

Surry County Board of Commissioners
Meeting of August 16, 2021

The Surry County Board of Commissioners met at 6:00 p.m., August 16, 2021. The meeting was held in the Board Room, Historic Courthouse, Dobson, N.C.

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

Others present in-person for the meeting, at various times, were:

Chris Knopf, County Manager
Sandy Snow, Assistant County Manager
Ed Woltz, County Attorney
Johnny Easter, Development Services Director
Mark Willis, Substance Abuse Recovery Director
George Crater, Airport Manager
Penny Harrison, Tax Administrator
Daniel White, Parks & Recreation Director
Jessica Montgomery, Public Works Director
Martha Brintle, MIS Director
Nathan Walls, Assistant to the County Manager

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

Chairman Marion requested the Board review and approve the agenda. Upon motion of Commissioner Goins, seconded by Commissioner Johnson, the Board voted unanimously to approve the August 16, 2021 agenda.

Chairman Marion requested the Board consider the minutes of the July 19, 2021 Board meeting as presented. Upon motion of Commissioner Harris, seconded by Chairman Marion, the Board voted unanimously to approve the minutes as written.

Chairman Marion requested the Board consider the consent agenda. Chris Knopf, County Manager, reviewed the consent agenda items. Upon motion of Commissioner Johnson, seconded by Commissioner Harris, the Board voted unanimously to approve the consent agenda as follows:

Requests from the County Manager:

- Approve the Sheriff's Office request to purchase a Guardian RFID System at a cost of \$20,289, utilizing funds within their FY21-22 budget.
- Approve the following from the Tax Department:
 1. Total releases for the month ending 7/31/2021 in the amount of \$25,566.46.
 2. Total refunds for the month ending 7/31/2021 in the amount of \$15,421.52.
 3. Total NCVTS tag and tax refunds for the month ending 7/31/2021 in the amount of \$2,236.32.
 4. Total real and personal property discoveries for the month ending 7/31/2021 in the amount of \$18,623.92.
 5. Total motor vehicle discoveries for the month ending 7/31/2021 in the amount of \$393.43.
 6. Total EMS, EMD and EMS-MC additions for the month ending 7/31/2021 in the amount of \$49,546.81.
 7. Total EMS, EMD and EMS-MC refunds for the month ending 7/31/2021 in the amount of \$0.

8. Total EMS, EMD and EMS-MC releases for the month ending 7/31/2021 in the amount of \$6.62.

9. Total EMS, EMD and EMS-MC collections for the month ending 7/31/2021 in the amount of \$16,212.85.

- Approve a request to purchase and replace an ice machine for the Health & Nutrition Center for \$3,020.34 with no County dollars used.

Requests from the Assistant County Manager:

- Approve Parks & Recreation to partner in hosting Running the Vines and to request a road closure permit from NC DOT.

Requests from the Finance Officer:

- Approve the following Budget Amendment #1 for the FY22 budget:

					Change #1
The Board of County Commissioners approved an amendment to the FY2021-2022 Budget Ordinance at their meeting on August 16, 2021.					
ACCOUNT			PREVIOUS		REVISED
CODE		DESCRIPTION	AMOUNT	CHANGE	AMOUNT
<u>GENERAL FUND</u>					
<u>EXPENDITURES</u>					
<u>Board of Elections</u>					
1054170	51030	Salaries & Wages Part Time	203,650	(56,005)	147,645
1054170	53020	Equipment Maintenance	22,300	4,000	26,300
		Increase departmental total	662,082	(52,005)	610,077
<u>Sheriff's</u>					
1054310	52012	Tactical Supplies	20,000	31,245	51,245
1054310	52060	Uniforms	87,550	(23,245)	64,305
		Increase departmental total	6,614,156	8,000	6,622,156
<u>County Jail</u>					
1054320	52012	Tactical Supplies	8,600	(8,000)	600
		Increase departmental total	4,436,494	(8,000)	4,428,494
<u>Communicable Disease</u>					
1055121	51010	Salaries & Wages	205,000	436,984	641,984
1055121	52010	Supplies & Materials	5,400	78,588	83,988
1055121	52020	Medical Supplies	7,000	1,022	8,022
1055121	54010	Travel/Training	7,000	441	7,441
1055121	54200	Telephone	5,500	9,357	14,857
1055121	54250	Postage	1,600	2,780	4,380
1055121	54350	Printing	1,400	1,644	3,044
		Increase departmental total	403,572	530,816	934,388
<u>Adult Primary Care</u>					
1055148	51010	Salaries & Wages	232,000	(21,120)	210,880
		Increase departmental total	383,765	(21,120)	362,645
<u>Home Health Grants Program</u>					
1055155	51720	Contracted Services	287,667	25,924	313,591
1055155	52010	Supplies & Materials	2,500	(80)	2,420
1055155	52020	Medical Supplies	700	300	1,000
1055155	53025	Software License	3,000	(3,000)	0

