

The Alleghany County Board of Commissioners met in regular session on Monday, May 7, 2007, at 6:30pm in the Commissioners Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Ken Richardson, Vice-Chair Warren Taylor, Commissioner Doug Murphy, Commissioner Milly Richardson, County Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans. Commissioner Randy Miller was present but arrived late.

Chair Ken Richardson called the meeting to order.

Commissioner Warren Taylor led the Pledge of Allegiance and opened the meeting with a prayer.

Chair Ken Richardson stated that the resolution on Item G needs to be removed from the agenda.

Commissioner Milly Richardson made a motion to approve the amended agenda for this May 7, 2007, meeting. Commissioner Warren Taylor seconded the motion. Vote 4:0.

AGENDA
Monday, May 7, 2007
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Prayer
Motion on Agenda for May 7, 2007, meeting
Motion on Minutes for April 16, 2007, meeting
- 6:35 Public Hearing
RE: 911 Road Names
- A. Public Comments—30 minutes
 - B. Rebecca Bloomquist
RE: Workforce Development Professionals Month
 - C. Kay Luffman
RE: Juvenile Crime Prevention Council
 - D. Amy Pardue
RE: Subdivisions
 - E. Veterans Service Annual Report
 - F. Law Enforcement Center Annual Report
 - G. Laurel Springs VFD Annual Report and Proposed Resolution (resolution deleted)
 - H. Stacy Evans / Hugh Campbell
RE: High Impact / Polluting Industries Ordinance
 - I. Gleason James
RE: Citizens for Fairness
 - J. County Business
 - 1. Land of Tomorrow Resolution
 - 2. Proposed Vet Agreement

3. Governing Bodies Budget Amendment
4. Other Business
5. Closed Session—NCGS 143-318.11 (a) (6)—personnel
6. Adjourn

Commissioner Doug Murphy made a motion to approve the minutes for the April 16, 2007, meeting. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Wendy Williams, E-911 Coordinator/Mapper, presented three road names for approval; Candyland Lane, Jackal Drive, Shamrock Farm Lane. She explained the location of each road.

Chair Ken Richardson opened the public hearing regarding the 911 road names at 6:32pm.

Chair Ken Richardson asked for public comments. None were received.

Chair Ken Richardson closed the public hearing at 6:33pm and reconvened the regular meeting.

Commissioner Milly Richardson made a motion to approve the road names as presented by the E-911 Coordinator/Mapper. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Chair Ken Richardson opened the public comments portion of the meeting.

Commissioner Randy Miller arrived at 6:34pm.

Gail Choate talked about a newspaper article quoting a Commissioner stating that the Board sees the merit of a middle school but doesn't plan to raise taxes. She explained that property taxes were higher in 2007 than in 2006 so it seems that taxes have already been raised. She talked about setting the tax rate at 20¢ and that being as far as they can go. She further talked about newspaper and Channel 50 coverage of the meetings and the comments from citizens are not reported. She asked about having a meeting with the reporters to work out a way to make these meetings more informative to the public. She stated that they realize that there is protocol for these meetings, the public tries to stay within those boundaries and asked that the Commissioners show them the same respect. She reiterated that they are asking that the reporting be done honestly, completely and fairly. She finished by stating that people outside of the county are watching and for the Commissioners to consider how the county is perceived by the outside world.

Chair Ken Richardson asked for further comments. None were received.

Chair Ken Richardson closed the public comments portion of the meeting.

Chair Ken Richardson reiterated that he and the County Manager are available at any time to answer questions.

Rebecca Bloomquist with the High Country Council of Governments came before the Board to present a resolution declaring May as Workforce Development Professionals Month. She gave the Board background information about the professionals. She read a letter from Governor Easley regarding the professionals and the proposed resolution.

Commissioner Warren Taylor made a motion to approve the resolution as presented by Rebecca Bloomquist. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams talked about Ricky Wooten with the High Country Council of Government is working with DW Miles regarding June Jamboree activities for Industrial Week.

