

The Alleghany County Board of Commissioners met in regular session on Monday, December 6, 2004, at 6:30pm in the Conference Room of the County Office Building, 90 South Main Street, Sparta, North Carolina.

Present: Chair Eldon Edwards, Vice-Chairman Warren Taylor, Commissioner Graylen Blevins, Commissioner Sandy Carter Herndon, Commissioner Ken Richardson, County Manager Don Adams, and Clerk to the Board Karen Evans. County Attorney Ed Woltz was absent.

County Manager Don Adams called the meeting to order.

Commissioner Ken Richardson opened the meeting with a prayer.

County Manager Don Adams explained the organizational meeting procedures.

Commissioner Eldon Edwards made a motion to approve the agenda for this December 6, 2004, meeting. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

AGENDA  
Monday, December 6, 2004  
6:30 PM

- 6:30 Meeting Called To Order  
Motion on Agenda for December 6, 2004 meeting  
Motion on Minutes for November 15 and 29, 2004 meetings
- 6:35 Election of Chair & Vice-Chair  
Meeting Schedule & Procedures  
County Attorney  
Register of Deeds Bond  
Board Appointments
- 7:00 Public Hearing  
RE: NAPCO, Incorporated
- 7:30 Bryan Edwards  
RE: Blue Ridge Business Development Center
- County Business
1. Joint Meeting Schedule for 2005
  2. Legislative Goals Conference
  3. Hill Climb Resolution
  4. Register of Deeds Budget Amendments
  5. COA Budget Amendment/Senior Tar Heel Legislature
  6. Recreation Budget Amendments
  7. Videotaping Budget Amendment
  8. Garbage Franchise Ordinances
  9. Other Business
  10. Public Comments—30 minutes
  11. Closed Session—NCGS 143-318.11 (a) (4)—economic development  
NCGS 143-318.11 (a) (3)—legal  
NCGS 143-318.11 (a) (6)—personnel
  12. Adjourn

Commissioner Warren Taylor made a motion to approve the minutes for the November 15 and 29, 2004, meetings. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

County Manager Don Adams asked for a nomination appointing a chairman for the upcoming year.

Commissioner Warren Taylor stated that he would like to nominate Eldon Edwards for Chairman. Commissioner Sandy Carter Herndon seconded the motion. Vote 4:0. (Eldon Edwards did not vote)

Chair Eldon Edwards voiced his appreciation to the Board for their confidence in him to be Chairman for another year.

Chair Eldon Edwards made a motion to nominate Warren Taylor as Vice-Chairman for the upcoming year. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

Chair Eldon Edwards reviewed minor clarification changes to the rules and procedures of the Board.

Commissioner Sandy Carter Herndon asked for clarification about Rule 21 on excused absence versus unexcused absence and how the vote counts for each absence.

Chair Eldon Edwards explained that an excused absence is when the Commissioner calls the County Manager's office or himself to let it be known that the Commissioner will be absent from the meeting. He further explained that an unexcused absence is when the Commissioner fails to attend a meeting without notifying the County Manager's office or himself.

Commissioner Sandy Carter Herndon reiterated that an excused absence vote shall not be recorded but an unexcused absence vote shall be recorded as voting in the affirmative on any matters that are voted on during the meeting.

Commissioner Ken Richardson and Commissioner Sandy Carter Herndon discussed the Board voting to excuse a member from voting on matters involving their own financial interest or official conduct.

Commissioner Sandy Carter Herndon talked about the rule concerning the adoption, amendment or repeal of ordinances and if a Board member is absent on the day of vote and an unexcused vote counting in the affirmative.

Commissioner Warren Taylor and Commissioner Ken Richardson talked about a Board member not voting when present and the Board deciding how the vote is counted.

Commissioner Sandy Carter Herndon made a motion to approve the rules and procedures as presented. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Chair Eldon Edwards talked about how Ed Woltz is doing a good job for the County as County Attorney.

Commissioner Ken Richardson talked about how citizens have asked that the Commissioners check to see if anyone in Alleghany County is interested in being the County Attorney.

