

Minutes of the 2 March 2010
Regular Meeting of the Yancey County Board of Commissioners
Held at 7:00 o'clock p.m. in the Commissioner's Meeting Room
Yancey County Courthouse, Burnsville, North Carolina

Present at the 2 March 2010 meeting of the Yancey County Board of County Commissioners were Chairman Walter Savage, Member Jerri Storie, Member Johnny Riddle, County Manager Nathan Bennett, Clerk to the Board Jason Robinson, EDC Executive Director Jake Blood, Finance Director Lynne Hensley, and members of the general public.

Call to Order, Invocation and Approval of Agenda

Chairman Savage called the meeting to order and delivered the invocation. The motion to approve the agenda was made by Commissioner Riddle and was seconded by Commissioner Storie. The vote to approve was unanimous. (Attachment A)

Public Comment

The Board then moved to the public comment portion of the meeting. The first person to speak before the Board was Jerry Ledford. Mr. Ledford expressed concern over the rate increase at Toe River Campground and asked the commissioners to reconsider their actions and to take a look at how money was being spent. Upon hearing from Mr. Ledford Commissioner Riddle made a motion to delay payment of campground dues by seasonal campers until the Board has time to discuss the issue but not later than when seasonal campers move in. Commissioner Storie seconded the motion and the vote to approve was unanimous. The next person to speak before the Board was Anthony Robinson. He was upset about the local paper not printing his letter in the editorial page. He thinks that the local paper is biased against him because it will print letters by Charles Weidman but not by him. The next person to speak before the Board was Tony Hoover. Mr. Hoover thinks that there needs to be a good way of keeping track of how money is spent at Toe River Campground. He stated that he doesn't mind to pay more for a camping site because he doesn't want the tax payers to subsidize his privilege to camp but if a price increase can be avoided by keeping better track of spending then that would be a good thing.

Finance Office Report

The Board next heard from Ms. Lynne Hensley. Ms. Hensley was coming before the Board to ask for approval of budget amendments numbers 2, 3, and 4 (Attachments B, C, and D). Ms. Hensley stated that part of the need for the budget amendments was due to the reduction of revenue projections. Sales tax is still volatile and the budget still may have to be reduced again because the new way of calculating sales tax distribution hurts small, rural counties. Ms. Hensley further stated that the finance team and the county manager are closely monitoring the budget and discretionary spending knowing that the Local Government Commission is monitoring the budget closely. Ms. Hensley also gave an update to the corrective action plan put into place after the last audit. According to Ms. Hensley good progress is being made to address as many of the audit comments as possible (Attachment E).

Yancey County Transportation Authority (YCTA) Public Hearing and Appropriate Action--Community Transportation Program (CTP)

Chairman Savage then made a motion to open a public hearing for the purposes of receiving comment about the Community Transportation Program. The motion was seconded by Commissioner Storie and the vote to go open the public hearing was unanimous. The Board then heard from Ms. Lynn Austin, Director of YCTA about the Community Transportation Program (CTP). Ms. Austin explained to the Board that the CTP money is used each year for administrative costs of the department. Ms. Austin further explained that YCTA was asking for \$153,341 in administrative cost this year and that the county must provide a 15% match. In addition Ms. Austin also stated that YCTA was asking for \$35,300 in capitol funds from the CTP which included a 10% county match to replace a van and two desktop computers. After hearing from Ms. Austin, Chairman Savage opened the floor for public comments related to the

Community Transportation Program. Having received no public comment concerning the CTP Commissioner Storie made a motion to close the public hearing. The motion was seconded by Commissioner Riddle and the vote to approve was unanimous. Commissioner Storie then made a motion to approve all documentation necessary for the County to apply for the Community Transportation Program and authorize appropriate staff to execute said documentation (Attachments F and G). The motion was seconded by Chairman Savage and the vote to approve was unanimous.

Wildlife Request

The Board next heard from Mr. Benny Riddle. Mr. Riddle is the spokesman for a group of concerned citizens that live or own land on Langford Branch in the Cane River Community. Mr. Riddle stated that all of the landowners on Langford Branch had signed a petition (Attachment H) asking the commissioners to pass a resolution to go to the General Assembly to make it illegal to shoot from the road onto someone else's property for the purpose of taking game. Mr. Riddle further stated that this is more than a wildlife request that this is a safety request. Mr. Riddle also stated that the real problem is that sometimes people on Langford Branch begin to shoot back thinking that someone is shooting at their house.

Dangerous Dog Board and Impound Times

The Board then heard from County Manager Nathan Bennett about the establishment of a dangerous dog board. Mr. Bennett informed the Board that the commissioner must appoint a dangerous dog board to act as an appeal board if the animal control officer deems a dog as being dangerous. Upon hearing from County Manager Bennett Chairman Savage made a motion to establish a 5-member Dangerous Dog Appeal Board pursuant to N.C.G.S. 67-4.1 (c) and appoint Mike Ledford, Linda Biddix, Derek Murphy, Jane Mummert, and Jim Edwards to said Board. The motion was seconded by Commissioner Storie and the vote to approve was unanimous (Attachment I). County Manager Bennett also informed the Board that county must establish a hold impound time for rabid animals. Upon hearing from County Manager Bennett Commissioner Storie made a motion that Yancey County establish the rabid animal impound duration time to be 72 hours as authorized by N.C.G.S. 140A-192. The motion was seconded by Chairman Savage and the vote to approve was unanimous (Attachment J).

Toe River Health District-Home Care Advisory Council

County Manager Nathan Bennett then informed the Board that a commissioner had to be appointed to the Home Care Advisory Council for the Toe River Health District. Upon hearing from County Manager Bennett Commissioner Storie made a motion to appoint Commissioner Johnny Riddle to the Home Care Advisory Council of the Toe River Health District. The motion was seconded by Chairman Savage and the vote to approve was unanimous.

Settlement of Taxes by Tax Collector

County Manager Nathan Bennett then informed the Board that the Tax Collector, Cindy Whitson, had resigned and according to North Carolina Statute the Board must accept her settlement of all taxes to be given to the next tax collector. Chairman Savage then made a motion to accept the settlement made by the former Tax Collector, Cindy Whitson (Attachment K). The motion was seconded by Commissioner Riddle and the vote to accept was unanimous. Chairman Savage then made a motion to accept the resignation of Mrs. Whitson. The motion was seconded by Commissioner Storie and the vote to accept was unanimous.

West Yancey Fire Department

The Board next heard from County Manager Nathan Bennett about the issue of the West Yancey Fire Department. West Yancey has built a new building and have moved out of the old building that housed the fire department. The deed that West Yancey Fire Department has states that if the building is to ever cease being used for a fire department that the property would revert

back to the County. West Yancey Fire Department is asking the Board to remove that reversionary clause from the deed and allow them to sell the property to help pay for the new buildings or other improvements to the new site. Upon hearing from the county manager Chairman Savage asked the clerk to read the resolution that goes along with this request aloud. Upon the reading of the resolution Chairman Savage made a motion to approve the resolution. Commissioner Riddle seconded the motion and the vote to approve was unanimous (Attachment L).

Broadband Grant Application to USDA—Letter of Support

County Manager Nathan Bennett informed the Board that Country Cablevision is again seeking a stimulus funds to bring more broadband internet to Yancey County. The first proposal by Country Cablevision was not funded and they are hoping to be funded in the next cycle. They are asking for letters of support from all interested parties. Upon hearing from County Manager Bennett, Commissioner Storie made a motion to submit the letter in support of Country Cablevision to the appropriate agencies. The motion was seconded by Commissioner Riddle and the vote to approve was unanimous (Attachment M).

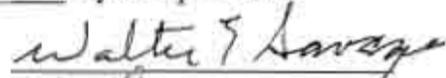
Adjournment

Having no further business Commissioner Storie made a motion to adjourn and it was seconded by Commissioner Riddle. The vote to adjourn was unanimous.

Approved and authenticated on this the _____ 6th _____ day of April 2010.

