

Surry County Board of Commissioners
Meeting of March 20, 2017

The Surry County Board of Commissioners met on March 20, 2017. The meeting was held at the Elkin High School Media Center, Elkin, North Carolina.

Board members present for the meeting were Chairman Eddie Harris, Vice-Chairman Van Tucker, Commissioner R.F. "Buck" Golding, Commissioner Larry Johnson and Commissioner Larry Phillips.

Others present for the meeting, at various times, were:
Chris Knopf, County Manager
Conchita Atkins, Clerk to the Board
Edwin Woltz, County Attorney
Sandy Snow, Assistant County Manager for Human Resources and Operations
Sarah Bowen, Finance Officer
Kim Bates, Planning Director
Don Mitchell, Facilities Director
Dennis Bledsoe, Public Works Director
News Media

Chairman Harris called the meeting to order.

Chairman Harris delivered the invocation and led the Pledge of Allegiance.

Chairman Harris requested the Board review and approve the agenda.

Upon motion of Commissioner Golding, seconded by Commissioner Johnson, the Board voted unanimously to approve the agenda.

Chairman Harris requested the Board consider the minutes of the March 6, 2017 meeting.

Upon motion of Commissioner Tucker, seconded by Commissioner Golding, the Board voted unanimously to approve the minutes.

Dr. Myra Cox, Elkin City Schools Superintendent, welcomed everyone to Elkin High School. Dr. Cox recognized the Elkin City School Board Members and guests in attendance.

Ms. Tonya Smith, Elkin High School Chorus Teacher, and the Elkin High School Chorus performed two songs for those in attendance.

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

Eryn Brown, Chandler Beals, Gracie Gambill, Emma Henstock, Alex Kakouras, Lourdes Lopez, Madeline Morphis and Jaclyn

Simmons, Elkin Middle School Jr. Beta Club, for their outstanding efforts to improve safety of the dirt trails in and around Elkin Municipal Park by holding fundraisers for the purchase of a Police Patrol Bicycle.

Emily Rycroft, Elkin Middle School Jr. Beta Club Sponsor, for her leadership in the development of Elkin Middle School students by her sponsorship of the club.

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

Requests by the County Manager:

- Approve the Well Sample Kit fee for Environmental Health.
- Approve the Engineered Option Permit fee for Environmental Health.

Requests from the Finance Officer:

- Approve the following Historic Courthouse Capital Project Ordinance amendment no. 2 as follows:

AMENDMENT #2
CAPITAL PROJECT ORDINANCE
HISTORIC COURTHOUSE 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 includes repairs and renovations to the existing historic courthouse.

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

SECTION 3: The costs of the project are:

A. Professional Services	20,000.00
B. Construction	510,000.00
C. Contingency	20,000.00
TOTAL PROJECT COSTS	\$ 550,000.00

SECTION 4: The following financing sources are anticipated to be available to complete this project:

Sale of Capital Asset (Outparcel at Elkin WFD Center)	\$ 203,200.00
Transfer from General Fund	<u>346,800.00</u>
TOTAL	\$ 550,000.00

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 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.

- Approve budget amendment no 21 as follows:

The Board of County Commissioners approved an amendment to the FY 2016-2017 Budget Ordinance at their meeting on March 20, 2017.

<u>ACCOUNT CODE</u>	<u>DESCRIPTION</u>	<u>PREVIOUS AMOUNT</u>	<u>CHANGE</u>	<u>REVISED AMOUNT</u>
<u>GENERAL FUND-CAPITAL IMPROVEMENT</u>				
<u>EXPENDITURES</u>				
<u>CAPITAL IMPROVEMENT</u>				
2554245	59557 County Reserve Increase	842,802	1,953	844,755
	departmental total.	842,802	1,953	844,755
<u>REVENUES</u>				
2544245	49899 Transfer from Capital Project	0	1,953	1,953
	Increase fund totals	842,802	1,953	844,755
<u>CAPITAL PROJECT FUND</u>				
<u>EXPENDITURES</u>				
<u>HISTORIC COURTHOUSE PROJECT</u>				
6054192	51500 Professional Services	20,000	(11,876)	8,124
6054192	56600 Project Construction	500,000	(251,940)	248,060
6054192	59210 Transfer to Capital Improvement	0	1,953	1,953
6054192	59500 Contingency Decrease	30,000	(30,000)	0
	departmental total.	550,000	(291,863)	258,137
<u>REVENUES</u>				
6044192	49900 Unencumbered Balance	550,000	(291,863)	258,137
	Decrease fund totals	550,000	(291,863)	258,137

- Approve budget no. 22 as follows:

The Board of County Commissioners approved an amendment to the FY 2016-2017 Budget Ordinance at their meeting on March 20, 2017.

