grounds – County	334,119
10-4192	Historic Courthouse	135,160
10-4194	Agriculture Building	36,500
10-4196	Admin/Social Services Building	198,394
10-4197	Human Services Building- Mt. Airy	120,033
10-4198	Special Appropriations	148,190
10-4199	Non-Departmental	1,104,000
10-4200	Central Services	22,278
10-4210	Automated Systems Services	355,706
10-4305	Pre-Trial Release (County)	63,530
10-4309	Viper Grant (Sheriff's Office)	0
10-4310	Sheriff's Office	3,234,394
10-4315	Highway Safety Program	1,250
10-4316	School Resource Officer	113,514
10-4317	Criminal Justice Partnership	82,739
10-4318	Criminal Justice Discretionary	0
10-4320	County Jail	1,485,078
10-4325	Communications Center	717,880
10-4330	Emergency Management	78,550
10-4334	Terrorism Grant	0
10-4336	Homeland Security Grant	0
10-4337	Bioterrorism Prep Grant	0
10-4338	Hazmat Equipment Grant	0
10-4339	HMEP Planning Grant	0
10-4340	Fire Marshal	210,421
10-4342	Fire and Rescue	250,100
10-4344	Viper Grant-EMS	0
10-4345	Viper Grant II-EMS	0
10-4346	Citizens Corps Grant	0
10-4350	Inspections	522,206
10-4360	Medical Examiner	35,000
10-4370	Emergency Medical Services	3,126,389
10-4380	Rabies Control	301,016
10-4730	Lovill Creek Phase (I & II combined)	166,794
10-4910	Planning & Development	265,768
10-4912	Road Signs Project	48,062
10-4915	Capacity Building Grant	0
10-4920	Economic Development Partnership	90,000
10-4950	Cooperative Extension	301,775
10-4958	EFNEP Grant	13,065

10-4960	Soil & Water Conservation District	58,410
10-4962	Agriculture Cost Share Program	39,650
10-4965	Clean Water Grant-Snow Creek	328,700
10-4967	Clean Water Grant #3	161,000
10-4968	Clean Water Grant-Ararat	27,310
10-4969	Fish & Wildlife Grant	28,000
10-4971	Clean Water Grant-Phase IV	492,995
10-5110	Health Dept. Administration	109,841
10-5112	Health Department Building	65,399
10-5113	Health-Smart Start	65,550
10-5117	Health Grant Access II	166,866
10-5121	Communicable Disease/STD	255,253
10-5126	School Based Health Center	0
10-5143	In-Home Breastfeeding Grant	32,930
10-5148	Adult Primary Care	209,059
10-5152	Diabetes Grant	47,469
10-5154	Senior Services	3,820,600
10-5156	Faith in Action Grant	17,500
10-5158	Cancer Control Program	106,509
10-5159	Women's Health/Wise Women	157,464
10-5160	Heart Disease/Stroke Prevention	100,000
10-5162	Maternal Health Program	294,883
10-5163	Child Health Program	620,016
10-5164	Family Planning Program	303,380
10-5167	Supplemental Food Program	386,734
10-5168	Partners in Healthy Eating	19,819
10-5170	Immunization Action Plan	267,946
10-5171	Infant Mortality Reduction	10,423
10-5173	Orthopedics	17,829
10-5177	Health Check Coordinator	38,651
10-5178	Child Service	181,580
10-5181	Environmental Health	467,600
10-5185	Bioterrorism & Preparedness	94,253
10-5190	Health and Wellness Trust	84,109
10-5191	Health Promotions	108,078
10-5192	Dental Clinic	343,239
10-5193	RJR Dental Clinic Grant	0
10-5195	Migrant Farmworker Grant	59,669
10-5210	Mental Health	204,230
10-5312	Social Services Administration	616,870
10-5313	Social Services Programs	4,572,442
10-5321	Social Services Local Assistance	482,237
10-5329	Child Development – Day Care	258,372
10-5373	Child Support - Title IV-D	363,743
10-5380	Public Assistance Administration	1,549,729
10-5820	Veterans Service Office	93,890
10-5830	Community Action Program	123,880
10-5911	Current Expense-Schools	
57000	Mount Airy Schools (1,798 students)	1,771,030
57001	Elkin Schools (1,033 students)	1,017,505
57002	County Schools (8,790 students)	8,658,150
59585	Charter School Reserve (270 students)	265,950
10-5921	Surry Community College M & O Department	1,800,000
10-6110	Library	353,800
10-6120	Recreation	436,488
10-6125	Fisher River Park	128,528
10-9810	Transfers to other Funds	
59109	Transfer to Debt Service 1998 Ref	1,483,790
59110	Transfer to Debt Service 1995 College	109,158
59111	Transfer to Debt Service 1999 College	166,460
59115	Transfer to Debt Service 1995 School	0
59120	Transfer to Debt Service 2003 College	416,424
59121	Transfer to Debt Service W.F. Dev. Center	133,898
59123	Transfer to Debt Service Prop.	410,000
59150	Transfer to Reappraisal Reserve	295,260
59240	Transfer to Water/Sewer	692,255

59250	Transfer to Capital Reserve-Landfill	0
59260	Transfer to Dental/Visual/Hearing	254,450
59270	Transfer to Building Reserve	0
59300	Transfer to Bldg. Reserve-Debt Service	1,739,528
59400	Public Assistance Transfer	5,563,680
GENERAL FUND TOTALS		61,004,788

It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2005 and ending June 30, 2006 to meet the foregoing General Fund appropriations:

CODE	REVENUE SOURCE	AMOUNT
10-4000-42100	Payment in Lieu of Taxes	700
10-4000-43100	Sales Tax	5,700,000
10-4000-43101	Sales Tax – Article 40	2,080,000
10-4000-43102	Sales Tax – Article 42	1,140,000
10-4000-43105	State Tax Article 44	2,500,000
10-4000-43122	State Beer & Wine	200,000
10-4000-48200	Surplus Property	7,000
10-4000-48500	Insurance Refunds	10,000
10-4000-48900	Miscellaneous	40,000
10-4000-48950	Town of Dobson	1,200
10-4000-49900	Unencumbered Balance	2,078,932
10-4110-44595	Donations	500
10-4130-44900	Interest Earned on Investments	350,000
10-4130-44910	Interest Earned-Checking Account	130,000
10-4130-44920	Interest Earned-Surry Clerk of Court	200
10-4140-41100	Ad Valorem Tax-Current	28,139,832
10-4140-41101	Ad Valorem Tax-Prior	480,000
10-4140-41102	Ad Valorem Tax-Previous	195,000
10-4140-41150	Gross Receipts Tax	12,000
10-4140-41700	Penalty/Int/Cost/Collect Fee	200,000
10-4140-44190	County Beer & Wine Licenses	2,800
10-4140-48100	Sale of Tax Maps/Xerox Copies	3,000
10-4170-44192	Elections-Pilot	0
10-4170-44193	Elections-Mount Airy	0
10-4170-44194	Elections-Elkin	0
10-4170-44195	Elections-Dobson	0
10-4170-48900	Miscellaneous-Board of Elections	100
10-4180-44100	Register of Deeds Fees	500,000
10-4192-44140	Court Cost Facility Fees	140,000
10-4309-42318	Viper Grant-Sheriff's Office	0
10-4310-42331	Social Security Incentive	3,000
10-4310-42336	LLEBG Grant	0
10-4310-43353	Highway Safety Prog. Grant	0
10-4310-44130	Court Cost Sheriffs Fees	22,000
10-4310-44131	Outside Officers Fees	500
10-4310-44132	Outside Office Fees-50%	100
10-4310-44135	Fingerprint Fees (Sheriff)	2,000
10-4310-44136	Concealed Handgun Permit Fees	3,500
10-4310-44137	Court Cost Officers Fees	46,200
10-4310-44139	Court Cost Officer Fees	12,000
10-4310-44145	Impound Fees	3,400
10-4310-48900	Miscellaneous-Sheriff's Office	0
10-4315-48900	Miscellaneous-Highway Safety Program	1,250
10-4316-44570	School Resource Officer	113,514
10-4317-42346	Criminal Justice Partnership	82,739
10-4318-42345	Criminal Justice Discretionary	0
10-4320-43354	Safe Roads Act	8,000
10-4320-44138	Jail-Work Release	0
10-4320-44141	Jail Fees	30,000
10-4320-44142	State Confinement of Prisoners	50,000
10-4320-48980	Miscellaneous-Commissary	25,000
10-4320-48985	Commission-Commissary	7,000
10-4320-48990	Commission Pay Telephones	12,000
10-4330-42300	Emergency Management Grant	13,000

10-4330-44114	HazMat Fees	20,000
10-4334-42313	Terrorism Grant	0
10-4336-42328	Homeland Security Grant	0
10-4337-42313	Bio-Terrorism Prep Grant	0
10-4340-44111	Fire Marshal Inspection Fees	12,500
10-4350-44120	Inspection Fees	180,000
10-4350-44121	Building Permits	95,000
10-4370-44110	EMS Fees	2,400,000
10-4380-44112	Animal Control Fees	5,000
10-4380-44115	Animal Control Citations	600
10-4380-48151	Sale of Dogs	1,500
10-4910-48900	Miscellaneous Planning and Develop.	17,000
10-4915-43155	Capacity Building Grant	0
10-4950-44568	Weyerhaeuser Grant-Coop. Ext.	0
10-4958-43364	EFNEP Grant	13,065
10-4960-42120	Department of Agriculture	0
10-4960-43357	ACSP-Cost Share	4,000
10-4960-48900	Miscellaneous-Soil & Water	0
10-4962-43358	Agriculture Cost Share Program NCACS Tech Assist Funds	16,000
10-4965-43356	Clean Water Grant-Snow Creek	328,700
10-4967-43356	Clean Water #3	161,000
10-4968-43356	Clean Water Grant-Ararat	27,310
10-4969-42250	Fish & Wildlife Grant	28,000
10-4971-43356	Clean Water Grant-Phase IV	492,995
10-5110-43300	State & Fed Aid to County	32,034
10-5110-48900	Miscellaneous Health Department	2,000
10-5113-43163	Health Smart Start	65,550
10-5117-43324	Health Access II	166,866
10-5121-42351	Patient Fees-Medicaid	2,000
10-5121-42365	CDC TB Control	580
10-5121-43170	Substance Abuse	0
10-5121-43307	State-HIV	500
10-5121-43308	State-TB Medical Services	540
10-5121-43315	CDS	2,391
10-5121-43316	State TB Money	2,193
10-5121-44160	Patient Fees	3,500
10-5126-48900	Miscellaneous-School Based Health Ctr.	0
10-5143-43500	Smart Start-In Home Breastfeed Grant	32,930
10-5148-42350	Patient Fees-Medicare-Adult Prim. Care	10,000
10-5148-42351	Patient Fees-Medicaid	10,000
10-5148-43187	Community Health Grant	0
10-5148-44160	Patient Fees	39,600
10-5148-44200	Patient Fees-Private Insurance	4,000
10-5148-44500	Kate B. Reynolds-Adult Primary Care	145,459
10-5152-42350	Patient Fees-Medicare-Diabetes Grant	500
10-5152-42351	Patient Fees-Medicaid	500
10-5152-43398	Diabetes Grant	46,000
10-5152-44160	Patient Fees	50
10-5152-44200	Patient Fees Insurance-Diabetes Grant	419
10-5154-42350	Patient Fees-Medicare-St. Home Health	1,070,000
10-5154-42351	Patient Fees-Medicaid	2,400,000
10-5154-42352	Patient Fees-Vet Adm.	4,000
10-5154-43188	Health and Wellness	25,000
10-5154-43322	Chore Services-NWPCOG Grant	244,000
10-5154-43326	State Home Health	0
10-5154-43395	Caregiver Grant-NWPCOG	20,000
10-5154-44160	Patient Fees	45,000
10-5154-44170	Chore/Respite Donations	2,000
10-5154-44200	Patient Fees Private Ins. State Home Hlt.	9,000
10-5154-44202	Home Health Contractual	1,000
10-5154-48900	Miscellaneous State Home Health	600
10-5156-44555	Faith in Action Grant	17,500
10-5158-42360	Cancer Control Program	20,090
10-5158-44200	Patient Fees-Private Ins.	200
10-5158-44551	Susan G. Komen Grant	15,800

10-5158-48900	Miscellaneous-Cancer Control Program	200
10-5159-42350	Patient Fees-Medicare	200
10-5159-42351	Patient Fees-Medicaid	1,800
10-5159-42361	Cardiovascular Disease	16,940
10-5159-44160	Patient Fees	12,000
10-5159-44200	Patient Fees-Private Insurance	1,200
10-5160-43309	NC Cardiovascular Health	100,000
10-5162-42349	Medicaid Post P/Newborn-Mat. Health	47,760
10-5162-42351	Patient Fees-Medicaid	385
10-5162-42353	Maternal Health Care	52,750
10-5162-42354	Maternal Health-Title XIX	100,000
10-5162-43310	State Grant	727
10-5162-43317	Mow-Baby Love	30,000
10-5162-44160	Patient Fees-Maternal Health	1,500
10-5162-44200	Patient Fees-Private Ins.	0
10-5162-48900	Miscellaneous-Maternal Health	0
10-5162-49900	Unencumbered Balance-Mat. Health	61,761
10-5163-42351	Patient Fees-Medicaid-Child Health Prog.	499,180
10-5163-42355	Child Health Care	70,346
10-5163-42356	Child Health-TITLE XIX	0
10-5163-43310	State Grant	0
10-5163-44160	Patient Fees-Child Health Program	33,785
10-5163-44161	Pediatric Fees	0
10-5163-44200	Patient Fees-Private Ins.-Child Health	16,705
10-5164-42351	Patient Fees-Medicaid/ Family Planning	30,000
10-5164-42370	Family Planning	28,444
10-5164-42371	Family Planning-TITLE XIX	0
10-5164-42450	TANF	0
10-5164-43310	State Grant	0
10-5164-44160	Patient Fees-Family Planning	35,000
10-5164-44163	Family Planning Fees-Supp. Food	0
10-5164-44200	Patient Fees – Private Insurance	10,000
10-5164-48900	Miscellaneous-Family Planning	1,000
10-5167-42350	Patient Fees-Medicare Supp. Food	1,000
10-5167-42351	Patient Fees-Medicaid-Supp. Food	100
10-5167-42372	WIC	278,616
10-5167-44160	Patient Fees-Supplemental Food	7,500
10-5167-48900	Miscellaneous-Supp. Food	100
10-5168-43305	Partners in Health Eating	11,909
10-5170-42350	Patient Fees-Medicare Imm. Action Plan	10,000
10-5170-42351	Patient Fees-Medicaid	10,000
10-5170-42362	Federal Immunization Action Plan	12,279
10-5170-43327	State Immunization Action Plan	8,771
10-5170-44160	Patient Fees-Immunization Action Plan	100,000
10-5170-44200	Patient Fees-Private Insurance	5,000
10-5170-48900	Miscellaneous-Imm. Action Plan	1,000
10-5171-43314	Infant Mortality Reduction	13,250
10-5173-42351	Patient Fees-Medicaid-Orthopedics	2,000
10-5173-42373	Children's SP Health Serv	5,200
10-5173-42374	CSHS-Title XIX	0
10-5173-44160	Patient Fees-Orthopedics	500
10-5173-44200	Patient Fees-Private Insurance	500
10-5173-49900	Unencumbered Balance-Orthopedics	9,629
10-5177-42351	Patient Fees-Medicaid-Health Ck. Coord.	33,873
10-5177-49900	Unencumbered Balance Health Ck. Coord.	4,778
10-5178-42351	Patient Fees-Medicaid-Child Service	86,000
10-5178-42364	Child Service Coordinator XIX	0
10-5178-43319	Child Service Coordinator	28,712
10-5178-48900	Miscellaneous-Child Services	0
10-5178-49900	Unencumbered Balance-Health Ck. Coord.	66,868
10-5181-43313	Food & Lodging-Environmental Health	750
10-5181-43323	Environmental Health Grant	5,500
10-5181-44162	Environmental Health	75,000
10-5185-42600	Bioterrorism (4514)	63,845
10-5185-42628	Lnd Nan Connectivity	30,408
10-5190-43188	Health and Wellness	84,109

10-5191-43312	Health Promotions	34,716
10-5191-43397	Healthy Carolinians	20,000
10-5191-44171	Health Foundation	15,000
10-5191-48900	Miscellaneous-Health Promotions	500
10-5191-49900	Unencumbered Balance-Health Prom.	20,000
10-5192-42351	Patient Fees-Medicaid-Dental Clinic	271,739
10-5192-44160	Patient Fees-Dental Clinic	25,000
10-5192-44200	Patient Fees – Private Insurance	46,000
10-5192-48900	Miscellaneous-Dental Clinic	500
10-5193-44566	Smart Start Dental Grant	0
10-5195-42359	Migrant Farmworker Grant	58,180
10-5195-44160	Patient Fees-Migrant Farmworker	0
10-5312-42407	SACWIS-DSS	0
10-5312-48900	Miscellaneous-Social Services Admin.	0
10-5313-42380	Social Service Block Grant	231,643
10-5313-42382	Permanency Planning	29,411
10-5313-42383	IV-E Optional Admin	67,103
10-5313-42389	Child Day Care	2,230,241
10-5313-42390	CCDF Admin.	92,927
10-5313-42391	Adult Care Home CM	82,004
10-5313-42393	Comm Work Exp Prog (SWAP)	20,102
10-5313-42394	LIEAP& CIP Admin	13,080
10-5313-42397	CIP Payments	34,650
10-5313-42398	Title XIX Med Transport	18,313
10-5313-42403	Independent Living Program	8,065
10-5313-42404	Medicaid Case Mgt.	110,000
10-5313-42405	Work First	0
10-5313-42406	IV-E/CPS	188,594
10-5313-42410	Fingerprinting	200
10-5313-42450	TANF	632,478
10-5313-42452	TANF to SSBG	38,088
10-5313-42455	TANF Adoption	33,144
10-5313-42500	Domestic Violence	7,252
10-5313-43373	State In-Home Services	9,306
10-5313-43378	Smart Start Admin	30,000
10-5313-43382	NC Dot Grant	7,221
10-5313-43400	Adult Home Specialist	29,031
10-5321-42392	Adoption Assistance (Vendor)	56,250
10-5321-42400	Reimburse Distribution of Food	18,000
10-5321-42408	Title IV-E Foster Care AFDC	100,357
10-5321-43371	St Foster Care Benefits Program	35,280
10-5321-44610	Christmas Donation	6,000
10-5321-44639	Links Scholarship	0
10-5329-43376	Surry Child Dev Daycare/St & Fees	194,040
10-5373-42401	Title IV D	36,637
10-5373-42402	IV-D Administration	328,398
10-5380-42384	Food Stamp Administration-Public Asst.	290,615
10-5380-42385	MA Expansion	22,064
10-5380-42387	Medical Asst Administration	626,111
10-5380-43374	State Aid to Co Administration	46,901
10-5380-43375	NC Health Choice Administration	74,462
10-5380-43377	Program Integrity-Public Assistance	31,366
10-5820-43359	State Veterans	2,000
10-6120-48900	Miscellaneous-Recreation	15,000
10-6125-43390	PARTF Grant-Fisher River	0
10-6125-44630	Gift Catalog Donations-Fisher River Pk.	7,000
10-6125-48610	Rent Income-Fisher River Park	7,000
10-6125-48900	Miscellaneous-Fisher River Park	3,000
TOTAL GENERAL FUND REVENUE ESTIMATED		61,004,788

There is hereby levied a tax rate of 63.0 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 for the purpose of raising the revenue listed as G.F. 2005 Ad Valorem Tax in the General Fund Revenue Sources. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$4,652,747,304 and an estimated collection rate of 96%.

SECTION 2. The following amounts are hereby appropriated in the General Fund –Economic Development for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
11-4922-51500	Professional Services	25,000
11-4922-57138	SouthData	44,442
11-4922-57139	Gerard's	22,400
11-4922-57141	Basalt	6,324
11-4922-57145	Toast Water Project	200,000
11-4922-57146	MA/SC Industrial Park	62,382
11-4922-57148	Elkin/I-77	0
11-4922-57150	Welcome Center	157,222
11-4922-57151	Andrew Pearson (Payments 4, 5 of 5)	4,040
11-4922-57153	Elkin Business Park	0
11-4922-57156	Dean Bray (Payments 4,5 of 5)	4,040
11-4922-57158	Advanced Electronics	40,944
11-4922-57159	Park Drive Water Project	0
11-4922-57165	ASMO Corp (1 of 5 Payments)	13,038
11-4922-57185	Elkin Corporate Park	348,771
11-4922-57186	Henredon	50,000
11-4922-57187	Galaxy	2,151
11-4922-57188	A. Brown Mechanical	0
11-4922-57189	Kentucky Derby Hosiery	15,608
11-4922-59500	Contingency	375,000
11-4922-59675	Economic Development Fund	149,829
11-9120-58200	Lease/Purchase Principal	433,059
11-9120-58210	Lease/Purchase Interest	98,005
11-9120-58215	Ind. Dev. Loan Principal	15,000
TOTAL APPROPRIATIONS –GENERAL FUND – ECONOMIC DEV.		2,067,255

It is estimated that the following revenues will be available in the General Fund-Water/Sewer for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
11-4922-44400	Mt. Airy Contribution	0
11-4922-49800	Transfer from General Fund	692,255
11-4922-49900	Unencumbered Balance	1,367,500
11-4925-43348	NC High Unit Cost Water Grant	0
11-4925-48900	Miscellaneous-White Plains Water Project	0
11-9120-44400	Mount Airy Contribution	7,500
TOTAL ESTIMATED GENERAL FUND-ECONOMIC DEV. REVENUES		2,067,255

SECTION 3. The following amounts are hereby appropriated in the General Fund-Debt Service for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
12-9110-58030	Principal 1995 School	311,019
12-9110-58040	Interest 1995 Series	219,611
12-9110-58045	Principal 1999 MA Middle	370,127
12-9110-58046	Interest 1999 MA Middle	63,361
12-9110-58050	Principal 1995 College	63,981
12-9110-58060	Interest 1995 College	45,177
12-9110-58065	Principal 1998 Refunding	1,300,000
12-9110-58066	Interest 1998 Refunding	401,050
12-9110-58070	Principal 1999 College	100,000
12-9110-58080	Interest 1999 College	66,460
12-9110-58085	Principal 2001 (QZAB) Tharrington & Copeland	161,040
12-9110-58086	Principal 2003 College	287,267
12-9110-58087	Interest 2003 College	153,394
12-9110-58088	Principal 2003 W F Dev. Center	105,417
12-9110-58089	Interest 2003 W F Dev. Center	42,897
12-9110-58091	Principal 2004 (QZAB) Mt. Airy	93,044
12-9110-58093	Principal 2004 (QZAB) Surry County	116,100
12-9110-58220	Prop Debt	410,000

12-9110-59625	College D.S. Reserve	0
TOTAL APPROPRIATIONS – GENERAL FUND- DEBT SERVICE		4,309,945

It is estimated that the following revenues will be available in the General Fund-Debt Service for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
12-9110-44400	Mount Airy Contribution	14,416
12-9110-49802	DS Trans From GF (1995 College)	109,158
12-9110-49803	DS Trans From GF (1999 College)	166,460
12-9110-49804	DS Trans from GF (1998 Refunding)	1,483,790
12-9110-49807	DS Trans from GF (1995 School)	0
12-9110-49808	DS Trans from GF (2003 College)	416,424
12-9110-49809	DS Trans from GF (2003 WF Dev. Ctr.)	133,898
12-9110-49819	DS Trans from CR (1999 MA Middle)	433,488
12-9110-49821	DS Trans from CR (1995 Bonds)	530,630
12-9110-49822	DS Trans from CR (1998 Refunding)	217,260
12-9110-49887	DS Trans from GF Prop	410,000
12-9110-49895	DS Trans from CR (QZAB) Tharrington & Copeland	161,040
12-9110-49896	DS Trans from MA (QZAB)	93,044
12-9110-49898	DS Trans from SC (QZAB)	116,100
12-9110-49900	Unencumbered Balance	24,237
TOTAL REVENUE – GENERAL FUND- DEBT SERVICE		4,309,945

SECTION 4. The following amounts are hereby appropriated in the General Fund-Total Employee Benefits Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
13-4230-51370	Retiree Insurance	130,000
13-4230-51500	Professional Services	0
13-4230-52010	Supplies and Materials	50
13-4230-55615	Reimbursement Expenditures	115,000
13-4230-55616	Influenza Immunization	1,400
13-4230-59500	Contingency	10,000
13-4235-51355	Claims	2,700,000
13-4235-55580	Administrative Cost	350,000
13-4235-59555	Reserve	200,000
TOTAL APPROPRIATIONS –GENERAL FUND-EMPLOYEE BENEFITS FUND		3,506,450

It is estimated that the following revenues will be available in the General Fund–Employee Benefits Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
13-4230-44900	Interest Earned on Investments	2,000
13-4230-49800	Transfer from General Fund	254,450
13-4230-49900	Unencumbered Balance	0
13-4235-44800	Premiums	3,250,000
TOTAL ESTIMATED REVENUES – GENERAL FUND-EMPLOYEE BENEFITS FUND		3,506,450

SECTION 5. The following amounts are hereby appropriated in the General Fund-HOME (HUD) Program for the said fiscal year:

CODE	ACTIVITY	APPROPRIATION
14-4970-57195	HOME Program	1,400,000
14-4970-57196	Program Returns	400,000
TOTAL APPROPRIATIONS – GENERAL FUND-HOME (HUD) PROGRAM		1,800,000

It is estimated that the following revenues will be available in the General Fund – HOME (HUD) Program for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
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14-4970-42348	HOME Program	1,400,000
14-4970-44350	Program Income	400,000
14-4970-49900	Unencumbered Balance	0
TOTAL ESTIMATED REVENUES – HOME (HUD) PROGRAM		1,800,000

SECTION 6. The following amounts are hereby appropriated in the General Fund-Cooperative Extension Fund for the said fiscal year:

CODE	ACTIVITY	APPROPRIATION
15-4951-51030	Salary Part-time	0
15-4951-51300	Social Security	0
15-4951-51310	Medicare	0
15-4951-55650	Miscellaneous	40,000
TOTAL APPROPRIATIONS – GENERAL FUND-COOPERATIVE EXTENSION FUND		40,000

It is estimated that the following revenues will be available in the General Fund – Cooperative Extension Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
15-4951-48900	Miscellaneous	40,000
15-4951-49900	Unencumbered Balance	0
TOTAL ESTIMATED REVENUES – COOPERATIVE EXTENSION FUND		40,000

SECTION 7. The following amounts are hereby appropriated in the General Fund-Sheriff's – Special Accounts for the said fiscal year:

CODE	ACTIVITY	APPROPRIATION
16-4322-55655	Miscellaneous-Levy	65,000
16-4322-55656	Miscellaneous-DARE	4,000
16-4322-55657	Miscellaneous-Special Events	39,000
TOTAL APPROPRIATIONS – GENERAL FUND-SHERIFF'S – SPECIAL ACCOUNTS		108,000

It is estimated that the following revenues will be available in the General Fund - Sheriff's - Special Accounts for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
16-4322-48910	Miscellaneous Revenue-Levy	65,000
16-4322-48911	Miscellaneous Revenue-Dare	4,000
16-4322-48912	Misc. Revenue-Special Events	39,000
TOTAL ESTIMATED REVENUES – GENERAL FUND-SHERIFF'S SPECIAL ACCOUNTS		108,000

SECTION 8. The following amounts are hereby appropriated in the General Fund-Sheriff's - Narcotics for the said fiscal year:

CODE	ACTIVITY	APPROPRIATION
18-4311-51500	Professional Services	1,000
18-4311-52500	Supplies-Narcotics	26,000
18-4311-52900	Small Equipment	2,000
18-4311-53030	Equip Maint-Narcotics	2,000
18-4311-55700	Drug Dog	3,000
18-4311-56020	Equipment-Narcotics	8,000
TOTAL APPROPRIATIONS – GENERAL FUND-SHERIFF'S NARCOTICS		42,000

It is estimated that the following revenues will be available in the General Fund - Sheriff's Narcotics for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
18-4311-42330	US Equitable Sharing	0
18-4311-43355	NC Controlled Substance Tax	12,000
18-4311-48200	Surplus Property	0
18-4311-48900	Miscellaneous	0
18-4311-49900	Unencumbered Balance	30,000
TOTAL ESTIMATED REVENUES – GENERAL FUND-SHERIFF'S NARCOTICS		42,000

SECTION 9. The following amounts are hereby appropriated in the General Fund-Register of Deeds Automation Fund for the said fiscal year:

CODE	ACTIVITY	APPROPRIATION
19-4182-58200	Lease Purchase/Principal	41,026
19-4182-58210	Lease Purchase/Interest	1,203
TOTAL APPROPRIATIONS – GENERAL FUND-REGISTER OF DEEDS AUTOMATION FUND		42,229

It is estimated that the following revenues will be available in the General Fund-Register of Deeds Automation Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
19-4182-44100	Register of Deeds	42,229
19-4182-49900	Unencumbered Balance	0
TOTAL ESTIMATED REVENUES – GENERAL FUND-REGISTER OF DEEDS AUTOMATION FUND		42,229

SECTION 10. The following amounts are hereby appropriated in the Public Assistance Fund for the said fiscal year:

CODE	ACTIVITY	APPROPRIATION
31-5410-57550	Medical Assistance	4,735,475
31-5410-57551	Medical Assistance – State	82,464,525
31-5410-57570	Special Assistance for Adults	1,018,080
31-5410-57571	Special Assistance for Adults – State	1,018,080
31-5410-57770	TANF-County Issue	0
31-5410-57775	Aid to the Blind	10,125
31-5410-57776	Aid to the Blind – State	28,875
TOTAL APPROPRIATIONS – PUBLIC ASSISTANCE FUND		89,275,160

It is estimated that the following revenues will be available in the Public Assistance Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
31-5410-42450	TANF	0
31-5410-42451	Medical Assistance	82,464,525
31-5410-43379	Aid to Blind-State	28,875
31-5410-43380	Special Assistance for Adults-State	1,018,080
31-5410-49800	Transfer from General Fund	5,563,680
31-5410-49900	Unencumbered Balance	200,000
TOTAL ESTIMATED REVENUE – PUBLIC ASSISTANCE FUND		89,275,160

SECTION 11. The following amounts are hereby appropriated in the Reappraisal Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
33-4141	Reappraisal Dept.	305,260
TOTAL APPROPRIATIONS – REAPPRAISAL FUND		305,260

It is estimated that the following revenues will be available in the Reappraisal Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
33-4141-44900	Interest Earned on Investments	0

33-4141-49800	Transfer From General Fund	295,260
33-4141-49900	Unencumbered Balance	10,000
TOTAL ESTIMATED REVENUES-REAPPRAISAL FUND		305,260

SECTION 12. The following amounts are hereby appropriated in the Emergency Telephone (E-911) Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
34-4327	Emergency Telephone 911	450,000
TOTAL APPROPRIATIONS - E-911 FUND		450,000

It is estimated that the following revenues will be available in the Emergency Telephone (E-911) Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
34-4327-44113	Subscriber Charges	450,000
34-4327-44900	Interest Earned on Investments	0
34-4327-49900	Unencumbered Balance	0
TOTAL ESTIMATED REVENUES – E-911 FUND		450,000

SECTION 13. The following amounts are hereby appropriated in the Wireless 911 Telephone Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
35-4329	Wireless 911 Telephone	120,000
TOTAL APPROPRIATIONS – WIRELESS 911 FUND		120,000

It is estimated that the following revenues will be available in the Wireless 911 Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
35-4329-44113	Subscriber Charges	120,000
35-4329-49900	Unencumbered Balance	0
TOTAL ESTIMATED REVENUES – WIRELESS 911 FUND		120,000

SECTION 14. The following amounts are hereby appropriated in the Schools Capital Outlay Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
36-5912-57010	Mount Airy Schools Capital Outlay	134,850
36-5912-57011	Elkin Schools Capital Outlay	77,475
36-5912-57012	County Schools Capital Outlay	659,250
36-5912-57016	CS Parking	0
36-5912-57017	Capital Outlay Sch Mobiles	248,064
36-5912-57020	Capital Outlay Sch County School Land	0
36-5912-57024	Capital Outlay Sch-High Schools	0
36-5912-57025	Capital Outlay-Central Middle	35,988
36-5912-57026	Capital Outlay School Walkway	0
36-5912-57027	County School Bleacher	0
36-5912-57028	Central Middle Land	0
36-5912-57032	Mount Airy School Fuel Tank	0
36-5912-57034	Mount Airy High School Windows	0
36-5912-57166	Mount Airy Tech	0
36-5912-57167	Elkin Elementary Roof	0
36-5912-57168	Elkin Schools Mobiles	105,701
36-5912-57169	Elkin Administrative RF	32,786
36-5912-57175	Elkin Classrooms	0
36-5912-57178	Elkin High Design	0
TOTAL APPROPRIATIONS – SCHOOLS CAPITAL OUTLAY FUND		1,294,114

It is estimated that the following revenues will be available in the Schools Capital Outlay Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
36-5912-49825	Transfer from CR-Central Middle Land	0
36-5912-49828	Transfer from CR-Co Mobiles	248,064
36-5912-49836	Transfer from MA Tech.	0
36-5912-49838	Transfer from CR-County Land	0
36-5912-49844	Transfer from Elkin High Design	0
36-5912-49845	Transfer from CR-Elkin Mobiles	105,701
36-5912-49846	Transfer from CR-Elkin Classrooms	0
36-5912-49849	Transfer from CR-Central Middle	35,988
36-5912-49850	Transfer from CR-MA Lights	0
36-5912-49851	Transfer from CR-MA Fuel Tanks	0
36-5912-49853	Transfer from CR-Mount Airy High	0
36-5912-49859	Transfer from CR-Co. High Schs	0
36-5912-49860	Transfer from CR-Elk Adm RF	32,786
36-5912-49861	Transfer from CR-Elk Elem RF	0
36-5912-49863	Transfer-from CR-Bleacher	0
36-5912-49864	Transfer-from CR-Walkway	0
36-5912-49890	Transfer from CR – Regular CO	871,575
TOTAL ESTIMATED REVENUES – SCHOOLS CAPITAL OUTLAY FUND		1,294,114

SECTION 15. The following amounts are hereby appropriated in the Schools Capital Reserve Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
37-5918-59100	Transfer Debt Service-04 MA (QZAB)	93,044
37-5918-59105	Transfer Debt Service-04 SC (QZAB)	116,100
37-5918-59115	Transfer Debt Service – 95 Schools	530,630
37-5918-59117	Transfer Debt Service-98 REF	217,260
37-5918-59118	Transfer Debt Service 99 MA Middle	433,488
37-5918-59119	Transfer Debt Service-QZAB Copeland and Tharrington	161,040
37-5918-59125	Transfer Capital Outlay – Reg CO	871,575
37-5918-59135	Transfer Capital Outlay-Ctrl Mid Land	0
37-5918-59140	Transfer Capital Outlay-Mt Airy High	0
37-5918-59155	Transfer Capital Outlay-MA Lights	0
37-5918-59156	Transfer Capital Outlay MA Fuel Tanks	0
37-5918-59159	Trans Capital Outlay-Elkin Adm Roof	32,786
37-5918-59160	Trans Capital Outlay-Elkin Classroom	0
37-5918-59161	Trans Capital Outlay –Co. Mobiles	248,064
37-5918-59166	Trans Capital Outlay – Co. Land	0
37-5918-59167	Trans Capital Outlay-Mount Airy Tech	0
37-5918-59168	Trans Capital Outlay-Elkin Elem Roof	0
37-5918-59169	Trans Capital Outlay – Elkin Mobiles	105,701
37-5918-59183	Trans Capital Outlay-Central Middle	35,988
37-5918-59184	Trans Capital Outlay-Walkway	0
37-5918-59188	Trans Capital Outlay-Co High Schools	0
37-5918-59189	Trans Capital Outlay-Gentry	0
37-5918-59190	Trans Capital Outlay-Bleachers	0
37-5918-59195	Trans Capital Outlay-Elkin Design	0
37-5918-59500	Contingency	15,000
37-5918-59560	Reserve for Sub Year DS	85,000
37-5918-59615	Emergency Reserve	0
TOTAL APPROPRIATIONS – SCHOOLS CAPITAL RESERVE FUND		2,945,676

It is estimated that the following revenues will be available in the Schools Capital Reserve Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
37-5918-43101	Sales Tax - Article 40	875,000
37-5918-43102	Sales Tax -Article 42	1,760,000
37-5918-43344	Public School Building Fund	0
37-5918-43346	Public School Bldg-Elk Elem RF	0
37-5918-44900	Interest Earned on Investments	8,000
37-5918-49900	Unencumbered Balance	302,676

TOTAL ESTIMATED REVENUES – SCHOOLS CAPITAL RESERVE FUND 2,945,676

SECTION 16. The following amounts are hereby appropriated for the CDBG Scattered Sites Grant.

CODE	ACTIVITY	APPROPRIATION
38-4975-51645	Rehabilitation	0
38-4975-55580	Administrative Cost	0
TOTAL APPROPRIATIONS – CDBG SCATTERED SITES GRANT		0

It is estimated that the following revenues will be available in CDBG Scattered Sites Grant for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
38-4975-42195	CDBG Sites	0
TOTAL ESTIMATED REVENUES – CDBG SCATTERED SITES GRANT		0

SECTION 17. The following amounts are hereby appropriated in the Elkin School Special District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
40-5916-55300	Refunds	1,000
40-5916-57500	Annual Appropriation	848,923
TOTAL APPROPRIATIONS - ELKIN SCHOOL SPECIAL DISTRICT FUND		849,923

It is estimated that the following revenues will be available in the Elkin School Special District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
40-5916-41100	Ad Valorem Tax-Current	831,923
40-5916-41101	Ad Valorem Tax-Prior	12,000
40-5916-41102	Ad Valorem Tax-Previous	2,000
40-5916-41700	Pen/Int/Co	4,000
40-5916-43120	Inventory Tax Reimbursement	0
40-5916-43160	Elderly Exemption	0
TOTAL ESTIMATED REVENUES – ELKIN SCHOOLS SPECIAL FUND DISTRICT		849,923

There is hereby levied a tax at the rate 13.3 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 for the purpose of raising the revenue listed as Elkin Schools 2005 Special Tax in the revenue sources of this fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$651,568,633 and an estimated collection rate of 96%.

SECTION 18. The following amounts are hereby appropriated in the Mount Airy Schools Special District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
41-5915-55300	Refunds	1,000
41-5915-57500	Annual Appropriation	786,410
TOTAL APPROPRIATIONS – MOUNT AIRY SCHOOLS SPECIAL FUND DISTRICT		787,410

It is estimated that the following revenues will be available in the Mount Airy Schools Special District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
41-5915-41100	Ad Valorem Tax-Current	770,410
41-5915-41101	Ad Valorem Tax-Prior	10,000
41-5915-41102	Ad Valorem Tax-Previous	3,000
41-5915-41700	Pen/Int/Co	4,000
41-5915-43120	Inventory Tax Reimbursement	0
41-5915-43160	Elderly Exemption	0
TOTAL REVENUE – MT. AIRY SCHOOLS SPECIAL FUND DISTRICT		787,410

There is hereby levied a tax at the rate of 10.7 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 for the purpose of raising the revenue listed as Mount Airy Schools 2005 Special Tax in the revenue sources of this fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$750,009,697 and an estimated collection rate of 96%.

SECTION 19. The following amounts are hereby appropriated in the Ararat Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
42-4381-55300	Refunds	129
42-4381-57500	Annual Appropriation	83,000
TOTAL APPROPRIATIONS – ARARAT FIRE DISTRICT		83,129

It is estimated that the following revenues will be available in the Ararat Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
42-4381-41100	Ad Valorem Tax-Current	80,329
42-4381-41101	Ad Valorem Tax-Prior	1,500
42-4381-41102	Ad Valorem Tax-Previous	500
42-4381-41700	Pen/Int/Co	800
42-4381-43120	Inventory Tax Reimbursement	0
42-4381-43160	Elderly Exemption	0
TOTAL REVENUE – ARARAT FIRE DISTRICT		83,129

There is hereby levied a tax at the rate of 8.7 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the Ararat Fire Tax District for the purpose of raising the revenue listed as Ararat Fire 2005 Special Tax in the Ararat Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$96,179,736 and an estimated collection rate of 96%.

SECTION 20. The following amounts are hereby appropriated in the Bannertown Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
43-4382-55300	Refunds	200
43-4382-57500	Annual Appropriation	183,535
TOTAL APPROPRIATIONS – BANNERTOWN FIRE DISTRICT		183,735

It is estimated that the following revenues will be available in the Bannertown Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
43-4382-41100	Ad Valorem Tax- Current	179,335
43-4382-41101	Ad Valorem Tax – Prior	2,000
43-4382-41102	Ad Valorem Tax – Previous	1,200
43-4382-41700	Pen/Int/Co	1,200
43-4382-43120	Inventory Tax – Reimbursement	0
43-4382-43160	Elderly Exemption	0
TOTAL REVENUE – BANNERTOWN FIRE DISTRICT		183,735

There is hereby levied a tax at the rate of 5.5 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the Bannertown Fire Tax District for the purpose of raising the revenue listed as Bannertown Fire 2005 Special Tax in the Bannertown Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$339,649,933 and an estimated collection rate of 96%.

SECTION 21. The following amounts are hereby appropriated in the CC Camp Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
44-4384-55300	Refunds	200
44-4384-57500	Annual Appropriation	103,014
TOTAL APPROPRIATIONS - CC CAMP FIRE DISTRICT		103,214

It is estimated that the following revenues will be available in the CC Camp Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
44-4384-41100	Ad Valorem Tax – Current	101,014
44-4384-41101	Ad Valorem Tax – Prior	1,200
44-4384-41102	Ad Valorem Tax – Previous	500
44-4384-41700	Pen/Int/Co	500
44-4384-43120	Inventory Tax Reimbursement	0
44-4384-43160	Elderly Exemption	0
TOTAL REVENUE – CC CAMP FIRE DISTRICT		103,214

There is hereby levied a tax at the rate of 6.8 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the CC Camp Fire Tax District for the purpose of raising the revenue listed as CC Camp Fire 2005 Special Tax in the CC Camp Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$154,739,051 and an estimated collection rate of 96%.