Attest:


J. Jason Robinson
Clerk to the Board


Walter Savage, Chairman


Jeff Storie, Member


Johnny Riddle, Member

(county seal)





YANCEY COUNTY

110 Town Square, Room 11 • Burnsville, North Carolina 28714
PHONE: (828) 682-3971 • FAX: (828) 682-4301

Nathan Bennett, *County Manager*

Walter Savage, *Chairman*

Jerri Storie, *Commissioner*

Johnny Riddle, *Commissioner*

**AGENDA
YANCEY COUNTY COMMISSIONERS
REGULAR BUSINESS MEETING
MARCH 2, 2010**

- I. Call to Order - Chairman Savage
- II. Invocation
- III. Approval of the Agenda
- IV. Public Comment
- V. Approval of Minutes – February 2 Regular Meeting, February 25 Special Meeting
- VI. Finance Office
 - (a) Budget Amendment
 - (b) Corrective Action Report
- VII. Yancey County Transportation Authority
 - (a) PUBLIC HEARING-Community Transportation Program
 - (b) Action on Community Transportation Program
- VIII. Wildlife Request/Presentation---Benny Riddle
- IX. Public Art---Armin Wessel
- X. Animal Control – Animal Control Officer Eric Penland
 - (a) Dangerous Dog Board
 - (b) Hold impound time
- XI. Toe River Health District-Home Care Advisory Council-Appointment of Commissioner
- XII. Settlement of Taxes by Tax Collector
- XIII. West Yancey Fire Department
- XIV. Broadband Grant Application to USDA – Letter of Support
- XV. Adjourn

Attachment B

YANCEY COUNTY FINANCE OFFICE



110 TOWN SQUARE, ROOM 11, BURNSVILLE, NC 28714

PHONE (828)682-3819 · FAX (828)682-4301

FINANCE DIRECTOR, LYNNE E. HENSLEY · lhensley@yanceycountync.gov

FINANCE OFFICER, BRANDI BURLESON · bburleson@yanceycountync.gov

ASST. FINANCE OFFICER, LISA MILLER · lmiller@yanceycountync.gov

NOTES TO BUDGET AMENDMENT # 2

The purpose of this budget amendment is to adjust changes in the supplemental funds. These changes are due to various increases in the 4-H Afterschool Program and the Mountain Challenge salary & fringe line items. This amendment also reduces the amounts allocated to repay the jail loan, which was combined with the current loan in September of 2009. A reduction in the amount allocated to the PARTF grant, in which funding was cut by the state. This amendment does not change the overall 2009-2010 Fiscal Year Budget, which remains at \$19,772,504.00.

NOTES TO BUDGET AMENDMENT #3

The purpose of this amendment is to adjust salary & fringe line items to reflect the accrued payroll that will fall in June of 2010. Some salary line items were adjusted to reflect actual expenditures since July of 2009. The property tax collection was reduced to reflect the latest collection rate of 93.03% and the budget was adopted with the 95% collection rate from the previous year. This reduced property tax collections in the amount of \$100,699. With the aggressive delinquent tax collection process we have in turn been able to increase the prior year collections in the amount of \$175,000. There was also an increase in the Timber Receipts revenues, which goes to the schools and US Forest Service. This amendment does change the overall 2009-2010 Fiscal Year Budget from \$19,772,504 to \$19,940,625.

NOTES TO BUDGET AMENDMENT # 4

The purpose of this amendment is to adjust the Department of Social Services revenues and expenditures to reflect cuts and increases made by the state to various programs. This amendment does change the overall 2009-2010 Fiscal Year Budget from \$19,940,625 to \$19,665,224.

**These amendments do not reflect the necessary adjustments to sales tax. We are waiting to get a more accurate reflection of current collections. This amendment will be presented in the near future.

**2009-2010 Fiscal Year Budget
Breakdown**

Adopted Budget as of 7-1-09	\$20,797,477.00
Budget Amendment # 1	-\$1,024,973.00
Revised Budget as of 10-19-2009	\$19,772,504.00
Budget Amendment # 2	NO CHANGE
Budget Amendment # 3	\$168,121.00
Budget Amendment # 4	-\$275,401.00
Revised Budget as of 3-2-2010	\$19,665,224.00

YANCEY COUNTY COMMISSIONERS

BUDGET AMENDMENT # 2

FUND: OTHER

As entered in the minutes of the Yancey County Board of Commissioners at a meeting on Tuesday, March 2 , 2010 the following budget amendments are to be recorded:

	EXPEND. CODE	ACCOUNT	INCREASE	DECREASE
1	224951-5121	WAGES	698.00	
2	224951-5181	FICA/MEDICARE	2,842.00	
3	224951-5129	MISC SUPPLIES		3,558.00
4	224951-5182	RETIREMENT	2,325.00	
5	224951-5187	ACC INS - CHILDREN		7,250.00
6	224951-5231	SPEC PROG SUPPLIES	6,300.00	
7	224951-5260	OFFICE SUPPLIES		3,614.00
8	224951-526005	STUDENT ACTIVITIES	4,614.00	
9	224951-539310	PURCHASE CONTRACTS		500.00
10	224951-5395	TRAINING		900.00
11				
12	224953-5121	SALARIES	1,660.00	
13	224953-5181	FICA/MED	127.00	
14	224953-5182	RETIREMENT	185.00	
15	224953-5260	OFFICE SUPPLIES	1,103.00	
16	224953-5312	TRAVEL EXPENSES	210.00	
17				
18	224957-5312	TRAVEL EXPENSES		331.00
19				
20				
21	925100-5865	JAIL - INTEREST		82,048.00
22	925100-5866	JAIL - PRINCIPLE		99,550.00
23				
24	406121-5660	PARTF EXPENDITURES		150,000.00

TOTALS	20,064.00	347,751.00
NET CHANGE		-327,687.00
CURRENT APPROP		19,772,504.00
TOTAL APPROP AMENDED		19,772,504.00

	REVENUE SECTION	INCREASE	DECREASE
25	224000-4001	CONT FROM GENERAL FUND	3,911.00
26			
27	924000-4001	CONT FROM GENERAL FUND	181,598.00
28			
29	404000-4001	CONT FROM GENERAL FUND	150,000.00
30			

TOTALS	3,911.00	331,598.00
NET CHANGE		-327,687.00
CURRENT APPROP		19,772,504.00
TOTAL APPROP AMENDED		19,772,504.00

Attachment C

YANCEY COUNTY COMMISSIONERS

BUDGET AMENDMENT # 3

FUND: GENERAL

As entered in the minutes of the Yancey County Board of Commissioners at a meeting on Tuesday, March 2, 2010 the following budget amendments are to be recorded:

	EXPEND. CODE	ACCOUNT	INCREASE	DECREASE
1	104110-5121	SALARIES	7,005.00	
2	104110-512601	CLERK - SALARIES	1,992.00	
3	104110-5181	FICA/MED	650.00	
4	104120-5121	SALARIES	1,150.00	
5	104120-5181	FICA/MED	60.00	
6	104120-5182	RETIREMENT	120.00	
7	104120-5183	HEALTH INS		195.00
8	104130-5121	SALARIES	880.00	
9	104130-5181	FICA/MED	136.00	
10	104130-5182	RETIREMENT		1,860.00
11	104130-5183	HEALTH INS		250.00
12	104140-5121	SALARIES	1,335.00	
13	104140-5182	RETIREMENT	55.00	
14	104140-5183	HEALTH INS		300.00
15	104145-5121	SALARIES	750.00	
16	104145-5126	PARTTIME SALARIES		2,000.00
17	104145-5181	FICA/MED		95.00
18	104145-5182	RETIREMENT	35.00	
19	104145-5183	HEALTH INS		90.00
20	104170-5121	SALARIES	515.00	
21	104170-5181	FICA/MED		2,000.00
22	104170-5182	RETIREMENT		30.00
23	104170-5183	HEALTH INS	100.00	
24	104180-5121	SALARIES		9,000.00
25	104180-5126	PARTTIME SALARIES	3,000.00	
26	104180-5181	FICA/MED		450.00
27	104180-5182	RETIREMENT		250.00
28	104180-5183	HEALTH INS		180.00
29	104190-5121	SALARIES		19,000.00
30	104190-5126	PARTTIME SALARIES	3,020.00	
31	104190-5181	FICA/MED		740.00
32	104190-5182	RETIREMENT		1,000.00
33	104195-5121	SALARIES	830.00	
34	104195-5181	FICA/MED		160.00
35	104195-5182	RETIREMENT		370.00
36	104195-5183	HEALTH INS	175.00	
37	104310-5121	SALARIES		8,000.00
38	104310-5133	LAW ENFORCE 401(K)		1,000.00
39	104310-5181	FICA/MED		3,500.00
40	104310-5182	RETIREMENT		700.00
41	104310-5183	HEALTH INS		6,000.00
42	104315-5121	SALARIES	13,500.00	