		Increase departmental total	436,359	23,144	459,503
Child Health Program					
1055163	51010	Salaries & Wages	727,000	10,417	737,417
1055163	51530	Professional Services-Lab	3,100	500	3,600
1055163	51720	Contracted Services	9,500	5,000	14,500
1055163	53025	Software License	13,100	5,000	18,100
1055163	54200	Telephone	8,700	900	9,600
1055163	54250	Postage	1,500	300	1,800
		Increase departmental total	1,333,188	22,117	1,355,305
Supplemental Food Program					
1055167	51030	Salaries & Wages Part Time	93,700	18,900	112,600
1055167	54200	Telephone	8,000	600	8,600
		Increase departmental total	688,395	19,500	707,895
Behavioral Health					
1055175	51720	Contracted Services	117,000	(34,500)	82,500
		Decrease departmental total	128,900	(34,500)	94,400
REVENUE					
1044000	49900	Unencumbered Balance	7,976,077	(52,005)	7,924,072
1045121	42270	Covid 19 Crisis	0	530,396	530,396
1045121	43319	Child Service Coordination	0	420	420
1045148	43187	Community Health Program Grant	128,880	(21,120)	107,760
1045155	42274	Corona Relief Act Funds	0	17,850	17,850
1045155	43188	Health & Wellness trust	32,000	(3,000)	29,000
1045155	43322	Chore Service-PTRC	330,750	5,840	336,590
1045155	43395	Caregiver Grant-PTRC	28,755	2,454	31,209
1045163	43310	State Grant	53,429	22,117	75,546
1045167	42372	WIC	331,452	19,500	350,952
1045175	42368	Partners	105,400	(34,500)	70,900
		Increase fund totals.	79,100,233	487,952	79,588,185
COUNTY CAPITAL PROJECTS					
EXPENDITURES					
Detention Center Facility					
99154307	51500	Professional Services	6,870	3,130	10,000
99154307	51600	Architect Fees	2,121,168	519,167	2,640,335
99154307	51640	Project Construction (NEW)	0	39,707,332	39,707,332
99154307	55580	Administration Costs	0	377,282	377,282
99154307	59147	Transfer to General Fund (NEW)	0	2,128,038	2,128,038
99154307	59500	Contingency (NEW)	0	400,290	400,290

		Increase departmental total	2,128,038	43,135,239	45,263,277
<u>REVENUE</u>					
99144307	49800	Transfer from General Fund	2,128,038	(2,128,038)	0
	49100	Proceeds of Sale of Bonds (NEW)	0	36,000,000	36,000,000
	49104	Premium on Sale of Bonds (NEW)	0	9,263,277	9,263,277
		Increase fund totals.	2,128,038	43,135,239	45,263,277

- **Approve the following Detention Center Facility Capital Project Ordinance Amendment #3:**

**DETENTION CENTER FACILITY
CAPITAL PROJECT ORDINANCE
AMENDMENT # 3**

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 funds authorized are to be used towards the architectural design fees and project construction of a detention center facility.

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 following amounts are available for expenditures for the project:

A. Professional Services	\$ 10,000
Professional Services – Architect	2,640,335
Administration Costs	377,282
Project Construction	39,707,332
Contingency	400,290
Transfer to General Fund	<u>2,128,038</u>
TOTAL PROJECT COSTS	\$ 45,263,277

SECTION 4: The following revenues are anticipated to be available to complete this project and are hereby appropriated:

Proceeds from Limited Obligation Bonds	<u>\$ 45,263,277</u>
TOTAL	\$ 45,263,277

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.