SECTION 22. The following amounts are hereby appropriated in the Central Surry Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
45-4383-55300	Refunds	200
45-4383-57500	Annual Appropriation	153,422
TOTAL APPROPRIATIONS – CENTRAL SURRY FIRE DISTRICT		153,622

It is estimated that the following revenues will be available in the Central Surry Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
45-4383-41100	Ad Valorem Tax- Current	146,622
45-4383-41101	Ad Valorem Tax – Prior	4,000
45-4383-41102	Ad Valorem Tax – Previous	1,500
45-4383-41700	Pen/Int/Co	1,500
45-4383-43120	Inventory Tax – Reimbursement	0
45-4383-43160	Elderly Exemption	0
TOTAL REVENUE-CENTRAL SURRY FIRE DISTRICT		153,622

There is hereby levied a tax at the rate of 6.5 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the Central Surry Fire Tax District for the purpose of raising the revenue listed as Central Surry Fire 2005 Special Tax in the Central Surry Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$234,971,922 and an estimated collection rate of 96%.

SECTION 23. The following amounts are hereby appropriated in the Four-Way Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
46-4385-55300	Refunds	300
46-4385-57500	Annual Appropriation	188,578
TOTAL APPROPRIATIONS - FOUR WAY FIRE DISTRICT		188,878

It is estimated that the following revenues will be available in the Four-Way Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
46-4385-41100	Ad Valorem Tax-Current	181,878
46-4385-41101	Ad Valorem Tax – Prior	4,000
46-4385-41102	Ad Valorem Tax – Previous	1,500
46-4385-41700	Pen/Int/Co	1,500

46-4385-43120	Inventory Tax Reimbursement	0
46-4385-43160	Elderly Exemption	0
TOTAL REVENUE – FOUR-WAY FIRE DISTRICT		188,878

There is hereby levied a tax at the rate of 7.5 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the Four-Way Fire Tax District for the purpose of raising the revenue listed as Four-Way Fire 2005 Special Tax in the Four-Way Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$252,608,737 and an estimated collection rate of 96%.

SECTION 24. The following amounts are hereby appropriated in the Franklin Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
47-4386-55300	Refunds	300
47-4386-57500	Annual Appropriation	277,318
TOTAL APPROPRIATIONS – FRANKLIN FIRE DISTRICT		277,618

It is estimated that the following revenues will be available in the Franklin Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
47-4386-41100	Ad Valorem Tax-Current	269,618
47-4386-41101	Ad Valorem Tax – Prior	5,000
47-4386-41102	Ad Valorem Tax – Previous	1,500
47-4386-41700	Pen/Int/Co	1,500
47-4386-43120	Inventory Tax Reimbursement	0
47-4386-43160	Elderly Exemption	0
TOTAL REVENUE – FRANKLIN FIRE DISTRICT		277,618

There is hereby levied a tax at the rate of 5.6 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in Franklin Fire Tax District for the purpose of raising the revenue listed as Franklin Fire 2005 Special Tax in the Franklin Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$501,521,661 an estimated collection rate of 96%.

SECTION 25. The following amounts are hereby appropriated in the Jot-Um-Down Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
48-4387-55300	Refunds	200
48-4387-57500	Annual Appropriation	89,243
TOTAL APPROPRIATIONS - JOT-UM-DOWN FIRE DISTRICT		89,443

It is estimated that the following revenues will be available in the Jot-Um-Down Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
48-4387-41100	Ad Valorem Tax-Current	87,443
48-4387-41101	Ad Valorem Tax – Prior	1,000
48-4387-41102	Ad Valorem Tax – Previous	500
48-4387-41700	Pen/Int/Co	500
48-4387-43120	Inventory Tax Reimbursement	0
48-4387-43160	Elderly Exemption	0
TOTAL REVENUE – JOT-UM-DOWN FIRE DISTRICT		89,443

There is hereby levied a tax at the rate of 11.5 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the Jot-Um-Down Fire Tax District for the purpose of raising the revenue listed as Jot-Um-Down Fire 2005 Special Tax in the Jot-Um-Down Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$79,205,530 and an estimated collection rate of 96%.

SECTION 26. The following amounts are hereby appropriated in the Mountain Park Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
49-4388-55300	Refunds	200
49-4388-57500	Annual Appropriation	109,462
TOTAL APPROPRIATIONS – MOUNTAIN PARK FIRE DISTRICT		109,662

It is estimated that the following revenues will be available in the Mountain Park Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
49-4388-41100	Ad Valorem Tax-Current	106,162
49-4388-41101	Ad Valorem Tax – Prior	2,000
49-4388-41102	Ad Valorem Tax – Previous	800
49-4388-41700	Pen/Int/Co	700
49-4388-43120	Inventory Tax Reimbursement	0
49-4388-43160	Elderly Exemption	0
TOTAL REVENUE – MOUNTAIN PARK FIRE DISTRICT		109,662

There is hereby levied a tax at the rate of 8.7 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the Mountain Park Fire Tax District for the purpose of raising the revenue listed as Mountain Park Fire 2005 Special Tax in the Mountain Park Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$127,109,470 and an estimated collection rate of 96%.

SECTION 27. The following amounts are hereby appropriated in the Pilot Knob Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
50-4389-55300	Refunds	200
50-4389-57500	Annual Appropriation	112,001
TOTAL APPROPRIATIONS - PILOT KNOB FIRE DISTRICT		112,201

It is estimated that the following revenues will be available in the Pilot Knob Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
50-4389-41100	Ad Valorem Tax-Current	110,201
50-4389-41101	Ad Valorem Tax – Prior	1,000
50-4389-41102	Ad Valorem Tax – Previous	500
50-4389-41700	Pen/Int/Co	500
50-4389-43120	Inventory Tax Reimbursement	0
50-4389-43160	Elderly Exemption	0
TOTAL REVENUE – PILOT KNOB FIRE DISTRICT		112,201

There is hereby levied a tax at the rate of 4.5 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the Pilot Knob Fire Tax District for the purpose of raising the revenue listed as Pilot Knob Fire 2005 Special Tax in the Pilot Knob Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$255,094,376 and an estimated collection rate of 96%.

SECTION 28. The following amounts are hereby appropriated in the Shoals Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
51-4390-55300	Refunds	200
51-4390-57355	Pinnacle VFD Contract	1,500
51-4390-57500	Annual Appropriation	79,908
TOTAL APPROPRIATIONS – SHOALS FIRE DISTRICT		81,608

It is estimated that the following revenues will be available in the Shoals Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
51-4390-41100	Ad Valorem Tax-Current	79,108
51-4390-41101	Ad Valorem Tax – Prior	1,500
51-4390-41102	Ad Valorem Tax – Previous	500
51-4390-41700	Pen/Int/Co	500
51-4390-43120	Inventory Tax Reimbursement	0
51-4390-43160	Elderly Exemption	0
TOTAL REVENUE – SHOALS FIRE DISTRICT		81,608

There is hereby levied a tax at the rate of 7.1 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the Shoals Fire Tax District for the purpose of raising the revenue listed as Shoals Fire 2005 Special Tax in the Shoals Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$116,062,616 and an estimated collection rate of 96%.

SECTION 29. The following amounts are hereby appropriated in the Skull Camp Fire District Fund for said fiscal year.

CODE	ACTIVITY	APPROPRIATION
52-4391-55300	Refunds	200
52-4391-57500	Annual Appropriation	149,614
TOTAL APPROPRIATIONS – SKULL CAMP FIRE DISTRICT		149,814

It is estimated that the following revenues will be available in the Skull Camp Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
52-4391-41100	Ad Valorem Tax-Current	143,814
52-4391-41101	Ad Valorem Tax – Prior	3,000
52-4391-41102	Ad Valorem Tax – Previous	1,500
52-4391-41700	Pen/Int/Co	1,500
52-4391-43120	Inventory Tax Reimbursement	0
52-4391-43160	Elderly Exemption	0
TOTAL REVENUE – SKULL CAMP FIRE DISTRICT		149,814

There is hereby levied a tax at the rate of 9.0 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the Skull Camp Fire Tax District for the purpose of raising the revenue listed as Skull Camp Fire 2005 Special Tax in the Skull Camp Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$166,451,040 and an estimated collection rate of 96%.

SECTION 30. The following amounts are hereby appropriated in the South Surry Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
53-4392-55300	Refunds	200
53-4392-57500	Annual Appropriation	130,822
TOTAL APPROPRIATIONS - SOUTH SURRY FIRE DISTRICT		131,022

It is estimated that the following revenues will be available in the South Surry Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
53-4392-41100	Ad Valorem Tax-Current	125,822
53-4392-41101	Ad Valorem Tax – Prior	3,000
53-4392-41102	Ad Valorem Tax – Previous	1,000
53-4392-41700	Pen/Int/Co	1,200
53-4392-43120	Inventory Tax Reimbursement	0
53-4392-43160	Elderly Exemption	0
TOTAL REVENUE – SOUTH SURRY FIRE DISTRICT		131,022

There is hereby levied a tax at the rate of 6.0 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the South Surry Fire Tax District for the purpose of raising the revenue listed as South Surry Fire 2005 Special Tax in the South Surry Fire District Fund.

This amount of tax is based on an estimated total value of property for the purpose of taxation of \$218,441,028 and an estimated collection rate of 96%.

SECTION 31. The following amounts are hereby appropriated in the State Road Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
54-4393-55300	Refunds	200
54-4393-57500	Annual Appropriation	72,218
TOTAL APPROPRIATIONS - STATE ROAD FIRE DISTRICT		72,418

It is estimated that the following revenues will be available in the State Road Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
54-4393-41100	Ad Valorem Tax-Current	71,118
54-4393-41101	Ad Valorem Tax- Prior	800
54-4393-41102	Ad Valorem Tax – Previous	200
54-4393-41700	Pen/Int/Co	300
54-4393-43120	Inventory Tax Reimbursement	0
54-4393-43160	Elderly Exemption	0
TOTAL REVENUE – STATE ROAD FIRE DISTRICT		72,418

There is hereby levied a tax at the rate of 4.8 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the State Road Fire Tax District for the purpose of raising the revenue listed as State Road Fire 2005 Special Tax in the State Road Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$154,336,047 and an estimated collection rate of 96%.

SECTION 32. The following amounts are hereby appropriated in the Westfield Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
55-4394-55300	Refunds	200
55-4394-57500	Annual Appropriation	60,750
TOTAL APPROPRIATIONS – WESTFIELD FIRE DISTRICT		60,950

It is estimated that the following revenues will be available in the Westfield Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
55-4394-41100	Ad Valorem Tax-Current	58,950
55-4394-41101	Ad Valorem Tax – Prior	1,000
55-4394-41102	Ad Valorem Tax – Previous	500
55-4394-41700	Pen/Int/Co	500
55-4394-43120	Inventory Tax Reimbursement	0
55-4394-43160	Elderly Exemption	0
TOTAL REVENUE – WESTFIELD FIRE DISTRICT		60,950

There is hereby levied a tax at the rate of 5.2 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the Westfield Fire Tax District for the purpose of raising the revenue listed as Westfield Fire 2005 Special Tax in the Westfield Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$118,088,808 and an estimated collection rate of 96%.

SECTION 33. The following amounts are hereby appropriated in the White Plains Fire District Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
56-4395-55300	Refunds	200
56-4395-57500	Annual Appropriation	151,355
TOTAL APPROPRIATIONS - WHITE PLAINS FIRE DISTRICT		151,555

It is estimated that the following revenues will be available in the White Plains Fire District Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
56-4395-41100	Ad Valorem Tax-Current	147,055
56-4395-41101	Ad Valorem Tax – Prior	2,500
56-4395-41102	Ad Valorem Tax – Previous	1,000
56-4395-41700	Pen/Int/Co	1,000
56-4395-43120	Inventory Tax Reimbursement	0
56-4395-43160	Elderly Exemption	0
TOTAL REVENUE – WHITE PLAINS FIRE DISTRICT		151,555

There is hereby levied a tax at the rate of 7.3 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2005 in the White Plains Fire Tax District for the purpose of raising the revenue listed as White Plains Fire 2005 Special Tax in the White Plains Fire District Fund. This amount of tax is based on an estimated total value of property for the purpose of taxation of \$209,839,790 and an estimated collection rate of 96%.

SECTION 34. The following amounts are available in the Capital Projects Fund for the said fiscal year, in accordance with the capital project ordinances authorizing the Judicial Center project:

CODE	ACTIVITY	APPROPRIATION
60-4211-51600	Architect Fees (Judicial Center Project)	8,046
60-4211-51610	Leg/St/Sur (Judicial Center Project)	0
60-4211-51640	Project Construction (Judicial Center Project)	0
60-4211-56010	Equipment (Judicial Center Project)	0
60-4211-59500	Contingency (Judicial Center Project)	0
60-4212-51640	Project Construction (Historic Courthouse Project)	0
60-4212-59500	Contingency (Historic Courthouse Project)	0
60-4213-51640	Project Construction (EMS/Human Services Bldg. Project)	6,153
60-4213-59500	Contingency (EMS/Human Service Bldg.)	0
60-4217-51500	Professional Services (Workforce Dev. Ctr.)	0
60-4217-51640	Project Construction (Workforce Dev. Ctr.)	400,000
60-4217-59500	Contingency (Workforce Dev. Ctr.)	0
TOTAL – CAPITAL PROJECTS FUND		414,199

It is estimated that the following revenues will be available in the Capital Projects Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
60-4211-49881	Transfer from Building Reserve-Judicial Ctr.	6,154
60-4211-49900	Unencumbered Balance (Judicial Center Pro.)	1,892
60-4212-49882	Transfer from Building Reserve (Historic Courthouse Project)	0
60-4213-49882	Transfer from Building Reserve (EMS/Human Service Bldg.)	6,153
60-4217-49882	Transfer from Building Reserve (Workforce Dev. Ctr.)	400,000
TOTAL ESTIMATED CAPITAL PROJECTS FUND REVENUES		414,199

SECTION 35. The following amounts are to be transferred to the Capital Projects Schools Fund for the said fiscal year, in accordance with the capital project ordinances authorizing the projects:

CODE	ACTIVITY	APPROPRIATION
61-5941-51640	Project Construction – Copeland	0
61-5950-51647	Construction-Gentry	0
61-5950-51648	Construction-North Surry	0
61-5950-51649	Construction-Surry Central	0
61-5965-51500	Professional Services-Mt Airy High	0
61-5965-51640	Project Construction-Mt Airy High	0
61-5965-59500	Contingency-Mount Airy High	0
61-5972-51500	Professional Services-Elkin High	0
TOTAL – CAPITAL PROJECTS SCHOOLS FUND		0

It is estimated that the following revenues will be available in the Capital Projects Schools Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
61-5941-49869	Transfer Bond Proceeds – Copeland	0
61-5950-49872	Transfer Bond Proceeds-'04 QZAB SCHS	0
61-5965-49876	Transfer from Bond Proceeds-Mt Airy High	0
61-5972-49343	Transfer from CR-Elkin High	0
61-5972-49878	Transfer Bond Proceeds-Elkin High	0
TOTAL ESTIMATED CAPITAL PROJECTS		0
SCHOOLS FUND REVENUES		

SECTION 36. The following amounts are to be transferred to the Capital Reserve – County Buildings Fund for the said fiscal year:

CODE	ACTIVITY	APPROPRIATION
62-4250-58200	Lease/Purchase Principal	1,285,657
62-4250-58210	Lease/Purchase Interest	453,871
62-4250-59176	Transfer to Capital Projects-Hist Courthouse	0
62-4250-59177	Transfer to Capital Projects- EMS/Human Services Bldg.	6,153
62-4250-59178	Transfer to Capital Projects-Judicial Center	6,154
62-4250-59180	Transfer-Workforce Development Center	400,000
62-4250-59500	Contingency	0
TOTAL – CAPITAL RESERVE – COUNTY BUILDING FUND		2,151,835

It is estimated that the following revenues will be available in the Capital Reserve-County Building Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
62-4250-42280	EDA Grant	176,000
62-4250-49800	Transfer from General Fund	1,739,528
62-4250-49810	Transfer from General Fund – Courthouse	0
62-4250-49816	Transfer from General Fund – EMS Debt	0
62-4250-49900	Unencumbered Balance	236,307
62-4250-49907	Unencumbered Balance-EMS	0
TOTAL ESTIMATED REVENUES –CAPITAL RESERVE- COUNTY BUILDING FUND		2,151,835

SECTION 37. The following amounts are hereby appropriated in the Schools Capital Project Reserve Fund.

CODE	ACTIVITY	APPROPRIATION
63-5919-59172	Transfer to Capital Project Copeland	0
63-5919-59207	Transfer Capital Project-Mount Airy High School	0
63-5919-59208	Transfer Capital Project Tharrington	0
63-5919-59209	Transfer to Capital Project Elkin High	0
63-5919-59500	Contingency	0
TOTAL APPROPRIATIONS – SCHOOLS CAPITAL PROJECTS RESERVE FUND		0

It is estimated that the following revenues will be available in the Schools Capital Project Reserve Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
63-5919-49900	Unencumbered Balance	0
TOTAL REVENUE – SCHOOLS CAPITAL PROJECTS RESERVE FUND		0

SECTION 38. The following amounts are hereby appropriated in the College Construction Fund.

CODE	ACTIVITY	APPROPRIATION
65-5924-51500	Professional Service	0
65-5924-51640	Project Construction	100,000
65-5924-59500	Contingency	0
TOTAL APPROPRIATIONS – COLLEGE CONSTRUCTION FUND		100,000

CODE	REVENUE SOURCE	AMOUNT
65-5924-49875	Transfer Bond Proceeds-Class Building	100,000
TOTAL ESTIMATED REVENUES – COLLEGE CONSTRUCTION FUND		100,000

SECTION 39. The following amounts are hereby appropriated in the SCC Capital Projects Reserve Fund.

CODE	ACTIVITY	APPROPRIATION
66-5930-59331	Transfer to SCC Capital Projects-Class Bldg.	100,000
TOTAL APPROPRIATIONS – SCC CAPITAL PROJECTS RESERVE FUND		100,000

It is estimated that the following revenues will be available in the SCC Capital Project Reserve Fund this fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
66-5930-44900	Interest Investments	0
66-5930-49900	Unencumbered Balance	100,000
TOTAL REVENUE – SCC CAPITAL PROJECTS RESERVE FUND		100,000

SECTION 40. The following amounts are hereby appropriated in the Landfill/ Recycling Fund for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
67-7415	Waste Collection/Recycling	838,260
67-7420	Landfill Operations	1,708,033
67-7425	Subtitle D Landfill	0
67-9130	Landfill Debt Service	439,458
TOTAL APPROPRIATIONS – LANDFILL/RECYCLING FUND		2,985,751

It is estimated that the following revenues will be available in the Landfill/ Recycling Fund for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
67-7415-45102	Sale of Recyclable Products	100,000
67-7420-41700	Pen/Int/Co	12,000
67-7420-43350	Scrap Tires-Qtr Fees	65,000
67-7420-43351	White Goods-Qtr Fees	28,000
67-7420-45100	Landfill Fees-Commercial	1,400,000
67-7420-45101	Landfill Fees-Residential	900,000
67-7420-49800	Transfer from General Fund	0
67-7420-49950	Retained Earnings	480,751
TOTAL ESTIMATED REVENUES – LANDFILL/RECYCLING		2,985,751

SECTION 41. The following amounts are hereby appropriated in the Capital Reserve Landfill for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
68-7430-59500	Landfill Contingency	0
TOTAL APPROPRIATIONS – CAPITAL RESERVE LANDFILL		0

It is estimated that the following revenues will be available in the Capital Reserve-Landfill for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
68-7430-49841	Transfer from Landfill Reserve-Reimbursement	0
TOTAL ESTIMATED REVENUES – CAPTIAL RESERVE LANDFILL		0

SECTION 42. The following amounts are hereby appropriated in the Flat Rock/Bannertown Water and Sewer District for the said fiscal year.

CODE	ACTIVITY	APPROPRIATION
85-8100-51500	Professional Services	21,500
TOTAL APPROPRIATIONS – FLAT ROCK/BANNERTOWN WATER & SEWER DISTRICT		21,500

It is estimated that the following revenues will be available in the Flat Rock/Bannertown Water and Sewer District for the said fiscal year to meet the foregoing appropriations:

CODE	REVENUE SOURCE	AMOUNT
85-8100-49900	Unencumbered Balance	21,500
TOTAL ESTIMATED REVENUES – FLAT ROCK/BANNERTOWN WATER & SEWER		21,500

SECTION 43. There is hereby established for the year beginning July 1, 2005 and continuing until changed by Board action the following schedule of solid waste management fees:

1. Commercial and industrial tipping fee of \$36.00 per ton. Fractions of a ton shall be charged a pro-rated fee, with a minimum fee of \$5.00.
2. Residential units shall be charged a landfill availability fee of \$2.50 per month. The fee will be billed with property taxes and becomes a lien of the real property described on the tax bill that includes the fee. Penalty schedule for late payment will accrue at the same rate as interest for property taxes.

SECTION 44. The Finance Officer is instructed to adjust salaries for all full-time regular, part-time regular, and graded temporary employees and fees for elected officials to provide a 2.5% cost of living increase effective July 1, 2005. The hourly rate for County Attorney services is set at \$105 per hour.

SECTION 45. The Board instructed the Human Resources Officer to amend the Personnel Ordinance adopted on November 3, 2003 by making the following changes to Appendix A, Position Classification Plan contingent upon final approval from State Personnel for the Health and Nutrition Center reclassifications, and to adjust the salaries and positions accordingly.

The Board instructed the Human Resources Officer to amend the Personnel Ordinance adopted on November 3, 2003 by making the following changes to Appendix A, Position Classification Plan, contingent upon final approval from State Personnel for the Health and Nutrition Center reclassifications, and to adjust the salaries and positions accordingly.

Effective July 1, 2005:

- Increase the salaries in Appendix A, Position Classification Plan, by two and one-half percent.
- Reclassify position #517007 from a Practical Nurse I (Grade 58) to a PHN I (Grade 69), and move Jeni O'Neal according to the 5% rule, contingent upon passing the State Board.
- Reclassify position #511701 from a Practical Nurse I (Grade 58) to a PHN II (Grade 71), and move Lori Inman according to the 5% rule, contingent upon passing the State Board.
- Reclassify Practical Nurse I in the classification plan from Grade 58 to Grade 59.
- Move Jessica Jessup from Grade 58-2 to Grade 59-2.
- Move Susan Sardler from Grade 58-6 to Grade 59-6.
- Add Dental Hygienist I to the classification plan at Grade 68.
- Create a Dental Hygienist I position, advertise and fill.
- Reclassify position #531345 from an OSSOG III, Grade 57, to an OSSOG IV, Grade 59.
- Move Carol Jackson from Grade 57-10 to 59-8.
- Change position #419703 from a temporary part-time position to a permanent full-time Housekeeper/Custodian, Grade 55, and move Robin Sechrist into regular full-time status.

Change position #414020 from a temporary part-time position to a permanent full-time Tax Clerk IV, Grade 59, and move Shelia Harrison into regular full-time status.

Change position #418003 from Asst. Register of Deeds, Grade 62, to Deputy Register of Deeds I, Grade 57, advertise and fill.

Add Assistant Register of Deeds II to the classification plan at Grade 64.

Reclassify position #418004 from Assistant Register of Deeds, Grade 62, to Assistant Register of Deeds II, Grade 64, and move Joyce Gillespie from Grade 62-14 to Grade 64-12.

Remove Assistant Register of Deeds from classification plan at Grade 62.

Add Assistant Register of Deeds I to classification plan at Grade 62.

Reclassify position #418002 from Assistant Register of Deeds, Grade 62, to Assistant Register of Deeds I, Grade 62.

Move Josephine Hardy from Grade 62-7 to Grade 62-9.

Move Teresa Tilley from Grade 59-4 to Grade 59-5.

Move Portia Oakley from Grade 59-6 to Grade 59-8.

Move Rhonda Easter from Grade 59-4 to Grade 59-5.

Move Jennifer Crouse from Grade 57-10 to Grade 57-11.

Move Frank Prince from Grade 70-3 to Grade 70-4.

Effective October 1, 2005:

Create and fill a position for Deputy Sheriff.

Create and fill a position for Detention Officer.

Effective January 1, 2006:

Create and fill a position for Detention Officer.

SECTION 46. Copies of this Budget Ordinance shall be furnished to the Finance Officer, the Budget Officer and the Tax Administrator of Surry County to be kept on file by them for their direction in the collection of revenues and expenditures of amounts appropriated.

ADOPTED this the 20th day of June, 2005.

There was no further business to come before the Board.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to adjourn at 11:45 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of July 5, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on July 5, 2005. 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 Jim Miller, and Commissioner Jim Harrell, Jr.

Commissioner Craig Hunter and Commissioner Fred O'Neal were out of Town and unable to attend.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Tracy Burleson, Human Resources Technician
Chris Knopf, Planning Director
Tammy Johnson, Water and Sewer Projects Coordinator
John Shelton, Emergency Services Director
Wayne Black, Social Services Director
Sheriff Connie Watson
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Commissioner Jimmy W. Miller delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board consider the minutes of the June 20, 2005 meeting. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the following resolution declaring July as Recreation and Park Month:

JULY is RECREATION and PARKS MONTH

Whereas, parks, greenways, and open space provide a welcome respite from our fast-paced, high-tech lifestyles while protecting and preserving our natural environment and,

Whereas, parks, playgrounds, nature trails, open spaces, community and cultural centers, and historic sites make a community an attractive and desirable place to live, work, play, and visit and contribute to our ongoing economic vitality, and

Whereas, parks, recreation activities, and leisure experiences provide opportunities for your people to live, grow, and develop into contributing members of society, and

Whereas, parks and recreation agencies create lifelines and continue life experiences for older members of our community, and

Whereas, parks and recreation agencies generate opportunities for people to come together and experience a sense of community through recreational pursuits, provide outlets for physical activities, socialization, and stress-reducing experiences, and

Whereas, parks and recreation agencies touch the lives of individuals, families, groups, and the entire community which positively impacts upon the social, economic, health and environmental quality of our community,

Now, Therefore Be It Resolved, that we proclaim July is Recreation and Parks Month and encourage all citizens of Surry County to celebrate by participating in their choice of pleasurable activities to find refreshment from their leisure.

2. Approve Fashion Floors bid to replace the carpet at the Historic Courthouse.

Interiors, Ltd.	\$2,487.95
Sherwin Williams	\$1,512
Fashion Floors	\$1,250

3. Approve the following resolution regarding the addition of Barrington Drive, Farmbrook Road and Rosecrest Drive to the Secondary Road System.

N. C. DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED
SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road Name: Farmbrook Road, Rosecrest Drive, and Barrington Drive
(Fairfield Forest Subdivision)

WHEREAS, the attached petition has been filed with the Surry County Board of Commissioners, requesting that the above named road be added to the Secondary Road System; and

WHEREAS, the Board is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Highway Division of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners that the Highway Division is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve Larry Justice to be named as a deputy finance officer for the workers' compensation bank account only.

2. Approve budget change no. 1 as follows:

Change #1

The Board of County Commissioners approved an amendment to the FY2005-2006 Budget Ordinance at their meeting on July 5, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>Non-Departmental</u>				
1054199 55150	Insurance & Bonding	500,000	(500,000)	0
	Decrease departmental total.	1,104,000	(500,000)	604,000
<u>Transfers to Other Funds</u>				
1059810 59265	Trans. To Workers' Comp. Fund (New)	0	500,000	500,000
	Increase departmental total.	11,264,903	500,000	11,764,903
The above action does not change fund totals.				
<u>WORKERS' COMPENSATION FUND (New)</u>				
<u>EXPENDITURES</u>				
1754238 51355	Claims Costs (New)	0	300,000	300,000
1754238 51500	Professional Services (New)	0	0	0
1754238 52010	Supplies & Materials (New)	0	525	525
1754238 54010	Travel/Training (New)	0	0	0
1754238 55580	Administrative Costs (New)	0	20,000	20,000
1754238 59555	Reserve (New)	0	179,475	179,475
<u>REVENUE</u>				
1744238 44900	Interest Earned on Invest. (New)	0	0	0
1744238 48900	Miscellaneous (New)	0	0	0
1744238 49800	Transfer from General Fund (New)	0	500,000	500,000
1744238 49900	Unencumbered Balance (New)	0	0	0
	Increase fund totals.	0	500,000	500,000

Requests from the Human Resources Officer:

1. Approve the following retiree resolutions of respect:

RESOLUTION

WHEREAS, Jimmy Ray Sumner faithfully served the citizens of Surry County from April 15, 1975 until December 4, 1978, from May 1, 1980 until December 5, 1980, and from July 11, 1984 until his retirement on June 30, 2005 as an employee of the Sheriff's Office, Social Services Department, and the Tax Department; and

WHEREAS, during his years of service, Jimmy R. Sumner held the positions of Communications Operator, Deputy Sheriff, Delinquent Tax Collector, Child Support Agent II, Deputy Sheriff - Sergeant, and Deputy Sheriff - Lieutenant, a rank he held from June 4, 1997 until his retirement; and

WHEREAS, during his years of faithful service, Lieutenant Sumner has earned the admiration and respect of his fellow

employees, friends, colleagues, and the citizens he has served as his bravery and dedication have brought honor to himself and his County; and

WHEREAS, Lieutenant Sumner has seen monumental growth and change in Surry County law enforcement as he has served three Sheriffs and his career has taken him from road deputy to court bailiff to detective; and

NOW, THEREFORE, BE IT RESOLVED the Surry County Board of Commissioners wishes to publicly commend Jimmy R. Sumner for his faithful service to the citizens of Surry County and wishes to express its appreciation for his many years of dedicated employment; and

BE IT FURTHER RESOLVED that the Board extends to Jimmy R. Sumner its best wishes for many years of happiness during his retirement.

RESOLUTION

WHEREAS, Adair Johnson was employed from February 17, 1975 until her retirement on June 30, 2005 as an employee of the Department of Social Services; and

WHEREAS, Ms. Johnson held the positions of Eligibility Specialist I, Eligibility Specialist II, Income Maintenance Caseworker III, Income Maintenance Supervisor I, and Income Maintenance Supervisor II - a position she held from November 5, 1991 until her retirement; and

WHEREAS, Ms. Johnson worked in the Food Stamp Program at the Department of Social Services and experienced enormous changes in the program and tremendous growth in the caseload during her career; and

WHEREAS, Ms. Johnson also supervised both Program Integrity and the Low Income Energy Assistance Program; and

WHEREAS, Adair Johnson has faithfully served Surry County as a caring and conscientious public servant dedicated to providing assistance to those in need; and

NOW, THEREFORE, BE IT RESOLVED that the Board publicly commends Adair Johnson 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 Adair Johnson its best wishes for many years of happiness during her retirement.

2. Approve donated leave for a Social Services employee in the amount of 66 hours due to personal illness.

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.

Andy Robinette addressed the Board regarding the workload being performed in the County Veterans' Service Office during Iraqi Freedom and would like to see more monies put into that department.

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

Juanita Daber, Surry County Appearance Commission, updated the Board on activities of the Appearance Commission and the rotation of appointees.

Upon motion of Commissioner Johnson, seconded by Commissioner Harrell, the Board voted unanimously to appoint Betty Greenway to represent the Pilot Mountain area, Frank Jessup to represent the South Westfield area and reappoint Hugh Edmonds to represent the Dobson area.

Tammy Johnson, Water and Sewer Projects Coordinator, briefed the Board on the Flat Rock/Bannertown Water and Sewer, the Interstates Water and Sewer District and various other water and sewer projects. Ms. Johnson stated that the Flat Rock/Bannertown water easements were 78% complete and the sewer easements were 37% in hand.

Chris Knopf, Planning Director, presented information to the Board regarding the State Road Community Development Plan and stated that three community forums had been held. Mr. Knopf also stated that a public hearing will be held August 1, 2005 for the Boards consideration of the adoption of the State Road Community Development Plan.

Chris Knopf, Planning Director, addressed the Board regarding an update to the 2000 Land Use Plan. Mr. Knopf stated that sufficient physical factors and development patterns have changed to warrant an update and that the current plan has a planning focus of 20-years, while a revised plan would need to be narrowed to a 10-year focus.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to authorize the Planning Director to begin an updated Land Use Plan.

Chris Knopf, Planning Director, addressed the Board regarding the Rockford Preservation Society's need for a Mixed Use Zoning District, which would allow the Society to rehabilitate Historic Rockford and protect its integrity.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the Planning Director to work with the Rockford Preservation Society.

The County Manager presented budget pie charts of expenditures and revenues for the FY 06 budget, which are now available on the County's website.

The County Manager discussed Interstate Visitors' Center signage and stated that he had met with North Carolina Department of Transportation Officials regarding regulations. Mr. Sammons stated that the center qualified for 4 interstates signs, 2 on I-77 and 2 on I-74 with a cost of approximately \$50,000 which would be paid by

the North Carolina Department of Transportation contingent upon a minimum of a one-year commitment to operate a visitors' information center and be in compliance with 14 provisions in the North Carolina Department of Transportation guidelines.

The County Manager presented information from the Cooperative Extension Director regarding a one-year grant through North Carolina State for a Regional Tourism position which would be housed at the Cooperative Extension Office.

Upon motion of Commissioner Johnson, seconded by Commissioner Harrell, the Board voted unanimously to host the Regional Tourism position.

The County Manager informed the Board of a tourism meeting on July 13, 2005 with adjoining County Managers and Economic Development Officials.

John Shelton, Emergency Services Director, addressed the Board regarding Emergency Services transports and discussed charges for no transport fees and charges for community activities which Emergency Services is on call for.

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

Commissioner Jimmy W. Miller recognized Norman Clark Marion, Jr. for his bravery and sacrifice, serving our Country in Operation Iraqi Freedom U.S. Army National Guard.

Sheriff Connie Watson recognized Jimmy Sumner for his many years of faithful service to Surry County.

Wayne Black recognized Adair Johnson for her many years of faithful service to Surry County.

John Shelton recognized Josh Jarrell for his initiative, caring, and calm reaction while responding to a 9-1-1 request from an eleven year old caller during a home invasion and the Board commended Mr. Jarrell for keeping the child on the phone and calming her until the Sheriff's Office arrived.

The Board took a fifteen-minute recess.

The Board resumed regular business.

Sandra Snow, Human Resources Officer, addressed the Board on pre-employment background checks. Ms. Snow stated that the Sheriff's Office and the Human Resources Office had been working together on a countywide procedure for conducting the checks. Ms. Snow also stated that an ordinance requesting SBI approval for the Sheriff's Office to use their SBI/DCI network to conduct the checks would need to be approved by the Board.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the pre-employment background check ordinance with the ordinance being on file in the County Manager's Office.

Sandra Snow, Human Resources Officer and Tracy Burleson, Human Resources Technician, briefed the Board on an Employee Assistance Program and presented information on three potential providers.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to table the issue until August 1, 2005 and authorize the Human Resources Officer to meet with selected companies to further discuss Employee Assistance Program Services.

Sandy Snow, Human Resources Officer, presented the updated Classification Plan Ordinance.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve the Classification Plan Ordinance as presented with the ordinance being on file in the County Manager's Office.

Sandy Snow, Human Resources Officer, presented information on a proposed update of the classification pay plan.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to table this matter until August 1, 2005 when the full Board will be in attendance.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve and release the following closed session minutes:

March 31, 2003 Item #3	November 3, 2003 Item #1
June 7, 2004 Item #2	December 20, 2004 Item #8
January 3, 2005 Item #3	January 28, 2005 Item #2
January 28, 2005 Item #3	February 7, 2005 Item #2
February 21, 2005 Item #6	March 7, 2005 Item #4
May 16, 2005 Item #2	May 16, 2005 Item #3
May 16, 2005 Item #4	May 23, 2005 Item #2
May 23, 2005 Item #3	May 26, 2005 Item #1
May 26, 2005 Item #3	May 31, 2005 Item #1
June 1, 2005 Item #2	June 1, 2005 Item #3
June 6, 2005 Item #2	June 6, 2005 Item #3

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

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

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to partner with the Town of Dobson and share ½ of the engineering design costs associated with

the provision of municipal water and forced main sewer service to the I-77 intersection at Exit 93, west of Dobson.

There was no further business to come before the Board.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to adjourn at 9:13 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of July 19, 2005

The Surry County Board of Commissioners met for a special meeting at 6:00 p.m. on July 19, 2005. 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 Jimmy W. Miller, Commissioner Jim Harrell, Jr., and Commissioner Fred O'Neal.

Commissioner Craig Hunter was unable to attend.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin M. Woltz, County Attorney
Adrienne Dollyhigh, County Planner
Other Citizens

Chairman Johnson called the meeting to order.

Vice-Chairman Miller delivered the invocation and led the Pledge of Allegiance.

Adrienne Dollyhigh, County Planner, requested approval for the BMW Estate final sub-division plat. The sub-division is located off Cedar Knoll Drive on an existing 45-foot easement. The sub-division consist of 9-lots; 31.726 acres.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the plat as presented.

The County Manager addressed the Board regarding two pending applications to the Tobacco Trust Fund Commission. The County Manager stated that one grant application was to fund the water and sewer for the Village at Shelton Vineyards Economic Development Project and the other was for the Surry County Value Added Beef Project with a deadline for the applications being August 1, 2005. Mr. Sammons also stated that there was only \$3 million to invest State-wide and a maximum of \$300,000 per award.

Wayne Atkins, Dobson Town Manager, spoke in behalf of the Tobacco Trust Fund Commission application to fund The Village at Shelton Vineyards Economic Development Project. Mr. Atkins stated that the Town would be making the application in behalf on the Town of Dobson and the County is supporting the Town's application.

Bryan Cave, Extension Agent for Agriculture/Natural Resources/Livestock and Forages, spoke on behalf of the Tobacco Trust Fund Commission application to fund the Surry County Value Added Beef Project. Mr. Cave stated that beef

cattle would help augment tobacco farmer's income from beef cattle and that Surry County was 5th in beef production.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve Bryan Cave to apply for the Surry County Value Added Beef Project with the Tobacco Trust Fund Commission and for the County Manager to write a letter of support for The Village at Shelton Vineyards Economic Development Project application. The County Manager is to contact the Tobacco Trust Fund Commission to ask if two Government Agencies apply for separate applications in the same County, would either application impact, jeopardize or minimize the approval of the other application.

The County Manager briefed the Board on the demolition project at the Mount Airy High School and presented a bid tabulation form.

The Board took a fifteen-minute recess.

The Board resumed regular business.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to go into closed session to discuss economic development.

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

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to hold a public hearing for an incentive agreement and other County business on August 8, 2005 at 6:00 p.m. or soon thereafter.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to adjourn at 8:15 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of August 1, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on August 1, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Attorney Edwin Woltz was unable to attend.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Tracy Burleson, Human Resources Technician
Chris Knopf, Planning Director
Tammy Johnson, Water and Sewer Projects Coordinator
Wayne Black, Social Services Director
Bryan Cave, Extension Agent for Agriculture/Natural Resources Livestock and Forages
David Stone, Health and Nutrition Center Director
Mike Wetzal, Parks, Recreation and Maintenance Director
Martha Brintle, Information Technology Director
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Commissioner Jim Harrell, Jr. delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the July 5 & July 19, 2005 meetings. Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the minutes.

Commissioner Craig Hunter entered the meeting at 6:10 p.m.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the following County holiday schedule:

<u>Holiday</u>	<u>Observed On</u>
New Year's Day	January 2, 2006 Monday
Martin Luther King, Jr.'s Birthday	January 16, 2006 Monday
Good Friday	April 14, 2006 Friday
Memorial Day	May 29, 2006 Monday
Independence Day	July 4, 2006 Tuesday
Labor Day	September 4, 2006 Monday
Veteran's Day	November 10, 2006 Friday
Thanksgiving	November 23 & 24, 2006 Thursday and Friday
Christmas	December 25 & 26, 2006 Monday & Tuesday

2. Approve the following resolution regarding the abandonment of a portion of Sam Fulk Road:

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION AND
HIGHWAY SAFETY REQUEST FOR ABANDONMENT FROM STATE
MAINTAINED SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road description: Portion of SR 2025 Sam Fulk Road
(approximately 2112 feet)

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Surry requesting that a portion of the above described road, be removed from the Secondary Road System; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road portion should be removed from the Secondary Road System, if the removal meets criteria established by the Division of Highways of the Department of Transportation and Highway Safety Division.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Surry that the Division of Highways is hereby requested to review the above-described road, and to abandon the road if it meets established standards and criteria.

3. Approve Union Glass and Metal, Inc. to replace two

fogged insulated glass windows, replace missing face cap on windows, supply extra glazing clips and install additional connections at jambs of exterior curtain wall in the amount of \$2,700 at the Government Center.

4. Approve Exterior Diagnostic Services to replace sealant on metal window frame to glass, metal to metal butt joints on window frames, metal window frame to brick, metal window frame to lintel and brick to joints on the east side of the Government Center in the amount of \$14,900.
5. Approve Applied Control Technology to install alarms on the HVAC equipment in the amount of \$3,855.
6. Approve United Plumbing/Hajoca Corporation to replace a leaking hot water heater that services the Government Center in the amount of \$2,154.46.

United Plumbing/Hajoca Corporation	\$2,154.46
Lowe's of Mt. Airy	\$2,498.85
Merritt Supply, Inc.	\$2,664.30

7. Approve the following from the Tax Department:
 - Approve total releases for the month ending 06-30-05 in the amount of \$5,558.84
 - Approve total refunds for the month ending 06-30-05 in the amount of \$1,623.78.
 - Approve the collection of real and personal property discoveries for the month ending 06-30-05 in the amount \$11,290.11.
 - Approve the collection of motor vehicle discoveries for the month ending 06-30-05 in the amount of \$3,023.51.
 - Collect April, 2005 vehicle renewals in the amount of \$333,108.41.
 - Collect annual settlement of collections in the amount of \$2,935,138.59.
 - Collect the taxes for Real Estate and Personal Property filed in January, 2005 in the amount of \$29,899,043.
 - Approve the purchase of two computers for the GIS section and one projector for the Tax Department.
8. Approve the following from the Social Services Department:
 - Increase the hourly compensation for the Department of Social Services Attorney from \$90 per hour to \$105 per hour.
 - Rate increase for Surry County Child Development Center in the amount of \$20.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve a refund from the Health and Nutrition Center to Smart Start in the amount of \$2,301.35, due to unspent funds.
2. Approve the Health and Nutrition Center to purchase a file system for the dental clinic.
3. Approve the Elections Department to apply for a Public Workstation Grant.

Request from the Human Resources Officer:

1. Approve the following retiree resolution:

WHEREAS, Hal E. Robinson was employed from March 1, 1974 until his retirement on July 31, 2005 as an employee of the Surry County Health and Nutrition Center; and

WHEREAS, during his thirty-one years of service, Mr. Robinson held the positions of Environmental Health Specialist and Environmental Health Supervisor for Food and Lodging and has experienced major growth and change in the regulation of environmental health; and

WHEREAS, during his years of faithful service, Mr. Robinson has served in a variety of capacities including on-site sewage systems; food, lodging and institutional inspections; assisting with foodborne and disease outbreaks, investigations and follow-up; plan review of restaurant and institution facilities; interpretation and implementation of state rules and regulations; and

WHEREAS, during his years of faithful service, Mr. Robinson has earned the admiration and respect of his friends and colleagues around the state and in the West Piedmont EHS; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend Mr. Robinson for the untiring execution of his duties.