Commissioner Graylen Blevins and Commissioner Sandy Carter Herndon stated their

support for checking to see if anyone in Alleghany County is interested in being County Attorney.

County Manager Don Adams talked about checking with local attorneys and bring the discussion back to the next meeting.

Commissioner Warren Taylor talked about attorneys who are not familiar with local government law and having to spend extra time researching matters.

The Board of Commissioners and County Manager Don Adams talked about polling attorneys to see if there is any interest for County Attorney.

County Manager Don Adams talked about a list of all of the bonded positions including the Register of Deeds at \$25,000. He explained the reason to review the Register of Deeds bond is due to her recent election win.

Commissioner Graylen Blevins made a motion to approve the Register of Deeds bond. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

Commissioner Ken Richardson mentioned that he serves on the State Mental Health Board and would like to fill the vacancy on the New River Behavioral Health Board and the Juvenile Crime Prevention Council.

The Board of Commissioners talked about the other vacant slots on various boards.

Commissioner Sandy Carter Herndon stated that she would volunteer for the Alleghany County Library Board appointment.

Commissioner Ken Richardson clarified that he would like to serve on the Criminal Justice Partnership Program Board instead of the Juvenile Crime Prevention Council.

Commissioner Graylen Blevins volunteered for the Juvenile Crime Prevention Council.

Commissioner Warren Taylor volunteered for the Job Link/ESC Board.

Commissioner Ken Richardson made a motion to approve Sandy Carter Herndon to serve on the Alleghany County Library Board, Graylen Blevins to serve on the Juvenile Crime Prevention Council, Warren Taylor to serve on the Job Link/ESC Board and himself to serve on the New River Behavioral Health Board and Criminal Justice Partnership Program. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

Chair Eldon Edwards talked about the public hearing is regarding the expansion of NAPCO, Incorporated.

County Manager Don Adams gave a brief overview of NAPCO, Incorporated moving into the Springford Building. He explained the County has applied for a \$250,000 grant through the Rural Center to help with renovations of the building with a \$12,000 match required from the County. He reviewed the Incentive Agreement of \$31,500 paid over a period of five years with the initial payment of the \$12,000 cash match for the grant. He further explained that NAPCO is planning to hire 25 people and create \$1,500,000 in additional investment. He explained that all of the elements have not been worked out. He further explained that the State is to make their decision on December 9, 2004 regarding the grant. He stated that he is asking for permission to sign off on

the incentive agreement. He further stated that he will come back later, after the State makes their decision, to further review the deal.

Chair Eldon Edwards recessed the regular meeting at 7:00pm and opened the public hearing in regards to the NAPCO, Incorporated expansion project.

Rocky Proffitt with NAPCO talked about how much the County Manager has greatly assisted him in working on the application, business plan and other aspects of this project. He said thank you for Don Adams and the Board of Commissioners in working together on this project. He stated that he has the financing together for the purchase of the building and new equipment.

Chair Eldon Edwards asked for further public comments. None were received.

Chair Eldon Edwards closed the public hearing at 7:04pm and reconvened the regular meeting.

Commissioner Sandy Carter Herndon made a motion to approve the Incentive Agreement with NAPCO, Incorporated. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams presented the 2005 Joint Meeting Schedule with the Town Council.

The Board of Commissioners agreed to this schedule unless other issues arise that need additional meetings.

County Manager Don Adams discussed the upcoming Legislative Goals Conference in January. He stated that we should be receiving the goals soon from the Association. He further stated that the Board needs to select a voting delegate for this conference.

Commissioner Warren Taylor made a motion to approve Commissioner Ken Richardson as the voting delegate for the Legislative Goals Conference. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

Commissioner Ken Richardson and County Manager Don Adams talked about goals coming back before the Board soon.

County Manager Don Adams presented a resolution asking the Department of Transportation to temporarily close Doughton Mountain Road on May 14 and 15, 2005 for the Hill Climb event.

Commissioner Sandy Carter Herndon made a motion to approve the resolution as presented. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #14 in the amount of \$6,963 and Register of Deeds Enhancement Fund #1 in the amount of \$6,963. He reviewed the reasons for these budget amendments being the auditors haven't separated these funds appropriately during past audits.