ADOPTED BY THE SURRY COUNTY BOARD OF COMMISSIONERS this the 6th day of January 2020.
Amended this the 7th day of June 2021. Amended this the 21st day of June 2021.
Amended this the 16th day of August 2021.

- Approve the following updated list of Deputy Finance Officers/Purchasing Agents:

Deputy Finance Officers (all accounts and actions)
Chris Knopf, Sandra Snow, Jordan Wooten and Jennifer White

Department of Social Services Trust Account Only
Kristina Preston and April McMasters

Inmate Trust Account Only
Lieutenant Randall Shelton, Sergeant Tim Ward, Sergeant Mickey Estes, Sergeant Tony Holyfield, Sergeant Randy Jenkins, Senior Officer Christopher O'Rourke, Senior Officer Beau Booker, Senior Officer Jessica Morton, Senior Officer Twain Atkins, Senior Officer Angie Marion and Senior Officer James Shumate

Sheriff's Levy Account Only
Lieutenant Jeffery Byrd and Sergeant Michael C. Murphy

Deputy Purchasing Agents
Martha Brintle, Miranda Jones and Rita Horton

- Approve the following resolution to increase the micro-purchase threshold:

**RESOLUTION
OF
SURRY COUNTY BOARD OF COUNTY COMMISSIONERS
AUTHORIZING INCREASE IN MICRO-PURCHASE THRESHOLD

WHEREAS, from time to time, the County of Surry purchases goods and services using federal funding subject to the procurement standards in 2 C.F.R. Part 200, Subpart D; and

WHEREAS, the County of Surry's procurement of such goods and services is subject to the Surry County Purchasing policy, as most recently amended on July 1, 2017; and

WHEREAS, the County of Surry is a non-Federal entity under the definition set forth in 2 C.F.R. § 200.1; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(ii), a non-Federal entity may award micro-purchases without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents that the non-Federal entity files accordingly; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iii), a non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), a non-Federal entity may self-certify on an annual basis a micro-purchase threshold not to exceed \$50,000 and maintain documentation to be made available to a Federal awarding agency and auditors in accordance with 2 C.F.R. § 200.334; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), such self-certification must include (1) a justification for the threshold, (2) a clear identification of the threshold, and (3) supporting documentation, which, for public institutions, may be a "higher threshold consistent with State law"; and

WHEREAS, G.S. 143-129(a) and G.S. 143-131(a) require the County of Surry to conduct a competitive bidding process for the purchase of (1) "apparatus, supplies, materials, or equipment" where the cost of such purchase is equal to or greater than \$30,000, and (2) "construction or repair work" where the cost of such purchase is greater than or equal to \$30,000; and

WHEREAS, North Carolina law does not require a unit of local government to competitively bid for purchase of services other than services subject to the qualifications-based selection process set forth in Article 3D of Chapter 143 of the North Carolina General Statutes (the "Mini-Brooks Act"); and

WHEREAS, G.S. 143-64.32 permits units of local government to exercise, in writing, an exemption to the qualifications-based selection process for services subject to the Mini-Brooks Act for particular projects where the aggregate cost of such services do not exceed \$50,000; and

WHEREAS, pursuant to 2 C.F.R. § 200.320(a)(1)(iv), the Board of County Commissioners of the County of Surry now desires to adopt higher micro-purchase thresholds than those identified in 48 C.F.R. § 2.101.

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

1. In accordance with 2 C.F.R. § 200.320(a)(1)(iv) and the applicable provisions of North Carolina law, the County of Surry hereby self-certifies the following micro-purchase thresholds, each of which is a “higher threshold consistent with State law” under 2 C.F.R. § 200.320(a)(1)(iv)(C) for the reasons set forth in the recitals to this resolution:

- A. \$30,000, for the purchase of “apparatus, supplies, materials, or equipment”; and
- B. \$30,000, for the purchase of “construction or repair work”; and
- C. \$50,000, for the purchase of services not subject to competitive bidding under North Carolina law; and
- D. \$50,000, for the purchase of services subject to the qualifications-based selection process in the Mini-Brooks Act; provided that such threshold shall apply to a contract only if the Unit has exercised an exemption to the Mini-Brooks Act, in writing, for a particular project pursuant to G.S. 143-64.32. If the exemption is not authorized, the micro-purchase threshold shall be \$10,000.]