NOW, THEREFORE, BE IT RESOLVED that the Board commends Hal E. Robinson for his dedication to the citizens of Surry County and wishes to express its appreciation for his many years of faithful employment; and

BE IT FURTHER RESOLVED that the Board extends to Hal Robinson its best wishes for many years of happiness during his retirement.

Requests from the Planning Department:

1. Approve the Joel and Ashley Harrison final one-lot subdivision.
2. Approve the Roger W. Cave final one-lot subdivision.

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.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to appoint Creola Moody to the Jury Commission, with a term expiring July 2007.

Upon motion of Chairman Johnson, seconded by Commissioner Harrell, the Board voted unanimously to endorse a letter to the Coordinator of the NC Small Town Main Street Program in behalf of Pilot Mountain.

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

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on zoning application ZCR490. The parcel site is 3 acres of tax parcel 5012-00-14-6182. The property owner is Leon J. Simmons II. The property is currently zoned RG, WO. The petition is to rezone the property to RB-C, WO.

Chris Knopf, Planning Director, presented facts pertaining to the rezoning and stated the Planning Board recommends approval of the petition.

Chairman Johnson asked for comments from the public.

Leon J. Simmons, owner of the property, stated that he would put a convenience store on the property.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously to approve the rezoning and site plan with the following condition that the property can only be used for an auto sales lot and convenience store.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on the State Road Community Development Plan.

Chris Knopf, Planning Director, and Darren Rhodes, Chief Planner, Division of Community Assistance, Winston Salem Regional Office, presented the facts pertaining to the State Road Development Plan. Mr. Knopf stated that 3 community forums had been held with 172 participates.

Lucy Chatham, Steering Committee Member, spoke in favor of the plan.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the State Road Community Development Plan as presented by the Planning Director and to implement the plan, with a copy being on file in the Planning Department.

The Board thanked the Planning Department and Steering Committee for a job well done.

Tammy Johnson, Water and Sewer Projects Coordinator, updated the Board on various water and sewer projects.

Ms. Johnson discussed the following projects:

- Execution of easements for water is 82% complete and sewer easements are 61% complete for the Flat Rock/Bannertown water and sewer project.
 - Various grant applications had been filed for the Interstates Water and Sewer District.
 - Property owners have asked for potential water and sewer at the Longhill/Ararat Road.
-

Betty Taylor, Assistant County Manager for Budget and Finance, addressed the Board regarding self-insured workers' compensation. Ms. Taylor stated that the Health and Nutrition Center is willing to be the single gatekeeper for non-life threatening workers' compensation injuries and exposures. Ms. Taylor stated that most claims are for first aid only and the Health and Nutrition Center is willing to provide those services for the cost of supplies only. There would be modest fees for other services; however, the fees would be less than the State workers' compensation schedule.

David Stone, Health and Nutrition Center Director, stated that the Health and Nutrition Center was excited about helping the County reduce its Workers' Compensation claims cost.

The Board discussed the importance of seeking proposals for physical therapy and other services that the Health and Nutrition Center cannot provide.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the Health and Nutrition Center to be the designated service provider for workers' compensation effective September 1, 2005 and authorize staff to seek bids for physical therapy services.

Wayne Black, Social Services Director, and Dean Burgess, Northwest Piedmont Council of Governments Area Agency on Aging, addressed the Board regarding a Home and Community Care Block Grant application and updated the Board on Surry County Aging Initiatives. Ms. Burgess presented information on the demographics of aging in Surry County and stated that the Home and Community Care Block Grant is used to keep individuals in their home.

Ms. Burgess explained the process of selection of Surry and Forsyth counties as the only two counties in North Carolina to implement two new Federal Grant programs; (1) Long Term Care Rebalancing Initiative and (2) Aging and Disability Resource Center. Surry County was selected as a rural county where all of the agencies and organizations work well together and exhibit a spirit of cooperation. Both counties will develop plans and pilot them over the next couple of years.

Wayne Black discussed the Rebalancing Initiative and the process. Mr. Black stated that locally the goal of the Rebalancing Initiative is to examine and adjust the long term care system so that people with significant physical disabilities can remain in their home and in control for as

long as possible. Recommendations will include; access, service, financing and quality assurance.

The Agency and Disability Resource Center Grant will focus on streamlining access to in-home, community-based and long term care services for older adults and for physically, developmentally and mentally disabled adults. Over 35 community agency representatives, advocates and consumers participated in a two day dialogue at Surry Community College to develop goals for Surry County. Work teams will focus on; (1) Centralized Database of all resources; (2) Training of agency representatives about all resources; (3) Public education; and (4) Transportation resources. Access to services at multiple locations and computer access will be a focus of the initiative. Mr. Black noted that it is exciting to have a chance to shape public policy from the community up to the State and Federal Government.

Bryan Cave, Extension Agent for Agriculture/Natural Resources Livestock and Forages, presented a Voluntary Agricultural District Ordinance. Mr. Cave also stated the purpose of the ordinance is to promote agriculture values and the general welfare of the county and more specifically, increase identity and pride in the agriculture community and its way of life; encourage the economic and financial health of agriculture; and increase protection from non-farm development and other negative impacts on properly managed farms. Mr. Cave also presented a proposed Advisory Board for the Voluntary Agricultural Districting.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the ordinance and map, with the ordinance being on file in the County Manager's Office, and to accept the recommended Advisory Board members, as presented by Mr. Cave.

David Bledsoe	Kevin Brown
Gilvin Guyer	Tracy Hayes
Mark Johnson	Brent Simpson
Darren Slate	David Smith
Joey White	

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

Commissioner Hunter recognized the following individuals for ten years of service:

Tina L. Gammons	Sherry W. Hiatt
Peggy J. Littell	Michael W. Estes
Ellen E. KeenIsom	Wayne L. Mears
Ruby K. Ashburn	James V. Goad, Jr.
Jonathan D. Bledsoe	David M. Holder
Teressa S. Wright	

Commissioner O'Neal recognized the following individuals for fifteen years of service:

Lenora S. Barrett	Betty W. Taylor
Frances L. Cox	Jane L. Rountree

Larry D. Flippen
Teresa W. Pratt

Mary M. Overby

Commissioner Johnson recognized the following individuals for twenty years of service:

Jeffery R. Hall Sandra B. Johnson
Graham H. Atkinson

Commissioner Harrell recognized the following individuals for twenty-five years of service:

Mary Susan Gregory Jan W. Davis
Joan H. Dellinger Joyce C. Gillespie

Commissioner Miller recognized the following individual for thirty years of service:

Charles G. Gillespie

David Stone, Health and Nutrition Center Director, recognized retiree Hal Robinson for his many faithful years of service to Surry County.

The Board took a fifteen-minute break.

The Board resumed regular business.

Mike Wetzel, Parks, Recreation and Maintenance Director, presented a PowerPoint presentation regarding the Parks and Recreation 2005 forums and survey and updated the Board on the Parks and Recreation Master Plan. Mr. Wetzel stated that there were five public forums held to gain public input and a phone poll of 413 households was taken to receive input on Parks and Recreation in Surry County.

Martha Brintle, Information Technology Director, updated the Board on central permitting software. Ms. Brintle stated that a meeting had been held with three vendors: IIS, NovaLis and Munis. Ms. Brintle also stated that a rating from each department, that would be using the software, was taken and no departments were interested in the IIS software package. Price quotes had been obtained from NovaLis and Munis. Ms. Brintle had requested an on-site meeting with NovaLis and Munis at a location where the software is being utilized, but that no on-site visits have been made yet.

Gray Bryant, Inspections Director, spoke in favor of the Builder Radius software and feels the program will work for all departments.

The Board cited past problems for the Munis software for the Tax Department and discussed adding Builder Radius as optional software.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to form a subcommittee of the Chairman, Vice-Chairman and County Manager to meet with Department Heads that are involved with Central Permitting and negotiate a software pack that can be utilized by each department and bring a

recommendation back to the Board at the meeting on September 6, 2005.

The Board asked the County Manager to contact the Fire Marshal's Office and make sure the Fire Marshal is receiving Inspections Department permit information on a daily or timely basis.

The County Manager gave a status report on the Workforce Development Center. Mr. Sammons stated that the substantial completion target date is August 29, 2005.

The County Manager addressed the Board regarding a Triad Leadership Network luncheon set for Thursday, August 18-noon at the Wolf's Liar.

The Human Resources Officer and the Human Resources Technician, addressed the Board regarding an Employee Assistance Program for County employees. Ms. Snow stated that an Employee Assistant Program is a service designed to assist both the employee and employer through early detection and treatment of personal problems. Ms. Snow recommended Corporate Health International as the provider. The Human Resources Officer is to access the progress being made during the ten month period.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted to use Corporate Health International as the provider for an Employee Assistance Program, effective September 1, 2005, with the cost being \$7,714 for the remainder of the fiscal year (10 months).

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Harrell, Commissioner Hunter

Nays: Commissioner O'Neal

The Board took a ten-minute recess.

The Board resumed regular business.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, 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 Hunter, seconded by Commissioner Miller, the Board voted unanimously to approve a two-step increase for David Hamlin, Sheriff's Office, from Grade 66-11 to Grade 66-13, effective August 1, 2005, due to a promotion.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to approve a one-step increase for Pam Burton, Tax Office employee, from 59-4 to 59-5, effective August 1, 2005, due to the obtainment of certification from the NC Tax Collector's Association.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to approve the following resolution regarding the hire back of retired Law Enforcement Officers.

Resolution to Determine Eligibility for a Special
Separation Allowance to Law Enforcement Officers Pursuant
to
NCGS 143-166.42

Whereas, certain law enforcement officers meeting requirements of NCGS 143-166.41 are entitled to a special separation allowance, and

Whereas, the governing body of each unit of local government is responsible to determine eligibility for said allowance pursuant to NCGS 143-166.42 and

Whereas, the Board has determined that retired officers may provide valuable services to Surry County government and should not be prevented from doing so.

Now, Therefore Be It Resolved That:

A law enforcement officer is eligible for special separation allowance provided by NCGS 143-166.41 so long as the officer is eligible under NCGS 143-166.41 and the officer does not return to employment with an agency that participates in the North Carolina Local Government Retirement System other than part-time employment with the Surry County Sheriff's Office.

There was no further business to come before the Board.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to recess until Wednesday, August 3, 2005 to discuss economic development and other County business.

The meeting ended at 1:30 a.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of August 3, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on August 3, 2005. 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 Jim Miller, Commissioner Craig Hunter and Commissioner Fred O'Neal.

Commissioner Jim Harrell, Jr. and Attorney Edwin Woltz were unable to attend.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Betty Taylor, Assistant County Manager for Budget and Finance
Robin Rhyne, Economic Development Partnership Interim President
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Commissioner Craig Hunter delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on an economic development incentive.

Robin Rhyne, Economic Development Partnership Interim President, discussed an incentive agreement for CK Technology in Mount Airy.

Chairman Johnson asked for comments from the public.

Martin Collins, City of Mount Airy, spoke in favor of the incentive.

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

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the agreement and the following resolution:

STATE OF NORTH CAROLINA

RESOLUTION

COUNTY OF SURRY

WHEREAS, there has been described to the Board of Commissioners ("Board") and Surry County, North Carolina ("County") a proposal for the City of Mount Airy (the "City") and Surry County to provide certain incentives to CK Technologies, LLC, a Michigan limited liability company

("Company"), in connection with the Company's investment of the building and equipment.

Proposed incentives to the Company include the following County appropriations and expenditures:

- A. Surry County's appropriation of not more than \$700,000 for grading and site improvements to the property.
- B. An additional tax incentive of not more than \$286,176 over an eight year period to match a proposed incentive provided to Company by the City of Mount Airy. Such incentive shall be tied to Benchmark minimums of investment and employment.

An Incentive Agreement ("Agreement"), including or addressing the City, County and Company and describing proposed incentives in detail shall be executed subject to approval and review of the County Manager and County Attorney. A copy of the Agreement will be filed in the County's records.

Therefore, be it resolved by the Board of Commissioners of Surry County:

1. Hereby undertakes to provide certain incentives to the Company in connection with its investment within City's corporate limits, as described in the Agreement. The County hereby finds and determines that such undertaking will increase the taxable property and business prospects of the County.
2. The Chairman of the Surry County Board of Commissioners is authorized and directed to execute an Agreement in a form that has been approved by the County Manager and County Attorney and to deliver the same to the appropriate counter-parties and the Clerk of the Board of Commissioners is hereby authorized and directed to affix the County seal to the Agreement and attest the same. The Agreement shall be a form substantially as described above with such changes as may be approved by the Chairman of the Board of Commissioners. The Chairman's execution of the Agreement shall constitute conclusive evidence of his approval of any change.
3. The Agreement in final form, however, must provide:
 - a. That the total amount to be expended by the County shall not exceed \$700,000 for site improvements and not more than \$286,176 over eight year as an additional tax incentive;
 - b. That Company's minimum investments in plant and equipment shall not be less than \$8.2 M for phase 1 and 2. Employment levels for phase 1 and 2 shall not be less than 25 new jobs for phases 1 and 2 and shall increase to 50 jobs by the time phase 3 is complete.

4. That County's payment to Company shall occur only after the Company provides evidence that its investment and employment minimums have been met or exceeded as required above.
 5. The actions of the County officers and officials in conformity with the purposes and intent of the Resolution, and in furtherance of the execution and delivery of the Agreement and the consummation of the transactions contemplated thereby, are hereby ratified, approved and confirmed.
 6. All other board proceedings, or parts thereof, in conflict with this Resolution or, to the extent of such conflict, hereby repeal.
 7. This Resolution shall take effect immediately.
-

The County Manager addressed the Board regarding the Women's Shelter being temporarily closed due to funding issues. The shelter is scheduled to open December 1, 2005.

The County Manager stated that he had received a call from Senator Don East regarding billboard regulations. The County Manager asked the Planning Director to compile a package of information for Senator East.

The County Manager stated that representatives were coming to Surry County to talk with selected citizens about the Recreation of Site Solutions, Inc. Master Plan, which would round out the process. The County Manager asked the Board if any member would like to do one of these interviews.

It was the consensus of the Board for Chairman Johnson and Vice-Chairman Miller to meet with the representatives.

The County Manager addressed the Board regarding a retired Auxiliary Officer from the Sheriff's Office service weapon be declared surplus.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to declare the weapon surplus.

The County Manager briefed the Board regarding Gary York offering the County a potential visitors center site at Hwy 89/I-77.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to enter into a one-year lease agreement with First Citizen Bank and Trust Company for the Dobson Magistrate Office.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to enter into a ten-year lease agreement with the Lowgap Community Center.

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

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

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to set a public hearing on September 6, 2005 to hear public comments on an economic development incentive agreement.

There was no further business to come before the Board.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to adjourn.

The meeting ended at 7:50 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of September 6, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on September 6, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Chris Knopf, Planning Director
Martha Brintle, Information Technology Director
Sheriff Connie Watson
Captain Mickey Estes
David Stone, Health and Nutrition Center Director
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Commissioner Fred O'Neal delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the August 1 and August 3, 2005 meetings. Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the Health and Nutrition Center's diabetes reimbursement fees for counseling and classes with a copy of the fees being on file in the Clerk to the Board's Office.
2. Approve the Health and Nutrition Center's debt write-off from July 1, 2002 through June 30, 2003 in the amount of \$81,403.05.
3. Approve the flu and pneumonia vaccine rates with a copy of the rates being on file in the Clerk to the Board's Office.
4. Approve the following North Carolina Department of Transportation resolution regarding the extension of Waite Road to the Secondary Road System:

N. C. DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED
SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road Name: Extension of SR 1425-Waite Road

WHEREAS, the attached petition has been filed with the Surry County Board of Commissioners, requesting that the above named road be added to the Secondary Road System; and

WHEREAS, the Board is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Highway Division of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners that the Highway Division is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

5. Approve denial from an individual wishing forgiveness of an ambulance bill.
6. Approve the following resolution regarding supporting House Bill 635:

RESOLUTION SUPPORTING HOUSE BILL 635

WHEREAS, the General Assembly passed NCGS 115C-51 requiring at least one thirty-minute public comment period per month at a regular meeting of the Board of County Commissioner; and

WHEREAS, the Surry County Board of Commissioners has informally offered a public comment opportunity in the past and now desires to formalize it in compliance with NCGS 115C-51; and

WHEREAS, the General Assembly permits the governing body to adopt reasonable rules governing the conduct of the public comment session, including fixing a maximum time allotted to each speaker, providing for the designation of a spokesman for groups of persons supporting or opposing the same positions;

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

1. Hold a public comment period at least once a month, during a regular Board meeting, for up to thirty minutes, depending upon audience participation. Nothing shall require the Board to reserve the full thirty minute period if participation is insufficient to utilize the speaking opportunity.
2. Allow a five-minute time limit for each speaker.
3. Limit the number of spokesmen for each group or topic supporting the same position, at the Chairman's discretion.

This resolution will take effect immediately.

- 7. Approve the request from the Parks, Recreation and Maintenance Director to remove the term seasonal from the job title of Temporary Part-Time Seasonal Park Attendee position.
- 8. Approve the following North Carolina Department of Transportation resolution changing Wolfe Street to Wolfetrail Drive:

N. C. DEPARTMENT OF TRANSPORTATION
REQUEST FOR CORRECTION OF ROAD NAME

NORTH CAROLINA
COUNTY OF SURRY

Road Name: Wolfe Street to Wolfetrail Drive

WHEREAS, the Surry County Tax Department and the North Carolina Department of Transportation wish to correct a road name in the North Carolina Department of Transportation database; and

WHEREAS, the North Carolina Department of Transportation has the road name in their database as Wolfe Street and it needs to be corrected to Wolfetrail Drive to maintain the centerline GIS layer in the Tax Department.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners request that the North Carolina Department of Transportation correct their database and change Wolfe Street to Wolfetrail Drive.

- 9. Approve the Parks, Recreation and Maintenance Department request to allow Stanley Heating & Air to install an air conditioning unit to control the temperature within the wiring/electrical/computer server closets on all three floors at the Surry County Government Center in the amount of \$9,910.

Requests from the Planning Director:

- 1. Approve the Ring Creek final forty-four lot subdivision.

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.

Sheriff Connie Watson expressed his concern regarding the time frame of individuals taken to the Crossroads Crisis Recovery Center in Iredell County. Sheriff Watson stated that it could take 12 to 18 hours to process an individual for involuntary commitment.

It was the consensus of the Board for the County Manager to coordinate a meeting with Commissioner O'Neal, Commissioner Miller, Sheriff Watson and David Swann, Crossroads Director, to discuss the issue.

The County Manager introduced Mary Kathryn Robinson, the new director of the Mount Airy Chamber of Commerce, to Board members.

Ms. Robinson stated that she was excited about the new position and welcomed any suggestions.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to surplus a 1998 Freightliner ambulance Vin#1FV3GFBC1WH928143, 1999 International ambulance Vin#1HTSLABM3XH653085, and 1999 International ambulance Vin#1HTSLABM5XH653086 to the Gulf Coast Counties that are in duress from Hurricane Katrina. The County Manager will work with the Emergency Services Director to determine where the ambulances are most needed.

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

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on zoning application ZCR583. The parcel site is 15 acres of tax parcel 5012-00-33-3986. The property owner is Willis R. Sowers. The property is currently zoned RA, WO. The petition is to rezone the property to HB, WO.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning and stated that the Planning Board recommends approval of the petition.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve the rezoning as recommended by the Planning Board.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on zoning application ZCR617. The parcel site is 38.15 and 29.61 acres of tax parcels 4976-00-57-5479 and 4976-00-46-5480. The property owner is Shelton Companies. The property is currently zoned RA. The petition is to rezone the property to HB. The applicant voluntary stated on their application that the use of the property following a rezoning would be a hotel.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning and stated that the Planning Board recommends approval of the petition.

Chairman Johnson asked for comments from the public.

Ed Shelton, Shelton Companies, spoke in favor of the rezoning. Mr. Shelton stated that there would be four

phases of the development and the development would begin as soon as the water and sewer was approved. Phase I would consist of a hotel, fast food restaurant and a sit-down type restaurant. Mr. Shelton also stated that he had spoken with North Carolina Department of Transportation officials regarding the widening of Twin Oaks/Zephyr Road.

Gary York, Neighbors Store at the intersection of Twin Oak Road and Zephyr Road, spoke in favor of the rezoning.

Molly Johnson spoke in opposition of the rezoning. Ms. Johnson stated that she had a family farm on Zephyr Road and wants to protect this prime farm land.

Roy Mitchell spoke in opposition of the rezoning. Mr. Mitchell stated that he owned a dairy farm that joins the property that is being rezoned. Mr. Mitchell stated that the farming community would not go away and wants its to remain farm land.

Charlie Shelton, Shelton Companies, spoke in favor of the rezoning and stated that he had met with adjoining property owners. Mr. Shelton also stated that he wants the farming community to remain an asset to the area.

C.L. White stated that he had farmed in the area for 37 years and did not want his taxes raised for water and sewer.

Phil Lyalls, Yadkin Valley General Store, spoke in favor of the rezoning and stated that he supplied bulk food to the Neighbors Store.

Mike Shah, owner of Surry Inn, spoke in favor of the rezoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

The Board discussed the rezoning and expressed their thanks for all those who spoke on the rezoning and wants all to be positive for the community.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve the rezoning as recommended by the Planning Board.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on an economic development incentive.

Ron Sutphin, Economic Development Partnership Vice-President, discussed an incentive agreement for the company that will locate in Pilot Mountain.

Chairman Johnson asked for comments from the public.

No one spoke on the incentive agreement.

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

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the agreement and the following resolution:

STATE OF NORTH CAROLINA

RESOLUTION

COUNTY OF SURRY

WHEREAS, there has been described to the Board of Commissioners ("Board") and Surry County, North Carolina ("County") a proposal for the Town of Pilot Mountain (the "Town") and Surry County to provide certain incentives to Poli-Twine, Inc., ("Company"), in connection with the Company's investment of the building and equipment.

Proposed incentives to the Company include the following County appropriations and expenditures:

- A. Surry County's appropriation of \$155,085 would go toward building improvements and equipment purchases. The total amount to be expended by County to provide the incentive described above will not exceed \$155,085 over a five year period. An Incentive Agreement ("Agreement"), including or addressing the Town, County and Company and describing proposed incentives in detail shall be executed subject to approval and review of the County Manager and County Attorney. A copy of the Agreement will be filed in the County's records.

Therefore, be it resolved by the Board of Commissioners of Surry County:

1. That the County hereby undertakes to provide certain incentives to the Company in connection with its investment within Town's corporate limits, as described in the Agreement. The County hereby finds and determines that such undertaking will increase the taxable property and business prospects of the County.
2. The Chairman of the Surry County Board of Commissioners is authorized and directed to execute an Agreement in a form that has been approved by the County Manager and County Attorney and to deliver the same to the appropriate counter-parties and the Clerk of the Board of Commissioners is hereby authorized and directed to affix the County seal to the Agreement and attest the same. The Agreement shall be a form substantially as described above with such changes as may be approved by the Chairman of the Board of Commissioners. The Chairman's execution of the Agreement shall constitute conclusive evidence of his approval of any change.

3. The Agreement in final form, however, must provide:
 - a. That the total amount to be expended by the County shall not exceed \$155,085 over a five year period;
 - b. That Company's minimum investments in plant and equipment shall not be less than \$8.8M net new investment and 100 new jobs.
 4. That County's payment to Company shall occur only after the Company provides evidence that its investment has met or exceeded the minimum investment required above.
 5. The actions of the County officers and officials in conformity with the purposes and intent of the Resolution, and in furtherance of the execution and delivery of the Agreement and the consummation of the transactions contemplated thereby, are hereby ratified, approved and confirmed.
 6. All other board proceedings, or parts thereof, in conflict with this Resolution or, to the extent of such conflict, hereby repeal.
 7. This Resolution shall take effect immediately.
-

The County Manager updated the Board on the Workforce Development Center. Mr. Sammons stated that on September 2, 2005 a certificate of occupancy had been received. Mr. Sammons also thanked Surry Community College, MBAJ Architects and Davie Construction for working together so well to bring the project to completion on time and within budget.

Carl Carney, Davie Construction, thanked the Board for awarding the contract to Davie Construction. Mr. Carney stated that there were obstacles to overcome, but the project was completed ahead of schedule and slightly below budget.

Craig Eckert, MBAJ Architects, stated that Davie Construction was an excellent firm to work with, which made the process smooth.

Rob Johnson, MBAJ Architects, stated that it all worked out great.

Dr. Frank Sells, Surry Community College President, addressed the Board regarding a North Carolina Center for Viticulture/Enology to be constructed on the campus of Surry Community College. Dr. Sells stated that he was soliciting support from the Board, but not asking for any specific capital commitment from the Board for the project. Dr. Sells also stated that the value of having a facility that can cause a significant boost to the overall economy of the County does come with some increase in operational cost.

The Board discussed the potential operations cost.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to endorse the concept of the Viticulture/Enology Center and the North Carolina Community College System tentative application.

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

Commissioner Fred O'Neal recognized the following individuals:

Okie Galyean, Gary Lowe, Arlin Kilon, Robie Wilson, J.R. Lowe and Samuel Lowe, Lowgap Ruritan Club, was recognized for the Lowgap Ruritan Club serving its community and Surry County in many ways including the following:

- Constructing the Lowgap Ruritan and Community Building in 1968, and making it available for the community's benefit.
- Location for YVEDDI Seniors Nutritional Center and Meals on Wheels.
- Space for three churches to hold services until church buildings were constructed.
- Benefits for people dealing with major illness and financial distress.
- Location for Homecomings, Christmas gatherings, family reunions, birthday parties, wedding showers and baby showers.
- Provided a home for the local Boy Scout troop.
- Location for Karate classes for young people.
- Location for Lowgap Recycling Center.
- As of Fall 2006, new Lowgap Head Start Program.

Commissioner O'Neal recognized Health Director David Stone, Nurse Supervisor Sylvia Gentry, Jail Nurse Nancy Devine, Physician Assistant Judy McGurk, Sheriff Connie Watson, and Captain Mickey Estes for Surry County's obtainment of the Most Innovative Program Award (Liability and Property Pool) from the North Carolina Association of County Commissioners Risk Management Pool. The award brought statewide recognition and a reward check for \$10,000.

The Board took a fifteen-minute recess.

The Board resumed regular business.

David Swann, Crossroads Behavioral Healthcare Area Director, presented the FY 2004-2005 annual Crossroads Behavioral Healthcare report. Mr. Swann reviewed relevant service data, gave the annual proximity report of service providers, and a summary of the revenues and expenditures.

David Swann, Crossroads Behavioral Healthcare Area Director, requested approval of a joint resolution with the

Board of Commissioners in Iredell County, Yadkin County and Surry County confirming approval of the conveyance of real property to Crossroads Behavioral Healthcare for the area mental health development disabilities and substance abuse authority.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the following resolution:

JOINT RESOLUTION
OF THE BOARD OF COUNTY COMMISSIONERS OF IREDELL COUNTY
THE BOARD OF COMMISSIONERS OF SURRY COUNTY
THE BOARD OF COMMISSIONERS OF YADKIN COUNTY
CONFIRMING APPROVAL OF
THE CONVEYANCE OF CERTAIN REAL PROPERTY TO
CROSSROADS BEHAVIORAL HEALTHCARE,
THE AREA MENTAL HEALTH, DEVELOPMENTAL DISABILITIES
AND SUBSTANCE ABUSE AUTHORITY

WHEREAS, Session Law 2001-437 amended Chapter 122 of the North Carolina General Statutes relating to the provision of mental health services to the citizens of the State of North Carolina and provided for the phasing in of the implementation of mental health system reform at the state and local level; and,

WHEREAS, North Carolina General Statute 122C-2, as amended, provides that it is the policy of the State of North Carolina is to assist individuals with needs for mental health, developmental disabilities, and substance abuse services in ways consistent with the dignity, rights, and responsibilities of all North Carolina citizens; and,

WHEREAS, North Carolina General Statute 122C-2 further provides that within available resources, it is the obligation of State and local government to provide mental health, developmental disabilities, and substance abuse services through a delivery system designed to meet the needs of clients in the least restrictive, therapeutically most appropriate setting available and to maximize their quality of life; and,

WHEREAS, North Carolina General Statute 122C-2 further provides that it is further the obligation of State and local government to provide community-based mental health services; and,

WHEREAS, among the community-based mental health services required to be provided by state and local government under the State Plan for Mental Health, Developmental Disabilities and Substance Abuse Services (the State Plan) are Emergency Services to include community-based Crisis Assessment & Referral, Crisis Resolution & Referral and Crisis Stabilization services; and,

WHEREAS, by Joint Resolution, the Iredell County Board of Commissioners on August 3, 2004, the Surry County Board of Commissioners on August 16, 2004, and the Yadkin County Board of Commissioners on August 2, 2004, all authorized Crossroads Behavioral Healthcare to acquire and to hold title to certain real property in order to provide

community-based Crisis Assessment & Referral, Crisis Resolution & Referral and Crisis Stabilization services; and,

WHEREAS, said Joint Resolution further directed Crossroads Behavioral Healthcare upon finalization of the acquisition of said property to submit for consideration by said Boards of Commissioners of Iredell County, Surry County and Yadkin County a final resolution more specifically describing by legal description the property acquired by Crossroads for such a facility; and,

WHEREAS, Crossroads Behavioral Healthcare acquired said real property for such a facility on July 14, 2005, and has submitted to said Boards of Commissioners such a resolution; and,

WHEREAS, North Carolina General Statute 122C-147(c) provides an Area Authority may hold title to real property with the approval of the Boards of Commissioners of all of the counties that constitute the Area Authority, which approval shall be by resolution of the Boards; and,

WHEREAS, Iredell County, Surry County and Yadkin County are the counties that now constitute Crossroads Mental Health, Developmental Disabilities and Substance Abuse Area Authority.

NOW THEREFORE, BE IT RESOLVED JOINTLY BY THE BOARDS OF COUNTY COMMISSIONERS OF IREDELL COUNTY, OF SURRY COUNTY, AND OF YADKIN COUNTY AS FOLLOWS:

Pursuant to North Carolina General Statute North Carolina General Statute 122C-147(c), Crossroads Behavioral Healthcare, the Mental Health, Developmental Disabilities and Substance Abuse Area Authority is hereby authorized to acquire and to hold title to the following described real property:

(A-21687; out of 4755 (12) 3304) City of Statesville, Statesville (Inside) Township, Iredell County, North Carolina;

BEING all of Lot No. 2 of Paragon Place, containing 1.26 acres or 54,938 square feet, more or less, as shown on that plat of survey recorded in Plat Book 46, Page 2 Iredell County Registry to which reference is made and which said plat is incorporated herein by reference.

TOGETHER WITH AND SUBJECT TO, however to the following:

1. Declaration of Restrictive Covenants for Paragon Place recorded on October 22, 2004, in Book 1594, Page 1592 Iredell County Registry.
2. Amended Declaration of Restrictive Covenants for Paragon Place recorded on November 4, 2004, in Book 1598, Page 1142 Iredell County Registry.

SUBJECT TO, however to the following:

1. Easement to Crescent Electric Membership Corporation recorded in Book 787, Page 832 Iredell County Registry.
2. Easement to City of Statesville recorded in Book 910, Page 771 Iredell County Registry.
3. Right of way to North Carolina Department of Transportation recorded in Book 759, Page 357 Iredell County Registry.
4. Easements and restrictions of record.

ADOPTED AND RATIFIED in three counterparts by the Boards of Commissioners of Iredell County, Surry County and Yadkin County on the dates shown on each signature page.

Martha Brintle, Information Technology Director, updated the Board on Builder Radius Centralized Permitting software and responses that have been received from various departments. Ms. Brintle stated that each department had reviewed the software.

Upon motion of Commissioner Johnson, seconded by Commissioner Miller, the Board voted unanimously to proceed with the Builder Radius Centralized Permitting software.

Betty Taylor, Assistant County Manager for Budget and Finance, discussed a request from the Dobson Rescue Squad regarding the usage of the County's fuel tank.

It was the consensus of the Board not to allow the Dobson Rescue Squad to use the County's fuel tank.

The County Manager addressed the Board regarding a memorandum sent to Elected Officials and Department Heads regarding fuel conservation guidelines. Mr. Sammons stated that he will review the status of fuel supplies on September 13, 2005.

The County Manager updated the Board on Flat Rock/Bannertown Water and Sewer easements. Mr. Sammons stated that the County Attorney had sent a letter out to each property owner where easements have not been obtained stating that the owners will have 7 days or until September 8, 2005 through September 14, 2005 respectively, to respond to the letter regarding the easements.

The County Manager discussed the transportation for Lifespan. Mr. Sammons stated that the Department of Health and Human Services had given notice to cut off funding to YVEDDI for Lifespan client transportation at the end of September. Mr. Sammons is working with Representative Harrell's Office to resolve the issue.

The County Manager stated that the Department of Health and Human Services had approved Specialty Care Transports by Emergency Services.

The County Manager stated that officials from Forsyth County were coming to tour the Surry County Judicial Center on September 7, 2005.

The County Manager updated the Board on a Visitors Center at the I-74/I-77 interchange. Mr. Sammons stated that Rhonda Collins had offered her building free for one year. The County Manager had also looked at the facility offered by Gary York and felt there would be several challenges to get the facility ready for a Visitors Center, but the facility had potential for other uses.

The County Manager presented a draft Disaster Relief Policy for employees wishing to provide out of County assistance.

It was the consensus of the Board for the County Manager to reword the draft and return to the Board.

The County Manager stated that 200 evacuee victims from Hurricane Katrina could possibly come to Raven Knob as a relief shelter. David Stone stated this would be a stand-by shelter, if needed at a later date.

The County Manager addressed the Board regarding the North Carolina Civil War Trail design process and funding needed to install Civil War Historical Signs. The County's cost for signs would be \$2,200 and \$400 per year for maintenance.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted to pay the cost for signs at \$2,200 and \$400 per year for maintenance for the North Carolina Civil War Trail.

Ayes: Commissioners Harrell, Miller, O'Neal
Nays: Commissioners Johnson, Hunter

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve and release the following closed session minutes:

- | | |
|----------------------------|--------------------------|
| September 20, 2004 Item #5 | January 18, 2005 Item #2 |
| February 7, 2005 Item #1 | February 7, 2005 Item #3 |
| March 7, 2005 Item #3 | March 21, 2005 Item #3 |
| May 2, 2005 Item #1 | May 23, 2005 Item #1 |
| May 26, 2005 Item #2 | June 1, 2005 Item #1 |
| June 6, 2005 Item #1 | June 20, 2005 Item #1 |
| June 20, 2005 Item #2 | June 20, 2005 Item #3 |
| July 5, 2005 Item #1 | July 5, 2005 Item #2 |
| July 5, 2005 Item #3 | July 19, 2005 Item #1 |
| August 1, 2005 Item #1 | August 1, 2005 Item #2 |
| August 1, 2005 Item #5 | August 1, 2005 Item #6 |

August 1, 2005 Item #7

August 1, 2005 Item #8

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to appoint Barbara Kirk to the Appearance Commission to represent the Rockford Community.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to reappoint Anne Gulley to the Northwestern Regional Library.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to reappoint Rodney Hardy and Floyd Gwyn to the Pilot Mountain Board of Adjustments-ETJ.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to appoint Ann Williams to the Appearance Commission to represent the Franklin Community.

Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously to appoint Tom Watts as an alternate on the Board of Adjustments.

Upon motion of Commissioner Hunter, seconded by Commissioner Johnson, the Board voted unanimously to appoint Commissioner Harrell to assume the Chairman's seat on the North Carolina Association of County Commissioners Board of Directors.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to reappoint Donna Brady to the Crossroads Board.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to go into closed session to discuss personnel.

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

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to grant Susan Diane Sardler, Health and Nutrition Center employee, a one-step increase from grade 59-6 to 59-7, effective September 1, 2005.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to grant Jessica Jessup, Health and Nutrition Center employee, a

one-step increase from grade 59-2 to 59-3, effective September 1, 2005.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to grant Kim Simpson, Health and Nutrition Center employee, a one-step increase from grade 59-4 to 59-5, effective September 1, 2005.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to amend the Personnel Ordinance adopted on November 3, 2003 by making the following change to Appendix A, Position Classification Plan, effective October 1, 2005:

- Remove Assistant Tax Administrator for Collections from Grade 69.
 - Add Collections Supervisor to Grade 69.
-

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to amend the Personnel Ordinance adopted on November 3, 2003 by making the following changes to Appendix A, Position Classification Plan, effective September 7, 2005; and to adjust the salaries and positions accordingly:

- Change the Information Technology Department to the Management Information Services Department.
 - Add the classification of Senior Network Administrator to the classification plan at grade 71.
 - Reclassify position #421007 from a Network Administrator (Grade 70) to a Senior Network Administrator (Grade 71).
 - Move Martha Brintle to position #421007 at grade 71-11.
 - Delete Information Technology Director from the classification plan at grade 73.
 - Add Management Information Services Director to the classification plan at grade 75.
 - Change position #421002 from Information Technology Director to Management Information Services Director.
 - Appoint Martha Brintle to serve as Interim Management Information Services Director.
 - Move Frank Prince to grade 70-7, effective September 1, 2005.
-

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to reappoint H.O. Woltz, Lee Merritt, and Van Tucker to the Northern Hospital Board of Trustees.

There was no further business to come before the Board.

Upon motion of Commissioner O'Neal, seconded by
Commissioner Hunter, the Board voted unanimously to adjourn
at 11:25 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of September 19, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on September 19, 2005. 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, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Vice-Chairman Jim Miller was unable to attend due to illness.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Chris Knopf, Planning Director
Mike Wetzell, Parks, Recreation and Maintenance Director
John Shelton, Emergency Services Director
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Commissioner Jim Harrell, Jr. delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the September 6, 2005 meeting. Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the following from the Tax Department:
 - Total releases for the month ending 07-31-05 in the amount of \$34,648.24.
 - Total refunds for the month ending 07-31-05 in the amount of \$10,561.19.
 - Total real and personal property discoveries for the month ending 07-31-05 in the amount of \$41,964.97.
 - Total motor vehicle discoveries for the month ending 07-31-05 in the amount of \$2,634.35.
 - Total releases for the month ending 08-31-05 in the amount of \$23,416.80.
 - Total refunds for the month ending 08-31-05 in the amount of \$66,283.82.
 - Total real and personal property discoveries for the month ending 08-31-05 in the amount of \$55,860.02.
 - Total motor vehicle discoveries for the month ending 08-31-05 in the amount of \$1,800.75.

- Collect May, 2005 vehicle renewals in the amount of \$338,538.85.
 - Collect June, 2005 vehicle renewals in the amount of \$341,794.63.
2. Approve Precision Plumbing and Septic to install a wastewater treatment system at the Beulah Community Center in the amount of \$4,900.
- Precision Plumbing and Septic \$4,900
 - V & S Septic Service \$6,550
3. Approve the purchase of a new 2006 Chevrolet Impala in the amount of \$17,250.40.

Request from the Assistant County Manager for Budget and Finance:

1. Approve budge change no. 2 as follows:

Change #2

The Board of County Commissioners approved an amendment to the FY2005-2006 Budget Ordinance at their meeting on September 19, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>ECONOMIC DEVELOPMENT FUND</u>				
<u>EXPENDITURES</u>				
1154922	57138 Southdata	44,442	34,250	78,692
1154922	57158 Advanced Electronics	40,944	34,250	75,194
1154922	57144 Exit 93 Project (New)	0	103,500	103,500
1154922	59675 Water/Sewer Reserve	149,829	(103,500)	46,329
 <u>REVENUE</u>				
1144922	49900 Unencumbered Balance	1,367,500	68,500	1,436,000
	Increase fund totals	2,067,255	68,500	2,135,755

Request from the Planning Director:

1. Approve the Cynthia A. McMillin one-lot subdivision final.

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.

Don Miner expressed his concerns regarding his daughter, Heather Robbins, calling the Health and Nutrition Center's Dental Clinic, leaving a message and never getting a return call. Ms. Robbins had also called Social Services and had not received a return call.

Commissioner Harrell discussed his concern with pending Medicare changes that would require a large segment of individuals to make a decision on how they want their Medicare Prescription Drug Plan handled. The decision would need to be made before January 1, 2006.

It was the consensus of the Board for the County Manager to get with the Health Director and Social Services Director to get some informational classes set up for the public. The information

classes would help familiarize the community on the pending changes and implications for families and individuals.

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

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on zoning application ZCR670. The parcel site is 11.5 acres of tax parcel 5958-00-64-7306. The property owner is Vernon D. and Frances Purdham. The property is currently zoned RA. The petition is to rezone the property to RR.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning and stated the Planning Board recommends approval of the petition.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the rezoning, as recommended by the Planning Board.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on zoning application ZCR671. The parcel site is 19.48 acres of tax parcel 5010-03-00-2261 and 5919-00-09-0986. The property owner is Nichols/Red Brush, LLC. The property is currently zoned RA. The petition is to rezone the property to RR.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning and stated the Planning Board recommends approval of the petition.

Chairman Johnson asked for comments from the public.

Dennis Younger stated that his father lives beside the property being rezoned and is concerned what can be put on property that is zoned RR.

Chris Knopf, Planning Director, gave Mr. Younger a list of permitted uses for property zoned RR.

Mr. Younger stated that he was okay with the rezoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted to approve the rezoning, as recommended by the Planning Board.

Commissioner Hunter abstained due to an interest in the property subject to rezoning and to avoid an appearance of impropriety.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on zoning application ZCR673. The parcel site is 27.9 acres of tax parcel 5955-00-28-3543. The property owner is Vernon D. and Frances Purdham. The property is currently zoned RA. The petition is to rezone the property to RR.

Chris Knopf, Planning Director, presented the facts pertaining to the rezoning and stated the Planning Board recommends approval of the petition.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the rezoning, as recommended by the Planning Board.

Chris Knopf, Planning Director, addressed the Board regarding the North Carolina Planning Status update. Mr. Knopf stated that within this update are significant changes that will affect rezonings, conditional use permits, and the roles of the Planning Board and the Board of Commissioners. Mr. Knopf will readdress the Board in December regarding the changes.

Dr. Tim Farley, Mount Airy City Schools Superintendent, addressed the Board regarding the problem that the Mount Airy City Schools is facing with regards to technology equipment. Dr. Farley stated the initial network was put in place in 1997-1998 and has virtually remained untouched since that time and the schools are at a point where several problems are being experienced which will require immediate action. Dr. Farley also stated that if these issues are not resolved quickly, it could lead to the loss of network services. Dr. Farley outlined the problem areas and funds needed for the project. Dr. Farley stated that the cost of the technology needs would cost \$50,000 to complete phase no. 1.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the request of \$50,000 with the Assistant County Manager for Budget and Finance determining where the funds will come from.