43	104315-5181	FICA/MED	200.00		
44	104315-5182	RETIREMENT	500.00		
45	104315-5183	HEALTH INS			1,000.00
46	104322-5121	SALARIES			25,000.00
47	104322-5181	FICA/MED			3,000.00
48	104322-5182	RETIREMENT			1,500.00
49	104322-5183	HEALTH INS			7,000.00
50	104350-5121	SALARIES	5,800.00		
51	104350-5181	FICA/MED	300.00		
52	104350-5182	RETIREMENT	100.00		
53	104350-5183	HEALTH INS			350.00
54	104390-5121	SALARIES	9,100.00		
55	104390-5126	PARTTIME SALARIES	665.00		
56	104390-5181	FICA/MED			150.00
57	104390-5182	RETIREMENT	450.00		
58	104521-5121	SALARIES	4,900.00		
59	104521-5125	PARTTIME SALARIES			10,000.00
60	104521-5126	PARTTIME SALARIES			5,000.00
61	104521-5182	RETIREMENT			500.00
62	104521-5183	HEALTH INS			1,500.00
63	104710-5126	PARTTIME SALARIES			10,000.00
64	104710-5181	FICA/MED	500.00		
65	104715-5121	SALARIES			14,000.00
66	104715-5182	FICA/MED			500.00
67	104715-5183	RETIREMENT			1,500.00
68	104720-5121	SALARIES			10,000.00
69	104720-5126	PARTTIME SALARIES	2,000.00		
70	104720-5182	FICA/MED			900.00
71	104720-5183	RETIREMENT	200.00		
72	104910-5121	SALARIES	250.00		
73	104910-512101	INTERN - SALARIES	350.00		
74	104910-5182	FICA/MED	20.00		
75	104910-5183	RETIREMENT	600.00		
76	105310-5121	SALARIES	1,700.00		
77	105310-5127	LONGEVITY	770.00		
78	105310-5181	FICA/MED	980.00		
79	105310-5182	RETIREMENT	500.00		
80	105310-5183	HEALTH INS	500.00		
81	105320-5121	SALARIES	1,350.00		
82	105320-5183	HEALTH INS	1,370.00		
83	105330-5121	SALARIES	107,000.00		
84	105330-5181	FICA/MED	2,500.00		
85	105330-5182	RETIREMENT	2,865.00		
86	105330-5183	HEALTH INS	6,600.00		
87	105850-5121	SALARIES			12,000.00
88	105850-5126	PARTTIME SALARIES			4,000.00
89	105850-5181	FICA/MED			500.00
90	105850-5182	RETIREMENT			1,000.00
91	105850-5183	HEALTH INS	500.00		
92	106116-5121	SALARIES	550.00		
93	106116-5183	HEALTH INS	1,300.00		
94	106120-5121	SALARIES	3,000.00		

95	106120-5182		RETIREMENT	100.00		
96	106120-5183		HEALTH INS			2,000.00
97	106130-5121		SALARIES	6,400.00		
98	106130-5126		PARTTIME SALARIES	18,500.00		
99	106130-5181		FICA/MED	2,200.00		
100	106130-5183		RETIREMENT	200.00		
101	104330-5540		EM VEHICLE	9,000.00		
102	104380-5353		R&M VEHICLES	2,152.00		
103	104200-5991		GEN FUND CONT			168,800.00
104	107000-600006		CONT TO CAPITAL PROJ	168,800.00		
105	104120-5126		PARTTIME SALARIES	7,000.00		
106	104120-5181		FICA/MED	390.00		
107	104130-5126		PARTTIME SALARIES	3,000.00		
108	104130-5181		FICA/MED	230.00		
109	104140-5352		R&M EQUIPMENT			180.00
110	104140-5381		COMP PROG TIME			500.00
111	104140-5440		SERV & MAIN CONT			3,000.00
112	104170-5440		SERV & MAINT CONT			1,000.00
113	104200-5181		FICA/MED			2,000.00
114	104200-5182		RETIREMENT			584.00
115	104200-5185		UNEMPLOYMENT INS			12,647.00
116	104200-5191		PROF FEES - ACCT	3,617.00		
117	104200-519102		PROF FEES - NONCAPITAL	8,000.00		
118	104200-522001		EMPLOYEE APPREC/CHRISTMA	809.00		
119	104200-5239		VACCINATIONS			2,500.00
120	104200-529913		FLAGS	1,000.00		
122	104200-549105		DUES			235.00
123	104200-549106		DUES			420.00
124	104200-569901		ADULT DAY CARE/WAMY	10,000.00		
125	104200-569931		ALLOC/CRC			1,500.00
126	104325-539903		JUV DETENTION			5,000.00
127	104350-5331		ELECTRICITY			3,000.00
128	104200-5186		WORKERS COMP INS			2,172.00
129	104715-5332		FUEL OIL	3,000.00		
130	104715-5334		WATER			10,000.00
131	104715-5352		R&M EQUIPMENT			2,000.00
132	104720-5332		FUEL OIL			5,000.00
133	104720-5352		R&M EQUIPMENT			5,000.00
134	104720-5353		R&M AUTOS			2,000.00
135	104720-5395		TRAINING			1,500.00
136	104720-5439		EQUIP RENTAL			3,000.00
137	104720-5591		ROAD MAINTENANCE			2,000.00
138	104950-5263		EFNEP SUPPLIES			200.00
139	104950-5312		TRAVEL EXPENSES			450.00
140	104950-5325		POSTAGE			150.00
141	104950-5332		FUEL OIL			1,000.00
142	104950-5395		TRAINING			500.00
143	105820-5510		CAPITAL			500.00
144	105820-5395		TRAINING			500.00
145	106116-5431		COPIER LEASE	300.00		
146	104200-5991		GEN FUND CONTINGENCY	60,200.00		
147	104110-5321		TELEPHONE	1,000.00		