2. The self-certification made herein shall be effective as of July 1, 2021 and shall be applicable until the end of the same fiscal year ending on the 30th day of June, 2022, but shall not be applicable to Federal financial assistance awards issued prior to November 12, 2020, including financial assistance awards issued prior to that date under the Coronavirus Aid, Relief, and Economic Support (CARES) Act of 2020 (Pub. L. 116-136).

3. In the event that the County of Surry receives funding from a federal grantor agency that adopts a threshold more restrictive than those contained herein, the Unit shall comply with the more restrictive threshold when expending such funds.

4. The Unit shall maintain documentation to be made available to a Federal awarding agency, any pass-through entity, and auditors in accordance with 2 C.F.R. § 200.334.

5. The Purchasing Officer of the County of Surry is hereby authorized, individually and collectively, to revise the Purchasing Policy of the County of Surry to reflect the increased micro-purchase thresholds specified herein, and to take all such actions, individually and collectively, to carry into effect the purpose and intent of the foregoing resolution.

* * * * *

Adopted this the 16th day of August 2021.

Chairman Marion 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 Straight discussed Gordon Recyclers, which runs a facility near her home on Sparger Road in Mount Airy. She feels the facility is a nuisance and is not in compliance with current County ordinances. Ms. Straight detailed what she believes are nuisances, including loud noises and excessive water runoff. She said that the facility is not far enough from residences and does not have enough of a buffer.

Anna Tenney discussed a potential movie that she wants to film in Surry County. She also discussed wanting to start a charity for Lego donations, which would bring awareness to children’s hospitals.

David Straight completed his wife’s comments about Gordon Recyclers. He explained what their farm does, the value it brings to Surry County and said they moved to Surry County after their farm near Wilmington was damaged by hurricanes.

Chairman Marion closed the open forum.

Penny Harrison, Tax Administrator, requested the Board approve the annual property tax collection settlement resolution for fiscal year 2020-2021.

Ms. Harrison reported real and personal property tax collection rates for June 2021 of 98.88 percent, which is a record. She said combined with motor vehicle tax collection, the collection rate was 99.01 percent. Ms. Harrison recognized Tax Office staff for their hard work.

She said enforcement measures that were used included courtesy calls, courtesy emails, notification letters, wage garnishments, bank levy and debt setoff.

Upon motion of Commissioner Goins, seconded by Commissioner Johnson, the Board voted unanimously to approve the following annual property tax collection settlement resolution for fiscal year 2020-2021:

RESOLUTION APPROVING
THE TAX COLLECTOR'S ANNUAL SETTLEMENT FOR FISCAL YEAR 2020-2021
AND PRIOR YEARS

WHEREAS, pursuant to the provisions of N.C.G.S. 105-373, the Tax Administrator, in her capacity as Tax Collector, has made her report of settlement to the Surry County Board of Commissioners for fiscal year 2020-2021 and prior years after July 1 and before she is charged with taxes for the current fiscal year 2021 - 2022; and

WHEREAS, based upon the written and oral report of settlement of the Tax Administrator in her capacity as Tax Collector, Surry County Board of Commissioners has made sufficient inquiry in order to reach a determination that the collection work of the Tax Administrator in her capacity as Tax Collector has been performed satisfactorily and that the Tax Administrator in her capacity as Tax Collector has done everything that she could have done to reach whatever property may have been available; and

WHEREAS, as required by N.C.G.S. 105-373, before being charged with taxes for the current fiscal year, the Tax Administrator in her capacity as Tax Collector has presented the Surry County Board of Commissioners a list of the persons owning real property taxes whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person and a list of the persons not owning real property taxes whose personal property taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person, along with a statement under oath that she has made diligent efforts to collect the taxes due from the persons listed in a manner that is reasonably necessary by all means available to her for collection; and

WHEREAS, the settlement of the Tax Administrator in her capacity as Tax Collector, including the settlement for the taxes for prior years, which are attached hereto, together with her action of the Surry County Board of Commissioners, shall be entered into the minutes of said Board;

NOW, THEREFORE BE IT RESOLVED, by the Surry County Board of Commissioners that the list of persons owning real property whose 2020 real property taxes remain unpaid and the list of persons not owning real property whose 2020 personal property taxes remain unpaid and the principal amount owed by each person are hereby acknowledged as received.