John Shelton, Emergency Services Director, addressed the Board regarding the National Incident Management System Compliance (NIMS). Mr. Shelton stated that President Bush, the Federal Department of Homeland Security and Governor Michael Easley required that all state and local first responder agencies adopt the NIMS by September 30, 2006. Mr. Shelton asked the Board to endorse a proclamation from Governor Michael Easley for adoption of the NIMS.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to endorse the following proclamation:

PROCLAMATION FOR ADOPTION OF NATIONAL INCIDENT MANAGEMENT SYSTEM
(NIMS) BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA

WHEREAS, the President in Homeland Security Director (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepared for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity; and

WHEREAS, the collective input and guidance from all Federal, State, local, and tribal homeland security partners has been and will continue to be, vital to the development, effective implementation, and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary and desirable that all Federal, State, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations utilize standardized terminology; standard organizational structures; interoperable communities; consolidated action plans; unified command structures; uniform personnel qualification standards; uniform standards for planning, training, and exercising; comprehensive resource management; and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the State's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the North Carolina Emergency Response Commission, by unanimous vote, formally endorses the National Incident Management System for use in incident management and emergency prevention, preparedness, training, response, recovery, and mitigation programs and activities.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and laws of the State of North Carolina, I do hereby establish the National Incident Management System (NIMS) as the State standard for incident management for its use in daily operations, as well as disaster operations in North Carolina. I direct all counties and departments to adopt and apply the NIMS for all routine, multi-company and agency incidents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh this 11th day of May, 2005.

John Shelton, Emergency Services Director, addressed the Board regarding Emergency Services fee schedule. Mr. Shelton showed the

Board the current fees, the suggested fee increases and discussed the need for the increases.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the following fee increases, with the fee changes being on file in the Clerk to the Board's Office.

- | | |
|----------------------------------|-----------------------|
| ▪ Out-of-County Resident Charge | \$50.00 |
| ▪ Treatment-No Transport | \$75, \$100 and \$150 |
| ▪ Specialty Care Transport (New) | \$600 |
-

John Shelton, Emergency Services Director, and the Board discussed charges for private event coverage by ambulance service and paramedics.

The Board discussed the potential of rescue squads handling the events.

Mr. Shelton stated when a paramedic works for the rescue squad and is put in a life saving situation, they then become an Emergency Services employee even though they are working for the rescue squad.

It was the consensus of the Board for the Emergency Services Director to gather information on requirements for paramedics working for other agencies and report back to the Board.

Chairman Johnson informed the audience that it was time for the special recognition portion of the agenda.

Commissioner Craig Hunter recognized the following individuals:

Angela L. Brown, Peggy A. Wagoner, Carolyn D. Bullen, and Kay D. Culp, Emergency Services, for their hard work, dedication and innovation shown by creating processes that substantially increased collections for Surry County Emergency Services. The Board commended Angela, Peggy, Carolyn and Kay for their outstanding service as they worked diligently toward the accomplishment of collecting 90% of Emergency Services total operating budget.

The Board took a fifteen-minute recess.

The Board resumed regular business.

The County Manager addressed the Board regarding an amended Tax Collection Agreement for the Town of Pilot Mountain. An agreement was approved in June, 2005 to collect taxes for the Town of Pilot, but did not include delinquent taxes. The amended agreement would allow the Surry County Tax Department to collect delinquent taxes for the Town of Pilot Mountain.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the amended agreement.

The County Manager discussed potential financing of hangers at the Surry County/Mount Airy Airport.

It was the consensus of the Board for the County Manager to check on funding being paid by Mount Airy for the airport.

Commissioner Hunter stated that he would like to see another shell building be built for economic development purposes in Surry County. The former shell building in Piedmont Triad West Industrial Park is now being occupied by Gerard's Bakery.

The County Manager addressed the Board regarding a rate increase from Transport Objectives, Inc for hauling solid waste. The proposed new rate is \$196.32. The increase is in light of the recent fuel increase. The County Manager discussed Public Works assuming this service.

It was the consensus of the Board for the County Manager to get back with the Board regarding cost for Public Works to assume the responsibility of hauling the solid waste.

The County Manager updated the Board on Centralize Permitting. The County Manager stated that Builder Radius would begin loading data the week of October 3-10, 2005. The County Manger also stated that the Inspections Department was requesting to hire a permitting clerk and to temporarily move a Tax Office employee to the Inspections Department for six months to help with the addressing phase of the new permitting process. The County Manager stated that there was a need for about \$16,500 in additional equipment to get the permitting up and running. Finally a start date in early January is planned for the Inspections Department with other departments to follow in subsequent weeks.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to go into closed session to discuss economic development and personnel.

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

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to allocate \$2,500 to the VFW National Honor Guard to assist with a van transmission repair.

There was no further business to come before the Board.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to adjourn at 9:30 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of October 3, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on October 3, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., and Commissioner Craig Hunter.

Commissioner Fred O'Neal and Attorney Edwin Woltz were unable to attend.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Betty Taylor, Assistant County Manager for Budget and Finance
Chris Knopf, Planning Director
Tammy Johnson, Water and Sewer Projects Coordinator
Mike Wetzels, Parks, Recreation and Maintenance Director
Wayne Black, Social Services Director
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Chairman Johnson delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the September 19, 2005 meeting. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the following consent agenda items:

Request by the County Manager:

1. Approve a rate increase for Transport Objectives, Inc. (NES Transport Services, Inc.) from \$180.78 to \$189.82.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve Emergency Services to purchase a \$5,880 refurbished Baxter pump.
2. Approve Public Works to surplus a Caterpillar diesel engine (D-333-T).
3. Approve an increase for the charge for plats from \$1.00 to \$2.00.

Request from the Human Resources Officer:

1. Approve one day of leave without pay for an employee of the Health and Nutrition Center.

Commissioner Craig Hunter entered the meeting at 6:10 p.m.

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.

Kohl Moser, Boy Scout Troup #553, stated that he was attending the meeting to work toward an Eagle Scout badge.

Don Miner thanked the Board for their assistance in helping his daughter obtain an appointment in the Health and Nutrition Center's Dental Clinic.

Tammy Johnson, Water and Sewer Projects Coordinator, updated the Board on various water and sewer projects. Ms. Johnson stated that she is working with the County Attorney on outstanding easements for the Flat Rock/Bannertown water and sewer project. Ms. Johnson also stated that there are several grants pending for the Interstates Water and Sewer District. Ms. Johnson also updated the Board on the Longhill Road/Hiatt Road water and sewer project.

Commissioner Harrell questioned the Planning Director regarding two conditional uses for billboards on I-77.

Chris Knopf, Planning Director, stated that the businesses that obtained the billboard permits may only advertise their own active on-site business and abide by the ordinance regulations. Mr. Knopf also stated that the billboards must come down when the businesses no longer exist.

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

Wayne Black, Social Services Director, presented information to the Board on the Social Services 5-year caseload statistics and trends for major income maintenance programs. Mr. Black stated that caseloads for Medicaid, North Carolina Health Choice and Food Stamps have increased dramatically over the past five years and the continued increasing caseloads have resulted in much lower productivity, longer case processing time, and less quality assurance time. This has left the staff feeling increasingly worn out and overwhelmed.

It was the consensus of the Board for the Social Services Director to come back to the November 7, 2005 meeting to discuss further with the Board.

Wayne Black, Social Services Director, addressed the Board regarding Medicare Part D Prescription Drug Benefit

Program. Mr. Black stated that the new Part D benefit constitutes the most significant change to the Medicare Program since its inception and that effective January 1, 2006, the new benefit establishes an optional prescription drug benefit for Medicare beneficiaries who are entitled to Medicare Part A and/or Part B. Beneficiaries who qualify for both Medicare and Medicaid will automatically receive the Medicare drug benefit. Medicaid will no longer provide prescription drug coverage for persons with Medicare and Medicaid. If a Medicaid recipient does not select a plan, he or she will be automatically enrolled into a Plan. The law also provides for assistance with premiums and cost sharing to eligible low-income beneficiaries. Premiums for full benefit are fully paid by the federal government at the federal subsidy level. Individuals have the right to disenroll from a plan to which they have been assigned and choose another plan. Private insurance companies will begin offering approved prescription drug plans to Medicare beneficiaries in two weeks.

Mike Wetzel, Parks, Recreation and Maintenance Director, presented the FY 2005/2006 Incentive Grant Recreation Advisory Sub-Committee Recommendations. Mr. Wetzel stated that the recommendations were done on a scoring system that was implemented approximately five years ago. Mr. Wetzel also stated that there had only been five requests presented this year.

▪ Shoals Community Recreation Park	\$5,000
▪ East Surry Little League	\$5,000
▪ Westfield Booster Club	\$4,000
▪ Lowgap Community Center	\$5,000
▪ Sandy Level Community Council	\$5,000

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the Recreation Advisory Committee recommendations for the incentive grants, with a copy of the recommendations being on file in the Parks, Recreation and Maintenance Department.

Chairman Johnson informed the audience that it was time for the special recognition portion of the agenda.

Commissioner Jim Harrell, Jr. recognized the following individuals:

Lucy Chatham, Tink Simmons, and Kent Cockerham, State Road Community Plan Committee, for their role in developing a progressive and forward thinking land use planning process that will serve as a model for our community planning efforts elsewhere in Surry County and will help ensure the preservation of the State Road community. The Board commended the State Road Community Plan Committee for their dedicated work for the benefit of Surry County and the quality of life in the State Road Community.

Chris Knopf, Planning Director, for his dedicated service while working with the Planning Board and State Road Community Development Committee toward the establishment of the State Road Community Development Plan.

The Board commended Mr. Knopf for his undertaking and time consuming efforts required to make the State Road Development Plan a reality.

Chatham Foundation for the foundation's contributions to worthy projects which benefit the educational, health, and general welfare needs of Surry County and its citizens. The Board commended the Chatham Foundation for more than \$250,000 to Surry County schools, libraries, rescue squads, parks and recreation, Surry County Health Foundation, and the Surry County Appearance Commission over a period of years.

The Board took a fifteen-minute recess.

The Board resumed regular business.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to reappoint Blanche Waddell to the Nursing Adult Care Homes Community Advisory Committee.

Commissioner Harrell stated that the Elkin Rescue Squad was in need of a surplus vehicle.

It was the consensus of the Board for the Assistant County Manager for Budget and Finance to get with the Purchasing Agent to see what is available.

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

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

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the following personnel requests:

- Approve the filling of a Nutritionist position at grade 66, step 16 in the Health and Nutrition Center.
- Approve the posting and filling of position number 516308, Public Health Nurse II (Grade 71) in the Health and Nutrition Center.

The Board discussed the North Carolina Lottery.

There was no further business to come before the Board.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to adjourn at 9:20 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of October 17, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on October 17, 2005. The meeting was held in the County Commissioners' Meeting Room, Surry County Government Center, Dobson, North Carolina.

Board members present for the meeting were Vice-Chairman Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Chairman Paul Johnson was unable to attend.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Chris Knopf, Planning Director
Sheriff Connie Watson
Blair Knox, Pilot Mountain Town Manager
Dr. Tim Farley, Mount Airy City Schools Superintendent
Dr. Ashley Hinson, Surry County Schools Superintendent
News Media
Other Citizens

Vice-Chairman Miller called the meeting to order. Vice-Chairman Miller delivered the invocation and led the Pledge of Allegiance.

Vice-Chairman Miller requested the Board to consider the minutes of the October 3, 2005 meeting. Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the minutes.

Vice-Chairman Miller requested that the Board consider the consent agenda. Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Denial of reduction of an ambulance bill.
2. Denial of forgiveness of an ambulance bill.
3. Approved the following from the Tax Department:
 - Total releases for the month ending 09-30-05 in the amount of \$12,875.68
 - Total refunds for the month ending 09-30-05 in the amount of \$4,741.65.
 - Total real and personal property discoveries in the month ending 09-30-05 in the amount of \$10,914.38.
 - Total motor vehicle discoveries for the month ending 09-30-05 in the amount of \$3,844.45.
 - Collect July 2005 motor vehicle renewals in the amount of \$350,326.80.

- Collect the 2005 Public Service Company taxes in the amount of \$1,406,355.66.
- Approve the following individuals to serve on the Board of Equalization and Review with a two year term.

Kent Cockerham	G. Edward Massey
Bobbie Collins	Charles G. Golding
Terry J. White	Gary L. Brown
Anthony Morris	
- Approve two employees from the Tax Department to attend the annual NovaLIS Conference in Hilton Head.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve the donation of a Surry County flag to Broughton Hospital.
2. Approve J.C. Cline, Chet Jessup, and Burton East to serve as a Fireman's Relief Fund Trustee.
3. Approve Emergency Services to purchase a laptop and a refurbished copier.
4. Approve budget change no. 3 as follows:

Change #3

The Board of County Commissioners approved an amendment to the FY 2005-2006. Budget Ordinance at their meeting on October 17, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND EXPENDITURES</u>				
<u>Special Appropriations</u>				
1054198 57123	NC Civil War Trail (New)	0	2,200	2,200
1054198 57118	VFW Honor Guard	0	2,500	2,500
	Increase departmental total.	148,190	4,700	152,890
 <u>Non-Departmental</u>				
1054199 59510	General Fund Contingency	300,000	(4,700)	295,300
	Decrease departmental total.	604,000	(4,700)	599,300
 <u>Automated Systems Services</u>				
1054210	Management Information Services (Rename)			
 <u>School Resource Officer</u>				
1054316 56010	Equipment	0	15,638	15,638
	Increase departmental total.	113,514	15,638	129,152
 <u>REVENUE</u>				
1044316 44570	School Resource Officer	113,514	15,638	129,152
	Increase fund totals.	61,004,788	15,638	61,020,426

Request from the Human Resources Officer:

1. Approve the following retiree resolution of respect:

RESOLUTION

WHEREAS, Jack Lee Smith faithfully served the citizens of Surry County from November 6, 1972 until his retirement on September 23, 2005 as an employee and an auxiliary deputy of the Surry County Sheriff's Office; and

WHEREAS, Sergeant Smith worked under the direction of four administrations - Sheriff Jim Taylor, Sheriff Robert Montgomery, Sheriff Bill Hall, and Sheriff Connie Watson; and

WHEREAS, during his years of faithful service, Sergeant Smith has earned the admiration and respect of his friends, co-workers, and the public as he has worked to protect and serve; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend Jack L. Smith for the professional manner in which he executed his duties; and

NOW, THEREFORE, BE IT RESOLVED that the Board commends Jack L. Smith for the dedication he has shown to his duties and the many hours of his own time he has volunteered to serve the citizens of Surry County; and

BE IT FURTHER RESOLVED that the Board extends to Jack L. Smith its best wishes for many years of happiness during his retirement.

Requests from the Planning Director:

1. Approve the Edna Baker final one-lot subdivision.
2. Approve the Michael Kevin and Nichole Gardner Watson final one-lot subdivision.
3. Approve the Shady Rest Phase One final five-lot subdivision.
4. Approve the Roy Lee and Judy Ann Edwards final one-lot subdivision.

Vice-Chairman Miller 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.

Mike Branch, Granite City Machine Rods, addressed the Board regarding the usage of the parking lot at the Human Services Center in 2006 for Cruise Ins. The club meets on the fourth Saturday of each month, April through October, to hold a fund raiser for individuals with needs.

County Manager Macon C. Sammons, Jr. introduced Blair Knox, Pilot Mountain Town Manager.

Mr. Knox stated that he was delighted to be in Surry County and will soon begin working toward the redevelopment of downtown Pilot Mountain. Mr. Knox also stated that the local governments work together well.

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

Vice-Chairman Miller then declared the meeting to be a public hearing for the purpose of hearing comments on zoning

application ZCR719. The parcel site is 1.45 acres of tax parcel 5031-20-90-6178. The property owner is Vonda M. Cox. The property is currently zoned CB. The petition is to rezone the property to RG.

Chris Knopf, Planning Director, presented facts pertaining to the rezoning and stated the Planning Board recommends approval of the petition.

Vice-Chairman Miller asked for comments from the public.

No one spoke on the rezoning.

Vice-Chairman Miller then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the rezoning as presented by the Planning Director.

Bryan Starnes, Martin Starnes & Associates, presented the FY 2005 audit report, fund balance history, and the general fund revenues and expenditures for 2004 and 2005.

Dr. Tim Farley, Mount Airy City Schools Superintendent, addressed the Board regarding bids at the Mount Airy High School. Dr. Farley stated that the bids had come in below the \$3.5 M. Dr. Farley stated that only \$3.1 M would be needed for the project

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously approved the allocation of \$3,121,120.

Dr. Tim Farley, Mount Airy City Schools Superintendent, requested the Board allocate the remaining \$378,880 of the unused \$3.5 M to go toward needed equipment furnishings and technology including the \$50,000 technology upgrade requested and approved in September, 2005.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to grant the request.

The County Manager updated the Board on the Volunteer Banquet that will be held on November 10, 2005 at Cross Creek Country Club.

The County Manager addressed the Board regarding the North Carolina Association of County Commissioners Steering Committee signup form. The County Manager asked the Board if they would serve on various committees to contact the Clerk to the Board.

The County Manager presented the County Commissioners' 2006 calendar.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the County Commissioners' 2006 calendar.

The County Manager updated the Board on the donation of Emergency Services Equipment to Waveland, Mississippi. Mr. Sammons stated that two ambulances were delivered to Mississippi last week due to the devastation of Hurricane Katrina.

The County Manager stated that he had received a letter from the North Carolina Department of Agriculture and Consumer Services requesting the donation of an ambulance from Surry County for a mobile command and control center.

It was the consensus of the Board for the County Manager to see if any other Gulf Coast states are in need of an ambulance or if Surry Community College is still in need of an ambulance for training.

Mr. Sammons is to contact the North Carolina Department of Agriculture and Consumer Services and state that there may be other needs for the ambulance at this time.

The County Manager addressed the Board regarding a Pesticide and Household Hazardous Waste Disposal Day at Veterans' Park on Saturday, October 22, 2005 from 9 a.m. until 2:00 p.m. Citizens are encouraged to bring pesticide and household hazardous waste items for disposal to the Park.

The County Manager updated the Board on Centralized Permitting and stated that the agreement had come in and was ready to be signed. The software would be loaded on computers within the next two weeks.

It was the consensus of the Board for the County Manager to sign the agreement.

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

Sheriff Connie Watson recognized Jack Lee Smith, retiree, for his many faithful years of service to Surry County.

The Board of Commissioners recognized County Manager Macon C. Sammons, Jr. for 30 years of service to local government from the International County Management Association. Mr. Sammons had significant contributions and achievements in the advancement of local government administration.

Betty Taylor, Assistant County Manager for Budget and Finance, updated the Board on the incentive agreement with A. Brown Mechanical. Ms. Taylor stated that Mr. Brown had met or exceeded all of his incentive benchmarks for the second year.

Betty Taylor, Assistant County Manager for Budget and Finance, presented a resolution on school financing. Ms. Taylor stated that if the Board was going to issue any debt in 2005 a resolution would need to be approved.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the following resolution:

RESOLUTION AUTHORIZING THE FILING OF
AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED
BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the County of Surry, North Carolina desires to renovate and construct additional classroom space at Mount Airy High School and Elkin High School ("the Projects"). The County of Surry desires to borrow \$7,000,000 to finance the Projects in order to better serve the citizens of Surry County; and

WHEREAS, the County of Surry, North Carolina desires to finance the Projects by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151, prior to approval of the proposed contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Surry County meeting in regular session on the 17th day of October, 2005, makes the following findings of fact:

1. The proposed contract is necessary or expedient to provide the citizens and residents of Surry County with adequate educational facilities.
2. The proposed contract is preferable to a bond issue for the same purpose, because the cost to issue general obligation bonds would be greater. Further, the cost of the Projects exceeds the amount that can prudently be raised from available appropriation, unappropriated fund balances, and non-voted bonds that could be issued by Surry County in the current fiscal year pursuant to Article V, Section 4, of the North Carolina Constitution (the "two-thirds limitation").
3. The sums to fall due under the contract are not excessive for the proposed purpose based on actual bids awarded.
4. Surry County's debt management procedures and policies are good because the County carries out policies in strict compliance with the law and will continue to provide adequate debt management as directed by the North Carolina Local Government Commission.
5. If a tax increase is necessary to meet the sums to fall due under the proposed contract, such increase will not exceed 1.0-2.0 cents per one hundred dollars valuation and is deemed not to be excessive.

6. Surry County is not in default in any of its debt service obligations.
7. The attorney for Surry County, North Carolina has rendered an opinion that the proposed Projects is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and Laws of North Carolina.

NOW, THEREFORE, be it fully resolved that the County Manager, Assistant County Manager for Budget and Finance and County Attorney are hereby authorized to act on behalf of the County of Surry, North Carolina in filing an application with the North Carolina Local Government Commission for approval of the Projects and the proposed financing contract, to seek bank bids, and other actions not inconsistent with this resolution.

Betty Taylor, Assistant County Manager for Budget and Finance, addressed the Board regarding a request from the Health and Nutrition Center to use funds for jail health to purchase a computer and other jail health supplies.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the request.

Betty Taylor, Assistant County Manager for Budget and Finance, addressed the Board regarding a request from the Health and Nutrition Center to allow Senior Services to purchase 10 computers and 5 printers.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the request.

Commissioner Hunter made a motion to go into closed session to discuss legal issues with the County Attorney, economic development, and personnel. Commissioner O'Neal seconded the motion. A vote was not taken.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to table the closed session motion and discuss other business.

The Board discussed the desirability of adopting a cable network franchise ordinance. Effective in 2006, the franchise tax applied to 7% cable bills that go to the State. The Board discussed an alternative with an ordinance stating that the County would receive 5% of the cable bill, with 2% going to the State.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to allow the County Manager and County Attorney to draft a cable ordinance and bring back to the Board.

The Board took a fifteen-minute recess.

The Board resumed regular business.

Upon motion of Commissioner Hunter, seconded by Commissioner O'Neal, the Board voted unanimously to go into closed session to discuss legal issues with the County Attorney, economic development, and personnel.

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

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to grant equity salary for Extension Service personnel as appropriated by the General Assembly this year, and to approve additional county funding of \$13,985.62. This salary equity is based on tenure, degrees, promotions and evaluation scores over the last five years.

The Board discussed design and redesign of Central Middle School with the Surry County Superintendent and two school board members. The County Attorney gave a legal interpretation of the March 7, 2005 minutes regarding the allocation of funds.

It was the consensus of the Board to hold a meeting with the Board of Commissioners, the Board of Education, Mark Patterson, Architect, and Ross Bush, Construction Control Corporation on October 24, 2005 at 6:30 p.m., at the Surry County Government Center to further discuss the school plans.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously at 9:25 p.m. to recess until October 24, 2005 at 6:30 p.m., room 335, Surry County Government Center.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of October 24, 2005

The Surry County Board of Commissioners met in regular session at 6:30 p.m. on October 24, 2005. The meeting was held in the County Commissioners' Meeting Room, Surry County Government Center, Dobson, North Carolina and was a joint meeting with the Surry County Board of Education

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Others present for the meeting, at various times, were:
Betty Taylor, Assistant County Manager for Budget and Finance

Ross Bush, Construction Control Corporation
Dr. Ashley Hinson, Surry County Schools Superintendent
Earlie Coe, Surry County Board of Education Chairman
Michele Hunter, Surry County Board of Education Vice-Chairman

Brian Gates, Surry County Board of Education Member
Sue Stone, Surry County Board of Education Member
Mark Patterson, Holland Hamrick & Patterson Architects
Attorney Fred Johnson
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Commissioner Hunter delivered the invocation and led the Pledge of Allegiance.

Earlie Coe, Surry County Schools Chairman, called the Surry County Schools Board meeting to order.

Ross Bush, Construction Control Corporation, discussed value engineering ideas for Central Middle School.

Mark Patterson, Holland Hamrick & Patterson Architects, discussed the current design and areas of identified savings.

Commissioner Hunter left the meeting at 7:45 p.m.

Upon motion of Commissioner Harrell, seconded by Vice-Chairman Miller, the Board voted to leave the decision to award the bids for Central Middle School up to the Surry County School Board and to use monies from other proposed projects to cover the approximate \$800,000 of cost overruns.

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Harrell

Nays: Commissioner O'Neal

Commissioner O'Neal left the meeting at 8:30 p.m.

Upon motion of Commissioner Miller, seconded by Harrell, the Board voted unanimously to move the Road Signs budget from the Planning Department to the Public Works Department.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to allow the Assistant County Manager for Budget and Finance to schedule a public hearing on either November 7, 2005 or November 14, 2005 for pending installment financing.

Upon motion of Commissioner Harrell, seconded by Vice-Chairman Miller, the Board voted unanimously to forward the following resolution to the North Carolina Department of Transportation regarding the addition of Athena Lane.

N. C. DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION TO STATE MAINTAINED
SECONDARY ROAD SYSTEM

NORTH CAROLINA
COUNTY OF SURRY

Road Name: Athena Lane

WHEREAS, the attached petition has been filed with the Surry County Board of Commissioners, requesting that the above named road be added to the Secondary Road System; and

WHEREAS, the Board is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Highway Division of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners that the Highway Division is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

Upon motion of Chairman Johnson, seconded by Commissioner Harrell, the Board voted unanimously to have dual recipients for Volunteer of the Year. The recipients are Donna Collins and Curtis Taylor.

Vice-Chairman Miller reported on the TAMPCO open house. Vice-Chairman Miller attended the open house and stated that the facility was nice. Commissioner O'Neal also attended.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller the Board voted unanimously to adjourn at 8:45 p.m.

Betty Taylor
Assistant County
Manager for Budget and
Finance

Surry County Board of Commissioners
Meeting of November 7, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on November 7, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Others present for the meeting, at various times, were:
 Macon C. Sammons, Jr., County Manager
 Conchita Atkins, Clerk to the Board
 Edwin Woltz, County Attorney
 Betty Taylor, Assistant County Manager for Budget and Finance
 Sandra Snow, Human Resources Officer
 Wayne Black, Social Services Director
 News Media
 Other Citizens

Chairman Paul Johnson called the meeting to order. Commissioner Craig Hunter delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the October 17 and October 24, 2005 meetings. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the following consent agenda items:

Requests from the Assistant County Manager for Budget and Finance:

1. Approve the Assistant County Manager for Budget and Finance to pay an invoice for CK Technologies engineering services.
2. Approve Emergency Services to use E-911 funds to purchase new servers and computers.
3. Approve the Management Information Services Department to purchase FatPipe equipment in the amount of \$13,810 from the E-911 funds.
4. Approve budget change no. 4 as follows:

The Board of County Commissioners approved an amendment to the FY 2005-2006 Budget Ordinance at their meeting on November 7, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>Non-</u>				
<u>Departmental</u>				
1054199 59510	General Fund Contingency	295,300	(35,386)	259,914
	Decrease departmental total.	599,300	(35,386)	563,914

Inspections

1054350	53020	Equipment Maintenance	1,654	12,900	14,554
1054350	56010	Equipment	36,000	8,500	44,500
		Increase departmental total.	522,206	21,400	543,606

Cooperative Extension

1054950	51010	Salaries & Wages	213,057	13,986	227,043
		Increase departmental total.	301,775	13,986	315,761

The above action does not change fund totals.

ECONOMIC DEVELOPMENT EXPENDITURES

Economic Development

1154922	57183	CK Technologies-Site (New)	0	375,000	375,000
1154922	59500	Contingency	375,000	(375,000)	0

The above action does not change fund totals.

Request by the Human Resources Officer:

1. Approve the following retiree resolution of respect:

WHEREAS, Gary White worked from November 1, 1985 until his retirement on October 31, 2005 as an employee of the Department of Social Services; and

WHEREAS, Mr. White held the positions of Social Worker Trainee, Social Worker I, Social Worker II and Social Worker III; and

WHEREAS, Mr. White provided social work services to families and children, older and disabled adults in Surry County through his work in Child Protective Services, Adult Protective Services and Guardianship Services; and

WHEREAS, Mr. White achieved and maintained extensive knowledge and expertise in all areas of his work, including being the first Child Protective Services Social Worker to attend the Charlotte Police Academy for Sexual Abuse Investigations and achieving the designation of N. C. Certified Guardian since 2003; and

WHEREAS, Mr. White has been an active member of the Surry County Juvenile Crime Prevention Council for 20 years, serving as Chairman for 2 years, and Chairman of the Surry County Employee Benefits Committee; and

WHEREAS, Gary White has faithfully served Surry County as a caring and conscientious public servant dedicated to providing assistance to those in need;

NOW, THEREFORE, BE IT RESOLVED that the Board publicly commends Gary White for his service to the citizens of Surry County and wishes to express its appreciation for his many years of dedicated employment; and

BE IT FURTHER RESOLVED that the Board extends to Gary White its best wishes for many years of happiness during his retirement.

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.

Commissioner Jim Harrell, Jr. introduced Lloyd Payne, Elkin Town Manager.

Mr. Payne stated that he was pleased to be in Surry County. Mr. Payne also stated he would do anything he could do for the betterment of Elkin and Surry County.

Commissioner Miller stated that Commissioner O'Neal and he were delighted to attend the Tampco grand opening.

Commissioner Harrell stated that the Crossroad Telecare site in Mount Airy will be closing at the end of the year. Various companies are considering taking over the service.

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

Chairman Johnson then declared the meeting to be a public hearing for the purpose of receiving comment on the proposed use of an installment purchase contract as allowed under N.C.G.S. 106A-20 for additions and renovations at Mount Airy High School and Elkin High School.

Betty Taylor, Assistant County Manager for Budget and Finance, stated the public hearing had been properly advertised and that the total project would cost \$7,000,000 and the County anticipates financing the total cost.

Chairman Johnson then opened the hearing for public comments.

No one spoke on the issue.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board vote unanimously to approve the installment purchase contract and choose BB&T as the bank financing the Elkin and Mount Airy Schools projects on a ten year term at 3.71%.

Betty Taylor, Assistant County Manager for Budget and Finance, requested approval for a resolution for financing the Mount Airy and Elkin Schools projects through BB&T.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the following resolution:

Resolution Approving Financing Terms

WHEREAS: The County of Surry ("County") has previously determined to undertake a project for renovations and the construction of additional classrooms at Mount High School and Elkin High School ("the Project"), and the Assistant County Manager for Budget and Finance has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated October 31, 2005 and revised November 2, 2005. The amount financed shall not exceed \$7,000,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.71%, and the financing term shall not exceed 10 years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.

3. The Assistant County Manager for Budget and Finance is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Assistant County Manager for Budget and Finance is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Assistant County Manager for Budget and Finance shall approve, with the Assistant County Manager for Budget and Finance's release of any Financing Documents for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Betty Taylor, Assistant County Manager for Budget and Finance, addressed the Board regarding a request from Public Works to purchase a new printer.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the request.

Betty Taylor, Assistant County Manager for Budget and Finance, addressed the Board regarding a memorandum of agreement between the County of Surry and the Mount Airy City Board of Education and the Capital Project Ordinance that will provide the budget appropriation.

Upon motion of Commissioner Hunter, seconded by Commissioner O'Neal, the Board voted unanimously to approve the resolution and the Capital Project Ordinance.

SURRY COUNTY

This Memorandum of Agreement is entered into jointly by the Board of Commissioners of Surry County and the Mount Airy City Board of Education. In this document, the Board of Commissioners of Surry County shall be identified by the term "Board of Commissioners", and the Mount Airy City Board of Education shall be identified by the term "Board of Education".

WITNESSETH:

WHEREAS, the Board of County Commissioners acknowledges the need for a program of classroom additions and renovations in Mount Airy City Schools to improve certain existing school buildings and to implement the school building plan as recommended by the Board of Education, and

WHEREAS, the construction of a new addition at Mount Airy High School (Phase 2) is among the school facility needs identified in its long-range plan by the Board of Education, and

WHEREAS, the Board of Education has requested that the Board of County Commissioners provides authorization and funding for the construction and related costs of the classroom addition at the earliest possible date, and

WHEREAS, the Board of Education, estimates that the total cost of the classroom addition will be approximately \$3,500,000.00, as outlined in Exhibit A, based on current costs, and including fees for architectural and other professional services, and

WHEREAS, the Board of Education, has selected a classroom addition design developed by the architects selected by the Board of Education and,

WHEREAS, the Board of Education, after consultation with the Division of School Planning of the North Carolina Department of Public Instruction, certifies that construction of the classroom addition design selected will meet all current State school building requirements, and State building code requirements, and that the estimated costs of the facilities are comparable to costs of similar facilities being constructed throughout the State and,

NOW, THEREFORE, the Board of County Commissioners and the Board of Education, in consideration of the benefits arising to the citizens of Surry County, jointly acknowledge and agree as follows:

1. The Board of Education has developed a project (Phase 2) to alleviate the classroom space deficiencies at Mount Airy High School and has selected a design of a classroom addition that includes approximately 19,974 square feet and provides thirteen classrooms. The project and design have been presented to the Board of County Commissioners as the solution to the space problem and in support of the funding request.
2. The Mount Airy City Board of Education and Board of County Commissioners have agreed to the following funding plan:
 - a. The Board of County Commissioners will appropriate funding of \$3,500,000.00.
 - b. Total funds available are \$3,500,000.00.
 - c. See Exhibit A - Capital Project Ordinance.

In the event of cost overruns, the Board of Education may request from the County Commissioners the contingency

funds necessary to finalize the project. The Board of Education shall notify the County Commissioners of any anticipated cost overruns at the earliest possible date. The County Commissioners reserve the right to appropriate or not to appropriate funds to cover cost overruns.

3. These new school facilities shall be designed, constructed, furnished, and equipped in accordance with applicable specifications adopted by the Board of Education in consultation with the Division of School Planning of the North Carolina Department of Public Instruction. The facilities shall be designed to accommodate five science rooms, seven math classrooms and an exceptional children's self-contained classroom.

4. Both the Board of County Commissioners and the Board of Education agree to enter into such additional contractual agreements as may be necessary or desirable in order to accomplish the construction of the new school facilities within the established budget.

IN WITNESS WHEREOF, this Memorandum of Agreement has been approved by the Board of County Commissioners on the 7th day of November, 2005 and by the Board of Education on the 7th day of November, 2005, each of which has authorized its execution by its appropriate officers. This Memorandum of Agreement shall be a part of the official Minutes of the Board of County Commissioners and the Board of Education.

CAPITAL PROJECT ORDINANCE

MOUNT AIRY HIGH SCHOOL-PHASE 2

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 construction of a new thirteen-classroom addition for Mount Airy High School

SECTION 2: The offices 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 costs of the project are:

A.	Construction Cost (Projected)	\$2,671,120.00
B.	Engineering and Architect Fees	230,000.00
C.	Other fees	219,100.00
D.	Contingency Cost	<u>379,780.00</u>
	Total Project Cost	\$3,500,000.00

SECTION 4: The following financing sources are anticipated to be available to complete this project:

Installment Financing	<u>\$3,500,000.00</u>
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TOTAL \$3,500,000.00

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

SECTION 6: The Budget Officer is directed to include an analysis of past and future costs and revenue 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 balance of appropriated funds which are unexpected at the conclusion of this project shall be reserved by the Board of Commissioners for future schools buildings project.

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

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously requesting the school systems to keep Construction Control Corporation involved while in the construction process.

Betty Taylor, Assistant County Manager for Budget and Finance, presented budget change no. 5.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the following budget change:

The Board of County Commissioners approved an amendment to the FY2005-2006 Budget Ordinance at their meeting on November 7, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>SCHOOLS' CAPITAL PROJECTS FUND</u>				
<u>EXPENDITURES</u>				
<u>Mt. Airy High School</u>				
6155965 51500	Professional Services	0	219,100	219,100
6155965 51600	Architect Fees (New)	0	230,000	230,000
6155965 51640	Project Construction	0	2,671,120	2,671,120
6155965 59500	Contingency	0	379,780	379,780
	Increase departmental total.	0	3,500,000	3,500,000
 <u>REVENUE</u>				
6145965 49876	Trans. Bond Proc.-M.A. High	0	3,500,000	3,500,000
	Increase fund totals.	0	3,500,000	3,500,000
 <u>SCHOOLS' CAP PROJECT RES. FUND</u>				
<u>EXPENDITURES</u>				
6355919 59207	Trans. To CP - M.A. High	0	3,500,000	3,500,000
 <u>REVENUE</u>				
6345919 49110	Proceeds from Financing	0	3,500,000	3,500,000
	Increase fund totals.	0	3,500,000	3,500,000

Wayne Black, Social Services Director, presented a Department of Social Services caseload management plan. Mr. Black stated that Social Services could handle the growing caseload through Direct Program Staff; Administrative Support Staff and Automation of Job Tasks and Functions. Mr. Black stated there would be a need for five positions, which would be 40-50% state funded and the remainder of the monies was in the Department of Social Services budget for the remainder of FY 05-06.

The Board discussed the required additional local funding of about \$100,000 to pay for the positions in the FY 06-07 budget. Mr. Black discussed potential ways to budget the positions in FY 06-07.

Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve creating and filling the following positions, contingent upon final approval from State Personnel:

- Three Income Maintenance Caseworker II positions.
- An OSSOG III position.
- Advertise and fill an existing Social Worker III position (position # 531351)

Brent McKinney, PART Executive Director, introduced Gloria Whisenhunt, PART Board Vice-Chairman. Mr. McKinney discussed with the Board the future of Mass Transportation for Surry County and a proposal for Intercity Bus Services that will connect five counties of our region. Mr. McKinney stated that the Piedmont Authority for Regional Transportation had been working hard to acquire land, award construction contracts and develop park and ride lots in the county and that the service is needed by citizens who commute out-of-county each day for their employment. Mr. McKinney presented a proposed resolution for the Board's consideration.

The Board discussed the resolution.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the following resolution:

RESOLUTION APPROVING THE LEVY OF A PRIVILEGE
TAX BY BOARD OF TRUSTEES OF THE PIEDMONT AUTHORITY FOR REGIONAL
TRANSPORTATION ON RETAILERS ENGAGED IN THE
BUSINESS OF LEASING OR RENTING U-DRIVE-IT
VEHICLES OR MOTORCYCLES

WHEREAS, The Piedmont Authority for Regional Transportation, hereinafter "PART," is an Authority created pursuant to the provisions Regional Transportation Authority Act for the purpose of enhancing the quality of all forms of transportation in the Piedmont Triad Region; and

WHEREAS, in the furtherance of its purpose, PART has undertaken an aggressive Work Program, which includes passenger rail studies, regional bus services, regional land use and air quality planning, land use and transportation planning for the Piedmont Triad International Airport area, coordination of human services transportation in the region, management of regional ridesharing and vanpooling services, and coordination of the regional activities of metropolitan planning organizations; and

WHEREAS, N.C.G.S. 105-551 authorizes the Board of Trustees of an Authority to levy a privilege tax of up to five percent (5%) on the gross receipts derived by retailers who are engaged in the business of short-term leasing or rental of U-drive-it vehicles or motorcycles; and

WHEREAS, the provisions of N.C.G.S. 105-551 (b) require a public hearing on the tax and the approval of the tax by each county included in the special tax district of the territorial jurisdiction of the Authority; and

WHEREAS, the provisions of N.C.G.S. 105-551 (c) authorizes a regional transportation authority to create a special district that consists of the entire area of one or more counties within the territorial jurisdiction and to levy the said privilege tax on behalf of the special district only with the approval of the tax by each county in the special district.

NOW, THEREFORE BE IT RESOLVED, that the Surry County Board of Commissioners hereby approves the levy of a five percent (5%) privilege tax within the territorial jurisdiction by the PART Board of Trustees on retailers who engage in the business of leasing or renting U-drive-it vehicles or motorcycles based on the gross receipts derived by the retailer from the short-term lease or rental of these vehicles after all of the applicable requirements set forth in G.S. 105-551 (b) have been met.

BE IT FURTHER RESOLVED, that the Surry County Board of Commissioners hereby requests that the Board of Trustees of the Piedmont Authority for Regional Transportation (PART) conduct biennial reviews of the necessity to continue to levy the privilege tax approved herein and further that the said PART Board make presentations of its findings to this Board of County Commissioners.

Dr. Barry Shepherd, Elkin City Schools Superintendent, thanked the Board for the generosity of awarding \$3.5 M for Phase I construction of the Elkin High School project and asked the Board for approval to move forward with the project. Dr. Shepherd requested to transfer \$277,000 for the Elkin Schools undesignated current expense fund to their Capital Outlay Budget. Dr. Shepherd also requested an additional \$150,000 for unanticipated removal and replacement of unsuitable soil, and the abatement of asbestos prior to demolition.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the request.

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

Ararat-Longhill Ruritan Club for placing first in the Surry County Litter Pickup Contest on October 1, 2005. The Board feels that the Ararat-Longhill Ruritan Club has made significant contribution to community beautification in Surry County.

Blue Ridge Baptist Church for placing second in the Surry County Litter Pickup Contest on October 1, 2005. The Board feels that the Blue Ridge Baptist Church has made significant contribution to community beautification in Surry County.

Yadkin Valley Garden Club for placing third in the Surry County Litter Pickup Contest on October 1, 2005. The Board feels that the Yadkin Valley Garden Club has made significant contribution to community beautification in Surry County.

The Board took a fifteen-minute recess.

The Board resumed regular business.

The County Manager addressed the Board regarding the Public Works Department's purchase of a street sign machine. The machine would allow the department to print road signs in a timely manner and to keep an inventory of preprinted signs which would be very cost effective and cut down on labor.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to allow the Public Works Department to purchase a street sign machine with E-911 funds.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously for the County Manager to get with the Planning Director to update the Subdivision Ordinance stating that subdivision owners must pay for road signs posted at subdivisions.

The County Manager addressed the Board regarding a meeting he and the Human Resources Officer had with a personnel consultant and the update of job descriptions the consultant could assist with.

The Board discussed the services the consultant could provide.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to table until November 21, 2005.

The County Manager discussed with the Board a preapplication to the Economic Development Commission requesting a \$1,000,000 grant assistance to help fund the water and sewer improvements project to serve the Interstates Water and Sewer District.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to approve the filing of the preapplication.

The County Manager addressed the Board regarding Surry Community College hosting an Open House at the Workforce Development Center on Sunday, December 11, 2005. The Board concurred with this proposal.

The Board discussed the proposed property swap between the White Plains Volunteer Fire Department and White Plain Ruritan Club. The County Attorney stated that the Board reached a consensus in closed session to swap the property and had agreed to commission a survey and the property was conveyed. The County Attorney also

stated that the matter was not brought back to open session and notice of conveyance is required to be published ten days before the meeting at which the conveyance is to be authorized and there was no requisite notice. The County Attorney recommends that the County and the Fire Department execute Affidavits of Rescission.