148	104120-5260	OFFICE SUPPLIES	400.00		
149	104130-5260	OFFICE SUPPLIES	400.00		
150	104130-5291	FORMS			400.00
151	104180-5431	COPIER LEASE	100.00		
152	104180-5395	TRAINING			100.00
153	104200-5391	ADVERTISING	300.00		
154	104190-5211	JANITORIAL SUPPLIES	1,000.00		
155	104190-5212	UNIFORMS	500.00		
156	104190-524008	R&M	5,000.00		
157	104190-524012	R&M	1,000.00		
158	104190-524007	R&M BALD CREEK CDC			5,000.00
159	104190-524004	R&M AMBULANCE SHED			1,000.00
160	104190-5440	SERV & MAINT CONT	2,000.00		
161	104190-5332	FUEL OIL			10,000.00
162	104195-5520	CAP-COMPUTERS			5,000.00
163	104310-5311	TRAVEL/MILEAGE	100.00		
164	104310-5440	SERV & MAINT CONT	3,000.00		
165	104310-5550	CAPITAL			4,000.00
166	104322-5238	INMATES - MEDICATION	2,000.00		
167	105910-5914	TIMBER RECEIPTS	55,251.00		
168	104750-569310	FOREST SERVICE PRESERV.	14,569.00		
169	104330-5251	MOTOR FUELS	500.00		
170	104330-5510	CAPITAL	360.00		
171	104330-569918	WNC IFLOWS			639.00
172	104350-5260	OFFICE SUPPLIES	2,000.00		
173	104350-5128	SALARY ADJUST			1,750.00
174	104350-5312	TRAVEL EXPENSES	500.00		
175	104350-5311	TRAVEL/MILEAGE			500.00
176	104350-5325	POSTAGE	50.00		
177	104350-5332	FUEL OIL			1,000.00
178	104350-5352	R&M EQUIPMENT	100.00		
179	104350-5353	R&M AUTOS	50.00		
180	104380-5251	MOTOR FUELS	300.00		
181	104380-5253	VEHICLE PARTS	100.00		
182	104380-5260	OFFICE SUPPLIES	500.00		
183	104380-5312	TRAVEL EXPENSES	12.00		
184	104390-5431	COPIER LEASE	100.00		
185	104390-5260	OFFICE SUPPLIES			100.00
186	104715-5550	CAPITAL - EQUIPMENT			35,000.00
187	106125-5321	TELEPHONE			1,000.00
188	106130-5321	TELEPHONE	1,000.00		
189	106130-5211	JANITORIAL SUPPLIES	400.00		
190	106130-5260	OFFICE SUPPLIES	300.00		
191	106130-526002	STORE INVENTORY	2,500.00		
192	106130-524020	CONST & REPAIR			1,000.00
193	106130-5311	TRAVEL	300.00		
194	106130-5332	FUEL OIL	200.00		
195	106130-5359	R&M GROUNDS			1,000.00
196	104720-5592	C&D CLOSURE	48,000.00		
197					
198					
199					

200					
201					
202					

TOTALS	641,518.00	473,397.00
NET CHANGE		168,121.00
CURRENT APPROP		19,772,504.00
TOTAL APPROP AMENDED		19,940,625.00

REVENUE SECTION		INCREASE	DECREASE
203	104041-4000	PRIOR YR DELINQUENT	175,000.00
204	104041-4109	AD VALOREM 2009	100,699.00
205	104042-4316	TIMBER RECEIPTS	69,820.00
206	104052-4645	CONT FROM MITCHELL CO	24,000.00
207			
208			

TOTALS	268,820.00	100,699.00
NET CHANGE		168,121.00
CURRENT APPROP		19,772,504.00
TOTAL APPROP AMENDED		19,940,625.00

0.00

Attachment 0

YANCEY COUNTY COMMISSIONERS

BUDGET AMENDMENT # 4

FUND: GENERAL

As entered in the minutes of the Yancey County Board of Commissioners at a meeting on Tuesday, March 2, 2010 the following budget amendments are to be recorded:

	EXPEND. CODE	ACCOUNT	INCREASE	DECREASE
1	105320-5775	CRISIS INTERVENTION	64,176.00	
2	105330-5784	STATE FOSTERCARE		142,000.00
3	105330-5785	IV-E FOSTERCARE	30,000.00	
4	105330-5793	HOME DAY CARES		251,593.00
5	104200-5991	GEN FUND CONT	24,016.00	

TOTALS	118,192.00	393,593.00
NET CHANGE		-275,401.00
CURRENT APPROP		19,940,625.00
TOTAL APPROP AMENDED		19,665,224.00

		REVENUE SECTION	INCREASE	DECREASE
6	104055-475010	IV-E FOSTERCARE	24,690.00	
7	104055-475012	STATE FOSTERCARE		71,000.00
8	104055-475014	CRISIS INTERVENTION	64,176.00	
9	104055-475017	SUBSIDIZED CHILDCARE		251,593.00
10	104055-475018	LIEAP & CIP ADMIN	3,945.00	
11	104055-475019	FOOD/NUTRITION		4,831.00
12	104055-475026	MEDICAID ADMIN	7,000.00	
13	104055-475028	SSBG SERVICES		28,468.00
14	104055-475029	TANF TRANSFERRED		4,060.00
15	104055-475031	CHILD PROTECT IV-E	332.00	
16	104055-475032	PERMANENCY PLANNING		15.00
17	104055-475036	IV-E ADMIN FOSTERCARE		2,259.00
18	104055-475038	IV CHILD SUPPORT ENFORCE		60,155.00
19	104055-475045	ADULT CARE HOME		1,061.00
20	104055-475046	ADULT PROT SERVICES		3,150.00
21	104055-475047	ADULT HOME SPEC	457.00	
22	104055-475048	PROGRAM INTEGRITY	1,074.00	
23	104055-475050	MEDICAID TRANSPORT ADMIN	95,337.00	
24	104055-475051	HEALTHCHOICE ADMIN	29,842.00	
25	104055-475052	SUBSIDIZED CHILDCARE ADMIN	80,000.00	
26	104056-475106	HEALTHCHOICE REV		19,943.00
27	104056-4850	MEDICAID TRANSPORT		92,649.00
28	104059-475302	DAY CARE FEES		31,624.00
29	104059-475303	DAY CARE FOOD PROGRAM		11,446.00

TOTALS	306,853.00	582,254.00
NET CHANGE		-275,401.00
CURRENT APPROP		19,940,625.00
TOTAL APPROP AMENDED		19,665,224.00

Attachment E

MEMO TO: Yancey County Board of Commissioners

FROM: Lynne E. Hensley, Finance Director

DATE: March 2, 2010

Re: Review of June 30, 2009 Audit Comments and Corrective Actions

During the early months of 2009 the Board was given several progress reports on efforts made to address the auditor's comments for the year ending June 30, 2008. In December, 2009 the audit for the year ending June 30, 2009 was presented, along with the auditor's comments and management's responses given in the Compliance Report for that date. This is our first progress report on the 2009 comments. Note that four findings from the 2008 audit have been corrected and eliminated; a number of repeated findings are narrower in scope; and at least four comments (Segregation of Duties, Financial Reporting, Budgetary Control, and Fiscal Management) continue to require significant efforts of both the Board and the Management Team.

2009-1 Segregation of Duties

Our Corrective Action Plan for this comment references the availability of some part-time staff that has made more sharing of processes possible. We will continue to use these positions in such a manner and will create written documentation for new procedures.

The administrative team is currently reviewing software products that could greatly improve operations and internal controls in all function areas, especially the tax and finance departments. We had an extensive software demonstration on January 27, and will be reviewing another product tomorrow, March 3. Additionally, we traveled to Polk County on February 22 to review the software used in that county. We hope that a software transition will be possible and that a decision regarding a transition can be made in the near future.

2009-2 Financial Reporting

As was noted in our comment response, efforts are being made this year to improve financial reporting processes, including more closely monitoring balance sheet accounts and preparing more year-end entries. With regard to the recommendation for staff training, The Finance Director and Finance Officer have attended some seminars, including the State Treasurer's Conference, and will continue to do so, particularly when available within our geographic area.

2009-3 Budgetary Control

The 2009-2010 budget for Yancey County has been extensively reviewed and amended, with amendments #2-#4 being submitted to the Board at this meeting. The process of providing budgetary reports to the Board on a quarterly basis was established last fiscal year, and continues this year. Continued improvements in the financial reporting area (#2 above) will facilitate even better budgetary control in this fiscal year, and the adoption of the 2009-2010 Budget Ordinance at the departmental level will make the review and amendment process more efficient.

Efforts to gain a better understanding of the Department of Social Services budgeting function have become a priority for the finance staff. Meetings and other communications with that department's administrative personnel have improved budgeting, reporting, and general communications between our two functions. Additionally, we met

with the area DSS Liaison and our auditor on November 24 to discuss these processes. We are continuing to work very hard in this particular area and will continue to seek outside help as well.

As noted in #1 above, a change in software will greatly facilitate all budgetary control processes, and will enable implementing encumbrance procedures that are necessary to properly serve the pre-audit certification process.

2009-4 Fiscal Management

The County's fund balance available for appropriation at June 30, 2009, remained critically low. The Board and Management Team's efforts to improve this situation, though begun prior to the end of the previous fiscal year, have primarily been implemented since July 1, 2009. The most significant is the securing of external capital project financing in September, 2009, which will have a positive affect at the close of the current fiscal year. Additionally the Management Team has begun aggressive pursuit of delinquent tax payments with collection letters, payment plan options, and implementing the benefits of the Debt Set-Off program through the Department of Revenue. To date almost half of the accessible outstanding debt (that is, properties not in bankruptcy or state appeal) has been collected. However, it should be noted that an amount due from a large tax payer remains inaccessible until a state level appeal is completed.