<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>JUDICIAL BUILDING</u>				

1054185	53010	Buildings & Grounds Maint.	12,000	6,604	18,604
		Increase departmental total.	314,249	6,604	320,853

REVENUES

1044000	48500	Insurance Refunds	33,332	6,604	39,936
		Increase fund totals	70,363,972	6,604	70,370,576

- Approve the Ingleside Phase 6, Lot 29 final one-lot subdivision.

Chairman Harris 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.

Chris Knopf, County Manager, read a letter from Sheriff Graham Atkinson into record:

It is with a heart full of wonderful memories and a soul blessed beyond belief that I announce my retirement. It has been nearly thirty-two years since the hand of the Lord guided me to join the Surry County Sheriff's Office. Since that time the Lord has been with me for every step of this magnificent journey, and for that I am most thankful. Now, He has presented me with another opportunity. The opportunity to join the North Carolina Department of Public Safety.

While leaving the Sheriff's Office is certainly one of the most difficult decisions I have ever faced, I am certain that this is the direction in which the Lord is leading me. Therefore, my retirement will be effective at 5:00 pm on April 28, 2017.

Thank you to all of you for sharing your wisdom, your advice, your counsel but most of all your friendship. Working with this Board has been yet another blessing. May the Lord be with you and may he continue to bless this wonderful county.

Upon motion of Commissioner Phillips, seconded by Commissioner Tucker, the Board voted unanimously to accept Sheriff Atkinson's retirement letter.

Commissioner Golding stated that he has known Sheriff Atkinson all his life and he has always been honorable. Commissioner Golding also stated that Sheriff Atkinson has worked well with the Board of County Commissioners.

Commissioner Tucker stated he has known Sheriff Atkinson a long time and he has done a great job as Sheriff. Sheriff Atkinson follows his heart and is honorable. Commissioner Tucker thanked Sheriff Atkinson for his many years of service.

Commissioner Johnson stated that he has gotten to know Sheriff Atkinson better since he has become a Commissioner. Commissioner Johnson wishes Sheriff Atkinson good luck and the very best in the future.

Commissioner Phillips stated that Sheriff Atkinson has been great to work with in all situations, no matter what party the

individual was affiliated with. Commissioner Phillips wished Sheriff Atkinson and his family the best happiness in the future.

Chairman Harris stated that Sheriff Atkinson has served admirably and will be missed dearly. The Board will work with the Democratic Party on a replacement.

Martha Smith, Elkin Public Library, addressed the Board regarding the 2015-2016 statistics of public use at the library. Ms. Smith discussed federal funds for the Technology E-Rate. Ms. Smith stated the funds will phase out over time. Ms. Smith stated that wireless log-ins has increased 26% with 12,700 public computer sessions. Ms. Smith also stated e-book check outs has increase by 5%.

Helen Faulk stated that she utilized e-books and can take them with her wherever she goes. Ms. Faulk stated that the library exists to serve the public.

Gary York invited everyone to a Business Before Hours on March 28, 2017 from 7:00 a.m. to 8:00 a.m. at the Elkin Center. The guest speakers will be Eddie Harris, Phil Harris and Phyllis Harris, of Harris Leather and Silverworks.

Dr. Travis Reeves, Surry County Schools Superintendent, stated the Surry County School System appreciates all that the Surry County Board of Commissioners do to support the students of Surry County Schools. Dr. Reeves stated the school system is fortunate to have a great partnership with county government. Dr. Reeves thanked the Board for their long-range vision and fiscally responsible decision to borrow \$55 million dollars for the capital needs for the schools. Dr. Reeves stated with the anticipated dollars allocated to Surry County Schools in the initial issuance, the school system will be able to complete Phase I of the Comprehensive Facility Needs Assessment Plan along with other projects and repairs.

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

Chairman Harris then declared the meeting to be a public hearing on zoning application ZCR1135. The site is 1.443 acres of tax parcel 4994-00-30-4950. The property owner is Carolina Carports. The property is currently RA. The petition is to rezone the property to HB-C.

Kim Bates, Planning Director, presented facts pertaining to the rezoning and stated the Planning Board recommends approval of the rezoning.

Chairman Harris asked for comments from the public.

No one spoke.

Chairman Harris closed the public hearing and asked the Board for a recommendation.