BE IT FURTHER RESOLVED by the Surry County Board of Commissioners that the annual settlement of the Tax Administrator in her capacity as Tax Collector for the fiscal year 2020 - 2021 and prior years is hereby accepted as presented by the Tax Administrator in her capacity as Tax Collector.

ADOPTED this the 16th day of August 2021.

Ms. Harrison requested the Board approve a tax write-off request for FY2011 delinquent property taxes.

Upon motion of Commissioner Harris, seconded by Chairman Marion, the Board approved a tax write-off request for FY2011 delinquent property taxes, totaling \$135,584.58.

Johnny Easter, Development Services Director, presented a rezoning request from Kenny G. Hiatt for Case #ZCR1211. Mr. Hiatt requested to rezone the property, located on S. McKinney Road, Mount Airy, from Rural Agricultural to Community Business. Mr. Easter said the property features medium density land use and is consistent with the 2040 General Land Use Plan. Mr. Hiatt wants to combine two parcels, totaling 1.92 acres, for mini-warehouse storage. The parcel numbers are 5918-02-77-4906 and 5918-00-77-3784.

Mr. Easter said the Planning Board unanimously recommended that the Board of County Commissioners approve the rezoning. He said no complaints about the rezoning request were received from the public.

Chairman Marion opened the public hearing.

Seeing there were no speakers, Chairman Marion closed the public hearing.

Upon motion of Commissioner Harris, seconded by Commissioner Goins, the Board voted unanimously to adopt the Statement of Consistency for Rezoning Case #ZCR1211.

Upon motion of Commissioner Johnson, seconded by Commissioner Goins, the Board voted unanimously to approve Rezoning Case #ZCR1211 from Rural Agricultural to Community Business.

Jessica Montgomery, Public Works Director, requested the Board approve a vendor to provide Solid Waste Consulting, Engineering and Environmental Monitoring Services. Ms. Montgomery recommended Smith & Gardner out of nine firms for the services. She said if the Board approves the vendor, the County can start negotiating a cost for services.

Upon motion of Commissioner Goins, seconded by Commissioner Harris, the Board voted unanimously to approve Smith & Gardner to provide Solid Waste Consulting, Engineering and Environmental Monitoring Services and to begin negotiating a cost for services.

Ms. Montgomery requested the Board approve a scrap tire program and contract. She explained the Scrap Tire Disposal Act, scrap tire process and said that the previous contract with Central Carolina Holdings expired and that their new price went up significantly.

Ms. Montgomery received several contract bids, including the cheapest offer from New River Tire company in Pilot Mountain. By contracting with New River Tire, Surry County could add a scrap tire facility, which most counties in North Carolina have, and save funding. New River Tire's three cost options are cheaper than two other companies' bids.

Commissioner Goins discussed with Ms. Montgomery how paperwork for the scrap tire program works.

Commissioner Johnson and Ms. Montgomery discussed how the State doesn't allow counties to charge for tire disposal.

Ms. Montgomery recommended New River Tire's \$200,000 option that would give Surry County a tire facility and selects a local business. She recommended to the Board a two-year contract with an option for another year. Ms. Montgomery said that New River Tire serves Wilkes County Government.

Commissioner Tucker recommended a one-year contract since New River Tire would be a new vendor for the County. During discussion with the Board, Ms. Montgomery said New River Tire has been with Wilkes County for

four years. Ed Woltz, County Attorney, said that New River Tire also serves Iredell County.

Upon motion of Commissioner Johnson, seconded by Commissioner Goins, the Board voted 4-1 (ayes: Johnson, Marion, Goins and Harris; nay: Tucker) to select New River Tire to provide the scrap tire facility and services to Surry County for two years, with a one-year option for \$200,000.