2009-5 Computer Controls

As has been indicated repeatedly throughout our responses, our management priority is to thoroughly investigate the possibility of a comprehensive software upgrade that will address this comment. It has become more apparent that such an upgrade would not only make work flow more efficient, but will be the only way to adequately address internal control issues that are noted throughout our audit comments.

2009-6 Property Tax Collections

As was indicated in #4, management is taking an aggressive approach to collecting delinquent real and personal property taxes. However, these efforts have been subsequent to year-end and will therefore be expected to have some positive effect to the current year-end balances. As mentioned in the Corrective Action Plan response, collection letters offering payment plans and implementation of the Debt Set-Off Program have been initiated. Wage garnishment is a function available only to the Tax Collector, so that measure will be employed whenever possible. Delinquent taxpayers residing out of state will be sent foreclosure warning letters by the county attorney by March 31, 2010. These measures should result in increased revenue, an improved collection rate, and a reduced allowance for uncollected amounts, all of which are crucial for fund balance improvement.

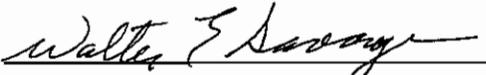
2009-7 DSS Reporting

As indicated in our response #3 and in our Corrective Action Plan, extensive effort are being made by the Finance Office in cooperation with administrative personnel from the Department of Social Services to communicate accurate information for submission by DSS for reimbursement. The gaining of a better understanding by both departments will continue to greatly improve the management of a significant portion of the budget for Yancey County. Also, as indicated previously, we will continue to request assistance from outside entities that can provide insight to this process.

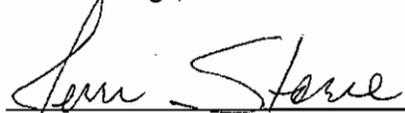
2009-8 Food Stamp Cluster Segregation of Duties

The Corrective Action Response prepared by the DSS Director describes a daily process of internal verification of applicants in order to avoid a duplication of services. This process is on-going.

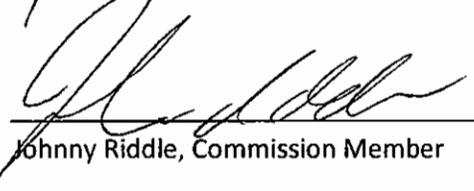
We will, as last year, continue to update the Board with progress reports on these proposed corrective actions. At the direction of Sharon Edmundson, Director of the Fiscal Management Section, Local Government Commission, we are asking each Board member to sign a copy of tonight's report as evidence of our continued joint efforts in improving the financial operations of Yancey County.



Walter Savage, Commission Chairman



Jerri Storie, Commission Member



Johnny Riddle, Commission Member

Yancey County Transportation Authority

2011 CTP Grant Application

YCTA is asking for:

\$153,341.00 in Administrative Funds

The County portion (15%) of this is \$23,001.15

The State portion (85%) of this is \$130,339.85

YCTA is asking for Capitol Funds this year:

\$35,300.00 in Capitol

This is also broke down into two portions as well:

The County portion is (10%) – \$3,530.00

The State portion is (90%) - \$ 31,770.00

The Capitol will include one Center Aisle van that has met its useful life of 100,000 miles and lettering for the van.

Also, YCTA is asking for two desktop computers for the office, these have also met the criteria for replacement.

Grand Total \$188,641.00

State Portion -\$162,109.85

County Portion - \$26,531.15

Attachment 6

COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

Section 5311

FY 2011 RESOLUTION

Applicant seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by (Board Member's Name) Terri Staric and seconded by (Board Member's Name or N/A, if not required) Walter Savage for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, (Legal Name of Applicant) Yancey County Transportation Authority hereby assures and certifies that it will comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the (Authorized Official's Title) Yancey County Transportation Authority Director Lynn Austin of (Name of Applicant's Governing Body) Yancey County is hereby authorized to submit a grant application for federal and state funding, provide the required local match, make the necessary assurances and certifications and be empowered to enter into an agreement, with the NCDOT to provide rural public transportation services.

I (Certifying Official's Name) J. Jason Robinson (Certifying Official's Title) Clerk to the Board do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the (Name of Applicant's Governing Board) Yancey County Commissioners duly held on the 2nd day of March, 2010.

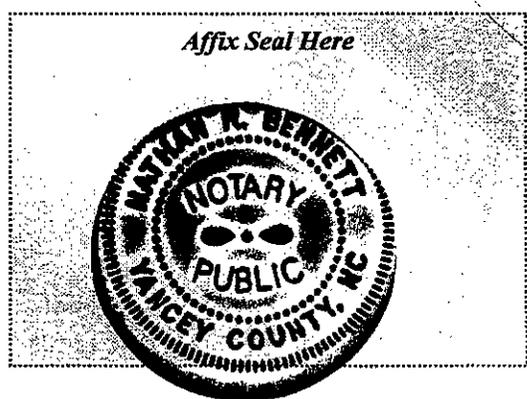
J. Jason Robinson
Signature of Certifying Official

*Note that the authorized official, certifying official, and notary public should be three separate individuals.

Seal Subscribed and sworn to me (date) March 2, 2010

Nathan R. Bennett
Notary Public*
Nathan R. Bennett
1467 Green Mountain Dr., Burnsville, NC 28714
Printed Name and Address

My commission expires (date) 11-11-2012



Copy

Attachment H

SHOOTING FROM THE ROAD PETITION

The residents, property owners, and lease holders of Langford Branch Road located in Yancey County, North Carolina call upon the Yancey County commissioners to enact a law making it illegal to shoot from on or across Langford Branch Road for the purpose of taking any wild bird or animal. Also, make it illegal to trespass on these properties without written permission.

WHEREAS there is no law on the books to prohibit shooting from the roads in Yancey County
WHEREAS residents, property owners, and lease holders of Langford Branch Road wish to protect themselves and their property from harm

WHEREAS shooting from this road has become an ongoing problem and puts the safety of the residents, property owners, and lease holders in jeopardy

WHEREAS the residents, property owners, and lease holders of Langford Branch Road feel it should not be their responsibility to post their own property to keep uninvited persons from trespassing on their property for any reason.

Therefore, let it be known that the below sign residents, landowners, and lease holders of Langford Branch Road located in Yancey County do hereby pray that the Yancey County Board of Commissioners will move swiftly and precisely to enact this law and any person or persons caught violating either of these will be prosecuted to the fullest extent of the law.

NAME	ADDRESS
Beattie Riddle	1086 Langford Branch Rd Burnsville NC
Maurine Riddle	1084 Langford Branch Rd Burnsville
Dary M. Mill	1043 LANGFORD BRANCH RD BURNSVILLE
Beattie Riddle	1043 Langford Branch Rd Burnsville 28714
Nancy Buckner	1377 Langford Br. Rd., Burnsville, N.C.
Nick Buckner	1377 Langford Br. Rd. Burnsville N.C.
Max Fox	157 DAN HENRY ROAD BURNSVILLE, NC
Kentia Higgins	528 Langford Branch Rd Burnsville
Katherine Higgins	528 Langford Branch Rd Burnsville
Billy C. Higgins	701 Langford Br. Rd. Burnsville,
Rita F. McNaris	686 Langford Br. Rd Burnsville
Jenny Scarborough	3303 Double Island Rd. Green Mt.
Marilene Scarborough	3303 Double Island Rd. Green Mt.
David Steele	970 Langford Branch Road, Burnsville NC

COPY

NAME	ADDRESS
Ann H. Kline	317 LANGFORD BRANCH
Jerry Robinson	317 Langford Branch
Lola King	1462 Langford Branch Rd.
Dary A. Godfrey	1187 Langford Branch Rd
Kayla Godfrey	1187 Langford Branch Rd
Mable Angel	923 Langford Branch Rd.
Andy Hylton	882 LANGFORD RD.
Andy Hylton	882 Langford Br. Rd
George Angel	919 Langford Branch Rd.
Stella Nicks	78 Springwater Dr.
Lanny E. Nicks	78 Springwater Dr. Burnsville NC
Chermonny Fox	78 Springwater Dr.
Thelma Edwards	232 Langford Branch Road
Ruby Edwards	59 Edwards Drive
Doris Morgan	³²⁶ 226 Springwater Dr.
Melissa King	234 Springwater Dr.
Eddie King	16 West Dillard Circle
Frank E. Farmer	9301 NAUTILUS Drive Cutler Bay FL 33109
Billy Ray Phillips	41 Langford Br Rd Burnsville NC 28714

Article 1A.