Commissioner Warren Taylor made a motion to approve budget amendments General Fund #14 and Register of Deeds Enhancement Fund #1. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #15 in the amount of \$160 for Council on Aging. He explained that the money is needed to be used as matching funds for additional funding that Council on Aging has received for In-Home Aide services. He presented a nomination form for Cliff Phillips to be reappointed as the County's Senior Tar Heel Legislature.

Commissioner Sandy Carter Herndon made a motion to approve budget amendment General Fund #15 in the amount of \$160 and reappoint Cliff Phillips as our Senior Tar Heel Legislature. Commissioner Warren Taylor seconded the motion.

The Board of Commissioners talked about recently appointing Pat Polley as the alternate Senior Tar Heel Legislature.

The Board voted on the motion on the floor. Vote 5:0.

County Manager Don Adams presented budget amendments General Fund General Fund #16 in the amount \$5,714 for the Youth Soccer program and General Fund #17 in the amount of \$286 for the Youth Baseball program. He explained the reasons for the budget amendments.

Commissioner Warren Taylor made a motion to approve budget amendments General Fund #16 in the amount of \$5,714 and #17 in the amount of \$286. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #18 in the amount of \$660 for personnel to videotape the Commissioners meetings. He reminded everyone that the Cyber Campus will provide everything else needed for the taping.

Commissioner Sandy Carter Herndon made a motion to approve budget amendment General Fund #18 in the amount of \$660 for the videotaping. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams discussed two garbage franchise ordinances; Alleghany Garbage Service and M&J's Disposal. He explained that these ordinances offer two different types of services; small household collection and construction debris collection. He reviewed the changes from the County Attorney; fees changes must go before the Board because of granting an exclusive ordinance the Board of Commissioners must be aware of price changes, unincorporated area of Alleghany County is the territory for the ordinances, proposed 10-year franchise.

Commissioner Warren Taylor asked to clarify if a contractor wishes to dispose of debris by the Dumpster method, M&J will provide the Dumpster or if the contractor wishes to dispose of the debris themselves, they can. He stated that the franchise only gives the service of providing Dumpsters if a contractor wishes to use a Dumpster service.

Commissioner Sandy Carter Herndon read a portion of the ordinance stating that "nothing herein shall require any citizen, resident, business or commercial entity to use the services provided by the franchise holder".

County Manager Don Adams talked about the policy of the Board when considering ordinances is to require a public hearing plus franchise ordinances must be voted on twice before final adoption.

The Board of Commissioners and County Manager Don Adams discussed holding a public hearing on these matters.

County Manager Don Adams asked if the Board would like to continue the policy of having all public hearing at night meetings rather than day meetings.

Commissioner Sandy Carter Herndon stated that night public hearings give more opportunity for the public to attend the public hearings.

County Manager Don Adams stated that he will schedule the public hearing on the ordinances for the first meeting in January.

County Manager Don Adams asked about scheduling public hearings on a case-by-case basis when something comes up at the last minute that cannot wait until the next night meeting.

Commissioner Sandy Carter Herndon stated that she thinks it is fine to determine the best avenue for the public hearing.

Commissioner Graylen Blevins stated that public hearings that have a public interest should be scheduled at the night meeting.

County Manager Don Adams stated that he will try to schedule the public hearings at the night meeting if at all possible.

Commissioner Warren Taylor stated that he thinks it is fine for Don Adams and Chair Eldon Edwards to set the public hearing schedule for items that come up at the last minute.

Commissioner Ken Richardson talked about the honor and challenges to serve on this Board again. He further talked about a list of concerns that citizens have talked to him about; need for better communication on the actions of the Commissioners, new Board didn't bring jobs into the County, meet quarterly with the School Board at different schools, voting machines needing a paper trail, need additional money for the schools, concerns about the hospital situation, have agencies come to the Board to give a status report and the need to recruit another dentist to the County.