Upon motion of Commissioner Golding, seconded by Commissioner Johnson, the Board voted unanimously to approve the following Statement of Consistency:

Surry County Board of Commissioners' Statement of Consistency:

Subject: Case # ZCR1135, a Petition for Conditional Rezoning

Applicant / Owner: Carolina Carports, Inc.

Property Description: Tax Parcel #4994-00-30-4950, located on US Highway 601, ¼ mile south of NC Highway 268, Marsh Township

Requested Reclassification: From Rural Agricultural (RA) to Highway Business Conditional (HB-C).

Planning and Development Staff notes that the rezoning proposal appears reasonable based on apparent compatibility of the proposed classification with the business development pattern of the area; and based on the proposal of limited uses appropriate to the surrounding area, which preclude and by intent prohibit any allowance of alcohol sales associated with any permitted use in accordance with stated concerns of area owners and residents. On March 13, 2017, the Surry County Planning Board, by a 5-0 vote, recommended approval of zoning reclassification of the subject property to HB-C, and found the proposal reasonable based on staff reporting and on positive findings in all criteria prescribed in Article 4, Section 3 of the Zoning Ordinance. The Planning Board also determined that the proposed reclassification to HB is consistent with the following elements of adopted county plans:

From Land Use Plan 2020

5.4.5.7 Highway-oriented commercial uses shall be clustered along segments of principal and minor arterials, as described in the Thoroughfare Plan, in existing areas of similar development or around intersections; they should contain land uses that are mutually compatible and reinforcing in use and design; interchanges along major thoroughfares serve as excellent locations for this type of development.

5.4.5.12 Businesses should be served by roads and streets of a capacity sufficient for safe traffic flow; large businesses should locate at major intersections.

The Surry County Board of Commissioners, having held a duly noticed public hearing on March 20, 2017, and having heard no substantive objection to the proposal, hereby concurs with the above Staff and Planning Board recommendations and consistency principles, and will vote on the question to adopt the proposed zoning map amendment.

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

Chairman Harris then declared the meeting to be a public hearing on zoning application ZCR1167. The site is tax parcels 5948-01-38-7262, 5949-00-33-9385, 5949-03-33-4752, 5949-00-23-0215, 5949-00-22-5852 and 5949-00-23-8691. The property owner is the Mount Airy Surry County Airport. The property is currently RA. The petition is to rezone the property to MI.

Kim Bates, Planning Director, presented facts pertaining to the rezoning and stated the Planning Board recommends approval of the rezoning.

Chairman Harris asked for comments from the public.

No one spoke.

Chairman Harris closed the public hearing and asked the Board for a recommendation.

Upon motion of Commissioner Golding, seconded by Commissioner Tucker, the Board voted unanimously to approve the following Statement of Consistency:

Surry County Board of Commissioners' Statement of Consistency:

Subject: Case # ZCR1167, a Petition for General-Use Rezoning
Applicant / Owner: Mount Airy / Surry County Airport
Property Description: Tax Parcels #5948-01-38-7262, 5949-00-33-9385, 5949-03-33-4752, 5949-00-23-0215, 5949-00-22-5852, 5949-00-23-8691; totaling 187.40 acres.

Requested Reclassification: From Rural Agricultural (RA) to Manufacturing Industrial (MI).

Planning and Development Staff recommends adoption of the proposal. The rezoning appears reasonable as the property adjoins MI property currently used for a municipal/county airport; the proposal is consistent with an ongoing airport expansion project that will require the proposed rezoning for completion. Staff and Planning Board concur that this rezoning is reasonable because the property adjoins MI property under the same ownership, because of the history and awareness of the expansion project in the community due to infrastructural preparations already completed, and because of the high level of certainty that the land will be used in support of the existing airport use.

Following public notification as required by state statute and local ordinance, no citizen had voiced opposition to the rezoning petition from the application date of February 17, 2017 to the Planning Board's meeting date of March 13, 2017. The Surry County Planning Board reviewed the petition on March 13, 2017, and returned a unanimous (5-0) recommendation of approval, based on the above elements of compatibility and based on consistency of the proposal with current adopted plans as presented below.

Consistency Elements from Land Use Plan 2020:

- 5.4.4.1 Industrial development shall not be located in areas that would diminish the quality of life of neighboring communities.
- 5.4.4.2 Industrial development should be located in areas that are physically suitable and have a unique locational advantage for industry. Advanced planning for identification of such land shall be encouraged.
- 5.4.2.12 The expansion of the Mount Airy-Surry County Airport, when completed, should be utilized to full advantage in economic development efforts.