Dangerous Dogs.

§ 67-4.1. Definitions and procedures.

(a) As used in this Article, unless the context clearly requires otherwise and except as modified in subsection (b) of this section, the term:

- (1) "Dangerous dog" means
 - a. A dog that:
 1. Without provocation has killed or inflicted severe injury on a person; or
 2. Is determined by the person or Board designated by the county or municipal authority responsible for animal control to be potentially dangerous because the dog has engaged in one or more of the behaviors listed in subdivision (2) of this subsection.
 - b. Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.
- (2) "Potentially dangerous dog" means a dog that the person or Board designated by the county or municipal authority responsible for animal control determines to have:
 - a. Inflicted a bite on a person that resulted in broken bones or disfiguring lacerations or required cosmetic surgery or hospitalization; or
 - b. Killed or inflicted severe injury upon a domestic animal when not on the owner's real property; or
 - c. Approached a person when not on the owner's property in a vicious or terrorizing manner in an apparent attitude of attack.
- (3) "Owner" means any person or legal entity that has a possessory property right in a dog.
- (4) "Owner's real property" means any real property owned or leased by the owner of the dog, but does not include any public right-of-way or a common area of a condominium, apartment complex, or townhouse development.
- (5) "Severe injury" means any physical injury that results in broken bones or disfiguring lacerations or required cosmetic surgery or hospitalization.

(b) The provisions of this Article do not apply to:

- (1) A dog being used by a law enforcement officer to carry out the law enforcement officer's official duties;
- (2) A dog being used in a lawful hunt;
- (3) A dog where the injury or damage inflicted by the dog was sustained by a domestic animal while the dog was working as a hunting dog, herding dog, or predator control dog on the property of, or under the control of, its owner or keeper, and the damage or injury was to a species or type of domestic animal appropriate to the work of the dog; or
- (4) A dog where the injury inflicted by the dog was sustained by a person who, at the time of the injury, was committing a willful trespass or other tort, was tormenting, abusing, or assaulting the dog, had tormented, abused, or assaulted the dog, or was committing or attempting to commit a crime.

(c) The county or municipal authority responsible for animal control shall designate a person or a Board to be responsible for determining when a dog is a "potentially dangerous dog" and shall designate a separate Board to hear any appeal. The person or Board making the determination that a dog is a "potentially dangerous dog" must notify the owner in writing, giving the reasons for the determination, before the dog may be considered potentially dangerous under this Article. The owner may appeal the determination by filing written objections with the appellate Board within three days.

The appellate Board shall schedule a hearing within 10 days of the filing of the objections. Any appeal from the final decision of such appellate Board shall be taken to the superior court by filing notice of appeal and a petition for review within 10 days of the final decision of the appellate Board. Appeals from rulings of the appellate Board shall be heard in the superior court division. The appeal shall be heard de novo before a superior court judge sitting in the county in which the appellate Board whose ruling is being appealed is located. (1989 (Reg. Sess., 1990), c. 1023, s. 1.)

§ 130A-192. Animals not wearing required rabies vaccination tags.

(a) The Animal Control Officer shall canvass the county to determine if there are any animals not wearing the required rabies vaccination tag. If an animal required to wear a tag is found not wearing one, the Animal Control Officer shall check to see if the owner's identification can be found on the animal. If the animal is wearing an owner identification tag with information enabling the owner of the animal to be contacted, or if the Animal Control Officer otherwise knows who the owner is, the Animal Control Officer shall notify the owner in writing to have the animal vaccinated against rabies and to produce the required rabies vaccination certificate to the Animal Control Officer within three days of the notification. If the animal is not wearing an owner identification tag and the Animal Control Officer does not otherwise know who the owner is, the Animal Control Officer may impound the animal. The duration of the impoundment of these animals shall be established by the county board of commissioners, but the duration shall not be less than 72 hours. During the impoundment period, the Animal Control Officer shall make a reasonable effort to locate the owner of the animal. If the Animal Control Officer has access at no cost or at a reasonable cost to a microchip scanning device, the Animal Control Officer may scan the animal and utilize any information that may be available through a microchip to locate the owner of the animal, if possible. If the animal is not reclaimed by its owner during the impoundment period, the animal shall be disposed of in one of the following manners: returned to the owner; adopted as a pet by a new owner; sold to institutions within this State registered by the United States Department of Agriculture pursuant to the Federal Animal Welfare Act, as amended; or put to death by a procedure approved by rules adopted by the Department of Agriculture and Consumer Services or, in the absence of such rules, by a procedure approved by the American Veterinary Medical Association, the Humane Society of the United States or of the American Humane Association.

(a1) Before an animal may be sold or put to death, it shall be made available for adoption under procedures that enable members of the public to inspect the animal, except in cases in which the animal is found by the operator of the shelter to be unadoptable due to injury or defects of health or temperament. An animal that is seriously ill or injured may be euthanized if the manager of the animal shelter determines, in writing, that it is appropriate to do so. Nothing in this subsection shall supercede (i) any rules adopted by the Board of Agriculture which specify the number of animals allowed for kennel space in animal shelters, or (ii) the duration of impoundment established by the county board of commissioners, or the 72-hour holding period, as provided in subsection (a) of this section.

(a2) **(See note)** Except as otherwise provided in this subsection, a person who comes to an animal shelter attempting to locate a lost pet is entitled to view every animal held at the shelter, subject to rules providing for such viewing during at least four hours a day, three days a week. If the shelter is housing animals that must be kept apart from the general public for health reasons, public safety concerns, or in order to preserve evidence for criminal proceedings, the shelter shall make reasonable arrangements that allow pet owners to determine whether their lost pets are among those animals.

(a3) The Animal Control Officer shall maintain a record of all animals impounded under this section which shall include the date of impoundment, the length of impoundment, the method of disposal of the animal and the name of the person or institution to whom any animal has been released.

(b) In addition to domesticated dogs and cats not wearing the required rabies tags, the provisions of subsection (a) of this section concerning the holding of animals for at least 72 hours and the permissible means of disposition of animals after expiration of that holding period also apply to all of the following:

- (1) Dogs and cats that are wearing rabies tags but are taken into custody for violation of statutes or ordinances not related to rabies control, such as ordinances requiring the leashing or restraining of dogs and cats.
- (2) Dogs and cats surrendered to an animal shelter by the owners of the animals, unless an owner provides to the shelter the following:
 - a. Some proof of ownership of the animal, and

- b. A signed written consent to the disposition of the animal, in a manner authorized by this section, before the expiration of the 72-hour holding period or of a longer period established by ordinance or local rule to which the shelter is subject.

(c) If an animal is not wearing tags, or other mode of identification indicating its owner, and is delivered to an animal shelter by (i) a person who has found and captured the animal, or (ii) by an approved rescue organization that received the animal from a person who found and captured the animal, then the shelter may, in writing, appoint the finder or approved rescue organization to be the agent of the shelter. For purposes of this subsection, the term "approved rescue organization" means a nonprofit corporation or association that cares for stray animals that has been favorably assessed by the operator of the animal shelter through the application of written standards.