Upon motion of Commissioner Johnson, seconded by Commissioner Hunter, the Board voted unanimously for all Volunteer Fire Departments or Volunteer Rescue Squads that request tax dollars from Surry County, submit prior to advertising for bids, a full set of site and building plans for the Board to review and approve on any major expansion, renovation or replacement. The Board shall be allowed up to four weeks for review and approve said plans.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted to review the Volunteer Fire Departments' contracts in regards to the Open Meetings Laws, by contract request the Volunteer Fire Departments to honor the Open Meetings Laws and that a majority of Board members be non-firefighters.

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Harrell, Commissioner Hunter

Nays: Commissioner O'Neal

The County Manager and Betty Taylor, Assistant County Manager for Budget and Finance, addressed the Board regarding a second financing package for additions and renovations at Central Middle School, the construction of a one-stop permitting and health clinic building and other miscellaneous renovation projects for Surry County Schools in the amount of 7,500,000.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the Assistant County Manager for Budget and Finance to borrow 7,500,000 for a second financing package, adopt the following resolution and hold a public hearing on November 21, 2005.

RESOLUTION AUTHORIZING THE FILING OF
AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY
NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the County of Surry, North Carolina desires to renovate and expand Central Middle School, renovate and repair other miscellaneous facilities of Surry County Schools and also construct a combination one-stop permitting/health clinic center ("the Projects"). The County of Surry desires to borrow up to \$7,500,000 to finance the Projects in order to better serve the citizens of Surry County; and

WHEREAS, the County of Surry, North Carolina desires to finance the Projects by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151, prior to approval of the proposed contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Surry County meeting in regular session on the 7th day of November, 2005, makes the following findings of fact:

1. The proposed contract is necessary or expedient to provide the citizens and residents of Surry County with adequate facilities for services offered by the County.
2. The proposed contract is preferable to a bond issue for the same purpose, because the cost to issue general obligation bonds would be greater. Further, the cost of the Projects exceeds the amount that can prudently be raised from available appropriation, unappropriated fund balances, and non-voted bonds that could be issued by Surry County in the current fiscal year pursuant to Article V, Section 4, of the North Carolina Constitution (the "two-thirds limitation").
3. The sums to fall due under the contract are not excessive for the proposed purpose based on actual bids awarded.
4. Surry County's debt management procedures and policies are good because the County carries out policies in strict compliance with the law and will continue to provide adequate debt management as directed by the North Carolina Local Government Commission.
5. If a tax increase is necessary to meet the sums to fall due under the proposed contract, such increase will not exceed 1.0-2.5 cents per one hundred dollars valuation and is deemed not to be excessive.
6. Surry County is not in default in any of its debt service obligations.
7. The attorney for Surry County, North Carolina has rendered an opinion that the proposed Projects is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and Laws of North Carolina.

NOW, THEREFORE, be it fully resolved that the County Manager, Assistant County Manager for Budget and Finance and County Attorney are hereby authorized to act on behalf of the County of Surry, North Carolina in filing an application with the North Carolina Local Government Commission for approval of the Projects and the proposed financing contract, to seek bank bids, and other actions not inconsistent with this resolution.

The County Manager addressed the Board regarding the disposition of an International ambulance that had been recently declared surplus. Mr. Sammons stated that Surry Community College was not interested in this particular ambulance, but the Agricultural Department would like to still be considered to receive the ambulance. The Agricultural Department had requested a surplus ambulance in October, 2005.

It was the consensus of the Board to not take any action at this time.

Upon motion of Commissioner Johnson, seconded by Commissioner O'Neal, the Board voted unanimously to approve the following reappointments on various Board and Commissions:

- Reappoint James DeHart to the Board of Adjustments.
 - Reappoint Jeff Steelman to the Board of Adjustments.
 - Reappoint Pam Corbett, Donna Brady and Jeff Eads to the Crossroads Consumer and Family Advisory Board.
 - Reappoint Roscoe Hines and Mike Inman to the Mount Airy Planning Board-ETJ.
 - Reappoint Roscoe Easter, Walter Brown, Jr., Martha Morgan and Howard Shelton, Jr. to the Mount Airy Board of Adjustments-ETJ.
 - Reappoint Weldon Jones to the Mount Airy Board of Adjustments-ETJ-Alternate.
 - Reappoint Mary Good to the Nursing Adult Care Homes Community Advisory Committee.
 - Reappoint Sam Bishop, Warren King, Mike Branch and Linda Davis to the Recreation Advisory Committee.
 - Appoint Donna Adams to serve on the Appearance Commission to represent the South Westfield area.
-

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to go into closed session to discuss legal issues with the County Attorney, economic development and personnel.

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

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to reclassify position #515439 in the Health and Nutrition Center from an OSSOG V, grade 61, to an Administrative Assistant I, grade 63; and move Angela Scott from grade 61-10 to grade 63-8, contingent upon final approval from State Personnel.

The Board discussed the White Plains Volunteer Fire Department property and reviewed the plat.

Chairman Johnson, Commissioner Hunter and Commissioner O' Neal stated that they would be attending a meeting between the White Plain Volunteer Fire Department and the White Plains Ruritans. The fire department and the Ruritans will meet to discuss the property.

There was no further business to come before the Board.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to recess until November 8, 2005 at 7:00 p.m., White Plains Ruritan Building. The meeting ended at 10:30 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of November 21, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on November 21, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Chris Knopf, Planning Director
Doug Jones, Fire Marshal
Brenda Rose, County Extension Director
David Stone, Health and Nutrition Center Director
Cathy Booker, Tax Administrator
News Media
Other Citizens

Chairman Paul Johnson reconvened the November 7, 2005 meeting, which was recessed until November 8, 2005. There was not a quorum on November 8, 2005.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to adjourn the recessed meeting of November 8, 2005.

Chairman Paul Johnson called the meeting to order. Commissioner Fred O'Neal delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board consider the minutes of the November 7, 2005 meeting. Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the following Medicare rate increases:
 - Flu shot from \$7.19 to \$17.55.
 - Administration fee for flu shot from \$8.00 to \$17.55.
 - Administration fee for pneumonia shot from \$8.00 to \$17.55.
2. Approve the following from the Tax Department:
 - Total releases for the month ending 10-31-05 in the amount of \$14,052.86.
 - Total refunds for the month ending 10-31-05 in the amount of \$3,458.90.

- Total real and personal property discoveries in the month ending 10-31-05 in the amount of \$10,612.84.
- Total motor vehicle discoveries for the month ending 10-31-05 in the amount of \$2,463.31.
- Collect August 2005 motor vehicle renewals in the amount of \$359,563.74.
- Collect the 1993-2004 Town of Pilot Mountain delinquent tax bills in the amount of \$101,027.01.
- Approve the correction of a amount which was recorded in the October 17, 2005 minutes for the collection of Public Service Company taxes in the amount of \$1,046,355.66.

3. Approve Dr. Darryl Rhyne and Mr. Randy Lawson reappointments to the Board of Health.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve the following Memorandum of Agreement for Elkin High School project:

NORTH CAROLINA

MEMORANDUM OF AGREEMENT

SURRY COUNTY

This Memorandum of Agreement is entered into jointly by the Board of Commissioners of Surry County and the Elkin City Board of Education. In this document, the Board of Commissioners of Surry County shall be identified by the term "Board of Commissioners", and the Elkin City Board of Education shall be identified by the term "Board of Education".

WITNESSETH:

WHEREAS, the Board of County Commissioners acknowledges the need for a program of classroom additions and renovations in Elkin City Schools to improve certain existing school buildings and to implement the school building plan as recommended by the Board of Education, and

WHEREAS, the construction of a new addition at Elkin High School is among the school facility needs identified in its long-range plan by the Board of Education, and

WHEREAS, the Board of Education has requested that the Board of County Commissioners provides authorization and funding for the construction and related costs of the classroom addition at the earliest possible date, and

WHEREAS, the Board of Education, estimates that the total cost of the classroom addition will be approximately \$3,650,000.00, as outlined in Exhibit A, based on current costs, and including fees for architectural and other professional services, and

WHEREAS, the Board of Education, has selected a classroom addition design developed by the architects selected by the Board of Education and,

WHEREAS, the Board of Education, after consultation with the Division of School Planning of the North Carolina Department of Public Instruction, certifies that construction of the classroom addition design selected will meet all current State school building requirements, and State building code requirements, and that the

estimated costs of the facilities are comparable to costs of similar facilities being constructed throughout the State and,

NOW, THEREFORE, the Board of County Commissioners and the Board of Education, in consideration of the benefits arising to the citizens of Surry County, jointly acknowledge and agree as follows:

1. The Board of Education has developed a project to alleviate the classroom space deficiencies at Elkin High School. This project will provide 26,000 square feet of new and renovated classroom and support space. The addition will add 10-11 new classrooms to the existing Elkin High School. The project and design have been presented to the Board of County Commissioners as the solution to the space problem and in support of the funding request.
2. The Elkin City Board of Education and Board of County Commissioners have agreed to the following funding plan:
 - a. The Board of County Commissioners will appropriate funding of \$3,650,000.00.
 - b. Total funds available are \$3,650,000.00.
 - c. See Exhibit A - Capital Project Ordinance.

In the event of cost overruns, the Board of Education may request from the County Commissioners the contingency funds necessary to finalize the project. The Board of Education shall notify the County Commissioners of any anticipated cost overruns at the earliest possible date. The County Commissioners reserve the right to appropriate or not to appropriate funds to cover cost overruns.

3. These new school facilities shall be designed, constructed, furnished, and equipped in accordance with applicable specifications adopted by the Board of Education in consultation with the Division of School Planning of the North Carolina Department of Public Instruction. The facilities shall be designed to accommodate four science labs, a science/math computer lab, two business education classrooms, an allied health education suite, two family and consumer education classrooms and space for a new art room.
4. Both the Board of County Commissioners and the Board of Education agree to enter into such additional contractual agreements as may be necessary or desirable in order to accomplish the construction of the new school facilities within the established budget.

CAPITAL PROJECT ORDINANCE

ELKIN HIGH SCHOOL

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 construction of a new thirteen-classroom addition for Elkin High School.

SECTION 2: The offices 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 costs of the project are:

A. Construction Cost (Projected)	\$3,209,363.00
B. Engineering and Architect Fees	190,000.00
C. Other fees	73,433.00
D. Land and Right-of-Way	49,488.00
E. Contingency Cost	<u>127,716.00</u>
Total Project Cost	\$3,650,000.00

SECTION 4: The following financing sources are anticipated to be available to complete this project:

Public School Capital Building Fund	\$150,000.00
Installment Financing	<u>3,500,000.00</u>
TOTAL	\$3,650,000.00

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

SECTION 6: The Budget Officer is directed to include an analysis of past and future costs and revenue 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 balance of appropriated funds which are unexpected at the conclusion of this project shall be reserved by the Board of Commissioners for future schools buildings project.

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

2. Approve the following reimbursement resolution:

REIMBURSEMENT RESOLUTION

WHEREAS, the County of Surry, North Carolina (the "County") intends to issue in the future certain tax-exempt obligations in an aggregate principal amount not to exceed \$8,000,000 (the "Obligations") to finance construction and renovations to existing school facilities for Surry County Schools and a new One-Stop Permitting/Health Clinic (the "Facilities"); and

WHEREAS, the County has made and needs to make certain additional expenditures relating to the Facilities, including without limitation the site work, engineering and design services, survey and title work, grading and other related work and services, prior to the date of issuance of the Obligations, but desires to

preserve the ability of the County to reimburse itself for all such expenditures from the proceeds of the Obligations when they are issued by the County; and

WHEREAS, the County desires in this Resolution to declare its official intent in accordance with Income Tax Regulation Section 1.150-2 to reimburse itself for all such expenditures from the proceeds of the Obligations.

NOW, THEREFORE, BE IT RESOLVED that the County hereby declares its official intent to reimburse itself from the proceeds of the Obligations, when issued, for all expenditures made by the County with respect to the Facilities and which were made on or subsequent to the occurring date 60 days prior to the date of adoption of this Resolution.

3. Approve budget change no. 6 as follows:

The Board of County Commissioners approved an amendment to the FY 2005-006FY Budget Ordinance at their meeting on November 21, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND</u>				
<u>EXPENDITURES</u>				
<u>Board of Elections</u>				
1054170 52025	Supplies & Materials Grant	-	1,188.00	1,188.00
1054170 52920	Small Equipment Grant	-	4,557.00	4,557.00
	Increase departmental total.	237,743.00	5,745.00	243,488.00
<u>Criminal Justice Partnership</u>				
1054317 52010	Supplies & Materials	2,446.00	(300.00)	2,146.00
	Decrease departmental total.	82,739.00	(300.00)	82,439.00
<u>Bioterrorism Prep. Grant</u>				
1054337 52010	Supplies & Materials	-	629.00	629.00
	Increase departmental total.	-	629.00	629.00
<u>VIPER II Grant EMS</u>				
1054345 51720	Contracted Services	-	16,213.00	16,213.00
	Increase departmental total.	-	16,213.00	16,213.00
<u>Emergency Medical Services</u>				
1054370 52025	Supplies & Materials Grant	-	2,000.00	2,000.00
1054370 52920	Small Equipment Grant	-	3,800.00	3,800.00
	Increase departmental total.	3,126,389.00	5,800.00	3,132,189.00
<u>Capacity Building Grant</u>				
1054915 51500	Professional Services	-	23,620.00	23,620.00
1054915 52010	Supplies & Materials	-	1,500.00	1,500.00
1054915 54010	Travel/Training	-	1,000.00	1,000.00
1054915 54200	Telephone	-	200.00	200.00

Meeting of November 21, 2005 Continued

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1054915	54250	Postage	-	500.00	500.00
1054915	54350	Printing	-	462.00	462.00
1054915	55650	Miscellaneous	-	300.00	300.00
		Increase departmental total.	-	27,582.00	27,582.00

Faith in
Action Grant

1055156	51010	Salaries & Wages	9,500.00	(9,500.00)	-
1055156	51020	Longevity Pay	400.00	(400.00)	-
1055156	51300	Social Security	600.00	(600.00)	-
1055156	51310	Medicare	150.00	(150.00)	-
1055156	51330	Retirement	600.00	(600.00)	-
1055156	51350	Group Insurance	550.00	(550.00)	-
1055156	51500	Professional Services	500.00	(500.00)	-
1055156	52010	Supplies & Materials	3,350.00	(3,350.00)	-
1055156	54010	Travel/Training	1,000.00	(1,000.00)	-
1055156	54350	Printing	250.00	(250.00)	-
1055156	54400	Advertising	500.00	(500.00)	-
1055156	55500	Dues & Subscriptions	100.00	(100.00)	-
		Decrease departmental total.	17,500.00	(17,500.00)	-

Infant Mortality Reduction

1055171	51010	Salaries & Wages	7,183.50	(7,183.50)	-
1055171	51020	Longevity Pay	4.50	(4.50)	-
1055171	51300	Social Security	231.50	(231.50)	-
1055171	51310	Medicare	263.50	(263.50)	-
1055171	51330	Retirement	486.50	(486.50)	-
1055171	51350	Group Insurance	496.50	(496.50)	-
1055171	52010	Supplies & Materials	500.00	(500.00)	-
1055171	54010	Travel/Training	757.00	(757.00)	-
1055171	54200	Telephone	250.00	(250.00)	-
1055171	54250	Postage	50.00	(50.00)	-
1055171	54350	Printing	50.00	(50.00)	-
1055171	54400	Advertising	150.00	(150.00)	-
		Decrease departmental total.	10,423.00	(10,423.00)	-

REVENUE

1044170	42210	Help America Vote Grant	-	5,745.00	5,745.00
1044317	42346	Criminal Justice Partnership	82,739.00	(300.00)	82,439.00
1044337	42313	Terrorism Grant	-	629.00	629.00

1044345 42318 Viper Grant	-	16,213.00	16,213.00
1044370 43353 Highway Safety Prog. Grant	-	2,000.00	2,000.00
1044370 44561 Walmart Grant	-	2,800.00	2,800.00
1044370 44585 NC Trauma Society Grant	-	1,000.00	1,000.00
1044915 43155 Capacity Building Grant	-	27,582.00	27,582.00
1045156 44555 Faith in Action Grant	17,500.00	(17,500.00)	-
1045171 43314 Infant Mortality Reduction	13,250.00	(13,250.00)	-
1044000 48900 Miscellaneous	40,000.00	2,827.00	42,827.00
Increase fund total.	61,020,426.00	27,746.00	61,048,172.00

4. Approve budget change no. 7 as follows:

The Board of County Commissioners approved an amendment to the FY2005-2006 Budget Ordinance at their meeting on November 21, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>CAPITAL PROJECTS FUND - COUNTY EXPENDITURES</u>				
<u>Workforce Development Center</u>				
6054217 51500	Professional Services	0	20,000	20,000
6054217 51640	Project Construction	400,000	300,000	700,000
6054217 59500	Contingency	0	57,640	57,640
	Increase departmental total.	400,000	377,640	777,640
<u>REVENUE</u>				
6044217 49882	Trans. From Bldg. Res.	400,000	377,640	777,640
	Increase fund totals.	414,199	377,640	791,839

<u>CAPITAL PROJECTS FUND - SCHOOLS EXPENDITURES</u>				
<u>CO. SCHS 2004 QZAB PROJECTS</u>				
6155950 51647	PROJ CONST - GENTRY	0	23,470	23,470
6155950 51648	PROJ CONST - N SURRY	0	52,689	52,689
6155950 51649	PROJ CONST - S CENTRAL	0	6,389	6,389
	Increase departmental total.	0	82,548	82,548

<u>Elkin High School</u>				
6155972 51500	Professional Services	0	73,433	73,433
6155972 51600	Architect Fees	0	190,000	190,000
6155972 51640	Project Construction	0	3,209,363	3,209,363
6155972 56500	Land	0	49,488	49,488
6155972 59500	Contingency	0	127,716	127,716
	Increase departmental total.	0	3,650,000	3,650,000

<u>REVENUE</u>				
6145950 49872	Trans Bond Proc - '04 QZAB	0	82,548	82,548
6145972 43344	Public Sch Bldg Fund (New)	0	150,000	150,000
6145972 49878	Trans Bond Proc - Elkin High	0	3,500,000	3,500,000
	Increase fund totals.	3,500,000	3,732,548	7,232,548

<u>COUNTY BLDG RESERVE FUND EXPENDITURES</u>				
6254250 59180	Trans to CP - WFD Center	400,000	377,640	777,640

REVENUE

6244250 49900 Unencumbered Balance	236,307	377,640	613,947
Increase fund totals.	2,151,835	377,640	2,529,475

SCHOOLS CAP PROJ RES FUND
EXPENDITURES

6355919 59174 Trans to CP - '04 QZAB	0	82,548	82,548
6355919 59209 Trans to CP - Elkin High	0	3,500,000	3,500,000

REVENUE

6345919 49110 Proceeds from Financing	3,500,000	3,500,000	7,000,000
6345919 49900 Unencumbered Balance	0	82,548	82,548
Increase fund totals.	3,500,000	3,582,548	7,082,548

Request from the Human Resources Officer:

1. Approve the following retiree resolution of respect:

RESOLUTION

WHEREAS, Linda B. Lawson was employed from November 1, 1990 until her retirement on August 31, 2005 as an employee of the Health and Nutrition Center; and

WHEREAS, during her term of service, Mrs. Lawson served as a Chore Provider and carried out various duties to serve the citizens of Surry County and;

WHEREAS, during her years of faithful service, Mrs. Lawson has earned the admiration and respect of her fellow employees and the Health and Nutrition Center staff; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend Mrs. Lawson for the dependable and caring manner in which she served her clients and the enrichment she brought to their lives.

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

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

Request from the Planning Director:

1. Approve the Wesley and Angie Hemmings final one-lot subdivision.

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.

Brenda Rose introduced Bill Ryerson, Surry County's new Tourism Outreach Associate. Mr. Ryerson's position will be supervised in the Department of Tourism, Parks and Recreation at North Carolina State University.

Mr. Ryerson stated that he was glad to be in Surry County. Mr. Ryerson also stated that he has a strong interest in tourism and economic development.

Ralph Williams, Mountain Park Ruritan Club, spoke in behalf of the Mountain Park Community Park. Mr. Williams stated that the club

had received \$67,147.90 in community pledges and received a grant for \$100,000 for school campus projects. Mr. Williams requested approximately \$20,000 or \$22,000 from the County for the project.

Upon motion of Commissioner Johnson, seconded by Commissioner Hunter, the Board voted unanimously to table the request until the December 5, 2005 meeting to allow Chairman Johnson and Commissioner Harrell to meet with the Ruritan Club and Youth Foundation to discuss various needs.

Commissioner Hunter read a Thanksgiving Proclamation that was written by George Washington in 1789.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to approve the following proclamation:

George Washington's 1789 Thanksgiving Day Proclamation

WHEREAS it is the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits, and humbly to implore His protection and favor; and

Whereas both Houses of Congress have, by their joint committee, requested me "to recommend to the people of the United States a DAY OF PUBLIC THANSKGIVING and PRAYER, to be observed by acknowledging with grateful hearts the many and signal favors of Almighty God, especially by affording them an opportunity peaceably to establish a form of government for their safety and happiness:"

NOW THEREFORE, I do recommend and assign THURSDAY, the TWENTY-SIXTH DAY of NOVEMBER next, to be devoted by the people of these States to the service of that great and glorious Being who is the beneficent author of all the good that was, that is, or that will be; that we may then all unite in rendering unto Him our sincere and humble thanks for His kind care and protection of the people of this country previous to their becoming a nation; for the signal and manifold mercies and the favorable interpositions of His providence in the course and conclusion of the late war; for the great degree of tranquility, union, and plenty which we have since enjoyed; for the peaceable and rational manner in which we have been able to establish Constitutions of government for our safety and happiness, and particularly the national one now lately instituted; for the civil and religious liberty with which we are blessed, and the means we have of acquiring and diffusing useful knowledge; and, in general, for all the great and various favors which He has been pleased to confer upon us.

And also, that we may then unite in most humbly offering our prayers and supplications to the great Lord and Ruler of Nations and beseech Him to pardon our national and other transgressions; to enable us all, whether in public or private stations, to perform our several and relative duties properly and punctually; to render our National Government a blessing to all the people by constantly being a Government of wise, just, and constitutional laws, discreetly and faithfully executed and obeyed; to protect and guide all sovereigns and nations (especially such as have shown kindness unto us); and to bless them with good governments, peace, and concord; to promote the knowledge and practice of true religion and virtue, and the increase of science among them and us; and, generally to grant unto all mankind such a degree of temporal prosperity as he alone knows to be best.

GIVEN under my hand, at the city of New-York, the third day of October, in the year of our Lord, one thousand seven hundred and eighty-nine.

(signed) G. Washington

Susan Carlisle, student at Surry Community College, stated she had concerns about the accessibility at Surry Community College for handicap individuals. Ms. Carlisle stated that she has written a letter to the college administration regarding the non-handicap accessibility and had not received a suitable response. Ms. Carlisle was also concerned with the treatment of students and staff at Surry Community College. Ms. Carlisle stated that she was considering contacting the civil rights authorities.

Shawn Davis, former Surry Community College student, stated that he is concerned with the treatment of students and staff at Surry Community. Mr. Davis stated that he had been contacted by students, faculty and former faculty who are afraid to address the issues with Surry Community College administration. Mr. Davis also stated that he had attended the Board of Trustees meeting earlier in the day and was unable to speak. Mr. Davis was also concerned with the recent retirement of Dr. Reinhart. Mr. Davis stated that he felt that Dr. Reinhart was made to take an early retirement.

Benjamin Walker, student at Surry Community College, stated that he had concerns about the college and had spoken to several members of the Board of Trustees. Mr. Walker stated he felt that the Board of Trustees did not want to deal with the problems.

Doug Lone Eagle Watkins stated that he felt that Dr. Reinhart was forced to take an early retirement. Mr. Watkins was concerned about the way students and staff are being treated at the college.

Victoria Sepala stated that she was upset with the loss of Dr. Reinhart. Ms. Sepala would like positive relationship and a bright future at the College.

Steven Schiermeister stated that he was concerned that the student newsletter had been shut down and was not being published.

Commissioner O'Neal made a motion to write letters to the Board of Trustees and Dr. Sells expressing concerns about the handicapped accessibility and treatment of students and staff. Commissioner Johnson seconded the motion.

Commissioner Harrell made a motion to amend the original motion to write two separate letters: one to Dr. Sells regarding handicap accessibility and another letter to the Board of Trustees regarding the treatment of students and accessibility to meet with the Board of Trustees.

A vote was taken on the amended motion. The vote was unanimous.

A vote was taken on the original motion. The vote was unanimous.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to address budget concerns in a letter to Dr. Sells.

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

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on zoning application ZCR740. The parcel site is 15.98 acres and 0.50 acres of tax parcels 4051-00-11-6812 and 4051-00-22-6257. The property owner is Kenneth W. Lowe. The property is currently zoned RA. The petition is to rezone the property to HB.

Chris Knopf, Planning Director, presented facts pertaining to the rezoning and stated the Planning Board recommends approval of the petition.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the rezoning, as recommended by the Planning Board.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on zoning application ZCR762. The parcel site is 0.86 acres of tax parcel 5903-00-76-1300. The property owner is Dominic A. Payson. The property is currently zoned RA. The petition is to rezone the property to CB-C.

Chris Knopf, Planning Director, presented facts pertaining to the rezoning and stated the Planning Board recommends approval of the petition. Since this petition is requesting a conditional zoning district any approval is subject to the following development conditions:

- Use of this property shall be limited to the following land uses, as found in the Zoning Ordinance: Bakeries, Business Offices, Candy Store; Convenience Store; Gift Shops; Hobby, Toy and Craft Shops; Novelty and Souvenir Stores; Pottery; Produce Sales; Restaurant (walk-in); and Variety Store.
- The site plan submitted by the applicant is a binding part of this petition. All development on this property must be consistent with the approved site plan, if this petition is approved.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the rezoning, as recommended by the Planning Board, with the following development conditions as part of this approval:

- Use of this property shall be limited to the following land uses, as found in the Zoning Ordinance: Bakeries, Business

Offices, Candy Store; Convenience Store; Gift Shops; Hobby, Toy and Craft Shops; Novelty and Souvenir Stores; Pottery; Produce Sales; Restaurant (walk-in); and Variety Store.

- The site plan submitted by the applicant is a binding part of this approved rezoning. All development on this property must be consistent with the approved site plan.
-

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on zoning application ZCR783. The parcel site is 21.41 acres of tax parcel 5908-00-51-8939. The property owner is GCD Partners. The property is currently zoned RA. The petition is to rezone the property to RR.

Chris Knopf, Planning Director, presented facts pertaining to the rezoning and stated the Planning Board recommends approval of the petition.

Chairman Johnson asked for comments from the public.

No one spoke on the rezoning.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the rezoning, as recommended by the Planning Board.

Chris Knopf, Planning Director, presented information to the Board on various water and sewer projects.

- Flat Rock/Bannertown Water and Sewer District easements will be ready for court action at the end of November. The projected date for bidding the project will be the first week in December.
 - Interstates Water and Sewer District (I-77, I-74 and Highway 89). There will be a grant application submitted to the Golden Leaf Foundation under the catalyst category. The Rural Center Infrastructure Grant Pre-application will be submitted the first of 2006. The EDA grant pre-application was mailed on November 18, 2005.
 - Town of Dobson-Water and Sewer Project. The Golden Leaf Foundation grant application was approved for this project.
 - Longhill Road/Hiatt Road to Landfill. Approximately 56 packets have been mailed to property owners explaining that a study of the area for future water extension project was in the process. Several responses were received.
 - Other Water and Sewer Projects (White Sulphur Springs Project). A cost estimate was mailed to the property owners with a letter advising that they submit a letter to the Planning Department indicating job commitments, investments, and their contribution to the project.
-

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on the 2005 Fire Prevention and Protection Ordinance and an Ordinance Fire Prevention Code.

Doug Jones, Fire Marshal, presented facts pertaining to the Ordinance.

No one spoke on the Ordinance.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the following ordinance:

A 2005 FIRE PREVENTION AND PROTECTION
ORDINANCE FOR SURRY COUNTY, NORTH CAROLINA, AND AN ORDINANCE TO
ADOPT SECTION 105, ENTITLED "PERMITS", OF THE NORTH CAROLINA FIRE
PREVENTION CODE, AS PART OF THE 2005 FIRE PREVENTION AND PROTECTION
ORDINANCE OF SURRY COUNTY, AND TO PROVIDE ENFORCEMENT OF THE SAME

WHEREAS, the Surry County Board of Commissioners passed, approved and adopted a Fire Prevention and Protection Ordinance for Surry County, North Carolina and an Ordinance to adopt Chapter 4 entitled "Permits and Certificates" of the North Carolina State Building Code on December 21, 1992;

AND, WHEREAS, the Surry County Board of Commissioners, after proper notice and public hearing desires to rescind said Ordinances and to replace them with the within updated and modified Ordinance entitled "A 2005 Fire Prevention And Protection Ordinance For Surry County, North Carolina, And An Ordinance To Adopt Section 105, Entitled "Permits" Of The North Carolina Fire Prevention Code, As Part Of The 2005 Surry County Fire Prevention And Protection Ordinance Of Surry County, And To Provide Enforcement Of The Same";

AND, WHEREAS, it is the intent of this Ordinance to prescribe regulations consistent with nationally recognized good practice for the safeguarding of life and property within the jurisdiction of Surry County as hereinafter provided from the hazards of fire and explosions arising from the storage, handling and use of hazardous substances, materials and devices, and from hazardous conditions in the use or occupancy of buildings or premises;

AND, WHEREAS, it is the intent and purpose of Surry County to adopt, in all respects, Section 105 entitled "Permits" of the North Carolina Fire Prevention Code, as part of the Surry County Fire Prevention Ordinance;

AND, WHEREAS, it is the intent and purpose of Surry County to adopt the use of additional permits known as "General Permits" which are not included in Section 105 entitled "Permits" of the North Carolina Fire Prevention Code together with a Fee Schedule applicable to both General Permits and those permits identified in Section 105 of the North Carolina Fire Prevention Code.

AND, WHEREAS, the adoption of General Permits and Section 105 entitled "Permits" of the North Carolina Fire Prevention Code provides for and facilitates:

- A. The proper issuance of permits and inspection activities by Surry County relating to fire prevention; and
- B. The proper issuance of permits and certificates relating to fire prevention; and

- C. The proper issuance of permits and certificates in Surry County outside the corporate limits of any municipality (with the exception of Pilot Mountain and Dobson) located in Surry County, all as they relate to the public safety, health and general welfare of the citizens of Surry County;

The Board of Commissioners of Surry County do hereby enact and ordain:

Section 1. Title:

This Ordinance shall be known as the 2005 Fire Prevention and Protection Ordinance of Surry County, North Carolina and may be cited as such and referred to herein as the "2005 Surry County Fire Protection Code" or the "Fire Code".

Section 2: Fire Marshal To Enforce Ordinance:

Surry County Fire Marshal (hereinafter referred to as "Fire Marshal") and his authorized, qualified and certified representatives, or as otherwise provided herein, shall enforce and carry out the provisions of this Ordinance. The Fire Marshal is designated as the Fire Official and charged with the administration and enforcement of this Ordinance and applicable North Carolina General Statutes and the North Carolina Fire Prevention Code within the territorial jurisdiction of Surry County. Fire Prevention Inspectors employed pursuant to the County Personnel Ordinance in the Office of the Fire Marshal are designated as authorized representatives of the Fire Official and are charged with the administration and enforcement of this Ordinance, codes and laws under the control and supervision of the Fire Marshal.

Section 3. Adoption of Technical Codes and Standards By Reference: Copies on File:

- (a) The provisions of Section 105, entitled "Permits" of the North Carolina Fire Protection Code, as it now exists, are adopted by reference and are incorporated herein in its entirety. Copies of this 2005 Surry County Fire Prevention and Protection Ordinance, and all technical codes and standards adopted by reference and incorporated herein, shall be filed with, and available for public inspection in the Office of the Clerk to the Board of County Commissioners and at the Office of the Surry County Fire Marshal.
- (b) Amendments to Codes and Standards adopted by reference herein which shall be adopted and published by the North Carolina State Building Code Council shall be effective in Surry County, North Carolina, at the time such amendments become a part of Section 105 of the North Carolina Fire Prevention Code, and are hereby adopted by referenced and incorporated into this Ordinance as is fully set forth herein.
- (c) The provisions of the General Permits adopted by the Surry County Board of Commissioners, together with the Fire Prevention Inspections Program and Fee Schedule, as they now exist, are adopted by reference or incorporated herein in their entirety. Copies of the General Permits and the Fire Prevention Inspections Program and Fee Schedule shall be filed with and available for public inspection in the

Office of the Clerk of the Board of County Commissioners
and at the Office of the Surry County Fire Marshal.

- (d) Amendments to the General Permits and Fire Prevention Inspections Program and Fee Schedule which were approved by Resolution of the Board of Surry County Commissioners shall be effective in Surry County at the time such changes or amendments are adopted by Resolution and are hereby adopted by reference and incorporated into this Ordinance as if fully set out herein.

Section 4. Jurisdiction:

This Ordinance is and shall be applicable to all parts of Surry County not within the corporate limits of any municipality (excepting Dobson and Pilot Mountain) located within Surry County. Notwithstanding the foregoing provisions, said Ordinance shall be applicable and in effect within the boundaries of any municipality in Surry County when a contract has been entered into between the municipality and Surry County whereby the Surry County Fire Marshal is to conduct inspections and issue permits within the corporate limits of said contracting municipality in Surry County. Such contracts are in effect as of the effective date of this Ordinance between Surry County and the Towns of Pilot Mountain and Dobson.

Section 5. Full Force and Effect:

If any portion of this Ordinance shall be determined to be invalid, unconstitutional, or otherwise ineffective, such ruling shall not affect the remainder and other parts and clauses of this Ordinance, and the same shall remain in full force and effect.

Section 6. Interpretation and Intent:

- (a) This Ordinance shall be deemed an exercise of the police power of the County of Surry for the preservation and protection of the public health, safety and welfare and for enforcement of the North Carolina State Building Code. All provisions of this Ordinance shall be liberally construed for that purpose.
- (b) Nothing in this Ordinance shall be construed to conflict with the provisions of the North Carolina General Statutes pertaining to fire protection. In the event of an ambiguity or conflict between this Ordinance and the provisions of the North Carolina General Statutes, the latter shall prevail.
- (c) It is the intent of this Ordinance to prescribe regulations consistent with nationally recognized good practice for the safeguarding of the life and property within the jurisdiction of Surry County as hereinafter provided from the hazards of fire and explosion arising from the storage, handling, and use of hazardous substances, materials and devices, and from hazardous conditions in the use or occupancy of buildings or premises; and,
- (d) The Ordinance shall not be construed to hold Surry County responsible for any damage to persons or property by reason of inspection or re-inspection, the issuance and/or revocation of permits authorized herein or failure to inspect or re-inspection of the permits issued or denied as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

Section 7. Definitions:

Those definitions and general rules interpreting definitions set forth in Chapter 2 entitled "Definitions" of the North Carolina Fire Prevention Code, together with the sectional reference for each defined term are incorporated herein by reference to the same extent as is fully set forth herein. Amendments to the definitions and sectional references adopted by the North Carolina State Building Code Council shall be effective in Surry County, North Carolina at the time of such amendments.

Section 8. Inspections of Buildings and Premises:

Subject to the limitations and conditions stated in the North Carolina State Building Code, it shall be the duty of the Fire Marshal to inspect or cause to be inspected, as often as he may deem necessary or appropriate, all buildings, structures, and premises within his jurisdiction for the purpose of ascertaining and causing to be corrected (1) any condition which may cause fire or explosion, endanger life from fire or explosion, or (2) any violations of the provisions of the Code, or laws of the State of North Carolina relating to Fire Prevention, or (3) any other Ordinance pertaining to fire or explosion hazards.

Section 9. Permits:

- (a) This Ordinance shall require permits from the Fire Marshal as set forth in Section 105 of the North Carolina Fire Prevention Code together with General Permits covered by this Ordinance but not included in Section 105.
- (b) It shall be the duty of the Fire Marshal to evaluate applications and to issue, if approved, all permits for those conditions as prescribed in Section 105 of the North Carolina Fire Prevention Act together with General Permits covered by this Ordinance but not included in Section 105.
- (c) No person shall maintain, store or handle materials or conduct processes which produce conditions hazardous to life or property or install equipment used in connection with such activities without a permit as required by the Fire Marshal and prescribed by Section 105 of the North Carolina Fire Prevention Act and this Ordinance together with General Permits covered by this Ordinance but not included in Section 105. Before a permit may be issued, the Fire Marshal shall inspect and approve the receptacles, vehicles, buildings, structures, storage areas, devices, processes and conditions related to the permit.

Section 10. Service of Orders or Notices:

- (a) The service of orders or notices for the correction or violations of the Ordinance shall be made upon the owner, occupant, or other person responsible for the condition or violation, either:
 - (1) by personally delivering a copy of same to such person, or
 - (2) by delivering the same to and leaving it with a person in charge of the premises, or

(3) by sending a copy of the Order or Notice by certified or registered mail to the owner's last known address.

(b) When buildings or other premises are occupied by one other than the owner under a Lease or other agreement, the orders or notices issued to correct violations of the Ordinance shall apply to the occupant thereof; provided that where the Order or Notice requires the making of additions to or changes in the premises themselves which may become part of the real property of the owner, then in such cases, the orders or notices shall also be issued to the owner of the premises or real property. Failure to deliver an Order or Notice to the owner, if other than the occupant, shall not invalidate such Order or Notice.

(c) Service on any interested person or party shall also be made as provided by the North Carolina General Statutes, Chapter 1A, Rules of Civil Procedure.

Section 11. Storage Tank Installation, Upgrading and Refurbishing:

- (a) Before any tank for underground or above-ground storage of flammable or combustible liquids or any other hazardous material covered by the provisions of the North Carolina State Building Code shall be installed, upgraded, or refurbished, a permit must be issued and shall be granted only upon written application made to the Fire Marshal setting forth therein
- (1) the location, character, size and capacity and any third party listing (such as Underwriters Laboratories or Associated Petroleum Institute) of the tank, and
 - (2) the purpose for which it is to be used, and
 - (3) an agreement that the applicant or user will conform to all the provisions of the North Carolina State Building Code and the North Carolina Fire Prevention Code and the ordinances then existing; and in case a pump is to be used in connection therewith, the application shall state its location with respect to the tank and with respect to the boundary line.
- (b) The Fire Marshal shall determine whether the proposed tank complies with the provisions of the North Carolina State Building Code, the ordinances of the County and the laws of the State, and shall issue the permit, if he finds there is compliance.
- (c) The Fire Marshal have the right to inspect the tank and appliances before, during and after installation, and see that its location, installation, and operation are in accordance with the North Carolina State Building Code, the ordinances of the County, and laws of the State of North Carolina.
- (d) After the tank is placed in the excavation, and fittings and connections have been attached thereto, and before it has been covered or concealed, the applicant for the permit shall notify the Fire Marshal and shall wait until the installation of the tank connections, fittings,

dispensers and metering devices have been approved by the Fire Marshal before covering them.

Section 12. Storage Tank Removal:

- (a) Before any tank for underground or above-ground storage for flammable or combustible liquids or any other hazardous material covered by the provisions of the State Building Code shall be removed, abandoned, placed temporarily out of service, or disposed of, a permit must be issued and shall be granted only upon written application made to the Fire Marshal setting forth an agreement that the applicant, whether the owner or contractor, will conform to all the provisions of the North Carolina State Building Code, the ordinances of the County and the laws of the State.
- (b) Fire Marshal shall have the right to inspect the site before, during and after removal and see that its removal is in accordance with the North Carolina State Building Code, the ordinances of the County and the laws of the State.

Section 13. Fee Schedule:

- (a) Fees for inspections and permits authorized by this Ordinance, including those set out in Section 105 and General Permits adopted by the Board of Commissioners, shall, from time-to-time, be determined by Resolution adopted by the Surry County Board of Commissioners. The fee schedule shall be filed with the Clerk to the Board of County Commissioners and the Fire Marshal's Office for Public Inspection.
- (b) Fees for inspections required by this Ordinance shall be paid within thirty (30) days of date of invoice. Failure to make such payment shall constitute a debt obligation and shall be enforceable against applicant as a monetary debt.
- (c) Fees for permits shall be received prior to the issuance of the permit. All fees for permits not received prior to the commencement of work will be considered delinquent.
- (d) Failure of applicant to make timely application for permit prior to beginning work will cause applicant to be delinquent and the delinquent Fee Schedule adopted by the Board of Commissioners shall apply.
- (e) Any applicant that pays a fee due pursuant to this Ordinance by check which is returned by a financial institution for any reason, including but not limited to, for insufficient funds, shall be obligated to pay not only the underlying fee but a return check charge in the highest amount permitted by North Carolina State law.
- (f) No permit shall be issued until all fees and charges have been paid in full. At any time it is determined that all fees and charges have not been paid and the permit has been issued, the permit shall be immediately revoked and all work concerned with that permit immediately stopped.
- (g) The Fire Marshal shall charge and collect such fees as the Board of Commissioners of Surry County shall, from time-to-time, determine by Resolution for issuing permits, for inspections, and for other services performed by the Fire Marshal. The purpose of the fees shall be to defray wholly

or in part, the cost of providing fire prevention services. The specific kinds of fees and the amount thereof shall be fixed and set forth by Resolution of the Surry County Board of Commissioners duly adopted.

- (h) The fees shall be due and payable as provided and set forth in the Resolution of the Surry County Board of Commissioners. The Fire Marshal shall pay all amounts collected in accordance with this Ordinance to the County Finance Director.

Section 14. Fire Prevention Duties and Responsibilities:

The Fire Marshal shall have the following fire prevention duties and responsibilities:

- (a) Enforcement of the Fire Prevention, Inspection and Permits Ordinance and the North Carolina State Building Code, Section 105, North Carolina Fire Prevention Code.
- (b) The duties and responsibilities of the Fire Marshal and his authorized representatives with regard to administration and enforcement of this Ordinance and State law shall include
 - (1) receiving applications for permits and issuing or denying permits,
 - (2) assessing and collecting fees,
 - (3) making necessary inspections,
 - (4) issuing orders, including Stop Orders, to correct violations and issuing orders to correct and/or abate,
 - (5) bringing or causing to be brought civil or criminal judicial actions against actual or threatened violations,
 - (6) keeping adequate records of administration and enforcement activities, and
 - (7) taking any and all other actions that may be required to fulfill the intent and purpose of this Section.

