

The Alleghany County Board of Commissioners met in regular session on Monday, March 7, 2005, at 6:30pm in the Conference Room of the County Office Building, 90 South Main Street, Sparta, North Carolina.

Present: Chair Eldon Edwards, Vice-Chair Warren Taylor, Commissioner Ken Richardson, County Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans. Commissioner Graylen Blevins was present but arrived late. Commissioner Sandy Carter Herndon was absent.

Chair Eldon Edwards called the meeting to order.

Commissioner Warren Taylor opened the meeting with a prayer.

Chair Eldon Edwards stated that closed session for personnel needs to be added to the agenda.

Commissioner Warren Taylor made a motion to approve the amended agenda for this March 7, 2005, meeting. Commissioner Ken Richardson seconded the motion. Vote 3:0.

AGENDA  
Monday, March 7, 2005  
6:30 PM

- 6:30 Meeting Called To Order
  - Motion on Agenda for March 7, 2005 meeting
  - Motion on Minutes for February 21 and 25, 2005 meetings
- 6:35 Public Hearing
  - RE: 911 Road Names
- 6:40 Amy Pardue
  - RE: Subdivision Discussion
- 6:55 Mary Walker
  - RE: Tax Appeal
- 7:05 Mike Faulkner
  - RE: High School Scholarship
- 7:15 Bob Segal
  - RE: Sales Tax
- 7:30 Joy Hines
  - RE: Audit Contract
- County Business
  - 1. Fred Hart County Line Discussion
  - 2. Budget Amendment—Crisis Intervention
  - 3. Budget Discussions
  - 4. Clean Smokehouse Act
  - 5. Sexual Assault Awareness Month Proclamation
  - 6. Child Abuse Prevention Month Proclamation
  - 7. Board of Education Meeting
  - 8. Virginia-Carolina Water Authority
  - 9. Other Business
  - 10. Public Comments—30 minutes
  - 11. Closed Session—NCGS 143-318.11 (a)(6)—personnel (added)

## 12. Adjourn

Chair Eldon Edwards made a motion to approve the minutes for the February 21 and 25, 2005 meetings. Commissioner Warren Taylor seconded the motion. Vote 3:0.

Wendy Williams, E-911 Coordinator/Mapper, presented four road names for approval. She explained where each road is located in the County, and the Fire Chief has given his approval on these names.

Chair Eldon Edwards recessed the regular meeting at 6:32pm and opened the public hearing regarding the E-911 Road Name.

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

Chair Eldon Edwards closed the public hearing at 6:33pm and reconvened the regular meeting.

Commissioner Warren Taylor made a motion to approve the E-911 road names as presented by the E-911 Coordinator/Mapper. Commissioner Ken Richardson seconded the motion. Vote 3:0.

Commissioner Warren Taylor, Wendy Williams and Amy Pardue discussed the procedures about the number of houses on a private driveway.

Amy Pardue, Planner/Recreation Director, talked to the Board about right-of-way concerns and the subdivision ordinance. She gave the Board examples of right-of-way issues. She reviewed what the surrounding counties are doing with similar issues.

Commissioner Warren Taylor and County Manager Don Adams discussed the Department of Transportation taking over roads that are less than State standards.

The Board and Amy Pardue discussed the Buckeye Ridge Run example.

Chair Eldon Edwards stated that his recommendation is to have someone that needs a variation from the subdivision ordinance to request a variance through the Planning office.

County Manager Don Adams explained the reasons for Amy Pardue coming to this meeting to get the Board to think about variances that will be coming before the Board in the near future.

Amy Pardue stated that KPC has 193 completed surveys for the recreation survey.

Mary Walker, Tax Administrator, presented a tax appeal for Terry Saunders. She stated that he is asking for a refund/release on a 1999 tax bill. She explained the circumstances of this appeal including Mr. Saunders is the vice-president of the company that sold the property to Mr. Saunders. She further explained that the policy of the tax office is to apply funds received to the oldest account balance unless otherwise requested by the taxpayer.

Commissioner Warren Taylor and Mary Walker discussed delinquent taxes being paid before property can be transferred.

County Attorney Donna Shumate explained the procedures of paying taxes during the closing on selling property.

Mary Walker mentioned the General Statutes state that if the Board releases the interest, the Board is personally liable for it.

Chair Eldon Edwards stated the Board has always followed the policy of not releasing the interest by following the General Statutes.

Commissioner Ken Richardson and Mary Walker discussed computer problems, other circumstances where interest is due and the taxes being advertised in the newspaper. Mary Walker talked about ways to resolve this issue but the problem arises from billing the owner of the property as of January 1.

Commissioner Warren Taylor made a motion to deny the request concerning releasing the interest on this tax appeal. Commissioner Ken Richardson seconded the motion. Vote 3:0.

Mary Walker informed the Board that the Tax Office is beginning several tax audits.