Bryan Edwards came before the Board on behalf of the Blue Ridge Business Development Center as Chairman. He talked about an opportunity through e-NC for \$50,000 with a \$30,000 cash match from County and a \$20,000 in-kind match to qualify for the grant. He presented a list of activities that the Business Development Center has been involved in. He talked about how the \$50,000 will be made available now and the County's \$30,000 can be included in the next budget year.

Commissioner Warren Taylor asked about the plans for spending these funds.

Bryan Edwards stated that the \$50,000 is for operating expenses and the \$30,000 will go towards making the unfinished space useable for new clients.

County Manager Don Adams talked about this money is for renovating the unfinished space. He reviewed the current agreement that the County has with the Business Development Center for the unfinished space.

Commissioner Sandy Carter Herndon stated that the lease payments would come back to County for out of pocket expenses for renovating the unfinished space.

Commissioner Warren Taylor, County Manager Don Adams and Patrick Woodie talked about finding a new client before renovating any spaces.

Chair Eldon Edwards asked about the \$30,000 that will be set aside with money coming back to the County.

Bryan Edwards stated that the \$30,000 is a required match.

Patrick Woodie talked about the three-year grant cycle where Alleghany County didn't get the third year as promised. He explained reasons for the additional funding opportunities. He further explained that the in-kind match is the usage of the building for free.

Chair Eldon Edwards and Patrick Woodie talked about how the \$30,000 will go towards renovating the unfinished space.

Commissioner Warren Taylor, Commissioner Graylen Blevins and Patrick Woodie talked about the \$30,000 staying in the County account until the money is needed to renovate the unfinished space.

Bryan Edwards stated that e-NC's meeting is later this week and the need to let them know if Alleghany County is interested in this grant cycle.

Patrick Woodie stated they would need a letter from Don Adams stating the County supports this idea.

Commissioner Warren Taylor made a motion to endorse this request and consider it in next year's budget. Commissioner Graylen Blevins seconded the motion.

Bryan Edwards stated that the money would have to be appropriated next year.

The Board of Commissioners voted on the motion on the floor. Vote 5:0.

Commissioner Sandy Carter Herndon talked about attending a cultural tourism workshop in Boone with people from the Blue Ridge Natural Heritage area.

Commissioner Warren Taylor stated that he was glad that Commissioner Ken Richardson mentioned the quarterly meetings with School Board. He asked the County Manager to schedule these meetings with Duane Davis and report back to the Commissioners.

Commissioner Ken Richardson stated that the citizens in each community would appreciate it if the meetings are held at each school.

County Manager Don Adams stated that he will bring this back to next meeting.

Chair Eldon Edwards asked for public comments.

Jane Phipps Boger invited the Board to Wilkes Community College for Business After Hours on December 17 from 5:00pm to 7:00pm.

Commissioner Sandy Carter Herndon made a motion to enter into closed session under NCGS 143-318.11 (a) (3)—legal, (a) (4)—economic development and (a) (6)—personnel at 7:56pm. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Commissioner Warren Taylor made a motion to adjourn the closed session and reconvene the regular meeting at 8:41pm. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

Chair Eldon Edwards stated that no action was taken during closed session.

Being no further business, Commissioner Warren Taylor made a motion to adjourn the meeting at 8:42pm. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans  
Clerk to the Board

Attest:

Eldon Edwards  
Chairman

North Carolina

Alleghany County

**RESOLUTION**  
Blue Ridge Sports Car Hill Climb

WHEREAS, the Central Carolina Region of the Sports Car Club of America, Inc. (SCCA), has expressed a desire to hold a Hill Climb event in the Laurel Springs Community during May 14 & 15, 2005; and

WHEREAS, the Alleghany County Chamber of Commerce supports this event known as The Blue Ridge Hill Climb – Doughton Mountain Road; and

WHEREAS, the publicity afforded the sponsoring community will serve as a valuable economic development tool; and

WHEREAS, the event will have positive economic impact on the sponsoring community;

NOW, THEREFORE BE IT RESOLVED, that the Alleghany County Board of Commissioners welcomes the Blue Ridge Hill Climb and supports the SCCA request of the

North Carolina Department of Transportation for the temporary closure of Doughton Mountain Road during the period of the event.

Adopted this the 6<sup>th</sup> day of December, 2004.