Section 15. Violations and Penalties:

- (a) Any person who shall violate any of the provisions of this Ordinance or who shall fail to comply with any judicial warrant, lawful order, or regulation made thereunder or who builds in violation of any specification or plan submitted and approved thereunder or any permit issued thereunder, shall be guilty of a misdemeanor. Each day that such violation continues shall constitute a separate offense.
- (b) In the name of Surry County, the Fire Marshal, through the County Attorney, may enjoin by court action or proceeding the construction or erection of any facility, building or structure which does not conform with the provisions of this Ordinance.

- (c) This Ordinance may be enforced by any of the remedies set forth in N.C.G.S. Section 153A-123, in addition to others specifically set out therein or in the Surry County Ordinance or the North Carolina State Building Code.
- (d) Notwithstanding the foregoing, any person who violates any of the provisions of this Ordinance shall be subject to a civil penalty or fine for each violation in an amount established by the Board of Commissioners. Said civil penalty or fine schedule is incorporated herein as it may change from time-to-time and shall be filed with the Clerk to the Board of Commissioners and the Fire Marshal's Office for public inspection. Any civil penalty levied pursuant to this Ordinance shall be collectable as an action and debt against the applicant or violator. Each day the violation remains in effect shall constitute a separate and distinct offense.
- (e) Civil penalties must be paid within seventy-two (72) hours after a citation has been issued by the Fire Marshal for a violation. Fire Marshal is authorized to issue written citations in the name of the County for violations. Civil penalties shall be paid to the Fire Marshal or to the Surry County Finance Department and in any event, shall be remitted to the Surry County Finance Director for deposit into the County's General Fund.
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Doug Jones, Fire Marshal, presented Surry County's Fire Prevention Inspection Program Fee Schedule. Mr. Jones stated that the fees are fixed for fire prevention inspections and for the issuance of permits pursuant to the North Carolina Fire Prevention Code.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve the fees, with a copy being on file in the County Manager's Office.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of receiving comment on the proposed use of an Installment Purchase contract as allowed under N.C.G.S. 106A-20 for renovations and the construction of additional classrooms at Central Middle, construction of a One-Stop Permitting/Health Clinic Building, cafeteria expansion and renovations at North Surry High School and a new roof at Franklin Elementary School.

Betty Taylor, Assistant County Manager for Budget and Finance, stated that the public hearing had been properly advertised and stated that the total project would cost approximately \$9.0 M and the County anticipates financing \$7.5 M of the total cost. Ms. Taylor also requested approval of a resolution approving financing terms.

Chairman Johnson then opened the public hearing for public comments.

No one spoke on the issue.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to approve the installment purchase contract and to accept the bid from BB&T as the bank financing for the renovations and the construction of additional classrooms at Central Middle, construction of a One-Stop

Permitting/Health Clinic Building, cafeteria expansion and renovations at North Surry High School and a new roof at Franklin Elementary School on a 12 year term at 4.33% and approve the following resolution:

Resolution Approving Financing Terms

WHEREAS: The County of Surry ("County") has previously determined to undertake a project for renovations and the construction of additional classrooms at Central Middle School, construction of a One-Stop Permitting/Health Clinic Building, cafeteria expansion and renovations at North Surry High School and a new roof at Franklin Elementary School ("the Project"), and the Assistant County Manager for Budget and Finance has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated November 18, 2005. The amount financed shall not exceed \$7,500,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.33%, and the financing term shall not exceed 12 years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Assistant County Manager for Budget and Finance is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Assistant County Manager for Budget and Finance is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Assistant County Manager for Budget and Finance shall approve, with the Assistant County Manager for Budget and Finance's release of any Financing Documents for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict

with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

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

Cathy Booker, Tax Administrator, recognized Una Freeman and Will Moore for winning the North Carolina Property Mappers Association Best Cartographic Design for two consecutive years.

Suzie Everhart recognized Linda Lawson for her many faithful years of service to Surry County.

Jeff Cockerham, Driver Development and Safety Officer, presented information on the YVEDDI Community Transportation Plan for FY 06-07, administrative budget summary and a proposed project budget. Mr. Cockerham requested allocation of \$13,000 for the 06-07 budget year.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the allocation of \$13,000 to the YVEDDI Transportation Program.

The Board took a fifteen-minute recess.

The Board resumed regular business.

Cathy Booker, Tax Administrator, updated the Board on NovLIS Technology Limited filing for protection under the Bankruptcy and Insolvency Act. Ms. Booker stated that eighteen counties are North Carolina clients of the NovaLIS software and a majority of the counties are partnering together to obtain legal council to protect the county's interest during the restructuring process, while maintaining the integrity of the HP 3000 legacy tax office software.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted to approve the Tax Administrators request to pool with other Counties and obtain legal council at cost of \$2,000-4,000.

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Harrell, Commissioner O'Neal

Nays: Commissioner Hunter

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to recess as the Board of Commissioners.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to reconvene as the Flat Rock/Bannertown Water and Sewer District Board of Directors.

The County Attorney addressed the Water and Sewer District Board of Directors regarding twenty-eight individuals that have not signed right-of ways for the district. Attorney Woltz also

discussed the condemnation process and asked for approval of a resolution directing him to file suit for the water and sewer easements.

Upon motion of District Board Member O'Neal, seconded by District Board Member Miller, the Board voted unanimously to approve the following resolution:

Resolution for Condemnation

WHEREAS, on November 21, 2005 the Board of Directors of the Flat Rock/Bannertown Water and Sewer District meet to consider progress made on implementing the water and sewer project proposed for an area of Surry County, North Carolina; and

WHEREAS, the water and sewer project requires installation of water and sewer lines within easements and required easements have been obtained from a majority of land owners; and

WHEREAS, twenty-eight (28) separate land owners have refused to consent or failed to respond to the District's request for easements for installation of utility lines; and

WHEREAS, the District maintains the right to use its power of eminent domain conveyed upon it by North Carolina statutory authority to serve a public purpose and the installation of water and sewer lines within the District is such a public purpose for which the Board of Directors would use the right of eminent domain.

NOW, THEREFORE BE IT RESOLVED upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board of Directors of the Flat Rock Bannertown Water and Sewer District voted unanimously to acquire the necessary easements to proceed with the District water and sewer project. Further that litigation be instituted as soon as legally permissible for those remaining properties for which easements or temporary rights of ways must be secured in order to install the Flat Rock/Bannertown Water and Sewer improvements. The location of the property is shown on plat prepared by Adams and Heath Engineering, which is on file in the office of the County Manager and/or the Planning Director.

Upon motion of District Board Member O'Neal, seconded by District Board Member Miller, the Board voted unanimously to recess as the Flat Rock/Bannertown Water and Sewer District Board of Directors and reconvene as the Surry County Board of Commissioners.

The County Manager updated the Board regarding the mental health reform and a paper recently titled, "LME Cost Efficiency Proposal."

The County Manager and Chairman Johnson updated the Board on a tourism meeting that took place on November 17, 2005 at Primland in Patrick County, Virginia. The participants at the meeting represented 7 of the 8 counties in the region. The next meeting will be in Surry County on January 20, 2006 at Shelton Vineyards. The County Manager stated there was a need from each of the eight counties to appropriate \$7,500 toward regional tourism initiatives, including development of a regional website.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to appropriate \$7,500 toward the regional tourism initiatives.

The County Manager thanked the Board for their continued support of tourism.

The County Manager addressed the Board regarding an item tabled from the November 7, 2005 meeting regarding a proposed personnel project. Mr. Sammons stated that he and the Human Resources Officer had met with a personnel consultant regarding the update of job descriptions.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to appoint Dr. Paul Gulley to the Crossroads Behavioral Healthcare Board.

Upon motion of Commissioner Hunter, seconded by Commissioner Harrell, the Board voted unanimously to approve and release the following closed session minutes:

- | | |
|---------------------------|----------------------------|
| May 16, 2005 Item #1 | August 1, 2005 Item #4 |
| August 3, 2005 Item #1 | August 3, 2005 Item #2 |
| September 6, 2002 Item#1 | September 6, 2005 Item #2 |
| September 6, 2005 Item #3 | September 6, 2005 Item #4 |
| September 6, 2005 Item #5 | September 19, 2005 Item #2 |
| October 3, 2005 Item #1 | October 3, 2005 Item #2 |
| October 17, 2005 Item #1 | October 17, 2005 Item #2 |
| October 17, 2005 Item #3 | October 17, 2005 Item #5 |
| November 7, 2005 Item #1 | November 7, 2005 Item #5 |

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to hold a Christmas luncheon for all County employees.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted unanimously to go into closed session to discuss personnel, economic development and legal matters with the County Attorney.

Commissioner O'Neal stated that he had met with the White Plains Volunteer Fire Department and the White Plains Ruritans and apologized for any turmoil caused during the proposed property swap between the fire department and the County.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted to hold a public hearing on December 5, 2005 at 6:00 or soon thereafter for additional funds for an economic development incentive.

The Board discussed the additional funding.

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Hunter, Commissioner O'Neal

Nays: Commissioner Harrell

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to reimburse the White Plains Volunteer Fire Department, in the amount of \$980, for a survey incurred during a property swap between the County and the fire department. There is an affidavit of recession on file as of November 18, 2005, by the County Attorney, on the property swap due to the action not being approved by the Board of Commissioners in open session.

The County Manager discussed a schematic plan review for the One-Stop Permitting Center.

Commissioner Miller addressed the Board regarding the removal of asbestos at the old Beluah School.

It was the consensus of the Board to turn the issue over to the Building Committee.

There was no further business to come before the Board.

Upon motion of Commissioner Harrell, seconded by Commissioner Hunter, the Board voted unanimously to adjourn at 10:50 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of December 5, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on December 5, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., Commissioner Craig Hunter and Commissioner Fred O'Neal.

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

Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
David Stone, Health and Nutrition Center Director
Chris Knopf, Planning Director
John Barber, Local Ordinance Officer
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Commissioner Jim Harrell, Jr. delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the November 21, 2005 meeting. Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to approve the following consent agenda items:

Request by the County Manager:

1. Approve the Public Works Department to change a rubber tire loader on their capital outlay schedule for FY 2005-2006 to a Track Hoe.

Request from the Human Resources Officer:

1. Approve the following retiree resolution of respect:

RESOLUTION

WHEREAS, Frances H. Edmonds was employed from January 6, 1998 until her retirement on June 30, 2005 as an employee of the Health and Nutrition Center; and

WHEREAS, during her term of service, Mrs. Edmonds served as a Chore Provider and carried out various other duties to serve the citizens of Surry County; and

WHEREAS, during her years of faithful service, Mrs. Edmonds has earned the admiration and respect of her fellow employees and the Health and Nutrition Center staff; and

WHEREAS, the Surry County Board of Commissioners wishes to publicly commend Mrs. Edmonds for the dependable and caring manner in which she served her clients and the enrichment she brought to their lives.

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

BE IT FURTHER RESOLVED that the Board extends to Frances H. Edmonds its best wishes for many years of happiness during her retirement.

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.

Gayle Norman spoke in opposition of a recycling center on Sparger Road. Ms. Norman stated that the owner of the center allowed individuals to park vehicles in her yard which creates excessive mud in the road and block her mail box. Ms. Norman also stated that she feels that the center is in violation of the Junkyard Ordinance. Ms. Norman wants to see the situation corrected.

Rawley Amburn read a letter from Donna Berrier, bus driver for North Surry High School, expressing her concern at the Sparger Road Recycling Center. Ms. Berrier's letter stated that she had to drive the bus around vehicles parked in the road. The letter also stated that there was mud in the road way.

James Nunn lives just above the salvage building and stated the appearance of the building infringes upon the whole neighborhood.

Jeff Johnson, owner of the Sparger Road Recycling Center, apologized for his facility being a thorn in the neighborhood. Mr. Johnson stated that he did not want to cause any problems. Mr. Johnson also stated that he is working toward improvements on the property.

Arlis Thomas, operator of the Sparger Road Recycling Center, stated that he is trying to get everything in order to keep the area safe.

John Barber, Local Ordinance Officer, presented various information on the existing junkyard/salvage yards ordinance.

The Board discussed the Automobile Salvage Yard and Junkyard Ordinance.

It was the consensus of the Board for the Planning Director and Local Ordinance Officer to review the Sparger Recycling Center area and return to the December 19, 2005 meeting with a recommendation.

John Barber updated the Board on junkyards in Surry County. Mr. Barber stated that there are approximately 35 active junkyards in Surry County and another 63 old permits yet to be investigated.

Douglas "Lone Eagle" Watkins addressed the Board regarding his recent concerns with the retirement of Dr. Reinhart from Surry Community College. Mr. Watkins had addressed the Board at the December 5, 2005 Board meeting regarding the same concern.

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

Chairman Johnson asked the County Manager to preside over the nomination and election of the Chairman and Vice-Chairman for December 2005 to December 2006.

The County Manager opened the floor for nomination for Chairman and called for the vote.

Commissioner Miller nominated Commissioner Johnson.

There were no other nominations.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted to close the nominations and elect Commissioner Johnson as Chairman by acclamation.

The County Manager declared that Commissioner Johnson had been elected as Chairman for 2006.

The County Manager then opened the floor for nominations for Vice-Chairman and called for a vote.

Commissioner Hunter nominated Commissioner Miller.

There were no other nominations.

Upon motion of Chairman Johnson, seconded by Commissioner Hunter, the Board voted to close the nomination and elect Commissioner Miller as Vice-Chairman by acclamation.

The County Manager declared Commissioner Miller had been elected as Vice-Chairman for 2006.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on additional funding for an economic development project.

The County Manager briefed the Board of Commissioners on the project. Mr. Sammons stated that there was

additional assistance needed in the amount of \$31,250 for grading at the site of the Mount Airy CK Technology plant.

Chairman Johnson asked for comments from the public.

No one spoke on the incentive.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to appropriate CK Technology \$31,250 toward the additional grading of the site.

Charley Linville, Westfield Volunteer Fire Department, requested approval to obtain a tax-exempt loan from First Citizens Bank & Trust Company in the amount of \$173,000. The purpose of the loan is to purchase a new fire truck to replace a 1967 model fire truck. Mr. Linville request approval of a tax-exempt resolution.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the request and the following resolution:

Certificate Approval of Tax-Exempt Loan to Volunteer Fire Departments by Board of Commissioners

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Commissioners of Surry County, North Carolina does hereby approve (within the scope of the qualifying language set forth below) a tax-exempt loan to the Westfield Volunteer Fire Department, Inc. (name of Volunteer Fire Department) (the "VFD") from First Citizens Bank & Trust Company in the principal amount of \$173,000, which loan is for the following purpose (check applicable purpose):

- 1. () for the construction of a fire station for the VFD (cross out the following if not applicable) including the purchase of the underlying real property.
- 2. (X) the purchase by the VFD of a fire truck and

which fire truck and/or fire station be owned and operated by the VFD at the following address:

3386 Old Westfield Road
Westfield, NC 27053

Resolved, Further, that the approval of the loan to the VFD set forth above is given solely for purposes of the public approval requirements for tax-exempt financing applicable to the VFD because of Section 150 (e) (3) and Section 147(f) of the Internal Revenue Code of 1986, as amended, such approval does not obligate the County or its Board of Commissioners in any way regarding repayment of the debt.

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

Commissioners Harrell and Hunter recognized the following individuals for 10 years of service to the County:

Michael A. Creed	John David Hamlin
Sue B. Johnson	Delinda N. Kyle
Deborah B. Cave	Ellen E. Dollyhigh
Portia Oakley	Debra S. Bryant
Wanda Q. Easter	Donna C. Miller
Nancy L. Devine	Charlene W. Trivette
Fred Garnette Brintle, Jr.	Dianna E. Sims

Commissioners Miller and O'Neal recognized the following individuals for 15 years of service to the County:

Deborah M. Williams	Verona C. Coe
Janet B. Gilley	Ginger W. Fishel
Matthew M. Darisse	Teresa Raynette Hutchins
Susan R. Slate	Freddie P. Stanley

Chairman Johnson recognized the following individuals for 30 years of service to the County:

Ruth Burcham	Janet K. Allen
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The Board took a fifteen-minute break.

The Board resumed regular business.

David Swann, Crossroads Behavioral Healthcare Director, updated the Board on recommendations from the North Carolina Department of Health and Human Services for Crossroads Behavioral HealthCare to form an alliance/partnership with several other Local Managing Entities to regionally deliver two of the Local Managing Entity functions.

David Swann, Crossroads Behavioral Healthcare Director, presented information on Telecare Mental Health Services of North Carolina terminating their contract for outpatient services on September 23, 2005, with an effective date ninety days later on December 21, 2005. Mr. Swann stated that Crossroad Behavioral Healthcare had interviewed and selected several other organizations that will begin or expand services in the same facilities currently used. There will be four providers in Surry County: Area Service and Programs, New River Behavioral Healthcare, Partnership for a Drug Free NC, Inc., and Triumph, Inc. The providers will provide behavioral healthcare under a contract with Crossroads Behavioral Healthcare and employ a range of behavioral health professionals.

David Swann, Crossroads Behavioral Healthcare Director, requested for Crossroad Behavioral Healthcare to sublease the facility on Riverside Drive to new providers. Currently Crossroads Behavioral Healthcare holds a master lease with Surry County.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the sublease.

The County Manager addressed the Board regarding a productive meeting with Charles Smith of the Bannertown Volunteer Fire Department and Construction Control regarding plans for a new fire station in Bannertown.

The County Manager reminded the Board of the Workforce Development Center Open House on December 11, 2005 at 3:00 p.m. to 5:00 p.m.

The County Manager briefed the Board on a request from Millennium Charter Academy in the amount of \$88,500 regarding funding for athletic facilities.

Upon motion of Commissioner Miller, seconded by Commissioner Hunter, the Board voted to allocate Millennium Charter Academy \$88,500 toward the request. The Board discussed the project.

Ayes: Chairman Johnson, Commissioner Miller
Nays: Commissioner Harrell, Commissioner Hunter,
Commissioner O'Neal

The motion failed for lack of a majority vote.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted to allocate \$88,500 to the Millennium Charter Academy toward athletic requests contingent upon the Academy building a baseball and soccer field, and put in place a policy that will allow the facility to be used by the public. The allocation will be made once the project is complete.

Ayes: Chairman Johnson, Commissioner Miller,
Commissioner Hunter
Nays: Commissioner Harrell, Commissioner O'Neal

The motion passed due to a majority vote.

The County Manager addressed the Board regarding insurance reimbursement for lightning damage at the Communications Center and the Fancy Gap tower. Mr. Sammons stated that the County recently received a reimbursement of \$19,918.03 from the Insurance Company. The Emergency Services Director is requesting permission to spend \$13,158.02 of the insurance funds for access controls and expansion kits with readers for Communication Center doors to comply with DCI requirements, annual service agreement for lock system, and work station chairs for the Communication Center.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to approve the request.

The County Manager presented a request that was tabled from the December 5, 2005 meeting from the Mountain Park Ruritan Club regarding the Mountain Park Community Park. The Mountain Park Ruritans are asking the County to support the project with a \$22,000 contribution.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to allocate \$22,000 to the project contingent upon the Ruritans securing the remainder of the funds for the project.

The County Manager presented an informal report from the North Carolina Department of Transportation on the Secondary Road Program.

It was the consensus of the Board for the County Manager to write a letter to the Department of Transportation asking for a more detailed list.

The Board discussed the continued concerns at the Surry Community College.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, 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 Miller, seconded by Commissioner Hunter, the Board voted unanimously to approve the following personnel request:

- Amend the Personnel Ordinance adopted on November 3, 2003 by making the following change to Appendix A, Position Classification Plan:
 - Add the classification of Environmental Health Technician to Grade 60, effective December 1, 2005. Create and fill an Environmental Health Technician in the Health and Nutrition Center, contingent upon approval from State Personnel.
- Approve moving Charles Gillespie to 63-15 due to certification.
- Approve moving Ronald Bingman to 60-6 due to certification.
- Approve moving Felecia O'Rourke to 60-7 due to certification.
- Approve moving Nancy Kinder to 57-17 due to certification.

- Approve the paying of selected overtime for Environmental Health until April 30, 2006, at the approval of the Director, to help eliminate the backlog of septic tank and permit applications.
-

The Board discussed the Flat Rock/Bannertown Water and Sewer project, the Exit 93 Water and Sewer Project, and the Interstates Water and Sewer Project.

There was no further business to come before the Board.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to adjourn at 10:25 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of December 19, 2005

The Surry County Board of Commissioners met in regular session at 6:00 p.m. on December 19, 2005. 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 Jim Miller, Commissioner Jim Harrell, Jr., and Commissioner Fred O'Neal.

Commissioner Craig Hunter was unable to attend.

Others present for the meeting, at various times, were:
Macon C. Sammons, Jr., County Manager
Conchita Atkins, Clerk to the Board
Edwin Woltz, County Attorney
Betty Taylor, Assistant County Manager for Budget and Finance
Sandra Snow, Human Resources Officer
Chris Knopf, Planning Director
John Barber, Local Ordinance Officer
Tammy Johnson, Water and Sewer Projects Coordinator
Dick Everhart, District Conservationist, NRCS
Wayne Black, Social Services Director
David Stone, Health and Nutrition Center Director
News Media
Other Citizens

Chairman Paul Johnson called the meeting to order. Chairman Johnson delivered the invocation and led the Pledge of Allegiance.

Chairman Johnson requested the Board to consider the minutes of the December 5, 2005 meeting. Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the minutes.

Chairman Johnson requested that the Board consider the consent agenda. Upon motion of Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to approve the following consent agenda items:

Requests by the County Manager:

1. Approve the following from the Tax Department:
 - Total releases for the month ending 11-30-05 in the amount of \$32,632.22.
 - Total refunds for the month ending 11-30-05 in the amount of \$8,099.68.
 - Total real and personal property discoveries in the month ending 11-30-05 in the amount of \$70,175.95.
 - Total motor vehicle discoveries for the month ending 11-30-05 in the amount of \$2,644.30.
 - Collect September 2005 motor vehicle renewals in the amount of \$292,094.81.

2. Approve the following resolution regarding the addition of Turkey Trot Trail to the state maintenance system:

N. C. DEPARTMENT OF TRANSPORTATION
 REQUEST FOR ADDITION TO STATE MAINTAINED
 SECONDARY ROAD SYSTEM

NORTH CAROLINA
 COUNTY OF SURRY

Road Name: Turkey Trot Trail

WHEREAS, the attached petition has been filed with the Surry County Board of Commissioners, requesting that the above named road be added to the Secondary Road System; and

WHEREAS, the Board is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Highway Division of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, BE IT RESOLVED by the Surry County Board of Commissioners that the Highway Division is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

3. Approve the appointment of Andrea Johnson to the Health Board, replacing Diane Culler.
4. Approve the removal of David Culler from the Recreation Advisory Committee, due to attendance.

Requests from the Assistant County Manager for Budget and Finance:

1. Approve the MIS Department to purchase a scanner for departments involved in central permitting.
2. Approve the Elections Department to apply for a grant for voting machines.
3. Approve Emergency Services to apply for a Bioterrorism Preparedness Grant in the amount of \$15,985 and to accept up to \$7,500 of additional funds for the State Medical Assistance Team.
4. Approve the Sheriff's Office to use jail funds earmarked for a washing machine to purchase a copier and if sufficient funds remain be able to purchase a deep fryer.
5. Approve the Sheriff's Office to work with the Clerk of Court to survey needs and apply for funds for court security equipment.
6. Approve budget change no. 8 as follows:

The Board of County Commissioners approved an amendment to the FY2005-2006 Budget Ordinance at their meeting on December 19, 2005.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND EXPENDITURES</u>				
<u>Sheriff's Dept.</u>				
1054310 52910	Small Equipment-LLEBG	0	31,416	31,416
	Increase departmental total.	3,234,394	31,416	3,265,810
<u>Homeland Security Grant</u>				

1054336	51030	Salaries & Wages Part-Time	0	4,000	4,000
1054336	51130	401k Supplement Retirement	0	50	50
1054336	51300	Social Security	0	260	260
1054336	51310	Medicare	0	75	75
1054336	51330	Retirement	0	68	68
1054336	52900	Small Equipment	0	4,408	4,408
		Increase departmental total.	0	8,861	8,861

CitizensCorps Grant

1054346	52010	Supplies & Materials	0	4,500	4,500
1054346	54010	Travel/Training	0	500	500
1054346	54350	Printing	0	500	500
		Increase departmental total.	0	5,500	5,500

REVENUE

1044310	42336	LLEBG Grant	0	31,416	31,416
1044336	42328	Homeland Security Grant	0	8,861	8,861
1044346	42311	Citizens Corps Grant	0	5,500	5,500

		Increase fund total.	61,048,172	45,777	61,093,949
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GENERAL FUND-SHERIFF NARCOTICSEXPENDITURESSheriff's-Narcotics

1854311	52910	Small Equipment-LLEBG	0	3,141	3,141
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REVENUE

1844311	43355	NC Controlled Sub Tax	12,000	3,141	15,141
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		Increase fund total.	42,000	3,141	45,141
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LANDFILL/RECYCLINGEXPENDITURESWaste Collection/Recycling

6757415	56015	Equipment-Used	20,000	10,000	30,000
		Increase departmental total.	838,260	10,000	848,260

REVENUE

6747415	43310	State Grant (New)	0	10,000	10,000
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		Increase fund total.	2,985,751	10,000	2,995,751
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Request from the Planning Director:

1. Approve the Steven P. Hawks final one-lot subdivision.

Commissioner O'Neal entered the meeting at 6:07 p.m.

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.

David Smith, Bannertown Volunteer Fire Department, discussed a tax exempt loan for the Bannertown Volunteer Fire Department. The Fire Department will purchase a new fire truck and build a new building.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the tax exempt loans of \$180,000 for the fire truck and \$1,000,000 for the fire station.

The County Manager stated that Charles Smith of the Bannertown Volunteer Fire Department had met with Ross Bush of Construction Control Corporation regarding the plans for the new fire department.

Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously to approve the plans, subject to the value engineering design recommendations provided by Construction Control Corporation.

Kathleen Edwards addressed the Board regarding the practice of chaining dogs outside. Ms. Edwards stated that dogs suffer when they are chained and presented the Board with a proposed ordinance. Ms. Edwards also stated that there are four counties or communities in North Carolina which have passed ordinances limiting or prohibiting the chaining or tethering of dogs to stationary objects outdoors.

Jim Hazel, Surry County Humane Society, stated if dogs are properly restrained there should be no need for prohibiting chaining. Mr. Hazel stated that it would be difficult for some dog owners to meet the proposed ordinance.

Gayle Norman, Resident of Sparger Road, reminded the Board of the concerns at the Mayberry Recycling Center on Sparger Road. Ms. Norman stated that the owners had been burning something behind the building which gave a bad odor.

Jeff Johnson, owner of the Mayberry Recycling Center, showed the Board pictures of improvement that he is making at the property.

Arlis Snider, operator of Mayberry Recycling Center, stated that he had burned cardboard behind the building. The Fire Marshal had come to the building and asked Mr. Snider not to burn anything else, unless it was natural. Mr. Snider stated that he would not burn anything else.

The Board thanked the Personnel Committee, Benefits Committee and Administration for their work on the Employee Christmas Luncheon on December 16.

Chairman Johnson stated that Commissioner Hunter had to be in Charlotte for a business meeting and regrets that he could not attend.

The Board praised the Elkin High School Football Team for winning their third in four years State Football Title.

Jerry King, resident of Sparger Road, stated that the Sparger Road area was a good community to live in and that he travels Sparger Road daily and does not see any problems at the Mayberry Recycling Center.

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

Chairman Johnson then declared the meeting to be a public hearing for consideration on enabling an ordinance for Cable Franchise Tax.

Dave Harris, Regional Cable Administrator, Piedmont Triad Council of Governments, presented a draft ordinance and agreement.

Chairman Johnson asked for comments from the public.

No one spoke on the proposed ordinance.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner O'Neal, seconded by Commissioner Harrell, the Board voted unanimously to approve the following ordinance:

Article I. In General

Secs.32-1 - 32- 30 Reserved.

Article II. Cable Television

General Provisions

Sec. 32-31 Short Title.
Sec. 32-32 Statement of Intent and Purpose.
Sec. 32-33 Definitions.

Franchise Generally

Sec. 32-34 Franchise Requirements
Sec. 32-35 Franchise Renewal
Sec. 32-36 Grant of Additional Franchise
Sec. 32-37 Permits for Non-Franchised Entities
Sec. 32-38 Application and Renewal Fees
Sec. 32-39 Design Provisions
Sec. 32-40 Drops to Public Buildings
Sec. 32-41 Uses of Grantee Facilities
Sec. 32-42 Upgrade of System
Sec. 32-43 Non-Discriminatory Access to Cable System
Sec. 32-44 Institutional Networks and Public, Education and Government Access

Technical Standards

Sec. 32-45 General Technical Standards
Sec. 32-46 Books and records Available to Grantor
Sec. 32-47 Technical Standards Compliance
Sec. 32-48 Tests and Compliance Procedure
Sec. 32-49 Emergency Requirements
Sec. 32-50 Programming Decisions
Sec. 32-51 Parental Controls
Sec. 32-52 Periodic Subscriber Survey
Sec. 32-53 Installations Exceeding Standard Installation
Sec. 32-54 Service Areas and Line Extension Policy
Sec. 32-55 County Monitoring
Sec. 32-56 Access to Inside Wiring

Construction Standards

Sec. 32-57 Right-of-Way Construction

General Financial and Insurance Provisions

Sec. 32-58 Franchise Fee
Sec. 32-59 Performance Bond
Sec. 32-60 Penalties Procedure
Sec. 32-61 Bonds, Indemnification and Insurance

Revocation

- Sec. 32-62 Grounds for Revocation
- Sec. 32-63 Procedures for Revocation

Foreclosure and Receivership

- Sec. 32-64 Foreclosures
- Sec. 32-65 Receivership

Purchase of System

- Sec. 32-66 Purchase by Grantor
- Sec. 32-67 Sale or Transfer

Rights of Individuals Protected

- Sec. 32-68 Discriminatory Practices Prohibited
- Sec. 32-69 Subscriber Privacy

Miscellaneous Provisions

- Sec. 32-70 Rate Regulation
- Sec. 32-71 Rights Reserved to Grantor
- Sec. 32-72 Non-Enforcement by the County
- Sec. 32-73 Governing Law and Choice of Forum
- Sec. 32-74 Severability
- Sec. 32-75 Publication of Notices
- Sec. 32-76 System Construction Capabilities and Schedule
- Sec. 32-77 Customer Service Standards

AN ORDINANCE AMENDING

CHAPTER 32 OF THE COUNTY CODE GOVERNING CABLE TELEVISION SERVICES

BE IT ORDAINED by the Board of Commissioners of the County of Surry, as follows:

The County Code of Ordinances reference: Cable Television of the County Code is revised to read as follows:

Article II. Cable Television

Sec. 32-31. SHORT TITLE

This Chapter shall be known as the "County of Surry Ordinance for Regulations of the Cable Television Services" (the "Ordinance")

Sec. 32-32. STATEMENT OF INTENT AND PURPOSE

The County of Surry, North Carolina, pursuant to applicable Federal and State law, is authorized to grant one or more nonexclusive Franchises to construct, operate, maintain, and reconstruct Cable Systems within the unincorporated areas of the County.

The Board of Commissioners of the County of Surry finds that Cable Service has become an integral part of its citizens' lives, and that evolving Cable Systems have the potential to play an even more dramatic role in the future, providing great benefits and advanced capabilities to the County. At the same time, the Board further finds that the public convenience, safety, and general welfare can best be served by establishing regulatory powers that are vested in the County or such Persons as the County designates.

In order to ensure that the County and its Residents receive state-of-the-art Cable Services and capabilities as this

technology further evolves, all Franchises granted pursuant to this Ordinance will be subject to periodic review to keep current with changing law, technology, and Services. It is the intent of this Ordinance to help ensure that local cable operators provide the best possible Cable Service to Residents of the County, and any Franchises issued pursuant to this Ordinance shall be deemed to include this finding as an integral part thereof.

Further, it is recognized that Cable Systems have the capacity to provide entertainment and information services to the County's residents, and may have the Capacity to provide a variety of broadband, interactive communications services to institutions and individuals. For these purposes, the following goals underlie the regulations contained herein:

Cable television services should be made available to all of the County's residents at the lowest reasonable cost.

The System should be capable of accommodating both the present and reasonably foreseeable future State-of-the-Art cable television needs of the County.

The Systems authorized by this Ordinance shall be responsive to the needs and interests of the local community, and shall provide the widest possible diversity of information sources and services to the public. Each of the above-enumerated goals shall be sought to the maximum extent, taking into account the costs and benefits to the residents of the County of Surry.

The Board further finds that on-going industry consolidation could result in less local accountability, and that, therefore, stringent customer service standards, including liquidated damages provisions, may be the only practical means of ensuring compliance and approximating the costs of Franchise Agreement non-compliance to the County and its Residents.

Sec. 32-33. DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The words "shall" and "will" are mandatory and "may" is permissive. Words not defined shall be given their common and ordinary meaning.

"Additional Service" means any Cable Service other than Basic Service provided over the System.

"Basic Cable Service" means any Cable Service tier that includes the lawful retransmission of local television broadcast signals and any Public, Educational, and Governmental Access programming required by this Ordinance or a Franchise Agreement to be carried on the basic tier. Basic Cable Service as defined herein shall be consistent with 47 U.S.C. § 543(b)(7) (1997), and shall include any signal of any television broadcast station that is provided by a Grantee to any Subscriber, except a signal which is secondarily transmitted by a satellite carrier beyond the local service area of such station. Additional signals may be added to the basic tier by the Grantee.

"Board" means the County Board of Commissioners of the County of Surry, North Carolina or its delegates

"Cable Act" "Cable Internet Service" means any Cable Service offered by a Grantee whereby Persons receive access to the Internet or high-speed data information services through the Cable System

"Cable Service" or "Service" means: The one-way transmission to subscribers of (i) video programming, or (ii) other programming service; subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service; and for purposes of this Ordinance Cable Internet Service shall be considered Information Service unless determined otherwise by state or federal law.

"Cable Television System" or "Cable System" means a facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide Cable Service to multiple Subscribers within the Franchise Area, but such term does not include: a facility that serves only to retransmit the television signals of one or more television broadcast stations; a facility that serves Subscribers without using any public Right-of-Way; or a facility of a common carrier which is subject, in whole or in part, to the provisions of 47 U.S.C. §§ 201-226, except that such facility shall be considered a Cable System to the extent such facility, whether on a common carrier basis or otherwise, is used in the transmission of video programming directly to Subscribers.

"Capital Contribution" means a contribution provided by a Grantee as determined in a Franchise Agreement that may at the County's discretion be utilized for the Capital Costs of the municipal access channel facilities, or to help defray the costs of an I-Net.

"Channel" means a portion of the electromagnetic frequency spectrum that is capable of carrying one standard video signal, in either analog or digital form. Consistent with future changes in technology and/or applicable law, the parties may mutually agree to a different definition in an individual Franchise Agreement.

"County" means the County of Surry, North Carolina, as it is now, or may in the future be, constituted.

"County Administrator" means a person designated by the County Manager to represent the County in all business with the Grantee.

"Complaint" means any written or electronic inquiry, allegation, or assertion, made by a Person regarding Service.

"Control" means the holding of legal or financial control of or over the holder of the Franchise, the Service Provider or System Owner or Operator, regardless of whether such control is direct or indirect, or is exercised or is permitted to be exercised directly or indirectly through other persons, holdings or entities. Control shall always be deemed to rest in the hands of any Person or entity that has the right or authority to establish or change any policy or practice of the holder of the Franchise or the Service Provider, whether such control may be exercised directly, or indirectly through other persons, holdings or entities.

"Converter" means an electronic device that converts signals to a frequency not susceptible to interference within the television receiver of a Subscriber and, through the use of an appropriate Channel selector, permits a Subscriber to view all authorized Subscriber signals delivered at designated converter dial locations.

"Direct Incremental Costs" means the costs actually incurred by Grantee in meeting an obligation under its Franchise which Grantee would not otherwise have incurred in order to either operate and conduct the business of its Cable System or meet another obligation of the Franchise.

"Downstream Signal" means a signal originating from or provided by a System to a Subscriber terminal or other terminal including video, audio, or digital signals or any other type of data or information for either programs or other uses such as security alert services, etc.

"Drop" means the cable or cables that connect users of the System to the distribution system in order to receive Service.

"Educational Access Channels" means Channels specially designated for locally produced Non-Commercial educational access programming use.

"Effective Date" means the date a Franchise becomes effective in accordance with the Franchise and the rules and procedures of the County.

"Fair Market Value" means the price that a willing buyer would pay to a willing seller for a going concern based on the System valuation prevailing in the industry at the time.

"FCC" means the Federal Communications Commission or a designated representative.

"Franchise" means the rights and obligations extended by the County of Surry pursuant to an initial authorization or a renewal thereof, to a Person to own, lease, construct, maintain, or operate a Cable System in the Right-of-Way within the Franchise Area for the purpose of providing Cable Services. Any such authorization, in whatever form granted, shall not mean or include: (i) any other permit or authorization required for the privilege of transacting and carrying on a business within the County required by the ordinances and laws of the County, including the provision of telecommunications services; (ii) any generally applicable non-discriminatory permit, agreement, or authorization required in connection with operations in the Right-of-Way including, without limitation, permits and agreements for placing devices on or in poles, conduits, or other structures, whether owned by the County or a private entity, or for excavating or performing other work in or along the Right-of-Way.

"Franchise Agreement" means that document which grants a Franchise pursuant to this Ordinance.

"Franchise Area" means the geographic area for which a Franchise is granted under the authority of this Ordinance. If not otherwise specifically stated in the Franchise Agreement, the Franchise area shall be the entire geographic unincorporated area within the County as it is now, or may in the future be, constituted.

"Franchise Fee" means any tax, fee, or assessment of any kind imposed by the County or other governmental entity on a Grantee

solely because of its status and activities as such. The term "Franchise Fee" does not include: (i) any tax, fee, or assessment of general applicability (including any such tax, fee, or assessment imposed on both utilities and cable operators or their Services but not including a tax, fee, or assessment that is unduly discriminatory against cable operators or cable Subscribers); (ii) capital costs that are required by a Franchise Agreement to be incurred by a Grantee for Public Access Channels equipment and facilities; (iii) requirements or charges incidental to the award or enforcement of a Franchise, including payments for bonds, security funds, letters of credit, insurance, indemnification, compliance audits, penalties, or liquidated damages; or (iv) any fee imposed under Title 17 of the United States Code.

"Government Access Channels" means Channels specially designated for locally produced Non-Commercial governmental access programming use.

"Grantee" means a Person who is granted a Franchise or that Person's lawful successors, transferees, or assignees.

"Grantor" means the County.

"Gross Revenues" means any and all revenue, whether received in the form of cash, credits, barter, trade, property or consideration of any kind or nature, arising from, attributable to, or in any way derived by the Grantee from the operation of a Grantee's System to provide Cable Service, whether such revenue is received by the Grantee, its affiliates, or any Person in which the Grantee has a financial interest, or by any other Person who operates the system, directly or indirectly. This definition is intended to reach as broadly as possible to encompass all revenue. Gross revenue includes, by way of illustration and not limitation, amounts charged for basic service; optional premium, per-channel, per-program services; cable programming services; audio services; launch fees; channel guide subscriptions; installation, disconnection, reconnection, and changes-in-service; equipment sales or rentals; leased channel fees; late fees and administrative charges of any type; consideration received from programmers; advertising revenue; and revenue from the sale of subscriber names and addresses. To the extent that Grantee receives revenue from Cable Services provided to a Subscriber for a fixed price that also includes non-Cable Services (i.e., those services are "bundled"), Grantee shall allocate an appropriate portion of those revenues for inclusion in Gross Revenues. If the fixed price of the bundled services is lower than the aggregate of the prices of those services if purchased individually, then the appropriate amount of the revenue to be allocated to each service shall be proportional to the individual price of that service when compared to the aggregate of the individual prices of those services when unbundled. Gross revenues shall not include:

1. Bad debt except to the extent that bad debt is recovered.
2. The revenue of any person including, without limitation, a supplier of programming to the Grantee to the extent that said revenue is also included in gross revenue of the Grantee.
3. Pass-through payments received by the Grantee from third-party programmers to purchase services from entities other than the Grantee, which services benefit, only the third-party programmers and for which the Grantee neither received nor provides any consideration.

4. Any taxes on Services furnished by the Grantee which are imposed directly on any Subscriber by the state, the County or other governmental unit and which are collected by the Grantee on behalf of said governmental unit. A franchise fee is not such a tax.
5. To the extent the scope of gross revenues is limited by federal law or judicial action, the definitions herein shall be so amended.

"Headend" means the electronic control center of the System including components that amplify, filter, and convert incoming broadcast and other television and electronic signals for distribution over the Cable System

"Institutional Network" or "I-Net" means capacity, fibers or both, from both within the primary cable network and/or separately constructed networks that are dedicated to municipal users or other governmental and educational users as determined by the County for two-way, broadband, Non-Commercial, non-competitive, not for profit communications. The I-Net includes all equipment and maintenance of equipment required to make the Capacity available including but not limited to fiber, cable modems, coaxial cable, and all switching, routing, transmitting and receiving equipment necessary for the use of the I-Net as determined in the individual Franchise Agreement.

"Institutional Network Services" means the provision of an I-Net by a Grantee to municipal users and other governmental and educational users as determined by the County, pursuant to the terms of a Franchise Agreement for Non-Commercial, non-competitive, not for profit applications including but not limited to, two-way dedicated voice, data, video, Internet and telephony channels connecting and interconnecting user facilities; computerized traffic control systems; GIS systems; and the interconnection of facilities serving police, fire and other public safety systems.

"Lockout Device" means a mechanical or electrical accessory to a Subscriber's terminal that inhibits the video or audio portions of a certain program or certain Channel(s) provided by way of a Cable System.

"Non-Commercial" means Channels or programming that is operated on a not-for-profit basis.

The term "normal business hours" means those hours during which most similar businesses in the community are open to serve customers. In all cases, "normal business hours" must include some evening hours at least one night per week and/or some weekend hours.

"Normal Operating Conditions" means any and all situations or conditions that are ordinarily within the control of a Grantee, including, but not limited to, management or corporate decisions; employee conduct; staffing levels; special promotions; pay-per-view events; rate increases; regular peak or seasonal demand periods; electronic and video equipment; and maintenance, repair or upgrade of the Cable System, and any associated computer or software systems. Those conditions that are not within the control of a Grantee include, but are not limited to, natural disasters; civil disturbances; power outages; telephone network outages; and severe or unusual weather conditions. A condition shall not be deemed to be beyond the Grantee's control if committed by a corporation or other business entity which the Grantee controls.

"Other Programming Service" means information that a Grantee makes available to all Subscribers generally.