The Surry County Board of Commissioners, having held a duly noticed public hearing on March 20, 2017, and having heard no substantive objection to the proposal, hereby concurs with the

above recommendations and consistency principles, and will vote on the question to adopt the proposed zoning map amendment.

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

Sarah Bowen, Finance Officer, addressed the Board regarding Elkin City Schools' request to reallocate remaining funds that were awarded for a dishwasher at the Elkin Elementary School towards the stage lift project at the Dixon Auditorium. The total amount for reallocation is \$11,409.19.

Upon motion of Commissioner Johnson, seconded by Commissioner Golding, the Board voted unanimously to approve the reallocation of funds in the amount of \$11,409.19.

Sarah Bowen, Finance Officer, and Dennis Bledsoe, Public Works Director, addressed the Board regarding a lease option for a dozer to be utilized at Public Works. Mr. Bledsoe discussed three available leasing options or purchasing options and the need for the equipment. Mr. Bledsoe recommends the Governmental option. The Governmental option allows for 30 monthly payments of \$4,336.09 for a 60-month total of \$260,165.40 with a balloon payment of \$68,720 at the end of the lease, where the County takes complete ownership of the vehicle. The total amount for the five-year period is \$328,885.40 plus tax with a fixed rate of 3.2%. The lease does allow for the equipment to be returned with no consequence if there is no budget allocation made for the next year.

The Board discussed the benefits of a lease agreement.

Upon motion of Commissioner Tucker, seconded by Commissioner Golding, the Board voted unanimously to approve the Public Works Director to lease the dozer with the Governmental option.

Martha Brintle, Management Information Services Director, addressed the Board regarding the renewal of a three-year agreement with Microsoft for County computers, servers, and server software in the Management Information Services Department. The cost is \$175,787.06 each year for three years. The Management Information Services Department pays \$136,176.90 with the remainder coming from the Department of Social Services and 911 budgets.

Upon motion of Commissioner Johnson, seconded by Commissioner Phillips, the Board voted unanimously to approve the renewal of a three-year lease agreement with Microsoft.

Chris Knopf, County Manager, addressed the Board regarding the Surry County Fire Chiefs Association's plan to implement a part-time paid firefighter program to ensure daily coverage at various stations. Currently, South Surry has implemented the program with other stations planning to follow suit. Mr. Knopf presented forms from fourteen of the volunteer departments describing their plans regarding part-time volunteer

firefighters. The Association will discuss funding in the upcoming budget process.

Attorney Edwin Woltz discussed the following two ordinances: An ordinance requiring mandatory sewer connections and payment of availability fees under certain circumstances within the Interstates Water and Sewer District and an ordinance requiring mandatory sewer connections and payment of availability fees under certain circumstances between Mount Airy City limits and the Interstates Water and Sewer District.

Attorney Woltz discussed with the Board the proposed ordinances. Mr. Woltz stated the mandatory hook-up will require any existing structure with 200 feet of a gravity sewer line to hook-up or pay the availability fee. The areas of force main sewer will not require mandatory hook-up or availability fees. Mr. Woltz stated that every sewer customer must have access to public water. Mr. Woltz discussed the availability fee.

The Board discussed the agreement between the City of Mount Airy and the Town of Dobson for water rate fees. The Board also discussed hook-up fees.

It was the consensus of the Board to hear public comments on the mandatory hook-ups at the April 3, 2017 meeting.

Commissioner Larry Phillips discussed a resolution in support of Senate Bill 166/House Bill 333. Commissioner Phillips briefed the Board on the background for the introduction of this bill which involved the \$174 million dollar Powell Studies. Surry County has committed \$171 million dollars for the past thirty years. Surry County has more on the table now than the past thirty years. Commissioner Phillips stated a way to address the issue equitably is a sales tax referendum. Commissioner Phillips discussed State Construction Bonds and the lottery proceeds from the State. Commissioner Phillips stated that counties are paying about 98% of the construction costs and 24% of the operational costs for schools. There is a shift from State government to local government. Commissioner Phillips also stated there is an imbalance in lottery allocations. Commissioner Phillips stated the way we are funding school construction in North Carolina is broken and is not fair to rural counties.

Commissioner Phillips has been communicating with legislators regarding passage of Senate Bill/House Bill 333.

Commissioner Phillips read the following resolution into record.