Kay Luffman described the Juvenile Justice Crime Prevention Council (JCPC) program. She talked about Alleghany County is eligible to receive \$59,994 with a 20% match required on all of the programs except the administrative funding. She explained that the match is \$11,079. She talked about how this program helps the youth in the county.

Commissioner Doug Murphy and Kay Luffman talked about the Rainbow Center.

County Manager Don Adams explained the benefits of the Rainbow Center and how the juvenile delinquencies are helped.

Commissioner Warren Taylor made a motion to approve the 07/08 JCPC funding. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Amy Pardue, Planner, presented a preliminary subdivision plat for Crestview Mountain showing a 205-acre tract located in the Glade Creek Township with 202 lots. She explained the roads in the subdivision, and that the subdivision will be completed in three phases.

Chair Ken Richardson and Kevin Spurlin talked about proposed changes to the existing golf course.

Commissioner Doug Murphy and Kevin Spurlin talked about obtaining water on the property. Mr. Spurlin talked about conversations with Bill Ring regarding water will be brought to the State line, and he asked if the Board will ask the County Manager to look into pricing for bringing water across the State line.

Commissioner Warren Taylor made a motion to approve the preliminary plat as presented by the County Planner. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Chair Ken Richardson stated that he will talk to the County Manager about getting in touch with Mr. Spurlin.

Amy Pardue presented a preliminary subdivision plat for New River Stables showing a 45.68-acre tract located in the Gap Civil Township with 9 lots. She explained the roads in the subdivision. She talked about the part of the subdivision that falls in Alleghany County must meet Alleghany County's requirements and the part that falls in Grayson County must meet their requirements. She stated that the plat will be recorded in both counties.

Commissioner Warren Taylor made a motion to approve the preliminary plat as presented by the County Planner. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Amy Pardue presented a final subdivision plat for Terra Vista showing a 65.68-acre tract located in the Prathers Creek Township with 27 lots. She explained the roads in the subdivision.

Commissioner Doug Murphy, Commissioner Warren Taylor and Amy Pardue talked about the entrance site, distance study and a driveway permit being approved by the Department of Transportation.

Commissioner Warren Taylor made a motion to approve the final plat for Terra Vista. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Sam Nichols, Veterans Service Officer, came before the Board to present the Veterans Office annual report. He reviewed the office location and hours. He talked about attending trainings in Clemons on Wednesdays to be certified. He further talked about his duties as the Veterans Service Officer and assistance that is available to veterans and their families. He stated that since he took over as the Veterans Service Officer on November 1, he has assisted over 200 people by person or phone. He talked about the number of veterans in the county and the amount of services increasing. He provided information regarding the amount of benefits provided during 2005-2006 for veterans and their families.

Chair Ken Richardson and Commissioner Warren Taylor thanked Sam Nichols for his service.

Belva Miller came before the Board on behalf of Sheriff David Edwards to present the Law Enforcement Center's annual report. She talked about juveniles in relation to Kay Luffman's prior conversations. She continued with the annual report including the number of calls that deputies responded to, transports, calls received at dispatch, papers served, fugitives arrested, inmates processed, average monthly inmates including local and federal inmates, number of female inmate days and juvenile inmates. She talked about the amount of training the Law Enforcement Center employees are mandated to receive during the year. She explained that next year's report will be presenting the numbers compared to this year's report.

Chair Ken Richardson thanked Belva Miller and Sheriff David Edwards.

Jimmy Church with the Laurel Springs Volunteer Fire Department came before the Board to present their annual report. He thanked the Board for their assistance regarding the Laurel Springs Volunteer Fire Department. He talked about their membership has greatly increased, partially due to the junior-firemen program. He further talked about the makeup of their membership. He explained the amount of training, number of calls dispatched and type of calls. He talked about their plans to purchase a quick-response truck if the funding comes through. He thanked the Board again for their support.

Commissioner Warren Taylor and Jimmy Church talked about the uses of the first responder truck.

Commissioner Doug Murphy and Jimmy Church talked about developers working with the fire department regarding their subdivision plans.

Chair Ken Richardson thanked Jimmy Church and the firefighters for all they do for everyone in the county.

County Manager Don Adams explained that Mr. Campbell has been in court and is on his way.