Ms. Montgomery requested the Board approve the purchase of a Caterpillar C5 bulldozer with a 2.99 percent interest rate. The bulldozer would be used at the landfill. She said that Rhonda Nixon, Finance Officer, recommends the purchase.

Chairman Marion asked if the purchase saves money compared to leasing, to which Ms. Montgomery responded yes.

Upon motion of Commissioner Goins, seconded by Commissioner Johnson, the Board voted unanimously to approve the purchase of a Caterpillar C5 bulldozer, to use at the landfill, for \$322,156.

Chris Knopf, County Manager, presented a request to invest an incentive cash grant of \$11,465.40 for Project Woodgrain.

Chairman Marion opened the public hearing.

Seeing there were no speakers, Chairman Marion closed the public hearing.

Mr. Knopf said Todd Tucker, President of the Surry County Economic Development Partnership, intended to speak during the public hearing but couldn't get to the meeting on time because of a wreck on U.S. Hwy. 601. Mr. Knopf said that the Economic Development Partnership supports the grant investment.

Upon motion of Commissioner Harris, seconded by Chairman Marion, the Board voted unanimously to approve the incentive cash grant of \$11,465.40 for Project Woodgrain.

Mr. Knopf requested the Board amend Chapter 112, Ambulance Service, in the Surry County Code of Ordinances to allow ambulance franchise agreements a maximum of five years. He reviewed and explained why the text needs to be amended. Mr. Knopf said he had discussed it with Mr. Woltz.

Chairman Marion opened the public hearing.

Seeing there were no speakers, Chairman Marion closed the public hearing.

Upon motion of Commissioner Goins, seconded by Commissioner Johnson, the Board voted unanimously to amend Chapter 112, Ambulance Service, in the Surry County Code of Ordinances to allow ambulance franchise agreements a maximum of five years.

Mr. Knopf requested the Board approve a franchise renewal agreement for Lifestar non-emergency ambulance service. He reviewed reasons why the renewal should be approved, including Lifestar wanting to add an additional facility in Surry County. The renewal would allow Lifestar to operate for a maximum of five years with the new franchise agreement.

Commissioner Johnson asked Mr. Woltz about outs in the agreement, which Mr. Woltz explained.

Upon motion of Commissioner Johnson, seconded by Commissioner Harris, the Board voted unanimously to approve the franchise renewal agreement for Lifestar non-emergency ambulance service.

Mr. Knopf recommended that the Board schedule at least one work session to discuss American Rescue Plan funding that Surry County is receiving. The Board discussed their availability for Monday, August 23 at 6 pm in the Board Room of the Historic Courthouse in Dobson.

Upon motion of Commissioner Goins, seconded by Commissioner Harris, the Board voted unanimously to schedule an American Rescue Plan work session for Monday, August 23 at 6 pm in the Board Room of the Historic Courthouse in Dobson.

Nathan Walls, Assistant to the County Manager, requested the Board reappoint Zim Zimmerman to the Surry County Tourism Development Authority.

Upon motion of Chairman Marion, seconded by Commissioner Harris, the Board voted unanimously to reappoint Zim Zimmerman to the Surry County Tourism Development Authority.

Mr. Walls requested the Board reappoint Hannah Holyfield to the Surry County Tourism Development Authority.

Upon motion of Commissioner Harris, seconded by Commissioner Goins, the Board voted unanimously to reappoint Hannah Holyfield to the Surry County Tourism Development Authority.

Mr. Walls requested the Board appoint Donnie R. Johnson to the Recreation Advisory Committee.

Upon motion of Commissioner Johnson, seconded by Chairman Marion, the Board voted unanimously to appoint Donnie R. Johnson to the Recreation Advisory Committee.

Mr. Walls said Dr. Mark Hauser resigned from the Board of Health.

Mr. Walls said Donna Collins requested the Board's assistance in recruiting for two vacancies on the Surry Aging Planning Committee. The Board asked Ms. Collins to provide more information, so she came to the podium. She said the committee assists older and disabled adults and is looking for older adults and caregivers. Ms. Collins said the new members' residential locations in Surry County would not matter. The Board encouraged the audience and those watching at home to apply.