Mike Faulkner talked about starting a band scholarship fund. He further talked about raising \$1,500 so far for this scholarship. He explained that Don East has committed \$100 for this scholarship fund with the understanding that he will challenge all of the elected officials to do the same.

Commissioner Graylen Blevins arrived at the meeting at 7:02pm.

Mike Faulkner continued discussing the purpose of the scholarship fund. He stated that he is challenging the Board to contribute \$100.

Commissioner Warren Taylor talked about the numerous requests from other scholarship funds.

Mike Faulkner talked about this scholarship is centered towards band/music students. He talked about their goal is to have this scholarship continued by the Alleghany Education Foundation.

Chair Eldon Edwards stated his appreciation to Mike Faulkner, and everyone will consider the request.

County Manager Don Adams talked about inviting Bob Segal to this meeting to educate the Board about increasing our sales tax revenues if the Board is interested in doing so.

Bob Segal gave a brief explanation of his company and their actions. He talked about his company has worked with 59 other counties in the State. He further explained the sales tax analysis and working with the non-profit organizations in the County. He stated that the analysis has no impact on the non-profits' sales-tax refund. He continued to talk about the sales-tax analysis process.

County Manager Don Adams explained the procedures of starting this sales tax analysis including the Board can select who will be audited.

Commissioner Warren Taylor and Bob Segal talked about being able to go back 3-3½ years during the analysis.

Commissioner Warren Taylor and Bob Segal talked about the percentage they will charge to perform this analysis ranging from 25% to 35%.

County Manager Don Adams talked about the first step would be write a letter to the Department of Revenue asking who has requested a sales tax refund in Allegheny County and see if the Board wishes to continue once the letter has been received and reviewed.

Commissioner Ken Richardson and Bob Segal talked about where the money goes if Allegheny doesn't receive it, and the County is entitled to the sales tax.

Commissioner Warren Taylor asked the County Manager if he had talked to the schools or hospital about this idea.

County Manager Don Adams stated that he doesn't have the skills to complete this audit as Mr. Segal would.

Bob Segal named counties that they have worked for around Allegheny.

Chair Eldon Edwards and Bob Segal talked about any non-profit 501 (c) 3 can request the sales tax refund.

The Board of Commissioners agreed to go forward without taking any action tonight.

County Manager Don Adams talked about sending the letter to the Department of Revenue and will bring back it to the Board for discussion.

Bob Segal talked about some counties have asked if the cities would participate in the fee arrangement since it benefits them, too.

County Manager Don Adams stated that he would check with Bryan Edwards.

Bob Segal talked about a second offer to Allegheny County is to look at other expenses and revenues in order to improve the cash flow.

County Manager Don Adams and Bob Segal talked about getting sales tax money back from construction projects.

Chair Eldon Edwards stated his appreciation to Bob Segal for this information.

Joy Hines, Finance Officer, talked about the schools would profit from this sales tax analysis, and she has received shining references on Bob Segal. She presented the fiscal year 2004-2005 annual audit contract. She explained that the contract is with Martin Starnes and Associates for \$30,500.

County Manager Don Adams stated that the County Attorney has reviewed the contract.

Commissioner Warren Taylor and County Manager Don Adams talked about going out to bid for the audit services.

Chair Eldon Edwards stated that the firm that did the audit before this group wasn't very timely.

Commissioner Ken Richardson made a motion to approve the audit contract with Martin Starnes and Associates for fiscal year 2004-2005. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

Chair Eldon Edwards introduced the new County Attorney, Donna Shumate, as of March 1, 2005 and welcomed her to the meeting.

Chair Eldon Edwards talked about the history of Fred Hart's county-line issue. He stated that Mr. Hart's request is have all of his property taxed in Alleghany County. He further stated that Mr. Hart has to get Alleghany and Ashe counties agree to have the county line moved and then go to the General Assembly with the request. He said that he is recommending the County Manager to write a letter to Mr. Hart explaining the situation about having to go to the Ashe County Board of Commissioners with this request.

Commissioner Warren Taylor and Chair Eldon Edwards talked about both counties must agree on this issue before going to the General Assembly.

County Attorney Donna Shumate stated that the first step is to talk with Ashe County to see if they are interested in agreeing to Mr. Hart's request.

The Board of Commissioners talked about services being provided by one county and tax revenues going to another county. They further talked about this request won't be introduced to the General Assembly without both counties support. They asked the County Manager to write a letter to Don East and Jim Harrell about this situation.

County Manager Don Adams stated that he will send a letter to Don East and Jim Harrell with a copy going to Fred Hart, and then he will send a letter to Fred Hart about their responses.

County Manager Don Adams presented budget amendment General Fund #31 in the amount of \$18,100 for the Crisis Intervention Program. He stated that these monies are 100% state funds.