Gleason James with the Citizens for Fairness gave the Board information regarding the upcoming tax rate. He talked about the old mental health building and health department building has been sold. He stated that he hasn't seen any advertising regarding accepting bids for that sale.

Chair Ken Richardson and County Manager Don Adams talked about the hospital purchased the property, approximately five to eight years ago. County Manager Don Adams stated that the County can privately negotiate with non-profits. He further stated that an appraisal was done by a local company, and the property was sold for fair-market value.

Gleason James talked about the transportation budget where something was sold for \$7,000, and he didn't see the ad for that.

County Manager Don Adams talked about a large ad is coming up because there will be a list of surplus items presented to the Commissioners at the next meeting for the surplus sale. He further talked about the surplus sale will be on June 23.

Gleason James talked about employees having a hard time providing answers to their questions because they don't know the answers.

Chair Ken Richardson encouraged Gleason James to get with the County Manager or himself to find out these answers.

Gleason James answered for an explanation of the interest earned on investment for \$150,000. He asked what this investment is and where is it.

County Manager Don Adams explained that every week the Finance Office looks at expenses and revenues to see if there is available cash then purchases CD's. He further explained the process of sending bid request to each bank inviting them to bid each week when the County is investing in CD's.

Gleason James asked how a taxpayer can get this information. He also asked what the line item of 10-379-0001 is for \$185,473.

County Manager Don Adams explained that is loan revenue and is accounting for the capital loan. He stated that the County must do this or the auditors will write up the County. He explained that if people look on the debt expense, they will see the debt side. He asked for the line item number on the \$7,000.

Gleason James talked about line item, 10-383-0000, sale of fixed assets.

County Manager Don Adams stated that is the revenues for the surplus sale that was just mentioned.

Gleason James and County Manager Don Adams talked about this sale hasn't happened yet. County Manager Don Adams stated that the sale is on June 23.

Commissioner Milly Richardson mentioned that the vehicles behind the library will be sold at that sale.

Gleason James asked about line item number, 10-317-0001, interest.

County Manager Don Adams explained that this is interest on late taxes coming through the tax office.

Gleason James asked about, 10-335-000, miscellaneous revenues

County Manager Don Adams stated that he would have to break it out. He explained that it is unknown revenues at the budget process and miscellaneous revenues that can't be predicted. He stated that he would have to get that information together because he doesn't have it off the top of his head.

Chair Ken Richardson asked Gleason James to bring these questions to him and the County Manager. He stated that the County Manager has these records in his office and can get the answers in five minutes.

Gleason James stated that he will make an appointment next week and get some answers. He asked about the \$1.50 per line 911 charges including where the monies are, and who has access to it.

County Manager Don Adams explained that the monies are invested in the banks at any given time. He reiterated that the County sends out bid request to every bank. He talked about the constraints on the 911 monies.

Gleason James asked how the public can have access to find out how much money is invested before setting the tax rate.

County Manager Don Adams asked him to sit down with the Chairman and himself. He explained that it is not a fair assessment to look at cash on Friday to determine how much money the County has. He explained that question will be coming before the Board soon along with the discussion about the fund balance. He talked about the projected fund balance amount of \$2,800,000. He explained that when the budget is presented to the Commissioners, the fund balance is presented, and a running tally sheet shows how the fund balance is kept up with while the Commissioners are deciding on expenditures. He stated that is something that is done every year.

Gleason James and County Manager Don Adams talked about the projected fund balance amount of \$2,800,000. County Manager Don Adams stated that the fund balance numbers won't be known until after June 30, and then people will need to look at an audit for the correct numbers. Gleason James stated that a taxpayer has a right to see what money is being spent and where it is. County Manager Don Adams explained that the budgeted revenues and expenses come in over a period of year.

Gleason James stated that he will get with the Chairman for additional answers.

Commissioner Milly Richardson talked about the County is required to keep a certain amount in savings.

County Manager Don Adams and Commissioner Warren Taylor agreed.

Commissioner Milly Richardson clarified that the fund balance for the 911 fund is controlled by the State, and people need to talk to Jim Harrell and Don East about that issue.