Upon motion of Commissioner Phillips, seconded by Commissioner Johnson, the Board voted unanimously to approve the following resolution with the resolution being forward to local legislators:

A RESOLUTION, BY THE SURRY COUNTY BOARD OF COMMISSIONERS, IN
SUPPORT OF SENATE BILL 166/HOUSE BILL 333

WHEREAS, the General Statutes of North Carolina require County and State government to fund public education; and

WHEREAS, the deteriorating condition of rural North Carolina Schools cannot be ignored any longer; and

WHEREAS, the Wake County School system got \$10 million in lottery funds for construction, while the 40 poorest districts got \$11 million combined; and

WHEREAS, County governments are responsible for capital spending, but picked up 24.3% of operating expense last year; and

WHEREAS, G.S 115C-546.2 allocated 40% percent of the Educational Lottery to Public School Building Capital Funds; however, in 2013 the General Assembly repealed the original 40% language in Senate Bill 402 known as The State Appropriations Act; and

WHEREAS, Surry County funds three school systems (Surry County, Elkin City and Mount Airy City) for capital projects and continually funds a greater share of the operating cost; and

WHEREAS, the three school systems have identified over \$174 million in School Capital Outlay needs; and

WHEREAS, in 2016 the NC Educational Lottery allocated to Surry County School systems over \$2.2 million for Non-Instructional Personnel, but only \$754,343 for School Construction; and

WHEREAS, not receiving the full 40% allocation of the Education Lottery funds, Surry County has lost over \$2 million for school construction; and

WHEREAS, Surry County needs the flexibility of Senate Bill 166/House Bill 333 Sales Tax which would provide an alternative to increasing property taxes and provide revenue for the County to fund necessary services and facilities; and

WHEREAS, raising property taxes to address those needs places a disproportionate share of the burden on 47% of the population; the Surry County Board of Commissioners has considered a sales tax more equitable solution for addressing Capital Outlay needs; and

WHEREAS, as Surry County faces the same budget challenges at the local level as those being faced at the State level, such as a slowing economy, rising health care costs, increased demands for services, and revenue shortfalls, we are unable to absorb without great difficulty the school capital outlay needs; and

WHEREAS, Senate Bill 166/House Bill 333, if passed by the General Assembly and approved by Surry County voters at one-half cent, would generate about \$4 million dollars annually for School Capital Outlay or School Installment Debt Financing.

NOW, THEREFORE, BE IT RESOLVED that the Surry County Board of Commissioners does hereby unanimously urge the Surry County

legislative delegation to support Senate Bill 166/House Bill 333.

BE IT FURTHER RESOLVED that the Surry County Board of Commissioners hereby encourages the General Assembly to consider the immediate passage of Senate Bill 166/House Bill 333.

Upon motion of Commissioner Tucker, seconded by Commissioner Golding, the Board voted unanimously to approve and not release the March 6, 2017 closed session minutes.

Upon motion of Commissioner Phillips, seconded by Commissioner Golding, the Board voted unanimously to amend the County Manager's agenda.

Chris Knopf, County Manager, stated that Commissioner Phillips will be out of town for the next Rural Planning Organization (RPO) meeting, and Commissioner Tucker has agreed to serve, as an alternate, in Commissioner Phillips behalf. Commissioner Phillips stated there are some critical projects forthcoming and only elected officials can vote on RPO issues.

Upon motion of Commissioner Phillips, seconded by Commissioner Johnson, the Board voted unanimously to appoint Commissioner Tucker to serve as an alternate for the Rural Planning Organization meeting.

Chris Knopf, County Manager, addressed the Board with a request from the Greater Mount Airy Habitat for Humanity. The organization is requesting the Board waive the permitting fees for a house that is being constructed on Ridge Road.

Upon motion of Chairman Harris, seconded by Commissioner Tucker, the Board voted unanimously to waive the permitting fees.

Upon motion of Commissioner Tucker, seconded by Commissioner Phillips, the Board voted unanimously to go into closed session to discuss legal matters pursuant to G.S. 143.318.11(a) (3) and property pursuant to G.S. 143-318.11(a) (5).

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

The Board discussed the Beulah property for placement of an Emergency Services outpost for a quick response unit.

The Board discussed the Shay Street water project. Commissioner Johnson stated that the City of Mount Airy does not want to take the lead on the project.

Commissioner Phillips discussed the replacement of the Sheriff and the leadership and reconstruction of Communications.

There was no further business to come before the Board.

Upon motion of Commissioner Tucker, seconded by
Commissioner Johnson, the Board voted unanimously to adjourn.
The meeting ended at 8:30 p.m.

Conchita Atkins
Clerk to the Board