"Person" means any corporation, partnership, proprietorship, individual, organization, company, governmental entity or any natural person.

"Public Access Channels" means Channels specially designated for locally produced non-commercial public access programming use.

"Public Building" means a building, or any portion thereof, owned, leased or otherwise occupied by the County.

"Reasonable Notice" means written notice addressed to the County or Grantee at such location as the parties have designated in the Franchise Agreement as the address to which notice shall be transmitted to it, which notice shall be sent by certified mail and postmarked not less than seven (7) business days prior to that day in which the party giving such notice shall commence any action which requires the giving of notice. In computing said seven (7) days, holidays recognized by the County shall be excluded.

"Right-of-Way" means each of the following which have been, or are hereafter, dedicated to the public and maintained by any public authority or by others and located within the County, including without limitation, the surface and space within, above and below any real property in which the County has an interest in law or equity, whether held in fee, or other estate or interest, or as a trustee for the public, including, but not limited to, any public street, boulevard, road, highway, freeway, lane, alley, court, sidewalk, parkway, swale, river, tunnel, viaduct, bridge, park, or any other place, area, easements, rights-of-way and similar public property and areas, or real property owned by or under the control of the County.

"School" means any state-accredited public or nonprofit educational institution including primary and secondary schools, both public and private.

The term "service interruption" means the loss of picture or sound on one or more cable channels.

"Standard Installation" means any Service drop not exceeding one hundred fifty (150) feet from a single point or pedestal attachment to the Subscriber's residence.

"State-of-the-Art" means the addition of new services and associated equipment as they are developed, available and when economically feasible and marketable to Subscribers as specifically required under the terms of a Franchise Agreement.

"Subscriber" means any Person who or which elects to subscribe for any purpose to Cable Service provided by a Grantee by means of, or in connection with, the Cable System, and whose premises or facilities are physically wired and lawfully activated to receive Cable Service from Grantee's Cable System.

"System" means a Grantee's Cable System operated pursuant to a Franchise Agreement within the Franchise Area.

"Trained Representative" means employees of the Grantee who have the authority and capability while speaking with a Subscriber to, among

other things, answer billing questions, adjust bills, and schedule service and installation calls.

"Upstream Signal" means a signal originating from a Subscriber's terminal to the head end of the System including video, audio, or digital signals or any other type of data or information for either programs or other uses such as security alert services, etc.

FRANCHISE GENERALLY

Sec. 32-34. FRANCHISE REQUIREMENTS

1. It shall be unlawful for any Person to construct, operate or maintain a Cable System or to provide Cable Service in the County without a Franchise. Any such person shall be subject to a fine of \$500 per day. The payment of such fine notwithstanding, all such violators shall be subject to all other applicable provisions of this Ordinance, including but not limited to the payment of a Franchise Fee.
2. Any Franchise granted pursuant to this Ordinance shall be nonexclusive. The Grantor specifically reserves the right to grant, at any time, such additional Franchises for a Cable System or any component thereof, to any other Person including itself, as it deems appropriate, subject to applicable federal and state law.
3. In the event the County grants more than one Franchise or similar authorization for the construction, operation, or maintenance of any Cable System to a qualified Person in the County, the County shall grant the Franchises on terms that are non-discriminatory and competitively neutral, provided that nothing herein shall be construed as requiring the use of identical terms or conditions, in accordance with federal law.
4. A Franchise Agreement shall establish the term of each individual Franchise.
5. Federal, State, and County Jurisdiction
 - A. The County shall exercise appropriate regulatory authority under the provisions of this Ordinance, the Cable Act, and all applicable laws. This authority shall be vested in the County of Surry County Board and administered through the County Manager or his/her designee in order to provide day-to-day administration and enforcement of the provisions of this Ordinance and any Franchise granted hereunder, and to carry out the County's responsibilities with regard to Cable Service.
 - B. This Ordinance shall be construed in a manner consistent with all applicable federal and state laws.
 - C. In the event that the federal or state government discontinues preemption in any area of cable communications over which it currently exercises jurisdiction in such manner as to expand rather than limit municipal regulatory authority, Grantor may, if it so elects, adopt rules and regulations in these areas to the extent permitted by law, provided the same do not materially alter the rights and obligations of a Grantee under any existing Franchise.
 - D. Grantee's rights are subject to the police powers of the County to adopt and enforce ordinances necessary to the health, safety, and welfare of the public. Grantee shall comply with all applicable general laws and ordinances enacted by the County pursuant to that power.
 - E. The provisions of this Ordinance shall apply to all Franchises granted or renewed after the effective date of this Ordinance. This Ordinance shall also apply to all existing Franchises, to the extent not inconsistent with the terms of any such Franchise or applicable law. In the event of any conflict between the terms and conditions of a Franchise Agreement and the provisions of this Ordinance, and other generally applicable regulatory ordinances of the County, the

terms of this Ordinance shall control unless otherwise expressly set forth in the Franchise Agreement. A Franchise Agreement (including all of Grantee's particular rights, powers, protections, privileges, immunities and obligations associated therewith as the same exist on the date hereof) shall constitute a legally binding contract between the County and Grantee, and as such, cannot be amended, modified or changed by the County or Grantee without the consent of Grantee and Grantor in any manner whatsoever, whether by ordinance, rule, regulation or otherwise, to impose on Grantee more stringent or burdensome requirements or conditions; provided, however, that nothing herein contained shall preclude the County from the proper exercise of its police powers, or its powers of eminent domain.

F. In the event of a change in state or federal law which by its terms would require the County to amend this Ordinance, the parties shall modify the existing Franchise in a mutually agreed upon manner.

G. Grantee shall not be relieved of its obligation to comply with any of the provisions of this Ordinance or a Franchise Agreement by reason of any failure of the County to enforce prompt compliance.

6. Rights Reserved to Grantor

In addition to any rights specifically reserved to Grantor by this Ordinance or a Franchise Agreement, Grantor reserves to itself every right and power that is required to be reserved by a provision of any other ordinance or under any other Franchise.

7. Franchise Agreement

A. Every Grantee shall agree to the terms and provisions of a Franchise Agreement as negotiated between the Grantee and the Grantor.

B. In addition to those matters required elsewhere in this Ordinance to be included in the Franchise Agreement, each Franchise Agreement must contain the following express representations by each Grantee:

(1) Grantee has examined all of the provisions of this Ordinance and accepts and agrees to all of the provisions of this Ordinance, as it exists as of the effective date of the Grantee's Franchise Agreement.

(2) Grantee recognizes, unless otherwise agreed in the applicable Franchise Agreement, the right of the County to adopt such additional regulations of general applicability as it shall find necessary in the exercise of its police power.

C. Every Franchise Agreement shall contain such further conditions or provisions as may be negotiated between the County and a Grantee, except that no such conditions or provisions shall be such as to conflict with any provisions of state or federal law. In case of any conflict or of any ambiguity between any terms or provisions of a Franchise Agreement and this Ordinance, the provisions of the Ordinance shall control, unless expressly set forth in the Franchise Agreement.

8. Initial Franchise Applications

Any Person desiring an initial Franchise for a Cable System shall file an application with the County. An application for an initial Franchise for a Cable Television System shall contain, where applicable:

A. A statement as to the proposed Franchise Area;

B. Resume of prior history of applicant, including the legal, technical, and financial expertise of applicant in the cable television field;

C. List of the partners, general and limited, of the applicant, if a partnership, or a list of the principals of the applicant, if a limited liability company, or the percentage of stock owned or controlled by shareholders holding 10 percent or greater, if a corporation;

D. List of officers, directors, and managing employees of applicant, together with a description of the background of each such Person;

E. The names and addresses of any parent or subsidiary of applicant or any other business entity owning or in control of applicant, in whole or in part, or owned or controlled in whole or in part by applicant;

F. A current financial statement of applicant verified by a CPA audit or otherwise certified to be true, complete, and correct to the reasonable satisfaction of the County;

G. Proposed preliminary construction and Cable Service schedule; and

H. Any additional information that the County may require for the administration of the Franchise.

9. Consideration of Initial Applications

Upon receipt of any application and application fee for an initial Franchise, the County Administrator shall prepare a report and make his or her recommendations respecting such application to the Board.

Sec. 32-35. FRANCHISE RENEWAL

Franchise renewals shall be in accordance with applicable law including, but not limited to, the Cable Communications Policy Act of 1984, as amended. Grantor and a Grantee, by mutual consent, may enter into renewal negotiations at any time during the term of the Franchise.

Sec. 32-36 GRANT OF ADDITIONAL FRANCHISE

Competing or overlapping Franchises may have an adverse impact on the public Rights-of-Way and on the quality and availability of Services to the public. In considering whether to grant one or more additional Franchises, the County shall specifically consider, and address in a written report or in provisions of the Franchise Agreement, the following issues:

A. The positive and/or negative impact of an additional Franchise on the community.

B. The ability and willingness of the specific applicant in question to provide Cable Services to the Franchise Area.

C. The amount of time it will take the applicant to complete construction of the proposed System and activate Service in the Franchise Area; and, whether the applicant can complete construction and activation of its System in a timely manner.

D. The financial capabilities of the applicant and its guaranteed commitment to make the necessary investment to erect, maintain, and operate the proposed Cable System for the duration of the Franchise term. In order to ensure that any prospective Grantee does have the requisite current financial capabilities, the County may request equity and debt financing commitment letters, current audited financial statements, bonds, letters of credit, or other documentation to demonstrate to the County's satisfaction that the requisite funds to construct and operate the proposed System are available.

E. The quality and technical reliability of the proposed System, based upon the applicant's plan of construction and the method of distribution of signals, and the applicant's technical qualifications to construct and operate such System.

F. The experience of the applicant in the erection, maintenance, and operation of a Cable System.

G. The Capacity of the public Rights-Of-Way to accommodate one or more additional Cable Systems and the potential disruption of those public Rights-Of-Way and private property that may occur if one or more additional Franchises are granted.

H. The likelihood and ability of the applicant to continue to provide competing Cable Service to Subscribers within the Franchise Area for the duration of the Franchise.

I. Such other information as the County may deem appropriate to be considered prior to granting any competing or overlapping Franchise.

J. The purpose of this section is to ensure that any competition which may occur among Grantees will be on terms which when taken as a whole are non-discriminatory according to federal law.

Sec. 32-37. Permits for Non-Franchised Entities

A. The County may issue a license, easement, or other permit to a Person other than the Grantee to permit that Person to traverse any portion of the Grantee's Franchise Area within the County in order to provide Service outside, but not within the County. Such license or easement, absent a grant of a Franchise in accordance with this Ordinance, shall not authorize nor permit said Person to provide Cable Service to any Subscriber within the County nor render any other Service within the County. The granting of such license, easement or permit shall be conditioned upon the payment of fee for occupancy of the public Right Of Way to the extent permitted by applicable law.

B. Review for Competition. The County recognizes that the cable television and telecommunications industries are in a period of convergence, that the technologies and services provided by these industries are rapidly changing, and that the Telecommunications Act of 1996 promoted and encouraged competition between and among these formally discrete industries. At this time it is premature to know fully the extent to which there will be changes in law, technology or services that may impact entities that have been or may be granted Franchises or licenses to use the County's Rights-Of-Way. It is the desire of the County to be a communications friendly County that encourages the development of competitive advanced communications capabilities for the benefit of all its citizens. For this reason the regulatory ordinances and Franchises of the County should not impede or restrict the fair opportunity to compete, but rather are intended to provide uniform and consistent requirements for all similarly situated providers.

Sec. 32-38. APPLICATION AND RENEWAL FEES

A. An application fee shall not be deemed to be "Franchise Fees" within the meaning of Section 622 of the Cable Act (47 U.S.C. § 542), and such payments shall not be deemed to be (i) "payments in kind" or any involuntary payments chargeable against the compensation to be paid to the County by Grantee, or (ii) part of the compensation to be paid to the County by Grantee pursuant to this Ordinance or a Franchise Agreement.

B. All applicants for an initial Franchise shall submit an application fee of nine thousand five hundred dollars (\$9,500) to compensate the County for its costs in reviewing, preparing and awarding a Franchise. Consistent with the Cable Act, all such fees shall not constitute or be credited towards a Grantee's Franchise Fee obligation.

C. The County reserves the right, unless prohibited by applicable law, to require a Grantee to pay the incidental costs of the franchise renewal and negotiation process. Incidental costs include staff time, professional fees, and administrative costs as stated in the Franchise Agreement.

Sec. 32-39. DESIGN PROVISIONS

- A. Every Grantee shall offer Service that meets the current and future needs of the County, taking into account the costs of meeting those needs. The Franchise Agreement shall incorporate a description of the Grantee's application including the general design and capabilities of the System to identify for the County how the System will meet the current and future Cable Service needs of the County.
- B. State-of-the-Art Review. The Franchise Agreement shall include provisions to ensure Cable Service and Cable System compatibility with changes in law, technology, and programming and services to maintain a State-of-the-Art system throughout the Franchise term.
- C. The System. Every System shall pass by every single-family dwelling unit and multiple-family dwelling unit within the Franchise Area in accordance with line extension policies set forth in this Ordinance. Service shall be provided to Subscribers in accordance with the schedules and line extension. Unless specified otherwise, Service shall also be extended to commercial buildings on a consistent basis with the residential line extension policies.

Sec. 32-40. DROPS TO PUBLIC BUILDINGS

- A. Every Grantee shall provide installation of at least one (1) cable Drop, and provide monthly Basic Cable Service, without charge, to public buildings in accordance with the line extension policies of this Ordinance, or as otherwise specified in the applicable Franchise Agreement. Schools shall also receive one (1) cable Drop and Basic Cable Service at no charge. Following the County's designation of additional buildings(s) to receive Cable Service, and upon the County's request, a Grantee shall complete construction of the Drop and outlet within thirty (30) days.
- B. All such Cable Service outlets shall not be utilized for commercial purposes.
- C. In instances where the Drop to the public building exceeds 150 feet, the Grantee may charge for the actual and reasonable cost of its labor and materials.
- D. Every Grantee that offers two-way interactive broadband services to Subscribers within the County shall provide and install at no cost for the term of the franchise agreement cable modems at every School and to all public libraries, within the Franchise Area that are passed by the portions of the Grantee's Cable System that are capable of supporting such two-way services.

Sec. 32-41. USE OF GRANTEE FACILITIES

The County shall have the right to install and maintain County equipment, at the actual cost for the space, not including cost for existing space. Any use by the County will be negotiated in a separate agreement with the Grantee. Cost will be limited to any incremental cost for any wire or fixtures. This applies to the excess space upon the poles and within the underground pipes and conduits of a Grantee, any wires and fixtures desired by the County to the extent that such installation and maintenance does not interfere or compete with existing operations of a Grantee. County will relinquish its use of such poles and conduits upon ninety (90) days' notice from a Grantee that County's use interferes with Company's actual or anticipated use of the same.

Sec. 32-42 UPGRADE OF SYSTEM

Every Grantee shall upgrade its System (herein referred to as the "System Upgrade"), if required, as set forth in its respective Franchise Agreement.

Sec. 32-43 NON-DISCRIMINATORY ACCESS TO CABLE SYSTEM

Grantee may be required to allow non-discriminatory access to its Cable System if such shall be required by federal law. Prior to the enactment of any such requirement, a Grantee shall be provided with reasonable notice and an opportunity to be heard, including the right to present evidence with respect to the need for such a requirement. Grantee reserves, and has not waived, any right it may have, or may later be determined to have, to challenge the County's implementation of an open access requirement.

Sec. 32-44 INSTITUTIONAL NETWORKS, AND PUBLIC EDUCATIONAL AND GOVERNMENTAL ("PEG") ACCESS

A. Every Grantee shall, to the extent required by federal Statutes provide institutional to the extent that a Grantee is obligated to provide such support pursuant to its Franchise Agreement. Such may be supported pursuant to a separate contract arrangement if so agreed upon in the Franchise Agreement.

B. Every Grantee shall provide a channel or channels, bandwidth Capacity, Service, and funding for separate Public, Educational, and Government ("PEG") Access Channels, as specified in its Franchise Agreement. All such PEG Access Channels shall be available to all Subscribers as part of Basic Cable Service.

C. Oversight and administration of the PEG Access Channels shall be set forth in the Franchise Agreement. The County may designate a Community Access Corporation or similar entity to administer one or more of the Access Channels.

D. Cost associated with construction and operation of the I-Net shall not be a considered a franchise fee unless specified in the franchise agreement.

TECHNICAL STANDARDS**Sec. 32-45. GENERAL TECHNICAL STANDARDS**

A. This Ordinance incorporates technical standards and establishes customer service practices with which a Grantee must comply. In addition, a Grantee shall comply with any additional or stricter requirements established by FCC regulations, or other federal regulation that may be adopted or amended from time to time.

B. A Grantee shall maintain such equipment and keep such records as are required to enable the Grantor to determine whether the Grantee is in compliance with all standards required by these regulations and other applicable laws.

Sec. 32-46. BOOKS AND RECORDS AVAILABLE TO THE GRANTOR

A. The Grantee shall maintain an office conveniently located to serve the Surry subscribers. The County shall have the right, upon Reasonable Notice, to inspect and copy or transcribe at any time during normal business hours, all books, records, maps, plans, financial records, performance test results and other like materials of the Grantee kept or maintained by Grantee or under its control, maintained in the ordinary course of business, concerning the operations, finances, affairs, transactions or property of Grantee when necessary to ascertain the Grantee's compliance with the material terms of this Ordinance or the Franchise Agreement. Access to the aforementioned records shall not be denied by the Grantee on the basis that said records contain "proprietary" information. Access to proprietary information shall be treated as confidential and not subject to public disclosure.

B. If any of such maps or records is not kept in the County, or upon Reasonable Notice made available in the County, and if the County shall determine that an examination of such records is necessary or appropriate, all reasonable expenses necessarily incurred in making such examination shall be paid by Grantee. Maps may be provided in a form mutually agreed upon by the Grantee and the County necessary for the County to insure compliance with this Ordinance or the Franchise Agreement.

C. Reports Required

The Grantee shall file with the County, upon reasonable request:

(1) Regulatory Communications. All reports required by the Federal Communications Commission (FCC) including, but not limited to annual proof of performance tests and results, Equal Employment Opportunity (EEO) reports, and all petitions, applications and communications of all types submitted by Grantee to the FCC, the Security and Exchange Commission (SEC), or any other federal or state regulatory commission or agency, having jurisdiction over any matter affecting operation of Grantee's System.

(2) Facilities Report. An annual report setting forth the physical miles of plant construction and plant in operation at the end of the fiscal year will be made available at the local office of the Grantee for review by the County.

(3) Rebuild/Upgrade/Construction Reports. Such reports shall be sent to the County thirty (30) days after the initial Franchise Agreement is awarded and monthly thereafter until construction is completed as specified in this Ordinance or the Franchise Agreement.

(4) Proof of Performance Tests. Proof of performance test results performed as required by the FCC shall be supplied to the County.

(5) Test Required by County. Tests required by County as specified in this Ordinance shall be submitted within thirty (30) days of notification.

(6) Grantee Rules. The Grantee's schedule of charges, regular Subscriber service policy regarding the processing of Subscriber complaints, delinquent Subscriber disconnect and reconnect procedures and any other terms and conditions adopted as the Grantee's policy in connection with its Subscribers shall be in accordance with applicable state and federal laws, rules or regulations.

(7) Proof of Bonds and Insurance. Grantee shall submit to the County the required performance bond, or a certified copy thereof, and insurance certificates as required under the terms and conditions described in this Ordinance.

(8) Financial and Ownership Reports. The following financial reports for the Franchise area shall be submitted to the County, upon reasonable notice and as required by the County:

(a) A statement verifying the amount of Gross Annual Revenues derived from the Franchise, certified by the Vice President for Finance or a duly authorized officer or manager of the Grantee.

(b) An annual list of officers and members of the Board of Directors of Grantee and of Grantee's parent corporation, if applicable.

(9) Additional Reports. The Grantee shall prepare and furnish to the County at the times and in the form prescribed, such additional reports with respect to its operation, affairs, transactions or property, as may be reasonably necessary and appropriate to ascertain Grantee's compliance with this Ordinance or the Franchise Agreement.

Sec. 32-47

TECHNICAL STANDARDS COMPLIANCE

The technical standards used in the operation of a System shall comply, at a minimum, with the technical standards promulgated by the FCC relating to Cable Systems pursuant to the FCC's rules and

regulations found in Title 47, Sections 76.601 to 76.617, as may be amended or modified from time to time, which regulations are expressly incorporated herein by reference. The results of any tests required by the FCC, or a Franchise Agreement shall be made available to the County within thirty (30) days of written request.

Sec. 32-48 TEST AND COMPLIANCE PROCEDURE

A. Tests for a System shall be performed periodically in a manner so as to conform to FCC specifications. The County shall notify the Grantee of its desire to witness such tests for a period of 90 days beyond the date of request. Grantee shall notify the County at least 5 business days prior to conducting such tests. Representatives of the County may witness the tests and written test reports shall be made available to the County upon request. If any test locations fail to meet such specifications, the Grantee shall be required to indicate what corrective measures have been or will be taken. Grantee shall have the site re-tested on a timely basis as needed.

B. Complaints. Whenever there have been similar Complaints made or when there exists other evidence, which, in the reasonable judgment of the County, casts doubt on the reliability or quality of the Grantee's System, the County shall have the right and authority to compel the Grantee to test, analyze, and report on the performance of its System. The County may require additional tests, full or partial repeat tests, different test procedures, or tests involving a specific Subscriber's terminal. Reports on such tests shall be delivered to the County no later than thirty (30) days after the County formally requests the tests and shall include the following information: the nature of the complaints which precipitated the special tests; what System component was tested; the equipment used, and procedures employed in said testing; the results of such tests; and methods by which said complaints were resolved. Said tests and analyses shall be supervised by an engineer or other trained technical specialist who shall sign all records of the special tests and forward same to the County with a report interpreting the results of the tests and recommending what actions should be taken by the County. All such tests conducted by Grantee shall be at the expense of the Grantee.

C. Consultants. The County shall have the right to employ or contract with an independent qualified consultants and attorneys if necessary or desirable, to assist in the administration of this, or any other section of this Ordinance or the Franchise Agreement. If test results differ by more than ten (10) percent from the FCC technical standard, the Grantee shall reimburse the County for its reasonable costs associated with the testing.

Sec. 32-49. EMERGENCY REQUIREMENTS

Each Grantee must provide emergency alert override capabilities in a manner consistent with the FCC's emergency alert system ("EAS") rules and consistent with any state and/or regional emergency alert system plans adopted in response to the FCC's EAS rules that are applicable to the Franchise Area.

Sec. 32-50. PROGRAMMING DECISIONS

Each Grantee shall provide programming from each of the broad programming categories identified in its Franchise Agreement. All programming decisions remain within the sole discretion of each Grantee provided that each Grantee complies with federal law regarding notice to Grantor and Subscribers prior to any Channel additions, deletions, or realignments, and further subject to the Grantee's signal carriage obligations pursuant to 47 U.S.C. §§ 531-

536, as may be amended and subject to the County's rights pursuant to 47 U.S.C. § 545, as may be amended. The Grantee shall use its good faith efforts to ensure diversity of programming.

Sec. 32-51. PARENTAL CONTROL

Every Grantee shall make available to any Subscriber upon request a "lockout" device for blocking both video and audio portions of any Channel(s) of programming entering the Subscriber's premises. Such device shall be provided at a reasonable charge, except to the extent that federal law specifically provides otherwise. The Grantee may, however, require a reasonable security deposit for the use of such a device. This section shall not apply to channels that are on the basic or expanded basic tier of programming unless the Subscriber receives Service via a programmable terminal device, such as a converter.

Sec. 32-52. PERIODIC SUBSCRIBER SURVEY

The Franchise Agreement shall provide terms for a periodic Subscriber survey to assess the Cable Service needs and interests of the community throughout the term of the Franchise as well as procedures for review and implementation of changes identified through any such survey.

Sec. 32-53. INSTALLATIONS EXCEEDING STANDARD INSTALLATION

Service drops in excess of 150 feet and concealed wiring in the home shall be charged to the subscriber based upon time and material. The desire of the Subscriber as to the point of entry into the residence shall be observed whenever possible. Runs in building interiors shall be as unobtrusive as possible. The Grantee shall use due care in the process of installation and shall repair any damage to the Subscriber's property caused by said installation. Such restoration shall be undertaken within no more than ten (10) days after the damage is incurred and shall be completed as soon as possible thereafter.

Sec. 32-54 SERVICE AREA AND LINE EXTENSION POLICY

A. No Grantee may discriminate in the build-out of its System to a particular area of the County in providing Service to an individual or groups of Residents on the basis of race, creed, religion or economic condition. Unless the Franchise Agreement provides otherwise, every Grantee shall serve all areas of the County equally. Grantee shall serve annexed areas with populations of at least fifteen (15) residential dwelling units per cable mile as measured from a Grantee's existing distribution system. The Franchise Agreement shall provide a schedule of the areas to be served, and the specific build-out requirements of the Grantee, and shall also describe the process for extending Service to areas that will meet minimum density requirements at some future date. Unless the Franchise Agreement provides otherwise, every Grantee shall extend Service to commercial areas at no additional costs where the costs to do so does not exceed the same costs of providing service in a residential area.

B. During the initial construction phase of a new System, a Grantee may implement its System in stages pursuant to a schedule and line extension policy established in its Franchise Agreement that serves all areas of the County equally, provided that any deviation from the service and line extension requirements of this Ordinance do not discriminate between different areas of the County on the basis of race, creed, religion or economic condition. A Grantee of any such new Franchise shall comply with all customer

service obligations with respect to customers whose premises are passed by portions of the Grantee's network which are fully activated, tested and available for Service.

C. Cost-sharing. In annexed areas with less than fifteen (15) homes per proposed cable mile, Grantee shall offer a cost-sharing arrangement to Residents. Grantee shall bear its pro rata share of the current construction costs based upon the actual number of homes per mile. The cost-sharing arrangement shall consist of the following: On the request of a Subscriber desiring Service, Grantee shall prepare, at its cost, an engineering survey and cost analysis to determine the cost of the plant extension required to provide Service to the Subscriber from the closest usable point on the Cable System. The cost of construction shall be allocated based on the following formula: If a request for extension into a residential area requires the construction of cable plant which does not pass at least fifteen (15) homes per Cable mile, a proportionate share of construction costs shall be borne by Grantee and by the subscribers. For example, if there are ten (10) dwelling units per mile, Grantee's share will equal 10/15th of the construction cost. The remaining cost will be shared equally by each subscriber in the area to be constructed. The line extension formula shall also be applied to a portion of a Cable mile meeting proportionate density requirements. For example, if there are seven (7) dwelling units per one-half mile, the Grantee shall construct the plant. The cost sharing described above would be utilized if there were less than the proportionate share of dwelling units per the portion of a mile needed to reach the dwelling units. Should additional Subscribers' request Cable Service, Subscribers utilizing the cost-sharing plan for extension shall be reimbursed pro-rata for their contribution or a proportional share thereof. In such case, the pro-rata shares shall be recalculated and each new subscriber shall pay the new pro-rata share, and all prior subscribers shall receive refunds. In any event, at the end of twenty-four (24) months from completion of the project, the Subscribers are no longer eligible for refunds, and the amounts paid by Subscribers will be credited to the plant account of the Grantee. The average cost of the line extension shall be recalculated annually based upon the current costs of labor and material. Each Person contributing toward the direct cost of the line extension shall waive all ownership interest in the line extension. All equipment and components of the line extension, including, but not limited to, cable wire, electronics and pedestals shall at all times remain the exclusive property of the Grantee.

Sec. 32-55. COUNTY MONITORING

In addition to free Cable Service required by the Ordinance, Grantee shall provide one Service feed to County Administration Offices (unless otherwise specified by County) that shall receive without charge all basic and expanded basic Cable programming provided by Grantee. Such Service shall be provided in such a manner that the County may monitor the programming and use of the Cable System for compliance with the Franchise Agreement and this Ordinance. The Services provided pursuant to this requirement shall be in a secure office location, and not in a location open to public viewing.

Sec. 32-56. ACCESS TO INSIDE WIRING

Access to, and ownership of, inside wiring shall be in accordance with Section 76.800, ET. Seq. of the FCC rules and regulations as the same may be amended from time to time.

CONSTRUCTION STANDARDS

Sec. 32-57

RIGHT-OF-WAY CONSTRUCTION

A. Prior to commencing any construction in the County, a Grantee must obtain all necessary permits and licenses required by federal, state and generally applicable County laws, ordinances and rules, and pay all associated non-discriminatory fees. Further, a Grantee shall comply with all applicable laws, ordinances, rules, and standards relating to the construction, operation and maintenance of a Cable System.

B. Compliance with Laws. The construction, installation, and maintenance of the Cable System shall be effectuated by Grantee in a manner that is consistent with the laws, ordinances and construction standards of the State of North Carolina, the Occupational Safety and Health Administration, the National Electrical Safety Code, National Electrical Code and the FCC, to the extent applicable, as well as all other laws, rules, regulations and ordinances that are generally applicable and promulgated pursuant to the County's lawful police power. All open connections on splitters, couplers and other devices shall be properly terminated.

C. Minimum Interference. All of Grantee's construction, installation, operation, repair and maintenance, and the arrangement of its lines, cables and other appurtenances, on public or private property, shall be conducted in such a manner as to not unreasonably interfere with the rights and reasonable convenience of property owners that may be affected. In the event such work is not in accordance with applicable rules and regulations, the County may require the removal, within such period of time after notice as is reasonable under the circumstances, of Grantee's lines, cables and appurtenances from the Public Rights-of-Way in question, at the sole expense of the Grantee.

D. Repair of Property. Grantee shall promptly repair and restore any County or private property which may be damaged as a result of the construction, installation, operation, repair, maintenance or removal of the Cable System. Any such property damaged or destroyed shall be promptly repaired and restored by Grantee, at Grantee's sole cost and expense to the reasonable satisfaction of the County, to its condition prior to being damaged, or shall be replaced by Grantee with equivalent property. The County may inspect and approve the condition of the Public Right-of-Ways and cables, wires, attachments, and poles after restoration. The liability, indemnity, insurance and performance bond as provided herein shall continue in full force and effect during the period of any removal and until the Grantee has fully complied with the terms and conditions of this Ordinance and the Franchise Agreement. In the event of a failure by the Grantee to complete any restoration work required by the County within the time as may be established by the County and to the reasonable satisfaction of the County, the County may, following reasonable notice to the Grantee, cause such work to be done and the Grantee shall reimburse the County the cost thereof within thirty (30) days after receipt of an itemized list of such cost, or the County may at its option recover such costs through the performance bond provided by Grantee. The County shall be permitted to seek legal and equitable relief to enforce the provisions of this Section.

E. Erection of Poles. Grantee shall not erect any pole on or along any Public Rights-of-Way in an existing aerial utility system without the advance written approval of the County. If additional poles in an existing aerial route are required, Grantee shall negotiate, as needed, with the owners thereof for the installation

of the needed poles. Grantee shall negotiate the lease of pole space and facilities from the existing pole owners for all aerial construction, under mutually acceptable terms and conditions.

F. Reservations of Street Rights. Nothing in this Ordinance shall be construed to prevent the County from constructing storm or sanitary sewers, grading, paving, repairing or altering any public Rights-of-Way, or laying down, repairing or removing water mains, traffic signal control systems, County fiber plant, or constructing or establishing any public utility, Service or other public work that the County may operate or undertake now or in the future. All such work shall be done, insofar as practicable, in such manner as not to obstruct, injure or prevent the free use and operation of poles, wires, conduits, conductors, pipes or appurtenances of Grantee. If County in its reasonable judgment shall determine that Grantee's facilities interfere with the construction location or repair of any public Right-of-Way or public improvement, then all such facilities of Grantee shall be removed or replaced, or temporarily disconnected, in such manner as shall be directed by the County so that the same shall not interfere with the public works of the County. Such removal or replacement shall be at the expense of Grantee; provided, however, that nothing in this Ordinance shall preclude Grantee from seeking reimbursement for removal or replacement costs from any public funds generally available to Rights-of-Way users for the reimbursement of such costs.

G. Underground Installation. In those areas within the County where Cable Television, telephone, or electrical facilities are currently placed underground, all Cable System facilities shall remain or be placed underground. In areas where either telephone or electric utility facilities are above ground at the time of installation, Grantee may install its Cable System facilities above ground, provided that at such time as both electric and telephone utility facilities are placed underground, Grantee shall likewise place its Cable System facilities underground without cost to the County. Nothing contained in this Section shall require a Grantee to construct, operate and maintain underground any ground-mounted appurtenances, except that Grantee shall take steps to minimize the number and visual impact of such facilities. If the Grantor reimburses any utility for such relocation, Grantee shall be similarly reimbursed. This section shall not prevent the County or any of its agencies or joint agencies from requiring the installation or relocation of Cable Services facilities underground pursuant to a separate ordinance or regulation or requirement imposed in accordance with the exercise of the general police power or regulatory function of such agency or joint agency.

H. Conduit

(1) The County shall not be responsible for any cuts or damage to buried or underground facilities of a Grantee that are not clearly marked or cannot be located through the North Carolina "one-call" service.

(2) Grantee shall provide the County detailed strand and trench maps in both paper and a mutually agreed upon electronic format of all new underground and buried cable facilities upon activation of such sections of the System, as may be necessary to insure compliance with this Ordinance or a Franchise Agreement. Should the Grantee consider this information of a proprietary nature, the maps may be viewed at the Grantee's facility.

(3) Grantee shall provide a contact number for the County to call in emergency situations requiring an immediate response on the part of the County. If the Grantee does not properly and effectively identify the precise location of its facilities within

forty-five minutes of an emergency call from the County, the County shall not be responsible for damage to the Grantee's facilities.

I. Clearing Poles and Cables. Grantee shall have the right to remove, trim, cut and to keep clear of its poles, cables, underground conduits and related equipment the trees, shrubs and woody plants in and along the public Rights-of-Way, but, in the exercise of such right, Grantee shall not cut such trees, shrubs and woody plants to any greater extent that is reasonably necessary for the construction, erection, installation, maintenance and use of Cable System equipment. Except in emergency situations, all tree, shrub and woody plant pruning shall be carried out under the supervision of the County Arborist and shall be governed in accordance with pruning guidelines of the American National Standard Institute and National Electric Code. The Grantee shall compensate the County or any private owners of such trees, shrubs and woody plants for any damage caused by Grantee's negligent conduct.

J. Moving Facilities. Grantee, on the request of the County, or any Person holding a building permit issued by the County, or any permit issued by an appropriate state agency, shall temporarily move its wires, cables, poles or other Cable System facilities to permit the moving of large objects, vehicles, buildings or other structures. The expense of such temporary moves shall be paid to Grantee by the Person requesting the same and Grantee shall have the authority to require such payment in advance. Grantee shall be given not less than thirty (30) days advance notice to arrange for such temporary moves.

K. Work Performed by Others. To the extent applicable, all provisions of this Ordinance shall apply to any subcontractors or others performing any work or services pursuant to the provisions of a Franchise Agreement on behalf of a Grantee.

J. Nothing contained in this Ordinance shall relieve any Person from liability arising out of the failure to exercise reasonable care to avoid injuring Grantee's facilities while performing any work connected with grading, re-grading or changing the line of any Public Rights-of-Way or with the construction of any sewer or water system or utility system.

GENERAL FINANCIAL AND INSURANCE PROVISIONS

Sec. 32-58

FRANCHISE FEE

A. The administration of this Ordinance or the Franchise Agreement imposes upon the County additional regulatory responsibility and expense and in consideration for permission to use the Public Rights-of-Way of the County for the construction, operation and maintenance, of a Cable System within the County, a Grantee of any Franchise hereunder shall pay to the County a Franchise Fee in an amount as designated in the Franchise Agreement, up to the maximum amount allowed by applicable law. To the extent that applicable law changes the maximum authorized Franchise Fee, the County reserves the right to change the Franchise Fee as stated in the Franchise Agreement, by adopting an ordinance establishing the new Franchise Fee rate and allowing reasonable notice to the Grantee for administration of the change. The County shall hold a public hearing prior to adopting any change in the Franchise Fee.

B. Payments due Grantor under this section shall be computed quarterly, for the preceding quarter. Each quarterly payment shall be due and payable no later than forty-five (45) days after the end of the preceding quarter. Each payment shall be accompanied by a

brief report by a Grantee showing the basis for the computation and a "Franchise Fee Worksheet" listing all of the sources of revenues attributable to the operation of Grantee's System in the County. All such payments shall be certified as correct by an officer of the Grantee.

C. No acceptance of any payment shall be construed as an accord that the amount paid is in fact the correct amount, nor shall such acceptance of payment be construed as a release of any claim Grantor may have for further sums payable under the provisions of this Ordinance or a Franchise Agreement. All amounts paid shall be subject to audit and re-computation by Grantor or its designee at any time during any calendar year (but not more than once per calendar year) upon twenty (20) calendar day's notice, which shall include a request for any documents sought to be reviewed. Audits shall be at the expense of the Grantee if the additional amount due is greater than two percent (2%) of the amount paid. Any additional amount due to the County as a result of the audit shall be paid within sixty (60) days following written notice to the Grantee by the County which notice shall include a copy of the audit report. Grantor's right to audit and Grantee's obligation to retain records related to the Franchise Fee audit, shall expire three (3) years from the date on which the most recent franchise fee payment by the Grantee was due from the time of written notice.

D. In the event that any Franchise payment or recomputed amount is not made on or before the dates specified herein, Grantee shall pay as additional compensation an interest charge, computed from such due date, at the annual rate equal to the commercial prime interest rate of the County's primary depository bank during the period that such unpaid amount is owed.

Sec. 32-59. PERFORMANCE BOND.

Each Grantee shall maintain a Performance Bond with the County to ensure compliance with this Ordinance and the applicable Franchise Agreement, in an amount and in a manner as set forth in the Grantee's Franchise Agreement.

Sec. 32-60. PENALTIES PROCEDURE

A. Whenever Grantor has reason to believe that a Grantee has violated any material provision of a Franchise Agreement or this Ordinance, Grantor shall first notify the Grantee of the alleged material violation and demand correction within a reasonable time, which shall not be less than twenty (20) days in the case of the failure of a Grantee to pay any sum or other amount due the Grantor under a Franchise Agreement, and forty-five days (45) in all other cases. If a Grantee fails to correct the alleged violation within forty-five (45) days, or if a Grantee is unable to correct the alleged violation and fails to commence corrective action within the time prescribed and to diligently remedy such violation thereafter, the Grantee shall then be given written notice of not less than forty-five (45) days for public comment. Said notice shall indicate with reasonable specificity the violation alleged to have occurred.

B. At the public hearing, the Board shall hear and consider all relevant evidence and thereafter render findings and a decision based upon the evidence. Any such hearing must, at a minimum, provide the Grantee a full and fair opportunity to be heard by the Board.

C. In the event the Board finds that a Grantee has corrected the violation or promptly commenced correction of such violation after notice thereof from Grantor and is diligently proceeding to fully remedy the violation, or that no violation has occurred, the

proceedings shall terminate and no penalty or other sanction shall be imposed.

D. In the event the Board finds that a violation exists and that a Grantee has not corrected the same in a satisfactory manner or did not promptly commence and diligently proceed to correct the violation, the Board may impose liquidated damages to be collected from the Performance Bond, as set out in the Franchise Agreement.

E. If the Board elects to assess liquidated damages, then such election shall constitute Grantor's exclusive remedy for a period of sixty (60) days. Thereafter, if a Grantee remains in non-compliance, the Grantor may pursue any other available remedy.

F. In the event that a Franchise is cancelled or terminated by reason of the default of a Grantee, the Performance Bond deposited pursuant to a Franchise Agreement shall remain in effect and available to the Grantor until all pending claims or penalties are resolved or settled, after which point any remaining amounts in the Performance Bond shall revert to the Grantee.

G. The rights reserved to Grantor with respect to the security fund are in addition to all other rights of Grantor, whether reserved by a Franchise Agreement, this Ordinance, or authorized by law, and no action, proceeding, or exercise of a right with respect to such Performance Bond shall affect any other right Grantor may have.

In instances of repeated violations, whether remedied or not, the Grantor shall serve special notice outlining additional remediation requirements. Failure to cure, as measured by repeated instances of the same violation, is evidence of an evasive practice and may lead to revocation.

I. Grantee acknowledges that non-compliance with the provisions of the Franchise Agreement and this Ordinance will harm Subscribers and the County and the amounts of actual damages will be difficult or impossible to ascertain. The County may therefore assess the following liquidated damages against Grantee for unexcused non-compliance with the requirements of the Franchise Agreement and Master Ordinance. Grantee acknowledges that the liquidated damages set forth below are a reasonable approximation of actual damages and that this provision is intended to provide compensation and is not a penalty. All damages provided shall be cumulative, unless expressly stated.

1. For failure to materially complete construction or extend service in accordance with the Ordinance and the Franchise Agreement: \$50/ calendar day for each day the violation continues;

2. For failure to materially comply with requirements for Access channels: \$50 calendar day for each day the violation continues;

3. For failure to comply with the material requirements of the I-Net provisions of the Ordinance/Franchise Agreement: \$50/ calendar day for each day the violation continues;

4. For repeated, willful or continuing failure to submit reports, maintain records, provide documents or information: \$50/ calendar day for each day the violation continues;

5. For failure to comply with the material requirements of the Customer Service Standards: \$250/ calendar day for each day the violation continues;

6. For failure to comply with the transfer provisions: \$50/ calendar day for each day the violation continues;

7. For violation of other material provisions of the Ordinance and the Franchise Agreement: up to \$50/ day for each day the violation continues.

J. For the purposes of calculating the amount of liquidated damages, time periods shall be tolled for such time as Grantee is found to be diligently working to remedy such violation.

Each Grantee shall maintain bonds and insurance with the County in amounts and in a manner as set forth in the Grantee's Franchise Agreement. Each Grantee also shall be required to indemnify the County in a manner as set forth in the Grantee's Franchise Agreement.

REVOCATION

Sec. 32-62. GROUND FOR REVOCATION

A. Grantor reserves the right to revoke the Franchise, and all rights and privileges pertaining thereto, in the event that:

- (1) A Grantee substantially violates any material provision of this Ordinance or a Franchise Agreement;
- (2) A Grantee attempts to evade any of the material provisions of this Ordinance or a Franchise Agreement;
- (3) Grantee practices an act of fraud or deceit upon the Grantor;
- (4) A Grantee becomes insolvent, unable or unwilling to pay its debts, or is adjudged bankrupt;
- (5) A Grantee fails to provide or maintain in full force and effect the liability and indemnification coverage or the performance bond as required pursuant to its Franchise; or
- (6) A Grantee violates any orders or rulings of any regulatory body having jurisdiction over the Grantee relative to this Ordinance or the Franchise and after notice thereof, shall continue the violation and not remedy the same within sixty (60) days.