Gleason James asked how the volunteer fire departments can use the money.

Commissioner Milly Richardson urged Mr. James to talk to the State regarding allowing additional items that the money can be spent on.

County Manager Don Adams presented a resolution regarding Land of Tomorrow that was discussed at the last meeting.

Commissioner Milly Richardson made a motion to approve the resolution as presented by the County Manager. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams presented a proposed incentive agreement for a new vet to operate out of the Twin Oaks Veterinary Hospital. He talked about the agreement pays \$434 per month for 48 months as long as the vet works in Alleghany County. This vet, Ms. Dowell, received scholarships that require her to work with large animals for four years. He talked about Nash Williams' need for assistance especially with large animals.

Commissioner Milly Richardson talked about the need and filing the need since the prior vet left.

Commissioner Milly Richardson made a motion to approve the proposed incentive agreement. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #25 in the amount of \$3,478 that was discussed at the last meeting.

Commissioner Milly Richardson made a motion to approve budget amendment General Fund #25 in the amount of \$3,478. Commissioner Randy Miller seconded the motion. Vote 5:0.

Commissioner Randy Miller apologized for being late.

Commissioner Milly Richardson made a motion to enter into closed session at 7:40pm under NCGS 143-318.11 (a) (6)—personnel. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Commissioner Randy Miller made a motion to adjourn the closed session at 7:50pm and reconvene the regular meeting. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Chair Ken Richardson stated no decisions were made during closed session.

Chair Ken Richardson declared a brief recess at 7:52pm.

Chair Ken Richardson reconvened the meeting at 8:07pm.

Stacy Evans came before the Commissioners regarding the concrete plant. He stated that he went through the Planning Board, like the Commissioners requested. He further stated that the ordinance cannot be abided by. He said that the Planning Board denied his request.

Hugh Campbell talked about he feels like the Planning Board is feeling overwhelmed and wasn't comfortable with making that decision at that time. He asked the Commissioners to go forward with scheduling a public hearing and allow for deliberations. He talked about problems with the ordinance. He stated that he has proposed a two-tier system. He explained his proposed change. He asked the Board to review the 2,000-foot buffer. He explained problems with the easement issue. He gave an example and explained that one individual could stop the project the way the ordinance is currently written. He talked about the State regulates setbacks. He explained that the two-tier system is that tier one facilities could not be located closer than 100 feet to any side or rear lot line, 2,000 feet from any front line, nor closer than 250 feet from any protected facility. He stated that this is a compromise between the High Impact Land Uses / Polluting Industries ordinance and the development in Alleghany County. He reiterated to allow this issue to go forward, hold a public hearing

to hear what the people in Alleghany County wants and go with people's comments at the public hearing regardless of which way the comments are.

County Manager Don Adams updated the Commissioners regarding this situation including the Planning Board has been provided Mr. Campbell's letter and has reviewed it. He stated that a rough draft of the Planning Board minutes have been provided for the Commissioners' review.

Chair Ken Richardson listed the options before the Commissioners and asked that the County Manager or County Attorney explain them.

County Attorney Donna Shumate stated that the Board can have a public hearing and make a decision after that point.

County Manager Don Adams stated that the issue has met the statutory requirement of going before the Planning Board. He reviewed the options; accept the Planning Board's recommendation or hold a public hearing to consider changes to the ordinance.

Commissioner Warren Taylor and County Manager Don Adams talked about the public hearing will be about some version of Mr. Campbell's recommendation.

County Attorney Donna Shumate stated that the changes need to at least define concrete plants.

County Manager Don Adams stated that it is completely up to the Board what to discuss at the public hearing.

Chair Ken Richardson and Amy Pardue talked about defining tiers of concrete plants. She stated that she would have to do more research.

Commissioner Doug Murphy asked whether this tier system has come up in other places and how this has been handled.

County Attorney Donna Shumate talked about the ordinance basically followed Wilkes County with some modifications including adding concrete plants.

Commissioner Milly Richardson stated that she thinks the issue needs to be revisited.

Chair Ken Richardson asked does the Board have a problem with Amy Pardue researching this matter further and reporting back.