- (1) If the animal is a dog or cat, the finder or approved rescue organization shall hold the animal for the 72-hour holding period provided for in subsection (a) of this section or such longer holding period that may be applicable to the shelter by ordinance or local rule. If the animal is not a dog or cat, then the holding period shall be by agreement between the animal shelter and the person or organization receiving the animal.
- (2) After the expiration of the applicable holding period, the shelter may:
 - a. Transfer the animal by adoption to the person or organization that has held it as agent, or
 - b. Extend the period of time the finder or rescue organization holds the animal as agent of the shelter.
- (3) A shelter may terminate an agency created under this subsection at any time by directing the finder or rescue organization to deliver the animal to the shelter.
- (4) The city, county, or organization operating the animal shelter, as principal in the agency relationship, shall not be liable to reimburse the agent for the costs of care of the animal and shall not be liable to the owner of the animal for harm to the animal caused by the agent, absent a written contract providing otherwise.

(d) During the 72-hour or longer holding period established under subsection (a) of this section, an animal shelter may place an animal it is holding in foster care.

(e) If an animal shelter transfers physical possession of a dog or cat under subsection (c) or (d) of this section, so that the animal is no longer on the animal shelter premises, at least one photograph which depicts the head and face of the animal shall (i) be displayed at the shelter in a conspicuous location that is available to the general public during hours of operation, and (ii) remain posted for the 72-hour or longer holding period established under subsection (a) of this section. (1935, c. 122, s. 8; 1983, c. 891, s. 2; 2009-304, s. 1; 2009-327, s. 7.)

YANCEY COUNTY FINANCE OFFICE



110 TOWN SQUARE, ROOM 11, BURNSVILLE, NC 28714

PHONE (828)682-3819 · FAX (828)682-4301

FINANCE DIRECTOR, LYNNE E. HENSLEY · lhensley@yanceycountync.gov

FINANCE OFFICER, BRANDI BURLESON · bburleson@yanceycountync.gov

ASST. FINANCE OFFICER, LISA MILLER · lmiller@yanceycountync.gov

February 15, 2010

To Whom It May Concern:

This statement is to verify that on February 15, 2010 the tax settlement amount of Cindy Whitson, Yancey County Tax Collector, was \$964,646.16 at the time of her resignation.

Sincerely,

Brandi Burleson
Finance Officer

YANCEY COUNTY TAX ADMINISTRATION

Bill	Name		PIN or License Tag	Total Due
	County Tax	\$557,292.92		
	Town Tax	\$48,838.63	County Interest	\$267,352.32
	District Tax	\$51,047.68	Town Interest	\$5,705.98
			District Interest	\$21,993.46
			DMV Interest	\$12,415.17
			Total	\$964,646.16
			Total Count	24,245

Attachment L



YANCEY COUNTY

110 Town Square, Room 11 • Burnsville, North Carolina 28714
PHONE: (828) 682-3971 • FAX: (828) 682-4301

Nathan Bennett, County Manager

Walter Savage, Chairman

Jerri Storie, Commissioner

Johnny Riddle, Commissioner

RESOLUTION

A Resolution Regarding the Release of a Reversionary Clause held by Yancey County Relative to West Yancey Volunteer Fire Department

THAT WHEREAS the West Yancey Volunteer Fire Department owns a certain tract or parcel of land upon which is situated the old West Yancey Fire Station, the construction of which was financed by funds raised from the fire department; and

WHEREAS the aforementioned tract of land is owned subject to a reversionary clause in favor of Yancey County providing that, should the land be ceased to be used as a fire station then title to the land would revert to Yancey County; and

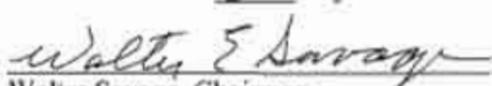
WHEREAS the West Yancey Volunteer Fire Department has purchased a new tract of land and has incurred the expense of constructing a new fire station thereon; and

WHEREAS the West Yancey Volunteer Fire Department wishes to be able to sell the land upon which the old fire station presently sits, so that the proceeds of the same may be spent toward the payment for the new fire station or any enhancements thereon; and

WHEREAS in order to sell the property upon which the old fire station presently sits it is necessary that Yancey County release the reversionary clause held by it in the deed to that property.

NOW THEREFORE, be it hereby **RESOLVED** by the Yancey County Board of County Commissioners that the reversionary clause held by Yancey County in the deed to the property upon which is situated the old West Yancey Fire Station be released and that the appropriate documentation in order to effect such release be drafted by legal counsel and signed on behalf of Yancey County by the Chairman of the Board of County Commissioners and attested by its Clerk.

This the 2nd day of March 2010.


Walter Savage, Chairman
Yancey County Commissioners


Jerri Storie,
Yancey County Commissioner

ATTEST

JASON ROBINSON, CLERK TO THE


Johnny Riddle
Yancey County Commissioner



Attachment M



YANCEY COUNTY

110 Town Square, Room 11 • Burnsville, North Carolina 28714
PHONE: (828) 682-3971 • FAX: (828) 682-4301

Nathan Bennett, County Manager

Walter Savage, Chairman

Jerri Storie, Commissioner

Johnny Riddle, Commissioner

2 March 2010

Administrator
Rural Utilities Service
US Department of Agriculture
Washington, DC 20250-1500

RE: Country Cablevision BIP Grant Application – Letter of Support

To Whom It May Concern:

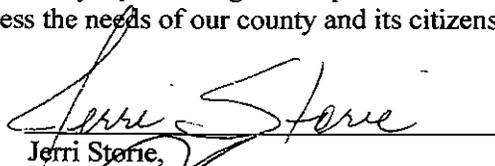
On behalf of Yancey County we fully support the efforts of Country Cablevision to bring wired high-speed internet service to households and businesses in the Country Cablevision service area through their RUS grant application.

In order for Yancey County and the region in which we are situated to attract new businesses and for our small businesses and entrepreneurial ventures to compete with other geographic and more urban areas we need an expanded fiber optic network infrastructure which will deliver sufficient capacity for bandwidth to the end user at a reasonable cost to the consumer. In addition many of our citizens in the more rural areas of our county have limited or no access to high-speed internet connectivity at all. By providing improved services to the entirety of Yancey County, ultimately actually reaching the end users of the service, we will be on a much more level playing field to compete with other regions for new businesses and to help our county and its citizens grow and prosper.

The solutions proposed for our community by Country Cablevision will help our area compete in an evermore increasingly competitive regional, and even global, economy. Yancey County is hopeful that the RUS will look favorably upon this grant request and will approve funding for this comprehensive project to address the needs of our county and its citizens.


Walter Savage, Chairman

Yancey County Commissioners


Jerri Storie,

Yancey County Commissioner


Johnny Riddle

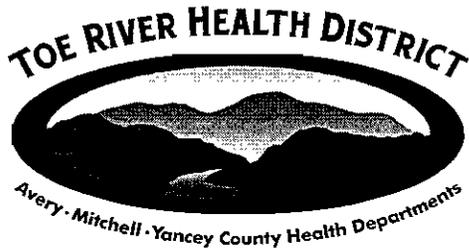
Yancey County Commissioner

The following documents are included for informational purposes. The first is a letter sent to Mr. Walter Savage requesting that a commissioner be appointed to the Toe River Health District Home Care Advisory Council. This letter was not referenced in the minutes but is here for the public's information. The second document is from Western Highlands Network fulfilling their obligation by state law to report quarterly their fiscal monitoring to the Board of County Commissioners of each county in a Local Management Entity (LME) for which mental health services are provided.



J. Jason Robinson, Clerk to the Board of County Commissioners

Toe River Health District - Home Care Advisory Council



Jesse Greene, Health Director

861 Greenwood Rd
Spruce Pine, NC 28777
Phone 828 765 2239
Fax 828 765 9082

Date: February 8, 2010

To: County Commissioner Chairperson

Regarding: Appointment of a Commissioner member

I am writing to request that each of our three County Commissioner groups appoint 1 member to our Home Care Advisory Council for Toe River Health District. Our Bylaws (attached) state that we will request a member from each county's government, and currently we do not have one Commissioner on our Advisory Council. This council meets the 1st Tuesday of March, June, Sept, and December during lunch and a meal is provided. The meeting is usually centrally located to the 3 counties, in Spruce Pine. This Council functions in an advisory capacity only. We discuss current issues with Home Health and Yancey CAP, staffing and statistics, as well as Quality Improvement activities.