Sec. 32-63. PROCEDURE FOR REVOCATION

- A. Whenever Grantor has reason to believe that there may be grounds for revocation of a Franchise, Grantor shall first notify the Grantee in writing of its basis for believing grounds for revocation exist. Such notice shall indicate with reasonable specificity the grounds for revocation that are believed to exist so that the Grantee may have a reasonable opportunity to cure or otherwise address the same. If a Grantee fails to adequately cure or address the purported grounds for revocation within thirty (30) days of such notice, then the Grantor may, upon thirty (30) days written notice to the Grantee, commence a public administrative hearing to determine whether there exists any ground for revocation.
- B. The administrative hearing shall be conducted so as to protect the full due process rights of the parties and provide for, at a minimum, the right to have counsel, the right to call and cross examine witnesses, and the right to a full transcript of the proceedings.
- C. After the close of the hearing, Grantor or the designated hearing officer shall issue a written decision based on the record of the proceedings, stating with specificity the findings and reasons supporting the decision.
- D. Upon revocation, a Grantee shall have a period of one hundred and twenty (120) days subsequent to the date of the formal adoption of a revocation of the Franchise by the County within which to file an appeal with a court of competent jurisdiction. During the appeal period, the Franchise shall remain in full force and effect.

FORECLOSURE AND RECEIVERSHIP

Sec. 32-64. FORECLOSURE

Upon the foreclosure or other judicial sale of all or a part of a System, a Grantee shall notify Grantor of such fact and such notification shall be treated as a notification that a change in Control of the Grantee has taken place, and the provisions of this Ordinance governing the consent to transfer or change in ownership shall apply without regard to how such transfer or change in ownership occurred.

Sec. 32-65. RECEIVERSHIP

Apart from and supplemental to the right to revoke a Franchise, Grantor shall have the right to cancel a Franchise Agreement one hundred twenty (120) days after the appointment of a receiver or trustee to take over and conduct the business of a Grantee, whether in receivership, reorganization, bankruptcy, or other action or proceeding, unless such receivership or trusteeship shall have been vacated prior to the expiration of said one hundred twenty (120) days, or unless: Within one hundred twenty (120) days after its election or appointment, the receiver or trustee has fully complied with all the provisions of Grantee's Franchise Agreement and this Ordinance and remedied all defaults thereunder; and Such receiver or trustee, within said one hundred twenty (120) days, has executed an agreement, duly approved by a court having jurisdiction, whereby such receiver or trustee assumes and agrees to be bound by each and every provision of this Ordinance and the applicable Franchise Agreement.

PURCHASE OF SYSTEM

Sec. 32-66. PURCHASE BY GRANTOR

Upon Termination of Franchise Term or Revocation of Franchise the Grantor may, in accordance with and to the extent permitted by 47 U.S.C. § 547, upon the payment of a fair valuation, purchase, condemn, acquire, take over, and hold the property and plant of a Grantee, in whole or in part, on the following conditions:

- A. Upon revocation of a Franchise, a fair valuation shall be an equitable value that shall not include any sum attributable to the value of the Franchise itself, and plant and property shall be valued according to its book value at the time of revocation, or the System's initial cost less depreciation and salvage.
- B. At the expiration of a Franchise Agreement and following a denial of renewal of the Franchise Agreement, a fair valuation shall be the fair market value of the plant and property, exclusive of the value attributed to the Franchise itself.
- C. In the event Grantor shall acquire a Franchise pursuant to the provisions of this Ordinance or a Franchise Agreement, and commence operation of the System, Grantor shall reimburse the Grantee for the Fair Market Value of the System.

Sec. 32-67. SALE OR TRANSFER

A. No Grantee shall sell, transfer, lease, assign, sublet, or dispose of, in whole or in part, an interest in or Control of a Franchise or Cable System or any of the rights or privileges granted by a Franchise Agreement, without the prior consent of the Grantor, which consent shall not be unreasonably denied or delayed and may be denied only upon a good faith finding by the Grantor that the proposed transferee lacks the legal, technical, or financial qualifications to consummate the transaction and operate the System so as to perform its obligations under this Ordinance and the applicable Franchise Agreement. This section shall not apply to sales of property or equipment in the normal course of business.

Consent from the Grantor shall not be required for a transfer in trust, mortgage, or other instrument of hypothecation, in whole or in part, to secure indebtedness, or for a transfer to a corporation, partnership, or other entity controlling, controlled by, or under common Control with a Grantee.

B. The following additional events shall be deemed to be a sale, assignment, or other transfer of an interest in or Control of a Grantee or its Franchise or Cable System requiring compliance with this section: (i) the sale, assignment, or other transfer of all or a majority of a Grantee's assets; (ii) the sale, assignment, or other transfer of capital stock or partnership, membership, or other equity interests in a Grantee by one or more of its existing shareholders, partners, members, or other equity owners so as to create a new controlling interest in a Grantee; (iii) the issuance of additional capital stock or partnership, membership or other equity interest by a Grantee so as to create a new controlling interest in a Grantee; and (iv) a Grantee's agreement to transfer management or operation of the Grantee or the System. The term "controlling interest" as used herein is not limited to major stockholders but includes actual working control in whatever manner exercised.

C. In the case of any sale or transfer of ownership of an interest in or Control of a Grantee or its Franchise or Cable System, the County shall have one hundred twenty (120) days to act upon any request for approval of such sale or transfer that contains or is accompanied by such information as is required in accordance with FCC Regulations and the requirements of this Ordinance and the applicable Franchise Agreement, including information related to the legal, technical and financial qualifications, and the proposed transferee's ability to operate the System in accord with this Ordinance and the Franchise Agreement. Failure to provide all information reasonably requested by the County as part of its review may be grounds for a denial of the proposed transfer. If the County fails to render a final decision on the request within one hundred twenty (120) days after receipt by the County of all required information, such request shall be deemed granted unless the Grantee and the County agree to an extension of the one hundred twenty (120) day period.

D. The consent or approval of the County to any transfer of the Grantee shall not constitute a waiver or release of the rights of the County in and to the Public Rights-of-Way, and any transfer shall, by its terms, be expressly subject to the terms and conditions of this Ordinance and the Franchise Agreement.

E. In the absence of extraordinary circumstances, the County will not approve any transfer or assignment of the Franchise prior to completion of construction of the proposed initial System. Any approval by the County of a transfer shall be contingent upon the prospective new Grantee becoming a signatory to the Franchise Agreement.

RIGHTS OF INDIVIDUALS PROTECTED

Sec. 32-68.

DISCRIMINATORY PRACTICES PROHIBITED

No Grantee shall deny Service, deny access, or otherwise discriminate against Subscribers, programmers, or general citizens on the basis of race, color, religion, national origin, sex, disability, or age. Every Grantee shall strictly adhere to the equal employment opportunity requirements of state and federal law. Each Grantee shall comply at all times with all other applicable federal, state, and local laws, and all executive and administrative orders relating to non-discrimination.

Sec. 32-69. SUBSCRIBER PRIVACY

Grantees shall at all times comply with the federal subscriber privacy requirements codified at 47 U.S.C. § 551.

MISCELLANEOUS PROVISIONS

Sec. 32-70. RATE REGULATION

The County reserves the right to regulate rates for all Services offered over the Cable System, to the extent permitted by federal or state law. Grantee shall be subject to the rate regulation provisions provided for herein, and those of the Federal Communications Commission (FCC) at 47 C.F.R., Part 76.900, Subpart N. The County shall follow the rules relating to cable rate regulation promulgated by the FCC at 47 C.F.R., Part 76.900, Subpart N. To the extent required by applicable federal or state law, Grantee shall establish rates that are nondiscriminatory within the same general class of Subscribers and which must be applied fairly and uniformly to all Subscribers in the Franchise area for all Services. Nothing contained herein shall prohibit the Grantee from offering (i) discounts to commercial and multiple family dwelling Subscribers billed on a bulk basis; (ii) promotional discounts; (iii) reduced installation rates for Subscribers who have multiple services; or (iv) discounts for senior citizens and/or low income residents; or (v) reduced rates to Subscribers who receive non-Cable Services in addition to Cable Services.

Sec. 32-71. RIGHTS RESERVED TO GRANTOR

A. Upon either the expiration or revocation of a Franchise, Grantor may permit and/or require a Grantee to continue to operate the Cable System for an extended period of time not to exceed three (3) months from the date of such expiration or revocation. A Grantee shall continue to operate the System under the terms and conditions of this Ordinance and the applicable Franchise Agreement and to provide Cable Service and any and all other Services which Grantee had been providing.

B. The Grantor shall have the right to compel continued operation of the Cable System whether by the Grantee or a trustee or receiver or by the Grantor, and to ensure that such operation is consistent with public interest as determined by a court of competent jurisdiction. The Grantee may not remove equipment or documents necessary for continued operation of the System.

C. At all reasonable times, Grantee shall permit examination by the County of the System, together with any appurtenant property of Grantee situated within or without the County when necessary to ascertain the Grantee's compliance with this Ordinance, the Franchise Agreement, and all applicable laws.

D. The County shall have the right of intervention in any suit or proceeding to which the Grantee is a party relative to Grantee's operations in the County, and the Grantee shall not oppose such intervention by the County.

E. Except as otherwise provided by applicable law, the Grantee shall have no recourse whatsoever against the County or its officials, Boards, commissions, agents, or employees for any loss, cost, expense, or damage arising out of any provision or requirements of this Ordinance or the Franchise Agreement, or of their enforcement.

Sec. 32-72. NON-ENFORCEMENT BY THE COUNTY

Grantee shall not be relieved of its obligation to comply with any of the provisions of this Ordinance or the Franchise Agreement by reason of any failure of the County to enforce prompt compliance.

Sec. 32-73. GOVERNING LAW AND CHOICE OF FORUM

Any dispute arising with respect to this Ordinance or a Franchise Agreement granted pursuant to it shall be subject to review by the state and federal courts having primary jurisdiction in the County of Surry, North Carolina.

Sec. 32-74. SEVERABILITY

If any material portion of this Ordinance, or a Franchise Agreement adopted pursuant to it, is held by an authority of competent jurisdiction, to be invalid or unlawful as conflicting with applicable laws now or hereafter in effect, or is held by a court or competent governmental authority to be modified in any way in order to conform to the requirements of any such applicable laws, such provision shall be considered a separate, distinct, and independent part of this Ordinance or Franchise Agreement, and, to the extent possible, such holding shall not affect the validity and enforceability of all other provisions thereof.

Sec. 32-75. PUBLICATION OF NOTICES

All public notices required to be published by Grantor under this Ordinance or any Franchise Agreement shall be published in a manner consistent with the public notice laws of the State of North Carolina.

Sec. 32-76. SYSTEM CONSTRUCTION CAPABILITIES AND SCHEDULE

A. The Cable System shall generally conform to the System design and Channel Capacity specifications set forth by the Grantee in its application for a Franchise submitted to the County. At a minimum, the Grantee shall construct a System with equivalent technical capabilities to a hybrid fiber coax [HFC] 750 MHz cable system. The Grantee is permitted to modify its design and implementation plan, pursuant to the conditions provided herein, to accommodate technological innovations and refinements that enhance System reliability and Capacity.

B. The initial construction required under initial Franchise Agreement shall be completed in compliance with a schedule specified therein. If the Grantee shows that, notwithstanding its due diligence, that it has been unable to extend service to a specified area because the acts or omissions of a third party (excluding the Grantee's subcontractors or agents) or other factors have caused a delay in construction beyond that reasonably expected during the course of construction, and the Grantee proposes a reasonable alternative deadline for extension of Service to that area, the County shall grant reasonable extensions of time to complete construction.

C. In the event the County requires the Grantee to interconnect the cable system with any other entity for any purposes, the County and Grantee shall mutually agree upon the terms of interconnection.

Sec. 32-77. CUSTOMER SERVICE STANDARDS

Grantee will at all times comply with the FCC Customer Service Standards (Title 47 CFR, Part 76 (Cable Television Service), Subpart H (General Operating Requirements) as amended.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller the Board voted unanimously to approve the first reading of the following agreement between Time Warner and the County of Surry:

AN ORDINANCE BY THE COUNTY OF SURRY NORTH
CAROLINA CONSENTING TO THE CABLE TELEVISION
FRANCHISE AGREEMENT BETWEEN THE COUNTY AND TIME
WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE
PARTNERSHIP (TWEAN)

A Franchise Agreement between the County and Grantee, granting a franchise to construct, maintain, and operate a cable television system, as defined under applicable federal, state and local law, throughout the County of County and setting forth terms and conditions herein.

WITNESSETH

WHEREAS, the County of County, North Carolina ("County"), pursuant to Article I and II of the Code of Ordinances of the County of Surry referred to as the "Cable Television Ordinance or Ordinance" for the County of Surry, North Carolina, is authorized to grant and renew one or more nonexclusive revocable Franchises to operate, construct, maintain and reconstruct a cable television system within the unincorporated areas of the County; and

WHEREAS, the County seeks to promote the development of advanced communications capabilities on a competitive basis within the County, while at the same time ensuring customer service; and

WHEREAS, the County's does not have a Cable Television Franchise Agreement with Time Warner Entertainment-Advanced Newhouse Partnership, d.b.a. Time Warner Cable (Time Warner), and desires to establish said Franchise;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY THAT THE CABLE SERVICE FRANCHISE AGREEMENT BETWEEN THE COUNTY AND TIME WARNER IS APPROVED AS FOLLOWS:

SECTION 1: GRANT OF FRANCHISE

1.1 Grant

Time Warner Entertainment-Advance/Newhouse Partnership ("Grantee") is hereby granted a franchise to construct, reconstruct, operate and maintain a Cable Television System within the Streets and Rights-of-Way of the County, subject to the terms and conditions of Article I and II of the Code of Ordinances of the County of County referred to as the "Cable Television Ordinance or Ordinance" ("Ordinance") except as modified herein, and this Franchise Agreement ("Franchise"). Grantee shall provide and operate a Cable Communications System within the Franchise Area, which shall include all unincorporated areas of Surry County. In event of conflict between the Ordinance and this Franchise Agreement, this Franchise Agreement shall prevail.

1.2 Right of County to Issue and Renew Franchise

Grantee acknowledges and accepts the right of County to issue and/or renew a Franchise Agreement subject to applicable federal and state law.

1.3 Franchise Term and Renewal

(a) This Franchise Agreement shall take effect and be in full force from and after the final passage hereof, subject to acceptance by the Grantee as provided by the Ordinance and the same shall continue in full force and effect for a period of fifteen (15) years beginning with the date of acceptance.

(b) Any renewal of this Franchise Agreement shall be done in accordance with applicable, state and federal law.

1.4 Written Notice

All notices, reports or demands required to be given in writing under this Franchise Agreement shall be deemed to be given when delivered personally to the Person designated below, or when five (5) days have elapsed after it is deposited in United States mail in a sealed envelope, by regular mail or registered or certified mail, postage prepaid thereon, or on the next business day if sent by express mail or overnight courier addressed to the party to which notice is being given, as follows:

If to County: County Manager
County of Surry
118 Hamby Road
Dobson, North Carolina 27017

If to Grantee: Time Warner Cable
ATTN: VP of Gov/Public Affairs
PO Box 35568
721- A North Regional Road
Greensboro, North Carolina 27425-5568

Such addresses may be changed by either party upon notice to the other party given as provided in this Section.

1.5 Additional Franchises

Any additional franchise agreements adopted by the County shall not contain terms and conditions more favorable or less burdensome than the terms hereof.

1.6 Binding Contract

This Franchise shall constitute a legally binding contract between the County and Grantee, and as such, cannot be amended, modified or changed by the County without the consent of Grantee in any manner whatsoever, whether by ordinance, rule, regulation or otherwise, to impose on Grantee more stringent or burdensome requirements or conditions; provided, however, that nothing herein contained shall preclude the County from the proper exercise of its police powers and/or its powers of eminent domain.

1.7 Grantee's Representations and Warranties

- (a) Grantee has examined all of the provisions of the Ordinance and this Franchise Agreement and agrees to all of the provisions of the Ordinance and this Franchise Agreement, as it exists as of the effective date of the Grantee's Franchise Agreement except:
- (b) Grantee recognizes, unless otherwise agreed herein the right of the County to adopt such additional regulations of general applicability, as it shall find necessary in the exercise of its police power.
- (c) The Grantee shall provide cable modem service to County facilities as specified in a separate agreement.

SECTION 2. GENERAL REQUIREMENTS

2.1 Franchise Fee.

Grantee shall pay to the County on a quarterly basis in accordance with the Ordinance, throughout the term of this Franchise, a Franchise Fee totaling five percent (5%) of Grantee's Gross Revenues. Gross Revenue shall not include the franchise fee, however, should the County later elect to include the Franchise Fee within the definition of Gross Revenues, it shall adopt an Ordinance to that effect and provide Grantee with ninety (90) days written notice to implement such change.

2.2 Indemnification

- (a) Grantee agrees to indemnify, hold harmless, release and defend County, its officials, officers, agents and employees from and against any and all lawsuits, claims, actions, demands, damages, disability, losses, expenses including reasonable attorney's fees and other defense costs or liabilities of any nature that may be asserted by any person or entity, excluding Grantee, from any cause whatsoever, excepting damages arising solely from the negligence or malfeasance of the County or its officials, officers, Councils, commissions, agents, or employees, arising out of or in any way connected with the operations, expressly authorized herein, the exercise of the Franchise pursuant to this Franchise, and/or the activities of Grantee, its subcontractors, employees and agents hereunder. Grantee shall be solely responsible and save County harmless from all matters relative to payment of Grantee's employees including, but not limited to, compliance with Social Security and tax withholdings.
- (b) This indemnification obligation is not limited in any way by a limitation of the amount or type of damages or compensation payable by or for Grantee under Workers' Compensation, disability or other employee benefit acts, acceptance of insurance certificates required under this Franchise, or the terms, applicability or limitations of any insurance held by Grantee.
- (c) County does not, and shall not, waive any rights against Grantee which it may have by reason of this indemnification, because of the acceptance by County, or the deposit with County by Grantee, of any of the insurance policies described in this Franchise.
- (d) This indemnification by Grantee shall apply to all damages and claims for damages of any kind suffered by reason of

any of the operations referred to in this Section, regardless of whether or not such insurance policies shall have been determined to be applicable to any such damages or claims for damages.

- (e) Grantee shall immediately notify the County Manager of any and all claims raised against the Grantee or Grantee and County jointly, and shall provide the County with a copy of the same.
- (f) In order for the County to assert its rights to be indemnified and held harmless, the County must:
 - (1) Promptly notify Grantee of any claim or legal proceeding that gives rise to such right;
 - (2) Afford Grantee the opportunity to participate in and fully control any compromise, settlement, resolution or disposition of such claim or proceeding; and
 - (3) Fully cooperate in the defense of such claim and make available to Grantee all such information under its control relating thereto.

2.3 Performance Bond.

- (a) Upon or before the effective date of this Agreement, Grantee shall obtain and maintain during the entire term of this Agreement, including any extensions or renewals thereof, at its own cost and expense, a performance bond that shall be filed with the County in the amount of five thousand dollars (\$5,000.00) for the faithful performance by it of all the provisions of this Franchise and the Ordinance, as well as its compliance with all generally applicable orders, permits and directions of the County, and the payment by Grantee of any claim, liens and generally applicable taxes due the County which arise by reason of the construction, operation or maintenance of the Cable System. Provision shall be made to permit the County to withdraw funds from such performance bond as and to the extent permitted by this Franchise. Grantee shall not use such performance bond for other purposes and shall not assign, pledge or otherwise use this performance bond as security for any purpose
- (b) The Performance Bond may be drawn on by County for those purposes specified in Section 2.4 hereof, according to the procedures of Section 2.4 as the case may be, provided that Grantee has received written notice and thirty (30) days after receipt of notice to cure any material violations before any payment.
- (c) Within thirty (30) days after notice to Grantee that any amount has been withdrawn by the Grantee from the performance bond pursuant to the Ordinance or this Franchise Agreement, Grantee shall restore such performance bond to its original amount.
- (d) Maintenance of the requisite performance bond shall not in any way limit the liability of the Grantee for any failure to fully perform its obligations under this Franchise Agreement.

2.4 Compliance with Applicable Laws and Ordinances

- (a) Grantee shall conform to all generally applicable laws, rules and regulations of the United States and the State of North Carolina in the construction and operation of its Cable System and all generally applicable rules and regulations of the FCC.
- (b) Grantee shall not refuse to hire or employ or bar nor discharge from employment nor discriminate against any person in compensation or terms, conditions or privileges of employment because of age, race, creed, color, national origin or sex.
- (c) Any right, power, protection, privilege or immunity which is provided, granted or imposed on Grantee under or by virtue of the federal Cable Acts or the federal Telecommunications Act of 1996, as may be amended or interpreted from time to time after the date hereof, shall remain inviolate and shall be available to Grantee notwithstanding any contrary provision of this Franchise, and the acceptance of the terms and conditions of this Franchise shall not be construed as a waiver or release by Grantee or County of any right, power, protection, privilege, immunity or obligation under the above Acts, the laws or Constitution of the United States or the laws and Constitution of the State of North Carolina.

2.5 Extension of Service

Grantee shall build to fifteen (15) homes per mile except in those areas presently served by another cable provider.

SECTION 3: SUPPORT FOR LOCAL CABLE RELATED NEEDS

3.1 Institutional Network

Institutional network services shall be provided under a separate agreement.

3.2 Cable Access to Public Buildings.

- (a) Time Warner shall provide Basic Cable Service and analog tier service without charge for the term of this Franchise Agreement to the government buildings listed at Exhibit A. Should analog service be discontinued, Time Warner agrees to provide comparable service on digital.
- (b) Time Warner shall provide a full service a monitoring site within the County Administration Building. This site will be out of the viewing area of the public and will be utilized by the County staff in monitoring the quality of cable service.

3.3 Cable System

Grantee shall maintain the system at a minimum capacity of 750 MHz with two-way capacity throughout the term of this Franchise Agreement.

3.4 Emergency Use of System

The Grantee shall comply with Section 624 of the Communications Act of 1934 (47 USC 544) as may be amended from time-to-time.

3.5 Federal Rights

Any right, power, protection, privilege or immunity which is provided, granted or imposed on Grantee under or by virtue of the Federal Cable Acts, as may be amended or interpreted from time to time after the date hereof, shall remain inviolate and shall be available to Grantee notwithstanding any contrary provision of this Franchise, and the acceptance of the terms and conditions of this Franchise shall not be construed as a waiver or release by Grantee or County of any right, power, protection, privilege, immunity or obligation under the above Acts, the laws or Constitution of the United States or the laws and Constitution of the State of North Carolina.

SECTION 4: REGULATION

4.1 Franchise Regulation

The Franchise renewed under this Franchise shall be subject to regulation by County in accordance with all of the lawful provisions of the Ordinance, unless otherwise provided herein.

4.2 Transfers

No consent of the County shall be required for any transfer to an entity controlling, controlled by or under the same common control as Grantee.

4.3 Force Majeure

In accordance with the Ordinance, in the event Grantee's performance of any of the terms, conditions, obligations or requirements of this Franchise Agreement or Ordinance is prevented or impaired due to any cause beyond its reasonable control or not reasonably foreseeable, such inability to perform shall be deemed to be excused and no penalties or sanctions shall be imposed as a result thereof, provided Grantee has notified County within thirty (30) days of its discovery of the occurrence of such an event, and provided such notice is reasonable under such circumstances. In the event said notice is not given, then the delay permitted under this Section shall be thirty (30) days from the date of discovery of the event causing said delay. Such causes beyond Grantee's reasonable control or not reasonably foreseeable shall include, but shall not be limited to, acts of God, civil emergencies and labor unrest or strikes, untimely delivery of equipment, inability of Grantee to obtain, without cost, access to an individual's property, and inability of Grantee to secure all necessary permits to utilize utility poles and conduit so long as Grantee made all reasonable efforts to ensure that required equipment, parts, components, personnel and proprietary activity was ordered, hired, paid for, scheduled, checked, approved and/or facilitated.

Chairman Johnson then declared the meeting to be a public hearing for the purpose of hearing comments on acquisition of school property.

Betty Taylor, Assistant County Manager for Budget and Finance, presented information to accept transfers of school property from Elkin City Schools and Surry County Schools due to financing for school improvements.

Chairman Johnson asked for comments from the public.

No one spoke on the acquisition of school property.

Chairman Johnson then declared the public hearing closed and asked the Board if they wished to take any action.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to accept the transfer of school property from Elkin City Schools and Surry County Schools due to financing for school improvements.

Patsy Turner, Surry County Schools New Schools Project Manager, presented information on the New High School, which will be located within the Workforce Development Center in Mount Airy. This program has the potential to serve 400 pupils within four years, allowing them to simultaneously receive high school credit and community college credit.

Ms. Turner also noted delivery to the Board of Commissioners of the preliminary draft of the Five-Year School Facilities Needs Survey.

Tammy Johnson, Water and Sewer Projects Coordinator, updated the Board of the following water and sewer projects:

- Flat Rock/Bannertown Water and Sewer easements have been recorded and is in the process of preparing the "Opinion of Counsel Relative to Rights of Way" to submit to Rural Development.
- Interstates Water and Sewer Golden Leaf Foundation infrastructure grant was denied and the Golden Leaf Foundation has asked the County to resubmit a grant application under the catalyst category. A pre-application was approved by the Rural Center Infrastructure Grant. The EDA pre-application was mailed on November 21, 2005. USDA Rural Development may award an Appalachian Regional Commission grant following an application from the County.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously for the Water and Sewer Projects Coordinator to submit a grant application to the Golden Leaf Foundation for the maximum request amount of \$200,000 in the grant category of Economic Catalyst for the Interstates Water and Sewer District.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the Rural Center Infrastructure Grant Performance Agreement for the Interstates Water and Sewer District.

Upon motion of Commissioner Miller, seconded by Commissioner O'Neal, the Board voted unanimously for the Water and Sewer Projects Coordinator to submit an ARC Grant Application to Rural Development

for the maximum request amount of \$200,000 for the Interstates Water and Sewer District.

Chairman Johnson informed the audience that it was time for the special recognition portion of the agenda.

Wayne Black recognized the following individual:

Lisa Snow was recognized for her outstanding service as Income Maintenance Caseworker II with the Department of Social Services, for her participation in the FamilyNet dialogue and planning process in September, 2004, for her leadership in serving as Chairperson of the Agency FamilyNet Performance Team, for her guidance in coordinating the work of the committees that deal with issues related to Common Intake, Common Database and Positive Attitude, for her efforts to invite recommendations and participation by all staff in the operation of the Department, for her involvement in the successful implementation of a single application process for all Food Stamps and Family & Children's Medicaid applicants, and for her invaluable assistance to the Department of Social Services Director in implementing innovative solutions to enhance the quality and productivity of work, accessibility to the public and communication among all staff of the Surry County Department of Social Services.

The Board took a fifteen-minute recess.

The Board resumed regular business.

Mike Hoyng, President of Juvenile Crime Prevention Council, presented adjustments to the Juvenile Crime Prevention Council program. The recommendations reflect a 2.5772% cut in funding in the budget approved by the General Assembly. Mr. Hoyng presented four rationales for reductions to the Juvenile Crime Prevention Council.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the revisions contingent upon the Assistant County Manager for Budget and Finance holding funds until the Juvenile Crime Prevention Council meets in January, 2006.

Dick Everhart, District Conservationist, presented information on a Clean Water Management Trust Fund Grant. The purpose of the grant is to protect surface water in the Fisher River watershed.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously for the District Conservationist to apply for the grant.

Dick Everhart, District Conservationist, updated the Board on stream restoration at Beach Creek and Cody Creek and the Eco-System Enhancement Program.

Wayne Black, Social Services Director, addressed the Board regarding a dramatic increase in the number of requests for emergency assistance over the past few months. Mr. Black also

stated that the Department of Social Services received \$34,650 in Federal Crisis Intervention Program funds through the Federal Low Income Energy Assistance Program for FY 2006 and these funds are already depleted. Mr. Black presented a resolution in support of an additional allocation of Federal Low Income Energy Assistance Program funds to assist with anticipated emergency assistance needs.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the following resolution:

RESOLUTION REGARDING THE LOW INCOME ENERGY ASSISTANCE PROGRAM

WHEREAS, the federal Low Income Energy Assistance Program (LIEAP) provides low-income families with limited financial assistance toward meeting their heating-related needs during the cold winter months; and

WHEREAS, LIEAP has two components which are the LIEAP component and the Crisis Intervention Program (CIP) component; and

WHEREAS, the LIEAP component provides a one-time payment to eligible households that are experiencing heating-related needs; and

WHEREAS, the Crisis Intervention Program (CIP) component provides immediate emergency assistance to an eligible household that is experiencing a crisis in meeting its heating needs; and

WHEREAS, these federal funds are allocated to the State of North Carolina, which distributes the funds to all households that are determined eligible through the LIEAP component; and

WHEREAS, the Surry County Department of Social Services receives an allocation of CIP funds to be used to alleviate heating emergencies; and

WHEREAS, due to real potential that the current heating season will adversely affect the ability of low income families to meet and pay for heating fuel even more than in previous years as a result of estimated natural gas prices increasing over 50 percent and fuel oil and propane prices increasing over 30 percent from the previous winter heating season prices; and

WHEREAS, the Surry County Department of Social Services has seen a 63% increase in the number of emergency assistance requests in the past two (2) months as compared to the same period in 2004; and

WHEREAS, CIP Funds allocated to Surry County for FY 2005-2006, in the amount of \$34,650, have been expended; and

WHEREAS, low-income households with unmet heating needs will be in jeopardy of life-threatening crises unless additional funding is allocated to the State of North Carolina by the United States Government.

NOW, THEREFORE, BE IT RESOLVED that the Surry County Board of Commissioners calls upon the Governor of the State of North Carolina and all its elected representatives in the North Carolina General Assembly to contact members of the United States Senate and the United States House of Representatives and advocate for additional

LIEAP funding for the State of North Carolina for the current heating season.

Chris Knopf, Planning Director, presented recommendations on how to handle automobile salvage yards and junkyards located in Surry County. Mr. Knopf recommended the Board repeal the Automobile Salvage Yard and Junkyard Ordinance, and determine how to treat existing operating junkyards that will become grandfathered under the Zoning Ordinance once the old ordinance is repealed.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to schedule a public hearing on Tuesday, January 17, 2006 to adopt junkyard regulations within the Zoning Ordinance, contingent upon the Planning Director presenting a draft copy of the ordinance on January 3, 2006 for Board review.

Chris Knopf, Planning Director, discussed the issues at the Mayberry Recycling Center. The County Attorney explained the abatement process.

Upon motion of Commissioner Harrell, seconded by Commissioner Johnson, the Board voted unanimously for the Planning Director to enforce all current junkyard regulations at the Mayberry Recycling Center and for the Planning Director to inform the owner there will be changes in the near future to the existing Junkyard Ordinance.

Betty Taylor, Assistant County Manager for Budget and Finance, addressed the Board regarding a Sales Tax Recovery Policy.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to approve the following Sales Tax Recovery Policy:

RESOLUTION

WHEREAS, the public schools of Surry County have substantial need for new and improved buildings and capital equipment; and

WHEREAS, it is the intent of the Board of County Commissioners to assist the schools in obtaining these buildings and equipment within the constraints imposed by scarce financial resources; and

WHEREAS, Surry County is authorized by legislation to reclaim sales taxes paid to the State of North Carolina by the County, and , further, is authorized to acquire real and personal property for the use by school administrative units within the County and to construct, equip, expand, improve and renovate property for use by school administrative units within the County; and

WHEREAS, Surry County has obtained an opinion from Bond Counsel that the legislation referred to above permits Surry County to reclaim sales taxes paid to the State of North Carolina by the County for expenditures on schools' capital facilities and capital equipment; and

WHEREAS, such tax recovery will enable the County to more effectively meet the financial needs of schools.

NOW, THEREFORE, BE IT RESOLVED that the following sales tax recovery policy is authorized.

SALES TAX RECOVERY POLICY

Purpose -

The purpose of the Sales Tax Recovery Policy is to recover, for use by Surry County, the sales taxes paid to the State of North Carolina for expenditures made by Surry County for schools' capital facilities and capital equipment. Such tax recovery will give the County additional financial resources with which to meet schools' capital needs.

Legal Basis -

The legal basis for this policy is in G.S. 153A-158.1 (e), G.S. 105-164.14, and opinion dated October 29, 1996 from Bond Counsel.

Procedure for Capital Facilities -

1. For each capital facilities project which a school board proposes to undertake under this policy, the school board will, through its architect or through its contract bidding process or through other acceptable means, develop an estimate of the potential sales tax recovery from the project. This estimate shall be forwarded to the Surry County Manager.
2. The County and the school board, working through their respective attorneys, shall arrange for the County to take title to the property or the capital facility for which sales tax recovery is proposed. The costs of title transfer shall be shared by the school boards and the County by payment to their respective attorneys for services rendered. Other costs, i.e., property surveys, title search, shall be the responsibility of the school board.
3. After transferring title, the school board shall continue to provide for maintenance of the property, provision of insurance, and other considerations. The two Boards shall agree upon a date upon which ownership of the property shall be returned to the school board in its improved or then existing condition.
4. The estimated amount of the recovered sales tax shall be documented within the project ordinance or other document which authorizes the project. The estimated cost of sales tax shall be removed from the project cost, and actual sales tax shall be paid by the County from a capital reserve fund account of the County. Upon recovery of the sales tax, the proceeds shall be placed in a capital reserve fund revenue account. Other costs of the project shall be paid as agreed to by the County and the school board.
5. At the end of each fiscal year, or as soon thereafter as possible, the estimated sales tax recovery shall be reconciled with actual sales tax recovered. The County shall deduct extraordinary costs of sales tax recovery, if any, and the balance of recovered sales tax revenues shall be used for future projects, as determined by the Board of County Commissioners through their prioritization of projects to be funded.
6. The school board shall contract for construction, erection or repair of school buildings, take its own bids and negotiate and

administer contracts for construction within the bidding statutes of the State of North Carolina. The school board shall provide to the County satisfactory evidence of compliance with those bidding statutes. Contractors must be required to submit applicable sales tax certificates.

7. The County will reimburse the school systems for approved capital construction expenditures made by the school systems. Sales tax paid shall be separated for each project. Sales tax paid shall be evidenced by sales tax certificates. Reimbursement requests shall be forwarded to the Surry County Finance Office.

Procedure for Capital Equipment -

1. Surry County may purchase capital equipment upon the proper request of school boards located within the County, and Surry County may donate those purchases to the requesting school board for school use. Surry County shall make timely application for a refund of sales tax payments paid to the State of North Carolina for all equipment purchased pursuant to a proper request from a school board located with the County.
2. Sales tax on such purchases shall be paid by the County from a general fund account. The balance of the purchase price shall be paid from schools capital outlay or current expense funds held on account by the County.
3. Recovered sales tax revenues shall be returned to a general fund account for use as the County Commissioners see fit through the budget process.
4. Schools utilizing this policy for the purchase of capital equipment must fully comply with the public bidding requirements of the State of North Carolina. After complying with such bidding requirements, the school board shall forward a request for a purchase order to the County with the supporting documentation.
5. The County will issue a purchase order for the specified item under its standard purchasing procedures.
6. The item shall be shipped to the respective school's receiving office. The school shall confirm receipt and advise the County's Purchasing Agent of receipt of goods in satisfactory condition. Invoices shall be approved by each respective superintendent or his or her designee and shall be forwarded to the County's Purchasing Agent.
7. The Board of County Commissioners, by resolution, shall donate the capital item to the school for school use.
8. The schools shall insure and maintain all such capital items under schools' standard policy and procedures.
9. The dollar threshold for activating this procedure shall be of sufficient magnitude to warrant carrying out the sales tax recovery procedure. The threshold is set at \$10,000.00.

Brenda Rose, County Extension Director, addressed the Board regarding housing an Industrial Extension Service position with the Surry Cooperative Extension staff. An Industrial Extension Service

position would work toward helping manufacturing streamline processes for efficiency and profit.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to house the Industrial Extension Service position in Surry County.

The County Manager addressed the Board regarding a funding request from the Shoals Community Recreation Center which has an on-going effort to acquire an 83 acre tract located to the rear of the existing Shoals Recreation Center property. There was negotiations held in late 2004 to buy the property for \$345,000 but was unsuccessful. A new agreement has been reached whereby the property has been bought for \$375,000. The County proposed to allocate \$25,000 toward the purchase of the property.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal the Board voted unanimously to appropriate \$25,000 toward the project.

The County Manager updated the Board regarding new voting machines and a letter received from the State Board of Elections.

The County Manager addressed the Board regarding holding a Board meeting at the Mount Airy Museum of Regional History.

It was the consensus of the Board to hold a Board meeting at the Mount Airy Museum of Regional History in February.

The County Manager addressed the Board regarding setting a joint meeting with the Surry County Board of Education.

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted to hold a joint meeting with the Surry County Board of Education on Tuesday, January 10, 2006 at 6:30 p.m. at the Surry County Government Center in room 335 to discuss facility needs and other issues.

Ayes: Chairman Johnson, Vice-Chairman Miller, Commissioner Harrell

Nays: Commissioner O'Neal

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to invite the Surry Community College Board of Trustees and Surry Community College Administration to the January 17, 2005 Board meeting to discuss issues at the college.

Upon motion of Commissioner O'Neal, seconded by Commissioner Miller, the Board voted unanimously to accept the bid from E. Luke Green Company in the amount of \$27,360 for removal of asbestos from the Beulah Community Center building.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously to accept the bid from Paul

Hooker Sealing and Asphalt Repair in the amount of \$16,300 for seal repairs at the parking lot of the Human Services Center.

The County Manager updated the Board on a rescheduled meeting of the Rockford Preservation Society. The meeting will be rescheduled on January 19, 2005 at 6:00 p.m.

Upon motion of Commissioner O'Neal, seconded by Commissioner Johnson, the Board voted unanimously to go into closed session to discuss personnel, economic development and a legal issue with the County Attorney.

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

Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to approve the following personnel requests:

- Approve a one-step increase for Carolyn Comer, Register of Deeds.
- Approve the transfer of Denise Gray from a Secretary IV position to a Clerical Level V (Collections Coordinator) position with Emergency Services. Advertise the Secretary IV position at Grade 59.
- Amend the Personnel Ordinance adopted on November 3, 2003, by making the following change to Appendix A, Position Classification Plan:
 - Add the Classification of Sheriff to Grade 80, effective January 1, 2006.
- Approve the following resolution regarding the 2006 filing of office of Sheriff.

RESOLUTION

WHEREAS, NCGS 153A-92 (b) (2) provides that the Boards of County Commissioners may reduce the salaries of elected officials only by a resolution adopted at least fourteen (14) days before the last day for filing notice of candidacy for the office; and

WHEREAS, once adopted the resolution may not be altered until the person elected to the office in the general election takes office; and

WHEREAS, an established salary scale allows the County Commissioners to set the salary of the Sheriff at an appropriate level to recognize the professional background and job-related experience a newly elected Sheriff may bring to the position; and

WHEREAS, the filing fee for the office shall be determined by reference to the reduced salary; and

WHEREAS, the salary for the Sheriff in Surry County is equivalent to Grade 80 on the Surry County Classification Plan; and

WHEREAS, the Surry County Classification Plan establishes the entry level annual salary for the Sheriff at \$53,472.

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

1. The annual salary for a newly elected Sheriff is hereby established at \$53,472.
 2. The filing fee for the Sheriff shall be determined by the above referenced salary.
 3. Should the incumbent of this office be re-elected, he shall retain his compensation as provided in the Surry County Classification Plan.
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Upon motion of Commissioner Harrell, seconded by Commissioner Miller, the Board voted unanimously to authorize the Assistant County Manager for Budget and Finance to pay an invoice to St. Paul Travelers.

There was no further business to come before the Board.

Upon motion of Commissioner Harrell, seconded by Commissioner O'Neal, the Board voted unanimously recess until December 20, 2005 at 6:00, Surry County Government Center, for personnel interviews, to hear comments on the Parks and Recreation Master and Greenway Plan and other County business.

The meeting ended at 11:10 p.m.

Conchita Atkins
Clerk to the Board

Surry County Board of Commissioners
Meeting of December 20, 2005

The Surry County Board of Commissioners met in a reconvened session at 6:30.m. on December 20, 2005 at the Surry County Government Center, Dobson, North Carolina.

Board members present for the meeting were Chairman Paul Johnson, Vice-Chairman Jim Miller, Commissioner Jim Harrell, Commissioner Craig Hunter and Commissioner Fred O'Neal.

Commissioner O'Neal entered the meeting at 6:45 p.m.
Commissioner Harrell entered the meeting at 7:00 p.m.

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

Macon C. Sammons, Jr., County Manager

Chairman Johnson called the meeting to order.

Upon motion of Commissioner Hunter seconded by Commissioner Miller, the Board voted unanimously to go into closed session for the purpose of conducting interviews.

The Board came out of closed session at 9:20 p.m. and resumed regular business.

The Board then heard presentations on the 2005 County Parks and Recreation Master Plan and the County Greenway Master Plan, led by Derek Williams and Charles Flink respectively. Mr. Williams reviewed the survey findings and plan recommendations. Mr. Flink gave an overview of the recommendations in the Greenway Plan.

Following discussion, Commissioner Hunter asked Mike Wetzel to get a proposal from Greenways Incorporation to help start a greenways development process, using private, non-profit and/or special purpose groups working in cooperation with the County.

Following further discussion, on motion by Commissioner Miller, seconded by Commissioner Harrell, the Board voted unanimously to adopt the 2005 Parks and Recreation Master Plan and the 2005 Greenways Plan. The Board and Mike Wetzel thanked members of the Recreation Advisory Committee and staff for their work in developing these valuable plans, which propose an investment of roughly \$5 million over the next five years.

Commissioner Harrell left the meeting at 10:10 p.m. due to illness.

Upon motion of Commissioner O'Neal, seconded by Commissioner Hunter, the Board voted unanimously to go into closed session at 10:15 p.m. to discuss economic development matters.

The Board came out of closed session and resumed regular business at 11:00 p.m.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted to allocate \$22,085 to the Town of Pilot Mountain for Water and Sewer improvements as outlined in attachments to Blair Knox's December 16, 2005 letter, with the requirement that the Town shall have an executed incentive agreement with the developers of the McKinney property with a commitment of an additional \$500,000 in taxable improvements to the property.

Ayes: Chairman Johnson, Commissioner Miller,
Commissioner Hunter
Nays: Commissioner O'Neal

There was no further business to come before the Board.

Upon motion of Commissioner Hunter, seconded by Commissioner Miller, the Board voted unanimously to adjourn at 11:00 p.m.

Macon Sammons
County Manager