Commissioner Doug Murphy talked about Amy Pardue researching this and discuss how to proceed from here.

Chair Ken Richardson told Stacy Evans that he will be notified when the issue is placed back on the agenda.

Stacy Evans asked how long it will be because this has been eight months just going in circles.

Chair Ken Richardson talked about if Mr. Evans prefers that Amy Pardue do no further research, the Commissioners have the recommendation from the Planning Board.

Hugh Campbell stated on behalf of Mr. Evans that this situation has been frustrating, and it is best for the Board to get the additional research.

Commissioner Doug Murphy stated that this is the first time he has seen a two-tier system and would like to have more information about it.

Commissioner Milly Richardson talked about the Commissioners have asked the Planning Board to look at this ordinance from top to bottom.

County Manager Don Adams reviewed the Planning Board's current objectives. He stated that he agreed with Mr. Campbell that some of the Planning Board members were not in a position to make a decision yet. He talked about how the Planning Board is proceeding including considering making the High Impact Land Uses / Polluting Industries ordinance a set of standards in the Property Rights Protection Ordinance.

Chair Ken Richardson stated that the Board can proceed with the research or make a decision tonight.

Commissioner Milly Richardson stated the need for additional research by the next meeting because all concrete plants are not made equal.

Chair Ken Richardson assured Mr. Campbell and Mr. Evans that they will be notified when this is on the agenda.

Hugh Campbell asked getting a status update.

Chair Ken Richardson stated that Mr. Campbell can call the County Manager or Amy Pardue to find out the status at any time.

Chair Ken Richardson stated that the next meeting is the third Monday in May.

Hugh Campbell stated that may be too soon and possibly need to look at the first meeting in June in order to allow time for proper researching.

Being no further business, Commissioner Warren Taylor made a motion to adjourn at 8:30pm. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman

ALLEGHANY COUNTY

NORTH CAROLINA

RESOLUTION

WHEREAS, the economic development of every region in our country and the ability of our businesses and industries to compete in the global economy is more than ever before dependent on the availability and quality of a skilled workforce; and

WHEREAS, the complexity and fast-paced change in our economy and labor markets puts new demands on individuals and employers at all levels; and

WHEREAS, job seekers need the assistance of knowledgeable and dedicated professionals to facilitate the process by which our workforce identifies, prepared for, obtains and maintains employment and self-sufficiency; and

WHEREAS, employers depend on similar levels of professional services to help them recruit and retain a competitive workforce and to continually upgrade the skill sets of their incumbent employees;

NOW THEREFORE BE IT RESOLVED AND IT IS RESOLVED that the Alleghany County Board of Commissioners joins with the State of North Carolina, the North Carolina Commission on Workforce Development, the North Carolina Employment and Training Association, and the National Association of Workforce Development Professionals in designating the month of May as *Workforce Development Professionals Month* to honor all those individuals in all the Workforce Development organizations and partnerships who play such as vital role in our economy.

ADOPTED this 7th day of May, 2007.

ALLEGHANY COUNTY

NORTH CAROLINA

LAND FOR TOMORROW RESOLUTION

WHEREAS, Alleghany County is committed to protecting lands critical to the future of North Carolina's drinking water, economy, and quality of life and

WHEREAS, North Carolina is losing more than 100,000 acres of those special places to population pressures each year, and

WHEREAS, North Carolina's population is expected to grow by 50 percent in the next 25 years, and

WHEREAS, the important tourism industry can only survive with natural beauty, clean water and scenic vistas, and

WHEREAS, there is inadequate funding for protecting streams banks and floodplains, legacy forests, prime farmlands, local parks and recreation, state parks, game lands, natural, scenic and historical places, and

WHEREAS, there is no second chance to protect North Carolina's great resources and costs will only increase in the future, and

WHEREAS, additional state funding will leverage twice as much funding from federal, private and local sources

NOW THEREFORE BE IT RESOLVED, that Alleghany County Board of Commissioners urges the General Assembly to enact legislation authorizing a bond referendum to increase conservation spending in North Carolina \$200 million per year.

Adopted this the 7th day of May, 2007.