In General County Business, Commissioner Harris invited the public to attend Surry 250 on Saturday, August 21 at the Historic Courthouse in Dobson to celebrate the county's 250th anniversary.

Commissioner Harris also discussed the possible sales tax increase that has been introduced in the NC Legislature.

Commissioner Johnson highlighted the time capsule that will be on display and part of Surry 250.

Commissioner Johnson said he would like a draft public nuisance ordinance, which has recently been re-written, be brought to the Board again for a public hearing during the Board's September 20 meeting. Mr. Woltz explained adding due process protections to the draft public

nuisance ordinance so Surry County can enforce State law. He explained how the public nuisance process would work. Mr. Woltz said the public hearing notice will be published in the Mount Airy News and Elkin Tribune.

Chairman Marion said he attended the North Carolina Association of County Commissioners Conference in Wilmington last weekend.

Commissioner Harris announced the Blue Star Memorial Marker event being held September 10 and invited the public to attend.

Chairman Marion said he attended the August 5 ribbon cutting for the new Fisher River access on old Highway 601. He also discussed the upcoming new detention center groundbreaking that was rescheduled from August 17 to August 24.

Upon motion of Commissioner Goins, seconded by Commissioner Harris, the Board voted unanimously to enter closed session to discuss items pursuant to G.S. 143-318.11 (a) (3) legal, pursuant to G.S. 143-318.11(a) (4) economic development and pursuant to G.S. 143-318.11(a) (6) personnel.

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

Upon motion of Commissioner Goins, seconded by Commissioner Johnson, the Board voted unanimously to approve the following resolution and enter into a Memorandum of Agreement between local governments and the State on proceeds from a settlement related to opioid litigation, subject to retraction between August 16, 2021 and December 2021:

**A RESOLUTION BY THE COUNTY OF SURRY
APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE STATE OF
NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE
SETTLEMENT OF OPIOID LITIGATION**

WHEREAS, as of 2019, the opioid epidemic had taken the lives of more than 16,500 North Carolinians, torn families apart, and ravaged communities from the mountains to the coast; and

WHEREAS, the COVID-19 pandemic has compounded the opioid crisis, increasing levels of drug misuse, addiction, and overdose death; and

WHEREAS, the Centers for Disease Control and Prevention estimates the total "economic burden" of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuit against opioid manufacturers and pharmaceutical distribution companies and hold those companies accountable for their misconduct; and

WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Memorandum of Agreement (MOA) to provide for the equitable distribution of any proceeds from a settlement of national opioid litigation to the State of North Carolina and to individual local governments; and

WHEREAS, Local Governments and the State of North Carolina anticipate a settlement in the national opioid litigation to be forthcoming; and

WHEREAS, by signing onto the MOA, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, once a negotiation is finalized, as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to all North Carolinians for local governments, including Surry County and its citizens, to sign onto the MOA and demonstrate solidarity in response to the opioid epidemic, and to maximize the share of opioid settlement funds received both in the state and this county to help abate the harm; and

WHEREAS, the MOA directs substantial resources over multiple years to local governments on the front lines of the opioid epidemic while ensuring that these resources are used in an effective way to address the crisis.

NOW, THEREFORE BE IT RESOLVED, Surry County hereby approves the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation, and any subsequent settlement funds that may come into North Carolina as a result of the opioid crisis. Furthermore, Surry County authorizes the County Manager (or County Attorney) take such measures as necessary to comply with the terms of the MOA and receive any settlement funds, including executing any documents related to the allocation of opioid settlement funds and settlement of lawsuits related to this matter. Be it further resolved copies of this resolution and the signed MOA be sent to opioiddocs@ncdoj.gov as well as forwarded to the North Carolina Association of County Commissioners at communications@ncacc.org.

Adopted this the 16th day of August 2021.

Upon motion of Commissioner Goins, seconded by Commissioner Harris, the Board voted unanimously to enter a settlement with Purdue Pharma and Mallinckrodt, who are under bankruptcy.

Upon motion of Commissioner Goins, seconded by Commissioner Harris, the Board voted unanimously to adjourn at 7:56 pm.

Nathan Walls
Clerk to the Board