Commissioner Warren Taylor made a motion to approve budget amendment General Fund #31 in the amount of \$18,100. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

County Manager Don Adams stated that he will put the budget discussions on the next agenda when all of the Commissioners are in attendance.

County Manager Don Adams presented a letter from Carol Black asking the Board to consider an air pollution resolution.

Commissioner Ken Richardson, Chair Eldon Edwards and County Manager Don Adams discussed sending the resolution, if approved, to our State and Federal delegation and the EPA.

Commissioner Ken Richardson made a motion to approve the resolution as presented. Commissioner Warren Taylor seconded the motion. Vote 4:0.

County Manager Don Adams presented a proclamation from DANA proclaiming April as Sexual Assault Awareness Month.

Commissioner Graylen Blevins made a motion to approve the proclamation as presented by the County Manager. Commissioner Warren Taylor seconded the motion. Vote 4:0.

County Manager Don Adams presented a proclamation from DANA proclaiming April as Child Abuse Prevention Month.

Commissioner Warren Taylor made a motion to approve the proclamation as presented by the County Manager. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

County Manager Don Adams discussed the Virginia-Carolina Water Authority. He talked about the formation agreement and the advisory board meeting held last week. He further talked about having a public hearing before considering the formation agreement. He stated that the formation agreement is necessary in order to join the water authority.

County Manager Don Adams and Town Manager Bryan Edwards discussed different dates for the public hearing.

The Board of Commissioners discussed setting the public hearing and decided on having the public hearing the first meeting in May.

Town Manager Bryan Edwards discussed having the public hearing together with the Town/County.

The Board of Commissioners decided to hold the joint public hearing on May 3<sup>rd</sup> at 7:00pm at the Town Hall.

Commissioner Ken Richardson and Commissioner Warren Taylor discussed the name difference between Grayson-Alleghany and Virginia-Carolina. Commissioner Warren Taylor stated that the only participants are the ones involved in the formation agreement.

County Manager Don Adams and Town Manager Bryan Edwards reiterated Commissioner Taylor's comments on naming the authority.

Commissioner Ken Richardson talked about concerns of a closed landfill that empties into the New River.

County Manager Don Adams discussed meeting with the Board of Education on March 14 at 6:00pm at the Board of Education's office to discuss school facility needs. He stated that their architect will be there to present different options for the Board to review. He further stated that he has recommended that the School present this information on the 14<sup>th</sup> and then have another meeting in a couple of weeks to discuss the plans further.

Chair Eldon Edwards talked about the School is meeting with the architect on March 9, and the need to meet with the School because the option on the Blevins property expires on March 28.

The Board of Commissioners agreed to meet on March 14 and continue from there.

Commissioner Ken Richardson talked about the Wellness Center activities this Saturday

celebrating their first year in operation.

Commissioner Ken Richardson talked about retail sales in the County for the month of September being over 10 million dollars. He stated that the retail sales haven't been that high in a single month since he has been keeping up with it.

Commissioner Warren Taylor talked about the amount of building materials being sold helps the retail sales.

Commissioner Graylen Blevins apologized for being late. He explained that he was at the Social Services Board meeting.

Commissioner Warren Taylor talked about attending the Yadkin Valley Education Summit and the information he received at the summit.

Chair Eldon Edwards asked if each Commissioner had received information from NCACC about supporting a lottery and a local-option lottery.

Commissioner Warren Taylor stated that he doesn't know what the benefits will be.

Chair Eldon Edwards talked about the lottery is supposed to support school construction.

Commissioner Warren Taylor and Chair Eldon Edwards talked about the lottery issue being on a referendum and benefiting education.

Commissioner Ken Richardson talked about rewriting the resolution to include the Board's support and to have the matter placed on a referendum.

Commissioner Warren Taylor talked about things to fund with the lottery money including school construction.

Commissioner Ken Richardson stated that it is the County's responsibility to supply the capital outlay money and the State's responsibility is to provide the operating money. He talked about a trade off with the Medicaid issue and school moneys.

Chair Eldon Edwards mentioned a letter from Ed Adams. The Board stated that everyone had received the letter.

Chair Eldon Edwards asked for public comments. No comments were received.

Commissioner Warren Taylor made a motion to enter into closed session at 8:15pm under NCGS 143-318.11 (a) (6)—personnel. Chair Eldon Edwards seconded the motion. Vote 4:0.

Commissioner Ken Richardson made a motion to adjourn closed session and reconvene the regular meeting at 8:38pm. Commissioner Warren Taylor seconded the motion. Vote 4:0.

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

Commissioner Warren Taylor made a motion to approve the Sheriff's request to hire a dispatcher supervisor at a grade 62 step 6. Commissioner Ken Richardson seconded the motion. Vote 4:0.

Being no further business, Chair Eldon Edwards made a motion to adjourn the meeting at 8:40pm. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

Respectfully submitted,

Karen Evans  
Clerk to the Board

Attest:

Eldon Edwards  
Chairman