We really hope you will take time to choose someone for this Council that feels they can make a difference. We are an extension of the public health departments in each county and really appreciate your support in this matter. Please reply to myself at the address below with your response. Thank you for your time and consideration.

Sincerely;

Deidra Tipton RN BSN
Deidra Tipton, RN, BSN
Home Health Supervisor
861 Greenwood Rd
Spruce Pine, NC 28777
(828) 765-2239 Ext 27

Western Highlands Fiscal Report - 2nd Quarter



Western Highlands Network

A LOCAL MANAGEMENT ENTITY

February 19, 2010

Nathan Bennett
County Manager
Yancey County Courthouse, Room 11
Burnsville, NC 28714

Dear Mr. Bennett:

Enclosed please find the Western Highlands Area Authority's Fiscal Monitoring Report for the 2010 fiscal year 2nd quarter, ending December 31, 2009. State Law requires the LME to provide the quarterly FMR to the County Finance Officer. This report is to be provided to the Board of County Commissioners at the next regularly scheduled meeting of the Board. I have cited Legislative Bill H2077 for easy reference:

SECTION 3(a) G.S. 122C-117(c) reads as rewritten:

"(c) Within 30 days of the end of each quarter of the fiscal year, the area director and finance officer of the area authority shall provide the quarterly report of the area authority to the county finance officer. The county finance officer shall provide the quarterly report to the board of county commissioners at the next regularly scheduled meeting of the board. The clerk of the board of commissioners shall notify the area director and the county finance officer if the quarterly report required by this subsection has not been submitted within the required period of time. This information shall be presented in a format prescribed by the county. At least twice a year, this information shall be presented in person and shall be read into the minutes of the meeting at which it is presented. In addition, the area director or finance officer of the area authority shall provide to the board of county commissioners ad hoc reports as requested by the board of county commissioners."

Please don't hesitate to call if you have any questions.

Cordially,

Western Highlands Area Authority

Sharon K. Lentz, CPA
Chief Financial Officer

Enclosure

Division of Mental Health, Developmental Disabilities & Substance Abuse Services
 Quarterly Fiscal Monitoring Report
 Western Highlands Area Authority

LME

for the period ending: December 31, 2009

of month in the fiscal year: 6 31-Dec-09
 (July = 1, August = 2, ..., June = 12)

1. REPORT OF BUDGET VS. ACTUAL

ITEM	Basis of Accounting:		(1)		(2)		(3)		(4)		(5)		(6)	
	Cash	Accrual	PRIOR YEAR		CURRENT YEAR		BUDGET		ACTUAL		BALANCE		ANNUALIZED	
	x		2008-2009	ACTUAL	BUDGET	YR-TO-DATE	(Col. 3-4)	PERCENTAGE **						
REVENUE														
Client Fees			-	-										
Medicaid - "Regular Fee-for-Service"			12,700,000	11,634,580	13,000,000	5,621,956	7,378,044						85.49%	
Medicaid - CAP/MRDD			900,000	802,543	600,000	376,092	223,908						125.36%	
Medicare			-	-									#DIV/0!	
Insurance			-	-									#DIV/0!	
Other Local			260,000	284,625	40,000	27,805	12,195						139.03%	
Area Program Transfers			-	-									#DIV/0!	
Appropriation of Fund Balance *			5,147,265	-	3,670,499	-	3,670,499						0.00%	
Total Local Funds			19,007,265	12,721,749	17,310,499	6,025,853	11,284,646						69.62%	
County Appropriations (by county):														
Buncombe County			600,000	600,000	600,000	600,000	-						200.00%	
Henderson County			528,612	528,612	528,612	68,250	460,362						25.82%	
Madison County			30,000	30,000	30,000	30,000	-						200.00%	
Mitchell County			18,000	18,000	18,000	-	18,000						0.00%	
Polk County			74,991	74,991	74,991	74,991	-						200.00%	
Rutherford County			102,168	102,168	102,168	102,168	-						200.00%	
Transylvania County			99,261	99,261	99,261	-	99,261						0.00%	
Yancey County			26,000	26,000	26,000	13,000	13,000						100.00%	
Total County Funds			1,479,032	1,479,032	1,479,032	888,409	590,623						120.13%	
Service Management Funds			5,960,035	5,960,035	6,109,695	3,054,848	3,054,848						100.00%	
Service Delivery Funds			32,718,043	32,040,043	27,322,521	13,422,842	13,899,679						96.25%	
All Other State/Federal Funds			288,132	220,269	270,000	103,570	166,430						76.72%	
Total State and Federal Funds			38,966,210	38,220,347	33,702,216	16,581,259	17,120,957						98.40%	
TOTAL REVENUE			59,452,507	52,421,127	52,491,747	23,495,521	28,996,226						89.52%	
EXPENDITURES:														
Service Management			9,084,479	7,979,895	7,863,804	3,361,997	4,501,807						85.51%	
Directly Provided Services			-	-	-	-	-						#DIV/0!	
Provider Payments			48,766,712	45,309,292	43,049,650	19,847,213	23,202,437						92.21%	
All Other			1,601,316	1,498,355	1,578,293	940,409	637,884						119.17%	
TOTAL EXPENDITURES			59,452,507	54,787,342	52,491,747	24,149,620	28,342,127						52.01%	
CHANGE IN CASH BALANCE				(2,366,214)		(654,099)								
Beginning Unrestricted Fund Balance				6,096,570		6,674,720								
Current Estimated Unrestricted Fund Balance and percent of budgeted expenditures			11.23%	6,674,720	7.50%	4,144,643								

* "Appropriation of Fund Balance" represents the Area Program Fund Balance that has been incorporated as part of the Approved Budget. Actual Yr-To-Date should reflect Fund Balance utilized to date and an explanation needs to be provided for the specific uses of fund.
 ** annualized Revenue percentage less than 90% and Expenditure percentages greater than 110% must be explained on the attachment and submitted with the Fiscal Monitoring Report

2. CURRENT CASH POSITION:	(1)	(2)	(3)	(4)	(5)	Receivables net of Allowance for Uncollectible Receivables
	30 DAYS	60 DAYS	90 DAYS	OVER 90 DAYS	TOTAL	
Accounts Payable (Accrual Method)	1,649,676					
Account Receivable (Accrual Method)	641,426	232,267	32,354	132,080	1,038,126	\$ 837,698

Current Cash in Bank 10,072,979

3. SERVICE EXCEPTIONS: (Provided Based on System Capability)

Services authorized but not billed

* We certify (a) this report to contain accurate and complete information, (b) explanations are provided for any expenditure item with an annualized expenditure rate greater than 110% and for any revenue item with an annualized receipt rate of less than 90%, and (c) a copy of this report has been provided to each county manager in the catchment area.

Area Director: *[Signature]* 2/12/10
 Area Finance Officer: *[Signature]* 2-12-10
 Area Board Chair: *[Signature]* 19 FEB 10

CC. County Manager for each county within the catchment area.

Division of Mental Health, Developmental Disabilities & Substance Abuse Services
Quarterly Fiscal Monitoring Report - Explanation of Revenue and Expenditure Variances
Western Highlands Area Authority **Local Management Entity**
for the period ending: December 31, 2009 Accrual Method

ITEM **Explanation**

Revenues:

Medicaid - Regular Fee for Service: Actual cash revenues have not met projections. Providers have 365 days to bill Medicaid. We will monitor this budget and adjust accordingly.

County Appropriations: We had not received Maintenance of Effort funds from Mitchell County or Transylvania County and partial amount from Henderson County as of December 31, 2009.

All other State/Federal Funds: This revenue is the Shelter Plus Program directly with the Federal Government. The amount billed can vary given the number of participants in the program. Our budgeted numbers represent the maximum amount of funds available for the program.

Expenditures:

All Other: These expenditures are county MOE funds received in full and paid out to Provider Agencies in the first six months of the year creating this variance.